

'ROUTINE' PROROGATION ERODES PARLIAMENT, EXPERTS SAY

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The role of elected representatives will erode further if the federal government makes good on its suggestion to make prorogation an annual event, experts say.

"It's not easy to see how this can work," David Mitchell, president of the Ottawa-based Public Policy Forum says. "It raises the question: Why do we have a Parliament?"

When Prime Minister Stephen Harper suspended parliamentary activity last week until early March, his spokesman called the move "routine," noting it has occurred 104 times previously.

The announcement was immediately denounced by opposition parties, who accused the Conservatives of undermining democracy and fleeing accountability, especially when it comes to Canada's treatment of Afghan detainees.

Still, there's word the Tories may go further to ensure prorogation becomes routine.

Government sources say they are contemplating formally shutting down Parliament at the end of every year, so the government can start afresh with a Throne Speech and a budget.

That way, the argument goes, the public will have a clear idea what the government plans to achieve for the coming year.

But the trouble with frequent proroguing is that it disrupts parliamentary activity. Committees are disbanded. Legislation moving through Parliament is killed. And the work that MPs were elected to do in Ottawa is not being performed.

The government's decision to prorogue, for example, effectively undoes all the work MPs have carried out in the last year on a huge package of proposed legislation designed to get tough on crime.



Figure 1 A pedestrian walks past the Centennial Flame on Tuesday, Dec. 30, 2009, when the Conservative government announced it was suspending Parliament until after the Vancouver Olympics The Canadian Press

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The government's use of prorogation shows it believes Parliament has become an "inconvenience" that needs to be managed, rather than an essential part of the democratic process, Mr. Mitchell argues.

"For those Canadians who care about parliamentary democracy and about the vitality of our democracy, and who believe in the openness and transparency of government, they should be concerned about this," he said.

"Because if this becomes a regular occurrence, where Parliament is prorogued at the will and convenience of the government of the day, whoever that government is, then it really raises questions about the utility and the relevance of Parliament itself," he continued.

"And that's troubling for anyone who cares about it."

An annual proroguing would also raise issues of efficiency, Mr. Mitchell added. Since legislation has to start again from scratch at the beginning of each session, the legislative process would no doubt slow down.

The relevance of Parliament began to erode decades ago, with a change in election expenses legislation in 1974, University of Toronto political scientist Nelson Wiseman says. The change allowed political parties to put their names on ballots next to their candidates.

Since Elections Canada didn't want to get into the business of deciding who the legitimate candidates for each party were, it handed that decision to party leaders — inadvertently empowering the leaders to the detriment of individual MPs, Prof. Wiseman said.

The last decade has seen a further swing of power toward the executive office and away from the legislators, Prof. Wiseman said.

He points to the Ontario government's decision under Ernie Eves to table the 2003 budget at the headquarters of auto parts maker Magna International.

The Conservative government has taken to presenting stimulus updates farther and farther from the House of Commons — first in Cambridge, Ont., then in Saint John, and most recently in China.

A decade ago, these would have prompted criticism that the government was thumbing its nose at parliamentarians, Prof. Wiseman said, but no longer.

Mr. Harper's decision to prorogue Parliament is more evidence that the Prime Minister's Office definitely has the upper hand in the tension between the government and legislators.

'Routine' Prorogation Erodes Parliament, Experts Say

"It seems to me, they control the calendar. If things get messy, they prorogue," Prof. Wiseman said.

But he doesn't expect much of a public backlash from the move. The public does not seem to get worked up about the erosion of Parliamentary power, he said.

His feeling is echoed privately by Tory MPs, and by a poll showing that 46% of Canadians just don't care whether Parliament starts sitting in January or takes a break and comes back after the Olympics in March.

"There's a high level of indifference," Harris Decima pollster Doug Anderson said.

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