

Strict Party Discipline: Why it is Necessary for Responsible and Accountable Government

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Abstract

Party discipline in a parliamentary setting is a widely discussed issue among scholars and experts who offer varying arguments about whether party discipline needs to be strengthened or loosened. This paper will be centred on the parliamentary system in Canada and will both explain, and support, the reasons in favour of strict party discipline. The central argument of this paper is that strict party discipline is vital in Canadian government and allows for accountability and responsibility of government actions to the Canadian public. To support this argument, this paper will begin by presenting the historical context of the changing roles of members of Parliament through voting discipline. Subsequently, a detailed account of how the executive and legislative branch deliver party discipline will be examined. To further support this argument, various reform strategies will be introduced which provide an alternative to Parliament dissolution and which might provide more responsibility and accountability to constituents.

Keywords: Canadian government, party discipline, responsible government, accountability, lobby groups

Introduction

Modern representative democracy typically exists as a parliamentary system or as a presidential system of governance, with each having varying degree of power and control over legislature. The executive branch in a parliamentary system derives its legitimacy from, and is held directly accountable to, the legislature. In a parliamentary system, government must be accountable for their actions and must maintain party cohesion in voting behaviour, whereas in a presidential system, party cohesion is not mandatory. In a presidential system, the executive branch is separate from the legislative branch and is not responsible to the legislature. These two elements of representative democracies have diverse benefits, but also have varied opposition in terms of the degree of autonomy that elected representatives possess. In this regard, parliamentary systems impose party discipline on elected representatives to ensure responsible government. In presidential systems, elected representatives have greater autonomy in their

ability to act independently in the legislature to represent their constituents' interests. To this end, there has been recent opposition to strict party discipline among those who argue that party discipline should loosen their hold on representatives to allow greater representation of regional and local constituents' interests.

This paper will argue that strict party discipline in Canada's representative democracy allows for a more effective and legitimate government with greater accountability and responsibility towards the Canadian electorate. A brief historical context will be presented to understand the emergence of party discipline and its relation to responsible government. Next, several arguments for the necessity of strict party discipline, its benefit to Canada, and its ability to increase the accountability of government will be discussed. The critiques of strict party discipline will also be examined. This is to note the motion towards substantive reform measures of the kind that would allow elected representatives considerable autonomy to voice the concerns of constituents in legislature. Moreover, this paper will provide several reasons to think that loosening party discipline will result in greater misrepresentation of Canadians' interests and will suggest that such a loosening of party discipline might lead to the influence of external interests, such as advocacy groups.

Party Discipline; its Historical Roots and Development

It is important to understand the purpose of party discipline through its constitutional origins in responsible government. A clear understanding of these concepts will further assist in the subsequent arguments of this paper. Party discipline is a term used in parliamentary systems which has several interpretations and applications, but, fundamentally, is concerned with the smooth operation of Parliament. In this paper, party discipline will be defined as the convention by which all members of Parliament (MPs) within a party vote together on every occurrence. Party discipline is reinforced by caucus meetings, orders from the prime minister in the governing party, and party whips (Dyck and Cochrane 2014, 685). Strict party discipline allows for a measure of ideological certainty within political parties and delineates the opposition party from the governing party; this certainty helps inform voters (Chodos et al. 2006).

A key principle in the formation of party discipline is responsible government; this principle was embedded within the Constitution Act of 1867. Strict party discipline, in its promotion of party unity and solidarity in the House of Commons, is a required feature of responsible government. This is important since a government can be defeated on a confidence question. Responsible government ensures that the executive branch enjoys the confidence of a majority of its members in the elected assembly; it is the executive's job to maintain confidence in the House of Commons (Docherty 1997, 138). When the government loses confidence in the House, either through bills or a confidence vote, the legitimacy of the executive diminishes, and the government must either call an election or resign (138). Responsible government also means that the government of the day is responsible and accountable for their actions to the Canadian

public through the election process. Strict party discipline allows for an effective and legitimate government to function by expressing the minds of citizens through adopting legislation, amending legislation, and allocating resources (Savoie 2008, 48-49). Strict party discipline also allows for a stable government by providing assurance that it can pass its legislation program intact. Without strict party discipline, Parliament would simply be a collection of disparate individuals and, as a result, legislation would become more difficult to pass (Flavelle and Kaye 1986, 6).

However, strict party discipline was not present in the early years of confederation; during the 1860s and the 1870s, parties were not fully cohesive or developed in scope (Lemco 1988, 287). According to Jonathan Lemco (1988): “Governments during this period were frequently defeated without any resignations. Private legislation was equal in importance as public legislation, and the sense of the will of the House was more important than that of party policy” (287). During this period, private members could defy the party whip and vote according to their conscience on legislation. In fact, during Prime Minister John A. Macdonald’s time in office, he referred to these private members as “loose fish” and “shaky fellows” because they were not primarily concerned with acting cohesively to achieve the party’s goals (quoted in Lemco 1988, 287). To further support this lack of party unity, the government of Macdonald was defeated six times on minor bills, yet, in defeat Macdonald did not dissolve parliament or call an election (287).¹ Through advancements in electoral laws, parties began to become more cohesive and unified in their ideological views (which resulted in minimal dissent).

Toward a more modern practice of party discipline, Joseph Wearing (1998) found that during the 35th Parliament (i.e. 1993-1997) dissent in any of the parties was only present 21.8 percent on recorded votes (cited in Malloy 2003, 117). This period is important to distinguish because it challenged the traditional notions of party discipline (Docherty 1997, 136). The existence of lower levels of dissent in the modern context of the Canadian parliamentary system is the result of strict party discipline. Historically, the two major parties (i.e. the Liberals and the Progressive Conservatives) functioned as brokerage parties meant to appeal to as many interests needed to gain majority governments. On this view, brokering various interests does not allow for a consistent ideological focus but allows brokerage parties to represent various regional interests (Malloy 2003, 117-118). Brokering various regional interests enables government to supplement their party’s personal cohesion with strong party discipline to lower dissent levels and to stay united in their goals. Party cohesion must then be maintained by strong party discipline through caucus meetings, incentives, and networks since party discipline determines legislators’ behaviour in voting rather than an MP’s individual ideological preference (122).

1. Roman March’s (1974) data of 1867 shows that only 28 percent of MPs never voted against their party but, in 1963, this figure of MPs not voting against their party rose to 78 percent (cited in Lemco 1988, 287).

Benefits of Party Discipline

Party discipline does not only benefit the governing party but is also equitable to the opposition since it provides a solid and united group to distinguish themselves from in the next general election campaign (Savoie 2008, 48). The opposition must be united internally to effectively critique legislature and the executive, and they must also be unified in order to display to the public that the government is weak (Docherty 199, 143). Strict party discipline serves its purpose by assuring that if defeat were to occur, it is not due to internal dissent or conflict (this would likely happen if party discipline was loosened). So, strict party discipline benefits the opposition as it allows them to attempt to form a united group that aims to offer a reasonable alternative to the electorate. Party discipline is further maintained by loyalty, the limiting of behaviour and expression, and sanctions on MPs who defy the party line (139).

As John Reid (1993) points out, Canadian politics is often analogized to a team sport in which each member plays a role for the benefit of the whole team (2). This means that political parties: depend on mutual trust, require close cooperation by all members of the party, and must maintain the confidence that each MP will satisfy their role in voting (2). When political parties are viewed in this light, an individual on the team must work together with their party to achieve its goals, regardless of their own personal beliefs. If a member opposes their party, it is not primarily the leader, the party whip, or the cabinet ministers that reprimand this action, but instead their fellow colleagues who collectively whip them back into line (3). This team-focused mentality in political parties, encouraging solidarity and unity, ensures that the party is able to accomplish its goals collectively. Accomplishing such goals is crucial for political parties to remain accountable to constituents.

Now, MPs are already equipped with the necessary opportunity to voice the concerns of their constituents within party caucuses without the influences of the media, interest groups, or the opposition to scrutinize their views or beliefs. Through caucus, all MPs are granted the opportunity to debate issues and demands in private. These debates are not whipped and are not the highly scripted debates that occur in the House of Commons (Reid 1993, 2). Caucus grants party leaders the opportunity to justify their actions to their party members and to gain support from these members. In caucus, the party leader is accountable to their political party, and if members do not feel that the leader is fulfilling their constituent's or the Canadian public's demands, the leader can be voted out of the party (2).

Responsible government gives immense power to the electorate, through elections, to make decisions regarding the future of Canada. Political parties are further accountable to the public for the following reason: if the electorate feels the government is not representing their interests, and does not feel the leader is suitable to lead their party, the electorate has the ability to vote accordingly at elections (Reid 1993, 2). This system keeps government in line with the policies and actions they propose in the House of Commons. If party discipline is loosened, there

would be no party to be held accountable for their actions, and the electorate would not be able to vote effectively at elections (Franks 1987, 227). Giving MPs more independence in their voting behaviour would be counterproductive to the constitutional principle of responsible government. To counteract this, the parliamentary system gives various incentives to MPs for toeing the party line and provides punishments for MPs who vote against the party's position (Longley 2008, 490-491). For example, Monique Guay (2002) notes how loyal MPs are rewarded for cooperation by potentially being granted the opportunity of becoming appointed to a committee chair, a House leader, a parliamentary secretary, or a Cabinet minister (7-8). This system allows Parliament to achieve results more quickly and efficiently than other alternatives, which in turn directly benefits the Canadian public.

A salient case that exemplifies disputes among legislative houses and political parties is the United States federal government shutdown of 2013. The government shutdown spanned for several weeks and was intended to delay and defund President Obama's Patient Protection and Affordable Care Act (colloquially referred to as "Obamacare"). The result of the shutdown was governmental deadlock and the taking of leave of absence by many government employees. The 16-day shutdown of the US federal government is estimated to have cost the US economy a total of \$24 billion; a figure that drew alarm in the global economy and impacted various fields of research such as Arctic and atmospheric research (Showstack 2013, 397-399).

The American congressional system does not have strict party discipline as Canada does, and, as a result, interest and advocacy groups are able to have a direct influence on individual party members (Kilgour, Kirsner, and McConnell 2006, 218). This can result in a decreased cohesion of the party as members are free to negotiate among themselves. Such a lack of rigidity can lead to issues of accountability and responsibility (Flavelle and Kaye 1986, 8-9). As stated earlier, interest groups appeal to private interests and may entice party members to prioritize interests other than the public good in their decisions. In a congressional system, legislators have the independence to vote against a party-preferred bill; this is an ability that Canadian legislators do not realistically have (Longley 2003, 490-491). In the American congressional system, US Presidents and Congress are elected for fixed terms and neither Presidents nor members of the House or Senate resign if legislation is voted down. This system also provides for more regional representation than Canada (because there is no party discipline), but, comes at a price since interest groups can override regional interests; meaning, accountability issues can arise when party discipline is loosened.

Critiques of Strict Party Discipline

Critics of strict party discipline in the Canadian parliamentary setting argue that MPs are forced to vote according to the party line and, consequently, are unable to vote their conscience on moral issues. Critics often argue that the Canadian House of Commons exhibits the strictest party discipline in advanced parliamentary democracies by forcibly restricting and saturating a

member's comments to align with the interests of the party (Kilgour 2013). Enforcement of party discipline by party whips and leaders allows for crucial legislation to pass at the expense of a member's own conscience and, indirectly, the constituent's that they represent. Members who dissent from their party's position can put the political party in jeopardy due to a lack of perceived solidarity among party members. Such a perceived lack of solidarity can result in the party facing further criticism from the opposition and media outlets. Furthermore, the role of party whips in Canada is to monitor the current opinions within the party caucus and to ensure that members are both present and in support of the party's leadership; this function of the party whip helps to deflect criticism and promote party cohesion (Westmacott 1983). Critics often note that party whips and leaders have too much power in deciding how MPs should vote on certain matters and argue that reformative measures should be in place to allow MPs greater independence. There are some MPs who would rather have greater autonomy in their voting behaviour so that they could avoid sacrificing their individual identity to align with the party's identity. As Liberal MP Sue Barnes stated when discussing Canadian party stricture, "I didn't leave my family and my city and a life to let somebody else tell me what to do, or to roll along with the flow" (quoted in Loat & MacMillan 2014).

Advocates for loosening party discipline promote several reforms to party discipline. These include limiting the power of the party leader to decide who sits in caucus, in order to transfer power from the leader to the party caucus, as well as granting caucus the ability to select party members for legislative committees (Democracy Watch 2013). Kilgour (2013) states that an additional reform measure might be similar to the German constitutional reform which says that a chancellor cannot be defeated in the legislative house unless a majority of members agree on a new candidate to become chancellor. Allowing freer votes on certain legislation and placing a limitation on confidence votes to only pertain to important legislation, such as annual budgets or estimates, would allow MPs more discretion to support their constituent's regional concerns (Anderson 2013).

In general, critics of strict party discipline often advocate for MPs' ability to act independently when they face scenarios not in the interest of their constituents (Flavelle and Kaye 1986, 8). Relaxing party discipline is said to improve the representation of regional interests by giving more discretion to MPs and is also thought to allow both the opposition and the governing party to work together *pro bono* (Kilgour, Kirsner, McConnell 2006, 219). Loosening party discipline might also present other benefits such as a reduction in voter cynicism about the predictability of parliamentary actions, the improvement of public policy by accepting backbench amendments, and it might provide ministers an opportunity to overrule senior officials (Flavelle and Kaye 1986, 8-9). However, what such critics fail to mention is that by sacrificing strict party discipline, accountability issues will inevitably arise as the lines blur between different parties. That is, without strict party discipline, voters will have a hard time distinguishing between distinct parties and their distinct ideologies. Voters might also lose

confidence in the parliamentary system since it would be difficult for the governing party to pass legislature without the necessary party discipline.

Critics often overlook the strengths, and exaggerate the faults, in Canada's current political system. Loosening party discipline will not allow judgement to be placed on the performance of the executive or legislative branches since MPs will be able to obstruct and delay pivotal legislation (Reid 1993, 1-3). Loosening party discipline can also increase the role of lobby groups influencing an MP's decisions; this can come at a detrimental cost to the public. As John Reid puts it: "I have never heard an interest group speak of the general good but rather of their special needs along with their power and right to have these needs met, no matter what the cost to whom" (Reid 1993, 3). In the United States, where party discipline is minimal, powerful lobby groups can influence political candidate's decisions and policies. For example, the National Rifle Association (NRA) is one of the most prevalent lobby groups in the US. The NRA supports, and fundraises for, numerous political candidates who oppose gun control legislation, while directly opposing candidates who support gun control legislation (Devi 2012, 3-9). Due to the power of this lobby group, it has become burdensome to reform existing gun laws despite increased public support by both gun-owners and non-gun-owners in favour of more restrictive gun laws. Colleen Barry et al. (2013), found that public support was high for policy measures to prohibit certain persons from possessing guns, such as those who are facing mental health problems, as well as to bolster background checks, and to implement greater oversight of gun dealers (1077-1081). Moreover, the majority of gun-owners and members of the NRA supported policies that bolster background checks and the oversight of gun dealers. More specifically, Barry et al. found that public support for policies that ban large-capacity ammunition magazines and military-style semiautomatic weapons was greater than 65 percent of the general public (1077-1081). These results show that despite public opinion in support of modest gun control legislation in the US, a single powerful lobby group can exert sufficient political pressure to prevent such gun regulation. Similar results could likely emerge in Canada if party discipline were loosened. This would produce a similar result in which the interests of advocacy and lobby groups override the interests of Canadians.

Conclusion

This paper has argued for the benefits of strict party discipline in the Canadian parliamentary system. This system allows for greater accountability and responsibility of government toward their constituents and the Canadian public than other proposed alternatives. This paper has primarily shown that strict party discipline is vital for the accountability and responsibility of government actions to the Canadian public. This argument is supported by the changing roles of MPs, which produced strict party cohesion in the House of Commons and has made government responsible and accountable to the public. This argument is further supported by the structure of the legislature and executive branches in delivering party discipline and the multitude of benefits that strict party discipline offers the Parliament of Canada. Arguments for

loosening party discipline, and the various reformative measures that critics propose, have been examined with emphasis placed on the point that loosening party discipline allows powerful lobby groups the ability to influence MPs' voting behaviour. Finally, this argument is further supported by the consequences of reform measures which overlook the strengths of the Canadian parliament system and which ultimately result in less accountability and less effective government. Most importantly, those reform measures that aim to loosen party discipline would coincidentally reduce the power of the electorate and manifest the pressure of interest and advocacy groups which can be detrimental to both government procedures and the Canadian public.

As discussed, various reform measures meant to loosen party discipline have been proposed by critics of strict party discipline. These measures advocate greater representation of regional identities and would allow MPs to vote according to their conscience on controversial moral issues (Galloway 2013). These reform measures overlook, and fail to admire, the strengths of the current system as stated earlier; they also exaggerate the faults in this system (Franks 1987, 258). Most importantly, it is important to point out that the electorate votes according to the foundation of the political party and its leadership; they do not vote on the basis of an individual MP's track record (259). Allowing additional power to backbencher MPs creates greater accountability problems because these MPs are not accountable or responsible at federal elections: the government is. As stated earlier, increasing the autonomy of MPs will further obstruct and aggravate the already prolonged process of passing legislation. Moreover, as Franks points out, advocates who propose moving towards the congressional system would necessarily cater to particularism, meaning the government would have difficulty promoting equality, justice, and similar collective ideals (268). (Political particularism, in this context, is the tendency of elected representatives and policymakers to benefit their own careers by adhering to narrow interests, such as the interests of lobby groups, rather than to broad national party platforms (Gaviria et. al. 200, 8).) Collective ideals are typically the reverse of particularism where elected representatives see themselves as interdependent with other members and where national party platforms take precedence over an individual's interests. Finally, reform measures would engender a lack of constitutionality of responsible government by giving MPs more power to cater to private interests at the expense of their responsibility to the electorate (Sutherland 1991, 117-120).

References

- Anderson, Kendall. 2013. “Loosening the Control of the Political Party: Part of the Redesigning Parliament Series.” *Samara*, February 6.
<http://www.samaracanada.com/research/parliament-system/50-ways-to-redesign-parliament/changes-to-loosen-political-party-control/samara-main-blog/2013/02/07/loosening-the-control-of-the-political-party-part-of-the-redesigning-parliament-series>.
- Barry, Colleen L., Emma E. McGinty, Jon S. Vernick, and Daniel W. Webster. 2013. “After Newtown – Public Opinion on Gun Policy and Mental Illness.” *The New England Journal of Medicine* 368 (12): 1077-1081. doi:10.1056/NEJMp1300512.
- Chodos, Howard, James R. Robertson, and Megan Furi, Élise Hurtubise-Loranger. 2006. “Party Discipline and Free Votes.” Ottawa: Library of Parliament.
<http://www.parl.gc.ca/Content/LOP/ResearchPublications/tips/tip81-e.htm>.
- Democracy Watch. 2013. “Group Calls for Changes to Free and Empower MPs in Key Ways.” <https://democracywatch.ca/group-calls-for-changes-to-free-and-empower-mps-in-key-ways/>.
- Devi, Sharmila. 2012 “Researchers Call for Reform of US Gun Control Policies.” *The Lancet* 380 (9853): 3-9. doi: 10.1016/S0140-6736(12)61865-0
- Docherty, David C. 1997. *Mr. Smith Goes to Ottawa: Life in the House of Commons*. Vancouver: UBC Press.
- Dyck, Rand, and Christopher Cochrane. 2014. *Canadian Politics: Critical Approaches*. 7th ed. Toronto: Nelson Education Ltd.
- Flavelle, Lucinda, and Philip Kaye. 1986. “Party Discipline and Legislative Voting.” *Canadian Parliamentary Review* 9 (2): 6-9.
- Franks, C.E.S. 1987. *The Parliament of Canada*. Toronto: University of Toronto Press.
- Galloway, Gloria. 2013. “Is Canada’s Party Discipline the Strictest in the World? Experts Say Yes.” *The Globe and Mail*, February 7.
<http://www.theglobeandmail.com/news/politics/is-canadas-party-discipline-the-strictest-in-the-world-experts-say-yes/article8313261/>.

- Gaviria, Alejandro, Ugo Panizza, Jessica Seddon Wallack, and Ernesto Stein. 2000. *Political Institutions and Growth Collapses*. IDB Working Paper No. 350. New York: Inter-American Development Bank. <http://dx.doi.org/10.2139/ssrn.1817218>.
- Guay, Monique. 2002. "Party Discipline, Representation of Voters and Personal Beliefs." *Canadian Parliamentary Review* 25 (1): 7-9.
- Kilgour, David, John Kirsner, and Kenneth McConnell. 2006. "Discipline versus Democracy: Party Discipline in Canadian Politics." In *Crosscurrents: Contemporary Political Issues*, edited by Mark Charlton and Paul Barker, 219-241. Toronto: Nelson Education Ltd.
- Kilgour, David. 2013. "Party Loyalty: Canada's System Should be Improved to Allow for Individual Voices." *Yahoo News*, June 14. <https://ca.news.yahoo.com/blogs/davidvsdavid/party-loyalty-canada-system-improved-allow-individual-voices-204459982.html>.
- Lemco, Jonathan. 1988. "The Fusion of Powers, Party Discipline, and the Canadian Parliament: A Critical Assessment." *Presidential Studies Quarterly* 18 (2): 283-302.
- Loat, Allison, and Michael MacMillan. 2014. "Ottawa's Command and Control Antics: Former MPs Speak Out Against 'Opaque' and 'Juvenile' Party Handling in a New Book." *The Tyee*, April 19. <http://thetyee.ca/Books/2014/04/19/Ottawa-Command-and-Control/>.
- Longley, Neil. 2003. "Modeling the Legislator as an Agent for the Party: The Effects of Strict Party Discipline on Legislator Voting Behaviour." *Contemporary Economic Policy* 21 (4): 490-499. doi: 10.1093/cep/byg027.
- Malloy, Jonathan. 2003. "High Discipline, Low Cohesion? The Uncertain Patterns of Canadian Parliamentary Party Groups." *The Journal of Legislative Studies* 9 (4): 116-129. doi: 10.1080/1357233042000306290.
- Reid, John. 1993. "The Case for Party Discipline." *Canadian Parliamentary Review* 16 (3): 2-4.
- Savoie, Donald. 2008. *Court Government and the Collapse of Accountability in Canada and the United Kingdom*. Toronto: University of Toronto Press.
- Showstack, Randy. 2013. "Earth and Space Science Community Assesses Impacts of U.S. Government Shutdown." *Eos, Transactions, American Geophysical Union* 29 (44): 397-399. doi:10.1002/2013EO440002.

Sutherland, S.L. 1991. "Responsible Government and Ministerial Responsibility: Every Reform is Its Own Problem." *Canadian Journal of Political Science* 24 (1): 91-120.
doi: <http://dx.doi.org/10.1017/S0008423900013433>.

Westmacott, Martin. 1983. "Whips and Party Cohesion." *Canadian Parliamentary Review* 6 (3): 14-19.