



## Balance of power: MP Michael Chong on fixing the relationship between MPs and their leaders

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Ontario Conservative member of Parliament Michael Chong Tuesday introduced a private member's bill dubbed "An Act to amend the Canada Elections Act and the Parliament of Canada Act (reforms)." He says it will rebalance the relationship between federal party leaders and their caucuses. In an interview with Postmedia News columnist Andrew Coyne, Chong explains why he thinks his initiative will win the support of other MPs. Here's a condensed Q and A:

*Andrew Coyne: Tell us why this bill is needed. What is the problem you're trying to solve?*

Michael Chong: It's clear that over decades the ability of members of Parliament to represent their constituents in the Canadian House of Commons has declined relative to the caucus leadership structures. This is not the result of any one government or any one party. These changes came about as a result of numerous and cumulative changes in the Parliament of Canada – in the way in which we elect party leaders, the way in which we review party leaders, the way we constitute caucus membership, and the way that we nominate party candidates.

And as a result the power of the executive branch of government has subsumed our legislative institution. The power of parliamentary party leaders has increasingly been advantaged to the disadvantage of caucus members. And that has weakened the checks and balances of our system that are so important to ensuring good governance of this country.

*Q. Tell me in the broad strokes what your bill does to change that.*

A. It does three things. It restores local control over party nominations. It strengthens caucuses as decision-making bodies. It reinforces the confidence convention in the House of Commons. These three things together will empower MPs, give them the tools they need to represent their constituents in Ottawa.

*Q. I've heard people say "Oh, well, when have nominations ever actually been refused by a leader?" Can you give me some examples?*

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A. Think of the fights during the Chretien-Martin years about party nominations, and how some candidates for nomination were shunted aside and others were appointed. Think about the fact that for much of the 1990s, under the government of Jean Chretien, many of the local associations did not have nominations for party candidates: the party simply shut down the nomination process for the better part of a decade. We've seen numerous examples in the last ten years of candidates that were disallowed from running in my party and in all parties.

*Q. How would the system your bill envisages work, compared to how things work under other parliamentary democracies?*

A. That's an important question, because we know how the system will work if these reforms are put into place. Because the reforms in this bill were past practice for many decades in Canada. Furthermore, they're present practice in other Westminster parliaments, like Australia, New Zealand, and the United Kingdom.

And what the evidence shows, clearly, from academic research, is that these rules create no more instability than our present system. The length of time between elections, the length of time between leadership changes, the length of time between changes of government is no different under the rules proposed in the *Reform Act* than they are under our current system.

*Q. If that's the case, why have these countries been slowly moving away from this system? The British Conservative Party, for example, moved to a hybrid system of caucus and party members choosing the leader. The Australian Labor Party has moved away from having the caucus choose the leader. And we ourselves moved away from it some years ago.*

A. While those other Westminster parliaments have experimented with different hybrid systems for choosing a leader, they have always ensured that the power of caucus to review the parliamentary leader remains with caucus.

*Q. Some have said there's no need for this — caucus already has that power. They cite the examples of Chretien, of Gordon Campbell in British Columbia. Are you proposing a solution to a problem that doesn't exist?*

A. It is true that the caucus power to review the leader currently exists in our unwritten constitution. However, it's opaque, and vague. It's unclear to many, both inside Parliament and outside, what

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exactly the rules are. The bill simply proposes to take this unwritten convention of our Constitution and put it down in writing. So that it's clear and transparent to everyone involved.

The rules for leadership review in places like the United Kingdom and Australia are clearly written down on paper so that everyone knows exactly how the process works and how it can be invoked.

*Q. How much support do you anticipate at this point for your bill?*

A. I'm overwhelmed by the support that I've received from my colleagues in the House of Commons on both sides of the aisle. I'm humbled by the support from Canadians. I don't know exactly how many MPs are going to vote for it. It's early days yet. I expect that many MPs will rightfully want to review the bill, understand it, and make a determination. But I'm optimistic that this will get substantial support.

There have been concerns about the way parliamentary caucuses have been run for many, many years. And it's not restricted to one party, or one group of people. Alison Loat at the Samara Institute has done some very good work interviewing Members of Parliament who've gone back to their private lives. And the theme that runs through all the interviews is the frustration that many members of Parliament feel, from all parties, about the way in which the balance of power is held in our elected Parliament.

*Q. What do you say to people like your caucus colleague Paul Calandra, who says, look, there are lots of ways to have an impact now — if people are feeling frustrated, they should work within the existing system rather than change the system.*

A. I would say that what's important to know is that in our system of government, in Westminster parliamentary democracies, members of Parliament are ineffective if they sit outside the parliamentary party caucus. They don't have the same powers as elected members if they sit outside a recognized party caucus.

How those party caucuses are constituted, the balance of power within those party caucuses is thus incredibly important. And I think it's clear that the balance has shifted in favour of caucus leadership away from caucus members. That has weakened the connection that Canadians have with their local member of Parliament.

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Here's why that's so important. In many other systems of government, citizens exercise three franchises, three votes, at the federal or national level of government. They vote for a head of state, such as a president. They vote for a member of the upper chamber of their legislature such as a senator. And they vote for a member of their lower chamber, such as a Congressman or Congresswoman. So when they have grievances, when they need assistance, they want their views and aspirations to be heard, they have three avenues through which they can pursue their democratic rights.

In Canada, Canadian citizens have one franchise, one vote, to exercise at the federal level. And that is a vote for their local member of Parliament. And they rightfully expect that that member of Parliament be able to respond to their needs and aspirations. This bill rebalances the power of the House in a way that ensures that members have greater degree of autonomy within the party system to represent their constituents.

*Q. You've said this is not a caucus revolt, not aimed at your leader or any leader.*

A. The prime minister has my confidence to carry out the mandate voters gave Conservative MPs in the 2011 election. This bill is not about any of the current leaders in this Parliament. It's about future parliaments and how we can improve the conduct and functioning of those future parliaments.

*Q. These might be good ideas, some have said, but why not leave that to each party to decide, rather than entrenching them in law?*

A. This bill does not in any way, shape or form affect the power of political parties to review their leader as they currently do, or to select the leader as they currently do. This bill has no impact on the ability of political parties to review or select leaders.

All this bill does is recognize the current constitutional convention that party leaders in the House of Commons must maintain the confidence of their caucuses, and provides a written set of rules under which the leader can be reviewed. All it does is codify what is currently unwritten convention, by putting it into statute, and by getting political parties to acknowledge this existing power.

It's important to note: there are two types of parties in Canada. They are separate and distinct and they are governed by separate statutes and rules. The first are the registered political parties that

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exist outside of Parliament. They are created under the Canada Elections Act, they exist throughout the country, and they are what we commonly think of when we think of political parties.

However there is a second and equal type of party in this country and that is the parliamentary party. That party is created under the Parliament of Canada Act: they're often called "recognized parties" or "party caucuses" or "caucuses." This bill simply recognizes the power of that second type of party to review the leader of the parliamentary party in caucus and to ensure that that is recognized by the political parties outside of Parliament.

*Q. Still, you get people objecting that "a handful of disgruntled MPs" can overturn the result of a national convention at which thousands of people may have expressed their preference. A lot of people see that as being undemocratic.*

A. First, members of Parliament are going to use that power judiciously, quite simply because they are accountable to their Electoral District Associations. If they are out of synch with the membership in their association, they are not going to be the party candidate in the subsequent election. Members of Parliament are going to use that power with restraint, because if they don't, they themselves will be reviewed by their riding association.

Second, the evidence shows that members of Parliament who have these powers set out in writing use them no more frequently than do members in our current system.

*Q. People say that party leaders under this system will not be able to take strong stands, unpopular stands, as they sometimes have in the past.*

A. Look, these rules existed for many decades in this country. Nobody thought that a great nation like Canada would come out of the northern half of this continent in the mid-19th century. But it was the principles and institutions on which this bill is based that created the country we know today.

If this bill is adopted and these reforms are put into place, we will still have immensely powerful prime ministers, and immensely powerful party leaders. The prime minister appoints members of the Cabinet, appoints all the deputy ministers, appoints thousands of other people to various positions throughout the government of Canada. The prime minister and his House leadership, along with the House leadership of the other parliamentary parties, still decide committee membership, whose

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offices are where, who gets to sit where. They still hold an incredibly powerful whip. All this bill does is rebalance a little bit of the power back towards the legislature.

*Q. You also propose removing the current requirement for the leader to sign a candidate's nomination papers, leaving the final say with the riding association. People have raised the concern that without that vetting by the leadership, you're opening the way to rogue candidates, people a party would be horrified to have as a candidate.*

A. Well, the current system produces those "crackpot" candidates. In the last 10 years, I can recall candidates who were smoking marijuana as they drove their vehicles through the streets of the Lower Mainland in Vancouver. I can recall party candidates that have been smuggling truckloads of booze in their car across the Canada-U.S. border. I can recall neo-Nazi candidates running for parties in northern Quebec. So the current rules don't prevent these "radical" candidates from presenting themselves to Parliament.

I think that Canadians have the maturity and the judgment to make the decision at the local level as to who is best able to represent them for the party and for Parliament. I trust the people to make the right decisions.

*Q. Another provision in the bill would allow the caucus, rather than the leader, to decide whether to expel a member. Some are concerned this might be abused.*

A. It's the system that's currently in place in parliamentary parties like those in the U.S. Congress. They have similar rules. And it is a very rarely exercised rule. So I think that members will follow the Golden Rule when it comes to caucus expulsions: do unto others as you would have done unto yourself.

*Q. Another line of argument I'm seeing: there are so many other reforms we should be pursuing, and that this is a distraction from that, or less doable.*

A. I would say to them this: Let's try these three simple reforms to our system of government. And if after 10 years of coming into force they don't work, then we can consider something else. I truly believe that these three simple reforms will fundamentally rebalance our Parliament and reconnect it to Canadians.

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*Q. What do you say to people who tell you, “This is all very nice, Michael, but it doesn’t have a hope of passing”?*

A. I believe Canadians want us to reform Parliament. And I believe that support from Canadians gives this bill a very good chance of passing this Parliament.

*Q. Supposing this does pass. The habits of deference and obedience and place-seeking are so ingrained in members of Parliament. Maybe you’ll find you can change the rules, but it won’t really change anything.*

A. I don’t agree. I think if the reforms in this act are put in place I think you will see a Parliament that is much more similar to the parliaments we see in London, in Canberra, and in New Zealand. It will give MPs the power to reflect more accurately the views of their constituents, while at the same time being part of a party structure that ensures cohesion, that ensures strong leadership and that ensures strong government.