



Michael Chong speaking in the House of Commons

Michael Chong: A very unusual politician

Robin Sears profiles Conservative MP Michael Chong, whose private member's bill aimed at giving MPs and political party caucuses more power has captured the imagination of those who have long dreamed of parliamentary reform. Sears finds a man who is resolutely dedicated to restoring power to elected representatives, a goal that has been opposed by successive prime ministers who could not resist the temptation to consolidate and enhance "the Centre's" power.

Robin V. Sears

Everyone knows that legislative power in all the developed democracies has been on a long slow slide. The peoples' elected representatives are losing everywhere to executive-led governments, their political staffs and officials. Imperial presidents and all-powerful prime ministers are now the norm. It is common knowledge, after all, that American presidents are more powerful than ever through the use of executive orders empowering them to kill on command and to trump legislation with a simple signature.

Well, actually no, according to Michael Chong, that conventional wisdom is wrong.

It is, in his view, a quite Canadian problem.

As his many speeches and articles concerning his revolutionary *Reform Act* point out, and as he will hammer a skeptical interviewer with statistics at length, Canada has slid further and faster down the slope of untrammelled executive branch power than any of the sister democracies, even the Westminster-born Commonwealth cousins.

One statistic alone is breath-taking. In this Parliament of nearly six hundred recorded votes, MPs broke with their party whips one percent of the time! Opposition rebels and government clapping seals alike did as they were told 99 percent of the time.

This is the highest level of party discipline anywhere, the worst in the parliamentary world, and the worst in Canadian history. The next lowest level of independence is the United Kingdom at nearly 10 percent, with the top five ‘dissident’ U.K. MPs making a rebellious vote nearly one in five times. While this is a decline from the pre-war era in the U.K., it is still eight times our parliamentarians’ demonstrated backbone. Independent voting is a reasonable indicator of political power. If you don’t feel empowered to vote freely, you don’t ask questions freely, you don’t push for change in decisions and drafts of bills that offend you, and you don’t use your pulpit as a Member of Parliament to try to move either other members’ or public opinion.

The success of the highly-torqued “House of Cards” stereotype of political character — egotistical, tone deaf, emotionally manipulative, treacherously disloyal, with loose sexual and professional ethics — is grounded by its clever tapping into the average voter’s judgement of the political class. The autocratic use of executive power merely reinforces those prejudices.

Chong points out that while some may rue the “Congressional deadlock” in Washington, it would be nonsense to see it as proof of declining legislator power. Presidential executive orders are the weak product of a Congress frustrating the legislative power of presidents, not proof of presidential power. Australia may look bizarre to us with its regular caucus-led beheading of leaders and prime ministers, but as proof of legislator power it is incontestable. Chong points out their turnover rate in dispatched leaders is not much higher than ours, but their system is much less damaging as the battle is joined and resolved and the healing begun within weeks — ours take years of destructive infighting to resolve.

Much flows from our astonishing level of Soviet-style voting behaviour, and many are the implements of torture available to the House Leader, the Whips and the PMO — collectively termed as simply ‘the Centre’ — to enforce their writ. First, it means that parliamentary scrutiny over controversial government bills is by definition hobbled. Filibusters, heated late-night debates, MPs’ use of standing orders and private members’ bills — even Question Period — have mostly become caricatures of independence in the face of implacable executive branch and Leader’s Office control.

It means that the angry call from the “Centre” to an MP who has grumbled in Caucus, or worse to the media, about his or her hesitation concerning some legislative excess, is usually greeted with the instant cavilling response one might expect from a long-term

prisoner or a monastic penitent being called to account by a Father Superior. The costs of disobedience are high: expulsion.

It means that bureaucrats do not feel free to say much to questioning government MPs concerned about the implications of this bill or that new regulation. And they are wise to say nothing at all to Opposition members’ queries, for fear that any repetition would be career-limiting.

And it also means that the normal parliamentary brakes on government’s getting out of control cannot even slow down let alone prevent a majority government determined to impose its will about something foolish or dangerous. Much muttering in the government caucus, and loud anger among opposition MPs has done nothing to slow this government’s determination to tilt the electoral playing field through a “reformed” *Canada Elections Act*, for example.

The NDP’s frustrated efforts to, at least, insist that Canadians outside of Ottawa get a chance to offer witness about the Harper government’s relentless ambition are pointless beyond drawing attention to their powerlessness. The government’s reform of electoral finance eviscerated their opponents’ competitiveness for a decade. Now they are doubling down on their built-in advantages through clever tweaks in the rules of the electoral game.

The bizarre decision by the leader of one caucus in one House of Parliament to fire the leader of the caucus of another House is dubious constitutionally, but was hailed by fans of ‘bold politics’ as proof of a commitment to democratic reform. More sensibly, Justin Trudeau’s stunt, firing “his” senators, should have been seen for what it was — just the latest example of ‘bossism’ creeping into our democracy. The Senate, notwithstanding its limited democratic role in its sadly shrunken condition today, is a constitutionally independent Chamber not accountable to the leader of the third party in the House.

The idea that the Senate should not be represented in the Cabinet of Canada is similarly dubious, according to most experts on our unwritten and vaporous constitutional conventions. So Boss Harper’s decision to oust the Government Leader in the Senate from his Cabinet is the same autocratic pig smeared this time with blue lipstick instead of Trudeau’s crimson. This testosterone-poisoned politics of swagger drives the behaviour of junior staffers, veteran MPs and most visibly the scarce-bearded short pants kids in the Langevin Block. The success of the highly-torqued “House of Cards” stereotype of political character — egotistical, tone deaf, emotionally manipulative, treacherously disloyal, with loose sexual and professional ethics — is grounded by its clever tapping into the average voter’s judgement of the political class. The autocratic use of executive power merely reinforces those prejudices.

Sir John A. is surely still spinning in his grave over the impertinence of ramming an entire Parliamentary session’s legislation into one Budget bill on which you then severely limit debate. The expectations of parliamentarians about this form of bullying are so crushed that, unhappy government parliamentarians’ typical pushback is usually a blushing, “Well, the Liberals started that game. Maybe our guys were a little over the top.”

Occasionally, the exceptional political rebel is offered as the norm: “Yes, but, look at Jack Layton, or Irwin Cotler, or Elizabeth May — they stood up to power. They fought for a cleaner politics.” One could grumble that those cited are usually examples merely of ambition well-veiled, or partisan knifemanship well concealed, more than monk-like virtue. Politicians like them, including Michael Chong, nonetheless try to adhere to the standards of a vanishing era of honesty, disclosure, cross-tribal respect, powerful arguments and vigorous rebuttal — persuasive rhetoric not dependent on adolescent insult for impact.

Chong’s life has been one of those quintessentially “Canadian” journeys — a complex mix of ethnicities and culture, tragedy and redemption, youthful excess and hard-won adult victory — that make so many of this country’s second generation immigrants such impressive leaders. Deprived of his mother by a tragic car accident as a young child, and of his father in young adulthood, bent to a stern academic discipline by his Hong Kong father and the Calvinism of his Dutch mother, he exploded into the kind of louche excess typical of a small town undergraduate left to feast on the endless temptations of a big city university.

A short, chunky but muscular frame supports a head of big hair and a giant smile. A personality so constantly ‘on,’ so defiantly optimistically swatting at the surrounding dragons with a wooden sword that the cynical consiglieri of his tribe and their opponents, tried to dismiss him with knowing smirks. Dumped early on from Cabinet for his apostasy over the Harperite conversion to Quebec ‘nationhood,’ he was quickly tagged as one of those young fools who think that principle should drive government decision-making.

Reflecting on his short Cabinet career one admiring but still somewhat stunned old friend observed, “He could have been one of the most senior cabinet ministers in this government by now, he would probably have been seen as a potential leader, but...”

Chong’s work in the creation of Canada’s first historical education and advocacy organization, The Dominion Institute, combined with the values of his immigrant success story, and his bitter experience of “speaking truth to power” early in his career, no doubt all contributed to the *Reform Act* crusade he launched last year.

At its core the private member’s bill has a very simple but compelling thesis — the peoples’ elected representatives need to reclaim their sovereignty. MPs need to stand up to all those who have sliced away their authority and autonomy, and Canadians and democracy and effective accountable government will be the beneficiaries. The initial reaction was along the lines of “It would be nice if we could abolish Canadian winters, too...”

But slowly, and now with some gathering momentum his reform crusade has picked up admirers and quiet supporters in all the clans and families of the tribes that make-up Parliamentary life. Some are more discreet than others. He smiles at the hand-written notes of encouragement he now receives from some former Cabinet colleagues and senior staffers who would barely have nodded to him in the corridor in recent years. He is gracious to the now more respectful pundit class who were chorus leaders in their derision over his dismissal in the Quebec nationhood battle.

Despite his youth and his modern Canadian immigrant story, Chong is an old style and old school politician. He has represented Wellington-Halton Hills, just outside suburban Toronto for a decade. His voters are the people of the towns he grew up in, and today he is based in the little town of Fergus. Despite the demands of three young sons and of Ottawa life, he spends a lot of time talking to the former schoolmates, neighbours, and friends who make up his constituency. He is known as a strong community MP and could probably be re-elected even in the face of a Tory collapse.

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He pushes back gently, at the common doorstep complaint that “you don’t work for us, but for your boss.” He has the patience of a committed young civics teacher as he carefully, but unpatronizingly points out why it is not true that the Boss is his boss, to whom he does feel accountable and why, and what he is trying to do to challenge the rule of the bosses.

Like a small town merchant preparing for the opening of market day, he prepares his lines of argument with care. First, he lays out a row of shiny Constitutional proofs, and piles on top of them the solid if dull ‘constitutional conventions’ — such as “governments alone can determine what votes necessarily trigger an election.”

He rhetorically discards the bruised and discolored deviations, culling the bad apples that have found their way into the market — the idea that leaders are accountable to parties not MPs, that MPs are forbidden to make common cause across party lines — and finally unveils his creation, the *Reform Act*. He leans back in silence with a smile, as if to say, “It’s really clear now, isn’t it...?”

Central to his reform case is the importance of writing down the rules. It is bizarre, he points out, that courts that used to merely verbally lay down the law, have for decades, even centuries, been forced to write and defend their judgements against precedent and statute. Several hundred page decisions carefully sift previous decisions, current implications and potential future impacts.

Yet, the powers of a prime minister, how he is chosen — and Chong would add, more crucially, how he is dismissed — are merely an evolving menu of gambits invented by circumstance and chosen on the basis of the needs of a party and candidate at a moment of decision.

He points out that the Liberal party has had five leaders since Paul Martin and only two of them were elected by their parties, one by



Australian Labor Party leader Julia Gillard (L) overthrew Prime Minister Kevin Rudd in 2010, and was later overthrown in 2013. Mr. Rudd was then reinstated.

convention and one by an amorphous national electorate called simply ‘supporters.’ Stephan Dion’s ascension was the bizarre outcome of a bitter, delegated convention. Justin Trudeau was the crowned prince of thousands of self-proclaimed “Liberal supporters.” Messrs. Graham, Ignatieff, and Rae were chosen first by their caucuses alone. Chong argues this amply demonstrates the range of leadership selection methods used today.

To the prospect of the leader-controlled party being rallied to defend his title, against the wishes of his caucus colleagues, he points out that it would be a strange caucus that defied the wishes of its own constituents to keep a leader, when their own status was genuinely in the hands of those same voters. He also points to the disastrous effect of a leader refusing to stand down when he had lost the control first of the party and then much of his caucus, as in the case of Jean Chrétien .

He argues that at the core of much of the disenfranchisement of Parliament’s authority is this fluid and unwritten approach to leadership selection. And he points out that because the rules are not clear and the power of the leader and his praetorian guard is so formidable, the battle to replace a leader is long and messy and in the end inevitably damages the health of the party. He points to the bitter decade in the wilderness that the divided Conservative family endured, made more debilitating and difficult to climb out of by the revolving door of leaders.

The Liberal party’s triumphant convention in Montreal this spring was in the eyes of one pleasantly surprised veteran, “The first I can

recall since 1979 that was not poisoned by leadership conspiracies and backbiting.” The party’s earlier descent into near terminal irrelevance was similarly fuelled by decades of bitter leadership struggle.

Chong argues that the elected men and women of the legislature should be able to review the position of their leader. With proof in the form of signed petitions in sufficient number, followed by a majority secret ballot, they should be able to begin the process to dump a leader. The party beyond the House can endorse or even reject the choice. But that would be a nuclear weapon seldom wielded and not likely to succeed unless their Caucus members have signaled to the party that they should do so.

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The second leg of his reform stool is a withdrawal of the leaders’ power to accept or reject a candidate chosen by local party members. This power, initially granted in 1970 has been strengthened by several amendments to the *Canada Elections Act*. The initial defence was to ensure that the party was jointly liable for any offences involving expenses or the issuance of tax credits for donations. Later, it was seen as a way of letting parties ensure that no nominations were ‘seized’ illegitimately by a faction swamping a local meeting.

In fact, it has become a means for party leaders and their lieutenants to nudge candidates perceived as weak off a slate in favour of a new star, of promoting candidates such as women or minority representatives who could not otherwise prevail over local favorites, or even punishing MPs who have fallen out of favor, such as Garth Turner and Helena Geurgis. Most recently it has been used to quash candidates who have given offence to the leader and his team, as in the case of Christine Innes in Toronto — who was banished for unproven and ambiguous allegations.

Chong argues there is a far more effective range of choices that protect the party brand, while respecting local party democracy. He envisions a “nomination referee” or judge chosen by party activists in advance, responsible for the integrity of the nomination process, and the adjudication of disputes. This group of individuals, he argues, would be less easily bossed around by leaders’ teams, and could even be elected as a group by a party to cover groups of ridings or even whole provinces. A cynical observer might predict that party leaders would seek to gain control of the judges panel, too, but his conception does at least add one additional barrier to party autocracy.

A third leg in his reform platform is to prevent the arbitrary expulsion of a caucus member by the leader, requiring again a petition signed by members and a majority secret vote. This would empower internal critics, make a leader’s life more difficult and have those critics’ anti-establishment rants make reporters and their owners happy as it would help to sell newspapers. It seems less likely to be a valuable defence for apostasy since even a failed attempt to expel a member would be highly damaging to his or her reputation. Chong also proposes that caucuses elect their chairs and all parliamentary committee chairs. Again, perhaps useful, but not impossible for a leader to put his thumb on, nonetheless.

Michael Chong is one of those indefatigable figures that occasionally emerge in any political system, with a vision for one important change in the system, that they pursue for years in the face of all obstacles. As one sage veteran, who had monitored such efforts among gay rights campaigners and peace activists over the years observed, “At first everyone laughs at them, and they try to kill their efforts by ignoring them. Then if they stick to it, after a few years people stop laughing and they attack them for fear they are getting traction. Finally, when the tide turns they climb on board and pretend they were supporters all along.”

One can see that Chong is now between the last two phases of this journey with criticism from party legalists and conservative pundits now replacing his earlier dismissal. But this criticism comes simultaneously with the new mash notes from party bosses. This attention convinces him that he has begun to see a path to victory. He has effectively back-footed the champions of the status quo by making them defend a 99percent discipline rate as having anything to do with democracy.

The cause of democratic reform moves in very long cycles, sometimes taking a generation or more to move from hopeless to inevitable. The struggle to win votes for those without property, for women, for American blacks, and for prisoners rolled slowly through the democracies from 1832 in the United Kingdom to the 1960s. The efforts of the

CCF to clean up political financing laws in Canada took from 1933 to 1972. But the reform process accelerates in its final phase as its merit becomes impossible to deny, and more and more former opponents grudgingly concede.

Chong’s efforts to begin to restore the power of citizen-led democratic choice seemed hopeless at the beginning of the ‘all-power-to-the-Centre’ Harper era. As even the prime minister’s own supporters begin to writhe against the often gratuitous discipline that he imposes, it becomes harder to defend the need for such overlordship.

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Though it is highly unlikely that his bill will pass this Parliament — still completely in the grip of such an ideology and its enforcers — Chong has probably moved the bar, in public opinion, in favour of greater legislator power. He may have set the stage for the next parliament to enact reforms that make the House of Commons of tomorrow look more like the Commons of such legislative giants as Laurier, Diefenbaker, MacEachen and Douglas.

It might be a dream too far to hope that his efforts begin the process of rebuilding the appeal of political parties as agents of community decision-making, attracting the best and brightest not only to compete for power, but to promote the most compelling visions for their towns and for the nation.

The *Reform Act* is certainly not all that will be required to reverse the leader-dominated politics of the 21st century. That has its roots in the power of television, marketing, technology and the massively expensive and powerful dark arts of modern political persuasion. Reforms are possible there too, but these are not those.

By planting his time-bomb at the centre of every democratic leader’s power base — his elected lieutenants — Chong has performed an important service. Change here will force change elsewhere. You may quibble with his choice of tools and levers, but no serious defender of representative democracy can claim the status quo ante is healthy or accountable to its citizens.

And tyrants never forget that the greatest risks to their primacy, and democracy’s greatest achievements, are always built on the foolish dreams of optimistic local visionaries, like those of Michael Chong, M.P. ✨

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