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The Ineffectiveness of Question Period

**How undue political influence suppresses the intended accountability function
of Question Period and incites political gamesmanship**

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The Canadian Study of Parliament Group (CSPG), as part of its efforts to foster knowledge and understanding of Canadian parliamentary institutions, is sponsoring the annual National Essay Competition. College and university undergraduate and graduate students in any discipline across Canada are invited to submit essays on any subject matter broadly related to Parliament, legislatures or legislators. The winning essays are made available free of charge, in both official languages, on the CSPG Web site. The views and opinions contained in these papers are those of the authors and are not necessarily reflective of those of the CSPG.

Essay

Debate and discussion in parliament should be about the exchange of ideas. The absence of ideas and a creative forum in which to discuss ideas hurts the legitimacy of the institution. This was the thesis of a *Canadian Parliamentary Review* editorial written by Hugh Segal¹ in the summer of 2005. According to Segal, parliamentarians are not at fault for this problem, it exists because of a “structuralist adversarial framework that constrains parliament” (Segal, 2005, p. 3). This, he contends, is shaped by the constant electoral battle between political parties that pushes them to use parliament as a stage to promote their party platforms with pre-scripted, micro-managed messages.

Segal identifies examples of this problem, including Question Period (QP). He wrote, “Question period has become what it has unavoidably become [, ...] it is at best about scrutiny relative to past or present problems, not about any exchange of substance around the future” (Segal, 2005, p. 2). Segal proposes that the scrutiny (or accountability) function, which is supposed to be performed by parliamentarians in what are meant to be creative forums like QP, is lost in partisan warfare. While he outlines a number of ideas for parliamentary reform he does not propose any solutions for reforming QP which leaves the reader asking ‘is the current state of QP as inevitable as he claims?’

As Segal suggests, QP in its present state is not a creative forum for the discussion of ideas. As such, it is an ineffective accountability tool. Contrary to Segal’s opinion, Members of Parliament (MPs), or more appropriately, MPs and their political leadership, are indeed at fault. This paper will argue that the current state of QP is not inevitable, as Segal suggests, but as a result of undue political influence it has been rendered an ineffective accountability tool.

Four examples of where MPs and political parties bring their influence to bear on the practices, conventions and procedures that govern QP will be highlighted in this paper. It will demonstrate how this undue political influence suppresses the intended accountability function of QP and incites political gamesmanship. Examples of proposed reforms found in relevant literature that would reverse this trend will also be explored. Finally, this paper will conclude with a discussion of the reasons why MPs may be reluctant to take up the challenge of reforming QP.

¹ Hugh Segal, CM is a Canadian senator, political strategist, author, and commentator. He has been an executive in the private sector, a candidate for public office, a senior political staffer, and a senior public servant.

Partisan warfare is harming the legitimacy of parliament

The need for legitimacy

An effective liberal democracy requires effective accountability tools (Perlin, 2008). They are necessary because their existence and use by MPs serves to uphold the legitimacy of Parliament as an institution. If accountability tools are not functioning as they should or for their intended purpose then Canadians' belief in Parliament's authority – or legitimacy – is at risk.

QP deserves special attention in an examination of Parliamentary accountability. It is *the* Parliamentary event where all of the issues straining the Canadian political community are discussed daily by our representatives. QP is the focal point in the parliamentary schedule where all MPs across the political, regional, and ideological spectrum meet to question the government (the Cabinet) (Milliken, 1968, p. 3). QP is also generally viewed as the most powerful tool the opposition has to ensure the executive is held accountable for its actions (Ahmed, 2000, p. 20).

It has also become important because of the intense media attention it receives. It is what citizens see most regularly through short clips on the evening news and what shapes their opinion of Parliament (Kalnay, *The Media and Question Period*, 1989, p. 9). As such it has come to embody Parliament for many Canadians (Miller B. , 1999; Miller B. , 1985; Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 6).

Why public opinion is important

There is evidence that Canadians have been steadily losing faith in parliament and parliamentarians. Although many Canadians, and scholars alike, feel that Question Period is an essential accountability tool, they feel that the lack of decorum, cooperation, and discussions of substance detracts from its effectiveness in holding the government to account for its decisions.

The 1991 'Spicer Commission' was a prominent sign in recent history that Canadians were becoming disenchanted with Parliament. Approximately 400,000 citizens participated in the Commission's public hearings, which were part of the Mulroney government's development of the Charlottetown Accord (Centre for Constitutional Studies, 2008). The participants felt changes to the way parliament worked were necessary because they had lost faith in Canada's existing political system to make decisions which "reflect their values and aspirations for the country" (Citizen's Forum on Canadian Unity, 1991).

Fourteen years later it seems that citizens still feel the same. Acknowledging public discontent with Canada's democratic institutions, the Harper government commissioned a research report entitled *Public Consultations on Canada's Democratic Institutions and Practices* in 2007. The report found:

[...] some forum participants felt strongly that the open debate of QP is essential to democracy. On the other hand, quite a number of participants called for more decorum, substance, and to some extent cooperation among Members speaking in QP (Compass Management Consulting Ltd. & Policy, Frontier Centre For Public Policy, 2007, p. 28).

Canadians are not interested in 'school yard antics' and they tune it out; they fail to see themselves and their interests reflected or represented by these performances. For example, the Canadian Parliamentary Affairs Channel's viewer ship of Question Period during the Sponsorship Scandal, a time when QP was quite boisterous, dropped from 70,000 viewers a minute to 14,000 viewers per minute (Cobb, 2005).

What motivates MPs?

Is effectiveness inherent to QP or is it only as effective as politicians allow?

A survey of existing scholarly literature reveals a debate between two schools of thought on the effectiveness of QP as an accountability tool. Both agree that QP is essential to an effective parliamentary democracy. They disagree on whether the effectiveness of QP as an accountability tool is built-in to the institution or if QP's effectiveness can only be determined by observing how the tool is used by MPs.

The existence of QP helps Canada's Parliament meet the operating principles of a liberal democracy. It fulfills the requirements of: "accountability of elected representatives" (Perlin, 2008, p. 8); and "legitimacy of opposition" (Perlin, 2008, p. 10). QP does this by: providing a forum where elected representatives can be held to account; and legitimizing the opposition by giving them the responsibility to do this job. Some academics assume that the very existence of an accountability tool like QP is enough to ensure the opposition is holding the government to account. This assumption is observed in the work of three preeminent students of parliament, Charles (Ned) Franks² (1987), Peter Aucoin³ (2006), and

² C.E.S. (Ned) Franks is professor emeritus at Queen's University at Kingston. He is founding president of the Canadian Study of Parliament Group and has conducted many studies for royal commissions, for Parliament, and for government agencies.

³ Peter Aucoin is professor of Government Structure at Dalhousie University, Senior Fellow of the Canada School of Public Service and a member of the academic advisory council of the Secretary of the Treasury Board.

Thomas Axworthy⁴ (2008). Franks, in 1987, made the assertion that QP “must be of value or even the slow processes of changing Parliamentary procedure would have modified [it]” (Franks C. , 1987, p. 141). Aucoin has written, “[...] for all its alleged and obvious shortcomings in practice, there is an effectively designed QP” (Aucoin P. , May, 2006, p. 5). Axworthy has stated, “Canadian federal democracy deserves our confidence” (Axworthy, *Everything Old is New Again: Observations on Parliamentary Reform*, 2008, p. 6). What these authors overlook is that how MPs use the tool in practice is equally as important as the existence of the tool.

For another group of academics the mere existence of this forum does not guarantee its effectiveness in practice. These scholars feel that confidence in the system is not inherent or naturally deserved and that it must be earned by the people running the institution. They agree that MPs’ partisan manipulation of QP detracts from its effectiveness as an accountability tool. Peter Dobell⁵ and John Reid⁶ feel that MPs ask questions that “over-simplify and distort issues, obscuring the complexity of policies” (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 6). Hugh Segal argues that MPs’ questions are “pre-scripted and pre-organized” and that this negatively affects MPs’ ability to scrutinize the actions of the government (Segal, 2005, p. 2). Michael Chong, MP⁷ argues that MPs’ use of QP has made it “irrelevant”, “rhetorical”, and “incomprehensible” (Chong, 2008, p. 5). Franks, now in 2008, argues that MPs’ actions in QP serve to trivialize important issues (Wherry, 2008).

How do MPs use the tool, what motivates them?

If how MPs use QP is a determinant of its effectiveness then it is important to understand what motivates MPs to behave as they do. Two prominent Canadian political scientists, Dickerson and Flanagan remind us that, “the first and most important goal of the political party in a democratic system is electoral success” (Dickerson & Flanagan, 1998, p. 339). Matti Wiberg⁸ and Nizam Ahmed⁹ explore this truism in their respective studies of parliamentary questioning.

⁴ Thomas S. Axworthy is a political strategist, commentator and the Chair of the Centre for the Study of Democracy at Queen’s University.

⁵ Peter C. Dobell, CM, is a former Canadian diplomat, and the Founding Director of the Parliamentary Centre, a non-governmental organization dedicated to strengthening the role of Parliament.

⁶ John C. Reid is a former Minister for Federal-Provincial Relations and is the Founding Chairman of the Association of Former Members of Parliament. He has also served as Canada’s Information Commissioner.

⁷ Michael Chong is the MP for Wellington-Halton Hills. He was first elected to Parliament in 2004 and was President of the Queen’s Privy Council, Minister of Intergovernmental Affairs and Minister for Sport from February to November 2006.

⁸ Matti Wiberg is Associate Professor of Political Science at the University of Tampere and Docent at the Universities of Helsinki, Turku and Åbo.

⁹ Nizam Ahmed is a professor in the Department of Public Administration at the University of Chittagong, Bangladesh.

Both Wiberg and Ahmed refer to MPs as “rational actors” who in simple terms must decide how they will best use their limited opportunity for parliamentary questioning most effectively (Wiberg, 1995, p. 185; Ahmed, 2000, p. 32). Wiberg argues that fulfilling the accountability function is not what motivates MPs in QP; they are, he asserts, constrained by partisan politics and the authority of their respective political leadership (Wiberg, 1995, p. 183). When faced with the option of fulfilling the accountability function or achieving political gain, MPs choose political gain (Wiberg, 1995, p. 184). Political gain can be defined as: advancing the political agenda of the party; gaining personal notoriety; and career advancement (Ahmed, 2000, p. 32). This renders QP ineffective and the by-product is a raucous Chamber lacking in decorum.

What happens when MPs make decisions about the structure of QP?

Nizam Ahmed argues that parliament holds government accountable with structural factors in addition to behavioural factors. An analysis of structure is important for it “sets the parameter for guiding the behaviour” of MPs (Ahmed, 2000, p. 30). Knowing now that it is political gain which motivates MPs, and not serving the accountability function, it would seem inappropriate and ineffective to allow politicians to influence the structure QP. Doing so renders QP an ineffective accountability tool.

The following are examples of how MPs and political parties negatively affect the outcomes of QP by suppressing its intended accountability function and inciting political gain. In addition, examples of proposed reforms, found in relevant literature that would reverse this trend are provided.

Inadequate time allotment for questions and answers

QP is forty-five minutes long and takes place every sitting day. The number of questions each party gets to ask generally corresponds to the proportion of seats each party won in the general election. Political leaders have been given the authority to informally negotiate a time limit for each question and answer. The current time allotment for questions and answers is thirty-five seconds a piece (House of Commons, Canada, 2006). Thirty-five seconds is a politically advantageous amount of time. It allows for nothing more than quick partisan statements and is ideal for media reporting. However, this strict time limit constrains discussion and acts as an incentive to be rhetorical and to provide vague answers.

In a recent *Canadian Parliamentary Review* article Michael Chong took the view that thirty-five seconds for question and answer is unacceptable. Chong asserted that “rhetorical thirty five second questions produce rhetorical thirty five second answers which does (*sic*) not advance the understanding of any particular issue” (Chong, 2008, p. 5). The basis for Chong’s argument is that it is hard to ask a poignant question and give a fulsome answer in such little time. These time lines incite MPs to resort to

the far easier and politically desirable tactic of attacking their opposition or being self-congratulatory in the hopes of attracting media attention (Fox, 2008).

Arguments by Graham Fox¹⁰ and Ned Franks support Chong's assertion. Fox argues the opposition's desire to promote their political message to the electorate combined with the pressure of only having thirty-five seconds to pose their question results in questions that may be interesting but not necessarily important. For example: it is easier, and more politically advantageous to ask a question about the cost of a packet of gum on a senior official's expense claim in thirty-five seconds than it is to ask about something complex (Fox, 2008). Franks argues that "questions, in effect have become miniature speeches" (Franks C. , 1987, p. 145). QP, Franks says, ends up being more about positioning, trying to grab a hold of the daily agenda and shifting the natural focus from the government to the opposition, rather than a genuine interest in the answer the government has to provide. Similarly, with such a short time to answer each question the government has no incentive to give a meaningful or fulsome answer. The government side also resorts to the path of least resistance, and most political gain – touting their record.

Fox furthers Franks' argument asserting that MPs are aware the government is only able to give a political answer in the thirty-five seconds allotted, so they seek another reward for asking their question – a news media clip (Fox, 2008). Politicians know the best way to their ultimate audience – the voters – is through this intermediary. The questions and answers in QP are drafted expressly for media consumption (Kalnay, *The Media and Question Period*, 1989, p. 9). The media's twenty-four hour news cycle demands short, snappy, and encapsulating clips – the thirty-five second question and answer fits this mold perfectly and encourages this aforementioned behaviour in MPs.

Chong's proposed solution is to lengthen the time allotted to ask and answer a question to "one (or two) minutes" saying that this would ensure "meaningful questions would be asked" giving both parties more opportunity to provide a fulsome question and answer (Chong, 2008, p. 6). Matti Wiberg, in his 1995 study of parliamentary questioning in Western European parliaments, agrees that if the goal is to seek a genuine answer from government on a particular issue, longer time allotments would be beneficial. Shorter time allotments he contends "are not always the most informative in administrative terms" (Wiberg, 1995, p. 199). As long as political parties are permitted to negotiate the time limit of each question it will remain ineffective and it is unlikely the limit will be changed; it is politically advantageous to have a short exchange.

¹⁰ Graham Fox is a public policy analyst who has also been a candidate for public office, a senior political staffer, and a senior member of the Public Forum and the Institute for Research on Public Policy, respectively.

Mandatory attendance

As a result of party discipline all MPs, including the Prime Minister and the entire Cabinet, are required to attend most QPs (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9). This is a constraint on focused discussion, an incentive to skim the surface of many issues, and it incites partisan positioning. Peter Dobell and John Reid have argued the opposition takes for granted its ability to demand answers from the Prime Minister every day (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9). As a result, the Opposition's questions are not as focused or poignant as they might be if they valued the opportunity to question the Prime Minister daily. They might do so if he or she were available less often (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9).

The same is true for questioning of ministers; questions might be more focused if ministers were available less frequently but for longer periods of time (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9). With the entire Cabinet present at QP most days it means that MPs, not wanting to miss any opportunity to question the government, are often under pressure to devise questions in a few short hours. As such MPs can come to rely heavily on politically oriented questions which are easy to produce. As Weiburg observes, the mass media and lobby groups are often the fast and reliable source of material on which MPs base their questions, instead of sound, factual research which can take longer to produce (Wiberg, 1995, p. 214). In short, mandatory attendance exacerbates the problem of the thirty-five second question and answer; under these pressures it is easier and more politically advantageous for an MP to make a political statement or to ask a rhetorical question (Chong, 2008, p. 5).

Dobell and Reid refer to QP as a "daily gladiatorial contest" (Dobell & Reid, *A Larger Role for the House of Commons: Conclusion*, 1992, p. 10) and argue the focus on this contest could be diminished by moving to a UK style system. In the British House of Commons Prime Minister's Questions (where the Prime Minister is available for questioning once weekly for thirty minutes) and a roster attendance system for ministers is in place. This, they say, would shift the focus to more meaningful policy debates (Dobell & Reid, *A Larger Role for the House of Commons: Conclusion*, 1992, p. 10). A roster system would assign one Minister to be present at each sitting. This method, where questions would be focused on one particular topic (the department of the Minister present that day) could: give all sides time to prepare meaningful questions and answers; free up Minister's time to attend to the business of their departments; allow the opposition time to research and prepare thoughtful questions; and generate more

focused and in-depth media reporting (Dobell & Reid, *A Larger Role for the House of Commons: Conclusion*, 1992).

As Franks has noted, QP in its present form is “immensely selective [...] only a few items can be given close treatment” in forty-five minutes; as such many issues are discussed but only at the surface, which does not necessarily increase understanding of the issues (Franks C. , 1985, p. 8). The roster system, proposed by Dobell and Reid, would serve to rectify that problem as well allowing for longer and more in-depth discussion of the issues of the day.

A roster system has also been advocated by Peter Milliken¹¹ (1968), the Standing Committee on House Management (1993) and Michael Chong (2008). In 1968 Milliken advocated for a roster system arguing that, “it is unreasonable to expect every cabinet minister to be in the House every day for the question period” (Milliken, 1968, p. 37). The concept of the roster system was also recommended by the Standing Committee on House Management in its Eight-First Report (1993). The Committee noted that the Trudeau government had unsuccessfully introduced the roster system in the 1970s but that the idea should be revisited (House of Commons Standing Committee on House Management, 1993, p. 17). Based on his own experience as a Minister, Chong advocated moving to the roster system. He feels that preparing for QP “takes too much time away from the important work of running a portfolio” (Chong, 2008, p. 6). In his experience, three hours “every day, five days a week” is devoted to preparing for QP; he doesn’t feel this time spent preparing for QP is productive time “since many ministers do not answer a single question in Question Period” (Chong, 2008, p. 6).

This model has been successful in other jurisdictions and could work in the Canadian context. Wiberg has observed that in Western Europe, where many Parliaments have adopted the roster system practice and other opportunities for more focused policy debates, question period does not draw nearly as much national media attention compared to the focused debates (Wiberg, 1995, p. 195).

If the issue of mandatory attendance is simply left to the devices of political parties it will render QP ineffective and will likely not be altered. Some government members may be amenable to the concept of a roster system, as it would be in their own self-interest to not have to ‘prepare for political battle’ each and every day. Despite that a provision could be made for urgent questions it is likely that opposition parties would still not welcome the ideas of Prime Ministers Questions or a roster system. From their point of view, not having the Prime Minister and the Cabinet present in QP each day would restrict their

¹¹ Peter Milliken is the MP for Kingston and the Islands. He was first elected to Parliament in 1988, and has served as Speaker of the House since 2001.

ability to freely put questions to any member of the government and ultimately restrict the spontaneity of questions.

Use of lists and assignment of supplementary questions

There is conflicting evidence as to when the Speaker began accepting lists from the party whips detailing who would be asking questions on behalf of each party. Some literature contends the convention began in the 1960s (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9), others the 1970s (House of Commons Standing Committee on House Management, 1993, p. 17), and even others say 1980s (House of Commons Standing Committee on Procedure and House Affairs, 2006). Regardless of when this convention took hold, the previous practice in Canada had been that the Speaker would acknowledge the leaders of opposition parties and after this round members would rise and try to ‘catch the Speaker’s eye’ in order to be recognized and ask their question (Milliken, 1968, p. 10). When lists are followed, even supplemental questions, which ideally should only be allotted at the discretion of the Speaker when he believes the primary question was not adequately answered, are assigned to a particular questioner. This practice is a constraint on continuous, meaningful dialogue and is an incentive for the government to provide vague answers (Kalnay, *Managed Mayhem: Question Period in the House of Commons*, 1989, p. 3).

The parties wield considerable power through these lists, and are able to force the Speaker’s hand in only calling questioners on the list. Robert Marleau¹² has cited an example where the Speaker had informed a party that she would be reprimanding one of their members who had behaved inappropriately by not recognizing him in the chamber and the party retaliated. The party forced the Speaker to recognize the member by assigning him to every question on that day’s list for QP (House of Commons Standing Committee on Procedure and House Affairs, 2006).

Fox proposes that the practice of automatically allowing a supplementary to the questioner gives the government a strategic advantage. An example of this might be when an opposition MP is asking his final question. The Minister being asked the question is aware that the supplementary question will not be followed up with more questions in a similar vein. The Minister, therefore, will most likely choose to provide a vague, evasive, or position-establishing answer, instead of one that is genuine and fulsome (Fox, 2008).

¹² Robert Marleau was Clerk of the House of Commons from 1987 to 2000. He was Senior Adviser to the Speaker of the House of Commons from 2000 to 2001.

It is quite notable that the *Eighty- First Report* of the Standing Committee on House Management also recommended restricted use of lists, and that supplementary questions “be permitted only at the discretion of the speaker” (House of Commons Standing Committee on House Management, 1993, p. 17). The committee noted that lists have in fact become “longer than the time available” leaving no room for spontaneity or questions that have not been pre-scripted and vetted by the party leadership (House of Commons Standing Committee on House Management, 1993, p. 17). They recommended that parties only provide the names of the first two or three questioners to curb this problem. The committee also felt that supplementary questions should no longer be interpreted as a “right” but be left to the discretion of the Speaker because far too often questions are becoming pre-scripted speeches (House of Commons Standing Committee on House Management, 1993, p. 16). As long as the parties are permitted to maintain their lists, where all questioners and questions (primary and supplementary) are predetermined, it will continue to render QP ineffective (Kalnay, *Managed Mayhem: Question Period in the House of Commons*, 1989, p. 3).

Backbench MPs are excluded from meaningful questioning of the government

Government backbench MPs are excluded from meaningful questioning of the government (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9). There is currently no assigned time or designated forum for backbench MPs within QP; this constrains unobstructed discussion, and acts as an incentive for government backbench members and ministers to be rhetorical. Fox thinks the problem is that parliamentarians no longer fulfill their intended role (Fox, 2008). The role of Parliament is not to govern but to hold to account those who do – its main function is to be a check. Half of the government members, those on the backbenches, do not serve the scrutiny role because the party has given them the cheerleader role.

In QP the government is allotted a certain number of questions that backbench members can ask Ministers. Strict party discipline prevents MPs from asking tough questions and this constrains meaningful discussion (Kalnay, *Managed Mayhem: Question Period in the House of Commons*, 1989, p. 9). These questions from the government backbench to Ministers are dubbed ‘lob’ or ‘planted’ questions; they are easy to answer and, to use a sporting analogy, give a Minister a chance to hit one out of the park (Milliken, 1968, p. 3). Government backbenchers also ask these ‘planted’ questions because they would face repercussions from their party leadership if they were to ask pointed questions. Wiberg quotes English political theorist Harold Laski on this subject as saying, “it is not politically profitable to extend the search light upon one’s own closest political allies or literally upon one’s own party” (Wiberg, 1995, p. 218). C.E.S. (Ned) Franks’ assertion that QP has become a series of mini-speeches is also manifest in

questions from the government backbench (Franks C. , 1987, p. 145). With the practice of ‘lob’ questions the answerability function of QP gets lost and asking a question is more about political positioning than about seeking a genuine answer from the government.

In 2002, the British Parliament sought to solve this problem by instituting the “Written Ministerial Statement” (Gay, Kelly, & Young, February 20, 2008, p. 23). The written statement gives the government the opportunity to make announcements on the official record without the government whip having to influence government backbench members to ask specific questions.

From a Canadian perspective, Dobell and Reid have suggested that this problem could be rectified by limiting the amount of time controlled by opposition parties. If the parties were given only the first fifteen or twenty minutes of QP, it would free up time at the end of QP for questions from the backbench. Dobell and Reid recommend that “to reduce the possibility of questions being orchestrated by party whips, those wishing to ask questions could submit their name in writing to the Speaker, who would conduct a draw just before going into the House each day” (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 9). Unless QP can be restructured in a way that the influence political parties exert over their backbench MPs is curbed it will be an ineffective means for the government backbench to hold the government to account.

Why have none of these reforms been instituted in Canada?

History of QP reform proposals and MPs resistance to change

Given that QP is the most public facing Parliamentary activity and is generally considered as the most powerful accountability tool the Opposition parties have at their disposal, it is most surprising that the subject of Canadian QP has not received much study or academic scrutiny. This observation is confirmed by Peter Dobell who has noted, “there has been little examination of the structural evolution of QP during the past thirty-five years, or its effect on the way the House of Commons functions” (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 6). He wrote this more than a decade ago and QP reform remains a subject largely ignored by academics and politicians alike.

It seems as though there was considerable attention given to how Canadians felt about the institution of Parliament in the early ‘90s. Leading up to the Charlottetown accord the Mulroney government’s May 1991 throne speech addressed Canadians’ burgeoning lack of faith in Parliament and the need for Parliamentary reform and provided a mandate to review procedures “for questioning the

government” (House of Commons Standing Committee on House Management, 1993, p. 7). Several political events occurred which supported the government’s desired course for reform.

The Spicer Commission (1991) reaffirmed that Canadians held this aforementioned view of Parliament and Parliamentarians (Centre for Constitutional Studies, 2008). The Constitutional Proposals by the government (1991) noted specifically that “the abrasive character of adversarial debate in the House of Commons, particularly in QP, has undermined Parliamentary decorum and the public’s confidence in Parliamentary institutions and the ability of elected members to focus on their legitimate representational requirements” (House of Commons Standing Committee on House Management, 1993, p. 7 & 8). The Beaudoin-Dobbie committee on constitutional renewal (1991) voiced similar concerns and called for a review of procedures and practices of the House of Commons (House of Commons Standing Committee on House Management, 1993, p. 8).

That review came in the form of the 81st Report of the Standing Committee on House Management in 1993. The Committee proposed detailed suggestions on how to modify QP, several of which were discussed in this paper. It recognized QP needed reform, saying that changes should not be made to “protect the government or impede the opposition, but to improve the role and importance of this daily accountability session” (House of Commons Standing Committee on House Management, 1993, p. 15). The report died on order paper when Prime Minister Campbell dissolved Parliament (Robertson, 2002); the QP reforms proposed in this report have yet to resurface.

In 1992, even before the release of the 81st Report, Peter Dobell and John Reid argued that QP reform was unlikely to happen:

[...]unless and until there are significant changes in the way the House of Commons functions, which would restore some balance to the system, to ask the opposition leaders to give up some of the control they currently exercise over QP, would be unfair. It would also be rejected (Dobell & Reid, *A Larger Role for the House of Commons Part I: Question Period*, 1992, p. 6).

It can be deduced that what Dobell and Reid mean by restoring balance to the system is providing MPs with more authority to make decisions that are binding on the government. Hugh Segal argues that the decision taken in the late 1960s to remove the ability of parliamentary committees to have final authority over the passage of the government’s Main Estimates has been detrimental to the opposition

parties (Segal, 2008). Segal contends that with this loss of control over expenditures the opposition parties lost a way to directly influence the government. Since this time they have been motivated to find other opportunities by which to get noticed, like QP, and would be remiss to forfeit any more authority to hold the government to account (Segal, 2008).

Milliken provides an example from the 1960s of this type resistance that should be expected from MPs if they perceive that their rights to question the government are threatened. Milliken notes that on October 31, 1963 Speaker Macnaughton tried to reduce the length of QP (Milliken, 1968, p. 18). The government protested because, as Milliken has us believe, they valued the time available in QP to use for their own political purposes and the opposition parties, in Milliken's words, "showed a determined resistance to any restrictions on its rights to information" (Milliken, 1968, p. 19).

Even though Milliken admitted that as early as 1967 QP was "ceas[ing] to be an effective device for eliciting important information of an urgent nature" he warned that those who propose reforms to QP should proceed with caution (Milliken, 1968, p. 19). He maintained that no one should expect reforms to be instituted without buy-in from members themselves, and that reforms are only likely to be successful if initiated by parliamentarians (Milliken, 1968, p. 37). If Milliken's assertions are accurate it means that it will take nothing short of Prime Ministerial will, or in a minority government the combined will of the opposition parties, to effect any kind of change of the informal practices, conventions and procedures that govern QP (Segal, 2008). According to Wiberg and Ahmed's discussion of MPs as "rational" actors, changes to QP should not be expected because MPs would not be willing to give up any opportunity they have to advance their interests (Wiberg, 1995, p. 185; Ahmed, 2000, p. 32).

Conclusion

Prime Minister Stephen Harper has recently said, “All Members of Parliament should resolve to put aside clearly partisan considerations and try, wherever possible, to work co-operatively for the benefit of Canada” (Harper, 2008). The Prime Minister’s words set an appropriate tone; however, as this paper has demonstrated, without practices, conventions and procedures that are free from the influence of partisan political interests to guide the behaviour of MPs, QP will not function effectively. If this issue is not addressed QP will fail to be the creative forum for engaged discussion it was intended to be, and as a consequence it will serve to erode the legitimacy of parliament. It is unlikely that parliamentarians will be motivated to take up the cause of reforming QP and instituting the proposals for change discussed in this paper for it would mean an end to their authority to shape and manipulate the outcomes of QP in their favour.

Furthermore, the validity of QP reforms will only be successful if they are initiated by parliamentarians and it will take nothing short of Prime Ministerial will (or a coalition of opposition parties) to effect any such change. The question of who or what should have the authority over the practices, conventions and procedures of QP, should MPs and political parties surrender it, is a subject for further study. At present it is imperative that there be a renewed interest in the academic study of Question Period, and that parliamentarians be lobbied to reform QP – its very legitimacy depends on it.

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