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Members of the House of Commons: Their Roles

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***Members of the House of Commons:
Their Roles
(In Brief)***

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MEMBERS OF THE HOUSE OF COMMONS: THEIR ROLES

1 INTRODUCTION

Members of the House of Commons have, themselves, often commented that theirs is a job with no description. There are many roles for a member of Parliament (MP) to play in his or her career as a parliamentarian, and each role makes substantial demands in terms of both knowledge and work.

This paper provides an overview of the main functions fulfilled by an MP, including his or her representative, legislative, and oversight roles.

2 REPRESENTATIVE FUNCTION

2.1 CONSTITUENCY WORK

The most obvious task of MPs is to represent their constituents. Canada is currently divided into 308 constituencies, each of which elects an MP to sit in the House of Commons. It is uncertain whether, as representatives, MPs ought ideally to interpret, and ultimately shape, public opinion, or whether their purpose is rather merely to relay their constituents' views to those in positions of authority.

Faced with problems or questions involving the federal government and its departments, constituents often appeal for help to their MPs. Members routinely receive large numbers of phone calls and letters from electors with employment insurance, welfare, farming, legal, pension, immigration or financial problems that they want taken up with bureaucrats or ministers. MPs have come to devote major portions of their time to providing assistance to individual constituents. This "social worker" or "ombudsman" function may require their direct involvement – for example, in contacting ministers or public service officials, or using time in the House – to convey the grievances of an individual constituent and seek remedies. More typically, however, constituency service primarily involves providing information and advice about the vast array of government programs now available, and is carried out by staff in an MP's local office.

Constituency service as a major occupation of MPs is a generic role, deriving from the status of having been elected to membership in the House of Commons. While ombudsman activity may at times equip an MP with information that is useful in his or her legislative or oversight roles, this is not necessarily the case. Indeed, it more typically competes with parliamentary participation for an MP's time.

MPs also represent their constituents in many ways in the House of Commons. For example, they may:

- convey their constituents' views during debates and suggest policy initiatives on their behalf;

- take part in the legislative process, thus giving their constituents at least an indirect role in the shaping of important policies affecting their lives;
- make a short statement on any topic – such as an issue germane to their constituency – under Standing Order 31 immediately prior to the start of the daily oral question period;
- raise matters during question period in the hope of influencing a minister to alter or initiate policies more in keeping with the views of voters; and
- appeal to ministers on public policy matters either by letter or through more direct channels.

2.2 PRIVATE MEMBERS' BUSINESS

An MP may move adoption of a private member's bill during the time allotted to private members' business. Although a private member's bill is a public bill, in the sense that it has broad and general application, this type of bill is sponsored by an individual MP and is not part of the government's proposed legislative package. Under current procedures, at least a few private members' bills every session have a genuine chance of being passed, as the weekly schedule of sittings sets aside time each day for debate and/or votes on a pre-determined sequence of private members' bills. Individual MPs may also put forward a private member's motion to provoke debate on general government policy and explain the views of constituents.

2.3 PARLIAMENTARY COMMITTEES

Parliamentary committees provide other opportunities for MPs to perform their representative role. In legislative committees, as well as in standing committees, they may participate in the detailed clause-by-clause scrutiny of bills following second reading. In standing committees, MPs may also participate in the review of order in council appointments, the examination of departmental estimates, policy documents and plans, and the study of specific important topics. In committee, where membership is kept deliberately small and procedural rules are relatively relaxed, MPs may speak freely and frequently, questioning witnesses (including departmental officials and ministers) in the hope of influencing eventual government policy.

2.4 CAUCUS

MPs may seek to influence the members of their own party to adopt specific attitudes and policy proposals along the lines of those advocated by electors. Apart from casual exchanges among members of the same party, such intra-party persuasion normally finds expression in the party's caucus. Here, assembled privately, MPs may attempt to influence their party's stance towards specific issues in directions that reflect favourably upon themselves and, by extension, their constituents. In addition, MPs from the same province or region may band together to form a common front, or regional caucus, with the intent of more effectively articulating regional concerns.

2.5 OTHER CONSIDERATIONS

Any realistic assessment of the representative role of the MP must take into account partisan considerations. Since many MPs owe their electoral success to their political parties, “party politics” may occasionally dictate the sacrifice of constituents’ concerns. For their part, MPs view the party as a means both of promoting shared policy objectives and of mobilizing mass support at elections. The party provides the financial and administrative machinery to help an MP’s re-election. In Canada, the party expects loyalty and can use a number of methods to discipline perceived mavericks, including relegating less compliant members to low-profile committee assignments, denying them opportunity to travel, or expelling them from the party caucus.

Of course, MPs’ effectiveness in representing their constituents depends to a considerable degree on the position they occupy in the House. Cabinet ministers, as members of the executive, are best placed to ensure that their constituents’ interests are duly considered in the formation of government policy. Removed from the process of policy-making, the ordinary MP must vie for input into central decision-making with the bureaucracy, interest groups and other MPs. His or her voice is therefore often only one among many. Nor has a backbencher the resources available to ministers anxious to press their views.

3 LEGISLATIVE FUNCTION

Legislating is a function largely carried out by the government, whose numbers normally account for at least the plurality of seats in the House of Commons. Ordinary MPs generally perform only an indirect role in the legislative process. Whereas at one time Parliament was the primary source of legislative initiative, today the legislative role of Parliament and its members is, for the most part, to refine – not formulate – policy.

3.1 PARLIAMENTARY COMMITTEES

MPs may exert direct influence over legislation in House committees. The study of departmental estimates, for example, gives them the chance to criticize and possibly alter planned appropriations. Committee rules empower members to accede to, recommend reductions to, or even deny the government’s appropriation demands outright. This potential influence over government spending policy is acknowledged in the familiar dictum respecting parliamentary “control of the purse strings.”

Members may also exert direct influence over legislation in committee during the normal detailed scrutiny of a bill following second reading. An MP may attempt to convince his or her fellow committee members of the desirability of certain changes in order to remedy perceived inconsistencies or possible omissions in the proposed legislation.

Parliament is an imperfect instrument. MPs are subject to the stresses of demanding work under tight time constraints. Thus, it is naive to expect that an MP’s legislative

tasks will always be satisfying exercises in statesmanship. Members therefore learn to use parliamentary mechanisms to their advantage in order to achieve optimum results from a system necessarily founded on compromise. Committees, valuable sounding boards on which to test public and expert reaction to proposed measures, are such a mechanism.

3.2 PRIVATE MEMBERS' BUSINESS

Perhaps the most direct means by which an MP may “legislate” is by sponsoring a private member’s bill. The five weekly hours allotted to the consideration of private members’ legislation afford individual MPs the opportunity to champion causes of particular import or interest to them and, on occasion, to achieve the passage of legislation.

3.3 OTHER FACTORS

The greatest legislative influence of MPs is, however, probably exercised indirectly. Speeches during debate on a government bill or representations made during the daily question period seek to persuade the Cabinet to move in directions advocated by individual MPs. The party caucus may also serve as a forum for indirectly influencing government policy.

Individual MPs may also attempt to influence policy-makers privately. They may telephone, write, or talk to ministers and senior officials to discuss their policy concerns in the hope of persuading the government to change existing or proposed legislation.

Finally, MPs may influence government policy indirectly through recourse to the media. Members’ public championing of specific alternative policy options – if it is successful – may foster public opposition to proposed or current government legislation.

4 OVERSIGHT FUNCTION

4.1 SCRUTINY OF GOVERNMENT SPENDING

In a parliamentary system of government, the executive’s freedom to govern is necessarily balanced by accountability to the legislature. Accountability is embodied, for example, in the traditional doctrines of individual and collective ministerial responsibility. If the public is to be protected from potential government arbitrariness and assured of wise spending, Parliament must carefully scrutinize government activity, a responsibility usually assumed by the opposition parties.

Scrutiny of government spending is thus an important element of the MP’s oversight role. It takes several forms, notably the examination of departmental estimates in committee. Members may question ministers and officials about departmental spending plans. If projected spending appears excessive, the committee report may propose reduction or elimination of specific expenditures.

MPs also play an important oversight role on the occasion of the yearly and other reports of the Auditor General to the House of Commons. MPs may comment on the Auditor General's examples of government waste and inefficiency, as well as voice their own criticisms in the House of Commons, in House committees and through the media.

A further examination of the government's spending policy takes place during the budget debate, which consists of four days of discussion (not necessarily consecutive) of the government's taxation and general financial policy, following the Budget Speech of the minister of Finance. Given that the rules of procedure are relaxed in the course of the budget debate, MPs are afforded a freer forum in which to interrogate the government about budgetary policy.

Another special debate – albeit not confined to budgetary matters – takes place following the Speech from the Throne, in which the government outlines its major legislative initiatives for the upcoming session of Parliament. The Throne Speech debate consists of six consecutive days during which MPs may question the government's proposed legislative package.

4.2 ALLOTTED DAYS (BUSINESS OF SUPPLY)

In addition to the Budget Speech and Throne Speech debates, opposition parties also have at their disposal 22 so-called “allotted days” in the annual supply cycle, during which they may debate any element of the government's proposed spending plans. This means of oversight is further reinforced by the fact that motions of non-confidence, challenging the continued viability of the government, may be raised by the opposition parties on any of these allotted days. Because the opposition is guaranteed a fixed number of allotted days in each of the three supply periods which comprise the annual supply cycle,¹ allotted days are a potential and continued threat to the party in office.

4.3 PARLIAMENTARY COMMITTEES

The House of Commons committee system also provides for MPs' scrutiny of government activity. Under Standing Order 108, the standing committees are endowed with wide oversight powers, including the power to send for “persons, papers and records” and (with certain exceptions) wide powers to study and report on legislative, policy, and long-term expenditure plans and management issues related to departments within their mandates. They are also specifically empowered to review order in council appointments. Legislative committees, if struck, are also empowered to summon departmental officials and other expert witnesses, along with documents and records, in the course of their scrutiny of the legislation referred to them. In both legislative and standing committees, MPs are in a position to undertake the well-informed examination of legislation and other governmental activity.

Members' ability to “keep the government in check” is not boundless. It is hard to assess projected government spending, for example, if one lacks technical expertise, or is faced with complex departmental spending programs. House committees studying government estimates are empowered only to approve or suggest

decreases in specific appropriations, not to increase appropriations or shift government priorities. Such committees also “work under the axe” – they must report by 31 May of the fiscal year or their reports are simply “deemed” to have been made.

4.4 ORAL QUESTIONS

The most celebrated forum in which MPs exercise their oversight function is the daily question period. In the few minutes immediately before question period, MPs may attempt to chastise the government for action or inaction by making, under Standing Order 31, a statement of import to themselves and their constituency. During question period itself, they may interrogate ministers about alleged cases of mismanagement of public funds or any area of perceived government inadequacy.

5 CONCLUSION

Members of Parliament have many roles. In theory, at least, they are to be constituency representatives and ombudsmen, orators and law-givers, policy-makers, overseers of the government and bureaucracy, and loyal party members. In reality, they are human beings who cannot always fully cover all these bases.

To be successful over the long run, MPs must find a balance between their personal, party, and parliamentary lives. This involves deciding which of their parliamentary roles to emphasize. Many decide to focus on their role as representatives, because acting as “ombudsman” can offer not only political, but also the greatest personal, satisfaction. Others are attracted to politics to achieve certain policy and legislative goals. The reform of the procedures of the House in the past several decades has opened many more avenues by which MPs can exert an influence in support of those goals.

NOTES

1. Standing Order 81(10)(a) states that seven days are allotted during the period ending 10 December; seven during the period ending 26 March; and eight during the period ending 23 June.