

## **It's Awfully Crowded in Here Adjusting to the Five-Party House of Commons**

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If the results of the 1993 general election were unique in Canadian politics, then the results four years later must be termed historic. In 1993 two fairly recently formed political parties gained official party status in the House of Commons, while two other parties lost their official status. In 1997, five parties won more than the minimum twelve seats necessary to be deemed “recognized” parties in the House of Commons. This was not the first five-party Parliament in Canadian history. In 1963, when the Social Credit split between Robert Thompson’s mix of Western and Quebec Social Credit members and Réal Caouette’s *Ralliement des Créditistes*, the chamber was first introduced to a five-party system. Four political parties have had healthy representation in many other Parliaments, but the 1997 election produced the first Parliament where five parties could unarguably claim all the rights and privileges granted to recognized parties in the House of Commons.

While there was reason for just about every party to feel good about their electoral efforts in the late evening of June 2, 1997, it was not long before the reality of a multi-party House of Commons began to take effect. After every election, there is a huge change of offices, as retiring and defeated members depart the Hill and new members move in. Redistribution meant an additional six seats in the Chamber and a corresponding increase in office space demand. The Government did not change hands but Reform’s capturing of Official Opposition status - the bride’s garter of Canadian politics - did result in the moving of several MPs to different offices (and one person to a new residence). The return of the New Democrats and Progressive Conservatives from their three plus years in the parliamentary wilderness, meant that new party leaders’ offices and caucus space had to be found for what has traditionally been a two-and-a-half or three-party Parliament. Space in the Commons itself had to be re-arranged to accommodate four parties on one side of the Speaker. The slim Liberal majority ensured that all government MPs could remain to the right of the Speaker while the Opposition parties would be seated to the left. Nonetheless, each of the four Opposition leaders required a front bench seat to attack the government, and changes were necessary.

Questions of office and floor space are relatively minor logistical concerns, important perhaps to individual members and caucuses, but with little impact on the day-to-day administration of government in Canada. The advent of the five-party Parliament, however, has had a greater impact on other areas of legislative life in Canada. The presence of four fully functioning Opposition parties has created a number of headaches for the government, enhanced by a majority that can at best be called slim. At the same time, each opposition party has been finding it more difficult in coping with three other parties sharing the same agenda, namely to try to embarrass the government.

This paper examines the impact that five parties has had on life on the Hill. It begins with a discussion of the history and roles of “recognized” parties in the Canadian Parliament. It then examines those areas most likely to be directly affected, including Question Period, committees, the role of opposition critics, and the negotiations between House Leaders. The paper then turns to a cursory discussion of some areas of parliamentary life where the impact of the five-party Parliament has been indirect, specifically caucus and constituency work. The paper argues that the impact is different for the government and opposition parties, but has not necessarily favoured members on either side of the Speaker’s dias. Based on interviews with members of the 36<sup>th</sup> Parliament, the paper concludes by suggesting the multi-party Parliament in Canada has had some positive impact on representation and governance in Canada in general and on the workings of the House of Commons in particular.<sup>1</sup>

### ***Recognition in a Five-Party Parliament***

There have, of course been five-party Parliaments previously. The preceding 35<sup>th</sup> Parliament (1993-97) had five parties in it, as did part of the last Mulroney government. Between 1945 and 1963 there were regularly four-party Parliaments, with the Social Credit and the CCF and later the NDP as the third and fourth party. At various times the Social Credit would have anywhere from five to twenty-five members (Cairns 1968). After some members left the Social Credit to form the Ralliement Cr ditiste following the 1963 election there were a series of five-party Parliaments, but with the Social Credit never electing more than eleven members.

What makes the present Parliament unique is the word “recognized” in front of each of the five political parties. In the previous five-party Parliament, neither the nine-member NDP nor the double’s team of Elsie Wayne and Jean Charest held “recognized” or official status. Nor did the Social Credit after 1963. Just as candidates with little hope of winning a seat at election time strive to get 15% of the vote share in order to receive their deposit back, parties that struggle at election time strive to win a minimum of twelve seats in order to be considered “recognized”.

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<sup>1</sup> Open-ended telephone interviews were done with eighteen MPs in both the government and opposition. In order to discuss the affects of the five-party Parliament, the selection of MPs was admittedly non-random and weighted more heavily toward veteran members. Additionally, effort was made to include committee Chairs, former Chairs, and those who have served as either a Whip, Deputy Whip, House Leader or Deputy House Leader. Given the nature and number of interviews no attempt has been made to empirically analyze the information provided. Instead, the data is used as a qualitative supplement to the arguments presented below.

Like most things in Canadian politics, the development of the twelve-member rule was incremental, partially a product of convention, and of course, contentious.<sup>2</sup> The twelve-member recognition rule began in 1963, when *The Senate and House of Commons Act* was amended to provide leaders of parties with more than a dozen members with an additional allowance. Since then, incremental changes were made to expand the twelve-member rule to just about every other facet of legislative organization in Canada (Robertson, 1996). Today, parties with the minimum twelve members are eligible to participate in all legislative committees, can field questions in Question Period on a regular basis, have representation on the all-important Board of Internal Economy and are entitled to additional funds for caucus research and their leader's staff. Less obvious but just as crucially, the House Leaders of recognized parties meet and negotiate the House time schedule with the Government House Leader.

As New Democrat Bill Blaikie has argued, the original change in *The Senate and House of Commons Act* is silent on the issue of rights of recognized parties in the Chamber and its extending environs (Blaikie, 1994). In terms of the one dozen rule, the Act simply deals with special allowances for leaders and other party "officers". The Act also specifies that parties that fall short of a twelve-member caucus do not have representation on the Board of Internal Economy. Blaikie argued to the Speaker in 1994 that the Act by default recognizes that a party can have a caucus with fewer than eleven members (ibid). While Blaikie may have been correct in fact, he was turned down in his bid to have the New Democratic Party treated as an official party in the 35<sup>th</sup> Parliament. As such, the previous Parliament, while having representation from five parties, was essentially a three-party Parliament.

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<sup>2</sup> For a fuller discussion of the 1963 changes to *The Senate and House of Commons Act*, see Courtney, 1978.

**Table One:  
Representation in the House of Commons: 35<sup>th</sup> and 36<sup>th</sup> Parliaments**

	35 <sup>th</sup> Parliament	36 <sup>th</sup> Parliament
BQ	54	44
Liberal	177	155
New Democratic Party	9	21
Progressive Conservative	2	20
Reform	52	60
Independent	1	1

Note: Seat distributions reflect general election results. Vacancies and by-elections alter the distribution during the course of each Parliament.

It is not hard to see why parties consider recognition as key to their legislative survival. At the simplest level, the ability to ask questions each day in Question Period makes it easier for parties to attract media attention. Participation in committee work is also crucial. Members cannot influence even minor changes in legislation if they are shut out of the committee stage of Bills. Neither can they be seen as sympathetic to interest groups or the public if they are not present when witnesses address committees. Lacking adequate research funds, a smaller caucus is compromised in its ability to keep track of government operations and hold ministers to account. These restrictions severely limit both the accountability function of MPs and their attempts to place alternative public policies on the public agenda between elections.<sup>3</sup>

For both the New Democrats and the Progressive Conservative caucuses, then, the results of June 2, 1997 were cause for celebration. Once more, they were full-fledged participants in legislative life on Parliament Hill. In many other ways, the confusion and trouble was just beginning. Even before the 36<sup>th</sup> Parliament met for the first time on September 22, 1997, all parties were aware that two more recognized parties would alter the status quo considerably.

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<sup>3</sup> For a fuller discussion of the function of opposition parties, see Franks, 1987, chapter 1.

## **DIRECT EFFECTS OF THE FIVE-PARTY PARLIAMENT**

### ***Question Period***

For opposition parties, the most important part of any day the House meets is Question Period, the one time during each legislative day that Opposition members can try to hold the government accountable. Often derided by journalists, political scientists, voters and MPs themselves as grandstanding and theatre, the effectiveness of Question Period as an accountability mechanism has long been questioned (see Franks, 1984; also Docherty, 1998). Nonetheless, opposition parties see Question Period as their premier opportunity to routinely embarrass the government about their ability to successfully manage the nation's finances and laws.

One of the first problems that members of the 36th Parliament encountered was how to handle Question Period. Specifically, there was concern among members (and the leaders) of the New Democrats and Progressive Conservatives that they would be shut out of Question Period if the existing question format was retained. In previous Parliaments, the first few questions (and accompanying supplementaries) were conventionally considered "leader's questions."<sup>4</sup> With the long preambles and responses that were customary in the House, there was legitimate concern among fourth-and-fifth party members that there would be little if any time for questions by the minor party leaders or other MPs.

After 1997 the Reform Party was initially reticent to give up any of its question time. Having played second fiddle to the Bloc Québécois (BQ) for three and a half years, Reform did not want to lose any opportunity to make the most of its new-found status as her majesty's Loyal Opposition. Nor did the BQ wish to make matters any worse for themselves than the Quebec electorate already had. The governing Liberals had no intention of increasing the time allotted for Question Period from its set forty-five minute duration.<sup>5</sup> This created a problem for the New Democrats and PCs. Having gone through the 35<sup>th</sup> Parliament without being able to ask questions regularly, the fourth and fifth parties were not about to let the matter of time interfere with their responsibility of keeping the government accountable from their own ideological perspective.

The solution to this problem served as a precursor to two unique aspects of the 36<sup>th</sup> Parliament. First, the method of reaching a solution was indicative of how other problems would be dealt with by all five parties. Second, the method of solving this problem also provided a glimpse at how the government might avoid future dilemmas created by the combination of their slim

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<sup>4</sup> Whether each opposition leader was allowed one or two "lead" questions depended on the subject and the number of supplementaries.

<sup>5</sup> The time and duration of Question Period is set out in the Standing Orders (Section 30 paragraph 5). However, the actual order of questioners if not explicitly stated. The order of questioners is more fluid, at the discretion of the Speaker who takes her/his direction from the will of the House, and was the cause of concern among members of the 36<sup>th</sup> Parliament.

majority and a multi-party Parliament.

Through negotiations among the House Leaders of the five parties, a new formula for asking questions was established. Now the rotation would begin with a complete rotation of the opposition parties. Reform and BQ would each have two questions in turn, followed by a Liberal backbench question. The five-party rotation would then follow for what was left of the forty-five minutes. The problem with this solution was that it required shorter questions and answers, otherwise it would be no better than the previous rotation, as the third and fourth parties would be effectively shut out. The House Leaders agreed to ask the Speaker to enforce a new “thirty second rule”. Questioners would have fifteen seconds to place the question, and ministers would have thirty seconds to respond. The Speaker agreed and the new formula for Question Period was adopted when the House first met in September 1997.

In discussing the effects of the new Question Period format with members of Parliament, it was clear that the changes have been a qualified hit. The success takes many forms. Members on both sides of the Speaker have commented on the clarity of questions. Shorter questions are less likely to lead to members using Question Period as a platform for grandstanding. With only a half-minute available to place a question, members must rely on the quality of the question to attract press gallery attention and not insults, props or other theatrics. Simply put, it has been the consensus of most members spoken to that shorter questions are better questions.

However, direct questions are no more likely to force the respondent to provide direct answers. Logistically, it may be easier to deflect a tough question for thirty seconds than it was for a minute or two. Both opposition and government backbenchers have suggested that deflected responses stand out when contrasted with pointed questions, yet complain that the answers from Cabinet ministers are no more informative now than they were in the previous Parliament.

Despite frustration at poor answers, members support the changes to Question Period and with good reason. For one, there are simply more questions and more answers without increasing the time spent on Question Period. This has not only allowed the leaders of the fourth and fifth parties a guaranteed question each day, it has also meant that this has not come at the expense of members of their caucus. For students of Parliament, one of the more serious concerns of the five-party Parliament and the previous Question Period formula was the lack of opportunity for private members to place questions to the government via the Speaker. Not only has there been ample opportunity for opposition backbenchers to make their mark during the forty-five minute accountability period, but to the chagrin of some opposition MPs, more government members have been able to throw some “tough” questions to the executive.

Of course, none of this is new, Opposition critics and government backbenchers have always had the time to query the Cabinet. But there was legitimate concern going into the 36<sup>th</sup> Parliament that this would disappear as Leaders, lead critics of the day and Cabinet ministers monopolized the time allotted for questions. As it turns out, it seems that everyone (save perhaps Cabinet ministers) benefits from the new, shorter question and answer format. In this regard, Table Two compares the

number of questions asked in November 1996 with those placed through the Speaker in November of the following year<sup>6</sup>.

**Table Two:  
Question Period in the 35<sup>th</sup> and 36<sup>th</sup> Parliaments of Canada**

	35 <sup>th</sup> Parliament (Nov. 1996)	36 <sup>th</sup> Parliament (Nov. 1997)
Mean number questions asked per Question Period	<b>14.8</b>	<b>23.8</b>
Mean number asked by Official Opposition	<b>6.1</b>	7.7
Mean number asked by 3 <sup>rd</sup> Party	<b>5.6</b>	<b>5.9</b>
Mean number asked by 4 <sup>th</sup> Party	.69	<b>3.8</b>
Mean number asked by 5 <sup>th</sup> Party	.13	<b>3.5</b>
Mean number asked by government backbenchers	<b>2.1</b>	<b>2.8</b>

Note: Bold figures indicated row mean differences are significant at  $p < .01$

Note: Figures do not include supplemental questions

Source: House of Commons *Debates*

It should not be surprising that shortening the length of questions and answers increases the number asked. In November 1996, the typical Question Period had close to fifteen different questions, *excluding supplementaries*. The next year, the number jumped by over fifty percent, to just under twenty-four. As it turns out, the BQ were the only political party not to gain under the new system. In each case there was an increase in the number of questions asked, although in the case of the third party (Reform in the 35<sup>th</sup> Parliament and the BQ in the 36<sup>th</sup>) the increase was not statistically significant. As Official Opposition in 1996, the BQ asked an average of 6.13 questions during the forty-five minute Question Period. As the third party in 1997, their average dropped to 5.93 questions.

<sup>6</sup> November was chosen as a comparative month for three reasons. First, the 36<sup>th</sup> Parliament first met in late September 1997, so the new Question Period format would not be entrenched by October. November also had a full scheduled sitting in both Parliaments. Finally, while choosing any month is relatively arbitrary, months where single issues dominated the political landscape were avoided.

The big winners were the New Democrats and Progressive Conservatives, whose relative standing did not change with the election. Without recognized status, the two parties often went for two or three days without raising a question. As recognized parties and a new format, they each were able to raise an average of approximately three-and-a-half questions per day. Even the government backbenchers saw a net increase in the questions they could raise, although members of opposition parties complain about the weakness of these “lob questions” and whether they truly work to keep the government accountable.

However, while the number of questions has increased for all parties, save the BQ, not all parties were net beneficiaries of the new Question Period system. Table Three treats the questions asked during the same time period as percentages. Once again, supplementary questions are not included in the calculations. The Official Opposition drops from over forty percent of all questions asked to less than one third. The third party experienced a more dramatic fourteen percent drop in the number of questions they managed to pose to the government. Interestingly, while government backbenchers increased the overall number of questions they could pose to the government, their relative share decreased.

The New Democrats more than tripled their share of questions asked, from less than five percent to over fifteen percent, while the Conservatives made the largest increase of any political party. Additionally, when New Democrats and Conservatives did get the opportunity to place a question in the previous Parliament it was consistently near the end of Question Period, long after the other parties had queried the government on the most important issues of the day and after most of the press had left to scrum politicians in the lobby. In the 36<sup>th</sup> Parliament, both these parties traditionally get the third and fourth questions respectively.<sup>7</sup> It appears, therefore, that it is the combination of the new format for Question Period and the reclaimed status as recognized parties that has helped the New Democrats and Progressive Conservatives the most.

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<sup>7</sup> When either the Official Opposition or the third party ask few supplementaries they are allowed an additional question. This occurred six times in November 1997.

**Table Three:**  
**Percentage of Questions asked by parties in two Parliaments**

	35 <sup>th</sup> Parliament (Nov. 1996)	36 <sup>th</sup> Parliament (Nov. 1997)
Percent of daily questions asked by Official Opposition	<i>41.7</i>	<i>32.4</i>
Percent of daily questions asked by 3 <sup>rd</sup> Party	<i>38.1</i>	<i>25.6</i>
Percent of daily questions asked by 4 <sup>th</sup> Party	<i>4.5</i>	<i>15.5</i>
Percent of daily questions asked by 5 <sup>th</sup> party	<i>.78</i>	<i>14.6</i>
Percent of daily questions asked by govt backbenchers	<b>14.3</b>	<b>11.6</b>

Note: Figures do not add to 100 percent due to rounding and the exclusion of questions from independent members.

Note: Bold italicized differences significant at  $p < .001$

Bold differences significant at  $p < .01$

Source: House of Commons *Debates*

Of course, more questions also mean more answers or, put another way, questions to more ministers. Depending upon the issue of the day, one minister might receive the bulk of questions from the opposition benches. Nonetheless, opposition leaders and critics do tend to spread questions around to different members of the executive. As Table Four illustrates, in 1996 a typical Question Period would see questions asked of nine different ministers. The next year, this increased to nearly thirteen different ministers.

Because most members have long distances to travel to their ridings, many try to leave on Thursday evening or sometime during the day on Friday. As a result, Friday Question Periods are usually the sessions with the poorest attendance. Party leaders are less likely to be in attendance on Friday sessions, meaning more questions from opposition shadow Cabinets. These questions will be directed to the member of the Crown the critic is responsible for overseeing. In 1996 the typical Friday session had ten different ministers (or parliamentary secretaries) answer questions, while in November 1997 this number increased to fifteen on Fridays. As critics have more opportunity to ask questions, they are more likely to turn to the departments and ministers they watch over and less likely to barrage one minister on any given issue.

**Table Four:**  
**Question Period Responses in Two Parliaments**

	35 <sup>th</sup> Parliament (Nov. 1996)	36 <sup>th</sup> Parliament (Nov. 1997)
Number of different Ministers responding (mean)	<b>10.1</b>	<b>15.3</b>
Number of responses given by parliamentary secretaries (mean)	<b>1.31</b>	<b>2.33</b>
Number of parliamentary secretaries responses on Fridays (mean)	<b>1.54</b>	<b>6.0</b>

Note: All row differences significant at  $p < .01$

Source: House of Commons *Debates*

This development also reflects the five-party Parliament. In both periods studied, for example, the Reform party asked more questions of the Minister of Revenue than the other parties did.<sup>8</sup> The BQ were more likely to ask questions of the Prime Minister and Minister of Intergovernmental Affairs. With the return to recognized party status of the New Democrats and Progressive Conservatives, the policy debate has widened. Now, more questions are asked of different ministers. Many members spoken to have pointed to this as a positive feature of the five-party Parliament. The focus of Question Period has expanded considerably, particularly in the first round of questions and in the latter stages of Question Period where the rotation follows the party standings.

The new question format also produced some less foreseeable results. More questions mean a greater likelihood that the responding minister will not be in the chamber. For parliamentary secretaries, this means more opportunity to demonstrate their ministerial potential. Although parliamentary secretaries have the authority to respond to questions for their minister, this is not usually a frequent occurrence. During Question Period in November 1996, parliamentary secretaries answered an average of 1.31 questions a day. This compares to 2.33 answers a day one year later.

On the less-attended Fridays, fewer Cabinet ministers in town means even more responses from parliamentary secretaries. This was true in both years examined. Curious to note but difficult to explain, on the nine Fridays examined in the two periods there was a large discrepancy in the number of responses from parliamentary secretaries. In November 1996, parliamentary secretaries answered an average of 1.5 questions on Fridays. In November 1997, parliamentary secretaries

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<sup>8</sup> All figures and facts cited here are taken from an examination of the November House of Commons *Debates* for 1996 and 1997.

responded to an average of six questions each Friday. This was not the result of one parliamentary secretary taking the lion's share of questions.<sup>9</sup>

In sum, the difficulties facing all political parties over the problem of Question Period soon faded when the Speaker agreed to shorten the length of questions and answers. All sides agreed that this reform, which could have been undertaken during any Parliament, has worked well. But beyond the actual changes, the method of arriving at the new system was just as instructive for all concerned. The lesson of the Question Period changes was clear. Dealing with the five-party Parliament meant dealing with five different House Leaders. On the matter of Question Period, there was compromise from both the Government and the opposition parties. The New Democrats and the Conservatives wanted guaranteed question time. The government in turn received questions from the left (New Democrats) to balance questions from the right (Reform). This allowed them to play the opposition parties off against one another.

But the resolution of the problem highlighted for the government that opposition interests will rarely coalesce. Only on specific issues will the four Opposition House Leaders bring a common front to their weekly meetings with their government counterpart. And this, more than anything else, gives the government, with its slim majority, some much welcomed breathing room.

### *The Committee System*

If the addition of two recognized parties in the House created problems for Question Period, it also created an even greater set of concerns for the existing committee system. And unlike Question Period, the challenges the government faced with standing committees was potentially more problematic. No one votes during Question Period. The committee problem, more so than Question Period, illustrated the difficulties the combination of five parties and a slim majority gave the government. The problems faced by Opposition members in committee were far less politically serious; the only thing Opposition members had to deal with was sheer exhaustion.

As recognized parties, the New Democrats and PCs were once again eligible to vote on House Standing and Special Committees. The problem after June 1997 was finding people to fill all the committee spots. As one Liberal veteran explained, the membership on committees was straight math: "Start by giving the NDP and Tories the smallest possible representation, one member each. The Bloc, with twice as many seats [as each of the NDP and PCs] will demand two members. Reform will want three. That means the government will want at least nine members." Most committees, therefore, have sixteen voting members.<sup>10</sup>

But with the nineteen standing committees that existed at the end of the 35<sup>th</sup> Parliament, the

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<sup>9</sup> On only one occasion in the time examined did a parliamentary secretary answer more than three questions.

<sup>10</sup> Some committees have more members. Public Accounts, for example, chaired by a member of the Official Opposition, has seventeen members.

potential problems were obvious. Both the New Democrats and Progressive Conservatives would barely be able to staff each committee. Part of the solution was to decrease the number of standing committees. This, however, only partially alleviated the problem, for the number of full members on the committees increased dramatically. Most committees now have sixteen members, whereas the typical committee in the 35<sup>th</sup> Parliament had only eleven members. Larger standing committees plus additional special committees still stretch the government and opposition parties considerably, but in different ways.

For the government, there are two distinct concerns. First, there is the availability of personnel. Although the Liberals do have a majority government, they cannot count on all their members as potential committee personnel. The thirty-seven member Cabinet is excluded. Parliamentary secretaries are all members of the standing committee that oversees their respective duties.<sup>11</sup> Finally, the Government Whip, Speaker and Deputy Speaker do not sit on standing committees. Of the 156-member government caucus, only ninety members are left to fill eight spots per committee for eighteen committees. Most Liberal private members are therefore double booked on committees.

The second concern for the government is their slim majority on committees. Most committees are chaired by Liberals, with Chairs only voting to break stalemates. This means the combined opposition has seven votes to the governments eight. Again, in the 35<sup>th</sup> Parliament, where most committees had eleven members, seven of whom were Liberals, the absence of one or even two government members rarely had vote ramifications. This time around, full attendance for the Liberals is a priority for the government.

For members of the Opposition, the concerns are not terribly dissimilar. First, there is the problem of ensuring full party representation on each committee. Given the size of each caucus and the number of committees, opposition members are also stretched. These members often find themselves double-booked and unable to fulfil all of their committee responsibilities. A cursory examination of the committee schedule for November 1997 highlights this problem. On half of all sitting days of the House during that month a minimum of eight committees had scheduled meetings. This problem is exacerbated with other House-related meetings or duties that some MPs have (such as House Leaders' meetings, regional caucuses, sub-committees etc).

As one member of the government argued, however, the problem of numbers is much more onerous on the Liberals than on the Opposition parties. "Half the time the New Democrat or Tory doesn't make it to [our committee]. But it doesn't matter for them, for us it does." Simply put, on a matter of some importance, the government cannot count on any absentee opposition members. The government must always assume full attendance from other parties and therefore from themselves. The size of the Liberal majority is central to this dilemma, but the five-party Parliament (and subsequent membership on committees) exacerbates the problem dramatically.

Working in the government's favour, however, is the complex composition of the opposition

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<sup>11</sup> In most instances the parliamentary secretary is the ninth member of the committee.

parties. Even if all opposition members are present in committee votes, it would only be on the most unique, non-ideological issue where all four parties would side against the government. On most matters of policy, the four parties will seldom unite. Where they are most likely to concur is on questions of organization, schedules and chances to embarrass the government with surprise votes.

The real problem, according to one second-term Liberal MP, is the cost in terms of knowledge and preparation of members. "Sitting on two committees and not being able to make a lot of meetings, I simply try to keep up with the most recent or important issue." Members interviewed all stated that they did not turn toward their personal staff any more in the 36<sup>th</sup> Parliament than in previous sessions for advice or research on issues. "I wouldn't say that the committee researchers or my own staff are influencing my views any more" stated one veteran member, "although without them, there would be no way we could get as much done in this Parliament." The influence of staff appears no greater in this Parliament, although members may be more cognizant of the role staff play as MPs run from one meeting to another.

## **INDIRECT EFFECTS OF THE FIVE-PARTY PARLIAMENT**

### ***Constituency Work***

It might be expected that any connection between constituency service and the effects of the five-party Parliament should appear indirect. Indeed, according to most members interviewed, this was the case. Nonetheless, some MPs did suggest that constituency styles and the quality of local work have been affected by the election of five officially recognized parties. There is some disagreement though over which members have most noticed or felt the effect.

One veteran New Democrat MP suggested that most members should spend some time in their rookie term getting to know what type of constituency service their voters expect. Instead of members bringing a work style to their riding, this view holds that members develop their local style according to the demands of their constituents. For example, some ridings have occasionally had successive representation by Cabinet ministers.<sup>12</sup> When a new member is elected in one of these ridings, they might feel it necessary to develop a high profile and hopefully move into a Cabinet seat at the first available opportunity. Other ridings expect hard working "constituency members", who place less emphasis on their own career ambitions and instead act as local ombudsman, taking care of both small and large concerns of their electorate.

The five-party Parliament interferes with this process simply by increasing the legislative time constraints of backbench members of Parliament. Members who are busy running back and forth between House and committee duty, and countless other legislative responsibilities, have less time to devote to developing a durable constituency style. One rookie member commented on this very problem. "Initially I planned to be in the riding as much as possible and, when in Ottawa, spend

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<sup>12</sup> Etobicoke-Centre in Toronto has had successive cabinet representation by Progressive Conservative Michael Wilson and Liberal Alan Rock.

the bulk of my day on constituency issues. But often [when I am in Ottawa] I can only turn to individual problems at night, after the offices are closed. It is great for talking to people in [my riding] but I have to leave instructions for my staff in the morning. I simply cannot follow up on it.”

It is difficult to generalize this individual problem to the five-party Parliament. As one veteran suggested, “there is always enough to do here [Parliament] to fill up your day. It is simply a matter of deciding that some issues take priority over others. Some decide it is their riding... others think they can best represent their riding by working on national questions.” Most veteran members spoken with agreed with the latter sentiment. While some agreed that increased committee responsibilities in the 36<sup>th</sup> Parliament are real, few had sympathy for those who let it interfere with their local work.

### *Party Discipline*

In the 35<sup>th</sup> Parliament, the Liberal government was not afraid to introduce pieces of legislation that did not have the full support of their caucus. In some instances, Prime Minister Chrétien and his office reacted swiftly and strongly to rebellion. Warren Allmand experienced a swift departure from the Chair of the Justice Committee for disagreeing with his government’s attention to economic rather than social concerns. Dissident government members lost coveted committee positions as a reminder to all government private members that parliamentary parties are hierarchal in nature. In these cases, the government staked a great deal of credibility on their willingness to move on specific issues. Threatened with widespread dissent from rural MPs on the issue of gun control, for example, the government did not want to appear weak. Even if it meant a painful crack of the party whip, the government had invested a lot of political credibility on Bill C-68. When upwards of a sixth of the caucus threatened to vote against the party, the leader had no choice but to react strongly.

In other instances, the government took a more relaxed approach. Fearing some backlash to the whip, government private members were allowed to “vote their conscience” on matters such as protection of gays and lesbians from hate crimes (Bill C-33). Backbenchers voting against their government were not punished for their actions. Although the government carried the day on Bill C-33, the relaxing of party discipline angered members of the gay and lesbian community who saw their rights as being treated as less important than gun control. At the same time, the message was sent that the government could take a more progressive look at voting and allowing members to take a stand against the party on some issues.

But in the 35<sup>th</sup> Parliament, the government had the overwhelming advantage of a healthy majority. They could afford to have a handful of backbenchers vote against the government, knowing they would still win the vote and not compromise the confidence of the House of Commons. Even then, Prime Minister Chrétien approved of a strong whip, “disciplining more caucus members than Mulroney did in nine years or Trudeau did in fifteen years” (Thomas 1997). The slim majority of the 36<sup>th</sup> Parliament is a much different beast. With 154 voting members in a House of 301, the government can ill afford to let its caucus pick and choose which issues to support and which to oppose. There is little reason to suspect that the Prime Minister will loosen his grip on

the whip with this more tenuous grasp on power in the House.

The first real test of the government's resolve and the closest it has come to losing confidence to date came with the Hepatitis C issue. Unwilling to compensate all who contacted Hepatitis C, the government faced a united front of opposition parties in the House of Commons. Adding to their woes, the government also had to contend with several backbenchers who had reservations about the limited compensation strategy. At one point, days before the vote, it looked as though the government could be close to losing its majority, and questions of confidence were being raised.

If the government saw the Hepatitis C issue as being one of the more crucial junctures in its tenure, they had good reason. For as one veteran opposition MP observed, "I never thought I would see an issue where the Reform Party would be on the same side as the BQ and the NDP. Even here it was odd to see Reform supporting an increased spending motion, but this might just be the only issue all of us would be united against [the government's legislation]." Once again, it would take a non-ideological issue to stretch the government's ability to maintain its slim majority. Only when all of the opposition parties see advantages in tackling the Liberals would they face this type of situation. Hepatitis C was that issue.

While the government eventually got all members of the Liberal caucus to see things its way, it may have done so at a political cost. One second-term member indicated that the Hepatitis C caucus debate was one that marked a crossroads for many MPs. "They [Cabinet] can only play the loyalty card once or twice. That wears thin after a while, and they have to be careful how it is used on us." It was this member's view that the attitude of the government was as problematic as the issue. Within caucus, the government framed the vote on Hepatitis C as an act of party loyalty.

Not long after dealing with this issue, which galvanized the opposition and threatened the united front of the government caucus, another one arose. Much to the chagrin of the government, the RCMP's handling of the APEC summit protestors – and the alleged involvement of Prime Minister Chrétien and senior personnel in the Prime Minister's Office – quickly emerged as just such a cross-party, non-ideological issue. Liberal MP Ted McWhinney, whose riding includes the UBC campus where the summit and associated demonstrations were held, initially responded with sympathy towards the students as the RCMP's Public Complaints Commission began an investigation into the affair. His "timely" removal from the Foreign Affairs and International Trade Committee suggested the Prime Minister has not wavered from his past practice of disciplining wayward caucus members. The recent overheard conversation about the Commission by the Solicitor-General during a flight to his riding has further solidified the opposition. During the week of October 5-9, 1998, Question Period was dominated by charges of political interference and personal ineptitude. The thought of forcing a Cabinet minister to resign is enough to unite even the most ideologically divided opposition parties.

Beyond these major issues, the government has had to approach caucus problems from a different angle in the 36<sup>th</sup> Parliament. With a smaller majority, some members found their voices carried further in a less populated caucus room. Stated one returned Ontario Liberal, "I think they [Cabinet] listen more to us now, simply because they know they have to. [In my rookie term] I had

the sense that they really only listened on a few big issues. Now, it only takes a few of us before they start paying attention.” In the 35<sup>th</sup> Parliament, the government could afford a half dozen dissident backbenchers; in the present Parliament, the margin is much tighter.

A more cynical government backbencher had a different “take” on the open ears policy of Prime Minister Chrétien and his Cabinet. This MP felt that many frustrated backbenchers were willing to acquiesce to government decisions, but only for so long. The window of opportunity for the government to pass its agenda with the unfettered co-operation of backbenchers is linked to the timing of the last two elections and, specifically, the pension implications. “In October next year [1999] a lot of us from the class of ‘93 will suddenly feel a lot more comfortable taking on the leader. Until then, none of us wants an early election.” Once members have served their six years and two elections, their pensions will be locked in. Until that time, they will be less inclined to heed opposition demands for an early election. For the next twelve months the government can be relatively secure that even the most wayward second-term Liberal will not wander too far from the fold. After that, non-ideological issues that have opposition solidarity and make some Liberals uncomfortable could prove more interesting for the government and election forecasters.

Yet beyond the point of personal pension considerations and Cabinet aspirations, even veteran members are not immune from prime ministerial reprimands and punishment. Career politicians such as Charles Caccia and George Baker should be at an enviable stage in their political life. They realize, however, that they may never return to, or sit at, the Cabinet table. At the same time, they are very popular in their own ridings and should be able to weather any anti-government electoral storm.<sup>13</sup> Theoretically at least, this combination should provide them the freedom to act as relatively independent committee Chairs. Like any other committee Chair, they are vulnerable to removal, but unlike most second- and first-term office holders, they have long stopped seeing the position as a potential stepping stone to a Cabinet career; or perhaps more accurately, they have ceased to see their removal as Chair as a sign that their ambitions have been thwarted. Yet this independence may have caught up with them. Popular Newfoundlander George Baker’s removal as chair of the Fisheries Committee in late September 1998 is a harsh reminder of the executive-centred nature of the Canadian Parliament.<sup>14</sup> It also reinforces the reputation the present Prime Minister has developed for not tolerating dissent from within even from MPs with strong constituency, and even regional, connections.

Adding to the frustrated independence of committees is the continued lack of effectiveness. The government still holds the power to ignore or respond to committee reports (see Docherty, 1998, also Gauthier 1993). Until such time as changes are made in this aspect of legislative life, the impact of the five-party Parliament on the committee system will remain one of stretched resources and protecting the government majority. Committees are no more or less cohesive in the five-party

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<sup>13</sup> For work on the issue of personal vote and parliamentary experience see Docherty 1997, also Ferejohn and Gaines, 1991.

<sup>14</sup> Committees hire (elect) and fire their own Chairs. However, the Prime Minister can remove one of his/her caucus from a committee. In the case of George Baker, this effectively amounts to their removal as Chair.

Parliament than they were in predecessor legislatures. The lack of respect they receive from the executive, the shelving of committee reports by Cabinet ministers and the continued willingness Jean Chrétien has demonstrated to remove free-speaking Chairs might well suggest that committees are becoming increasingly frustrated.

## ***Discussion***

The election of five “recognized” parties in the House of Commons in 1997 has made national political life more interesting. Among other developments, the rejuvenation of the Progressive Conservatives has arrested the ability of the Reform Party to claim proprietary rights over the conservative segment of the population. The resulting debate over whether the right can unite has caused many partisans and non-partisans of the right to question their ideological and populist roots. Also few observers would have thought five years ago that the beachhead of social democracy would wash up on the shores of Atlantic Canada. Yet the election of a solid cadre of New Democratic MPs from New Brunswick and Nova Scotia has marked a significant shift in partisan loyalties in some of the more politically traditional areas of the country. Whether the NDP can sustain and build support in these areas remains to be seen, but they should be encouraged by the advice of present Conservative leadership aspirant Hugh Segal who earlier observed that “voting NDP is like committing adultery. It is only difficult the first time.”

The Bloc Québécois must wrestle with the question of their own political survival. Tied as they are to the future of the provincial PQ, they know they can always elect a critical mass of MPs. Removed from the problem of Quebec sovereignty, their ability to be a productive opposition party remains questionable.

In terms of changes in the 36<sup>th</sup> Parliament, the five-party system has produced both unexpected and expected results. Question Period is no more effective, but opposition MPs have increased their opportunities to keep the government accountable and in some instances rock them on their heels. Committees are no stronger, but they have created opportunities for the opposition to tie the government members up and keep them from attending to their House and other duties.

There have been more unexpected changes. First, more than one MP associated with the House’s business commented on the seeming ability of the House Leaders to sit down and negotiate a legislative agenda that tries to meet the needs of each party. In the words of one member, “there is an atmosphere of professionalism and courtesy that was noticeably absent in the last Parliament.” This comment is a strong reminder that personalities, and circumstances, matter. The increase in House Leaders from three to five has forced all sides to cooperate. At the same time, it has provided the government with some leeway. Knowing that not all the opposition parties will agree with each other makes it easier to push your own agenda through without appearing intransigent.

Second, faced with a smaller majority, the Prime Minister has reacted by increasing his grip over his caucus. Jean Chrétien has reaffirmed his reputation as someone who insists on loyalty from within. For the short term, this strategy may work. However, as more members of the governing caucus become eligible for pensions, they may not be less reticent about a general election,

particularly if the issue is one where siding with their leader is the politically unpopular course to chart.

Finally, Hepatitis C and the APEC summit are issues largely (and in the latter case entirely) of the government's own doing. They were not incidents manufactured or discovered by the opposition. Most members and observers of Parliament initially believed that there would be few, if any, non-ideological issues that would require the government to face a united opposition. Yet with the 36<sup>th</sup> Parliament barely past its first birthday, two major issues have presented themselves. More than anything, this should serve as a reminder to present and future governments that the partisan diversity of the opposition does not guarantee a hassle-free session.

It is true that on most issues, a government can play opposition parties against one another. And that must certainly have been the game plan of the Liberals, with the New Democrats (and to a lesser extent the BQ) advocating increased government spending and the Reform (and to a lesser extent the Conservatives) advocating more cuts to both government and taxes. In most cases it has worked. The split among the opposition has negated some of the problems caused by the government's slim majority. To the irritation of the government, however, this has been replaced by a more vexing problem, namely their own inability to manage non-partisan issues and the opposition's willingness to constantly remind the government of this by using all procedural and parliamentary means available to them. In this regard at least, the five-party Parliament is working as well as any before it. The government can manage most legislative affairs to their advantage but still get caught on matters that were not foreseen as major problems.