

**Climbing the ladder of dissent:
Backbench influence in the Canadian House of Commons¹**

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Abstract

Can backbench government Members of Parliament (MPs) shape legislative and policy outcomes? In recent years many scholars and activists have raised alarm over the “democratic deficit” in Canadian politics, which they see as the growing trend for the Prime Minister and a select few officials to govern without input from MPs or the public. These observers are particularly concerned that government decisions are then pushed through Parliament using party discipline, preventing government backbenchers from effectively representing their constituents. Past research suggests that these concerns are misplaced since the influence of backbenchers does not lie in parliamentary voting, but rather in closed government caucus meetings where they can express their views to the party leaders. However, given that the last study of the government caucus is nearly 20 years ago, it is unclear whether it still plays this deliberative role. To answer this question, we drew on Samara’s recent MP exit interviews as well as Rayside, Sabin and Thomas’ interviews with sitting Parliamentarians, finding that mobilized backbench MPs who invest time in developing new proposals can in fact succeed in influencing policy decisions. However, such influence is limited by norms regarding acceptable topics of discussion and what levels of dissent are appropriate. MPs who pursue action on unacceptable issues risk losing their chance for promotion and ultimately their membership in the party. We therefore examine backbench influence as a continuum, and explore the options available to those pursuing issues outside of the accepted norms.

¹ Working paper. Please do not cite without authors’ permission.

1.0 Introduction

Do the meetings of the government caucus provide Members of Parliament on the Canadian government's backbenches with the capacity to shape legislative and policy outcomes? While the role of the government caucus is an extremely understudied topic in Canadian politics, disagreements over its influence lie at the heart of current debates over the reform of the Canadian Parliament. On one side are those operating in what Malloy (2002) has termed the "responsible government approach" (RGA). They contend that while backbenchers almost always vote with their party in public, they actually have significant influence over the government's actions and legislation initiatives through private caucus meetings (e.g. Smith 1999). Those in the RGA therefore argue that relaxing party discipline to give government backbenchers more influence outside of caucus could harm parliamentary democracy by blurring the lines of accountability. On the other side are those who believe that ever-growing party discipline now allows the Prime Minister and his closest advisors to govern without any significant input from caucus (e.g. Savoie 2008). Accordingly, this latter group of scholars have called for the relaxing of party discipline to allow government backbenchers to play a more independent role in parliament's public venues.

Together this literature paints an incoherent picture of the influence currently possessed by backbench government MPs. Further complicating matters is the fact that the research on the role of caucus that lies at the heart of the debate (Thomas 1985; Thomas 1991) is over 20 years old and so predates the formation of the current governing party. To help clarify this situation, this paper seeks to update our understanding of the extent to which backbench government MPs are capable of shaping policy and legislative outcomes. Specifically, we examine three interrelated questions. Do backbench government MPs feel able to influence government policy and legislation through the meetings of the government caucus? If yes, what are the limits to this influence? And finally, what options are available to those backbenchers who choose to resist such limitations?

To answer these questions we draw primarily upon the rich material provided by Samara's "exit interviews" with those MPs who departed parliament following the 2006, 2008 and 2011 elections. This information is then supplemented with Rayside, Sabin and Thomas' (unpublished) interviews with sitting Parliamentarians. Given that past research has found that each caucus has its own unique dynamics, we examine the Chretien, Martin and Harper administrations separately wherever possible, and attempt to further distinguish between Harper's minority and majority periods.

Ultimately, we conclude that caucus does provide backbench government MPs with the opportunity to shape policy and legislative outcomes, both by giving feedback on the government's initiatives and by bringing forward their own policy suggestions. In particular, we find that backbench government MPs who invest in developing policy expertise, building allies within caucus, or nurturing contacts with Ministers are generally more likely to secure government support for new policy initiatives. Nevertheless, we also find that the level of backbench influence possible through caucus is limited by norms within each party regarding appropriate topics of discussion and acceptable levels of dissent. MPs who wish to mobilize around these restricted issues have a number of tools available at their disposal, such as public

statements, private members bills, and ultimately leaving their party. Using these methods may occasionally allow MPs to change the caucus position on a subject, although those who persistently mobilize around restricted issues may also jeopardize their prospects for promotion and ultimately their party membership. However, the level of discipline that can be exerted against rebellious MPs is itself limited by the level of support for their views that exists both within the caucus and the broader party, and by the stability of the party's hold on government. We therefore examine backbench influence as a continuum that varies by party, by leader, and electoral context. Finally, the paper proposes a common "ladder" of dissent as a way of conceptualizing MPs' choices.

These findings will hopefully cast some light on the debate between those who would like to see the relaxing of party discipline and those who fear any changes that could erode clear lines of accountability. We also hope to contribute to the recent literature investigating what influence is available to backbench members through tools such as question period and private members bills (e.g. Blidook and Kerby 2011; Soroka, Penner, and Blidook 2009).

2.0 Context of the government caucus and past research on its operations

In Westminster parliamentary assemblies the relationship between the legislature and executive is governed by the conventions of responsible government. These principles hold that while the members of the government are drawn from the legislature, the government is accountable to the legislature for its actions and must maintain the confidence of the majority of the elected parliamentarians to remain in power. In theory, the government's duty to account to the legislature gives all those MPs who do not hold executive office the corresponding responsibility to scrutinize its actions. In reality though, the pressure to maintain the confidence of the parliament and to hold effective nationwide election campaigns long ago led to the development of disciplined political parties in Canada (Aucoin et al., 2004; Smith, 1999). As a result within Parliament the duty to scrutinize is now almost exclusively exercised by MPs from the opposition parties, while those from the government party are expected to support the government's legislation and policies.

Despite the term discipline, a significant amount of the unity displayed by parties within parliament is actually self-imposed. Most MPs originally joined their respective parties out of agreement its core values and policies. As such, it is not surprising that MPs would tend to vote with their party the majority of the time (Docherty, 2005). MPs also often believe that it is in their self-interest to vote together in order to preserve themselves in government, or to enhance their party's prospects at the next election (Flavelle and Kaye, 1986). In addition, MPs may turn to the spectre of party discipline to help them move beyond local concerns and act in the interests of the country as a whole. As Smith describes, "discipline acts as a kind of institutional shield behind which the individual member of the party caucus can take shelter from the special pleaders" (1999: 405). Nevertheless, the Prime Minister has a number of resources, such as cabinet or committee positions or the promise of international travel, that can be used to incentivize loyalty among MPs (Docherty, 2005; Norton, 2000). Conversely government members can also face a range of sanctions should they fail to vote with their party, including the removal of such positions or even ejection from the party.

While it may appear to stifle free debate, this use of sanctions to enforce party discipline is also often justified on the grounds that MPs have an opportunity to influence their parties' positions on through their respective caucuses. Most of the literature on caucuses in Canada comes from PG Thomas, who researched the history and operation for the Royal Commission on the Economic Union and Development Prospects for Canada and the Royal Commission on Electoral Reform. Thomas (1985; 1991) describes how party caucuses evolved over the past 150 years in parallel with political parties. As the scope of government expanded and parties moved from loose alliances of parliamentarians to well organized national institutions, caucuses became increasingly important to maintain coordination and cohesion among MPs. By the 1970s party caucus meetings had become weekly events that were attended by all MPs, including cabinet members.

However, while caucuses became increasingly structured with regional sub-groups, committees, and short-term task forces, Thomas found that they remained largely informal in their actual operations. In particular, no votes were taken and no minutes were prepared. Instead, the outcome of a caucus discussion was decided solely by the Prime Minister, who was always the last to speak at each meeting and would declare what "consensus" had been reached after input from members. This informality reflected the fact that the caucus does not make decisions or govern directly. Instead, it is supposed to serve as a venue for scrutinizing the decisions made by the cabinet – a role that is enhanced by the secrecy of its meetings, which are closed to all but parliamentarians and very senior party staff. As Docherty describes, "Theoretically secrecy allows all members to speak openly and criticize ministers of the crown, yet remain united once they face the public (and the opposition). In addition, cabinet ministers can float ideas past their peers knowing that they can be shot down without the government appearing weak" (2005, 18).

In terms of impact, Thomas (2001) reports that caucus had more influence under Trudeau and Mulroney than it had been previously, and he identifies several instances where it succeeded in delaying, blocking, or revising government policy. He also found the government caucus to be an important venue for managing potential conflicts between regions. To support this function, caucuses used a tiered structure, with regional caucus meetings taking place prior to the national caucus and feeding into its discussions. However, despite these signs of importance, Thomas stressed that overall "Caucuses are more exercises in social psychology than policy deliberation" (2001, 226). In particular, he argues that caucus debates allow backbench MPs to let off steam and that "Much of their value is in creating a sense of involvement, meaning and importance in the minds of members who do not occupy positions of power" (2001, 227).

Given this mixed assessment, Thomas concluded that "Caucuses rarely dominate or control leaders, but do set limits on their behaviour. Often these limits consist of the party leadership anticipating the reaction of caucuses and adjusting their behaviour accordingly. In this and many other ways, caucus influence is often indirect, subtle and not easily measured" (2001, 227). Importantly, Thomas further qualifies these already cautious findings by pointing out that caucus dynamics can vary with a large range of factors, including whether its history lies more in government or opposition, the presence of a parliamentary majority or minority, the regional balance of the caucus, and the leadership style of the Prime Minister. As such he warns that

“Given this variety and fluidity, generalizations about party caucuses are at best hazardous and at worst inappropriate and misleading” (2001, 222)

Thomas did not undertake a full study of the government caucus under Prime Minister Chretien, but points out that instances of government discipline against backbench MPs increased sharply under his administration. While not specifically diagnosing the reason for this rise, Thomas notes that “The need to use disciplinary devices of various kinds most often reflects frustrated personal ambitions on the part of dissenters and/or failures by the party leadership to read the mood of the caucus” (2001, 227). This spike in discipline was also highlighted by Docherty (1997) who found that it reflected the large number of junior Liberal MPs who wanted to put the interests of their constituents ahead of their party. However, through repeat surveys Docherty found that this drive for local representation faded as members became more experienced with the parliamentary system and began to appreciate the benefits of party solidarity. He particularly outlines how MPs found they may have more influence by working within the government caucus rather than isolating themselves from it. Liberal government backbenchers also reported being willing to abide by party discipline because they felt that caucus gave them input into government decisions before they were taken (Docherty 1997, 162; 170) .

3.0 Debate over party discipline, parliamentary reform, and the impact of caucus

As mentioned above, differences in the interpretation of Thomas’ research on the government caucus lie at the heart of current debates over party discipline and the need for parliamentary reform. Those in the RGA believe that the existing system provides backbench government MPs with sufficient influence to hold the government to account. The responsible government approach is not a self-conscious movement, but rather the term Malloy (2002) uses to describe what he sees as the dominant school of parliamentary studies in Canada. Malloy argues that the RGA is characterized by its “emphasis on the principle of accountability through sharp divisions between government and opposition” (2002, 2). As such scholars within the approach are highly supportive of strong party discipline and the concentration of authority within the executive. Moreover, this support for party discipline is specifically justified on the grounds that the views of backbench MPs are taken account through caucus before party decisions are made. Malloy illustrates this faith in the influence of caucus using the work of Smith. As she writes:

it is essential to find ways of accommodating local interests... without gutting the national policy. As Paul Thomas argues, the disciplined parliamentary caucus of the political party is an admirable vehicle for this purpose. Its very partisanship is the engine that drives the effort at reconciliation (Smith 1999, 404–5).

Importantly, Smith also takes issue with those who call for the greater use of free votes, arguing that the same range of issues that might shape an MPs’ decision are already considered through decisions made at the party caucus (1999, 413).

On the other side of the debate are the supporters of the centralization thesis who believe that party discipline has grown so strong that the government caucus is no longer an effective check on the power of the executive. Savoie (1999) outlines several instances where Prime Minister Chretien made significant choices without consulting his cabinet, let alone his caucus. Similarly Simpson (2008) contends that a number of the controversial budget proposals that sparked the 2008 prorogation crisis, including the plan to remove civil servants' right to strike, were developed by the Prime Minister's Office and sent to the Department of Finance without any input from caucus.

In addition to these instances of unilateral action, those alarmed by rising party discipline also question how those in the RGA have interpreted Thomas' research. In contrast to the "admirable vehicle" for reconciling differences that Smith finds in Thomas' writings, Malloy (2002) stresses the tentative nature of the caucus influence that Thomas describes as well as his cautions against generalizations. Based on this reading, Malloy concludes that "the argument that caucuses provide sufficient room for reconciliation and compromise rests on a rather murky assumption" and that "the evidence for truly mutual compromises is at best mixed" (2002, 7).

4.0 Data

The discussion above highlights the need for further clarity regarding the influence of caucus. To conduct our study we reviewed 62 exit interviews with former Liberal and Conservative MPs that were conducted by Samara between 2009 and 2011 in partnership with the Canadian Association of Former Parliamentarians. These semi-structured interviews provide a unique and detailed insight into the experience of MPs who served under the Chretien and Martin governments as well as the two Harper minorities. A list of those interviewed can be found in Appendix 1. Further material from Rayside, Sabin, and Thomas' interviews with sitting parliamentarians and current journalists was also examined, so as to extend the analysis to the Conservative majority government that began in 2011.²

Importantly, neither set of interviews were specifically conducted to investigate the government caucus. Instead, the caucus was only discussed as it related to other issues. As such, there may be some aspects of caucus dynamics that were not captured by our analysis. However, the fact that many of the references to the caucus were made without specific prompting may actually reveal more about its influence than if the MPs had been specifically asked. Some caution must also be exercised in interpreting the exit interviews of those Conservative MPs who stood down in advance of the 2006, 2008 and 2011 elections. Kerby and Blidook (2011) have found that Canadian MPs who leave voluntarily rather than be defeated tend to be those who specifically had hoped to shape policy and who are frustrated with their inability to do so. As such they may be overly critical of the system. Moreover, they also would not have experienced the dynamics of their party caucus with a majority government. Conversely, there is also the possibility that the Liberal MPs interviewed may present an overly optimistic view of caucus

² Samara MP Exit Interviews are cited as "MP1", etc. When interviews collected by Rayside, Sabin and Thomas are cited the notation "RST" is used. As there are fewer interviews with the current Parliamentarians and journalists, their names are not included in the Appendix to ensure their anonymity.

dynamics given that those policy focused MPs elected in the Liberal landslide in 1993 might have already departed before 2006.

5.0 Liberal caucus

5.1 Chretien Period (1993 – 2003)

The Liberal government caucus under Prime Ministers Jean Chretien continued to operate in the same informal manner described by Thomas. No votes were taken at caucus meetings, with the Prime Minister waiting until the end of a debate to indicate what actions he would take. However, this lack of formality did not mean a lack of organization. Rather, the tiered structure of regional and sub-regional caucuses continued to aggregate the concerns of backbenchers and bring report them to national caucus meetings. The level of specialization of the regional caucuses depended on the number of MPs elected from a given area. For instance, below the Ontario caucus there were sub-caucuses for different areas of the province, such as the Greater Toronto Area, Central Ontario, and the Niagara region. In contrast, the smaller number of Liberal MPs elected from Western Canada meant there was no sub-provincial specialization, with the provincial caucuses instead feeding into a single “Western caucus.”

Besides these geographic caucuses, the party also had a number of caucuses for certain population groups, such as the Rural Caucus and Women’s Caucus, as well as those addressing particular policy issues, like the Post-Secondary Education Caucus or the National Children’s Agenda Caucus. There did not seem to be any requirement for establishing these caucuses beyond having someone willing to organize the meetings and MPs willing to attend. However, once created, the chairs of these caucuses would have the ability to report the findings of their group to the national caucus meeting in the same way as the regional caucuses (MP2).

Despite the arguments above regarding Prime Minister Chretien’s willingness to make unilateral decisions, many of the former Liberal MPs claimed that Chretien was very flexible and made efforts to accommodate the concerns of caucus members. Caucus meetings were described as encouraging free debate. As one former cabinet Minister put it, “Within caucus you are a voice and you can circulate ideas and certainly caucus meetings are very wide open. People are not shy” (MP1).

Such discussion did appear to play the group psychology function described identified by Thomas. As one MP reported, “The therapeutic side of caucus, I like it a lot. Sometimes you’d go and you’d be very worried, and then you’d realize it’s like Alcoholics Anonymous or something!” (MP2) However, many also felt that caucus debates did have an impact on policy choices. A former cabinet minister described how “Chretien would pay more attention to the backbenchers than he would to the cabinet. If you were criticized in caucus, or your department, he’d want to know why you had not been about to satisfy the MP. He was always, ‘Make them happy. Make them happy’” (MP3). Several MPs also recounted specific instances of caucus influence. For example, one former MP describes working with a colleague to pressure Prime Minister Chretien to sign the Kyoto Accord: “I got over 100 Liberal backbench MPs and more Senators to sign the same letter saying ratify this ... We presented it to him in Chicoutimi. Ten days later he announces it in Johannesburg that Canada will sign the Kyoto Treaty” (MP12).

Though this caucus pressure may not have been the sole reason for Chretien's decision, it may have helped to speed the process.

Despite the need for solidarity, Chretien also appears to have tolerated a certain degree of dissent from those MPs who were unsatisfied with caucus decisions. Two former backbench MPs both felt that they had done things that would have otherwise found them ejected from other caucuses. In particular, one described that while serving as a Parliamentary Secretary he chose to publicly disagree with his Ministry's bill: "So I went to the Committee and I spoke out against the legislation... the Committee didn't change it so when it came to the House, well then I resigned." (MP23). The MP then appeared as a witness at the Senate hearings to speak against the bill, which the Senate never passed. Yet even with this activism, he was not removed from caucus, nor did the party succeed in removing him from his committee assignment: "after the summer, they decided they were going to put me on [another committee]. I said... I will not go, and I am going to be sitting at [my usual committee]." Overall, the MP observed "We have more freedom of movement in the Liberal Party than you would find in other parties." Similarly, a former cabinet minister described being excused by Chretien from attending a vote that would otherwise have resulted in his resignation from cabinet (MP1).

While we cannot expect MPs to objectively compare the tolerance for discipline across parties, the greater accommodation exercised by Chretien fits with the circumstances of his government: "In Mr. Chretien's time he was less afraid of the back bench maybe because we already had a majority; we didn't feel particularly threatened... he didn't feel the need to control everything," observed one MP (MP4). The gap between this image of an open, inclusive caucus and the more conflictual situation described by Thomas (2001) may be explained by the learning curve that those MPs elected in 1993 faced as they became accustomed to the reality of life in Parliament. In particular, by the time they had returned to Parliament following the 1997 election, many MPs from the class of 1993 had come to believe that party discipline did not necessarily harm their ability to represent their constituents (Docherty 2005, 161).

There is no doubt, however, that Chretien applied a strict whipped vote on several controversial issues on which the caucus was divided, such as gun control and Hepatitis C compensation. On the latter issue, one MP described how caucus took a "pounding," with Liberal MPs "getting up and voting for it and crying because they had to vote for it because of party discipline." (MP5) On the other hand, what some Liberal backbenchers would describe as a case of strict discipline, others would see as a victory for caucus influence. For example, several MPs who were active in the Liberal Women's Caucus felt that the party's position on gun control was an example of the its responsiveness to their concerns and advocacy (MP13, MP14). Moreover, in keeping with Smith's findings, there were signs that MPs played up party discipline as a way to overcome resistance in their local communities. One MP described that "Chretien used to say, 'use the cover of caucus solidarity or blame me.' So they knew it was the right thing for the country" (MP6).

5.2 *Martin period (2003 – 2005)*

Paul Martin's arrival at the helm of caucus in late 2003 brought a different, more deliberative dynamic to its operations. Though both leaders allowed expression of opinion, one

former cabinet Minister observed “Chretien was much more determined in a certain way to move things along... [He] wanted things done quickly, he wanted meetings ending on time” (MP1). In contrast, Martin would try to listen to everyone. As a former MP put it, “I admired [Martin] for his stunning patience... he sat, listened to these people, and he would nod and say something and then go to the next one, go to the next one. Chrétien listened, God knows, but then he’d say, “No!” So that was one of the big changes” (MP2).

However this more inclusive style of caucus leadership – though perhaps suited to managing the rift between Chretien loyalists and Martin loyalists – was not necessarily regarded as an improvement. Instead, the same MP who admired Martin’s patience also said that caucus became less effective during the minority period because there was so much discussion. Importantly, he stressed that this problem was aggravated by the proliferation of sub-caucuses, many of which were on very niche issues that were largely a distraction from broader concerns. As he described, “And you can imagine [Martin’s] mind bubbling. They would all say, ‘well, the caucus on oak trees is really concerned this week because we’ve got such and such a problem with oak trees all across the country.’ It’s a big mistake” (MP2).

In keeping with his greater commitment to discussion, Martin also introduced three-line whip system to identify votes on which dissent would be allowed. In theory, the system categorized all votes as either (1) a matter of confidence requiring full party discipline; (2) a matter that requires unity among the cabinet, but not backbenchers; or (3) a matter that is a completely free vote. However, while it was appreciated by some MPs, it also generated tough decisions for others. The system also did not work as originally envisioned since the party still informally took stands even on free votes. In the words of one former MP who ultimately left the Liberal caucus: “There are free votes where you know you’re not going to get kicked out of the party, but you know that your name is now on somebody’s hit list, or their ‘don’t promote’ list” (MP7).

6.0 Conservative caucus

6.1 Structure

As with the Liberals before them, the Conservatives have a system of regional caucuses, as well as those for certain policy issues. The meetings of the full caucus appear to follow a regular pattern: first Ministers will speak to legislation they hope to introduce, with MPs having an opportunity to ask questions regarding proposals; then there is an open-mic period where MPs may raise any issues. While one former MP reported that some of his colleagues used the open-mic on a weekly basis (MP16), another noted that doing so did not always generate answers (MP17). According to one MP, Prime Minister Harper tends not to speak much at caucus meetings, but rather to listen (MP16). However, a Senator reports that Harper will take an active role when he senses the caucus is “feeling antsy” about an issue or proposal because it is “too bureaucratic driven” or “doesn’t relate to core values” (RST-Senator2). On these occasions, Harper will ask for a show of hands on the matter – a clear break from the previous Liberal practice.

Another Conservative innovation was the creation of a system of Caucus Advisory Committees (CACs) in 2010. According to the former MPs interviewed, their establishment was driven by the desire of the Conservative backbenchers to have a greater say in the legislation introduced by Cabinet, particularly when backbench MPs can offer specific expertise gleaned from their committee work or their riding (MP16). Like the general caucus, these meetings are closed-door. The committees mirror the portfolios of Ministers, and MPs are free to join those that interest them. As one former cabinet minister describes:

So if you are the Agriculture Minister, you will have a group of Agriculture invested caucus members, maybe a dozen of them or twenty of them even, and you are expected to meet with them once a month [... You ask:] Are you guys okay with that, does anybody see a problem with that? So actually it's quite formal. You are expected to do it and if you don't do it often, you won't be allowed to bring it to cabinet. You are expected to tell people at the cabinet level what caucus thinks about it" (MP18)

The formality and institutionalization of the CACs is further evidenced by their inclusion in the Privy Council Office's latest guide for Ministers, which states that "Ministers must... consult with their Caucus Advisory Committees at an early opportunity on policy and expenditure proposals" (2011, 11).

6.2 *Influence*

In addition to enabling greater input into legislation, the creation of the CACs is itself considered to be one case where backbench MPs sought and obtained greater influence. Granted, CACs do not guarantee a veto over new initiatives, particularly when significant ministerial decisions have already been taken. For instance, one Senator observed that they would not deal with urgent political matters like back-to-work legislation (RST-Senator1). Yet several respondents argued the CACs can exercise influence in some cases. Another Senator put it this way:

Not all of these [CACs] work as well as others. But the premise is that before a piece of legislation goes to cabinet, it's got to go to the caucus advisory committee for an informal discussion so that there is some sense that this has been shared... I've seen in those circumstances where caucus guys go and say, 'This is crazy', and that gets back to the Minister and affects the discussion. (RST-Senator2)

A former Cabinet Minister also pointed out that strategic ministers will use the support of caucus as "ammunition" at the cabinet table: "[You are] able to say, 'Look, this is not something that my department is coming out with, but this is in response to the real concerns of the area, and this is what people think would work'" (MP19).

Overall, the weekly caucus meetings and CACs appear to exercise most of their influence by providing ministers with a way to 'check-in' with MPs. In particular, MPs can indicate whether a legislative initiative is aligned with conservative political values, and also identify any

potential problems with how a bill will be perceived in local communities. If proposed legislation receives a rough reception in either forum, then there is a good chance further work will be required by the Minister and the department. Significantly, this ability for MPs to systematically review legislation before it reaches the House may change the dynamic of public dissent or complaints from backbench MPs. “It’s easy for caucus members to shoot from the sidelines sometimes,” noted former Minister Monte Solberg, “and if they’re involved in the decision-making [through CACs] it’s not going to be quite so easy to do that anymore” (quoted in Macleod 2010). As such, the influence available through the CAC system would seem to go somewhat beyond the “indirect, subtle” influence observed by Thomas. Nevertheless, it should be clear that the executive still drives the government’s agenda, with MPs in a responsive role.

In addition to this influence through the CACs, MPs also regularly take their concerns directly to Ministers at caucus meetings. A former MP turned lobbyist observed that “ministerial staff hate caucus meetings, absolutely hate caucus meetings for one simple reason – because that’s when MPs can talk to ministers without anybody getting in their way” (Doyle 2006). Another former minister confirmed this:

At every moment of every caucus meeting, question period... caucus members are not shy about buttonholing you as a minister to tell you what you should be doing. There is a lot of ongoing consultation. Some of it is formal letters and stuff, but backbench MPs on the government side have many opportunities to bend the ear of the Minister (MP18).

This willingness by MPs to approach Ministers is matched by pressure on Ministers to be receptive to caucus concerns. Not unlike Chretien’s reported for direction for his ministers to “make them happy,” a former Conservative minister noted that Harper had similar expectations: “If your reputation is you are not approachable and the Prime Minister hears about it a few times, you can have walking papers” (MP18). The official guidelines for Ministers also calls on them to build good relations with MPs, especially those in the governing party, and “to maintain an open dialogue” with government MPs who serve on the Standing Committees related to the Minister’s portfolio (Canada. Privy Council Office 2011, 11).

6.3 *Discipline*

The minority position into which the Conservative government caucus was born in 2006 led to an intense focus on party discipline. Moreover, this drive for discipline was motivated not only by a desire to ensure the government’s survival, but also to prevent a repeat of past embarrassments. In the words of a former Reform MP, the “very messy process” that was used by that party had made it much harder for them to communicate and manage caucus decisions, and had thereby compromised their progress (MP20). With the Reform party’s repeated failures to win power, the re-formed Conservative party had absorbed the lesson that discipline was extremely important: “If you can’t discipline yourself and can’t govern yourself as an entity, as a party, you’re never going to be able to convince Canadians to trust you to govern them.” (MP20) Consequently, much of the new discipline among Conservative MPs was actually self-imposed:

What you did find, though, [in the minority] was a very clear desire on our part to be self disciplined on behalf of our team. Because if I as a team member go off on my own issue without regard for how it affects the team, I'm not going to be a part of the long, or the team's going to lose – one of the two (RST-MP1).

Nevertheless, the transition from opposition to government led to the introduction of additional layers of scrutiny. For example, a former MP who spent time in both opposition and government noted that “it was a lot easier with private member's bills when you are in opposition... if you're government and you want to bring a private member's bill, it'd be wise to discuss the bill with the minister responsible before it comes forward” (MP16).

Importantly, as time went on the party's desire to make sure MPs stayed on message transformed into pressure on MPs to become more partisan in the House of Commons. In particular, instead of vetting Members' Statements³ to avoid embarrassing Reform-style comments, the party increasingly provided MPs with scripts that featured partisan attacks. A former Cabinet member expressed dismay at the infringement of MPs' independence:

the [Party] staff got their direction from the Prime Minister's Office, so I assume from the PM himself, to become much more partisan in member statements... it really got over the top, way over the top. I was very uncomfortable with it and I had a lot of caucus that came to me with their concerns and I said, ‘Well, the only way I can see to stop it, because it is obviously coming from the top, this 60 seconds of partisan drivel... is enough of you refuse. It's your member statement.’ ...and some did, to their credit, quite a number did – but [the staff] would always find people who wanted to be up on television, and obviously their ethical standards are a little lower than others (MP20).

6.4 *Dissent*

While the shift from opposition to government led to further scrutiny of backbenchers, the move to majority government following the 2011 federal election has seen a decline in backbenchers' willingness to maintain a high degree of self-discipline. According to a current Senator, “Everybody put up with stuff whether they agreed with it or not when were in minority government because the object was to stay in power... When we became a majority, I had expected there would be more rumblings in caucus. And I know there are rumblings” (RST-Senator1).

Such ‘rumblings’ are particularly visible in the advocacy around pro-life issues by socially conservative MPs. The abortion question is symbolically sensitive to the Conservative Party since there are many who have accused it of harbouring a hidden socially conservative agenda (e.g. McDonald 2010). To respond to these concerns, the Party officially adopted a policy at its 2005 convention which stated that a Conservative government would not introduce or

³ House of Commons' Standing Order 31 states allow MPs to make brief one-minute speeches known “Members' Statements” or SO-31s. Typically, 15 minutes is allotted daily for such statements. MPs speak on a range of issues, from local to international interest.

support legislation on abortion (Haussman and Rankin 2009). Moreover, Prime Minister Harper has publically and repeatedly declared that he does not want to discuss abortion, even with a parliamentary majority (CBC Radio 2012).

Despite these commitments, one MP notes that there are 10 to 20 Conservative MPs who are very committed to the pro-life cause, and who in turn are supported by a “huge chunk of [Conservative party] rank-and-file membership [who] are pro-life.” (RST-MP1) While they were largely patient during the minority period, these MPs have become increasingly frustrated after the majority victory 2011. As one observer put it, they “don’t feel like they’re getting listened to” by the party leadership (RST-MP3). As such, these MPs have begun to take action on the action via private members’ initiatives, which are not subject to party control. Early in 2012, MP Stephen Woodworth introduced motion (M-312), which called for the Commons to establish a committee to study when life begins. The motion prompted a harsh reaction from the government, both publicly and privately. In Parliament, Chief Conservative Whip Gordon O’Connor personally spoke against the motion, giving what one journalist described as “one of the most amazing defences of abortion rights that I’ve heard in the Commons” (RST-Journalist2). Meanwhile, in caucus Harper warned MPs that “if anyone raises this issue of fetus rights again, he will use every power that in his possession to stop it” (RST-Senator1).

The eventual vote on Woodworth’s motion in September 2012 was quite distracting for the government, with several Ministers being criticized for supporting the proposal (Mackrael 2012). Doubts were also raised about Harper’s ability to control the caucus. Yet rather than letting the issue rest, the following day MP Mark Warawa brought forward another motion (M-408) that condemned gender selective abortions (“MP Mark Warawa Introduces...” 2012). While the motion was eventually ruled non-votable, further rebellion was sparked in April 2013 after the party blocked Warawa from making a Members’ statement to complain about the ruling, leading him to take the unprecedented step of raising a question of privilege on the grounds that his rights as an MP had been violated by his own party (Payton 2013).

7.0 Responsiveness and tools for influence

The majority of those interviewed, including both current and former parliamentarians, reported that backbench MPs can have at least some influence over policy and legislative decisions through the government caucus. This influence is certainly not absolute, as is demonstrated by the question of Hepatitis C compensation under the Liberals or the pro-life issue under the Conservatives. The level of influence also seems to be shaped by several of the factors identified by Thomas, including the presence of a parliamentary minority, the style of the party leader, the political culture of the caucus, and of the nature of the issue being discussed (2001, 223). However, there was also surprising agreement among respondents that MPs could employ certain strategies to improve their likelihood of success. These include: growing expertise, seeking allies, and building relationships with the prime minister.

Across both parties, several backbench MPs repeatedly emphasized the value in investing time to become the ‘expert’ in caucus on an issue:

You got to find something that you can put your stamp on. There has got to be an issue in your riding or your province that you can say, 'you know what this is the issue I want to focus on during my time in Parliament and I want to become an expert on this stuff, and when people want to know about these things they are going to come to me and I'm going to try to make my mark on this issue' (MP22).

The way Ottawa works in some measure is if anybody seems to be an expert on anything, then you basically let them do all the work, so I became an expert on EI (MP4).

Work hard and learn a file really well. That's how you, within caucus, you get recognition is by becoming an expert on something... Not that you're necessarily going to become minister on that particular issue, you probably never will be, but being serious about the policy end of it is important (MP26).

MPs also emphasized the importance of building allies and coalitions within caucus in order to increase support for an initiative. In the words of one former Conservative MP:

I think in your weekly caucus meetings, you can influence things sometimes. If you're not really happy with something, and you got a lot of the caucuses behind you and you register your point of view, sometimes it has an impact (MP9).

At times this coalition building can occur through the regional caucus system:

One voice isn't going to move it. That's why you have your sub-regional caucuses. I was Central Ontario caucus... we'd report to the Ontario caucus... then Ontario would report to national caucus... then you would organize to get a number of people up on the same issue, speaking to the same issue, and try to influence it that way (MP11).

On other occasions MPs may mobilize around an issue:

I was involved in the social policy committee of caucus. We pushed and got the first Child Tax Credit implemented. There was a group of seven or eight of us that pushed very hard for that... by hounding the Minister of Finance and meeting with the PM (MP11).

There was another Committee that made a huge difference and that was the National Liberal Caucus Task Force on the Future of the Financial Sector ...I realized the implications of what the changes [enabling bank branches to sell insurance] would mean to insurance companies... so I talked to some of my colleagues and some of them had exactly the same idea... So we produced... a pretty powerful report that we had something like 40% of caucus sign onto (MP23).

MPs may also try to recruit a coalition which shows the diversity of support for an issue. For example, one former MP noted that he feared that caucus would say “Ah, this is bunch of white men arguing for defence,” so he was sure to find women who supported the initiative (MP7).

Notably, the Conservative difficulties around abortion demonstrate that allies can help to facilitate dissent as well as influence. In particular, having allies both amplifies the complaint and helps to undermine the threat of discipline. As one pro-life MP argued, “Harper doesn’t have the votes, the ability, the strength, or the political clout to stop this issue” (RST-MP4). On the other hand, those MPs who were less successful in finding supporters for their dissent, perhaps unsurprisingly, tended to be bitter towards caucus. One former MP notes he did not have an opportunity to ask a question in Question Period for two years after he voted against the party in a committee, while another reported being removed from committee responsibilities (MP17).

The third tactic that MPs identified for acquiring influence was to build relationships directly with Ministers or the Prime Minister. More than one current member of the Conservative caucus underlined that the Prime Minister can be swayed by a well-researched argument:

If I go [to Harper] and I’m well researched and I don’t ask something like, ‘Let’s end poverty’ – you know that isn’t going to happen... As long as it’s a reasonable argument. I don’t go full of passion. I say Prime Minister here is a problem with this, and we can fix it by doing this and this, and here’s a draft of how to fix it (RST-Senator1).

Another credited his relationship with the Finance Minister for finally altering the eligibility for a tax credit for his constituents, a change for which there was “no real incentive” other than being “the right thing to do” (MP20).

Notably, Savoie (2008, 308) cautions about the trend for MPs to approach Ministers directly, arguing that those who do tend to focus on matters of personal concern rather than nation-wide issues. However, it is not clear if some very local issues, such as the tax credit mentioned above, would be of broad enough interest to raise on the floor of the national caucus attended by over 200 MPs and Senators.

8.0 Conceptualizing Dissent

Although there is evidence that backbench MPs can influence government policy and legislation, a lack of responsiveness (or limited responsiveness) can drive MPs to contemplate dissenting from their party. This choice does not occur in a vacuum, but instead within the context of the incentives and sanctions that have been set by the party leader. A former MP who left his caucus described the challenging trade-offs confronted by MPs:

The MP is faced with a dilemma: innovate and represent your constituents on one hand, and on the other you destroy your ability to advance and add more responsibility, to be able to travel, to represent your party and country... The situation right now really asks of the MP to commit political suicide. (MP8)

However, rather than facing a binary choice between support and rebellion, throughout the interviews we found evidence that there are gradations of dissent that are nominally tolerated by party leadership. We have conceptualized these gradations as a ‘ladder’ of dissent that moves from behind the scenes pressure (voicing opinion), to taking action beyond the party (going public), and finally to voting against the party (going rogue).⁴

8.1 *Voicing Opinion*

The first rung is climbed when an MP voices disagreement within the caucus. An MP might continue to express a view on an issue, either alone or by marshalling additional caucus support in a coalition as described above. “The party in instances was terrible for my riding... I got up in caucus and made horrendous noise. I’d get hooted and booed,” noted a former Liberal MP (MP25). But, he said, “I never voted against [the issue].” Over time, opinion of the caucus leadership can shift. One recent example cited by a Conservative Senator is the gradual erosion in government support for the asbestos industry:

There is dissension in caucus... when we came back at the end of January, some guy got up and talked about it that he thought it was immoral that Canada was still selling asbestos, and there was overwhelming applause... I had never seen this happen, and Harper responded to it by saying, ‘It’s legal to sell it, countries are informed about how to use it, and tough ass.’ Now the other realities are his Quebec lieutenant is in the riding where asbestos is mined. It doesn’t take much to put the pieces together. But he said something this week, that the policy is under review... So I would say caucus does have some influence on dissent... At least they’re looking at it (RST- Senator1, May 2012).

8.2 *Going public*

The second rung is reached when dissent shifts from the private confines of caucus to more public forums. One possibility is for an MP to voice opinions to the media, which can greatly increase the pressure on the government: “A lot of the time it’s knowing how to play the media game... The media pretty much drives a lot of the agenda. The PM makes final decisions, but what gets up to the PM’s desk is often dictated by the media” (MP11).

Other MPs use the levers available to them in the House of Commons. A perfect example is Stephen Woodworth’s private member’s motion to debate when life begins. As one Senator noted the motion was carefully framed to raise the question, “Why are we afraid to have the discussion?” (RST-Senator2). Other avenues include Members Statements and questions during Question Period. In past these tools have been less effective since the parties provided the Speaker with lists of which MPs were authorized to speak, meaning that more critical statements went unheard. However, the Speaker’s recent ruling on Mark Warawa’s question of privilege emphasized that “The right to seek the floor at any time is the right of each individual Member of

⁴ The actions captured under the first two steps are not always signs of dissent. MPs may express an opinion in caucus or introduce a private members’ bill without challenging the party’s views. Dissent only occurs if the action taken challenges a stated position of the party.

Parliament and is not dependent on any other Member of Parliament” (Scheer 2013). As such, critical MPs may now try to stand and be recognized by the Speaker directly, side-stepping party control.

8.3 *Going Rogue*

If working “within the system” does not produce satisfactory results, MPs always have the choice to leave caucus and sit independently. This decision often centers on a whipped vote which an MP feels goes against his or her personal principles or conscience, or constituents’ beliefs. Put bluntly by one, “it is very difficult to shave in the morning if you can’t stand to look at yourself... if I had to do it over again, I would just quit” (MP20). This former MP also describes witnessing the choice of another MP to ‘go rogue’: “he felt that [the legislation] was completely going in the wrong direction for his constituents and his region and his province, that it warranted him standing and voting against the budget. Well, of course in any government that’s a shooting offence.”

8.4 *A ladder of varying steps*

A long-serving former MP contends that whether to climb the ladder of dissent is a decision most MPs will wrestle with at some point in their careers (MP20). Yet, many MPs quickly realize that they cannot dissent from the Party at every turn and still expect to reap benefits that come with caucus membership. Sitting MP David Wilks garnered media attention when a video of him discussing the controversial omnibus Bill C-38 with constituents was posted online. He is recorded as saying, “You [the MP] may not agree with all the politics but you have to pick and choose your battles. This is one I choose not to pick.” (Wherry 2012).

This notion of strategic dissent is essential to understanding why MPs choose to break ranks with the party, and how far up the ladder they are prepared to climb. It is a personal decision – whether an issue is ‘worth’ the risk of having less influence in the future when another issue comes along. Moreover, the potential consequences are greatly shaped by the symbolic importance of the issue to the Party. For instance, the MP who rose in caucus to challenge Conservative support for the asbestos industry likely knew the issue only had an electoral impact on a small number of MPs from Quebec. In contrast, those lobbying on pro-life issues knew that the consequences would be greater since they were challenging an electoral strategy to avoid socially conservative issues that had been personally championed by the Prime Minister.

However, the interviews suggest that some MPs are more ‘immune’ to incentives or threats from party leadership because of their willingness to cede aspirations for advancement. “At a certain point, the most liberating thing is to say I may or may not get to be Minister,” explained one former Liberal MP (MP12). This sentiment was shared by another former Liberal who had publicly defied the party: “any possibility of a promotion was gone, [but] I didn’t go to Ottawa to get a chauffeur.” (MP24) Similarly, a former Conservative MP described his choice to vote according to his riding’s interests even when it contradicted the party’s position: “I can do it because I ask for nothing, see. Remember that. I expect nothing” (MP17).

Ultimately, an MP's decision to dissent and the level of action they are willing to undertake will be shaped by many factors, including the strength of their own beliefs vis-à-vis their longer-term career goals, the symbolic importance of the issue, and their reading of their party caucus' tolerance for dissent – which itself varies with the factors described above. Thus, distances between the rungs on the dissent ladder are variable, both between parties generally and between individual MPs. Moreover such calculations can change over time, both due to changing circumstances for the MP (e.g. a failure to be promoted) and the caucus.

9.0 Conclusion

At the outset, this paper was animated by three questions: Do backbench government MPs feel able to influence government policy and legislation through the meetings of the government caucus? If yes, what are the limits to this influence? And finally, what options are available to those backbenchers who choose to resist such limitations?

Considering the experiences reported by MPs under the Chretien, Martin and Harper premierships, it is clear that many backbench MPs felt they were able to exercise influence on policy direction through caucus, even if the extent of their contributions was not always evident given the closed-door nature of this forum. Moreover, this influence was described as shaping policy decisions both great (e.g. signing the Kyoto Accord) and small (e.g. eligibility requirements for an existing tax credit). The creation of the Caucus Advisory Committee system at the request of backbench Conservative MPs also suggests that backbenchers have the ability to change the structure through which their input is considered.

This paper confirms earlier work by Thomas that the degree of influence exerted by backbenchers appears to be shaped by several factors, perhaps the greatest of which is the party leader's tolerance for dissent, which in turn is shaped by the political context facing a party. The different pressures associated with majority and minority governments have played a critical role throughout the period studied, with both parties moving from one to the other, albeit in different directions. The experiences they faced points to common observations: A majority requires a prime minister to manage the often expanding expectations of his or her caucus, particularly among backbenchers who are aware their opportunity for a cabinet appointment is weak. This likely means an expanded toleration for dissent. In contrast, a minority caucus may be better served by self-imposed discipline on the part of backbench MPs. These adjustments can be difficult and slow, which in turn is a source of caucus tension. The evidence also highlights the importance of normative values in setting boundaries of influence for MPs. The Conservative caucus presents a critical case in this respect, with Prime Minister Harper having articulated a clear opposition to re-opening the abortion debate.

While parties may face common pressures in the majority and minority situations, we found that there is no standard 'playbook' that guides a backbench MP's decision to dissent against the party. MPs must weigh their tolerance for punishment – or absence of future reward – against the importance of the issue and other potential concerns. Importantly rather than an all-or-nothing choice, dissent can be channeled through different avenues with different degrees of importance, which this paper conceptualizes as a three-rung ladder. The distance between the 'rungs' vary by context, though interviews suggest that the escalation of dissent follows this pattern: (1) Voicing opinion, either in caucus, or directly to a minister; (2) Going public, either to

the media or on the floor of the House of Commons (e.g. private members' business, Members Statements, and Question Period), and; (3) Going rogue by leaving the caucus altogether.

While caucus research has stagnated, over the past twenty years much greater attention has been given to the centralization thesis, which argues that unprecedented power is accruing within the Prime Minister's Office. However, despite the limitations that arise with qualitative research, the interviews analyzed offer sufficient detail to appreciate caucus dynamics and illustrate specific examples of influence. In particular, this paper shows that those supporting the centralization thesis should not assume the complete erosion of caucus influence in policy. Rather, a more integrated approach is required which captures not only the influence possible, but also the limits imposed by party norms and the willingness of MPs to raise contentious issues. This paper offers some initial steps in this direction by capturing the continuum of influence that moves from the secluded environment of the caucus through to public venues like private members' bills in the House of Commons or media interviews. However, additional research is required, particularly into the precise contours of the influence available through the new Caucus Advisory Committees.

Appendix 1

The following former MPs took part in Samara's Exit Interviews. Please visit www.samaracanada.com for more details.

Adams, Peter	McLellan, Anne
Alcock, Reg	Merasty, Gary
Alghabra, Omar	Milliken, Peter
Anderson, David	Mitchell, Andy
Augustine, Jean	O'Brien, Pat
Bakopanos, Eleni	Owen, Stephen
Barnes, Sue	Paradis, Denis
Beaumier, Colleen	Pettigrew, Pierre
Boshcoff, Ken	Powers, Russ
Boudria, Don	Roy, Cullen
Bradshaw, Claudette	Schmidt, Werner
Brown, Bonnie	Scott, Andy
Bulte, Sam	Skelton, Carol
Casson, Rick	Solberg, Monte
Catterall, Marlene	Strahl, Chuck
Comuzzi, Joe	Telegdi, Andrew
Cummins, John	Thompson, Myron
DeVillers, Paul	Torsney, Paddy
Drouin, Claude	White, Randy
Efford, John	Wilson, Blair
Epp, Ken	
Fitzpatrick, Brian	
Forseth, Paul	
Gallaway, Roger	
Godfrey, John	
Gouk, Jim	
Graham, Bill	
Hanger, Art	
Harrison, Jeremy	
Harvey, Luc	
Hearn, Loyola	
Hill, Jay	
Hubbard, Charles	
Johnston, Dale	
Lastewka, Walt	
Lee, Derek	
Macklin, Paul	
Mark, Inky	
Martin, Keith	
Martin, Paul	

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