

Parliamentary Reform

V I C T O E W S †

Good afternoon, and thank you very much for the invitation to be here with you to discuss this very important subject. I caught part of the last presentation, and quite enjoyed Professor Schwartz's comments, and he has a wonderful way of bringing reality down into a couple of sentences.

The one thing that did puzzle me was the question about how to take politics and ideology out of decision-making, and I wondered if I was in the right room. The nature of Parliament, the nature of the legislature, is political decisions. All of our decisions, whether we are elected politicians, or whether we are in another capacity—we all bring a certain ideological perspective, we bring a political perspective. That's why we have different political parties in the House of Commons or in the legislature, and it's in that debate, I think, that we see progress.

The issue of Parliamentary reform, I think, is very pertinent, and I think very timely. I want to thank the Institute for putting on this conference. During the last 10 years, I think many Canadians have perceived that the so-called democratic deficit in Parliament has grown larger. (Indeed it was the Prime Minister's battle cry that he was going to cure the democratic deficit.) Canadians have been increasingly cynical about the way elections have been called, how campaigns have been conducted, and indeed, how in fact turnout in these elections has gone down.

Electoral laws have been hastily put in place to benefit the government and to limit free-speech. Closure and the time allocation have been employed in Parliament to an unprecedented degree. Appointments to some of our most important institutions, the Senate and the Supreme Court of Canada (and indeed all superior courts) have remained the personal preserve of a political decision maker, namely, the Prime Minister. There is no question that the system must change, and it's not good enough to talk about the democratic deficit. We need to end it.

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Now, despite my opening comments, I am quite optimistic that we can in fact change the way parliaments and legislatures generally do business. And I want to focus primarily on Parliament. I think the opportunity that we have in this 38th Parliament, with a minority government, brings real opportunities for substantive change that will, using the words of Professor Schwartz, “break the cycle of self interest.” It's so easy when you're in a majority government to simply keep things going the way they are, because essentially, Parliament or legislature have been fashioned by majority governments, and benefits that majority.

So when we are in a minority situation here, we need to take this opportunity to step back, all of us—whether we are the governing party, whether we are the Official Opposition, whether we are one of the other opposition parties—and to look at how, in fact, we can make these changes, because the changes we make in this minority Parliament can last well beyond simply the term of this 38th Parliament.

I want to focus on a number of issues that I think we have a real opportunity to deal with, in my few minutes here. I want to stress that these things can be done without constitutional reform. I know that as soon as people mention the Constitution, they either glaze over, or if you're a lawyer, the dollar signs appear in your eyes. But I think that despite the hurdles that the Constitution presents, there are other ways of achieving changes.

Some very simple changes, of course, are some of the changes that first attracted me to the Canadian Alliance party. I was never a Reform party member, but the democratic reform issues that were first advanced by the Reform party in the modern era (and I take note of the comment that was made earlier that even Liberals have had periods of reform, and I am very familiar with those cases that the leader of the Liberal party mentioned here earlier).

But the free vote is the first issue that I'd like to talk about. The breakdown of the party structure, I think, is an important thing in order to accomplish that. Members of Parliament are representatives of the people, and primarily a particular constituency.

The people of my riding, Provencher Southeast Manitoba, have particular concerns, particular ideas, and they do not necessarily correspond with the concerns or the philosophies of other Canadians, even Canadians who are represented by another Conservative in the House of Commons. So what we need to do is open up the voting process to ensure that, except for budgetary matters and main estimates, we should strive as much as possible to allow for free votes, especially on matters of conscience.

For example, in my own party, the issue of same-sex marriage is a very divisive issue that, being a moral issue, is left to the decision-making of

the individual MP. We believe it's very important in order to reflect those particular constituencies that we represent, that we have the freedom to vote the way our constituents and our moral background—perhaps compels us to vote, perhaps directs us to vote.

Another issue that needs to be addressed is the issue of the appointments I alluded to earlier to the Supreme Court of Canada and to the Senate. But it's not just the Supreme Court of Canada, it's not only the Senate, but indeed, the public corporations that control so much of the taxpayers' money— whether it's the post office or other public corporations. The heads of these organizations, of course, control taxpayers' money, and in fact determine public policy through these crown corporations.

Parliament needs to have a greater say in who these individuals are. And I think without getting into too much of the detail of the sponsorship issue, we can see how crown corporations were used in the context of that particular episode in our history to, in fact, launder money (if I can paraphrase the words of the Auditor General); that there was a deliberate attempt to hide the “origin of money”. And they specifically used crown corporations because they were hidden from public view. They were not as accountable to the public. So again, we need to bring that measure of accountability by having Parliament overview these kinds of appointments.

The recent appointments to the Supreme Court of Canada, I think, also raised similar considerations. We have to recognise that Supreme Court of Canada justices do bring particular ideologies to the bench, and I think that's inevitable. No matter who we are, we all bring certain values to the bench. But we must then recognise that they bring these values to the bench, and there must be an opportunity for Canadians to understand who these individuals are, and why they are going to that bench.

The issue of the Senate, of course, is a little more difficult, but I still believe that there is an important role for a Senate. We can right now elect senators without a constitutional amendment, by doing what Alberta did, for example: having essentially a vote on that, when there are vacancies. And the Prime Minister, although he would not be obligated to appoint those elected senators, in fact, as a result of the vote, there would be a strong political reason to in fact, appoint them.

Again, I'm trying to concentrate on things that require no constitutional amendment. I think when we talk about constitutional amendments, we can look at issues like proportional representation versus the first-past-the-post system that we have. My own view on the issue of the Senate is that the Senate could, in fact, perform a very important role in terms of proportional representation. We could leave the MPs in the first-past-the-post system, while senators, for example, if the governing party gets

40 or 50 per cent of the vote, could be elected on the basis of the proportional vote that they received in a general election. So those are the kinds of discussions we could have, but again, that would take a constitutional amendment.

Other issues include fixed election dates such as some of the provinces have brought forward (British Columbia and Ontario; I think New Brunswick is also moving towards fixed elections). So, these are all ideas that we can adopt, discuss, and I think, in the context of a minority government, in fact implement.

I have to say again at the conclusion of my brief remarks here that I'm very encouraged the way the parliamentary players, the various parties—whether it's the Bloc, the New Democrats, the Liberals, the Conservatives, whoever they are—seem to be working very well together, despite some occasional public outbursts. I find that in committee now, people are working very closely together, and are looking at some of these substantive changes.

So the opportunity is here. The opportunity is for us as parliamentarians to lose, and I trust that we will take this challenge and move in a positive way that will benefit our system.

Thank you for this opportunity.