

# **Legislators' Motivations for Leaving Their Party: The Canadian Case**

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Some relationships thrive and endure, while others fizzle out or flame out. Friendships wane, romantic dalliances end, employees quit jobs, consumers switch brands and people let their memberships expire. The human condition is characterized by evolving relations.

In politics, some partisans reach a pressure point that results in them leaving the party that they were elected with. Some of them decide to leave and control both the timing and manner of their exit, but others are abruptly expelled against their wishes. This paper is about parliamentarians who move on from their party without immediately, if ever, crossing the floor to another party. What are the circumstances leading up to a partisan's departure from a parliamentary caucus in Canada? To answer this question, the paper draws on academic literature and an examination of news stories since 1980 about Canadian federal and provincial parliamentarians who quit or who are forced out of a party caucus. The paper will become a chapter in a book about Canadian partisans, and will be revised to integrate original insights collected via in-depth interviews with Canadian politicians.

### **Deteriorating Relationships**

"I was unhappy, very discouraged, and I thought, like any relationship if you stay where you're not happy, eventually things start to erode and you form bad relationships. I wanted to leave before that happened," explained an outspoken Member of Newfoundland and Labrador's House of Assembly upon leaving the Progressive Conservatives to sit as an Independent.<sup>1</sup> Her reasoning is similar to the analogies made by so many partisans who exit: that being a member of a party caucus is about relationships, and when those relationships deteriorate they consider alternatives. Relationship science and organizational behaviour studies hold some clues as to how and why this happens.

Break-ups go through phases of relationship deterioration. Interpersonal conflicts occur over irritations about specific behaviours, disagreements erupt over competing perceptions of norms and roles, and people don't get along because of their personal dispositions.<sup>2</sup> These conflicts can arise because of different interpretations. Unhappy people see negatives: undesirable behaviours

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<sup>1</sup> Lela Evans, MHA for Torngat Mountains (Newfoundland and Labrador), quoted in CBC News (2021a).

<sup>2</sup> Braiker and Kelley (1979).

are interpreted as permanent character flaws that permeate throughout the relationship, while desirable behaviours are viewed as episodic and circumstantial.<sup>3</sup> There are several stages to the dissolution of couples. One theory holds that initially a breakdown occurs when someone agonizes about the relationship without telling the other person that they are dissatisfied (the intrapsychic phase).<sup>4</sup> If dwelling on the negative and overlooking the positive persists, the fretting escalates to broader dissatisfaction and to self-justification about withdrawing from the relationship (the dyadic phase). A confrontation erupts if those frustrations are not addressed, and an exasperated partner attempts to force change by discussing private conflicts with others and seeking their assistance, which can result in an intervention that repairs the relationship (the social phase). Things are beyond hope if the external support does not work, at which point action is taken to end the relationship. When the relationship is over, those involved attempt to justify their decisions and actions, and cast blame elsewhere (the grave-dressing phase). Preserving one's reputation by proffering a flattering version of events saves face and improves the prospects of securing another relationship.

So who breaks up, and why? People are more likely to end a relationship when they do not have much invested in it, when they are dissatisfied and when they perceive viable alternatives.<sup>5</sup> A relationship is prone to fall apart when there are opportunities to assess a partner's true motives, when there are external stressors and when leaving is thought to be favourably received by personal social networks, local cultures and historical context.<sup>6</sup> Age is a significant predictor of divorce, with young Canadians far more likely to break up than more mature couples are.<sup>7</sup> Conversely, people who have a longstanding marriage are less likely to end it – meaning that the longer that someone is in a relationship the greater the likelihood of it enduring.

Many of these tenets apply to relations between employers and employees even though workplace dynamics are clearly different than romantic partnerships. Employee departures from an organization are either voluntary whereby the employee initiates and controls the exit (i.e., resignation due to dissatisfaction, to facilitate moving to a competing firm, for family reasons) or involuntary whereby the employer initiates and is in control (i.e., dismissal due to absenteeism,

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<sup>3</sup> Dwyer (2000), p.71-72.

<sup>4</sup> Duck (1982); also Dwyer (2000), p.73-76.

<sup>5</sup> Rusbult, Zembrodt and Gunn (1982).

<sup>6</sup> Finkel, Simpson and Eastwick (2017), p.4.16-4.19.

<sup>7</sup> Clark and Crompton (2006).

poor performance, reorganization).<sup>8</sup> Departures are positive when weak employees are shed and negative when high performers exit. Losing a small number of employees can refine an organization: turnover infuses organizations with new talent and new ways of thinking, which contributes to improved performance.<sup>9</sup> However, someone quitting disrupts normal operations: the employer has to withstand a loss of institutional knowledge and invest in training of new recruits, and when an employee leaves for a rival organization the former employer loses skillsets, potentially sheds clients and risks disclosure of competitive information about internal operations.<sup>10</sup> Mass employee turnover is particularly destabilizing and both softens productivity and exposes the organization to reputational damage.

Workplace harmony, a positive image and employee retention are good for business. We live in a time where organizations want employees to be brand ambassadors who are publicly loyal to corporate values,<sup>11</sup> and yet employees are more willing to job hop<sup>12</sup> and some of them blur professional and personal boundaries on social media.<sup>13</sup> In *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*, economist Albert Hirschman comments on how employees and politicians, among others, are prone to lapses in judgement. Selfish, immoral or illegal behaviours deteriorate an individual or organization's reputation, which brings serious economic repercussions as audiences turn instead to competitors. Hirschman focuses on what he calls "repairable lapses" that involve "rescuing,"<sup>14</sup> such as when unhappy customers or members voice frustrations in an attempt to force changes as opposed to deserting one brand for another, if in fact a reasonable alternative exists. Those with a higher degree of brand loyalty are more likely to speak up in an attempt to resolve their cognitive dissonance, which involves wielding the threat of exit as part of the bargaining power, whereas those with weak attachments are more likely to exit provided they exert time investigating alternatives and are willing to endure the pain of switching loyalties. He suggests a rule that "loyalty holds exit at bay and activates voice."<sup>15</sup> Loyalty can be solidified by the structures of

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<sup>8</sup> Ghosh et al. (2013), p.290; Hom, Allen and Griffeth (2020), p.3-8.

<sup>9</sup> Hom, Allen and Griffeth (2020), p.36-37.

<sup>10</sup> Hom, Allen and Griffeth (2020).

<sup>11</sup> Cervellon and Lirio (2017).

<sup>12</sup> See for example Steenackers and Guerry (2016).

<sup>13</sup> Abril, Levin and Del Riego (2012).

<sup>14</sup> Hirschman (1970), p.1.

<sup>15</sup> Hirschman (1970), p.78.

group membership when it is difficult to gain entry into an organization in the first place and/or there are significant penalties for exiting.

On the way to quitting, an employee might withdraw by increasingly missing meetings, leaving early or being late, failing to complete tasks and calling in sick.<sup>16</sup> Employees resign when they realize that their initial expectations of the role are incompatible with reality,<sup>17</sup> such as dissatisfaction with financial rewards, the mundanity of the job, immediate circumstances or due to personal reasons.<sup>18</sup> Workers can be frustrated with management and the corporate culture, how new recruits are hired, their work going unrecognized, low pay or a toxic workplace.<sup>19</sup> Lower status employees in particular are less attached to their jobs, and more susceptible to quitting, given that they are less invested in the organization than upper management is and their job is not as much a part of their personal identity or values.<sup>20</sup> How the organization's leadership engages with members, such as how much influence employees have in decision-making, is a significant predictor of employee turnover as is clarity about roles – more so than the degree of group cohesion or opportunity for promotion.<sup>21</sup>

Employees can have unpredictable reasons for resigning, such as friends leaving or interest in a fresh start.<sup>22</sup> Some leave when their workplace becomes more diverse in order to move to a more homogenous organization that has common views.<sup>23</sup> Others are subject to constructive dismissal whereby they resign in response to passive aggressive treatment by an employer who does not value them. They quit when there is intense pressure to deliver, if they are excluded from decision-making and when a demanding supervisor reigns terror or if they are bullied. In abusive organizations, employees are dehumanized through oppression, harassment and fear, which is endemic when a workplace culture tolerates abusive behaviour but is impermanent if an abusive superior is forced out.<sup>24</sup> In short, there are many reasons why people are dissatisfied in relationships and their jobs, and why some of them decide to leave.

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<sup>16</sup> Hom, Allen and Griffeth (2020), p.8-9 and p.65.

<sup>17</sup> Hom, Allen and Griffeth (2020), p.53.

<sup>18</sup> Ghosh et al. (2013), p.290.

<sup>19</sup> Abbasi and Hollman (2000).

<sup>20</sup> Cole and Bruch (2006).

<sup>21</sup> Hom, Allen and Griffeth (2020), p.54-56.

<sup>22</sup> Hartman and Yrle (1996).

<sup>23</sup> Jackson et al. (1991).

<sup>24</sup> Buchko, Buscher and Buchko (2017), p.730.

## Quitting a Party

As with relationships and employment, partisans voluntarily leave political parties for all sorts of reasons, and have their own style of resigning. In Canada, the dominant motive for quitting a parliamentary caucus appears to be irreconcilable differences with the party leader.

Partisans who feel ignored and slighted by the leader end up on the fringes of caucus, and are susceptible to leaving it. Those who are bypassed for ministerial or shadow minister roles can feel excluded, alienated and aggrieved. Losing a leadership contest is a rebuke of both ambition and ideology, and parliamentarians who lose or backed a losing candidate can resent the winner, and never connect ideologically or personally with the new leader despite being given positions of responsibility.<sup>25</sup> The leader's perceived lack of approachability fuels disgruntlement; meanwhile, the leader gets suspicious about scheming and sabotage by internal party factions bent on stirring unrest. As in any relationship, without dialogue there is no ability to reconcile, and constructive criticism is interpreted as a personal attack. The fracture between a leader and a caucus member can be so deep that years later the two of them do not speak when seatmates in the legislature.<sup>26</sup> Even someone who supported the winning leadership candidate can be unsettled, such as if their electoral district association supported a different leadership candidate, potentially putting the incumbent's re-nomination in peril.<sup>27</sup>

Partisans are frozen out when the leader holds a grudge against them or otherwise wants little to do with them. A caucus outcast is excluded from normal internal consultation processes and might not be informed when the leader is going to be visiting their electoral district. As one disillusioned Liberal-turned-Independent put it: "To me the straw that broke the back...was last week when I learned from the public that the premier was coming...I've been finding myself increasingly isolated from any type of input, consultation, influence on any of the important decisions [in my region]."<sup>28</sup> As an election approaches, incumbents left without a party nomination can take swipes at a leader who they feel has let them down, and claim that sitting as an Independent is the best way to represent constituents.<sup>29</sup> An incumbent who was not re-nominated and whose political retirement is nearing can quit over an ideological disagreement

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<sup>25</sup> As with Léon Balcer, PC MP for Trois-Rivières (1949-65), who was one of a number of Quebec MPs who had a frosty relationship with John Diefenbaker (Balcer 1972).

<sup>26</sup> Balcer (1972), p.41.

<sup>27</sup> Cleary (2001a).

<sup>28</sup> Perry Trimper, MHA for Lake Melville (Newfoundland and Labrador), quoted in CBC News (2020a).

<sup>29</sup> For example, Hays (1993).

that would have otherwise been papered over.<sup>30</sup> The politically marginalized can complain that the party has moved in a different direction has left them behind. “I have lost the desire and even the will to be a Progressive Conservative. The party and its leadership has nothing to offer me ... and I have nothing to offer it,” said an MP who resigned to sit as an Independent.<sup>31</sup> Partisans also flee when they lack confidence in the leader’s ability to rectify a party in disarray.<sup>32</sup>

Other partisans quit despite having no qualms with the leader. Resigning is a recourse for those whose actions subject the party to upheaval and who face eviction. Parliamentarians who are alleged to have committed serious ethical, moral or legal breaches can minimize anguish and embarrassment by stating that they have decided to sit as an Independent while addressing the allegations. Quitting spares a respected leader and colleagues the grief of deliberating what to do.<sup>33</sup> Leaders can graciously accept the resignation, and even wish their former colleague well<sup>34</sup> or privately give them a hug.<sup>35</sup>

Quitting because of a policy disagreement is often the final straw as opposed to the lone reason – a happy member of caucus rarely resigns over a single issue. In Britain, rank and file party members leave mostly because of ideological disagreement, which can be triggered by negative events in particular a change in leadership.<sup>36</sup> In Canada, party mavericks eventually find out that there are limits to a disruptive style as people grow tired of their crusade. Brent Rathgeber, a Conservative MP in Alberta during the Harper prime ministership, believed that the role of a backbencher in the government caucus is to call out dubious decisions and actions. “I’ve been a bit of a non-traditional member of our caucus, in that I have, from time to time, constructively criticized our own government’s policies...I take the view that we’re not the rogues, we’re not the radicals. We’re the ones that are defending the historical and traditional role of the Member of Parliament,” he said weeks before becoming an Independent because he could no longer reconcile the need for compromise on principles.<sup>37</sup> Some legislators signal for months that they are unhappy, and publicly muse that they are questioning their place in the

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<sup>30</sup> King (2015); Canadian Press (2022).

<sup>31</sup> William Yurko, MP for Edmonton East, quoted in Cohen (1982).

<sup>32</sup> For example, see Hunter (1997).

<sup>33</sup> For example, Canadian Press (2014a).

<sup>34</sup> For example, CBC News (2020x).

<sup>35</sup> Fife (2016).

<sup>36</sup> Barnfield and Bale (2022).

<sup>37</sup> Quoted in Wingrove (2013a).

party.<sup>38</sup> Others who feel estranged in a caucus offer no clues that they are thinking about quitting it. They are careful about who they confide in, and avoid colleagues who will tattle or try to persuade them to remain.<sup>39</sup> One Nova Scotia MLA baffled colleagues when he abruptly submitted a concise letter of resignation after participating in a caucus retreat. The reasons came out later in media reports indicating that he felt ostracized after withdrawing from the party's leadership race and breaking party lines on a budget vote, and that his political beliefs were different than the new leader's.<sup>40</sup> Partisans also leave to more freely advocate changes to a policy that motivated them to seek elected office in the first place.<sup>41</sup>

Evolving norms play a role as well. In the past, there was a greater acceptance of innocent until proven guilty. The Quebec MP mentioned in Chapter X who was charged in 1989 with multiple counts of fraud and breach of trust for accepting payments to put his friend's employees on the federal payroll, and for demanding kickbacks from local contractors, broke ground by quitting the PC caucus to sit as an Independent while battling the criminal charges as opposed to the accepted practice of simply not attending caucus meetings. Then he pled guilty and resigned from Parliament. Along the way, a number of PC MPs including a minister defended him, pointing out that all human beings have their shortcomings, even as other ministers urged him to resign.<sup>42</sup> Context also matters. Consider that in 2010 a Saskatchewan MLA who had been incarcerated for two decades and talked openly about overcoming his drug addictions, gang associations and a criminal past left the caucus when the CBC was anonymously supplied with an audio recording and Internet chat room texts indicating that he had recently smoked cannabis, snorted cocaine and engaged in homosexual activity.<sup>43</sup> The premier accepted the MLA's decision to resign. Evolving attitudes towards criminal charges, drug use and sexual orientation might result in different outcomes today, and different leaders across Canada might be more forgiving of the latter case and more forceful about the former, particularly given heightened concern about reputation management.

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<sup>38</sup> CBC News (2005).

<sup>39</sup> Martin (2008), p.93.

<sup>40</sup> Smith (2005).

<sup>41</sup> Edmonton Journal (1999).

<sup>42</sup> Cleroux (1989a, 1989b).

<sup>43</sup> Wood (2010).



## Getting the Boot

Nowadays, personal choices and vices that used to be intolerable can be managed because there is greater public sympathy towards politicians who have certain frailties. But on politically explosive matters such as allegations of sexual harassment or violating election rules the leadership group quickly distances itself from a miscreant with temporary or permanent expulsion in order to inoculate the party and its leader from controversy. Partisans are also kicked out when someone is deemed to no longer be a team player, which is code for fundamental disagreement that the leadership and other caucus members are unwilling to put up with.

Leaders and caucuses are reluctant to sanction or expel a colleague, and try to work things out internally if they can.<sup>44</sup> When an involuntary departure occurs, the sensational news is egged on by opponents who portray indiscretions and disagreements as an indictment of the leader. Being down a seat has a ripple effect in the legislature, and the caucus research office loses funding. Nevertheless, some legislators give a leader little alternative but to pursue expulsion. There is disappointment and regret on both sides when a legislator who is otherwise on good terms with the party does something that corners the leader into dismissal.<sup>45</sup>

Headline-grabbing incidents of colleagues being expelled after a dramatic event become party lore: the government-side member who votes against a budget, the rookie who publicly castigates the leader, the party stalwart accused of sexual misconduct, the spurned leadership candidate who continues to champion a signature policy. Others are excommunicated after a series of public criticisms that the leader is unwilling to accept,<sup>46</sup> or for the cardinal sin of breaking caucus confidentiality.<sup>47</sup> There are countless unethical behaviours that lead to expulsion: the British Columbia legislator who repeatedly used MLA letterhead to advocate for his family's interests,<sup>48</sup> the Ontario MPP who lied about her husband driving a minivan that struck a former politician's son,<sup>49</sup> the Quebec MNA who used a security firm's credit card to pay for his gasoline use,<sup>50</sup> and the Alberta MLAs who rented out a publicly subsidized apartment on

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<sup>44</sup> See Chapter 10 in Marland (2020).

<sup>45</sup> C. Wilson (2020).

<sup>46</sup> See for example Ferguson (1996).

<sup>47</sup> Small (2008).

<sup>48</sup> Smyth (2001).

<sup>49</sup> Rupert (2001).

<sup>50</sup> Séguin (2010).

Airbnb<sup>51</sup> and who took ballots off a table at a nomination meeting.<sup>52</sup> Whatever the reason, news of a partisan essentially being fired from the party sends shockwaves through parliamentary politics and is a top news story.

The decision to expel a member of caucus is ultimately up to the leader, who can follow a process of caucus consultation and require an *in camera* vote, or who simply announces that the legislator has been removed. The legitimacy and solidarity resulting from a caucus decision is politically smart when a parliamentarian has sympathizers and supporters, and is embraced as decentralized decision-making, however the extra time to deliberate prolongs the internal tumult and media sensationalism. Conversely, a leader's authoritative action without consultation affirms who is in charge at the price of upsetting caucus members who loathe despotism. The exception to such *ad hoc* processes is a federal caucus that opted into the *Reform Act* provisions that empower it alone to initiate and approve expulsion (see Chapter X).

Some parliamentarians are shown the door after a single act of defiance or dishonourable conduct, especially if they are at the centre of controversy. Problematic behaviour that is publicly visible—such as being (mis)quoted by a journalist, or if controversial audio, video or social media comments go viral—compels an immediate response from the leader about whether to defend or discipline the troublemaker. A backbencher who makes headlines for acerbically criticizing a policy is especially troublesome if that policy is a core tenet of the party and its leader, or if news coverage undermines the authority of the leader and expectation of caucus solidarity.<sup>53</sup> A government-side backbencher openly criticizing a signature policy and planning to vote against it is grounds for expulsion; aside from defying the confidence convention this unnerves colleagues who clam up in caucus meetings out of concern that their comments will be leaked to the media or opposition.<sup>54</sup> Partisans who claim to channel their constituents' interests make life difficult for their caucus colleagues who field pointed accusations from their own constituents for being a weak representative by comparison,<sup>55</sup> and an incumbent who loses the party nomination can expect to be expelled for suggesting that they might run as an Independent against the party.<sup>56</sup> In political parties joined at the hip nationally and provincially, a

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<sup>51</sup> Graney (2017).

<sup>52</sup> Bellefontaine (2018).

<sup>53</sup> For example, Jang (2002).

<sup>54</sup> Ovenden (1990).

<sup>55</sup> Stokes Sullivan (2005).

<sup>56</sup> Smith (2003).

parliamentarian can be expelled for openly criticizing a core policy of their party's brethren in another jurisdiction.<sup>57</sup> Others experience swift justice for any number of acts that are considered beyond the pale.

Partisans are also removed when they are at the centre of escalating tensions that the leadership finds untenable, particularly if multiple warnings go unheeded.<sup>58</sup> A record of poor attendance in the legislature is a common complaint about someone who is expelled,<sup>59</sup> and absenteeism from representing constituents can be grounds for eviction.<sup>60</sup> Repeated episodes magnify each other, as with an opposition member voting with the government and then publicly complaining that caucus discipline chokes off independence,<sup>61</sup> or an MLA critiquing the leader in a series of blogs.<sup>62</sup> Some parliamentarians jump before they are pushed when it becomes clear that the leadership has had enough,<sup>63</sup> or when a newly installed leader addresses dalliances that an interim leader tolerated.<sup>64</sup> Others are shocked to learn that they have overstayed their welcome. One Alberta MLA was summoned to the leader's office to discuss research budget issues, only to be informed that he was out of the caucus due to ongoing friction with colleagues that the whip was unable to resolve.<sup>65</sup> As the exasperated leader who kicked out a rogue member put it, "when you make it clear you don't agree with the direction of our caucus, the direction of our party and the direction of our team, you can't be a part of that team."<sup>66</sup>

News of a parliamentarian involuntarily leaving a caucus typically exposes internal soap operas as complaints and allegations spill into the public domain. In Nova Scotia, an MLA was expelled after she resisted paving part of a gravel driveway at her constituency office to make it more accessible to people with physical disabilities. The PC leader cited the MLA's allegations of harassment by the legislature's management commission that had directed her to use her constituency allowance to pay for the paving as the "last straw" in "a pattern of behaviour" that had prompted meetings to discuss how she managed her office, her lack of availability to

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<sup>57</sup> Buzzetti (2013).

<sup>58</sup> See chapter 10 in Marland (2020).

<sup>59</sup> For example, Ovenden (1990).

<sup>60</sup> Dawson (2021).

<sup>61</sup> Nowlan (1987), p.18.

<sup>62</sup> CBC News (2010a).

<sup>63</sup> For example, CBC News (2014e).

<sup>64</sup> CBC News (2007c).

<sup>65</sup> Cryderman (2006).

<sup>66</sup> BC NDP leader Carole James, quoted in CBC News (2010a).

constituents and her apartment expenses.<sup>67</sup> In Ontario, the tipping point was reached with an MPP who had remained in the PC caucus following media reports about his website being adorned with fake constituents lavishing praise about him, after he was suspended for making sexist jokes about another party member, and after the leader demanded that he complete sensitivity training.<sup>68</sup> The MPP was finally expelled when video emerged of him complaining about French language rights and implying the party had a hidden agenda (“We have lots of things that we’re going to do that we won’t say to people before the election because we won’t get elected,” he was caught saying<sup>69</sup>). In Manitoba, a PC MLA was expelled for exuberant scrutiny of the PC government, including filibustering two of the government’s bills at committee and for disapproving some government policy.<sup>70</sup> In Saskatchewan, a Liberal MLA was banished because of his penchant for disrupting parliamentary proceedings with drawn out speeches,<sup>71</sup> and in British Columbia a longtime Liberal and former minister was expelled for questioning on social media the science behind climate change. That MLA had survived previous controversies, but an unforgiving new leader announced the departure in a terse statement upholding the culture of teamwork in political parties: “Politics is a team sport, and British Columbians expect their elected officials to work co-operatively on the important issues facing our province. Following a pattern of behaviour that was not supportive of our caucus team and the principles of mutual respect and trust, I have removed [name] from the B.C. Liberal caucus effective immediately.”<sup>72</sup> Nationally, Jody Wilson-Raybould and Jane Philpott are possibly the only former cabinet ministers to have been simultaneously removed from a federal party’s caucus for objecting to government policy.<sup>73</sup> The public airing of their disagreements over the SNC-Lavalin affair was national news for two months in 2019 and was underpinned, in part, by the lack of autonomy of Liberal backbenchers from partisan forces.<sup>74</sup> Prime Minister Trudeau saw things differently. He champions diversity, acceptance, respect, and compromise, and advocates against frames, tribalism and ideological bubbles.<sup>75</sup> But he is also wary of the civil

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<sup>67</sup> Tim Houston, leader of the PC Party of Nova Scotia, quoted in Tutton (2019).

<sup>68</sup> Benzie (2017).

<sup>69</sup> Jack MacLaren, MPP for Carleton-Mississippi Mills (Ontario), quoted in Jones (2017).

<sup>70</sup> Canadian Press (2017).

<sup>71</sup> Canadian Press (1984c).

<sup>72</sup> Kevin Falcon, B.C. Liberal leader, quoted in Kurjata (2022).

<sup>73</sup> Bharti (2019). For a provincial example, see Marland (2020), p.258.

<sup>74</sup> Wilson-Raybould (2019), 20. See also Chapter 11 in Marland (2020).

<sup>75</sup> Reilly (2018).

wars that divide political organizations. In his view, a political party that embraces diversity must accept that there will be internal disagreements, but ultimately the sanctity of the team must prevail over individualism.<sup>76</sup>

In exceptional cases it is the leader who walks the plank. Voices of discontent intensify when a member of caucus quits,<sup>77</sup> and a leader must be on guard that a parliamentarian leaving a party is a warning sign of simmering dissent. A leader's hold over the caucus is weak after poor results in a general election, if they lack support in a formal leadership review, if their actions trigger an emergency meeting of the extra-parliamentary executive or if they are on the wrong side of a caucus vote. Frustrations expressed in private among a small number of confidants can escalate into a meeting of concerned colleagues to discuss what to do. In Alberta, 10 Progressive Conservative MLAs reportedly deliberated over dinner whether they too should resign after one of their colleagues did so out of disgust with the premier being mired in negative headlines. News of their scheming and another resignation added to the turmoil, which led to Premier Alison Redford resigning.<sup>78</sup> Whatever the impetus or mechanism for a putsch, mutiny usually spells the end of a leader's political career. Those who brought the party to glory go on to hold a revered status; those who brought shame are forgotten, though some do recast themselves as party stalwarts, particularly former opposition leaders who become capable ministers.

Big political debates that transcend jurisdictions, such as constitutional reform<sup>79</sup> or a federal-provincial financial agreement,<sup>80</sup> spark upheaval and mass exoduses (see Chapter X). The COVID-19 pandemic triggered a spate of caucus banishments that left many politicians orphaned. Across Canada, several ministers were demoted following public outcry over their international travel in December 2020 when such travel was restricted. Government-side backbenchers were expelled for ignoring public health guidance to not leave the country,<sup>81</sup> for voting against a bill to temporarily expand the government's authority<sup>82</sup> and for openly criticizing the lockdown.<sup>83</sup> A Quebec MNA stepped aside from the caucus for three months

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<sup>76</sup> 680News (2019).

<sup>77</sup> For example, Helm (1994).

<sup>78</sup> Dykstra (2014).

<sup>79</sup> As with David Mitchell, MLA for West Vancouver-Garibaldi (British Columbia), who broke ranks with his party over the Charlottetown Accord in 1992 (Clark and Hauka 1992).

<sup>80</sup> As with Jim Hodder, MHA for Port au Port, who switched parties over an offshore oil agreement (Roche 1985).

<sup>81</sup> Ramsay (2021).

<sup>82</sup> Canadian Press (2020).

<sup>83</sup> Davidson (2021).

when video surfaced of him not following physical distancing rules while socializing at a brewery,<sup>84</sup> while an opposition MLA in Nova Scotia was banished for promoting a traffic blockade at the New Brunswick boarder.<sup>85</sup> As a fourth wave of the pandemic emerged, Ontario Premier Doug Ford warned that all of his MPPs must be vaccinated in order to remain a member of caucus, resulting in the removal of one veteran MPP who refused to comply<sup>86</sup> and another who resigned over misrepresenting her vaccination status.<sup>87</sup> Other partisans were demoted, such as the Liberal MP who disobeyed the government whip's instructions to avoid non-essential international travel and so was stripped of a committee post,<sup>88</sup> and the Manitoba PC minister who was removed from cabinet for refusing to declare if he had been vaccinated.<sup>89</sup> An unusual case involved an Alberta NDP MLA who was banished for hacking the provincial government's vaccination verification website in an alleged effort to prove its vulnerabilities.<sup>90</sup> Still, the truism that there is strength in numbers proved fruitful in 2022 when the Trudeau government lifted the travel vaccine mandate to quell a drumbeat of Liberal MPs calling for relaxed rules.<sup>91</sup>

Most caucus evictions during the pandemic occurred on the political right, epitomized by the United Conservative Party's (UCP) upheaval in Alberta. Premier Jason Kenney initially tolerated two MLAs joining a national anti-lockdown coalition until he declared that UCP MLAs not following public health rules would be evicted from caucus.<sup>92</sup> Someone leaked details of an emergency caucus meeting about preventing caucus leaks and about a vote to expel two MLAs who had called for the premier to resign.<sup>93</sup> Driven primarily by constituency association presidents across the province, the undermining of his leadership persisted as Kenney tried to manage a caucus that was divided about when government interference with personal liberties goes too far. There were many instances of insubordination, such as a backbencher posting a Facebook video accusing the premier of promoting a culture of fear; another tweeting that he should step down; and multiple backbenchers openly criticizing his leadership and calling for

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<sup>84</sup> Plante (2021).

<sup>85</sup> Cooke (2021).

<sup>86</sup> CBC News (2021b).

<sup>87</sup> Canadian Press (2021d). A Saskatchewan Party MLA resigned from caucus in September 2021 for misrepresenting her vaccination status as well.

<sup>88</sup> Woolf (2021).

<sup>89</sup> Dacey (2021).

<sup>90</sup> Gibson (2022).

<sup>91</sup> Philipupillai (2022).

<sup>92</sup> Boothby (2021); Cryderman and Keller (2021).

<sup>93</sup> Naylor (2021).

change.<sup>94</sup> This included the unusual sight of a government-side backbencher chiding the government in a member's statement and during Question Period.<sup>95</sup> That so many mutineers remained in caucus reflected the premier's lack of control and contributed to a downward spiral of lower public support for him and his party. As Kenney admitted, he was "far too tolerant of public expressions of opposition" from his caucus,<sup>96</sup> which contrasted with unwritten directives from his office to government political staff to avoid leaks, freedom of information requests and controversy by using personal phones, communicating via private digital channels and by deleting emails.<sup>97</sup> A Conservative MP blogged about the tumult that beset the UCP and political right generally: "...there have also been squabbles that have erupted in the pages of national media, public meltdowns, nearly missed physical fights, coups, smear jobs, leaked recordings and confidential emails, lack of consensus on critical issues, caucus turfings, people harassed to the point where they resign roles, and hours long meetings where members have been subjected to hours of public castigation," she wrote.<sup>98</sup> Public health responses to COVID-19 exposed deep fault lines in Alberta that culminated in the premier announcing that he would step down following a weak result in leadership vote.

Extreme cases of a legislator being excommunicated invite debate about expulsion from the legislature entirely. One high-profile case involved the Nova Scotia House of Assembly being recalled for a special sitting in 1986 to pass a bill banning people convicted of a major crime from holding a seat within five years of the conviction. The legislation was prompted by a desire to disqualify PC MLA Billy Joe MacLean who was dropped from cabinet for falsifying expense claims and, after some controversy, from the governing party's caucus. MacLean was expelled from the legislature when the so-called "Billy Joe Bill" became law. However, a provincial court ruled the legislation unconstitutional and in the ensuing by-election he was re-elected as an Independent. Nearly three decades later, the Nova Scotia legislature was again recalled to debate expelling an NDP MLA who pled guilty to fraud over falsified expense claims. This time the MLA, who had defiantly sat as an Independent, abruptly resigned his seat before potentially forfeiting his pension plan contributions, contingency expenses and severance.<sup>99</sup> As with many

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<sup>94</sup> Thomson (2022).

<sup>95</sup> Bennett (2022).

<sup>96</sup> Quoted in Thomson (2022).

<sup>97</sup> Rusnell and Russell (2020).

<sup>98</sup> Michelle Rempel Garner, MP for Calgary Nose Hill, quoted in Aiello (2022).

<sup>99</sup> Doucette (2013).

politicians, he used a shield of representation altruism to divert from self-interest when he blamed the legislature for deciding “the fate of representation in my community”<sup>100</sup> and saying it would not have been “fair to the community” for his resignation to cause the closure of his constituency office that employed a single-mother.<sup>101</sup>

## **Independence**

“Withdrawing from the whip,” as it is known in Britain, is the act of leaving a caucus to sit as an Independent. In that country, Independent MPs rarely behave as delegates who prioritize constituency interests. Instead, they treat constituency considerations as some of the many sources of available information when they decide the best way to vote on a bill or motion.<sup>102</sup> In Canada, Independents attract a burst of attention for exiting a party. In some quarters, parliamentarians who take a principled stand against party leaders are portrayed as noble underdogs battling a broken political system and are celebrated for sacrificing their career for the greater good, while in other quarters they are vilified as selfish and irrational ideologues who disrespect how party politics works and who have betrayed their many constituents who voted for a party. Most such parliamentarians serve out the rest of their term as an Independent and disappear from politics. Some express antipathy by exiting parliamentary politics altogether; others ride a wave of public approval that evaporates by the next election when their re-election bid fails. Occasionally, an Independent candidate overcomes the odds and manages to get elected.

The allure of breaking away from party control is a common refrain from parliamentarians who leave a caucus. Ex-partisans say that there is no alternative if a legislator wants to carve space in the legislature,<sup>103</sup> that partisanship inhibits the ability to represent constituents<sup>104</sup> and that for an Independent accountability shifts from party bosses to constituents.<sup>105</sup> Independents help to engage an alienated electorate and to reduce the corruption that arises in organized groups.<sup>106</sup> They add to public discourse by proposing policies that would otherwise be shunned by mainstream parties. In the legislature, they manage their own research assistance to

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<sup>100</sup> Trevor Zinck, MLA for Dartmouth North (Nova Scotia), quoted in CBC News (2013a).

<sup>101</sup> Quoted in Doucette (2013).

<sup>102</sup> Cowley and Stuart (2009).

<sup>103</sup> Lynda Haverstock, MLA for Saskatoon Greystone (Saskatchewan), quoted in Canadian Press (1995).

<sup>104</sup> CBC News (2020a); Fitzpatrick (2012).

<sup>105</sup> Kurt Gesell, MLA for Clover Bar (Alberta), quoted in Thomas (1993).

<sup>106</sup> Brancati (2008), p.648-649.



investigate topics at arms-length from political parties<sup>107</sup> and in the right circumstances can perform a significant role in parliamentary debate.

An Independent's clout is highest in a minority government, especially when Parliament is deadlocked. A high profile case involved British Columbia MP Chuck Cadman. In 2004, Cadman lost the Conservative nomination, announced that he would seek re-election as an Independent, and had his party membership cancelled at the onset of the federal election.<sup>108</sup> After he managed the rare feat of being re-elected as an Independent, he was courted by Conservative, Liberal and NDP MPs who chatted with him in parliamentary hallways about joining their caucus,<sup>109</sup> with some party operatives aggressively wooing his vote for a pivotal budget amendments bill in 2005.<sup>110</sup> There was a media frenzy in the days before the high stakes vote because Cadman, who by this point was terminally ill, travelled to Ottawa without revealing what he would do. He voted with the government (as did Belinda Stronach; see Chapter X), contributing to a 152-152 tie that was broken by the Speaker, thereby staving off the fall of Paul Martin's Liberal government. Cadman died two months later. Another area where Independents have a say is their procedural ability to deny the unanimous consent that is required when a party wants the legislature to vote on a motion without official notice. This is how, for example, that Wilson-Raybould, by this point an Independent MP, temporarily blocked a Bloc Québécois motion in 2021 that had all-party support to recognize Quebec as a nation.<sup>111</sup> Denying consent is especially potent in moments of urgency, or when MPs want to adjourn early.

The Cadmans and Wilson-Rayboulds of Canadian politics are rare. Most Independents are initially elected with a party, exit after a dispute, and serve out their term with little fanfare as their political career withers away. As mentioned in Chapter X, until the early 20th century it was common for Canadian politicians to be elected without formally declaring their party affiliation. Nowadays, Independents face two significant constraints in a political system whose rules reflects party interests.

The first major hurdle for Independents in Canada is that it is exceptionally difficult to be elected in federal and provincial elections without being the candidate of a reputable political

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<sup>107</sup> CBC News (2012); CBC News (2020a); Huntington (2012), p.3.

<sup>108</sup> Zytaruk (2008), p.242.

<sup>109</sup> Rana (2004).

<sup>110</sup> Zytaruk (2008).

<sup>111</sup> Canadian Press (2021b).

party. It is only when the official campaign begin that Independents can access the list of electors or issue tax receipts for donations.<sup>112</sup> A partisan-turned-Independent candidate has the experience of running a campaign but loses workers who side with the party's new nominee. Independents are unable to avail of communications templates, policy platforms, voter contact databases or funds supplied by the central party,<sup>113</sup> and they can be excluded from local all-candidates' debates.<sup>114</sup> At the ballot box, few people prioritize candidate considerations, and past supporters either stick with a party or possibly vote strategically for another party's candidate to prevent someone from winning.<sup>115</sup> Independent candidates also create problems for democracy, including lowering voter turnout due to reduced public interest, pitching unworkable policies, inhibiting party challengers from defeating incumbents, and wasting the vote of people with lower incomes and lower education.<sup>116</sup>

Since 1980, we find that only two MPs and three provincial parliamentarians have been elected as Independents in general elections without first being elected as a political party's candidate. None of them was truly a political outsider. Federally, in 1984 local Conservatives and Liberals recruited former Toronto area mayor Tony Roman to run as an alternative to an unpopular PC incumbent amidst a national surge in support for that party. In 2006, Andre Arthur, a popular conservative talk radio host in Quebec, was elected as an Independent MP when the Conservative Party did not field a candidate and quietly endorsed him. Provincially, Yvonne Jones was elected in the 1996 Newfoundland and Labrador provincial election after losing the Liberal nomination. In British Columbia, former municipal councillor Vicki Huntington was elected in the 2009 provincial election after a confluence of local issues and the governing party transplanting an incumbent who had represented a different riding.<sup>117</sup> Most recently in the 2022 Ontario election Bobbi Anne Brady was elected in a staunchly PC riding where she had been a constituency assistant to a popular MPP who did not seek re-election. In a rebuke to the retiring incumbent, the party establishment nominated a man backed by the premier, but locals including the outgoing MPP rallied around Brady. These five cases are anomalies – the vast majority of

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<sup>112</sup> Small and Philpott (2020), p.202.

<sup>113</sup> Small and Philpott (2020), p.201.

<sup>114</sup> Borcsok (2022).

<sup>115</sup> On strategic voting, see for example Daoust and Bol (2020).

<sup>116</sup> Brancati (2008), p.648.

<sup>117</sup> Huntington (2012).

elections in Canada feature Independents whose candidacy goes unnoticed and who fail to make a dent in the party monopoly.

Being elected as an Independent is more viable with the name recognition and local connections that an incumbent fosters, especially in small places. Paul Lane has crafted an image of a local folk hero in his electoral district of approximately 14,000 people in a municipality adjoining St. John's in Newfoundland and Labrador. In 2011, the former municipal councillor was elected as a PC MHA. Publicly, he developed a reputation as the governing party's pit bull for coordinating hard-hitting partisan swipes at opponents; privately, he ensured that he was accessible to constituents. His frustrations with the PC premier led to him crossing the floor to the Liberals in 2014, a move that was the catalyst in her resigning four days later. Lane went on to be re-elected as a Liberal yet he was left out of cabinet, again, when the Liberals formed a government. In 2016, he channelled public frustration with an austerity budget by declaring that he would vote with the NDP on a non-binding matter, which led to the government House leader sending an email to advise the temperamental MHA that he was out of the governing party's caucus. In the 2019 provincial election, and again in 2021, Lane pulled off the rare feat of being re-elected as an Independent. He was one of three former party MHAs in 2021 who were elected as Independents in small electoral districts in a legislature of just 40 members.

The second major hurdle that Independents confront is that the standing orders of Canadian legislatures revolve around recognized political parties. In the House of Commons, an Independent can be excluded from debate and proceedings, and does not qualify for extra funds that come with official party status. Independent MPs are permitted a question per week during Question Period and they are ineligible for membership on a parliamentary committee although they may nevertheless attend public meetings.<sup>118</sup> Exclusion is a key reason why even Independents do not recommend being one; for instance, they lack mentors who can help them navigate setting up an office, accessing resources and interpreting rules,<sup>119</sup> and although they have more flexibility to work in their electoral district they are confronted with much more reading, including on topics that they know little about.<sup>120</sup> As one party switcher put it, sitting as an Independent "sounds great and righteous, if you want to do that, but I think it's really, really

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<sup>118</sup> O'Malley (2018).

<sup>119</sup> Huntington (2012), p.3.

<sup>120</sup> Postmedia News (2013).

difficult to get anything done for your riding in that position.”<sup>121</sup> Nevertheless some partisans see opportunity. Catherine Fournier was a Parti Québécois (PQ) MNA who left to sit as an Independent to more forcefully and creatively advance a separatist agenda. She denounced the partisanship that divided separatist forces, labelled the PQ as a spent force, and urged the mobilization of public support through citizen assemblies. Her aspirations to forge a new coalition were articulated in a manifesto that rejected the traditional role of political parties and called on separatists to advance the cause within a non-partisan society.<sup>122</sup> However, her efforts fell flat, and she moved on to municipal politics, becoming just another case of a former partisan whose freedom from party constraints instills optimism until they get frustrated with their powerlessness.<sup>123</sup>

Some Independents forge a different path by adopting a label that communicates an informal affiliation with their former party, such as an Independent Liberal.<sup>124</sup> This can signal a desire to return, position them for re-election or merely describe their political leanings, as with the former NDP MP who briefly resurrected the Cooperative Commonwealth Federation (CCF) label in 2018. When a party dissolves due to a merger, a label can signify political orphaning, as with the Progressive Conservative MPs including former Prime Minister Joe Clark who were uncomfortable with the formation of the Conservative Party and instead sat as Independent Progressive Conservatives.<sup>125</sup> When a party folds outright, those legislators who are interested in re-election are forced to decide whether to pursue a new affiliation or to run on their own recognisance. In 1982, the leader of the Alberta Social Credit party quit amid financial woes, infighting and fading popularity, and the party executive announced that the once mighty Socreds would not field candidates in the next election. One of its three remaining MLAs served out his term and retired. The other two were re-elected as Independents. They were subsequently re-elected under the banner of a new party that they created, which dissolved after one of them crossed the floor to the PCs.<sup>126</sup>

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<sup>121</sup> Jenica Atwin, MP for Fredericton (New Brunswick), quoted in Karadeglija (2021).

<sup>122</sup> Bourgault-Côté (2020).

<sup>123</sup> Roberts (1993).

<sup>124</sup> Canadian Press (1995).

<sup>125</sup> Yourk (2004).

<sup>126</sup> Canadian Press (1982). The three MLAs were Ray Speaker, Fred Mandeville and Walter Buck.

## **Conclusion**

Party caucuses are workplaces and, as with any workplace, there is turnover as people who are unhappy resign and as leaders decide to fire incompatible or incompetent employees. A formidable difference is that elected representatives are public figures and their movements are newsworthy. As with many workers, they must size up alternatives when they contemplate exiting a party or are expelled. Many of them recognize that in Canada it is exceptionally difficult to exert influence as an Independent in the legislature and even harder to get elected as one, which are part of the institutional forces that cause parliamentarians to remain in their parties and act as party representatives.

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