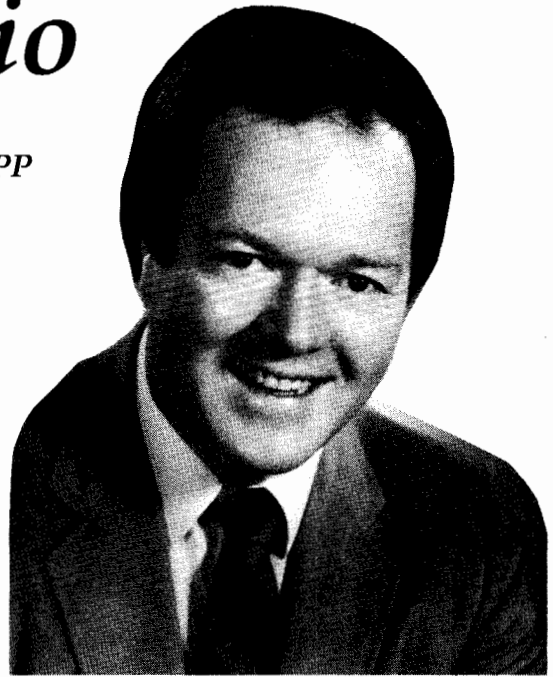


# Parliamentary Reform in Ontario

Mike Breagh, MPP



The Ontario Legislature has undergone considerable scrutiny of its organization and procedures in the last decade. A Royal Commission headed by Dalton Camp and a Select Committee under Donald Morrow reported that changes were necessary. The Procedural Affairs Committee has continued this reform process with changes to the Standing Orders which control the Procedure of the House and recommendations for a new committee system. These changes, and many others, are happening as Parliament struggles to maintain some relevance in a time when governments are becoming so complex as to be almost beyond the control of anyone.

The Legislature's Procedural Affairs Committee has studied the American Congressional system and rejected most of its techniques as being irrelevant to a parliamentary process. If anything, the American Congress is the world's foremost example of bureaucracy gone mad. Members of the House and the Senate are basically pawns of the huge staffs and bureaucracies which abound. At least Members of the Ontario Legislature can still identify who is supposed to be running the show and retain the ability to make fools of themselves on their own initiative. This privilege has long since been lost to Members of the American Congress.

Parliaments remain great forums for debate. The traditional poking and probing of the opposition remains functional as good theatre but not necessary good government. Ontario's Procedural Affairs Committee *Report on Committees* proposed a restructuring of committees which would improve the quality of the increasing workload handled in committees. Smaller, more specialized committees with proper staffs and clearly defined tasks would remove some of the difficulties faced by Members who are not sure why they should sit through hours of debate that bear no result. In summary, the Report asked the Members to give up some of their opportunities to talk about things in order to accomplish other things. It remains to be seen whether they are ready to take such a radical step. The Procedural Affairs Committee even went so far as to suggest that we need scrutiny of spending programmes before the money is spent. This would be a first for a Legislature.

These reforms are a meagre beginning to a much larger task. The sad fact remains that while our Legislature is a great forum for debate, it is a terrible way to run a government. When Parliament is in session most Members have no clear role to play. Minority government in Ontario enhanced the job of a private Member. Our Legislators seem willing to seize the opportunity to carve out a new and different job that will utilize the abilities of all Members and not just those who are Members of the Cabinet. Though not a total success, many more Members have had a taste of doing something useful and the result has generally been beneficial for all concerned, especially the people of Ontario. When opposition Members are given a chance to use their abilities, the result is better legislation. The Members feel useful, the people get better laws, and the government gets the credit. A return to the old days of putting in time until your personal reward arrives seems unlikely.

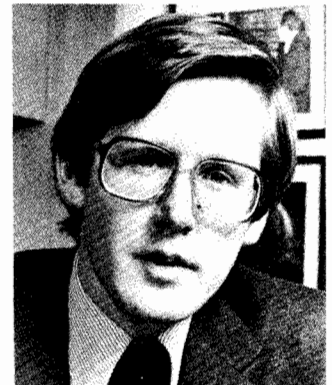
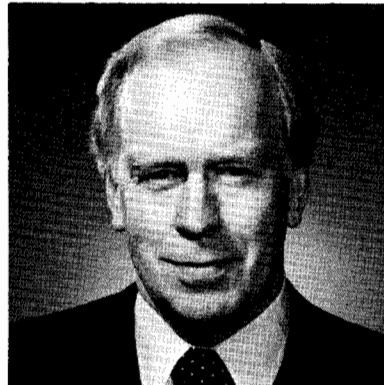
The Legislature is moving, with glacial speed, into the twentieth century. We have recommended a full electronic Hansard. The House has not quite recognized the invention of television, but this is inevitable. Many Members are reluctant to accept this. It will remove the cocoon that surrounds a Parliament. Members will have to remain awake during proceedings. The folks back home might actually see what they are really doing at Queen's Park. This move would allow people, affected by legislation, instant participation in the process. It would put everyone on the same basis as those who can afford a professional lobbyist to monitor proceedings. It might also mean an end to those delightfully passive periods when debate drones on with few Members present and fewer paying any attention. The television camera would be a blatant intrusion into the private and comfortable realm of the Parliament. It is an absolute necessity to subject the Legislature to the same probing eye that now haunts municipal councils. It is expensive. It will take the revenue of three full days of the sale of alcoholic beverages, but it must be done.

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One of the ancient traditions of a Parliament is that the government always enjoys the "confidence" of the House. In a majority government, this is purely ritualistic. Formal confidence motions are framed by opposition parties, major debates ensue, and then the motions are duly defeated. This is all very orderly, harmless and sometimes even useful. In a minority, this confidence motion can be a trifle dangerous. In 1977, I moved to reduce a rent control guideline by 2%. The government decided that this was a matter of confidence and was defeated. We had an election with very little change in representation and by the end of the year, the government decided that the reduction was alright after all.

enlarged to 180 Members. In the last Legislature I have proposed a Private Member's Bill to accomplish this. The re-distribution should be handled by an independent agency like the Commission on Election Expenses which has some knowledge of the individual ridings across the province. Most of our northern ridings are larger than Prince Edward Island. Long distances and scattered populations are difficult problems. Proper representation involves constant contact with the constituency. Surely it is no longer acceptable to have Members with ridings so far-flung that an annual excursion is the only contact they have with constituents.



Parliamentary reform will only be possible through agreement by the three party leaders. (L to R — Premier David Peterson of the Liberals, Frank Miller of the Progressive Conservatives and Bob Rae of the New Democratic Party). Editor's note: On August 20 it was announced that Mr. Miller will be replaced as leader at a convention to be held in the fall of 1985.

A fixed term of four years would stabilize the government process and not disrupt the concept of parliamentary democracy. Formal confidence motions could remain and if one party fails to win the vote, others could take over the job until the end of the term. The fixed term concept would simply force those elected to accept the decision of the electors during this time frame. It has not damaged democracy in other jurisdictions and it would seem simply a logical solution to the problem of instability.

A major concern should be the size of our constituencies. The Camp Commission recommended that the House be

The role of a Member is varied and complicated. The purpose of the exercise is to provide effective government. We have improved service in constituencies to the point that the role of a Member as ombudsman for individual problems is now effective. Other roles as critic, debater, spokesperson for caucuses, etc. can also be done effectively if the Member has the talent and is so inclined. The Ontario Legislature is an intriguing blend of tradition and idiocy. The challenge is to retain those traditions which are at least harmless, if not useful, while accepting those changes which are necessary. Ontario is not the Fields of Runnymede and our Legislature will have to change to meet the twentieth century which surrounds it. ■

**Postscript:** The election of May 2, 1985 and subsequent events have produced another minority government in Ontario. This time the government is committed to real Parliamentary change in government. The log jam has been broken. We will now face a very active period of decision-making and adjustment. It will be a challenging and long-overdue experience. M.B.