
Party Discipline and Canadian Democracy

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Representative democracy in Canada is so dominated by political parties that some experts believe the party discipline exerted on most votes in our House of Commons and provincial legislatures is the tightest in the democratic world. Defenders of our practice argue many Canadians prefer it this way because every candidate for each party can be safely assumed at election time to have identical views on every issue. Others contend our executive democracy, patterned on a system prevailing in Great Britain three centuries ago, requires iron party discipline if our fused legislative and executive branches of government are to function effectively. Another reason, probably the most important, is that the practice makes life easier for the various party leaders.

Unlike parliamentary systems in places such as Great Britain and Australia, virtually every vote in Canadian legislatures is considered potentially one of non-confidence in a government. Even a frivolous opposition motion to adjourn for the day can be deemed by a cabinet, if lost, to have been one of non-confidence. The whips of government parties use the possibility of a premature election to browbeat their members into becoming little more than obedient voting robots. The opposition mind-set is so similar that we have the recent spectacle of both opposition parties arguing that a free vote on an abortion resolution would 'rip out the heart' of our parliamentary system of government. The constituents of both provincial and federal legislators will be the real winners if party discipline is loosened. Private members from both government and opposition benches could then take positions on government bills and other matters based on pleasing their constituents instead of their respective party hierarchies.

A key recommendation of the all-party McGrath report on parliamentary reform clearly favoured more free votes by calling for the inclusion in any opposition motion intended to bring down a government an explicit provision that its passage would constitute a vote of non-confidence. Another solution to excessive party discipline is the "positive non-confidence rule" used in the West German Bundestag.

It prescribes that an administration is only defeated if a successful opposition non-confidence motion also names a new chancellor. For example, in the case of the defeat of the minority Clark government in 1979 on its budget, the West German rule would have left Clark in office unless the Liberals, New Democrats and Social Credit MPs had agreed simultaneously on a new prime minister who could hold the confidence of a majority of MPs.

A study of the Thirty-Second Assembly of Ontario (1981-1985) indicated that legislators voted in uniform party blocs about 95 percent of the time. The same basic pattern applies in the present and at least the previous two Parliaments in Ottawa. The experience suggests the various party leaders could just as well cast a proxy on behalf of all their followers without bothering to have them physically present for votes. It also overlooks that a majority or even minority government can function effectively without such levels of party solidarity.

In the American Congress, where admittedly there is a strict separation of powers between the executive and legislative branches of government, legislation does get passed with far less party loyalty. So different are the practices here in our two countries that *The Congressional Quarterly* defines party unity votes as ones in which at least 51 percent of members of one party vote against 51 percent of the other party. Under this definition, itself astonishing to Canadian legislators, the *Quarterly* notes that for the years 1975-1982 party unity votes occurred in only 44.2 percent of 4,417 recorded Senate votes and in only 39.8 percent of ones in the House of Representatives. This sample, moreover, includes the years 1976-1980 when the Democrats controlled the White House and both branches of Congress.

A consequence of the American practice of voting one's constituents' presumed interests first is the longtime legislative coalition of Southern Democrats and Republicans. During 1981-82, the "boll-weevil" era, this coalition was successful more than 85% of the time because American legislators of both parties has a number of areas of agreement. Whether one agreed with them or not is quite irrelevant; the point is that Canadian bloc voting makes

bi-partisan or tri-partisan agreement on anything exceedingly rare.

If party discipline in Canada were relaxed, it would be easier for, say, western MPs to defy their three party establishments, if need be, in support of western issues. Coalitions composed of members of all parties could exist for the purpose of working together on issues of common regional or other concerns. The present adversarial attitudes and structures of Parliament or legislatures in which opposition parties oppose virtually anything a government

proposes might well change in the direction of parties working together for the common good.

Following redistribution this summer, each Member of Parliament will represent on average of about 87,000 voters. At present, few government and opposition MPs have any real opportunity to put their constituents first in votes in the House of Commons. Real power is concentrated in the hands of the three party leaderships. Canadian democracy itself would benefit if we put our present mind-numbing party discipline where it belongs – in the history books. ♦

Canadian Study of Parliament Group (News)

The CSPG held a half-day seminar as part of the meetings of the Canadian Political Science Association at the conference of the learned Societies in Windsor in June. President James R. Mallory chaired a panel on the Standing Orders of the House. Other participants included Jim Hawkes, Parliamentary Secretary to the Deputy Prime Minister, Audrey O'Brien, Principal Clerk of the Table Research Branch (sitting in for Robert Marleau, Clerk of the House of Commons) and Queen's University's Professor C.E.S. Franks.

The next meeting will be held jointly with the Association of Parliamentary Librarians in Canada (APLIC) on the subject of "Research and Information for Parliamentarians". It will be held in Ottawa, from October 24 - 26, 1988. Among the speakers will be Joseph Ross, Director of the Congressional Research Service (CRS), Library of Congress; His Excellency Ola Ullsten, Swedish Ambassador and former Prime Minister of Sweden; Jane Bortnick, Assistant Chief, Science Policy Research (CRS); Joe Maingot, Q.C., Law Reform Commission; MPs David Daubney and Jack Ellis, and Senators Roméo LeBlanc and Philippe Gigantes. Other speakers and panelists are yet to be confirmed.