

Will the *Reform Act, 2014*, Alter the Canadian Phenomenon of Party Discipline?

PAUL GEISLER

I. INTRODUCTION

On June 23, 2015, the *Reform Act, 2014*,¹ a private member's bill sponsored by Conservative backbencher Michael Chong, received royal assent. This Bill has the potential to dramatically alter the Canadian phenomenon of party discipline,² which some regard as "the strictest in the world,"³ by empowering party caucuses and by reducing the power that party leaders exert over their caucuses.

For example, the Bill, which came into force seven days after the federal election of October 19, 2015,⁴ removes the party leader's statutory power to approve or reject official party candidates for election.⁵ Further, the Bill provides that each party caucus,⁶ with twelve or more members at

¹ Canada, Bill C-586, *An Act to amend the Canada Elections Act and the Parliament of Canada Act (candidate and caucus reforms)*, 2nd sess, 41st Parl, 2014 (assented to 23 June 2015) [*Reform Act, 2014*].

² For the purposes of this paper, the term "party cohesion" often substitutes for the more familiar term "party discipline," and refers to the unified behaviour, both within and outside of Parliament, of Members of Parliament (MPs) and of party candidates in federal elections. For example, if MPs generally act in unison when voting on matters in the House of Commons, speaking in official House debates, asking and answering questions in committees or in question period, interacting with the media, and dealing with constituents or the Canadian public at large, then such MPs may be said to exhibit a high degree of party cohesion.

³ Gloria Galloway, "Is Canada's party discipline the strictest in the world? Experts say yes", *The Globe and Mail* (7 February 2013), online < www.theglobeandmail.com >.

⁴ *Reform Act, 2014*, *supra* note 1, cl 5.

⁵ *Ibid*, cls 2-3.

⁶ *Ibid*, cl 4. "Caucus" is defined in the *Reform Act, 2014*, as "a group composed solely of members of the House of Commons who are members of the same recognized party."

its first meeting following a general election, must decide by majority vote whether or not to adopt one or more of four “optional” provisions contained in the Bill, each of which transfers power to caucuses and, arguably, away from the party leader. Under the *Reform Act, 2014*, party caucuses will have the option: to take control over the process by which caucus members are expelled from and readmitted to caucus; to take control of the process by which caucus chairs are selected and removed; to institute a statutory “leadership review” procedure; and, finally, to institute a statutory procedure by which caucus may, by majority vote, replace a sitting party leader with an interim leader until the party chooses a new leader.⁷

This paper attempts to determine the extent to which this Bill can be expected to reduce the powers of party leaders, to empower caucuses, and, most importantly, the extent to which this rebalancing of power may result in more politicians dissenting from the party line, and less party cohesion. The analysis begins by examining the *Reform Act, 2014*, and identifying the means by which the Bill may shift power to caucuses and away from leaders. Second, this paper examines several potential causes of party cohesion, and concludes that the current power balance between leader and caucus is merely one of several factors that contribute to the cohesive behaviour of party politicians. In investigating the causes of party cohesion, this paper operates under the assumption that party candidates, MPs, and party leaders are “rational,” in that they are motivated to act in their perceived best interests. It then posits several “interests” that have been ascribed to politicians, and analyzes how the actions of party leaders, the electorate, and caucus members themselves, taken together, create the conditions under which cohesive behaviour may appeal to these interests. The third and final section attempts to determine the extent to which, if at all, the provisions of the *Reform Act, 2014*, may alter the Canadian phenomenon of party discipline by altering the causes of party cohesion discussed in section two.

In the final analysis, and although the Bill certainly has the potential to encourage politicians to act independently of their parties at some point in the future, this paper concludes that the *Reform Act, 2014*, is not likely to meaningfully reduce party cohesion in Canada in the short term. First, and most importantly, it is by no means clear that party caucuses will show

⁷ *Ibid.*

any interest in adopting the more controversial optional provisions contained in the Bill. In fact, some political commentators very confidently assert that they will not. Second, the optional provisions directly address only one cause of party cohesion: the power imbalance between party leader and caucus. As a result, the extent to which the *Reform Act, 2014*, may reduce party cohesion depends on the degree of influence of the remaining potential factors discussed in this paper, such as voters' support for more dissenting politicians and caucus members' attitude towards reduced party cohesion. Since the degree of influence these factors exert on politicians' behaviour is difficult to quantify, it is impossible to state with any certainty that the *Reform Act, 2014*, is likely to result in a noticeably different, and less disciplined, politics in Canada even if caucuses choose to adopt its optional provisions.

II. STRENGTHENING CAUCUS AND WEAKENING THE PARTY LEADER

The Bill contains provisions that may well serve to weaken party leaders' control over their caucuses and, with that shift in the balance of power, to effect a dramatic change in the Canadian phenomenon of party discipline.

First, the Bill removes the requirement that the party leader, or someone designated by the party leader, must endorse a candidate's nomination in order for it to be valid. This provision entailed that party leaders could refuse to sign a candidate's nomination, thus keeping the candidate from running under the party banner. In place of this provision, the Bill gives the power to endorse or reject candidates to "the person or persons authorized by the political party to endorse prospective candidates."⁸

Second, the Bill provides that at "its first meeting following a general election, the caucus of every party that has a recognized membership of 12 or more persons in the House of Commons" is obligated to, via recorded vote of a majority of that caucus, decide whether to "opt-in" to certain provisions, so that any one or more of these provisions apply to that

⁸ *Ibid*, cl 2(1).

caucus until “the next dissolution of Parliament.”⁹ In other words, it will be up to each caucus to decide which of the following optional provisions, if any, will govern each respective caucus for the term of the next Parliament.

The first optional provision bestows on caucus the powers to expel people from, and readmit such people to, the party caucus, powers which have long been exercised at the sole discretion of the party leader. Caucus may exercise these powers only if its caucus chair first receives “a written notice signed by at least 20 percent of the members of the caucus” requesting that, in the case of expulsion, “the member’s membership be reviewed,” or, in the case of readmission, requesting “the member’s readmission to caucus.”¹⁰ Further, these powers may only be used if, following the chair’s receipt of such notice, the expulsion or readmission of the member is “approved by secret ballot by a majority of all caucus members.”¹¹

The second optional provision gives caucus the power to elect and remove caucus chairs by majority vote.¹² The vote is to be conducted by secret ballot, and, in the case of removal, the caucus chair must first receive written notice signed by at least 20 percent of caucus members “requesting that the occupancy of the chair be reviewed.” This represents another inroad into the powers of parties’ leaders in that, at present, only the New Democratic Party elects its caucus chair, while leaders of the Liberal and Conservative parties have sole discretion to appoint their respective caucus chairs.

The third optional provision establishes a statutory procedure by which a party caucus may institute and conduct a “leadership review,” defined as “a process to endorse or replace the leader of a party.”¹³ Any caucus that adopts this provision begins the procedure by submitting to its chair a written notice “to call a leadership review” signed by at least 20 percent of the members of that caucus. Then, “immediately upon receipt” of the notice, the chair must “make public the content of the written

⁹ *Ibid.*, cl 4.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.*

¹³ *Ibid.*

notice.” Finally, the chair must order caucus to vote, by secret ballot, on whether or not to replace the current leader.¹⁴

Interestingly, this third provision does not provide for what should happen in the event that a majority of caucus votes to replace its leader. Rather, that issue is addressed in the fourth, and final, optional provision, which provides that, upon a majority vote in favour of replacing a party leader, the party's caucus chair “shall immediately order that a second vote be taken by secret ballot to appoint a person to serve as the interim leader of the party until a new leader has been duly elected by the party.”¹⁵

As regards the balance of power between leaders and their caucuses, it is noteworthy that there is no clear consensus regarding who may currently exercise the power to remove a party leader. On the one hand, one political commentator suggests that caucus already has this power.¹⁶ Indeed, the preamble to the *Reform Act, 2014*, itself states that party leaders “must maintain the confidence of their caucuses,”¹⁷ the implication being, of course, that caucus may legitimately remove a leader who fails to do so. On the other hand, and notwithstanding this purported caucus power, the process of removing a party leader, like the process of electing a party leader, is governed in part by each party's respective constitution. Regardless of the correct view of the matter, however, it remains that the third and fourth provisions, taken together, have the potential to alter the dynamic between leader and caucus insofar as they provide a clearly articulated procedure by which caucus may legally remove a party leader, at least until such time as the party membership decides whether to reinstate the leader or not.

III. WHAT CAUSES PARTY COHESION?

Having considered the provisions of the *Reform Act, 2014*, this paper will now analyze several potential causes of party cohesion in an effort to

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ Chantal Hébert, “Reform Act has Conservatives fighting Conservatives: Hébert” *The Toronto Star* (1 June 2015), online: < www.thestar.com >.

¹⁷ *Reform Act, 2014*, *supra* note 1 at Preamble.

determine, ultimately, whether or not the Bill might enable politicians to behave less cohesively.

A. The Institutional Cause of Party Cohesion: The Canadian Practice of Responsible Government

Of the various causes of party cohesion in Canada, perhaps the most fundamental relates to the Canadian practice of responsible government. According to this practice, the government – the Prime Minister and cabinet – may only remain in power for so long as they maintain the confidence of the House of Commons. Confidence, or the lack thereof, is ascertained when the House votes on a government bill that is considered to be a matter of confidence.¹⁸ If a majority of the House votes in favour of such a government proposal, then that is taken to express the House's confidence in the government, and the government remains in power. Alternatively, if a majority of the House votes against such a proposal, the head of government, the Prime Minister, must either advise the Governor General to dissolve Parliament and call a general election, or must resign, in which case the Governor General would ask an opposition leader to propose a government that can secure the confidence of the House.¹⁹ If the government proposed to the House secures the confidence of the House, then that government attains power. If no proposal earns majority support, then the Governor General will dissolve Parliament and call a general election.²⁰

In short, the practice of responsible government in Canada entails that power follows majority support in the House of Commons. It creates an adversarial system between the governing party, who will go to great lengths to maintain power, and the opposition parties, who will seek out opportunities to remove the government and to take power themselves.²¹ Party cohesion, then, in encouraging party MPs to vote together in the

¹⁸ David Docherty, *Mr. Smith goes to Ottawa* (Vancouver: UBC Press, 1997) at 138.

¹⁹ CES Franks, *The Parliament of Canada* (Toronto: University of Toronto Press, 1987) at 114.

²⁰ Peter Aucoin, Mark Jarvis, & Lori Turnbull, *Democratizing the Constitution: Reforming Responsible Government* (Toronto: Emond Montgomery Publications, 2011) at 113.

²¹ Docherty, *supra* note 18 at 22; Franks, *supra* note 19 at 108; Lucinda Flavell & Phillip Kaye, "Party Discipline and Legislative Voting" (1986) 9:2 Can Parl Rev 6 at 6.

House, offers political parties the best chance to secure majority support and, in so doing, to either obtain, retain, or exercise power.²²

The influence of the practice of responsible government on party cohesion is particularly strong in the Canadian House of Commons, where all government proposals are *de facto* considered to be matters of confidence by both the government and opposition unless they are declared to be free votes before being proposed to the House.²³ Free votes, unlike confidence votes, are not taken to express the House's confidence in the government. In other words, the power to govern is not at stake when a vote on a government bill is "free." However, free votes are rarely used, and have generally been limited to controversial issues that divide caucus or the electorate.²⁴ The power to govern, therefore, is often at stake in Parliament, which influences parties and their MPs to increase their chances of securing majority support by voting as a bloc.

Accurately gauging support in the House is particularly important in the context of Canadian responsible government, where a surprise defeat in the legislature may lead to the governing party's removal from power. Party cohesion, of course, results in a very stable, predictable level of support across a wide range of policy areas. Without strong party cohesion, the governing party would have to invest considerable time and resources into "taking opinion polls of the House of Commons"²⁵ for each and every legislative proposal in order to satisfy itself that it will not lose an important vote. Responsible government, then, causes party cohesion by encouraging parties to behave predictably.

The foregoing analysis supports the proposition that it is in the best interests of party leaders and elected party MPs to behave cohesively when the power to govern is at stake. However, it does not adequately explain why party cohesion in Canada is, and has traditionally been, as

²² John Stewart, *The Canadian House of Commons: Procedure and Reform* (Montreal: McGill-Queen's University Press, 1977) at 17-18, 28; Robert Jackson, "The Imperative of Party Discipline in the Canadian Political System" in Mark Charlton & Paul Barker, eds, *Contemporary Political Issues*, 6th ed (Toronto: Nelson Education Ltd., 2009) at 226; Franks, *supra* note 19 at 114.

²³ Franks, *supra* note 19 at 110; Docherty, *supra* note 18 at 141.

²⁴ Flavelle & Kaye, *supra* note 21 at 7-9.

²⁵ Stewart, *supra* note 22 at 29; see also Franks, *supra* note 19 at 108, Flavelle & Kaye, *supra* note 21 at 7.

predominant in circumstances where considerably less is at stake. Why, for example, do governing party backbenchers not vote against their party when their dissent would still leave the party with strong majority support? Similarly, why do opposition backbenchers not vote against their party when there is clearly no hope of defeating the government? Why do parties behave cohesively in both minority and majority Parliaments? The logic of responsible government provides no apparent answers to these questions, which strongly suggests that other behaviour-influencing factors are at play.

B. The Cultural Causes of Party Cohesion: The Nature of Self-Imposed Discipline and the Rational Politician

One argument advanced in the literature is that party cohesion is largely self-imposed by MPs who decide that toeing the party line is in their own best interests.²⁶ On this account, the decision to behave cohesively is rational insofar as it furthers the interests of the individual politician. This line of reasoning necessitates an examination into the “interests” of politicians, as well as the means by which party cohesion might appeal to these interests.

The following section posits several interests that may be ascribed to politicians and evaluates the manner in which the actions of party leaders, caucuses, and the electorate create the conditions under which cohesive behaviour serves to advance these interests.

C. Party Leaders as a Cause of Party Cohesion: The “Carrot and Stick Approach”

As it happens, party leaders—and, in particular, the leader of the governing party—have many tools at their disposal to ensure party cohesion. The following two subsections analyze the carrot-and-stick approach by which party leaders use their powers to keep individual politicians in line with party priorities.

“The Carrot”: Rewarding Cohesive Behaviour

One position advanced in the literature asserts that politicians are motivated by their desire for promotion to positions of influence within

²⁶ Jackson, *supra* note 22 at 227; Flavelle & Kaye, *supra* note 21 at 7.

the party.²⁷ This motivation may be selfish, founded on the personal desire for the prestige and substantially higher salary that come with these positions, or it may be more altruistic, in that these politicians want to use the influence that accompanies such positions to advocate for policies they believe to be in the best interest of the country. In any event, the decision as to who will occupy these positions rests with party leaders, and party leaders tend to promote those who have demonstrated a willingness to act in concert with the party.²⁸ In so doing, the party leader encourages politicians who are motivated to seek promotion to self-impose discipline in order to qualify for this reward.

For example, party leaders appoint House Leaders and Official Party Whips. The leader of the governing party in Parliament, in particular, has a wide array of “carrots” to disperse amongst his or her loyal followers. The Prime Minister appoints Cabinet Ministers, Ministers of State, and Parliamentary Secretaries; decides who will sit on which government committee; and, depending on his or her party's constitution, may also appoint an MP as Caucus Chair.²⁹ One author notes the informal power of the Prime Minister to select his or her preferred Committee Chairs, notwithstanding the legal requirement that committee members elect their own chair.³⁰ Furthermore, the Prime Minister has sole discretion with respect to patronage appointments, such as appointments to the Canadian Federal Courts and courts of plenary jurisdiction, to the Canadian Senate, and to executive or director positions with an array of Crown corporations and administrative agencies.³¹ And while leaders of opposition parties have relatively fewer plum appointments with which to influence politicians' behaviour, positions in opposition shadow cabinets hold their own prestige,³² as does the possibility of media exposure and involvement in high-level decision-making that accompanies them. Again, whether politicians order their behaviour solely to fulfill career ambitions or,

²⁷ Flavelle & Kaye, *supra* note 21 at 7; Docherty, *supra* note 18 at 24-27.

²⁸ Docherty, *supra* note 18 at 24-27.

²⁹ *Ibid* at 22.

³⁰ Aucoin, Jarvis & Turnbull, *supra* note 20 at 119.

³¹ Donald J Savoie, *Governing from the Centre: The Concentration of Power in Canadian Politics* (Toronto: University of Toronto Press, 1999) at 72.

³² Docherty, *supra* note 18 at 23.

instead, to achieve positions of influence with which they can better serve their constituents or country, the motivation to self-discipline remains strong for those who hold such ambitions.

The functions of the party whip, and the close connection between the whip and the party leader, may also serve to influence MPs' behaviour. After all, the whip serves at the pleasure of the party leader. Therefore, leaders who want their parties to act cohesively will appoint someone as whip who will use the powers of that office to ensure party cohesion, and will remove whips that fail to perform this task. Whips allocate office space in Parliament, control seating arrangements in the House, decide who among his or her caucus colleagues will get to participate in question period and debates, and decide who will go "on the party's allotment to parliamentary delegations and associations that travel abroad."³³

With regard to the seemingly mundane power of the whip to allocate office space and control seating arrangements in the House, one author points out that certain seats in the House are seen as status symbols, and "jealously coveted"³⁴ by MPs for their proximity to high-profile MPs. Likewise, as in any office building, certain offices are more comfortable, and thus more sought after, than others. In addition, having an office close to that of an influential MP such as a cabinet minister or opposition critic provides backbenchers an opportunity to lobby them personally and in an informal setting, which may help advance a backbencher's pet projects and personal causes.³⁵ Participation in debates and question period serves to advance an MP's profile and gives the MP the opportunity to publicly advocate for a position—even if it is most likely to be the party's position, as contained in the canned talking points that have frequently been used in debate and question period in recent years.³⁶ Finally, the allure of a paid trip abroad is obvious. As one author notes, the desire to be picked for the party allotment is particularly strong when one considers the dearth of other opportunities for individual recognition available to backbencher MPs.³⁷

³³ Franks, *supra* note 19 at 104.

³⁴ Allison Loat & Michael MacMillan, *Tragedy in the Commons* (Toronto: Random House Canada, 2014) at 168.

³⁵ Franks, *supra* note 19 at 105-106.

³⁶ Loat & MacMillan, *supra* note 34 at 167.

³⁷ Franks, *supra* note 19 at 108.

Before leaving the topic, it is worth discussing in greater detail one particular power at the whip's disposal to ensure at least the public appearance of party cohesion: the power to manage who among a whip's fellow caucus members must be present in the House to participate in votes. If an MP cannot bring himself to publicly support his party's position in the House, the whip may excuse him in order to preclude a public display of the MP's disagreement.³⁸ This practice enables the outward appearance of strict party cohesion by offering another self-disciplining option to potentially dissident MPs: private disagreement, rather than disagreeing during a recorded vote in the House.

In addition to using the prospect of promotion to ensure properly motivated politicians behave cohesively, it is open to the leader of the governing party to use the public purse to entice politicians to toe the party line. One author describes this phenomenon in the following terms:

Adhere to the party line, goes the unspoken edict from the leader's office, particularly on the decisions for which we need you, and we'll pay you back. We'll help you in your riding. Whether it's working to arrange funding for a new jobs program, or a technology office park, a new manufacturing facility or federal infrastructure funding—the governing party can and will assist the good soldiers.³⁹

For any given politicians, additional government spending in their districts is a means of winning the support of their constituents and furthering their local electoral prospects. As discussed below,⁴⁰ securing re-election is a particularly strong interest or motivation for a large majority of politicians. By using the public purse to appeal to this “political” motivation, the leader of the governing party once again creates the conditions for a rational politician to self-impose discipline. However, one does not even have to assume that politicians will self-discipline solely to fulfill their own political ambitions. Politicians motivated, instead, by their desire to do right by their constituents and to secure for them as many benefits as they can may also bargain away their independence in

³⁸ Loat & MacMillan, *supra* note 34 at 173.

³⁹ *Ibid* at 163.

⁴⁰ Further discussion of this topic will be found under the heading “The Electorate as a Cause of Party Cohesion” below.

exchange for the promise of benefits for those who elected them, irrespective of any personal “political” ambitions they may harbour.

“The Stick”: Punishing Dissenting Behaviour

As noted above, party leaders expect their party to behave cohesively on nearly every matter that MPs address in Parliament. In order to ensure such a high degree of cohesion on potentially divisive topics, party leaders will use, or at least threaten to use, such punitive measures as removing a dissident MP from caucus or refusing to sign his or her nomination papers at the next general election. Knowing that these measures are available to party leaders, politicians support the party position to avoid the risk of punishment.⁴¹

MPs who are removed from caucus sit as independents, at least until such time as they are re-admitted to the party from which they were expelled, or they are admitted to a different party caucus. As one author has noted, without access to the resources of a recognized party, and with the limitations on participating in parliamentary life that sitting as an independent entails, independent MPs are the “second class citizens”⁴² of parliamentary life. Properly motivated politicians are therefore wise to take steps to avoid the prospect of having their already limited parliamentary role reduced even further.⁴³

Similarly, arguments in the literature strongly suggest that it is in the best interests of politically motivated politicians to behave cohesively for fear that the party leader will not permit them to run as party candidates in a subsequent election. This is because politicians prevented from running for their former party must, if they want to contest the next election, either run as an independent or secure the nomination of a different party. The fact that the electorate rarely elects dissident candidates who have “crossed the floor” to run for another party, or dissident candidates who run as independents,⁴⁴ suggests that dissent is not an attractive option for the politically-motivated politician.

⁴¹ Aucoin, Jarvis & Turnbull, *supra* note 20 at 116.

⁴² Franks, *supra* note 19 at 108.

⁴³ However, MPs do, in certain circumstances, willingly choose to sit as independents. See for example: “MP Rathgeber refuses to be ‘cheerleader’ and quits Tory caucus”, *CBC News* (5 June 2013), online: <www.cbc.ca>.

⁴⁴ Jackson, *supra* note 22 at 228.

Finally, many of the aforementioned rewards that the party leaders and whips dangle in front of party politicians to persuade them to self-impose discipline are also used to punish dissenters. For example, an MP may be demoted from a position of influence, or have the opportunity to speak in the House taken away, for going against the wishes of the party leadership.⁴⁵ Considering the pains MPs must take to earn these coveted rewards, they likely will not lightly risk losing them.

In summary, arguments in the literature offer considerable support for the proposition that party leaders play a significant role in causing party cohesion. The relatively uncontroversial motivations ascribed to politicians in this section suggest that party leaders use the powers of their office to create the conditions under which it is in the best interests of the rational politician to behave cohesively.

D. The Electorate as a Cause of Party Cohesion

It is sometimes taken for granted that the party leadership imposes party cohesion, top-down. Indeed, the preceding sections on responsible government and the observed behaviour of party leaders offer considerable support for the proposition that party leaders actively promote cohesive behaviour. However, further analysis into the nature of self-imposed discipline, and, in particular, the politician's motivation to secure election, call into question the extent to which the voting public itself is implicated in creating the conditions under which strict party cohesion becomes desirable to politicians.

As discussed above, many politicians desire to either attain or retain elected office. The reasons why an individual harbours such an interest may be selfish or altruistic, but in any case, these do not bear on the proposition that politicians, by and large, are motivated by a desire to win elections. For politicians who share this motivation, it follows that it is in their best interests to order their behaviour in a manner that they believe will promote their prospects of securing election or re-election to public office. The fact that relatively few seats in the House of Commons are considered "safe seats" increases the behavioural influence of this motivation for politicians in closely contested ridings.⁴⁶ In other words, if

⁴⁵ See for example: Laura Payton, "Sex-selective abortion motion blocked again", *CBC News* (28 March 2013), online: <www.cbc.ca/>.

⁴⁶ Franks, *supra* note 19 at 110; Jackson, *supra* note 22 at 227.

candidates have to fight for their political lives at every general election, they will likely be especially careful to act in ways that increase their electoral fortunes.

Of course, not every MP is motivated by the desire even to contest another federal election. To use a recent example, of the 304 members of the 41st Parliament who held office when the Governor General dissolved Parliament in 2015, only 254 ran for re-election.⁴⁷ As discussed above, the party leadership may have actively prevented one or more of the remaining 50 incumbents from running. The rest, however, during their tenure as MPs, ceased to be motivated by a desire to secure re-election to Parliament.

For the large majority of politicians who are, in fact, motivated by a desire to win the next election, how, if at all, does party cohesion appeal to that interest? The answer to this question is based, in part, on the close connection in Canadian politics between candidates' political prospects and those of their parties. One example of this connection, as one author has pointed out, is that "[s]ince 1974, political party has been the single most important factor in determining how Canadians will vote in federal elections," and that "[n]ational and regional swings put local incumbents and challengers at the mercy of party leaders and public evaluations of their party."⁴⁸ More recent studies have confirmed that party affiliation, party platform, and party leader profile are the most important factors influencing Canadian voters, while the individual candidate's profile or personal experience are much less likely to convince voters to support the candidate.⁴⁹ From this premise, it follows that it is in the best interest of politically motivated politicians to promote their parties' standing in their electoral districts.

Of course, any individual politician's ability to promote his or her party's standing amongst the local electorate is limited by the fact that a given party's political fate in any given riding is not determined solely, or even mostly, by the actions of the individual party candidate for that riding. Rather, the local electoral prospects of any party are influenced by the collective actions of people, from the local to the national scale, who

⁴⁷ "Current Party Standings and Nominations Metrics", *Pundits' Guide* (13 October 2015), online: <www.punditsguide.ca>.

⁴⁸ Docherty, *supra* note 18 at 21.

⁴⁹ David Smith, *The People's House of Commons: Theories of Democracy in Contention* (Toronto: University of Toronto Press, 2007) at 88; Jackson, *supra* note 22 at 228; Docherty, *supra* note 18 at 21; Loat & MacMillan, *supra* note 34 at 172.

are seen by the local electorate to speak or act on behalf of the party. At a minimum, this entails that the actions of one party politician in one part of the country have the potential to adversely impact the electorate's evaluation of that party in the rest of the country. It follows, then, that it is in the best interests of politicians motivated to secure election to order their behaviour in a manner they believe will ensure that their fellow party politicians do not adversely impact local evaluations of the national party.

This line of reasoning implicates party cohesion insofar as politicians regard cohesive behaviour as an effective means to prevent the kinds of dissenting actions that they believe will harm their parties' standing locally. But what evidence is there of the political consequences, if any, of public dissent upon which politicians could found a belief that party cohesion protects their local electoral prospects? On the one hand, opinion polls of the national electorate indicate a high degree of dissatisfaction with the current extent of party cohesion.⁵⁰ If anything, this suggests that the electorate at large has an appetite for more public dissent, and that, by extension, it is in the interest of politicians to take advantage by encouraging more public dissent. On the other hand, as one author points out, "[p]ublic opinion surveys can, and do, find that the electorate might wish the individual member to be less obedient to party, but the same electorate does not vote in a way that permits MPs to be independent."⁵¹ This suggests that, contrary to the first proposition, the electorate reacts negatively to incidents of public dissent. By extension, this latter proposition suggest that it is in the best interest of the individual politician to take steps to ensure party cohesion by, for example, normalizing cohesive behaviours such as speaking from talking points developed by the party, and tacitly accepting the party leader's disciplining of dissident politicians.

So which of the foregoing propositions is more likely to influence politically motivated politicians? Unfortunately, the literature provides no clear answer to this question. Research conducted over the course of writing this paper uncovered no evidence of a link between public dissent and a party's electoral prospects, whether at the national or the local scale. Perhaps this is due to the fact that the umbrella term of "public dissent" is

⁵⁰ Flavelle & Kaye, *supra* note 21 at 7-9; Docherty, *supra* note 18 at 160.

⁵¹ Franks, *supra* note 19 at 259.

expansive enough to include a variety of acts, each falling on a spectrum of potential political consequences. Politicians may perceive a given form of dissent as potentially more politically damaging than others,⁵² or may perceive the content of a potential dissent as more politically damaging than the content of some other potential dissent. For this reason, the political consequences for each discrete act of dissent are likely very context-specific, and it is difficult to separate the causal influence of the form of dissent from that of the content. Making matters worse, the relative infrequency of dissent in Canada leaves a small sample to analyze.

Given this lack of evidence, it cannot be confidently asserted that an individual politician's motivation to secure election necessarily causes party cohesion. At best, this line of reasoning suggests that the politically-motivated politician regards a party-wide commitment to cohesive behaviour desirable only insofar as it serves to prevent any potential political fallout at the local scale. Without any concrete evidence of the degree of risk associated with public dissent, the extent to which the political motivation causes party cohesion is not clear.

Indeed, running counter to this assertion is the fact that some politicians view dissent as a means of increasing their local electoral prospects, at least in certain circumstances.⁵³ Anecdotal evidence suggests that, despite the difficulty inherent in assessing the local electorate's likely response to a local politician's dissent, there are circumstances in which politicians may reasonably expect dissent to further their prospects of securing election.⁵⁴

In summary, the motivation to secure election causes party cohesion in certain circumstances, and causes dissent in others. Sometimes, it is in the best interests of rational politicians to behave cohesively, and to take steps to ensure that fellow party politicians follow suit, so that they may safeguard their party's local electoral prospects against the potential political fallout some other politician may cause by publicly dissenting. However, the individual's motivation to act cohesively diminishes, and the

⁵² Loat & MacMillan, *supra* note 34 at 169-73; see also Flavelle & Kaye, *supra* note 21 at 7.

⁵³ Docherty, *supra* note 18 at 143, 150, 161, 166.

⁵⁴ See for example: Althia Raj, "Thomas Mulcair's Niqab Policy Opposed By 3 More Quebec NDP Candidates", *The Huffington Post* (30 September 2015), online: <<http://www.huffingtonpost.ca/>>.

motivation to dissent increases, as the politician perceives the local political payoff of dissent to increase.

E. Caucus Sentiment as a Cause of Party Cohesion

Aside from concerns about upsetting the party leadership—and, in so doing, effectively disqualifying themselves from receiving the rewards the leader either directly or indirectly bestows, or exposing themselves to the risk of disciplinary action—it is said that MPs are also motivated to self-discipline in order to avoid upsetting caucus colleagues.⁵⁵ As one author points out, many MPs believe that, since they were elected under a party banner, their role is to support the party.⁵⁶ As such, these MPs are more likely to act in concert with their party's wishes, and are less likely to countenance public displays of disloyalty, whether it be in the press or in the House, that risk harming the party brand and, potentially, their own prospects of securing re-election.

One author notes that an MP who upsets influential caucus colleagues, such as cabinet ministers or opposition critics, will have difficulty lobbying them to support their pet projects.⁵⁷ Further, and in addition to straining working relationships, ostracizing caucus colleagues can prove detrimental to the career prospects of an ambitious MP. As one author notes, "[M]any ministers have been promoted to cabinet because they have the support of backbenchers."⁵⁸ While this proposition does not suggest that a sterling reputation in caucus is a condition precedent to promotion to cabinet, it does, at least, suggest that a poor reputation in caucus may become an obstacle to advancement within the parliamentary party. Further still, disloyalty risks upsetting caucus members who, while occupying no formal position of influence at present, may one day become cabinet ministers and use their new-found influence to stymie the ambitions, whether policy- or career-related, of politicians who have proved disloyal in the past. Finally, some MPs will decide to support the party line because they come to realize the merits of the party's position

⁵⁵ Flavelle & Kaye, *supra* note 21 at 7.

⁵⁶ Franks, *supra* note 19 at 109.

⁵⁷ Docherty, *supra* note 18 at 152.

⁵⁸ Flavelle & Kaye, *supra* note 21 at 7.

after accessing the policy analysis upon which the party's position is based.⁵⁹

In summary, caucus sentiment—as gleaned from caucus debates and informal interactions with colleagues—causes party cohesion insofar as it wins over the hearts and minds of MPs who would otherwise be motivated to disagree.

F. Perceived Mandate as a Cause of Party Cohesion

One further motivation that may be ascribed to politicians is the motivation to act in accordance with the mandate bestowed upon them by the electorate. Once again, it is important to note that research conducted over the course of writing this paper uncovered no evidence regarding the extent to which MPs' perceived mandate influences their voting behaviour, if it does so at all. Accordingly, the following analysis proceeds on the assumption that an MP's perceived mandate has the potential to influence his or her behaviour, even if the influence is marginal compared to the other factors discussed herein.

Although there appears to be no uniform perception amongst MPs regarding the nature of their mandate, a comprehensive survey of the 34th and 35th Canadian Parliaments revealed that many MPs believed they were elected to act in concert with their parties. According to the survey of the 34th Parliament, 70 percent of MPs believed they were elected to follow the dictates of party and leader.⁶⁰ That proportion dropped to 26 percent of MPs elected to the thirty-fifth Parliament, a result the survey author ascribes to a relatively large influx of non-incumbent MPs to Parliament, as well as the dramatically increased representation in the House of members of the Reform Party, who had campaigned on a pledge to vote in accordance with constituency opinion.⁶¹ Despite the admittedly small sample size, these responses suggest that a substantial proportion of elected MPs, if they are at all motivated to follow their perceived mandate, are predisposed to cohesive behaviour.

Interestingly, more than half of the surveyed MPs who initially believed they were elected to follow constituency opinion provided a different response when asked the same question three years into their

⁵⁹ Stewart, *supra* note 22 at 17–18.

⁶⁰ Docherty, *supra* note 18 at 145.

⁶¹ *Ibid* at 143–151.

tenure as MPs.⁶² The author of the survey ascribes this change of heart to a gradual appreciation for the virtues of party cohesion, which are not readily apparent until the MP enters the workworld of Parliament. Thus, even those MPs who do not fit the description of the prototypical “team-player” at the outset of their tenure may come to share more team-oriented motivations as time and experience take their toll.

Assuming the existence of a link between perceived mandate and behaviour, the above analysis supports the assertion that MPs who believe they were elected to support the party are likely to behave cohesively. However, this assumption does not necessarily entail that MPs who believe they were elected to publicly represent their constituents are more likely to dissent. This is due to the difficulty of reliably assessing constituency opinion.⁶³ The most reliable way for an individual politician to assess constituency opinion—opinion polling—is also the most expensive. Less expensive and more traditional means of discerning constituency opinion, such as “town-hall meetings, questionnaires in riding newsletters, phone calls to the constituency office, and letters to the editors of local newspapers,”⁶⁴ are inherently unreliable and do not provide a clear picture of constituency opinion on a given issue. Without any reliable indicator of constituency opinion, then, the MP who perceives his mandate as one that requires constituency representation may have no choice but to support the party position. Thus, if perceived mandate influences politicians’ behaviour at all, it is more likely to encourage cohesion than dissent.

G. Party Loyalty as a Cause of Party Cohesion

Most of the interests ascribed to politicians thus far are contingent on the politician’s motivation to secure election to the House of Commons. If sitting MPs do not desire to return to the House, it is unlikely they will be overly motivated by the prospect of promotion to cabinet, or overly concerned with how they are viewed by their caucus colleagues. Why is it, then, that these MPs continue to behave cohesively?

⁶² *Ibid* at 145.

⁶³ *Ibid* at 144.

⁶⁴ *Ibid* at 158.

At the outset, it bears noting that at least two previously discussed motivations are relevant to such an MP. First, while the MPs may not desire a “parliamentary” promotion, they may desire one of the aforementioned patronage appointments, a desire the party leader is unlikely to fulfill if that MP dissents from the party line. Second, whatever influence MPs’ perceived mandate has on their behaviour ought to continue notwithstanding their lack of interest in securing another mandate.

The only other proposition advanced in the literature that may explain this phenomenon holds that politicians are motivated by a sense of loyalty to their party.⁶⁵ In other words, the fact that “members of a party tend to share common beliefs, values, and goals, and are united in their concern for the viability of the party”⁶⁶ entails that MPs who are leaving electoral politics have a personal interest in supporting their parties to the bitter end.

H. Conclusion: The Causes of Party Cohesion

In conclusion, the literature posits many varied causes of party cohesion. Unfortunately, it has been difficult to ascertain the extent to which those potential causes influence politicians’ behaviour. Bearing that in mind, this paper now turns to analyzing the effect that the *Reform Act, 2014* can be expected to have on the potential causes of party cohesion discussed thus far. And while it will not be possible to determine the precise extent of its effect, it should be possible, in most cases, to determine whether the *Reform Act, 2014*, may strengthen or weaken a given cause.

IV. ANALYSIS: WILL THE *REFORM ACT, 2014* RESULT IN LESS PARTY COHESION?

Whether or not the *Reform Act, 2014* will have any appreciable impact on party cohesion will largely depend on which, if any, of its provisions party caucuses choose to adopt following the October 2015 general election. However, the mere fact that MPs will meet to discuss and to decide the application of these provisions represents a significant

⁶⁵ *Ibid* at 139.

⁶⁶ Flavelle & Kaye, *supra* note 21 at 7.

procedural change. One expects that their decisions, and the reasons offered in support thereof, will be scrutinized by the media and, hopefully, by the electorate. This, in itself, may pressure party caucuses to adopt at least some of these provisions, or at least to express some acceptable reason for why they do not. On the other hand, the Bill mandates that these decisions be made openly, with each MP's vote recorded.⁶⁷ As such, caucus may hesitate to adopt provisions that significantly reduce the power of the party leader, for fear that the leader will keep the list of recorded names close at hand for when the opportunity arises to reprimand those caucus members who dared usurp his or her power.⁶⁸

To begin, it is noteworthy that the provision of the *Reform Act, 2014* that transfers the power to approve or reject party candidates from the party leader to "the person or persons authorized by the political party to endorse prospective candidates"⁶⁹ is prescriptive and not optional. As such, the extent to which this provision weakens party cohesion depends on whom each political party chooses to appoint as nomination officer, how many officers will be so appointed, and whether the political party allows those appointed to exercise the power of approval independent of the leader's influence.

Compared to related provisions in earlier iterations of the Bill, this provision does not substantially infringe on the powers of the party leader to maintain party cohesion *per se*. By contrast, the *Reform Act, 2013*⁷⁰ would have empowered each riding association to appoint a "nomination officer," who would have been vested with the sole discretion to approve or to reject party candidates.⁷¹ This provision would likely have resulted in more diversity of opinion within a party caucus and, consequently, would have made maintaining party cohesion more difficult for the party leader. Similarly, the initial iteration of the *Reform Act, 2014*⁷² would have

⁶⁷ *Reform Act, 2014*, *supra* note 1, cl 4.

⁶⁸ Andrew Coyne, "Andrew Coyne: No point pretending the Reform Act can revive Canada's Pretend Parliament", *The National Post* (25 February 2015), online: <<http://news.nationalpost.com>>.

⁶⁹ *Reform Act, 2014*, *supra* note 1, cl 2.

⁷⁰ Canada, Bill C-559, *An Act to amend the Canada Elections Act and the Parliament of Canada Act (reforms)*, 2nd sess, 41st Parl, 2013.

⁷¹ *Ibid*, cl 5.

⁷² Canada, Bill C-586, *An Act to amend the Canada Elections Act and the Parliament of*

empowered riding associations to appoint “regional” nomination officers for each province and territory.⁷³ In committee, MPs from all three major parties expressed concern that this latter provision would weaken party cohesion by enabling the approval of party candidates who would not support policy positions taken by the party at large.⁷⁴ The amended Bill, on the other hand, as passed by the House of Commons, leaves quite a bit of room for party leaders, as leaders of the extra-parliamentary “political party” referred to in the Bill, to ensure that nomination officers use their power of approval to, at worst, keep rogue candidates from running under the party banner, and, at best, to pressure appointees to select the leader's preferred candidates.

Under this new regime, then, party cohesion may be reduced if party leaders will appoint numerous, independent nomination officers, and allow them to exercise their power to approve candidates who are or may someday find themselves to be at odds with the party's platform. It seems likely that they will not. If party leaders had wanted to allow this diversity of opinion among party candidates, they could have done so under the old legislation by simply rubber-stamping the candidate selections of riding associations. Instead, party leaders have exercised their statutory power of approval to keep such candidates out of the running. Therefore, it is more likely that a party leader will simply appoint a proxy nomination officer to act as he or she would have acted before the coming into force of the *Reform Act, 2014*. One imagines that party leaders will justify this decision by relying on the same concerns advanced in committee.

The least controversial provision of the *Reform Act, 2014* appears to be that which empowers caucus to elect its own chair. The New Democratic Party already does this, and the power to appoint a caucus chair, while not totally insignificant in terms of its potential effect on party cohesion, could scarcely be considered a serious infringement of the powers of the party leader. It may be the case that past party leaders have exercised this power to appoint a chairperson who would give more speaking time in caucus to MPs who supported the government position on a given issue, but this is

Canada Act (candidacy and caucus reforms), 2nd sess, 41st Parl, 2014 (first reading 7 April 2014).

⁷³ *Ibid*, cl 5.

⁷⁴ House of Commons, *Standing Committee on Procedure and House Affairs*, 41st Parl, 2nd Sess, No 60 (2 December 2014) at 1105–1200.

mere speculation, and the literature offers no support for this proposition. On the contrary, it is widely accepted that one of the fundamental purposes of caucus meetings is to provide backbenchers with a private forum to air any concerns with the party's position on a given issue, and, in so doing, to exert pressure on the party leadership to amend the party's position to reflect these concerns.⁷⁵ In fact, aside from informal interactions with the party leadership, caucus meetings may be the only forum for backbenchers to express their discontent.⁷⁶ As such, a party leader would be wise to ensure that the caucus chair is someone who is sensitive to all points of view of caucus members, and this may be accomplished by allowing caucus to select the chair itself. At worst, the party leader would merely be giving up one of the plum appointments referred to earlier. For this reason, and because adopting this provision does not substantially infringe the powers of the party leader, one expects that caucuses will soon enjoy the statutory authority to elect caucus chairs.

It is not at all clear whether party caucuses will adopt the provision of the *Reform Act, 2014* that empowers caucus to expel or readmit an MP from caucus. On the one hand, this represents a significant infringement on the power of the party leader to maintain party cohesion, which may influence MPs to not openly vote in favour of adopting this provision for fear of retribution by the party leader. On the other hand, adopting this provision would, in itself, reduce the ability of the party leader to dole out punishment. Therefore, if in the time before caucus gets together to vote on the applicability of this provision it becomes clear that a majority of caucus supports adoption, MPs may be more likely to record their vote in favour. However, the fact that the party leader retains other disciplinary powers as noted above would probably factor into the decision as well. Further, a newly elected caucus may not have an adequate amount of time to gauge levels of support before being called on to determine the provision's applicability. This augurs against the possibility that one or more caucuses will vote to adopt this provision.

However, another factor that favours adoption is that there seems to be a lack of any compelling justification for allowing this power to remain with the party leader. Indeed, even though the government members of

⁷⁵ Franks, *supra* note 19 at 101.

⁷⁶ Loat & MacMillan, *supra* note 34 at 169.

the committee amended the Bill to make this provision optional, they offered no explicit reason for doing so. One imagines that the unspoken reason may be that without the power to boot MPs from caucus, party leaders will have trouble maintaining party cohesion. This justification calls into question the desirability of party cohesion generally, a topic that is not addressed in this paper. It also implicates the electorate's appetite for continued party cohesion, noted above as a potential factor in motivating politicians' behaviour, insofar as the likelihood that the electorate will accept this justification is concerned. In the final analysis, it is not clear just how the electorate will react to a caucus's decision to take control (or not) of its membership, whatever justification is ultimately put forward. On the one hand, as mentioned above, the electorate has expressed distaste for lock-step politics. On the other, people keep voting for parties that act in unison. These considerations will surely influence newly elected caucuses as they meet to discuss and decide this provision's fate, but in favour of which outcome?

Even if one or more caucus adopts this provision, it is not clear what effect this will have on party cohesion in federal politics. As noted above, party leaders retain various ways to entice politicians to toe the party line, and to discipline those who do not. Further, it is unclear what effect, if any, this provision will have on the numerous cultural causes of party cohesion described at length above. Will caucus exercise its new-found power of expulsion in the same manner as the party leader once did—that is, to keep MPs from acting in ways perceived to be detrimental to the party's electoral prospects? If not, in what circumstances will this power be exercised? Will freedom from this particular, and particularly severe, sanction render MPs less concerned with promotion and re-election, and more concerned with either representing constituents or acting in their own best judgment? Will the adoption of this provision effect a shift in the public consciousness, such that the electorate interprets public disagreement in more favourable light? Any answers to these questions rely, for the time being, on speculation. As a result, and with much reluctance, this paper concludes that only time will tell the true impact of this particular provision.

Of all the optional provisions contained in the *Reform Act, 2014*, those most likely to effect a meaningful change in party cohesion, if adopted, are those which permit caucus to conduct a leadership review and to appoint an interim leader. For this very reason, however, this provision is also the

least likely to be adopted by caucus. No provision in the Bill threatens the party leader's powers more than that which allows for her or his removal as leader, and if ever a caucus member should justifiably fear reprisal for a recorded vote, it is in relation to this provision.

Further, caucus has a reasonable explanation with which to provide the media and the electorate for not adopting these provisions. The argument against adoption asserts that, since the leader is directly elected by the party membership, only the party membership should have the ability to institute a leadership review. Government MPs advanced this argument to the Standing Committee,⁷⁷ and it is likely to be among the justifications advanced by any party caucus that chooses not to adopt these provisions. Framed in this way, the allure of the argument is clear: rather than being seen as justifiably usurping power from tyrannical party leaders, caucuses would instead be seen as taking power from the grassroots party membership.⁷⁸ This seems to be the type of reasoning that would resonate with voters, and particularly with members of political parties. What this argument overlooks, however, is that although the authority to initiate a leadership review would rest with the party caucus, the final decision as to whether to replace the leader remains, as always, with the party membership.⁷⁹ A temporarily deposed leader would be free to run in the leadership contest, and the membership would be free to reinstate the leader, a result that would surely send a clear message to those MPs who conspired to institute the review in the first place.

In the event that a caucus adopts this provision, it may well lead to a meaningful reduction in party cohesion. Caucus could, in effect, hold the leader hostage, and threaten to punish a leader for engaging in or encouraging the types of cultural behaviours that have traditionally been thought to cause party cohesion. For example, a party leader who is tempted to use the power of appointment to promote a loyal soldier over

⁷⁷ House of Commons, Standing Committee on Procedure and House Affairs, 41st Parl, 2nd Sess, No 54 (30 October 2014) [30 October 2014 Standing Committee] at 1140-1225.

⁷⁸ Dale Smith, "Chong's Reform Act is a step but not a panacea", *Loonie Politics* (20 May 2014), online: <looniepolitics.com>.

⁷⁹ See: *Reform Act, 2014*, *supra* note 1, cl 4, which defines "leadership review" as "a process to endorse or replace the leader of a party" [emphasis added]. Any procedure that begins with 20 percent of a caucus mandating their colleagues to "review" their leader can hardly be said to amount to a ringing endorsement of that leader.

an especially qualified candidate may well balk at the prospect if doing so would lead to a caucus revolt.

Again, the degree of influence this provision will have on party cohesion relies to a large extent on the public's tolerance for intra-party disagreement. If the electorate expects a high degree of party cohesion from elected MPs, then they will expect caucus to utilize its leadership review power only in extreme circumstances. Conversely, if the electorate expects elected MPs to express disagreement with their parties' position when their own personal judgment or those of their constituents conflict with that position, then they may look more favourably upon a caucus revolt against a leader who does not tolerate public disagreement. Again, it is difficult to say how the public will react to either the adoption of these provisions or to the practice of instituting a leadership review.

V. CONCLUSION

In the final analysis, it appears that party cohesion is here to stay, at least in the short term. The provisions having to do with electing caucus chairs and approving party candidates will have no appreciable impact on the public behaviour of MPs. Empowering MPs to control their own caucus membership has the potential, at least, to encourage more independence among politicians, but to what extent is far from clear. Finally, it is unlikely that the provisions empowering caucus to institute a leadership review and to replace a sitting leader with an interim leader will be adopted in the near future.

Even in the event that all party caucuses adopt the four optional provisions of the *Reform Act, 2014*, it is unclear what effect this will have on the many cultural influences of party cohesion discussed in this paper. As long as MPs are motivated by a desire to win re-election, to protect their parties' electoral prospects, or to secure promotion to positions of influence within and without Parliament, and as long as the expectations of voters and caucus members entail that strict discipline serves to facilitate the fulfillment of these desires, party cohesion will remain a defining feature of Canadian federal politics.

But all hope is not lost. Perhaps this incremental reform will lead to more substantial reforms in the future. Perhaps it will stimulate an informed debate about parliamentary reform generally. This paper must

conclude, however, that the extent to which this is probable is not at all clear.

At the very least, the *Reform Act, 2014*, may permit Mr. Chong himself, and those like him, to act with more independence. In committee, Mr. Chong expressed his view that removal from caucus was an especially severe punishment in light of the limitations that come with sitting as an independent.⁸⁰ Further, he has also expressed a similar view with regards to the threat of party leaders refusing to sign an MP's nomination papers.⁸¹ Having resigned from a cabinet post himself (and, in so doing, having potentially damaged his party's reputation), he may not be overly concerned with career advancement or advancing his party's interests where doing so conflicts with his own personal judgment.⁸² Further still, despite his "roguish" behaviour, he has secured re-election in five consecutive federal elections as an official Conservative Party candidate. Finally, even with the many existing influences to behave cohesively, he has, very recently, and very carefully, publicly expressed disagreement with respect to a policy initiative of central importance to his party, although he did end up voting for it.⁸³

At the risk of sounding glib, the *Reform Act, 2014*, may well effect a marginal change in party cohesion, at least insofar as it has the potential to enable Mr. Chong and others of similar fortitude to act without fear of being booted from caucus or prevented from running in a general election. For other politicians, however, it remains to be seen whether these concerns are truly what motivates them to behave cohesively. If it turns out that the causes of party cohesion are as broad and far reaching as this paper suggests, then further reforms will be necessary in order to achieve a less disciplined, more independent national political scene in Canada.

⁸⁰ 30 October 2014 Standing Committee, *supra* note 77 at 1220–1225.

⁸¹ Aucoin, Jarvis & Turnbull, *supra* note 2 at 116.

⁸² "Tory cabinet minister quits post over motion", *CBC News* (27 November 2006), online: <www.cbc.ca/>.

⁸³ Jim Bronskill, "Tory MP, Michael Chong, Puts Himself At Odds With Harper Government Over Bill C-51", *The Huffington Post* (23 March 2015), online: <www.huffingtonpost.ca/>.