"Legislative Committees: Instruments for Change or Mere Talking Shops?"

by

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ABSTRACT

Legislative Committees are creatures of the Legislative Assembly of Ontario. Their composition is a reflection of the distribution of seats in the House. Their functions range from reviewing and modifying legislation, to assessing the cost-effectiveness of government programs. Theoretically, they are independent institutions which have been delegated with the task of achieving consensus among members while addressing particular issues. Practically however, committees exist within a competitive system of electoral democracy in which partisan divisions are sharply pronounced, and political parties vie to achieve government. This paper offers an overview of the committee process, drawing directly on the perceptions of elected Members and Committee Clerks of Ontario's 39th Session of Provincial Parliament. The central aim is to shed light on the extent to which committees generate inter-party cooperation, versus reproducing partisan division. Furthermore, a cursory look at the relationship between committees and the civil service will be offered to expose the tensions that exist between elected and unelected participants in the province's policy-making process. The effectiveness and value of opposition parties will also be assessed, in the context of majority government, as will a proposal to further integrate legislative and executive power at committee level.

I.Introduction

Debate and scrutiny are key features of legislative life, making parliament *the* primary institution where democracy is sanctified as the symbolic validation of state power. It comes as no surprise that the official slogan of the Legislative Assembly of Ontario reads: *Audi Alteram Partem* – an imperative Latin proverb for 'Hear the Other Side'. This slogan effectively captures the notion that elected members use interactive deliberation to address issues and solve problems faced by society. While adversarial in nature, the parliamentary tradition also offers a lot of room for joint initiatives and wide-ranging cooperation; in short, it is up to all 107 members to make what they will of the legislature. However, it is also obvious that political parties play crucial roles in determining how receptive members might be towards reaching out to fellow members across aisle. After all, political parties themselves are the institutions which 'groom' their subjects into political beings since they provide extensive financial, moral, and ideological support necessary for the successful conversion of candidate into member. Parties also espouse particular principled stances which attract individuals to them, so they draw people in, and at the end of the day produce politicians (if they are successful).

Legislative committees on the other hand, are extensions of the chamber – they are mandated to work by the Legislative Assembly, and their decision-making process is governed by majority voting, whereby committee members are free to vote whichever way they please. There is no formal recognition or expectation of holding a party line, from the vantage point of the Assembly. It is thus worthwhile to pose the question of how members actually behave at committee level: do they transcend party interests and work

together to build consensus, or do partisan divisions dominate committee proceedings, essentially producing polarized voting and little cooperation? In short, do committees achieve a momentum of their own? Conventional wisdom would have it that the answer probably lies somewhere in the middle of these two extremes, that a nuanced explanation is the likely thread that binds both possibilities in actual fact.

The purpose of this paper is to address this very question by engaging members from all three parties in Ontario's 39th session of parliament, seeing how their own professional experiences as political representatives and party members have influenced their behaviour at committee level. Most of the research is based on face-to-face interview with members to get a direct sense of their attitudes towards committee work. To that end, this paper will offer a description of the committee process, examine the role of committee Chair, and offer insights on the responsibilities outside of committee proceedings which members have to face on a daily basis. This will be followed by a discussion on the prospects for committee reform, a comparison of democratic and bureaucratic tensions in the decision-making process of public policy making, and a reading of the extent to which cooperation subdues competitive partisan rivalry. The final portion will offer a verdict on whether committees really are sites of innovative and cooperative change, or mere talking shops in the shadows of majority government.

II. How Committees are Structured

The organization of power under the Westimnster model of government centers around a complex interplay between executive, legislative, and judicial roles whereby every branch has unique processes and support systems which allow it to fulfill its function. In lieu of the tremendous burden and workload that the Legislative Assembly of Ontario must undertake to regulate and govern Canada's most populous jurisdiction, legislative committees are an indispensable ingredient within that mix. The province has 11 different committees that perform a whole host of functions, including debating and scrutinizing legislation which comes from the House, reviewing cost-effectiveness of government programs, holding pre-budgetary, province-wide public consultations, and reviewing candidates before public appointments are made. Committees also hear from civil society groups and individual citizens on any number of bills before the Assembly. Nine of those committees are 'Standing Committees' or ones that are set up on a permanent basis; the other two 'Select Committees' are ad hoc in nature and have limited mandates which pertain to specific issues. Legislation that deals with broad issues affecting Ontarians is usually reviewed and debated by 'policy' committees such as the committees on Justice Policy and Social Policy, where it is common to see individual citizens, activists, and interest groups presenting before these committees through deputations. Most other committees however, deal with examining more confined realms that deal with the province's public service, government spending, or matters concerning the Legislative Assembly.

To gain a better understanding of the committee process, and to expose politicians' attitudes towards committees more generally, this paper includes opinions of Members of Provincial Parliament (MPPs) from all three political parties, as well as input from non-partisan Clerks of the Legislative Assembly of Ontario. The central issue examined in here is the extent to which committees generate a momentum of their own,

as independent fora for interaction and deliberation among members, within the broader context of partisanship and competition.

Before addressing this central question however, it is important to sketch out and clarify what precisely it is that committees do, and how their agendas are set out within the procedural and normative parameters of the Assembly. Some attention to the current (39th) session of Provincial Parliament is thus necessary.

Legislative committees are institutional creatures of the House, and they therefore answer to it and all its members. Their statutory mandate is defined in the Standing Orders – the document governing how all parliamentary proceedings unfold. Usually, committees consist of nine members (including the Chair): six from the governing Liberal Party, two from the Progressive Conservative Party (PC), and one New Democrat (NDP). This composition generally reflects the distribution of seats in the Legislature which currently has 72 Liberals, 25 PCs, and 10 NDP members. Another important part of committee life is the existence and operation of sub-committees where participation is restricted to the Chair, and a representative of each party. Sub-committee meetings are held in-camera and only the three party representatives have voting rights at this level. As Tonia Grannum, Clerk of Committees explains,

> Sub-committees are a crucial element within the committee process because they relieve most committee members from having to address agenda-setting, logistical, and procedural issues outside regular committee proceedings. It is also much easier for four people to organize and agree, rather than nine (Grannum 2009).

Usually, sub-committees decide how long hearings should be held for, or they determine where exactly the committee should travel if province-wide hearings are held. Perhaps dealing with practical matters is not as important as addressing policy questions and legislation, as committees usually do, but every decision that is made at sub-committee requires the approval of the whole committee in order for it to be binding. Moreover, when seemingly practical questions become heavily political, such as deciding when, where, and for how long to hold province-wide pre-budgetary hearings that require public input, "whatever decision the sub-committee makes *may* be struck down at committee level" (Johnston 2009) and the two opposition members at times gang up on the single government member just to make a point, knowing full well that their sub-committee decision will later be rejected by the committee. Both sub-committee and committee proceedings are staffed by Clerks of the House whose job it is to facilitate their work and provide assistance to members. As Anne Stokes, Clerk of the Standing Committee on Public Accounts puts it,

> the role of the Clerk is twofold. First, we must carry out administrative support for committees, which encompasses advertising hearings, contacting witnesses, booking rooms, supplying catering, posting schedules, and the like. Second, and perhaps more importantly, we provide non-partisan procedural advice to members who seek it (Stokes 2009).

Clerks therefore play a key role in guiding the committee process, and as professional employees of the Legislative Assembly, they are strictly non-partisan officials. As for the eleven committees themselves, and their composition with respect to who clarifying which party shall chair which committee, those questions are resolved at the onset of the legislature, soon after the general election.

> The House leaders convene at the beginning of the parliamentary session and negotiate which party will chair which committee. Currently, the Liberals chair seven committees, the PCs chair three and the NDP chair one (Stokes 2009).

Again, this is a broad reflection of the distribution of seats in the House. Yet in contrast to the automatic sense by which the make-up of committees mirrors the electoral composition of the House, deciding who, among the members will sit on which committee is a matter strictly determined by the political parties themselves.

Within the governing Liberal Party, which enjoys a 72 member majority caucus, allocating specific ministerial portfolios, parliamentary assistantships, may understandably seem like a daunting task with so many members to choose from. The process is thus quite centralized and executed by the Premier and his close circle of advisors. Liberal MPP David Orazietti, who is the Parliamentary Assistant to the Minister of Education, as well as Vice-Chair of the Standing Committee on General Government says that "I am fine with the process of naming members to committees There is significant effort made by the Premier's office to make sure that expertise is taken into account when making these decisions" (Orazietti 2009).

The process is similarly centralized in the Progressive Conservative caucus, but carefully managed to ensure that the cadres are matched to committees which suit their educational backgrounds and topical interests. Veteran MPP John O'Toole, who takes a keen interest in fiscal matters, declares that "I have learned more about spending through my work and experience on the Estimates committee than I probably would have anywhere else" (O'Toole 2009). When it comes to naming members to cabinet, considering a host of factors is of essence in order to ensure a diverse, representative team of leaders at the helm of executive power. Former Minister of Health Jim Wilson reflects that "selecting people to Cabinet requires paying attention to factors like age, gender, geography, and expertise, in addition to the usual qualities like oratory skills and political savvy" (Wilson 2009).

The ten-member NDP caucus, which in the Legislature is officially referred to as the 'Third Party' probably has the most personalized and direct committee appointment process; a likely outcome of the party's small number of members. The final decisions, however, just as with the other two parties, are made by the leader. As Paul Miller explains, "In our party, members sit down face-to-face with our leader and discuss which roles are best suited for them" (Miller 2009). The same applies for the assignment of critic portfolios because the ten-member makeup produces a more tightly-knit environment which allows members to access the leader quite flexibly. As Ms. DiNovo notes, "centralization is a bigger problem for the government than for us" (DiNovo 2009). Despite these differences, members from all parties seem quite content with how their bosses handle appointments to committee posts.

Once those appointments are made however, the ways in which parties and members interact with each other is quite unique because there is a gap between what is expected and what transpires. The generally held view on committee work is that these bodies should operate on the basis of constant negotiation and the willful pursuit of consensus. "The expectation is that members will work together, in a cooperative and bi-partisan way to bridge gaps and find mutually-agreeable solutions. That is the way it should work, that is the intent" (Stokes 2009). Legislative Research Officer Larry

Johnston agrees: "committees are one place where backbenchers *should* exercise autonomy from party leadership" (Johnston 2009). However, looking at the political reality of committee dynamics and the heavy role that parties play in streamlining the process, it quickly becomes apparent that there is substantial discrepancy between what ought to happen, and what does happen. Ms. Stokes' colleague, Katch Koch, who is the Clerk of the Standing Committee on Social Policy, observes that

> On occasion, when asked by newer committee members whether they can do this or that with respect to voting behaviour, we as Clerks tell them that they may do whatever they want. However, the [committee] system is heavily whipped (Koch 2009).

In other words, when members vote against the party line, they get reprimanded by their respective party in order to ensure discipline and defend a particular legislative agenda. As noted by New Democratic Party (NDP) member Paul Miller, "99 per cent of the time, the government members vote down propositions put down by the opposition: partisanship clearly prevails" (Miller 2009). This sentiment is shared by Mr. Miller's caucus colleague Cheri DiNovo who observes that "this really is a place of partisan warfare and it is a shock to new members just how partisan it is" (DiNovo 2009).

III. The Role of Committee Chair

Much like the Speaker of the House, a Committee Chair has an important role to play in ensuring that proceedings unfold smoothly, within specified time frames and in proper sequence. The Chair must also preserve order and decorum. Katch Koch explains that

> As Chair, you work for the committee, not your party. The committee chair plays a very important role by setting the tone of proceedings that members respect. The Chair must be fair and allow all members to contribute equally and to decide for themselves, during proceedings, how they will vote (Koch 2009).

Unlike some other jurisdictions, committee Chairs in Ontario have rather mild powers, in the sense that they do not assume the role of 'gatekeeper' and are obliged to respect the will of the committee. Chairs do, however, pay extremely close attention to proceedings, despite not being able to partake in them. As MPP DiNovo points out,

> The role of Chair is much more onerous than one might think. It is like being a judge; you have to listen, pay close attention to everything that is being said because proceedings can change on a dime and you must be able to respond decisively to ensure a fair process (DiNovo 2009).

Part of ensuring fairness requires enforcing all scheduled presenters to abide by the schedule, and as Julia Munro, Progressive Conservative member and Chair of the Standing Committee on Government Services notes, "sometimes I conceive of my role as that of a 'glorified timekeeper'" (Munro 2009). In a similar vein, Select Committee on Mental Health and Addictions Chair and Liberal MPP Kevin Flynn insists that "being concise is a virtue" (Flynn 2009). Apart from the obvious reasons of having to stay on schedule in order to ensure that all deputants have had a chance to present before committee, taking charge of the process as Chair is also a matter of personal style. "If a committee Chair projects confidence, he or she can get away with some things without having members cry foul" (Koch 2009). Moreover, some Chairs take on an explicit effort

to guide proceedings in a specific way, so that the information exchanged acquires a recognizable form and meaning which members can feel a sense of accomplishment from. This is certainly the case of how MPP Munro perceives her role. "As Chair, I take it upon myself to take the discussion in a particular direction" (Munro 2009). Other Chairs describe their role as an exercise in impartial management for the sake of a broader purpose: "I like sitting in the chair because of the role I assume in simulating non-partisanship and seeking out consensus" (Flynn 2009).

IV. Balancing Committee Work with Other Responsibilities

Understandably, committee work is only one niveau in the multi-layered set of responsibilities that members have to tend to as democratically-elected representatives. It thus comes as no surprise that "being enthusiastic about committees is rare" (Stokes 2009). As Laura Albanese, Liberal MPP and member of the Standing Committee on Public Accounts put it,

> Being a member of a committee takes a lot of effort. It requires a good amount of reading. The Auditor General's reports, Clerk's reports, briefing notes prepared by committee Research Officers, and ministerial documents are but a few of the sources that we rely on to understand what is before us in a meaningful and engaging way (Albanese 2009).

Being an elected official thus requires an intense willingness to immerse oneself in extensive study, and the legislative dimension of public life forces members to accumulate information at a rapid rate. As with any other profession, there is a learning curve and policy areas are like webs of information. In a certain sense, committees are the hubs of knowledge-generation, where different ideological viewpoints intersect and allow members to become well-versed within their committee's issue-area while accruing multiple perspectives on the same phenomenon from one committee hearing to the next.

Inevitably though, there is much more to being an MPP than committee work. All members of the legislature are absent from committees or House proceedings at times and parliamentary convention would have it that references not be made concerning the presence or absence of fellow members. To compensate for the instances in which a member is away on some other business, caucus colleagues make it a regular practice to 'sub-in' for absent members.

> Another phenomenon we have noticed is the frequency of substitution that goes on. Constant multi-tasking is an ongoing challenge and I feel most for the NDP because they have to pull double duties, and their research resources are a lot thinner compared to their counterparts (Koch 2009).

Since "people do not often recognize the conflicting pressures that politicians are subjected to" (Albanese 2009), dealing with constituency issues, fulfilling one's House duty and committee work, carrying out community and stakeholder outreach, attending fund raisers *and* having a family life all at the same time can certainly take a toll on an MPP's schedule.

To help members fulfill their duties, all 107 of them are equally entitled to utilizing the resources and services of professional, non-partisan research staff at the Legislative Library who are exclusively devoted to assisting members. Information is constantly sought and provided, but it is up to political or caucus staff to take that

information and politicize it so that it is of use to the members. Political staff thus also serve a decisive purpose in the daily workings of the Assembly, and the financial resources that parties are entitled to from the Assembly corresponds to the number of seats they each hold. "A political group must have a minimum of eight members in order to be designated as an official political party, as far as the Assembly is concerned" (Koch 2009). It thus comes as no surprise that the NDP, being the smallest party, finds it most challenging to fulfill every designated task; "it is a difficult challenge for our caucus to undertake all the responsibilities. Sometimes, things slip by, considering how we only have ten members" (Miller 2009). New Democrats are assigned with four or five different critic portfolios, on top of all the other work they have to manage. "I am on my hind legs a lot. Carrying the different critic portfolios makes you incredibly proficient but also stretches you out to the max" (DiNovo 2009). Spending time at Queen's Park forces one to see an easily discernible difference in terms of financial and human capital when it comes to what is available to government and opposition at any given point in time. In part, this discrepancy in resources explains why political parties run to achieve government in the first place – doing so means being able to implement an agenda and guide societal change in a way that is profoundly easier and quicker in an operational sense, than what is possible by being, seemingly perennially, in opposition.

V. Recasting Legislative and Executive Power

A cornerstone of modern liberal democratic systems of government is the notion that legislative and executive power are, and should remain, separate. A slight exception within the Westminster model is, for the sake of holding members of the executive to account, the presence of the Premier and his Cabinet ministers at Question Period. There are jurisdictions though, where this blending of legislative and executive power is taken even a step further. In Quebec and Nova Scotia, for instance, Cabinet ministers sit as permanent members of committees (Heard 2006: 196). The reasoning here is that the deliberation and collective learning that goes on at committee level can be transferred back to the Cabinet table to have a direct influence on key decisions. As Andrew Heard writes,

> the active participation of cabinet ministers in parliamentary committees can have positive effects. Since cabinet is usually the ultimate body that decides whether its caucus members should vote for an amendment, there is something to be said for cabinet ministers being present and engaged in the committee discussions so they can learn at first hand about the merits of proposed amendments (Heard 2006: 196).

This arrangement is interesting because it integrates legislative roles with executive responsibility, providing direct exposure of government leaders to opposition members and stakeholders, deepening the level of interaction among elected officials beyond just backbenchers. This idea of having individual ministers sitting as permanent members of various committees was proposed to all members interviewed, and they all soundly rejected the idea, citing various reasons.

The composition of legislative committees is an intriguing debate to explore because there are compelling arguments to endorse having ministers, while there are

equally legitimate points in defending the status quo and keeping backbenchers in place to do the work. Opposition MPP Julia Munro is of the latter persuasion:

> I do not think having ministers sitting permanently on committees will ease the partisanship. The function of a legislator is to scrutinize the executive. Ministers have a higher calling and are there to defend an agenda set out by Cabinet and the Premier (Munro 2009).

It certainly is the case that on occasion, Ministers appear before the Estimates Committee and are questioned or 'grilled' by opposition members who force them to explain and defend their actions and those of ministry officials. Such hearings are often very partisan and unlike Question Period, there are no distractions to the proceedings, while the time allocated for such hearings is longer, much more focused, and much more direct. Government MPP Laura Albanese shares Ms. Munro's sentiment, as a member of the Standing Committee on Public Accounts:

> I like the fact that there are no ministers sitting permanently on committees. It would be a conflict of interest. Certainly, a level of expertise and awareness would be there, but with awareness of sensitive information comes political bias. That is why we have deputy ministers who present recommendations in a non-politicized way. The presence of ministers would invite more partisanship (Albanese 2009).

Fellow MPP Kevin Flynn adds that "what is lacking in the Chamber is debate. Luckily, the committee process [as it is] does produce debate thanks to the informality and serenity of the setting" (Flynn 2009). A further reason to throw out the idea of ministers' participation lies in the fact that any piece of government-sponsored legislation usually has extensive traces of ministerial input, rendering a minister's formal presence rather redundant. The Clerk of Committees explains that "committee members have briefings from ministries regularly (when they are not in session) to allow for more time for them to absorb the scope of the bill in question" (Grannum 2009). Moreover, with respect to legislative matters, "there is a delegation of responsibility from the minister to his or her parliamentary assistant which substantially eases the workload on ministers" (Wilson 2009).

To make a further point on this issue of executive participation in matters that are legislative, favouring such an arrangement is underpinned by the perhaps overly-optimistic and biased assumption about the quality of ministers over backbench members. There is something to be said for having parliamentary assistants and regular MPPs participate on committees because, after all, they are the rank-and-file of each party, who are motivated to micromanage issues faced by their constituents. "Backbench committee members bring various backgrounds to the table – first-hand knowledge of local issues and challenges, unique career histories, diverse personal qualities, and a drive to make a difference" (Albanese 2009). Besides, ministers too, lead busy lives and the scope of responsibility for overseeing and guiding a legislative agenda is perhaps best left outside the hands of executive leaders. "Having been a Minster for so long, I cannot imagine having to sit on committees while expected to fulfill my executive duties in an effective and responsible way. The briefings and constant meetings we had were sufficient to keep us informed of the issues and perspectives." (Wilson 2009).

VI. The Bureaucratic Impact on Political Representation

One of the most profound challenges facing Western democracies heading into the twenty-first century will be how they take stock of the massive bureaucratic engines that have accumulated since the end of the post-war period throughout the developed world. Understandably, public sectors account for significant portions of economic life in OECD countries, and Canada is no exception. But the challenge of preserving representative democracy in an era of spectacular and unprecedented bureaucratic power remains nevertheless. Legislative committees are at the intersection of politics and policy, as elected officials question and hold to account unelected civil servants on a frequent basis.

Even this extant model of responsibility is not without its flaws, and it is captured quite effectively by the following observation made by Professor Gregory Albo who suggests that in our system, "accountability simply means that individual administrators explain and accept responsibility for their actions, and those of their subordinates, *before other administrators*" (Albo 1993: 20). Resolving this conundrum is perhaps a topic for another research endeavour; one thing is clear: committees are at the center of reviewing and overhauling inefficient and ineffective aspects of our public sector.

So, how do MPPs conceive of senior public servants? The answers vary, but there is a general recognition that more can be done to reinforce democratic accountability in how programs are designed, implemented and reformed. After all, as Progressive Conservative MPP John O'Toole reminds us, "the state is of the secular-liberal variety" (O'Toole 2009) with clearly delineated areas of responsibility between politicians and bureaucrats, and recognizing this point is a good way of approaching the question.

Liberal MPP Kevin Flynn warns that "the image of the under-worked, over-paid bureaucrat does not reflect reality, but it does linger with people" (Flynn 2009). On a similar point, Vice-Chair of the Standing Committee on Estimates and PC MPP Garfield Dunlop observes that

> Public servants are pretty good in their appearances before committees; there is no distrust between them and members, and they do a fairly thorough job. At the same time, they want the power of the bill in their hands. Final implementation is not what you expect; the bureaucratic imprint is quite often very apparent in legislation (Dunlop 2009).

In a sense, the point above captures a broad mood by which there is recognition of hidden, unelected power which stems from the technocratic expertise manifested in public policy without much political, let alone public scrutiny. This is not to suggest that the intentions of bureaucrats are sinister, but rather to take note of their power. "I have seen how the bureaucracy can tremendously slow down political will" (Albanese 2009). Furthermore, the apolitical nature of civil servants' jobs requires astute awareness of how what they say or do may be misconstrued politically during proceedings: "they are careful not to comment on politics – they simply comment on the mechanics of policy delivery" (Munro 2009). MPP Flynn adds that "most civil servants have done a good job of staying out of areas where the opposition wants to lure them" (Flynn 2009). After all, politicians are expected to politicize information all the time, and in confronting them, bureaucrats have to consider practical matters which may easily apply to their own departments and agendas. As MPP Dunlop explains,

> There is general apprehension among bureaucrats towards the opposition. However, they do look after themselves, tread carefully, and think: who will be my next boss two years from now? (Dunlop 2009).

It thus comes as no surprise that much academic literature has been devoted to applying rational-choice and utility-maximizing models to bureaucratic actors and their behaviour – emphasizing their constraints as well as preferences.

A suggested way of reinventing the public service would perhaps be to rethink and reset the incentives of bureaucrats. Introducing mandatory user feedback would be one way of institutionalizing civic participation within government programs, for instance. Another avenue would be to place more limits and more frequent reviews upon senior public officials. MPP DiNovo notes that

> Public servants explain things much better than elected members. I wish, however, that those in the higher echelons of the bureaucracy were more accessible by ordinary people, and that they were more accountable. By giving them fixed terms, fixed contracts, and capped salaries, this would be possible (DiNovo 2009).

Certainly, preserving democratic accountability is not just about implementing regulatory changes and instilling new incentives within the system of internal decision-making. Much depends on the mood and grievances held by citizens who have in Ontario, for the most part, remained dormant as far as provincial politics are concerned.

VII. On the Pendulum of Cooperation and Competition

Much like competing businesses jostling for dominance in a particular market, so too do political parties compete with each other through their members. The instinct to assume that cooperation, to whatever degree, is inevitable, comes from the recognition that politics is as much an exercise in mutual learning and awareness of alterity, as it is the polite version of a Roman 'blood sport'. However, as in business, competitive democratic politics also have a bottom-line rationality called power, which drives all struggles leading towards its acquisition and consolidation. After surviving, an effective political agent sets the foundation for dominating the political scene, and majority governments see this as their primary purpose. After all, implementing a full agenda is impossible without being in power, and the risk of losing the mandate to govern is something that the most policy-oriented and altruistic politician fears tremendously.

Looking particularly at the committee system of Ontario's 39th session of parliament, it is evident that for the most part, members from the government side dominate the process. The government determines the agenda in terms of giving preference to its own bills over those of the opposition, it outvotes the opposition on a regular basis, and it pursues change at a temporal rate that *it* sees fit. This does not mean that the government's behaviour is anti-democratic, or if only this or that party were in power, things would be radically different. A democratically-elected majority government has every right to implement its policy agenda under the mandate it has achieved through convincing the electorate. The real question is how much effect does the opposition have at committee level, and how meaningful are the proceedings? "There is a vast difference between committees looking at legislation, and opposition amendments being accepted" (Munro 2009).

There seems to be broad consensus among members of the opposition parties that cooperation is rare, and that the legislative priorities of the government is heavily reflected in committee work, leaving little room for flexibility and cooperation. "The government does not want to give much credit to opposition suggestions put forward in the form of amendments" (Dunlop 2009) and "a lot of government thinking centers around 'what makes us look good'" (Miller 2009).

In contrast, government MPPs have a more optimistic view of how things unfold at Queen's Park in general and at committee work in particular: "all members support constructive ideas and committees serve a very useful role in the formulation, execution and review of public policies. I have witnessed, first-hand, how legislation has been shaped and improved through committees" (Orazietti 2009). What is noteworthy about this specific session of parliament is that the Liberals, who are centrist, "have played an intermediary role, bridging gaps between the PCs and NDPs during proceedings" (Albanese 2009). To put it another way,

> The general situation is that Conservative members say the government spends too much. New Democrats say it spends too little, while Liberal members say it spends just enough (Flynn 2009).

Cooperation does occur in bursts, sometimes as a result of spontaneous groupthink during hearings, or as a result of informal member-to-member consultations. "Sometimes when a Chair senses a collective mood in the room, he will call a recess. Legislative counsel drafts a motion on the spot and the consensus is captured" (Koch 2009). Such examples are rare, but worthy of attention because they signify moments in which partisan differences *are* put aside and demonstrate that collective action *is* possible in a highly political and competitive environment. Moreover, issues dealing with the social needs of Ontarians, as well as more normative questions undertaken by some committees do generate cooperation significantly more (Flynn 2009; Orazietti 2009; Dunlop 2009) than matters such as spending or public appointments.

Amid intense partisanship, members recognize that there is untapped potential for working more intensely across party lines to achieve collective goals. Unfortunately, the competitive nature of political life preempts that scenario from coming through. Ideological differences and critiques of government are in part driven by genuine disagreements, but are also driven by political self-interest and the desire to see one's competitor fail. "Opposition parties engage in a lot of posturing. The reality however, is that the political spectrum in Ontario is only an inch-deep, and that centrist politics are here to stay" (Flynn 2009). The chief Clerk of Committees jokingly observes that "perhaps if politics was not such a big part of how things unfold, that would help" (Grannum 2009) but the heart of the matter is that democratic political life requires animation, hostility, ideological variety (no matter how perceivably minute), and mutually competing teams of leaders that seek to form governments, no matter how down-trodden those teams may be. As fora that offer elected representatives an opportunity to review legislation and scrutinize the government and civil service, committees allow for deliberation to transpire, and force those in power to account for their actions. "I suppose that the real question facing our system is whether we want a shallow versus deep democracy" (DiNovo 2009) and having a lively opposition at Queen's Park is only one half of that equation. The rest depends on citizen involvement in political issues.

VIII. Conclusion

In the final analysis, do committees matter? All members agree that they do. But what matters more is achieving government. Despite the frustrations raised by members of the opposition parties, it is acknowledged by everyone that committees represent a valuable tool in the functioning of parliamentary democracy through the debates that they generate. "Committees are important because they offer the public a venue to have their say, so they serve that purpose very well" (Miller 2009). In a majority government situation such as the present one,

> the government will get its way. Stakeholders, individuals, and the opposition can fiercely rally against something, but the government reserves the right to implement it. This, however, does carry with it political risk and it is a burden that the government must accept going forward (O'Toole 2009).

Democracy, as a way of governing puts much emphasis on process which explains the existence of committees and many other venues which produce debate in both formal and informal settings, within and beyond the sphere of the state. However, an emphasis on process alone should not cloud the very explicit hierarchies of power along which real decisions are made by executive power-holders. Yes, the input of any number of agents, whether they be opposition members, lobbyists or ordinary citizens is important. But having a voice on an issue is radically different from having the authority to make a public policy decision that will affect that issue in one way or another. In the province of Ontario, this authority is shared between executive members of the government, and senior public servants. Opposition backbenchers have very little traction with which to cajole their fellow colleagues to vote against their own government, so the process that does unfold at committee is largely ceremonial, from the strict vantage point of looking at outcomes.

Based on the members' contributions to this paper, it would be more accurate to liken committees to 'talking shops' than to independent instruments of change, with the simple caveat of saying that the debates that committees produce *do* matter because alternative viewpoints *are* expressed, if not implemented, and there is substantive value to that. However, the wrath of the party line is very apparent all the time, and inter-party cooperation is minimal. The bottom line is that Majority governments exercise their power by whipping their members, producing pre-determined results at committee proceedings which in turn contribute to the achievement of a broader legislative agenda. Moreover, it is clearly advantageous to be in government because of all the extra supports politicians have by virtue of that fact alone. It is thus not surprising that election battles are fought so fiercely, and that the mere *possibility* of forming a majority government entices people to run for office, even against dubious odds.

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Albanese, Laura - MPP (York South-Weston). Member, Standing Committee on Public Accounts; Member, Standing Committee on the Legislative Assembly; Parliamentary Assistant to the Minister of Culture. *Interview*. Monday, April 27, 2009. 3:00pm. Queen's Park, Toronto.

DiNovo, Cheri - MPP (Parkdale-High Park). Critic, Citizenship and Immigration; Third Deputy Chair on the Committee of the Whole House; Member, Standing Committee on Social Policy; Critic, Housing; Critic, Employment Standards; Critic, Women's Issues. *Interview*. Thursday May 7, 2009. 12:00 pm. Queen's Park, Toronto.

Dunlop, Garfield - MPP. (Simcoe North). Vice-Chair, Standing Committee on Estimates; Critic, Community Safety and Correctional Services. *Interview*. Monday April 6, 2009. 9.00 am. Queen's Park, Toronto.

Flynn, Kevin Daniel - MPP (Oakville). Chair, Select Committee on Mental Health and Addictions; Member, Standing Committee on Estiamtes; Vice-Chair, Standing Committee on the Legislative Assembly; Parliamentary Assistant to the Minister of the Environment. *Interview*. Wednesday April 22, 2009. 3:00 pm. Queen's Park, Toronto.

Grannum, Tonia – Clerk, Committees; Clerk, Standing Committee on the Legislative Assembly. *Interview*. Tuesday April 6, 2009. 2:00 pm. Queen's Park, Toronto.

Heard, Andrew. "Legislatures: Centre Stage but Not Top Building." *Studying Politics.* ed. Rand Dyck. Toronto: Thomson Nelson, 2006.

Johnston, Larry – Research Officer, Legislative Assembly. *Interview*. Monday May 11, 2009. 4:00 pm. Queen's Park, Toronto.

Miller, Paul - MPP (Hamilton East-Stoney Creek). Vice-Chair, Standing Committee on Regulations and Private Bills; Critic, Pensions; Critic, Tourism, Recreation and Sport; Critic, Economic Development and Trade; Critic, Workplace Safety and Insurance Board of Ontario. *Interview*. Thursday April 9, 2009. 11:45 am. Queen's Park, Toronto.

Koch, Katch – Clerk, Standing Committee on Public Accounts; Clerk, Standing Committee on Social Policy; Clerk, Select Committee on Elections. *Interview*. Thursday April 23, 2009, 1:00 pm. Queen's Park, Toronto.

Munro, Julia – MPP (York – Simcoe). Critic, Children and Youth Services; Chair, Standing Committee on Government Agencies; Critic, Culture. *Interview.* Thursday April 9, 2009. 9:00 am. Queen's Park, Toronto.

O'Toole, John – MPP (Durham). Critic, Municipal Affairs and Housing; Member, Standing Committee on Estimates; Deputy Opposition Whip. *Interview.* Wednesday April 8, 2009. 12:30 pm. Queen's Park, Toronto.

Orazietti, David – MPP (Sault Ste. Marie). Chair, Standing Committee on General Government; Parliamentary Assistant to the Minister of Education. *Interview.* Thursday April 28, 2009. 3:30 pm. Queen's Park, Toronto.

Stokes, Anne – Clerk, Standing Committee on Public Accounts; Deputy Clerk, Journals. *Interview.* Monday March 23, 2009. 2:00 pm. Queen's Park, Toronto.

Wilson, Jim – MPP (Simcoe-Grey). Critic, Infrastructure; Second Deputy Chair of the Committee of the Whole House; Critic, Training, Colleges and Universities. *Interview.* Wednesday May 13, 2009. 2:00 pm. Queen's Park, Toronto.