

PARTY DISCIPLINE AND THE DISCUSSION  
OF FOREIGN POLICY IN THE  
CANADIAN HOUSE OF COMMONS

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PAPER PRESENTED AT THE CONFERENCE OF THE CANADIAN INSTITUTE  
OF INTERNATIONAL AFFAIRS OTTAWA, 30 APRIL 1984

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Political parties are central to the parliamentary system and no discussion of Parliament and foreign policy can ignore the influence of party discipline in the House of Commons. Parties are the instruments through which public debate is organized both in and outside of Parliament.

An extensive literature exists on the need for party discipline in Westminster-type parliamentary institutions.<sup>(1)</sup> However, discussion of party discipline in the context of foreign policy debate in Parliament has drawn less attention, especially in Canada.

Party discipline is based on two major imperatives. One is technical and concerns the party in power: the cornerstone of our parliamentary system is the concept of Responsible Government which means that the government can only remain in office as long as it enjoys the support of a majority of members of the House. The other imperative is political. For the party in power a high degree of discipline among its supporters is essential and the projection of unity and cohesiveness, a corollary of efficiency, is considered an important political asset. While opposition parties can afford a more relaxed approach to discipline, if the public begin to perceive them as completely undisciplined, their credibility

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as a possible alternative would be lessened. For both government and opposition parties the need for party discipline has imposed at times considerable stress upon individual members' of parliament loyalty to their parties. Party caucuses were created in part as a device to air and settle privately differences within parliamentary groups, thus strengthening the principle and reality of party discipline.<sup>(2)</sup> In that regard, party whips also play an important role.<sup>(3)</sup>

Party discipline is more than a quirk of parliamentary institutions. In authoritarian or single party states loyalty to party has passed to the level of doctrine and may become rooted psychological in the mentality of citizens.<sup>(4)</sup> In western democracies, even those which are not based on Responsible Government, the origins of discipline may be found in a substantial consensus among members as to what their political party represents. "Since the Members accept the reigning ideas of their own party, they are not very apt to revolt against their parliamentary leaders who are attempting to put these ideals into practice."<sup>(5)</sup>

In Canada the notion of party discipline has come under attack from various advocates of parliamentary reform. They have suggested the leaders of both the government and the opposition parties adopt a less stringent approach to the question of party discipline and the rules governing confidence; that committee chairmen be selected on the basis of leadership skills rather than loyalty to the government; that more private members's bills be allowed to come to a vote etc.<sup>(6)</sup> The government can and has decided that defeat on certain issues does not require it to resign "but even with this pragmatic approach to the question of confidence,

governments and parties continue to exercise rigid party discipline. Consequently, Members of Parliament are expressing growing concern over their inability to act independently."<sup>(7)</sup> Caucus reforms have also been proposed, because some members feel that the caucus system has been unable to resolve satisfactorily intra party differences.<sup>(8)</sup>

An area where party discipline could presumably be relaxed is external affairs which is unlike any other category of government responsibility. For one thing Parliament simply does not participate in a wide variety of decisions which, by law and convention, are the exclusive prerogative of the Prime Minister and the cabinet.<sup>(9)</sup> Nor historically was the average Canadian very concerned about the conduct of foreign affairs compared to more pressing economic or social issues. A former Secretary of State for External Affairs, Paul Martin, has observed that "to most MPs the social and economic problems affecting their constituencies are far more real and immediate. There is normally little pressure from constituents urging Members to concentrate on international issues, except perhaps when the national conscience is stirred by a particularly grievous problem".<sup>(10)</sup> Whether this is still true is a matter for debate. Recent issues such as the East-West confrontation, the thought of nuclear war, the testing of the cruise missile, the Trudeau peace mission and the situations in the Middle East and Central America appear to have awakened public interest in foreign affairs and politicians have responded in kind by asking more questions in the House, by stating their views more often.

This paper will examine the extent to which intra-party dissent and cross voting has taken place during discussion of foreign policy

matters in the House of Commons and its committees during the first session of the thirty-second Parliament (April 1980-November 1983). Actual recorded divisions represent only the tip of the iceberg and we have not attempted to examine debate in caucus, party conventions, statements on television or any of the other forums open to Members of Parliament. We have also excluded discussion of foreign policy that takes place in the Senate and its committees since the Upper House is not a confidence chamber. A final, and perhaps less justifiable limitation, we have excluded certain bilateral issues, particularly with the United States if they involve departments or committees other than External Affairs and National Defence. Even with these limitations we found ample opportunity to examine and speculate upon the relationship between party discipline and foreign affairs.

## I. Opportunities for Discussion in the House of Commons

### a. Legislation introduced in the House

The usual opportunity for discussing government policy in the House (aside from debate on the Speech from the Throne and the budget debate) is consideration of legislation introduced by a minister. In the first session of the thirty-second Parliament fewer than ten bills were introduced by the Secretary of State for External Affairs, the two Ministers of State (External Relations and International Trade) or the Minister of National Defence. Most were non controversial and dispensed with by unanimous consent after a single speech from members of each party.<sup>(11)</sup>

One bill debated at greater length was C-130 which provided some \$117 million in loans to eight regional lending institutions. The government had originally sought to obtain the money through the estimates

but Speaker Jeanne Sauvé ruled that appropriation legislation could not be used to establish new programmes or activities.<sup>(12)</sup> After a short debate at second reading Bill C-130 was sent to committee where an amendment was proposed by Doug Roche (PC, Edmonton South). His amendment provided that the minister could not, through order-in-council, change the list of eligible institutions. Instead alterations would have to be presented to the House where thirty members could ask for a three hour debate to be followed by a vote.<sup>(13)</sup> The amendment was defeated but when the bill returned to the House at report stage, a similar amendment introduced by Mr. Roche was accepted by the other parties. He said this amendment would "allow Members of Parliament to fulfill a modicum of responsibility in scrutinizing where Canada's money is going".<sup>(14)</sup>

b. Question period

In the absence of much debate on government legislation one must look elsewhere to find examples of foreign policy discussion in the House. Question period is one such occasion.

Historically, parties have varied their approach to Question Period. They have prepared for and used the question time differently. The trend towards a more organized and coherent approach to the question period has led to some problems concerning the role of the party as opposed to the needs of individual members to express themselves and raise matters of concern to them and their constituents. For the opposition party a certain amount of friction has always existed between the necessity to accommodate individual expression and the need for the party to present itself as a viable alternative through coordinated criticism of the government during

Question Period. Studies have shown that question periods have become more formal and organized.<sup>(15)</sup> Thus lists of questioners are presented to the Speaker; the first part of question period is dominated by the parties through their respective leaders while the second half of question time is open to backbenchers.

It is not an infrequent occurrence when a backbencher will shoot off on a line a questioning, which if not damaging to the party, does not enhance the overall image which the party (or leaders) may wish to convey. On June 20 and 23, Ian Watson asked pointed questions as to whether the government was considering enacting trade sanctions against Israel and accord official recognition of the Palestinian people and their representatives, clearly two actions the government was not prepared to make at the time.

## c) Private members business

Some opportunities of foreign policy discussion in the House exist under private members business. On March 16, 1983 Ian Watson (Lib., Châteauguay) introduced a motion calling for the establishment of a neutral Palestinian state contingent upon PLO recognition of Israel and certain other conditions.<sup>(16)</sup> He also proposed UN sovereignty over Jerusalem and the Golan heights. In the course of the debate the following exchange took place between Mr. Watson and James Peterson (Lib., Willowdale)

Mr. Peterson: Mr. Speaker... We want to see security for all of those people. But, my goodness, I have never seen a more unbalanced approach to going about this.

Is the Hon. Member aware of the fact that the covenant of the PLO, that group which he has been lauding so magnificently today without even looking at the other side of the issue, calls for the annihilation and wiping out of the State of Israel?

Mr. Watson: Mr. Speaker, if the Hon. Members talks of unbalance, I am afraid that he has indicated where the unbalance lies. The covenant to which he refers is, without any argument, an albatross around the neck of the Palestinians from a public relations point of view. There is no question there.

The facts are that since 1975 the PLO has moved in its actions well beyond what that particular covenant says and means. In particular, the Fez Summit was held at the initiative of the PLO. They participated as a full partner in the Fez Summit. I do not know if the Hon. Member has taken the trouble to look at the details of the Fez Summit, but I think he should be reminded of some of the main points of the Fez Agreement.<sup>(17)</sup>

One can find other examples of differences among members of all parties on the Middle East question but no full scale debate on this question was held during the first session. Furthermore proceedings on private members' motions are limited to one hour with a maximum of four or



five speakers after which the motion is disposed of. The same is true of private members' bills. Several private members bills relating to foreign affairs receive first reading but only one was debated during the first session. As usually happens it was "talked out" and dropped to the bottom of the order paper.(18)

d) Motion to adjourn the House

Another opportunity to discuss foreign affairs is the motion to adjourn the House to discuss important matters requiring urgent attention. Many such motions are introduced each session but only a few are accepted by the Speaker as being of legitimate urgency. Two motions that were accepted during the first session dealt with foreign affairs; one concerned the shooting down of a South Korean Airliner by the Soviet Union(19); the other the invasion of Grenada by a multinational force led by the United States.(20) These motions did not come to a vote but the Liberals claimed the Conservatives were divided over the Grenada invasion. In a statement under Standing Order 21 Herb Breau (Lib., Gloucester) said.

What a difference a day makes, especially in the world of Tory policy making. We may well ask just who speaks for the Conservative Party on such serious and sensitive matters. It is the Party Leader who wants us to support the invasion, or is it the official external affairs critic who says we should wait and see? Even worse, is the Leader of the Opposition shooting from the hip, or is he just ready to take a position for Canada on such important matters on the basis of what President Reagan says or does?(21)

## e) Statement by Member - Standing Order 21

Standing Order 21 is a new rule which came into effect on January 17, 1983 following recommendations of the Special Committee on the Standing Orders and Procedure. It replaced the old Standing Order 43 whereby members asked for unanimous consent to debate matters of urgent and pressing necessity. Since such consent was rarely granted the procedure was used for either congratulatory messages or by opposition members who could denounce the government without any opportunity for them to reply except to refuse consent. Members of all parties agreed that Standing Order 43 had become a farce but the Special Committee had great difficulty in finding an acceptable procedure to replace it. Eventually they agreed to set aside the same amount of time, fifteen minutes before question period, for members to simply make statements not to exceed ninety seconds on virtually any matters.(22)

One unexpected consequence of the new rule is that it gave members a ready opportunity to disassociate themselves from party policy. For example the day after the government signed an umbrella weapons testing agreement with the United States thereby opening the way to test the Cruise missile in Canada, a backbencher Paul McRae (Lib., Thunder Bay-Atikokan) rejected the argument used by the government to justify testing the Cruise.

"The Government should not use, as its basis for testing, the NATO agreement of 1979, but rather make it quite clear that we are testing a strategic weapon to be used over the polar regions. If our NATO commitment is our concern, better we should expend our energies improving our conventional forces, and especially our maritime command."(23)

On May 2, 1983, he made another carefully worded ninety second statement indicating his disagreement with testing the Cruise. Six weeks later, also under Standing Order 21, he said that although he was strongly opposed to testing the Cruise he would not vote against his party on the matter because "it is my belief that within the Government there is growing support for not testing the Cruise missile. A vote that would defeat this Government would turn this matter over to Mr. Mulroney, an avowed supporter of Mr. Reagan. Given the alternatives and the desire for my government to change its policy, it is my intention...to refrain from adding to the polarization by not voting, unless the Government is clearly threatened."(24)

f) Alloted days

Perhaps the most important opportunity for the discussion of foreign policy in the House is during the so-called allotted days. Under the Standing Orders twenty-five such days are reserved each year for opposition parties to raise any matter coming within the jurisdiction of Parliament. A maximum of six motions per year end in a vote. Proceedings on the others simply expire at the regular adjournment time.

Out of some 100 allotted days from 1980 to 1983 five were devoted to foreign policy issues. Two of them came to a vote and in both cases there was some cross voting. On April 29, 1982 the leader of the New Democratic Party moved a motion to support the "minority report" on security and disarmament issued by six members of the Standing Committee on External Affairs and National Defence. In this case only one of the dissenting members, Walter McLean (PC, Waterloo) joined the NDP in voting for the

motion. Two of the dissidents, Paul McRae and Doug Roche were absent for the vote.

The testing of the Cruise missile was the subject of an allotted day on June 14, 1983. This time one Liberal (Warren Allmand) and four Conservatives John Fraser, Walter McLean, Jack Murta and Doug Roche voted with the NDP motion against testing the cruise. Six other Liberals (Paul McRae, Irénée Pelletier, David Weatherhead, Doug Frith, Ron Irwin and Bill McKnight were present but announced their desire to abstain. Mr. Allmand explained his vote as follows:

I voted against the escalation of the nuclear arms race by any nation, and in particular against the testing of the Cruise missile in Canada. I did so because both sides now have enough nuclear power to destroy completely - annihilate - the other side and the Cruise missile is in no way necessary to maintain the balance of power and deterrence...I argued this position at the Liberal convention last autumn and in many other meetings and writings. There is nothing in NATO agreements which requires Canada to use or test nuclear weapons...Furthermore, Canadian governments for some time have been committed to arms control and disarmament. If we agree to test the Cruise, we would run contrary to these policies.(25)

The question arises as to what would happen if an opposition motion on an allotted day was carried. Would the government have to resign? As presently worded the Standing Orders declare those votable motions moved by the opposition on allotted days to be questions of confidence. The Special Committee on Standing Orders and Procedure(26), while recognizing the right of any member to frame the motion itself in confidence terms, recommended that all references to confidence be removed from the Standing Orders. This recommendation has yet to be adopted by the House.

## II. Opportunities for Discussion in Committee

Compared to opportunities in the House of Commons there are many more chances to debate foreign affairs in committee and naturally there are more examples of dissent within parties. (It must be noted, however, that in committee discipline is much less important since defeat of a government measure does not necessarily imply any loss of confidence in the government as a whole).

The main committee dealing with foreign affairs is the Standing Committee on External Affairs and National Defence. During the first session it held some 157 meetings of which 89 pertained to specific orders of references. For purpose of comparison the table on the following page compares its work with one of the most active standing committees (Finance) and one of the least active (Veterans' Affairs). The main difference was in the amount of legislation considered. Only one government bill was sent to the Standing Committee on External Affairs and National Defence which divided its time between consideration of the estimates and orders of reference given to it by the House. The new standing orders in effect since January 1983 provide that the Annual reports of Departments are automatically referred to standing committees. The idea was to allow committees more initiative to begin investigations without waiting for a reference from the House.<sup>(27)</sup> In fact this has merely shifted some initiative from the house leaders to the committee chairmen who might take a more or less independent position vis à vis the government.

Table I

## ACTIVITIES OF SELECTED STANDING COMMITTEES 1ST SESSION 32ND PARLIAMENT

	<u>Veterans Affairs</u>	<u>External Affairs &amp; National Defence</u>	<u>Finance</u>
Organizational meetings	2	2	2
Meetings on legislation	-	1	82
Meetings on main and supplementary estimates	15	64	55
Meetings on special orders of reference	-	89	93
Total meetings	17	157	235
Total time spent	23 hrs. 59 mins.	229 hrs. 54 mins.	446 hrs. 9 mins.
Issue of proceedings	16	102	160
Pages of evidence	518	4,629	8,516
Pages of appendices	229	2,036	392
Government bills referred	-	1	15
Reports to the House	1	16	26
Substitutions	84	982	1,236

Source: Statistics provided by committees branch, House of Commons.

At its first meeting the members elected as Chairman Marcel Prud'homme (Lib., Saint-Denis). When the position of Vice Chairman, originally held by Doug Frith (Lib., Sudbury) became vacant in December 1981 it was contested by Jim Schroder (Lib., Guelph), Don Munro (PC, Esquimalt-Saanich) and Pauline Jewett (NDP, Westminster-Coquitlam). The first ballot was on the nomination of Mr. Schroder who was elected by a vote of 12 to 10. One of the defeated candidates, Miss Jewett lamented the vote on strict party lines saying that the election of a vice chairman from an opposition party "would have been a marvellous occasion to have shown that we are as innovative a committee as we think we are".(28)

In February 1983 the committee, along with all other standing committees, had to reorganize in line with changes to the rules which limited membership to 15 members and 15 alternates. This time both the Chairman, Mr. Prud'homme, and a new vice Chairman, Ursula Appolloni (Lib., York South-Weston) were elected unanimously. John Crosbie (PC, St. John's West) even seconded the Chairman's nomination noting the old adage "if rape is inevitable relax and enjoy it."(29) The Committee then debated whether the quorum of five to hear witnesses should include two from opposition parties, or just a member from the Official Opposition. On division the former was chosen.

The first question examined by the committee was the extension of the North American Air Defence Agreement for another five year period. On May 12, 1980, the Secretary of State for External Affairs, Mark MacGuigan, tabled an exchange of notes between the Canadian and American governments providing for a one year extension to May 12, 1981. He said the

extension had been sought to provide an opportunity for the Standing Committee on External Affairs and National Defence to express its views on the subject.

The report, submitted on December 19, 1980 outlined the history of the NORAD agreement and its current role. The report concluded that NORAD was the most efficient and cost effective way for Canada to contribute to the defence of North American airspace while assuring protection of its Canadian sovereignty. It recommended extension of the agreement for an additional five years.

The next order of reference concerned the position Canada ought to take at the United Nations Special Session on Disarmament. The report examined statistics, testimony and policies related to defence and disarmament. Its major recommendation could be summarized as follows:

"strong support for urgent negotiations and agreements on strategic armaments and intermediate-range nuclear forces in Europe; the pursuit in UNSSOD II of rapid progress towards improvement in world political conditions; the establishment of confidence-building measures and crisis-management systems; and the negotiation of effective and verifiable measures of arms control and disarmament including a comprehensive test ban; prohibitions on chemical weapons; the prohibition of weapons for outer space; a verifiable ban on new weapons based on new scientific principles or new technologies; and regional force reductions under a Medium-Range Ballistic Missile agreement and similar accords."(30)

This report had support from the majority of Liberals and Conservatives on the Committee but was opposed by one Liberal, Paul McRae, and two Conservatives Doug Roche and Walter McLean along with the three NDP members. They signed a "Minority Report" which was actually a press release declaring "we find grave deficiencies both in its analysis of the effects of



the nuclear arms race and in its proposals for action by the Canadian government."<sup>(31)</sup> Their Report urged Canada to press for a "Strategy of Suffocation" at UNSSOD II, to include four main elements: a comprehensive test ban to impede further development of nuclear explosive devices; an agreement to stop the flight-testing of all new strategic delivery vehicles; an agreement to prohibit all production of fissionable material for weapons purposes and an agreement to limit and then progressively reduce military spending on new strategic nuclear weapons systems.

Technically speaking there is no such thing as a minority report in Canadian parliamentary practice. According to Beauchesne, "While the opinion of dissenting members may be included in a committee report, no separate minority report may be tabled in the House."<sup>(32)</sup> A member of the committee Don Munro, questioned the right of this group to issue the press release on stationery bearing the Coat of Arms of Canada and the heading "House of Commons". He said, "I find it curious that six members out of the thirty should consider themselves anything more than just 20 per cent of the committee. They have elevated themselves to a prestigious position and circulated misleading advertising...I will therefore continue to call it the press release by the dissenting rump."<sup>(33)</sup>

The Chairman of the Standing Committee, Mr. Prud'homme, attributed the lack of unanimity on this issue to three extraneous and "unfortunate" incidents.

- "the bell-ringing episode which held up the business of Parliament and made our committee work impossible for a while;
- the revelation, right towards the end of our meetings, that a United States-Canada agreement would allow flight testing of the cruise missile in northern

Alberta. This upset some members who demanded that the Secretary of State for External Affairs and the Minister of National Defence appear again before the committee, to explain the situation, prior to further work on the report on security and disarmament;

- finally, a most unfortunate wrangle concerning the rights of independent Members of Parliament, and especially their entitlement to participate in in-camera meetings. This shut down the meetings for five days.

Because of these developments, the momentum and atmosphere which seemed to be taking the committee towards full consensus were undermined. This was very disappointing to me personally and to most of the committee members."(34)

In addition to its own work the Standing Committee on External Affairs and National Defence established three sub committees during the first session. The government also set up a special task force to look into North South relations. The activities of these groups are outlined below.

	Subcommittees			Special Committee
	Latin American and the Caribbean	Armed Forces Reserves	Conference on Security	North South Relations
Total meetings	107	22	35	64
Total time spent	187 hrs. 31 mins.	44 hrs. 55 mins.	72 hrs. 21 mins.	129 hrs. 18 mins.
Issues of proceedings	29	12	14	29
Pages of evidence	2,131	458	740	1,912
Pages of appendices	870	85	204	525
Reports to the House	2	1	1	5

Except for the subcommittee on Latin America the reports of these committees revealed a high degree of consensus both among the parties and between members of the same party.

The Task force on North South Relations was one of six special committees established shortly after the opening of the first session. A number of characteristics clearly distinguished task forces from standing and even other special committees. They consisted of only seven members (4 Liberals, 2 Conservatives and one NDP) and substitutions were permitted only in exceptional circumstances. Their mandate included authority to summon appropriate witnesses and/or travel to gather information. They could hire their own staff and make reports at any time, even when the House was not sitting. The reports of the task forces often featured attractive design and artwork, more photographs and a bold style of writing designed to appeal to the average reader and stimulate public interest and debate.

The Chairman of the Task force on North South Relations was Herb Breau. Other members were Doug Frith, Maurice Dupras (Lib., Labelle), Jim Schroder, Doug Roche, Girve Fretz (PC, Erie) and Bob Ogle (NDP, Saskatoon East). The Committee presented an interim report in August 1980 and its final report in December of that year. Among other things it called on the government to begin moving toward to target of .7 percent of GNP for development aid; a higher portion of Canada's developmental assistance to be directed to the poorest and most seriously affected countries, the use of food aid as a transitional measure only and to be integrated into a programme designed to increase food production in the donor countries. It called for changes in international financial agencies such as the world bank and the International Monetary Fund to make them better meet the needs of developing countries. Other recommendations dealt with Canadian policies

regarding trade, energy and other matters related to the broad question of international development.

The special committee presented a supplementary report in April 1981 in which it called for more co-ordination on policy relating to North-South issues. A response to the committee reports was tabled in the House on June 15, 1981 by the Secretary of State for External Affairs. The ministers noted the unanimity of the task force recommendations and endorsed the broad thrust of the report.<sup>(35)</sup> A debate on the subject was held the same day.

Two sub-committees of the Standing Committee on External Affairs and National Defence one chaired by Charles Caccia (Lib., Davenport) on Security and Co-operation in Europe, the other by Maurice Harquail (Lib. Restigouche) on the Armed Forces Reserve also presented unanimous reports.

The Caccia sub-committee focussed on two main questions: how well are the provisions of the Helsinki Final Act being carried out particularly those provisions relating to human rights and what objectives should be pursued by the Canadian delegation to the Madrid Conference on European Security.<sup>(36)</sup> The sub-committee on the Reserves examined the status, capability and role of the armed forces reserves. After outlining the historical background, Canada's military obligations, the current role of the reserves and their capability and readiness in case of emergency, the sub-committee called on the government to upgrade the military effectiveness of the reserves, and make them a viable component of the total defence force. It said primary reservists should be offered financial incentives,

preferably a tax exemption, while supplementary reservists should be paid a modest annual retainer. Another recommendation was that any reductions in reserve programs by the Department of National Defence should be clearly identified and brought to the attention of Parliament by the Department.(37)

In striking contrast to the unanimity that prevailed the reports by the task force and the two sub committees, the sub committee on Canada's relations with Latin America and the Caribbean soon divided on ideological grounds which transcended party. Consisting of 15 members (8 Liberals, 5 Conservatives and 2 NDP) the sub committee was chaired by Maurice Dupras. Established in March 1981 it had a broad mandate to examine all aspects of Canada's relations with Latin America and the Caribbean. In December 1981 it presented an interim report which identified certain policy issues and indicated an agenda for further work. Among the issues identified were human rights, trade and investment, development assistance, immigration and refugees. The situation in El Salvador was singled out as demanding their special attention.

In February 1982 Mr. Dupras, Ken Robinson (Lib., Etobicoke-Lakeshore) Flora MacDonald (PC, Kingston and the Islands) and Bob Ogle visited El Salvador. On their return they issued a statement expressing doubts that conditions would allow an election to take place in peace and without interference. Mr. Dupras, Mr. Ogle and Miss MacDonald supported the Canadian government's position not to send official observers, however, Mr. Robinson believed this position ought to be reconsidered. Two parliamentarians who were not on the sub committee but were members of the

Standing committee Robert Wenman (PC, Fraser Valley West) and Sinclair Stevens (PC, York-Peel) subsequently travelled to El Salvador and acted as unofficial observers of the election. On April 27 they reported their conclusions to the sub committee. Mr. Wenman said he had personally visited a number of polling areas around the country. "I believe these elections were fair and free. Yesterday's election was one of the most massive expressions of popular will I have ever seen."(38)

The sub committee worked on its report during the last two weeks of June and it was adopted on June 29. Among other things the report recommended that aid should be restricted to El Salvador until the government implements land reforms and curbs human rights violations by the armed forces. It urged the Haitian government to improve the human rights condition of its people and called on the government of Nicaragua to hold free elections as promised in 1985. Fidel Castro of Cuba was urged to open Cuba to international judgement on human rights. Aid to Guatemala should be suspended until that government had made serious efforts to reduce human rights violations. When the report was presented to the full Standing Committee on External Affairs and National Defense in July it became the subject of heated debate. The climax occurred on July 20 when a motion was adopted by the committee "to grant those members of this committee who disagree with the views expressed in the report...the right to append to this report their views and recommendations and to identify themselves by name as so disagreeing."(39) The motion was adopted on a vote of 10 - 9 with one abstention (Warren Allmand). Eight Conservatives and two NDP members supported the motion while seven Liberals and two Conservatives

(Flora MacDonald and Michael Forrestall) opposed it. Mr. Robinson opposed the motion although outside the committee he claimed to have been replaced as vice chairman because he did not share the view of the majority on some issues. He later returned to the committee but not as vice chairman.

Given the opportunity to dissent seven Conservatives (Bob Corbett, Stan Darling, John Gamble, Ron Stewart, Sinclair Stevens, Robert Wenman and Don Munro) signed a dissenting opinion which was attached to the report adopted by the Standing Committee on External Affairs and National Defence and presented to the House. The dissenters claimed the report attempted to comment on too many issues in too many countries, without the benefit of in-depth research and factual information. "Furthermore the report lacks continuity and coherence, because it shifts from issue to issue, and country to country, leaving the reader, at best, with uncertainty as to the real concerns of the sub committee... Many of the findings or observations are not substantiated with evidence, but rather are based on the opinions of individuals who seemed less than neutral, but who were given the privilege of expressing their views to one or more members of the sub-committee."(40)

Another reason for the strong dissent is found in the very first paragraph of the report.

In considering the report of the Sub-committee of the Standing Committee on External Affairs and National Defence, it is important to remember that when the Standing Committee considered the draft report, there was approximately one-third of the Committee who had serious reservations with respect to the report; one-third who appeared to support its thrust; while the remaining third made little comment, or did not attend the meetings. That the Standing Committee was pushed into accepting the report became quite clear when, at a crucial vote on Tuesday, July 13, five minutes before

the vote was scheduled, eight Liberal Members of Parliament who, to that point, had never attended the Committee sessions, walked into the in camera session and voted with the one-third of the membership who wished to endorse the Sub-committee's findings.

Faced with such an attitude, and having been denied a fair opportunity to explain our objections and concerns in camera, we felt in all conscience we cannot support the report and must publish our dissent.(41)

The dissidents concluded with the hope that a more balanced view, representing their opinions, would be reflected in the final report of the committee. They were to be disappointed.

In November the sub committee submitted a report on Canada's Relations with South America along with a final report entitled New Directions for Canadian Foreign Policy. Both reports were adopted by the Standing Committee by a vote of 19-6 with one abstention. The Conservatives once again, were divided but this time there were five separate dissenting opinions involving members of all parties.(42)

The most contentious issue was whether Canada should join the Organization of American States. During debate on this point members who voted in favour of joining the OAS included four Liberals (David Collenette, Stan Hudecki, Ken Robinson, and James Schroder) and three Conservatives (John Crosbie, Walter McLean and Sinclair Stevens). Those who voted against were two NDP members (Pauline Jewett and Bob Ogle) and two Conservatives (Flora MacDonald and Jack Murta).(43) However the report itself, contained different dissenting opinions on the OAS question. The first (signed by Conservatives Stan Darling, Robert Corbett, Flora MacDonald, Walter Maclean, Donald Munro; Liberal Ursula Appolloni and NDP Pauline Jewett) called for the strengthening of bilateral ties with Latin American states but felt that the OAS was not an effective or widely respected



organization. A second dissenting opinion (signed by Conservatives Robert Corbett, Lloyd Crouse, Stan Darling and Donald Munro) argued that membership in the OAS could bring Canada into conflict with the United States. Mrs. Appolloni also signed a separate dissenting opinion which read as follows:

"While I support the major part of the report of the Sub-committee of the Standing Committee on External Affairs and National Defence, I believe I should voice serious reservation with respect to the emphasis placed on the view that Latin America and the Caribbean be made an area of concentration of Canadian foreign policy.

My concern stems from the possibility that concentration would necessitate the lessening of already limited resources in other regions of the world (such as the Middle East and the Pacific Rim, for example) in which Canadian interest could well warrant increased study."(44)

A fourth dissenting opinion, not related to the OAS, was signed by both a Liberal (Stanley Hudecki) and a Conservative (Sinclair Stevens). It called for a more effective operational approach between law enforcement agencies of Canada and South American countries to halt the illicit drug trade.

Finally the same seven Conservatives who had signed the dissenting opinion in July (except for Lloyd Crouse who replaced Stan Darling) signed an overall dissenting report for essentially the same reasons they had outlined in July. They claimed the majority report was bias against pro western countries and in favour of socialist ones. They deplored the absence of recommendations relating to trade and investment. Again too many issues were discussed without the benefit of in-depth research or first hand factual information.

Although the Sub-committee did not visit Argentina and therefore had no first-hand information on the situation there, the Report still recommends "The government seek every opportunity to promote human rights in Argentina, Chile, Guyana and Uruguay and to speak out forcefully against human rights abuses in these countries."

That this recommendation was included despite the fact that no Member of the Sub-committee visited the country lessens the value of the entire report. This recommendation is clearly based on hearsay, and lays the Sub-committee open to charges that it repeats only what the latest lobbying group convinced it to say.

The inclusion of text not based on first-hand information is in contrast to the lack of comments on the country of Mexico. Mexico, the third largest and second most populous country in Latin America, is a country that certain members of the Sub-committee visited. Despite this, there is only the odd reference in the reports to Mexico. This oversight is astounding when it is considered that Mexico, primarily through its oil wealth, has become an important nation internationally and a nation that has begun to assume a major role in Central America. Why the Sub-committee would virtually ignore Mexico is something we find very difficult to understand. This is more so since Mexico is in the midst of a serious financial crisis.(45)

Four other Conservative members who served on the committee joined in the dissent.

### III. Reflections on party discipline and foreign policy

This overview, though limited to one session of one parliament, nevertheless evokes some reflections (as opposed to conclusions) that merit exploring at greater length.

1. Despite the absence of legislation on foreign policy and notwithstanding frequent criticism of opposition members about the absence of opportunities to debate foreign policy there do appear to be numerous

opportunities in the House of Commons and committees. In the course of these deliberations members can and have spoken and voted against their own parties.

2. As was to be expected members of the government party were more reluctant to defy party discipline than members of the opposition. Nevertheless there were members in both the Liberal and Progressive Conservative Party who objected to the position taken by their party on an issue of foreign policy. In parliament at least the NDP was the most united on foreign policy matters during this period.
3. The potential desirability of giving members more freedom to speak and vote on issues must be balanced against some very practical problems that develop when party discipline breaks down. The chance of obtaining a serious government response to a report is probably reduced by a lack of consensus, particularly if it involves divisions within the parties. Similarly, the chance of convincing House Leaders to agree to setting aside time in the House to debate a particular issue is likely reduced if it is going to turn into a free for all. Intra party division also tends to divert media and public attention away from substantive matters and onto the issue of conflict itself.
4. Despite the forces in favour of maintaining strict party discipline there are still reasons to hope parliamentarians will use the opportunities that exist to speak on foreign policy issues should they find themselves out of step with the majority of their party. International problems can be highly complicated and multi-faceted. They may not fit neatly into the government-opposition mentality fostered by party

discipline. Even if the official Canadian policy must continue to be enunciated by the responsible minister, Canada's international position is not jeopardized by the widest possible debate on foreign affairs. It may even prove useful to the Minister to have members take positions that go beyond what he is willing to say.

More importantly if the House of Commons is to play its proper role in informing and educating citizens on public affairs it should be looking at ways to make its proceedings more interesting. Reports of committees are a case in point. So many unanimous reports are attained only after numerous compromises have watered down recommendations to the point where they say little and evoke scant interest, even if packaged in an attractive format. How much more useful would it be for the average reader to find, in the same document, both majority and minority opinions expressed as clearly as possible. The policy issues involved, the options and the differences of opinion would be immediately apparent. Another useful document would be a list of how members voted on every bill or motion in committee and in the House.

Considering our form of government it is hardly surprising we encourage neither minority reports nor easily available lists of how members vote. Of course, neither would automatically lessen party discipline, indeed some would argue they would reinforce it. In the long term, however, would not these and other relatively minor changes (removal of the mention of confidence from votes on allotted days, less substitution on committees, permanent adoption of Standing Order 21) encourage members to take a more independent role in the House and would not thus raise the prestige of our most important political institution?

While these reflections could apply to all public businesses for reasons mentioned at the onset of this paper and illustrated throughout, they seem particularly appropriate in the case of foreign policy debate.

#### NOTES

1. For the traditional arguments in favour of party discipline in a parliamentary system see John Stewart's presentation to the Special Committee on Standing Orders and Procedures, no. 4, July 8, 1982, pp. 4A1-4; See also Richard J. Van Loon and Michael S. Whittington, the Canadian Political System, McGraw Hill, Toronto, 1971, p. 449-452; Roman R. March, the Myth of Parliament, Prentice Hall, Scarborough (Ontario), 1974; F.C. Engleman and M.A. Schwartz, Canadian Political Parties: Origin, Character, Impact, Prentice-Hall, Scarborough, (Ontario), 1975, p. 249-252; George C. Perlin, The Tory Syndrome, McGill-Queen's University Press, Montreal (Quebec), 1980; Denis Vaugeois, l'Assemblée nationale en devenir; pour un meilleur équilibre de nos institutions, Québec, 1982. For Britain see the classic K.T. McKenzie, British Political Parties, 2nd ed., Heineman, London, 1963.
2. For an overview of party caucus systems in Commonwealth Countries, see Serge Pelletier "Parliamentary Caucuses in Old Commonwealth Countries: Roles, Structures and Operations", Research Branch, Library of Parliament, Ottawa, december 1981. See also Lynda Rivington, "Sanctus/Sanctorum; the Role of the Caucus", Parliamentary Government, 1983, vol. 4, p. 3-7, 15; "Parliamentarian and his Caucus", Sixth Canadian Regional Parliamentary Seminar, Commonwealth Parliamentary Associations, Proceedings, Ottawa, 2-6 November 1980, p. 82-104.
3. See in particular Martin W. Westmacott, "Whips and Party Cohesion", Canadian Parliamentary Review, Autumn 1983, Vol. 6, No. 3, p. 14-19, and other bibliographical notes therein.
4. See Maurice Duverger, Political Parties, Methuen, London, 1959, pp. 168-182, for a discussion of party discipline in authoritarian states.

5. Robert J. Jackson, Rebels and Whips, MacMillan, London, 1968, p. 17.
6. See for example Thomas D'Aquino, Bruce Doern and Cassandra Blair, Parliamentary Democracy in Canada, Methuen, Toronto, 1983. These points were made by many other witnesses who appeared before the House of Commons Special Committee on Standing Orders and Procedures in 1982 and 1983.
7. Ibid., p. 29.
8. See Vaugeois, op. cit. and Howard Gold, "Revitalizing Caucus; Enhancing the Role of Private Members", Parliamentary Government, 1983, vol. 4, p. 11-15.
9. Section 91 of the British North American Act gave Parliament legislative authority over "Militia, Military and Naval Service and Defence" but was silent on other aspects of foreign policy. Treaty-making, declarations of war, even establishment of diplomatic relations remain part of the Royal Perogative i.e. the residue of discretionary or arbitrary authority which at any given time is legally left in the hands of the Crown.
10. Paul Martin, "The Role of the Canadian Parliament in the Formulation of Foreign Policy", The Parliamentarian, vol. 50 (No. 4, 1969), p. 259.
11. See for example Bill C-31 providing economic sanctions against Iran; Bill C-74 the International Development (Financial Institutions) Assistance Bill; Bill C-14 Amendments to the Diplomatic and Consular Privileges and Immunity Act.
12. House of Commons, Debates, June 12, 1981, p. 10546-47.
13. House of Commons, Standing Committee on External Affairs and National Defence (cited hereafter as SCEAND) Minutes of Proceedings and Evidence, no. 82, December 7, 1982, pp. 5-6.
14. House of Commons, Debates, March 25, 1983, p. 24164.
15. Urban H. Green, "The Canadian Parliamentary Question Period with Particular Reference to External Affairs", Master Thesis, University of Dalhousie, 1977; and March, op. cit.
16. Ibid., March 16, 1983, p. 23847-48
17. Ibid., p. 23850.
18. On March 30, 1983 Doug Anguish (NDP The Battlefords - Meadow Lake) presented a bill to declare Canada a nuclear free zone.
19. House of Commons, Debates, September 12 1983.

20. Ibid., October 27, 1983.
21. Ibid., p. 28379.
22. House of Commons, Special Committee on Standing Orders and Procedure, Minutes of Proceedings and Evidence, no. 7, November 4, 1982, p. 19.
23. House of Commons, Debates, February 11, 1983, p. 22742.
24. Ibid., June 14, 1983, p. 26332.
25. Ibid., June 16, 1983, p. 26429.
26. House of Commons, Special Committee on Standing Orders and Procedures, Minutes of Proceedings and Evidence, no. 24, September 29, 1983, p. 5.
27. In the case of foreign affairs, the only time new reference was used was on November 29, 1983 when the committee decided to look at the Report of the Department of External Affairs for the year 1981 pursuant to Standing Order 46(4). The witness was the Minister of State for International Trade, Gerald Regan, but the examination was basically the same as takes place under scrutiny of the estimates. See SCEAND no. 102, November 29, 1983.
28. SCEAND, no. 47, December 1, 1981, p. 9.
29. SCEAND, no. 83, February 24, 1983, p. 8.
30. See International Perspectives, June-July 1982, Supplement: International Canada, p. 17.
31. "Security and Disarmament: A Minority Report", April 1982, p. 1.
32. Beauchesne's Parliamentary Rules and Forms, 5th Edition 1978, Section 641, p. 202.
33. House of Commons, Debates, April 29, 1982, p. 16749.
34. Marcel Prud'homme, "Report: House of Commons Standing Committee on External Affairs and National Defence Concerning Security and Disarmament", in Brian Macdonald, Parliament and Defence Policy, the Canadian Institute of Strategic Studies, Toronto, 1983, p. 31.
35. House of Commons, Debates, June 15, 1982, 10593-10630. See also International Perspectives, July/August 1981, pp. 5-8.
36. SCEAND, no. 18, October 30, 1980. This sub-committee was actually the formalization of a Canadian Parliamentary Helsinki Group founded in July 1977 to study, discuss and keep up to date on developments relating to

the Helsinki Final Act. Originally an ad hoc group Mr. Caccia initiated a series of discussions with leading academics and government officials in order to prepare parliamentarians who might be attending the Madrid Conference. Canadian parliamentarians' concern with the issues raised by the Helsinki Final Act are neither circuitous or ethereal. "Many MPs have as their constituents persons of East European heritage who are vitally concerned about well being of family members on these countries. An even more pragmatic preoccupation of a number of such Canadians is the issue of family unification. This problem is categorically raised in the Final Act and is a matter of some significance in Canada's relations with several East European States." Jack Silverstone, "The Canadian Parliamentary Helsinki Group" Canadian Parliamentary Review, vol. 3 (Winter 1980-81), p. 10.

37. SCEAND, no. 49, december 16, 1981.
38. Sub committee on Canada's Relations with Latin America and the Caribbean, Minutes of Proceedings and Evidence, no. 20, April 27, 1982 p. 20 A13.
39. SCEAND no. 77, July 27, 1982, p. 50.
40. Ibid., p. 52.
41. Ibid., p. 52 (The list of substitutions published with the report show only 6 Liberal substitutions on that day and at least one of them had served on the sub committee before.
42. SCEAND, no. 78, November 23, 1982, pp. 168-169.
43. Ibid., p. 22.
44. Ibid., p. 30.
45. Ibid., p. 31.