

PARTY DISCIPLINE: CAN'T LIVE WITH IT, CAN'T LIVE
WITHOUT IT

Submission to the Citizens' Assembly on Electoral Reform
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Introduction:

The purpose of this submission is to discuss problems surrounding party discipline. This may appear to be only peripherally related to the Assembly's purpose, but the mandate of the Assembly stipulates that the Assembly must 'take into account the effect of its assessment on government, the Legislative Assembly, and political parties'¹. Electoral reform can potentially affect parties in three ways: It can change the optimal² party size or it can change the optimal level of party discipline. These properties are not unrelated, but as much has been written and submitted about the advantages that certain systems give to small parties or to large ones, this submission will consider the effect of a possible electoral system change on the level of party discipline. For the purposes of this document, party discipline is the ability of the leadership of a party to control the actions of the legislators of that party. To investigate party discipline I will consider why it exists, why it is disliked, and what would happen if it were weakened.

Why Does Party Discipline Exist?

Party discipline exists because it helps parties achieve two goals: 1) to shape society, and 2) to win elections. It helps parties shape society because if a party can guarantee that all its MLAs will always vote the way it wants, it will get all its legislation passed, if it is in government. Party discipline also helps parties win elections – the reasons for this are unclear – but no political party that has elected people into public office in Canada does not try and maintain rigid party discipline. This includes the big brokerage parties (the federal Liberals and Conservatives) that tend to care more about winning elections than implementing policy. Indeed, these two parties had the biggest problems with weak party discipline in the 2004 federal election³.

Why is Party Discipline a Problem?

The big problem with party discipline is that it alienates voters. Because people

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² In this case, 'optimal' means the level that best enables a party to implement its policies.

³ The federal Liberals endured months of bad press, and lost seats in Hamilton and Quebec as a result of the Chretien/Copps-Martin feud. The Conservatives were not immune to these problems either: comments by Conservative candidates on abortion, official languages, and the role of the Supreme Court may have cost them the election.

cannot go into their MLA's office and get them to change their vote, they feel as if their opinion does not matter. Because MLAs vote for legislation that is clearly not in the interests of their constituents, voters feel that local representation is meaningless. This disconnect between how our electoral system is supposed to work and how it actually works really pisses voters off.

How Would Politics Be Different With Weak Party Discipline?

With such an obvious disadvantage to party discipline, it is not surprising some people have championed electoral systems that they believe will weaken party discipline⁴. They think that party discipline's net effect is profoundly negative. But is it really such a bad thing? Well to assist in answering that question, an assumption should be made. Assume the electoral system is changed, and that the change is effective in reducing the level of party discipline. The following sections will examine what proponents of weaker party discipline say this will accomplish, problems with weaker party discipline, and the relationship, or lack thereof, between proportionality and party discipline.

What Do Proponents Say About Weak Party Discipline?

Proponents of weaker party discipline say it will improve politics in a number of ways (Kilgour, Kirsner, and McConnell, 2002). They claim weaker party discipline will allow for more regional input and expression, make politics less confrontational, and allow legislators to vote the will of their constituents.

Regional Input and Expression:

Kilgour et al's first argument is that weaker party discipline will allow for more regional input and expression, particularly for regions with relatively small proportions of the total population. They have pointed to the US as an example of a place where the smaller regions have benefited from weaker party discipline. But there are other factors at work in the United States. The US Senate holds a veto over all legislation, and Senate seats are assigned by state – not by population. It is far more likely that the reason states like Connecticut and North Dakota have real influence at the national level is due to the

⁴ The effectiveness of electoral change in substantially changing the level of party discipline is an uncertain at best, but it is not something that I am going to discuss here.

fact they have the same voting power as states like California and New York, not because of weaker party discipline. Kilgour, Kirsner, and McConnell are correct to argue that weakening party discipline regionalizes politics: When MLAs become more independent from their parties, they have to justify their reelection with more than their party's record. This means they have to bring home the bacon to their constituents. In BC, this could have consequences that are opposite of what proponents of weaker party discipline intend. Greater Vancouver and Greater Victoria account for almost 2/3 of this province's MLAs. If party discipline was weakened and BC politics was regionalized, the regions that currently feel disenfranchised (the North, for example) are very unlikely to benefit because their MLAs would not have the voting power of the urban MLAs.

A Less Confrontational Style of Politics:

The second argument in favour of weaker party discipline is that it makes politics less confrontational. There is a growing sentiment (and it may very well be correct) that politics is currently too adversarial. Strangely enough, voters appear to be displeased with their representatives acting like two-year olds in question period, and want a more respectful tone applied to legislative business. Both advocates of greater proportionality and advocates of weaker party discipline claim their preferred electoral systems will address these concerns. And in a way, both groups are right. However, they do not produce more consensual politics in the same way. A proportional system does reduce the level of confrontation in politics, politicians would look foolish if they viciously attacked an opposing politician today, and made a deal with them tomorrow. Politics is less adversarial but not more consensual⁵ because, as in our current system, legislation is usually passed by the smallest coalition possible (once have a winning coalition is achieved, there is no incentive in enlarging it), so some people still disagree. This is not necessarily a bad thing: Because parties in a proportional system represent people from across the province, politics is about what government does. Although there is no right answer to a question like 'should we cut taxes or build hospitals⁶', at least in a proportional system, the answer produced by the legislature will have the backing of the

⁵ In this document, consensual is defined as the agreement of most, if not all, legislators.

⁶ This doesn't mean people don't disagree vehemently about questions like this. What it means is that you cannot *prove* one allocation is superior to another without making certain assumptions that are not universally agreed upon. These are questions of philosophical outlook.

majority of British Columbians, something that is not often true about our current system. In a system of weak party discipline, politics is truly more consensual. It is more consensual because legislators are primarily concerned with looking good in the eyes of their constituents. As a result, legislators try to obtain near unanimity on many decisions, so that every legislator has something to take back to her voters. Politics becomes less about the philosophical 'what should we do', and more about the practical 'where shall we do it'. Though it can't be proven that building hospitals is better or worse than cutting taxes, it can be shown where the best location for the hospital is, should the funding be made available. When politics becomes about changing decisions for which there is a right answer- as it likely would in a system with weak party discipline – policy outcomes suffer. Would politics be more consensual? Yes. Is that a good thing? With weak party discipline, probably not⁷.

Letting Legislators Vote the Will of Their Constituents:

The final argument in favour of weaker party discipline is that it allows legislators to vote the will of their constituents. There is one major problem with this. Allowing MLAs to vote the will of their constituents does not mean that they have to do so, or are even encouraged to do so. Fundamentally, MLAs may not want to vote the wishes of their constituents. They may decide to vote their personal conscience, something that has occurred in Canada on the few free votes that have been held in recent years. For example, parliament abolished capital punishment on a free vote at a time when a clear majority of Canadians supported it. Alternatively, MLAs may decide to vote the will of their financial backers. This is particularly problematic as district size increases. A single member plurality district has around 30,000 voters. The most effective campaign tactic is for the candidate to knock on doors, shake hands, and discuss issues with constituents. This is a relatively inexpensive campaign. A 7-member STV or open-list PR district⁸, on the other hand, has 210,000 voters. Because it's just not possible for a candidate to establish personal contact with 210,000 people in a 5-week election campaign, the best campaign strategy becomes buying TV, radio, and newspaper ads. This kind of campaign costs money. So candidates trade what they now have through weaker party discipline -

⁷ This argument draws heavily upon two articles, (Davidson 2001), and (Schwartz, 1994).

⁸ These were chosen because the proponents of these systems claim they will reduce party discipline.

voting power - for what they now need - campaign funds. Fortunately for MLAs, and unfortunately for ordinary people, there are a multitude of organizations willing to make that trade - and for a very good price. So while some people may criticize our current system for giving political parties control over the votes of their MLAs, is a change that places this control in the hands of large campaign contributors much of an improvement? Say what you like about the transgressions of political parties, but they are accountable to the voters in a way that large donors can never be.

It is probably unrealistic to suggest that an MLA's vote will be exclusively determined by either their personal conscience or the will of their financial backers. It is far more likely that an MLA will vote with a combination of personal, financial, voter, supporter, and even party influences in mind. However, the evidence suggests that financial concerns usually outweigh all others in a legislative environment with weak party discipline⁹.

What is the Relationship Between Proportionality and Party Discipline?

The Citizens' Assembly has identified broad proportionality as an important part of any new electoral system. As a result, it is important to examine how proportionality and weak party discipline interact. Proportionality and weak party discipline may be incompatible. This is because proportional legislatures almost always require multiparty cooperation to pass laws. Multiparty cooperation is only possible with relatively disciplined parties. A party leader that cannot keep his MLAs in line will have a very difficult time entering into agreements of the 'you pass my Bill, I'll pass your Bill' nature, because the leaders of other parties have very little reason to trust that he will be able to uphold his end of the bargain (a party leader with little control over her caucus will probably have a difficult time getting them to vote for something they would otherwise not vote for). Parties that do not get their legislation passed tend to do badly in elections, and risk becoming totally irrelevant. However, this discouraging of weak party discipline is not be as great a loss as is it is often made out to be. This is because proportionality can mitigate some of the negative effects of party discipline. Some proportional systems (not all, but some) pretty much eliminate voter support as a

⁹ Thomas, Bill. (1994) *Club Fed: Power, money, sex, and violence on Capitol Hill*. New York: Charles Scribner's Sons.

consideration in the locating of government spending. What does that mean? In our current system, governments tend to spend a lot of money in constituencies where the election will be close, to try and get the governing party 'over the top'. Because some proportional systems count every vote equally, governments have no incentive to spend money in one particular place over another for political reasons. So if some regions of the province are being ignored for purely political reasons, some proportional systems would help address this. The nasty effects of party discipline are further mitigated by the fact that parties in proportional legislatures tend to be smaller and more ideologically cohesive, so while party discipline may be strong, the tensions caused by it will probably be reduced. Some proportional systems (again, not all, but some) create a situation where each MLA is representing the same group of people as her party. In these situations, conflicts between the party and their MLAs are likely to be greatly reduced, because what is good for one is good for the other. Proportional legislatures are also more effective at holding the government to account, and make for a less adversarial style of politics¹⁰, both of which are strengths commonly attributed to weak party discipline.

Finally, changing two major elements of the political process (say proportionality and party discipline) at the same time could cause problems. If one change (greater proportionality) succeeded and the other (weaker party discipline) failed, voters might very well associate the positive change with the negative one and get rid of both.

Conclusion:

Party discipline is a phenomenon with one enormous disadvantage: Voters, by and large, do not like it. Although this dislike is not unreasonable, it does not appear that the alternatives to party discipline are any better. In fact, weak party discipline may actually cause significant problems for BC politics. Weak party discipline is highly compatible with the Assembly's goal of local representation, but it is not very compatible with the goal of weak party discipline.

¹⁰ As explained above, proportional legislatures are not as effective at this as legislatures with weak party discipline.

Recommendation:

As someone who has followed the Citizens' Assembly since its inception, I am cognizant of the fact that the Assembly must be able to sell any proposed system to British Columbians. I am also aware of the fact that strong party discipline does not sell very well. As a result, I am not going to recommend that the Assembly strengthen party discipline – this ignores the political reality of BC. I am going to recommend that when examining electoral systems that claim to weaken party discipline, Assembly members should consider this weaker party discipline to be a cost of any electoral system that could produce it, not a benefit.

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