

PARLIAMENTARIANS AS LOBBYISTS

Gary Levy

Research Branch  
Library of Parliament  
Ottawa

August 8, 1975

PREPARED FOR THE HOUSE OF COMMONS  
STANDING COMMITTEE ON PRIVILEGES  
AND ELECTIONS

Reporter: "Would you be against lobbyists who are working for your program?"

President

Truman: "We probably wouldn't call those people lobbyists. We would call them citizens appearing in the public interest."

#### INTRODUCTION

The practice of lobbying is probably as old as politics although the term itself did not come into use until the mid-seventeenth century when the large anteroom near the English House of Commons became known as the lobby. It was a public room and thus one in which Members of Parliament could easily be approached by pleaders of special interests. But, as Harry Truman suggested, whether there is anything wrong with this practice often depends very much on where one is sitting. During the 1800's in the United States lobbying and lobbyists earned a reputation from which their descendants today have yet to clear themselves completely. In such low repute were lobbyists universally considered that to be branded one was an almost automatic disqualification for public office. Today lobbying is more respectable and in the United States lobbyists now operate

openly as registered advocates for their employers appearing before legislative committees and regulatory agencies where they are often useful in supplying information on complex issues. In Canada little research has been done on the question of lobbying and even less on the role of parliamentarians as lobbyists. However, it has been suggested recently that MP's face a dilemma on the question of lobbying and any parliamentary committee will have a hard time establishing precise principles about conduct in this area.<sup>(1)</sup>

#### 1. THE DILEMMA FACING THE MP

The duties and responsibilities of parliamentarians vary considerably in nature. Sometimes they are elected mainly to represent regional, economic, ethnic or other interest groups and lobbying on behalf of such groups becomes an essential part of their role. Their position is made more difficult by the fact that MP's are usually drawn from among those who have been successful in some other profession and they are thus easy targets for charges of conflict of interest. Unfortunately a certain segment of the population has always been cynical about politicians believing they go into public life to line their own pockets or at least to use their influence to help their friends. It is generally agreed that it would be unethical for a Member of Parliament to enter into any transaction whereby his private pecuniary interest might conceivably come into conflict with his public duty. But the question of information and access

---

(1) See Douglas Fisher, "Budgets; web-like world of lobbying", Toronto Sun, July 29, 1975; Hugh Winsor, "How far should MP's go as lobbyist?", Globe and Mail, July 29, 1975.

to information poses some special problems.

In a recent book on patronage professor Vincent Lemieux of Laval University characterizes political corruption under the following headings: nepotism, bribery, blackmail and favouritism.<sup>(2)</sup> While the first three are fairly clear cut it is very difficult to establish what constitutes favouritism. It may be argued that no public official is justified under any circumstances in passing on official information that might give unfair advantages to his friends but, on the other hand, any Member of Parliament who has been around Ottawa for a number of years comes across much inside information not because of any breaches of confidentiality but because of the multitude of reports, speeches and representations to which an MP is exposed. Thus after a certain time he is able to make informed assessments of what is likely to happen on a particular measure and it may be a valid part of his job to share his assessments with his constituents. It is not always easy to distinguish between the legitimate roll of a representative and an outright conflict of interest; in fact this entire matter has been under study recently by the House Committee on Privileges and Elections and the Senate Committee on Legal and Constitutional Affairs.<sup>(3)</sup> The problem of conflict of interest is largely a legal one but no statute or code of ethics is going to resolve every case. Therefore, it is useful to look at the broader aspects of the matter including the traditional relationships between

---

(2) Vincent Lemieux and Raymond Hudon, Patronage et Politique au Québec 1944-1972, Les Editions du Boréal Express, Sillery, Québec.

(3) For background to the work of the House Committee see Hugh Finsten "Conflict of Interest Rules for Federal Legislators: The Standing Committee Report on the Green Paper" Research Branch, Library of Parliament, June 26, 1975.

parliamentarians and interest groups as well as the way parliamentarians have traditionally viewed their role as lobbyists.

## 2. PARLIAMENTARIANS AND INTEREST GROUPS

In 1970 Robert Presthus of York University tried to analyze the relationship between parliamentarians and interest groups. To determine the extent of interaction he undertook to interview 139 Members of Parliament. As shown in Table I he found that 70% of the MP's have contacts with interest-group representatives frequently (twice a week) or occasionally (twice a month).

TABLE I

"How often do you come in personal contact of any kind with interest-group representatives during the legislative session?" (percentages)

	Liberal	Conservative	NDP	Créditistes
Frequently	47	37	35	20
Occasionally	25	28	41	60
Seldom	20	28	24	0
Rarely	7	7	0	20

Looking at the "frequently" level, he found a substantially higher proportion of Liberals, compared with the other parties. How does one explain this condition? One fairly obvious hypothesis is that the distribution reflects the realities of political power: in effect, interest groups mainly seek access at that place in the Canadian legislative apparatus where the authority and power to make decisions reside, among members of the ruling party. At the same time, the distribution in Table 1, which shows

Conservatives and NDP receiving almost equal attention, may indicate that beyond this initial convergence interest groups do not focus on parties entirely in terms of their numerical and power position in the national parliament.

He also asked members about the importance of interest groups in providing campaign support. Table 2 indicates the distribution of opinion as to the frequency of such help. It should be noted that he did not ask members to respond in terms of support for their own party but rather regarding interest group contributions to parties generally.

TABLE 2

Frequency of campaign support by interest groups (percentages)

	Liberal	Conservative	NDP	Créditistes
"Very common"	8	7	53	0
"Fairly common"	22	26	24	40
"Infrequent"	36	45	12	40
"Rare"	34	21	12	20

Although the combined sample reveals that almost two-thirds of MP's believed that interest groups provide campaign support only "infrequently" or "rarely", striking differences existed among members of the various parties. Liberals, Conservatives, and Créditistes generally agreed with the above generalization, but a significantly larger proportion of NDP members

maintain precisely the opposite, with over half insisting that such support is "very common". This may be explained by the fact that for the major parties, campaign funds come mainly from industrial or commercial firms and individual businessmen. Strictly speaking these are not interest groups. The NDP candidates, on the other hand, are more likely to receive contributions from collectivities such as labour unions.

Dr. Presthus also addressed his research to the important question of whether MP's view lobbying as desirable or undesirable. As shown in Table 3 the results were quite favourable to lobbyists.

TABLE 3

Legitimacy ascribed by MP's to selected lobbyist and interest-group activities (percentages)

Activity	Proportion agreeing
1 "Most legislators do not regard the activities of lobbyists as a form of improper pressure"	93
2 "Interest groups are necessary to make government aware of the needs of all the people"	85
3 "The information and services provided by interest groups are a necessary part of governmental policy-making"	74
4 "Lobbyists are competent professionals who know their business"	73
5 I can rely upon lobbyists all or most of the time	67
6 "Lobbying as we know it today is healthy for democracy"	51

The results show an impressive consensus that both the role and tactics of lobbyists are generally acceptable and he goes on to show that those who have the highest regard for lobbying tend to be most influenced by them. He concludes "the evidence suggests that interest groups and their agents play a functionally essential and widely legitimated role within the Canadian political system, an appreciation that calls into question the conventional tendency to characterize them as an operationally marginal element in that system".<sup>(4)</sup>

### 3. THE ROLE OF THE PARLIAMENTARIAN

In 1964 Allan Kornberg did a study of "Some differences in role perceptions among Canadian Legislators".<sup>(5)</sup> Among other things he found legislators perceived their representative role in at least three different ways. He termed these categories Burkean, Politico or Servant-Delegate. The Burkean type (15%) acted in accordance with their own view as to what were the best policies for the nation and for their constituents. They did not perceive their role as requiring the performance of services for their constituents. The politico type (36%) accepted the necessity of both consulting with their constituents prior to making a decision as well as performing various services for them. The delegate-servant type (49%) felt that their role required them to perform services requested by constituents. According to Kornberg the possibility that this role might conflict at times with other duties and responsibilities

---

(4) Robert Presthus, "Interest Groups and the Canadian Parliament", Canadian Journal of Political Science, Vol. 4, (December, 1971) p. 460.

(5) Doctoral dissertation, University of Michigan, 1964.



apparently did not occur to them.<sup>(6)</sup> This attitude is typified by the unidentified legislator who said:

"It seems to me that a representative's job is just that, looking after his people. That is what we are sent here for, isn't it? The trouble is too many people forget that once they're down here. I think that a lot of good boys would still be here today if only they had remembered the people put them there. But no, they start to walk around with their heads in the clouds and worry about external affairs and forget that they have to look after their districts."<sup>(7)</sup>

In 1970 another study on how MP's perceive their role was done by David Hoffman and Norman Ward. Several MP's mentioned more than one characteristic of their job but one particular aspect, the so called "liaison officer", was mentioned by nearly 80% of the Members. This means "that for the vast majority of MP's at least one facet of their notion of the job of MP is the task of acting as a liaison between the constituency and the national government".<sup>(8)</sup>

The study also examined links between Members of Parliament and their constituencies including how and to what extent information flows out from the MP to his constituents. Their objective, however, was aimed at finding out if there were significant differences between English-speaking and French-speaking parliamentarians in this and other areas and they did not really examine the propriety of Members of Parliament providing inside information to some of their constituents.

---

(6) Ibid., p. 60.

(7) Ibid., pp. 60-61.

(8) David Hoffman and Norman Ward, Bilingualism and Biculturalism in the Canadian House of Commons? Document Number Three of the Royal Commission on Bilingualism and Biculturalism Queen's Printer, 1970.

#### 4. CONCLUSION

It can be seen that Canadian MP's exhibit considerable variety in the perception of their role as Members of Parliament and in the manner in which they go about performing this role. But there are really no hard and fast categories.

"The same individual, in a single day, can expound his own enlightened view of the national interest; be the agent or delegate of his party; be a counsel for his chief client, his constituency; be a spokesman for his geographic region, or perhaps his racial group; and be a private citizen riding a hobby-horse of his own. It would be pedantic to attempt to assess how much of this activity is genuine representation and how much requires the representative to be an agent or delegate, for the excellent reason that a conscientious member is both a representative and a delegate at the same time."<sup>(9)</sup>

Nor are there any easy answers about the propriety and extent of lobbying that should be allowed by MP's. As emphasized in a recent editorial in an Ottawa newspaper "The Commons committee would serve a valuable service if it unravelled for public scrutiny, and emphasized the complexities and the pitfalls, the opportunities and advantages, of MP's acting as lobbyists."<sup>(10)</sup>

---

(9) Norman Ward, The House of Commons: Representation, University of Toronto Press, Toronto, 1950, p. 16.

(10) Ottawa Journal, July 31, 1975.