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Party discipline does not hinder good governance:
*Allowing free votes in the House of Commons
is not a good idea for reform.*

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The Canadian Study of Parliament Group (CSPG), as part of its efforts to foster knowledge and understanding of Canadian parliamentary institutions, is sponsoring the annual National Essay Competition. College and university undergraduate and graduate students in any discipline across Canada are invited to submit essays on any subject matter broadly related to Parliament, legislatures or legislators. The winning essays are made available free of charge, in both official languages, on the CSPG Web site. The views and opinions contained in these papers are those of the authors and are not necessarily reflective of those of the CSPG.

Essay

In June 1985, the special committee of seven backbench members produced a so-called McGrath report on Parliamentary reforms where one of the suggestions was to strengthen the role of individual members in parliament¹. This suggestion was intended to give more powers to individual members in the legislature. The committee reported that the country would be better served with relaxed party discipline in the House of Commons². However, this proposal has not been adopted until today. This paper will argue that the existence of party discipline does not hinder good governance. There are three ways how party discipline contributes to good governance. First, the disciplined political parties ensure that government is held responsible for certain policies outcomes. Second, party discipline ensures representation of constituents interests in the national policies. Third, party discipline protects individual members of parliament from the pressure of different interest groups.

It is important to provide clarity on the meaning of the good governance used in this paper. Good governance means existence of responsible and representative form of government.

The first point is to show how party discipline ensures responsible government. The existence of party discipline is linked to the principle of responsible government because one of the tools to hold government accountable for policy outcomes is through rigid party discipline. The principle of responsible government in the parliamentary system of governance requires government to have support and confidence of the majority of the members in parliament³. Thus, the legitimacy of the government is derived through the principle of responsible government. Party discipline allows the government to have a majority of support in the House of Commons in order to sustain power and carry out the mandate it was elected. Thus, it is important to have a division line between the government party and the opposition

¹ .C.E.S. Franks, *The Parliament of Canada* (Toronto: University of Toronto Press, 1987), 139.

² .Ibid.

³ Jennifer Smith, "Democracy and the Canadian House of Commons at the millennium," *Canadian Public Administration* 42, no.4 (1999): 399.

parties for the purpose to allow people to see who is responsible for a certain policies and whether the present government should be rejected or not in the next parliamentary election⁴. Through the election process people give responsibility to the party that won election to govern and to have reasonable time for implementation of their agenda. In this case, the responsible form of governance is best maintained with disciplined political parties. Moreover, Jennifer Smith argues that since the opposition party was not elected to govern it must not share any power with the government. Party discipline ensures that existence of a clear division line between opposition party and party in power⁵. Through party discipline, both the governing party and the opposition are able to fulfill their roles in Parliament: the governing party to construct national policies and the opposition “to express grievances and disclose the flaws and the weaknesses in the Crown’s proposals”⁶. Jennifer Smith adds that this “adversarial pattern of government versus opposition ... works better with disciplined political parties”⁷. Hence, party discipline is one of the tools to successful implementation of the responsible form of government. Since, it helps to clarify the ownership of responsibility in parliament for policy outcomes or for policy critiques; plus, it ensures accountability of the government to the people. Hence, in Canadian Parliamentary system, the existence of the party discipline does not hinder good governance.

Advocates of elimination of party discipline look to the United States example to show that the relaxation of party discipline will create more responsible government⁸. However, allowance of more free votes in the House of Commons will dim the distinction between the oppositions and the government creating a possibility of confusion among the population as to who is responsible for what⁹. In this case, there is a chance for some individuals to gain control or influence certain policy decisions without being

⁴ S.L. Sutherland, “Responsible Government and Ministerial Responsibility: Every Reform Is Its Own Problem,” *Canadian Journal of Political Science* 24, no. 1 (1991): 96.

⁵ Jennifer Smith, “Democracy and the Canadian House of Commons”, 401.

⁶ C.E.S. Franks, *The Parliament of Canada*, 127.

⁷ Jennifer Smith, “Democracy and the Canadian House of Commons”, 406.

⁸ David Kilgour and Others, “Discipline versus Democracy: Party Discipline in Canadian Politics,” in *Crosscurrents: Contemporary Political Issues*, ed. Mark Charlton and Paul Barker (Scarborough: Thomson Nelson, 2002), 226.

⁹ Jennifer Smith, “Democracy and the Canadian House of Commons”, 401

held responsible for the outcome. Defenders of reform to loose party discipline argue that Canada should follow the American example of congressional form of government to allow more free votes for more representative and effective government¹⁰. However, in this system there is a strong division of governmental powers where no one has a final authority. Thus, if power is widely dispersed it creates problems when the ownership of the responsibility over the outcomes and accountability comes into question. William Livingston described this as a system that “involves institutionalization of buck-passing”¹¹. Therefore, the allowance of free votes in the parliamentary system will create problems with implementation and sustenance of the principle of responsible government by dimming the line between the parties and creating confusion among the electorate.

The second argument on how the party discipline sustains good governance is that party discipline allows for better representation of the interests of the constituents in the House of Commons. In order to fully understand the way in which party discipline contributes to representative governance, the concept of representation needs to be discussed. The House of Commons is a representative institution in Canadian parliamentary governance because it is an elected body. The members of the House of Commons are “elected in the nation-wide election from single-member constituencies on the basis of universal adult suffrage”¹². Hence, the question is what makes the Parliament a representative body. According to Hanna F. Pitkin, representation means, “to act in the interest of the represented, in a manner responsive to them”¹³. Thus, representation occurs when the government formulates national policies based on different people’s interest and also when people see national policies’ responsiveness to them. However, the House of Commons is comprised of individual members who represent different constituencies. The question is how to accommodate local interests in the formulation of the national policies. According to Jennifer Smith, the formulation of the policies that benefit national welfare as a

¹⁰ David Kilgour and Others, “Discipline versus Democracy: Party Discipline in Canadian Politics”, 226.

¹¹ William S. Livingston, “Britain and America: The Institutionalization of Accountability,” *The Journal of Politics* 34, no.4 (1976): 882.

¹² C.E.S. Franks, *The Parliament of Canada*, 12.

¹³ Hanna F Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967), 209.

whole is the main priority of any political party that was elected in the House of Commons¹⁴. Therefore, political parties allow for the best representations of the citizens' interests in national policies. Moreover, party discipline "helps to strengthen their [parties] capacity to advance national policy while at the same time to resist the importunities of those seeking policy decisions that favor only themselves"¹⁵.

There two ways that party discipline ensures better representation of the constituents' interests. The first one is when a member of parliament abides by party discipline after the reconciliation in the party caucus he or she admits that the policy is formulated in consideration of his or her constituents' interest. Since, the accommodation of the local interests in the formulation of national policies happens during the parliamentary party caucus. The importance of the party caucus is where the Act is discussed before it introduced to the parliament. Paul G. Thomas notes, "the government party caucus stands the greatest chance of exerting influence on the content of legislation"¹⁶. During the party caucus meetings, individual members who are free from the party discipline have a chance to defend themselves and represent his or her constituents' interests without pressure from media and general public¹⁷. Therefore, the purpose of these meetings is to discuss the legislation, to hear feedback, and to get support of the backbenchers on the legislation. In fact, the party caucus is the place where local interests are accommodated into the formulation of national policies¹⁸. In Addition, according to Norman Ward, the leaders of the party will do their best to please the electorate in order to win the next election¹⁹. Therefore, it is in the interests of the leader to listen to the comments and suggestions of individual members in formulation of national policies. Hence, the rights of individual member to defend and express the interests of his or her constituencies are not taken away by the party discipline because he or she can

¹⁴ Jennifer Smith, "Democracy and the Canadian House of Commons", 405.

¹⁵ Ibid.

¹⁶ Paul G. Thomas, "Parliamentary Reform Through Political Parties" in *The Canadian House of Commons: Essays in Honor of Norman Ward*, ed. John C. Courtney (Calgary: The University of Calgary Press, 1985), 52.

¹⁷ Paul G. Thomas, "Parliamentary Reform Through Political Parties", 52.

¹⁸ Paul G. Thomas, "Parties and Regional Representation" in *Representation, Integration and Political Parties in Canada*, ed. Herman Bakvis (Toronto: Dundurn Press, 1991): 179.

¹⁹ Norman Ward, *The Canadian House of Commons: Representation*. (Toronto: University of Toronto Press, 1950), 13.

represent his or her constituents' interest in the party caucus. It is logical for the Member of Parliament to follow the party line after the reconciliation process in party caucus.

The second way party discipline contributes to better representation is indeed when a party acts as a block in the Parliament because usually for majority of voters political party not individual party candidates is decisive consideration. The disciplined political parties are important for the representation of the people's interests because the large part of the electorate makes their choices based on the party platform and not on the appeals of the individual party candidate. In other words, people vote for a certain party because they feel that this party can best represent their interests. There are a number of researchers who have written on the factors that influence voters choice in an election. William P. Irwin's research on the importance of the local candidate in the elections in 1965, 1968, 1974 and 1979 found that only on average only about twenty percent of the responders felt that important factor in deciding how to vote is the candidature of a given party²⁰. This means that the other eighty percent did not care to much about the individual candidate. The other research on the importance of the local candidate on voter preference concludes that in the 2000 election only five percent of the respondents said the local candidate was a decisive consideration²¹. Hence, an individual Member of Parliament is elected to serve as member of a particular party to represent preferences of his or her constituents' in the Parliament. In fact, when an individual Member of Parliament votes along the party line he or she is being responsive to the interests of the constituency. Then, party discipline ensures that the individual members will not detach themselves from the party line during the voting. Thus, it ensures representative governance.

²⁰ William P. Irwin, "Does the Candidate Make a Difference? The Macro-Politics and Micro-Politics of Getting Elected," *Canadian Journal of Political Science* 15, no.4 (1982), 761.

²¹ Andre Blais and Others, "Does the Local Candidate Matter? Candidate effects in the Canadian Election in 2000," *Canadian Journal of Political Science* 36, no. 3 (2003): 662.

Some argue that if backbenchers are free to vote for their constituents interests it will lead to better regional representation²². There are at least two ways to prove that this point has flaws. Firstly, by complying with the party discipline individual members can fulfill different interests of his or her constituents. Representation does not mean only responsiveness of political policies to the interests of a particular constituency. In fact, representation is also achieved through securing of “particularized benefits for individuals or groups in his or her constituency”²³. For example, Member of Parliament petition government on behalf of his or her constituents or secure projects and public works for his or her ridings²⁴. Moreover, David Docherty acknowledges that by complying with party discipline an individual member can achieve even more for their constituents. For example, he writes that party discipline “do[es] not place members in direct confrontation with their ridings. . . ., obeying the informal rules is often a prerequisite to providing goods and services to their districts”²⁵. Thus, there are many ways individual member can be responsive to the interest of his or her constituents. The party discipline does not prevent those different kinds of representation to occur. Thus, the argument that elimination of party discipline to improve regional representation does not take into account different ways each individual member can represent his or her constituents’ interests. The second reason for not allowance of free votes in the House of Commons is that there is no permission from voters for the Members of Parliament to deviate from their party policy. Hence, the allowance of free votes will mean that members of parliament will not have incentives or legitimacy to act as defenders for their constituents²⁶. The reason for this is that voters do not play an important role in the candidate nomination process. Bill Cross notes that “local nomination

²² David Kilgour and Others, “Discipline versus Democracy: Party Discipline in Canadian Politics,” in *Crosscurrents: Contemporary Political Issues*, ed. Mark Charlton and Paul Barker (Scarborough: Thomson Nelson, 2002), 226.

²³ Heinz Eulau and Paul D. Karps, “The Puzzle of Representation: Specifying Components Of Responsiveness,” *Legislative Studies Quarterly* 2, no. 3 (1977): 241.

²⁴ *Ibid*, 243.

²⁵ David C. Docherty, *Mr. Smith goes to Ottawa: life in the House of Commons* (Vancouver, BC: UBC Press, 1997), 152.

²⁶ Bill Cross, “Members of Parliament, Voters, and Democracy in the Canadian House of Commons,” *Canadian Study of Parliament Group*, 3

http://www.studyparliament.ca.proxy.lib.uwo.ca:2048/English/pdf/crosscspgpaper_3_e.pdf

contests are extremely controlled by the national parties”²⁷. In most cases voters choose the candidate based on his or her party affiliation. Moreover, voters do not have an opportunity to hold individual members of parliament to be accountable their constituents because “election do not provide opportunities for [them] to pass judgment on the views and performances of their MP”²⁸. Therefore, the allowance of free votes in the House of Commons will not improve interests’ representation because. Hence, it is not the party discipline that should be changed; it is the electoral system that should have some changes to allow greater accountability of Members of Parliament to their constituents.

To conclude on nature of the relationship between the disciplined political parties and the principle of representative government, the party discipline is important for ensuring that a party votes as a block because this guarantees representation of the Canadians interests. Since, individual party member is elected by his or her constituents to serve as a member of party. Moreover, party discipline does not prevent regional representation but on the contrary only through disciplined political parties representation is ensured. Furthermore, allowance of free votes in the House of Commons will not lead to greater representation. In fact, other factors like electoral system should have some changes to improve representation. Thus, one of the principles of the good governance that is representative governance is maintained through the system of disciplined political parties.

The last reason for party discipline not to hinder good governance is that party discipline prevents different interests groups from becoming overbearing on individual members to policy change. As it was mentioned earlier, one of the functions of political parties is accommodation of different constituents’ interests within national interests in order to formulate policies that benefit national welfare. Thus, the allowance of free votes in the House of Commons might result in members of parliament representing interests of different pressure groups and not their constituents. C.E.S. Franks argues, “there is some

²⁷ Ibid, 11

²⁸ Bill Cross, “Members of Parliament, voters, and democracy”, 10.

likelihood that interests groups will try to persuade members”²⁹. Hence, party discipline ensures that each Member of Parliament is protected from the influence of different interests groups. C.E.S. Franks also adds that the pressures from interests groups will be especially high on the issues like gay marriage and abortion “which are matters of moral values”³⁰. Thus, they should not be influenced by some small radical group that curses gays and abortions. Disciplined political parties protect members of Parliament from pressure of different interests group. Thus, this ensures representative and responsible governance in Canada. Therefore, party discipline does not hinder good governance.

In conclusion, I have argued that party discipline does not hinder good governance in Canada. Since, firstly, it allows the government to have a majority of support in the House of Commons in order to sustain power and carry out the mandate it was elected. Moreover, party discipline helps to clarify the ownership of responsibility in parliament for policy outcomes. Thus, it provides accountability of the party in power to the people. Secondly, party discipline also ensures that the interests of the constituents are represented in the House of Commons by ensuring that the individual members will not detach themselves from the party line during the voting in Parliament. I argued that members of the parliament are elected to be serves as representatives of their constituents in a specific party. Thus, if free votes are allowed in the parliament, members do not have a mandate from their constituents to act apart from their parties. Therefore, elimination of the party discipline will not create better representation. There are some other factors apart from party discipline that should be changed to ensure greater accountability of members to their constituents. The last point was that party discipline also ensures that the behavior of member in parliament will not be determined by narrow interests groups. Therefore, party discipline does not hinder governance in Canada.

²⁹ C.E.S. Franks, *The Parliament of Canada*, 96.

³⁰ *Ibid*, 96.

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