

## **The Impact of ‘Third Party’ Advertising in Canada: An Exploratory Ecological Analysis of the 2000 Election**

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### **Abstract**

This paper presents an exploratory ecological analysis of the effectiveness of third party intervention in the 2000 federal election campaign in Canada. It uses the total election-related expenses reported by interest groups in local riding contests as revealed in their official reports to Elections Canada. As such, the analysis ignores the impact of third party spending at geographic levels above the local constituency, and therefore it constitutes only a partial test for the impact of these efforts. However, it offers the first (to my knowledge) multivariate test for effects of constituency-specific third party spending. Preliminary analysis reveals that third parties intervened in a relatively modest number of constituencies during the 2000 campaign. In most cases, where they did intervene in the campaign the level of spending was reasonably modest – certainly in comparison to the total spending by candidates. Yet these interventions were more likely in settings where the race was eventually decided by a relatively small margin of the vote, suggesting that the decision of groups to intervene represented in part a rational calculation concerning the likelihood that their spending might alter the outcome of the local race. Multivariate ecological models show that third party spending significantly influenced the vote shares of Canadian Alliance and Bloc Québécois candidates in 2000, net of other socio-economic and political characteristics. Given the crudeness of the measure of third party spending (and in particular the likelihood that much of this spending is likely to be self-canceling in terms of its partisan impacts), the current test must be seen as extremely conservative and demanding. Further work will likely demonstrate that third party spending is much more efficacious than demonstrated here.

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## ***Introduction- Regulating Third Party Expenditure in Canadian Elections***

Since its introduction in 1974, Canada's regulatory regime governing the role of money in elections is often regarded as a model for other countries. In this respect, it stands in stark contrast with the regulatory morass surrounding campaign spending in the US. Disclosure requirements for contributions and strict limits on the expenditures of political candidates, coupled with generous public subsidies of the costs of campaigning, are among the features regularly applauded by proponents of clean elections. Since at least the late 1980s, however, parties and candidates have had to share the electoral stage with another set of political actors who had an interest in influencing the outcome. Interest groups, or so-called "third parties", have sought to influence voters by endorsing or attacking parties and candidates, often in the context of well-financed advertising campaigns. As a result, concern has mounted among Canadian regulators that the beneficial impact of campaign finance regulation in ensuring transparency and a degree of equity in the electoral process has become endangered by the large amounts of campaign money circulating outside its governing framework (Cross, 1994).

Several attempts have been made in Canada to extend the regulatory umbrella to incorporate the election-related spending of "third parties". In every case, these efforts have resulted in litigation that has struck them down as infringements on the rights of free and democratic expression of citizens. The most recent effort imposes (among other things) registration, disclosure of donations, spending ceilings, and reporting requirements on all 'third parties' that spend \$500 or more on election-related spending. While these regulations were in force at the time of the last federal election, they have since been suspended following the decision of the Alberta Court of Appeal in *Harper v. Canada (Attorney General)*, delivered December 16, 2002. This case is currently being appealed before the Canadian Supreme Court, which reserved judgment after a hearing in February 2004. As such, the future of third party regulation in Canadian elections is at the time of writing uncertain. If past practice is any guide, however, a Supreme Court ruling that finds the current regulations to be in violation of the *Charter* will not deter Canadian lawmakers from proposing further revisions in an attempt to bring interest group electoral activity

within the regulatory regime. This is because, as Bakvis and Smith (2002: 141-2) have argued, "...the regulation of the spending of the candidates and the political parties requires the regulation of the spending of third parties; otherwise, the candidates and the political parties would be tempted to find ways to collude with the unregulated third parties to escape the limits placed on themselves."

There is already some evidence to indicate that at least one candidate (or her supporters) has circumvented the intentions of campaign finance regulation in the 2000 federal election. The then-enforced regulations governing the campaign activities of third parties forced these entities to register with, and report their spending to, Elections Canada (see [www.elections.ca](http://www.elections.ca)). These records identify no fewer than three committees formed to support incumbent Liberal candidate Ann McLellan in her bid for re-election in Edmonton West.<sup>1</sup> The expenditures of the three "third parties" which explicitly endorsed her re-election (totaling \$6,604) obviously augment the \$66,000 spent by her "official" campaign for the Liberal Party in Edmonton West and thereby circumvent the intention of the statutory limits on her election spending. While had this additional expenditure been channeled through her local campaign organization, it would not have taken her total election spending from all sources beyond the maximum legally permissible under current candidate and party regulations (the official spending limit for candidates in Edmonton West was just over \$75,000). However, there is nothing in principle that could preclude this kind of situation arising in the future. Given that McClellan held her seat by a margin of 733 votes in that election, the potential for any effects of such expenditure to influence election outcomes is obvious. The threat third party spending poses to the existing regulatory structure governing candidates and parties is therefore real, and as a result it is likely to be the object of determined governmental action in the future.

An important part of the case for regulating the electoral activities of 'third parties' hinges on the belief that their election-related activities actually influence voters and election

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<sup>1</sup> A fourth committee, formed by Marc de La Bruyere, Director of Maclab Enterprises in Edmonton and a member of the Advisory Board for the Centre for Entrepreneurship and Family Enterprise, registered \$2,786.28 in expenditures. An identical amount was spent by one of the three more obviously pro-McLellan committees – suggesting that de La Bruyere's expenditures were also coordinated with those interventions.

outcomes. Unfortunately, however, there is considerable uncertainty over whether there is in fact any impact associated with these campaign activities. Further, among those who believe that such activities are influential, there is no agreement over the size or partisan consequences of the impact. This paper reviews existing literature on these questions. Noting the limitations of existing work, I take advantage of some of the data collected by Elections Canada on ‘third party interventions’ in local races in the 2000 campaign to explore in general terms if this expenditure had any net impact on patterns of party support across Canadian constituencies (for an overview of these submissions, see Young and Everitt, 2004; Chapter Six). While this can only offer a crude and ‘global’ test, the results suggest that these group interventions in election campaigns are already associated with identifiable electoral impacts. However, this analysis almost certainly underestimates the magnitude of these effects, and in any event is limited to those activities that are constituency-based. As such, however, the findings strengthen the case of those advocating the continued regulation of these activities as well as they point up the need for a fuller and more sensitive investigation into these activities and their electoral consequences at the constituency level.

### ***Existing Research on the Electoral Impact of “Third Party” Interventions***

The lack of agreement over the existence and/or magnitude of electoral impacts of ‘third party’ interventions stems at least in part from deficiencies in existing empirical work. On the one hand, much of the survey evidence available pertains to an unusual and atypical election (1988) while the existing constituency-level work suffers from a lack of appropriate statistical controls. Survey research into the question is primarily available for 1988, an election that was dominated by the issue of the Free Trade Agreement that had recently been negotiated with the United States. Janet Hiebert (1990: 20-21) estimated that the combined spending of all independent interest groups in the 1988 election campaign totaled \$4.7 million, or about 8 percent of the combined total election spending by parties, candidates, and groups. While this suggests that the spending may be small enough to be considered inconsequential, according to Hiebert (1990: 23): “[i]ndependent expenditures in the 1988 election undermined the principles of fairness and equity [*embodied in the*

*Canada Elections Act*]. The benefits of interest group advertisements, in terms of which issues were favourably promoted, disproportionately accrued to one party. At the national level, the Conservative party received almost four times the independent financial support promoting free trade (the central issue in the party's campaign plank) than the Liberal or NDP parties received from anti-free trade groups." Adams and Levitin (1992: 5) describe the results of several polls by *Enviro-nics* taken around the 1988 election that showed that 40% of respondents felt that the pro- and anti-free trade advertisements had a major impact on the way people voted, and that almost a third (31%) of Canadians felt that their own vote had been influenced. However, Richard Johnston and his colleagues investigated the impact of this spending using the 1988 Canadian National Election Survey (CNES). These scholars concluded that the "...third party advertising coefficients defy substantive interpretation: some are large and significant but the pattern is offsetting and the total coefficient effectively zero" (Johnston, et al., 1992: 163). Reflecting on this scholarly debate, Herman Bakvis and Jennifer Smith (2000: 28) have appropriately noted that Johnston et al.'s findings do not support a conclusion that the spending of third parties in that campaign had no effect on voters, but rather, that there were no *cumulative* effects because the spending of both the 'pro' and anti-free trade sides effectively cancelled one another out (see also Ayres, 1998: 93-116). Certainly, studies of the effects of campaign spending by rival candidates at federal elections reveal similar self-canceling effects (Eagles, 2004).

Two things should be borne in mind when seeking to generalize from the 1988 survey and analyses of its findings. First, the 1988 federal election was unusual in the extent to which it was dominated by a single issue – that of free trade with the US. Several consequences follow from this. First, the significance of this issue attracted an unusually large amount of third party spending (Smith and Bakvis, 2002: 136). Secondly, the preponderance of this single issue in 1988 resulted in an unusually nationalized election in which the spending campaigns of the most active and free spending third parties were – to a degree not present in previous or subsequent campaigns – geographically diffuse. More conventionally, third party interventions are more geographically targeted, and operate through such mechanisms as candidate endorsements and constituency-specific (or at least regionally

targeted) advertising. As such, the use of randomly sampled individuals, representative of a (notional) national electorate, may have been especially and uniquely suited to identify the impact of third party advertising in the 1988 campaign, but the findings may not hold up in other, less nationalized, election contexts.

The second main line of empirical research avoids this problem by assessing the impact of geographically concentrated or targeted third party interventions in particular Canadian constituencies. The results here, however, are also somewhat mixed. Brian Tanguay and Barry Kay's (1991) survey of local interest group activities in a sample of constituencies during the 1988 campaign found no evidence of any disproportionate or exaggerated influence of these groups. Indeed, they noted a paradox in that local groups associated with business interests had the capacity to spend the most in support of their objectives, but their representatives were most likely to favour a ban on such activity (Tanguay and Kay, 1991: 103). On this basis, they argued against regulating this expenditure. Kay et al. (1991: 148) found similarly that the mean performance of candidates endorsed in 1988 by the Coalition for the Protection of Human Life ("Campaign Life"), an anti-abortion group, was not significantly different from other (non-endorsed) candidates. In a subsequent study inquiring into the impact on changes in the vote between 1993 and 1997 associated with candidate endorsements from three "third party" organizations (Catholic Insight, the National Citizens' Coalition, and Campaign Life), Tanguay and Kay found that endorsed candidates did slightly *worse* than others, compared to the average provincial inter-election swing in votes (Tanguay and Kay, 1998). Still more recently, however, Tanguay has analyzed the impact of Ontario Election Network's candidate endorsements in the 1999 Ontario provincial election. He suggests that this intervention, designed to coordinate strategic voting across ridings, was generally more effective than earlier efforts (Tanguay, 2002).

These findings suggest that concerns about the potential distortion in election results that arise from third party mobilization are exaggerated. If such conclusions are correct, the concern to regulate these electoral activities is unwarranted. Unfortunately, on the basis of existing research we are simply not in a position to draw these conclusions. This is

because none of the constituency-based studies have controlled for the effects of other known determinants of voting behavior and party support, beyond removing the effects of inter-election province-level “trends” in levels of support for parties. Smith and Bakvis’ (2000: 29) comment on the research by Tanguay and Kay is therefore generally applicable: “Given the lack of controls . . . , it is probably best not to take speculation based on their findings too far.” As a consequence, our understanding of the impact of third party advertising remains sketchy. In turn, the country’s regulatory policy and litigation have proceeded without the benefit of reliable information. Clearly, there is a need to look at third party spending when the influences of other known determinants of voting behavior, including the spending by official candidates, are controlled. I turn to this project in the next section.

### ***Testing for the Impact of Constituency-Focused “Third Party” Expenditures in the 2000 Election***

While scholars may debate the efficacy of third party interventions, it seems obvious that those actually involved in this activity *believe* their spending will influence electoral outcomes – otherwise, their activities would not appear to be rational. Because a federal election in Canada is fought at a variety of geographic scales, from the national to the local, would-be interveners can seek to exert influence at any of these levels. Based on the records collected by Elections Canada, third party interveners in the 2000 campaign spent a total of \$529,560, almost half of which (\$252,518, or 48%) occurred in particular constituencies.<sup>2</sup> At first glance, considering that local candidates spent almost \$35 million during the 2000 campaign, it seems unlikely that a mere quarter of a million in third party spending will play a particularly decisive role in election outcomes. However, when election results are close (in 28 ridings the margin of victory in 2000 was less than 5%), even relatively minor effects can alter election outcomes. In what follows, I will offer a

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<sup>2</sup> The reports collected by Elections Canada gave groups the option of recording their expenditures by separate constituency or in general. I focus only on the former in this analysis. More generally, there is reason to believe that both these reported expenditures do not capture all the expenses of third parties during the 2000 campaign. See Goodyear (2001, p. 14), who estimates that the true level of expenditure was in the range of \$700,000 to \$800,000. Focusing only on registered groups obviously introduces measurement error to this analysis, and this makes the current assessment a very conservative and demanding test for third party spending effects.

general assessment of the efficacy of the spatially-focused component (only) of third party expenditure in the 2000 election.

As a preliminary step in our assessment of third party interventions, it is useful to begin descriptively. During the 2000 campaign, local expenditures by third parties were registered in 79 ridings (26% of the total of 301 federal districts). In none of these ridings did the expenditure of third parties even come close to approximating that of registered candidates. Overall, combined third party spending in these ridings constituted on average only 4.8 per cent of the legal limit established for candidates and in only four ridings (Edmonton West; Victoria; Burnaby-Douglas, and Vancouver East) did this figure exceed 10 per cent of the legal limit for candidates. Table One presents the (provincial) geography of constituency-focused interest group spending in 2000. There do not appear to be many striking patterns in the geography of third party interventions. Relatively few ridings in Central Canada are sites of these activities, but PEI, Alberta and New Brunswick also have relatively few ridings with third party mobilization. Alberta, however, appears to be something of an outlier in that only 3 of the province's 26 ridings were the sites of interventions, but in those three ridings the average amount spent was more than double that found in other provinces.

Table Two suggests that there are no significant party differences in third party activities taken as a whole – there was no evidence that incumbents of any party were targeted (either for or against) by interest groups with their expenditures, or if there were such targeting during the campaign, it was self-canceling in its partisan impact. The distribution of third party interventions across ridings was, however, responsive to the closeness of the electoral competition in a riding. The average margin of victory (i.e., the difference between the vote shares of the winner and the runner up) for those ridings that attracted third party interventions was 16%, as compared to an average of 26% for those that had no interest group spending (the difference in means was significant at  $p < .000$ ). Therefore, it appears that third party mobilization efforts are likely to be forthcoming in settings where they are likely to be efficacious (i.e., where the race is close). The scenario in Edmonton West described in the introduction is revealing in this respect. There the activities of third



parties in support of Ann McLellan's candidacy were very likely triggered by the expectation among her supporters that the Liberal incumbent was vulnerable.

Are there signs that third party spending affected the results in 2000? Since I cannot distinguish which parties/candidates particular third parties endorsed from the official records, my assessment of the effects must necessarily be concerned with any *net* effects on party shares across constituencies. In other words, because the electoral effects of some groups may be counteracted by those of opposing groups, some significant impacts associated with third party spending may be subsumed in this analysis. This is unfortunate, but given the limitations of earlier work it seems important to see if there are any global influences associated with third party campaign spending once the effects of other known determinants of constituency-level election outcomes have been controlled. If significant effects are found from this very conservative and partial exploration, the case for more thorough examination – and for sustained regulation – are strengthened. Based on earlier research (see Eagles, 2004), I include three socio-economic and four political control variables. The former are taken from the 1996 census, and represent proportion of the riding's population who are immigrants; managers; and who have French as their mother tongue. As political controls, I include: the presence (or not) of incumbents for the party; the share of the local vote at the previous election (1997), and the overall level of spending for both the party's local candidate and the sum of all her local major party opponents. These control measures constitute the most powerful predictors of constituency-level variations in party support. By explicitly controlling for the volume of campaign spending by official candidates (which we know to be much higher than that of third parties, thereby potentially drowning out their efforts), and since we cannot determine which candidates/parties should be helped or hurt by any particular intervention (and therefore we cannot know how much of the third party spending will be self-canceling in terms of its partisan impacts), it is worth reiterating that this constitutes a very *conservative* test for the presence of third party spending effects.

Table Three presents the results of these OLS regressions, where the dependent variable is the percentage of the local vote going to each of the five major parties. The high adjusted

R-squared figures (between 85-95% of the variance in party support in 2000 explained) confirm that the major control variables are present in the model. Turning to the coefficients of particular interest, regarding the level of third party spending, this spending appears to have significantly impacted the vote shares going to the Canadian Alliance candidates (where every dollar spent improved the performance of CA candidates by an average of .0002 percent) and the Bloc Québécois (whose local performances were generally hurt by this expenditure). For the other major parties, the level of third party spending did not appear to influence the performance of their candidates, net of the other factors. Perhaps the current leader of the successor to the CA, Stephen Harper, who as director of the National Citizens Coalition was the source of the current legal challenge confronting the regulatory regime governing (and limiting) third party spending now before the Supreme Court, appreciated something about the effectiveness of these expenditures that others missed!

### ***Conclusions***

This paper has presented an exploratory ecological analysis of the effectiveness of constituency-specific third party interventions in the 2000 federal election campaign in Canada. It employed the amounts reported to have been spent by interest groups in local riding campaigns, as they were identified in official reports to Elections Canada. This represents about half of all the registered expenditures of third parties in that campaign. We have seen that third parties intervened in a relatively modest number of constituencies during the 2000 campaign. In most cases, where they did intervene in the campaign the level of spending was reasonably modest – certainly in comparison to the total spending by candidates. Yet these interventions were more likely in settings where the race was eventually decided by a relatively small margin of the vote, suggesting that the decision to intervene represented in part a rational calculation concerning the likelihood that their spending might alter the outcome of the local race.

The paper has offered a first (to my knowledge) multivariate test of the independent contribution of riding-level third party spending to explaining the vote shares going to

candidates of Canada's major parties. Despite the crudeness of the available measure of third party spending (and doubts about whether it captured the full scope of these activities), and even after the effects of powerful socio-economic and political control variables have been controlled, the level of third party spending significantly enhanced the vote shares of Alliance candidates and depressed those of BQ candidates. It would appear that Canadian authorities – and the individuals who took part in third party mobilization efforts – were correct in sensing their potential to influence voting patterns (and potentially influence election outcomes).

There is no reason to expect such activities will diminish in importance. The Canadian electorate has long been characterized by volatility and the careers of politicians are often short. Particularly those candidates with considerable personal wealth, or who are incumbents (who enjoy fund-raising advantages), or who simply enjoy the support of significant financial backers, will have an incentive to advance their electoral fortunes by channeling some of their support through interest group interventions, and thereby elude the spending limits imposed by law. Rather, it is entirely reasonable to expect more supporters of candidates to follow Ann McLellan's example and set up independent campaign committees. Suitably distanced from the official campaign, such committees will be especially attractive for placing 'negative ads' which are known to carry risks of provoking a backlash against the sponsor. As these group interventions grow in sophistication and professionalism, so too will their effectiveness be likely to increase. For these reasons, it will be important to keep the campaign-related activities of third parties within the regulatory regime governing Canadian elections.

Equally, there is every reason to regard the analysis presented in this paper as establishing only a *minimum* baseline measure of the electoral impact of third parties in 2000. It ignores effects from spending at spatial scales above the parliamentary constituency. It fails to eliminate or assess possible self-canceling effects. According to some, there was unreported – and therefore unmeasured – third party spending during the 2000 campaign. A more nuanced and exhaustive index of these local activities would almost certainly result in a strengthening of the estimate of their impact (and perhaps also identify a

significant impact on the remaining three parties). In order to fully appreciate the scope and impact of these effects, it will be necessary in research on future elections to associate the spending by interest groups with the candidates and/or parties that the group favors. Only then can the self-canceling nature of these activities be countered and a full measure of the influence of group spending be taken. The next federal election, characterized by some as an 'issue-less' contest that is likely to be dominated by local factors (MacGregor, 2004), provides a remarkably appropriate context for such an exploration of the local involvement of third parties. The exploratory work reported here should give encouragement to scholars to undertake the academic work necessary to arrive at a full appreciation of the local effects of interest group spending in Canadian elections.

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**Table One**  
**Provincial Distribution of Third Party Interventions, 2000**

	<i># of Ridings</i>	<i>% of Ridings</i>	<i>\$ Mean Spending</i>
NF	3	43%	\$3,209
PEI	1	25%	\$3,155
NS	6	55%	\$3,359
NB	3	30%	\$2,735
QU	7	9%	\$2,436
ON	21	20%	\$2,273
MB	7	50%	\$3,253
SK	8	57%	\$3,239
AB	3	12%	\$8,371
BC	20	59%	\$3,640

**Table Two**

**Political Correlates of Third Party Interventions, 2000  
(Mean \$)**

	Incumbent*	Non-Incumbent*
Libs	3,497	3,022
CA	2,369	3,382
NDP	3,907	2,990
PC	2,609	3,235
BQ	2,378	2,781

\*none of these differences are statistically significant.

**Table Three**

**Multivariate Tests for the Impact of Third Party Spending, by Party, 2000**  
OLS unstandardized coefficients\*

	<b>Lib</b>	<b>CA</b>	<b>NDP</b>	<b>PC</b>	<b>BQ</b>
<b>\$ Third Party Spending</b>	.0001	<b>.0002</b>	-.0001	.00004	<b>-.001</b>
<b>% Immigrants</b>	<b>.07</b>	<b>-.06</b>	.02	<b>-.06</b>	-.16
<b>% Managers</b>	<b>-.30</b>	-.04	.02	<b>.20</b>	-.37
<b>% French MT</b>	<b>.07</b>	<b>.04</b>	.001	<b>-.09</b>	-.04
<b>% Vote, 1997</b>	<b>.72</b>	<b>.86</b>	<b>.40</b>	<b>.30</b>	<b>.71</b>
<b>Incumbent</b>	<b>5.68</b>	<b>3.76</b>	<b>10.26</b>	<b>15.60</b>	<b>4.39</b>
<b>\$ Own Spending ('000s)</b>	<b>.17</b>	<b>.11</b>	<b>.20</b>	<b>.21</b>	<b>.12</b>
<b>\$ Major Party Opposition Spending ('000s)</b>	<b>-.05</b>	<b>-.04</b>	<b>-.03</b>	<b>-.04</b>	-.03
<b>Constant</b>	<b>5.89</b>	<b>8.33</b>	<b>4.24</b>	<b>9.00</b>	<b>14.0</b>
<b>Adj. R<sup>2</sup></b>	.849	.955	.922	.869	.911

\* Significant coefficients (i.e., t-statistic > 1.65, or p. < .05 for a one-tailed test) indicated in bold font.