
Parliament and the Private Member

by Keith Penner

Elected Members of Parliament live with many stresses and tensions: insecurity of tenure, too little privacy and sometimes conflict between their personal convictions and the opinions held by the voters. More often, I would suggest, there is likely to be strained relations, at least on occasion, between a member and the political party to which he or she belongs.

Tension between an elected member and the voters is more in the member's mind than it is a reality. The degree of apathy and ignorance among citizens about public policy issues and politicians is alarmingly high.

Elected members may feel that voters have them constantly in mind. The truth is, they are seldom given a second thought. Marc Lalonde, a former cabinet minister said, in this regard, that politics is not everything in life. "It is important to remember that 500 feet from Parliament Hill no one thinks about politics for more than two minutes in a day, if that".

Now, of course, some issues have, what we may call, brief flashpoints which attract public attention. Capital punishment comes quickly to mind. I recall one MP saying to me that although he was an abolitionist by conviction, he was going with his constituents on this one and voting for retention. It made no difference. In the next election he was gone.

Another MP I knew refused a pay increase a number of years ago because he said his constituents were opposed to it. He lost thousands of dollars as a result and lost the next election as well.

Then, there was Mr. Keep-in-Touch. Every day, while Parliament sat, this MP called twenty constituents on the telephone. During recesses of Parliament, he went door-to-door and held numerous neighbourhood meetings to gather views, opinions and ideas from the electorate. For him, participatory democracy was an article of faith. He served only one term before suffering defeat.

A veteran MP I knew gave heart and soul and mind to see that justice was done for his constituents when the

government expropriated massive amounts of land for an airport that was never built. Many of the people he had helped did not bother to turn out on voting day and he came second.

Now, it is not my intention to convey a message of cynicism about the electorate. Not at all. People are busy with their lives. They have jobs or careers which absorb their attention. Families and community activities soak up what time remains. Their focus of attention simply is not on those issues of the day which so deeply concern politicians.

The late Don Jamieson, a former Minister of External affairs, who hailed from the Province of Newfoundland, once said: "Every time you start thinking you are going to go into the history books as the guy who finally solved the Middle East crisis, one of your constituents says 'Never mind that, when are you going to fix the plank on the wharf'."

In Canada, as a rule, one gets to Parliament on a party ticket. George Hees, another former Cabinet Minister expressed it this way: "The political organization must create a demand in the minds of the voters for their candidate, just as corporations create a demand for their particular brand of merchandise."

Not many candidates run as independents and the reason is obvious. Thus, a successful candidate probable owes more loyalty to the party that helped to elect him or her than to the electorate who may be unable to remember the MP's name a month after the election.

This leads me to suggest, therefore, that the greater dilemma, if there is one at all, may be between the member and the party rather than between the member and the electorate.

In the relationship between an elected member and the political party, a little rebellion goes a long way. Gordon Aikin, a former MP and author of a book entitled *The Backbencher*, wrote "A little rebellion is a good thing in politics as long as someone else does it."

An Oxford philosopher is quoted in William Manchester's recent book on Winston Churchill entitled *The Last Lion* as follows: "No strongly, centralized political organization feels altogether happy with individuals who combine independence, a free

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imagination and formidable strength of character, with stubborn faith and a single-minded, unchanging view of the public and private good."

At the very outset, we can probably all agree that most political parties in a democratic society will allow personal convictions to come first if these are matters of conscience or of religious belief. Issues like abortion or capital punishment may be subject to a free vote or else they may be buried in an omnibus bill to soften their effect. But less tolerant, if tolerant at all, will be the party that must contend with members who easily put aside party loyalties in order to represent what they consider to be the views of their electors.

A case in point would be the imposition of a new tax. Edmond Burke said, 200 years ago: "To tax and to please is not given to men". Prime Minister Mulroney, referring to a party dissident, said: "He has been a fair weather friend. With us when we could help him, he dropped us when we became a temporary liability. We would rather go with people who are going to be with us in the tough sloggng."

The other side of the argument, made by some, is that in Canada party discipline is excessive, that the concept of 'confidence' in the government is much too narrowly defined. Such members point to Westminster where measures, from time to time, are defeated, including tax bills, and the government does not necessarily fall. Instead, the proposal may be dropped and a new one takes its place.

In Canada, some Members of Parliament seem to long for the U.S. congressional type system in which partisan positions are often blurred or softened. But even in Congress, we should remember, the leadership works to exert its will. Speaker Sam Rayburn, for example, in his day, was often heard to say: "Around here to get along you had better go along".

Whether it is so or not that party discipline in Canada is too severe, it is simply a fact that party unity is considered to be a virtue and a strength, while division in the ranks is seen to be a flaw and a sign of weakness. Whether members like it or not, the parliamentary system does depend, to a considerable degree, upon party discipline.

Mr. Trudeau, as Prime Minister, was often heard exhorting his caucus to remain united. "The Opposition hates to see us slaying together", he would say. At the same time, every indication of divided opinion in the Opposition ranks was exploited to the full by the government of the day.

Before proceeding with the ways of coping with party discipline, it should be noted, in passing, that the power of the whip is much greater when a party forms a government than when it is in opposition. A Leader of the

Opposition has few carrots to offer the members and, therefore, carries a smaller stick as well.

I remember watching in utter amazement as two former Cabinet ministers, then in Opposition, voted against a measure that they had supported while they were in Government. They did so against the wishes of their leader. It led me to ask the question: Could it be that the degree of dissent is directly proportional to the costs that may be incurred? Expressed differently, a few perks make conformity much easier to swallow, just as sugar helps the medicine go down.

Finally, I turn to the question of how best to cope with the demands of one's political party. How to cope, that is, and survive. For many, personal convictions and party policy are so rarely in conflict that they feel free to act as cheerleaders, as salespersons or as educators.

The cheerleader MP gleefully heralds the rightness and goodness of every party position. Even after Napoleon lost the Battle of Waterloo, there was one officer in his army, Nicholas Chauvin, who still kept his faith in the little corporal. His fanatical loyalty gave us the word we use today for a rabid follower, a chauvinist.

The MP as salesperson is the one who always believes that party policy is good but has been badly communicated to the public. Thus, a former MP, now back in the business world, tells his party: "You have not communicated your product to the public. No matter how good it is, it is likely to stay in the warehouse unless you get out and sell it".

The educator-politician is somewhat more sophisticated and refined. This member becomes knowledgeable about the intricate details of a policy or a piece of legislation. He or she seeks to counter arguments or views that are expressed in opposition to it. They develop a rationale for the bill or for the party position and they seek opportunities to explain why this particular course of action is the necessary or right one. Such members, of course, are often marked for promotion into the ranks of Cabinet.

Where personal convictions do conflict with the party position, a member may either side-step the dilemma by becoming a specialist within the parliamentary system, or walk directly into the eye of the storm and become a maverick. There is also a third alternative, which is, simply, to depart the scene as gracefully as possible and go and do something else. Here, only the first two alternatives will be considered.

The specialist does not bother too much with every issue that comes forward. Instead, these members prefer to specialize in one or two areas and try to make some kind of an impact there. As for other matters, they are more or less happy to go along. The specialist feels free to follow his or her own convictions in the subject matter,

especially when the party position is not yet firmly or unalterably in place. Thus, such a member seeks to become involved in party policy formulation and policy development. They follow an acceptable path, usually within the ranks of the party, to influence other members and the government of the day.

The McGrath Committee on Parliamentary Reform asked the question, among others, how may more latitude be provided to the private member in a system of executive democracy? The answer, it was suggested, lay partly in a stronger, more independent committee system in which parliamentary inquiries could be initiated by agreement among the members without the need for government consent. The committee system in Canada today is a vast improvement over what it once was. The recommendations of the McGrath Committee made a significant impact on the parliamentary committee system in Canada. The system provides much more scope for the energetic, creative and intelligent MP. It is an antidote to the charge that a Member of Parliament is merely sheep-like or a trained seal in the legislative process.

A maverick becomes a rebel, a heretic, a thing to flout. It is a way of attracting a great deal of attention, at least for a short while. Interviews by members of the news

media abound. Being a guest on a talk show is a frequent occurrence. It can all be a heady experience. This approach may lead in time to the member deciding that he or she ought to change political parties. Charles King, a Canadian newspaper columnist, recently looked at the careers of a number of Canadian legislators who had changed political parties. He noted that in no case was the transition easy or successful. He pointed out that the gesture by these members gained for them only the hostility of their former colleagues and no thanks from their constituents. He concluded that it marked sad endings to worthwhile political careers.

There is no clear, unambiguous answer to the dilemma created when an elected member's will clashes with imposed party discipline. How one responds, depends in large measure upon the personality and the background of the member involved. To return again to William Manchester in his book, *The Last Lion*, he wrote: "If public men of vision are tough as Churchill was, they endure. If they are not, and most are not, the perish or live out their lives in lonely exile".

Well, so be it. But then Mark Twain reminded us that: "Fame is a vapour, popularity an accident and the only earthly certainty is oblivion".▲

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With the *Constitutional Act, 1791*, the provinces of Upper and Lower Canada – like Nova Scotia, New Brunswick and Prince Edward Island before them – acquired the right to representative government. The precedent established in the Maritimes was confirmed: the colonies of British North America were entitled to the rights and benefits of the form of political rule that is known today as constitutionalism.

On the occasion of the 1791 bicentennial, the Canadian Study of Parliament Group proposes a conference on November 1 and 2, 1991 in Ottawa to examine constitutional issues of abiding interest suggested by the Act. The Group welcomes papers on constitutionalism, limited government, representation, and on Canada's constitutional history and the parliamentary tradition, from scholars in Canadian government, history and political philosophy. It is hoped that a selection of the papers presented will be published as a collection to mark the bicentennial.

Individuals interested in presenting a paper are asked to submit an abstract of no more than 300 words no later than July 31, 1991 to:

The Secretary,
Canadian Study of Parliament Group,
P.O. Box 533, Centre Block,
Ottawa, Ontario, K1A 0A4.