Understanding the Dynamics of Political Dysfunction: A Comparative Analysis of Legislatures in Canada and the United States

by
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Project Submitted in Partial Fulfillment of the Requirements for the Degree of Master of Arts in the Department of Political Science Faculty of Arts and Social Sciences

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Abstract

This paper examines the primary categories of dysfunction in the Canadian and American legislatures. The central purpose of this comparative analysis is to explore the range of phenomena associated with legislative dysfunction in both the Canadian Parliament and the United States Congress. The Canadian and American cases are compared for the insights that two different institutional settings and political cultures can provide into the emergence of an interplay among dimensions of dysfunction. My intention is to fill the void of thorough literature on this subject, most specifically in Canada, by categorizing the wide scope of sources of legislative dysfunction into three main classifications - Institutional, Ideological, and Sociological. Two central findings emerge from the analysis. First, the differentiation of institutional mechanisms and legislative processes between Canada and the United States produces distinct sources of national-level legislative dysfunction. Second, despite these institutional differences, the two nations largely share ideological and sociological sources of dysfunction. Evidence from the literature suggests that despite utilizing two distinct systems of government, the two countries exhibit some noteworthy similarities in this regard. The analysis will make use of many sub-variables and contemporary issues that are present in the legislatures in order to illustrate the extent to which dysfunction persists. After providing background and justification for these three main categories, I examine how they interact, and their effect on the functionality of the legislatures in both nations.
Acknowledgements

I would like to thank Dr. David Laycock for his invaluable guidance and mentorship during this project. His constructive approach and thought-provoking dialogue allowed me to better research what was often a complex topic to grasp. I am also grateful to the additional members of my committee, Dr. Andy Heard and Dr. Eline de Rooij, whose feedback helped me more effectively understand the conceptual scope of the paper. Lastly, a sincere thank you to my friends and colleagues in the department. Their support over the past two years has been nothing short of remarkable.
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Chapter 1.

Introduction

The relationship between the citizenry and the government epitomizes the very foundation of a democratic state. Any democracy that values the ideals of representative governance understands the imperative nature of this connection. Within Canadian society, this relationship has presented a history of relative stability and confidence. The past century has witnessed a healthy level of both skepticism and optimism with regard to the overall well-being of our democracy. The public's participation in the cyclical nature of the political process has also followed conventional patterns. Much of the Canadian discussion surrounding the actions of the federal government tends to follow one of several familiar trends.

Leading up to and following our national elections, research and analysis traditionally concerns the direction and prospects of Canada's political parties and leaders. A large portion of the public's involvement with federal politics occurs throughout competitive pre-election campaigns, as well as when votes are cast on the election day itself. Throughout the period in office of either a minority or majority government, national discussion tends to revolve around how the prime minister and members of Parliament are pursuing important policies and implementing legislation that is a priority to Canadians. Much of this is measured on a rolling basis through approval ratings, as well as by the continual public scrutiny of political parties and representatives, both in Ottawa and within their respective constituencies. Additionally, the day-to-day conversation in the media and among the public usually centres around the critical issues facing the nation, such as the state of the economy, unemployment levels, and national security. This remains the primary and consistent method of political engagement on the part of the public, as these issues have a direct and substantial effect on the population's well-being.
The following research, however, will focus on a deeper level of Canada’s engagement in politics. As opposed to the levels of connection with our democracy previously listed, Canadians do not nearly as often take an extra step back from their evaluation of our elected leadership and consider, in a more general sense, if the government itself is functioning as designed. It would not be an exaggeration to suggest that much of our non-policy-specific discussion relates to notions of dissatisfaction and frustration with key components of the political process. Nonetheless, while citizens may be attentive to the shortcomings of their government, consideration of the central reasons behind these conditions are not often pursued. Herein lies a significant disconnect between the recognition of a system that is not functioning properly, and the comprehension of why it is failing to operate as desired.

This paper examines whether the Canadian federal legislature has become a 'dysfunctional' system, aided by a consideration of aspects of legislative dysfunction in American national politics. Literature on the Canadian and American cases will be analyzed for the insights that two different institutional settings and political cultures can provide into the emergence of an interplay among dimensions of dysfunction. The fact that these nations possess dissimilar systems of government will allow us to better isolate and analyze non-structural contributors to dysfunction. The importance of analyzing and understanding legislative dysfunction cannot be understated. As alluded to earlier, public discussion of the core reasons behind the shortcomings of government in Canada is rare. To improve aspects of our government, one must first recognize the sources and characterizations of what is currently dysfunctional.

The term 'dysfunction' is often disseminated quite liberally, and in the context of describing our government it is typically used without either a concrete definition or clear conceptualization. The media commonly proclaims that Ottawa is 'broken', and that politics in Canada have become 'dysfunctional'. Unfortunately, these widely-received descriptions are rarely followed up with sufficient analysis that would better educate the populace. And in a government as large as ours, with numerous institutional mechanisms and a competitive political atmosphere, pinpointing areas of dysfunction is not always straightforward. In specifying the character of 'legislative dysfunction', two basic definitions help to set the context. The *Oxford English Dictionary* defines
dysfunction as an "abnormality or impairment of function" (Soanes, 2002, p. 780). Wilson (2014) defines the concept with specific reference to politics, presenting it as an overall institutional impairment in any system of government, which prevents governmental processes from "operating normally" (Wilson, 2014). *Merriam-Webster*, on the other hand, defines 'dysfunction' as "the condition of having poor and unhealthy behaviors and attitudes within a group of people" (Merriam-Webster, 2011). This behavioural assessment of the concept mirrors Ornstein (2014), who describes political dysfunction as "the sharp partisan and ideological polarization that characterizes our time" that can be sourced back to "tribalism" (Ornstein, 2014, p. 179-80). These two designations suggest general characteristics of dysfunction that can be uncovered through an exploratory study of the literature on the nature of legislative dysfunction in two national settings, Canada and the United States. The Oxford definition emphasizes impairment of a system that is presumably capable of functioning well; one that is able to achieve its designated objectives. The second definition, by contrast, stresses the significance of representatives’ unhealthy behaviours and relationships, so translating it into a political analysis will require that we attempt to make sense of these behaviours. As will become evident, there is a strong interplay between these two definitions of dysfunction that can be suitably applied to the legislative setting.

The concept of dysfunction, and how it can be used to illustrate the contemporary state of government, has garnered attention among academics. Nonetheless, there does not exist one universal definition of the concept. In fact, there appears to be a tendency for both authors of academic work and newspaper articles to refer to "dysfunction", and in some cases write an entire article about the subject, without formally defining the term. As mentioned earlier, Canadians will often hear this word in the media without actually having a defendable understanding of its meaning in a political context. It can be identified in multiple ways while still presenting an accurate characterization. More generally, Wilson intentionally makes note of the potential for dysfunction to exist in presidential, parliamentary, and mixed systems, so long as they are failing to operate as designed.

In my estimation, these two dimensions of dysfunctional nature can be built upon to yield three analytically distinct categories of sources of legislative dysfunction:
Institutional, Ideological, and Sociological. Two of these three categories, ideological and sociological, are associated with the complex behavioural definition introduced by Ornstein (2014), while the institutional category is one where we will find evidence of operational system dysfunction, as pointed out by Wilson (2014). Furthermore, these two distinct accounts provide a justification for this analysis to examine different conceptions of dysfunction and the contexts in which they might arise. And in order to better understand why the functioning ability of government is being affected, this study will explore the literature’s wide-ranging accounts of sources of dysfunction within the legislatures of Canada and the United States. The rationale for these three categories of sources of dysfunction will be provided in Chapter 3, when the overall research objectives are outlined. These categories will be elaborated upon in further detail throughout the main analysis in Chapter 4.

Over the past two decades, there has been expanding criticism pertaining to the inner workings of government, both in Ottawa and Washington DC. Nevertheless, much of the scholarly and non-scholarly devotion to this issue tends to only centre around a singular determinant of dysfunction within one country. Seldom have more encompassing analyses been attempted that seek to evaluate the broader scope of dysfunction in the Canadian legislature. An adequate comparative analysis of dysfunction between these two countries has also yet to be attempted. From purely an American or Canadian standpoint there has been commendable progress made on this subject, especially over the past few decades. However, the literature has yet to undertake a direct comparison of the two nations. This can likely be attributed to the tendency towards researching dysfunction largely from a structural perspective, which focuses on institutions, instead of adding ideological or behavioural approaches, which focus on political ideology and sociological factors, respectively. Despite the fact that these two countries operate through unique systems of government, parliamentary and presidential, there is strong evidence that the sources and patterns of dysfunction in Canada and America share some noteworthy similarities. These similarities stem from institutional factors, as well as from ideological and sociological sources.

The structure of this research paper will be as follows. Chapter 2 will provide a review of the relevant literature pertaining to political dysfunction in both Canada and the
United States, organizing it with reference to three primary categories of the sources of dysfunction: institutional, ideological, and sociological. Chapter 3 will present the primary research questions and the mapping of categories to be analyzed in the body of the paper. This section will also lay the groundwork for the central objectives to be analyzed throughout the exploratory analysis. Chapter 4A will feature the main analysis of conceptions and accounts of dysfunction in the American and Canadian legislatures. Within this section, I will discuss how the current dysfunction on display in Ottawa and Washington DC originates from these three central sources (institutional, ideological, and sociological). This comparative exploratory analysis addresses significant questions pertaining to modern-day legislative dysfunction in Canada and the United States, and will note how the distinctive political and institutional realities have had a bearing on the different paths dysfunction has taken in each country. Additionally, Chapter 4B will consider the main similarities and differences between the two countries, discussing how these categories of dysfunction are interconnected. Finally, Chapter 5 will review the main findings of the paper and summarize the arguments pertaining to the impacts of these three determinants of dysfunction in both countries. This concluding chapter will also offer a brief discussion of potential reforms intended to reduce legislative dysfunction in Canada. Although the main focus of this analysis is not to formulate plausible solutions to dysfunction, the paper will be concluded with a few brief remarks on possible ways of improving the circumstances.
Chapter 2.

Literature Review

As acknowledged in the preceding section, the literature concerning legislative dysfunction lacks an effective comparison of legislatures in both Canada and the United States. This can be attributed to two primary reasons. Firstly, the institutional systems of these two countries are vastly different. Canada utilizes a Westminster Parliamentary system of governance, while the United States exercises a Presidential system in addition to a Congress possessing both an elected Senate and House of Representatives. Secondly, the literature pertaining to Canadian dysfunction suggests that this topic has not been a significant area of concern until the turn of the century. While it would be inaccurate to argue that this phenomenon has only existed for a few decades, the volume of attention it is currently receiving suggests that it has become a more significant issue over the past decade. Despite the lack of comparison between the two nations, the literature devoted to recent dysfunction within both Canada and the United States does shed light on this issue. Analytical categorization of the relevant literature will show that researchers have paid close attention to how these two nations suffer from dysfunction on institutional, ideological, and sociological levels, both from actor and non-actor dynamics.

Section 2.1 will review the literature concerning dysfunction stemming from structural mechanisms in both countries. As will be evident, these sources will present the most distinction between existing concerns over how the legislatures are currently operating in Canada and the United States. Section 2.2 will evaluate ideological sources of modern-day dysfunction. Within this area, previous research concerning issues such as inter-party compromise, along with the increasingly prevalent phenomenon of political polarization, will be examined. Lastly, Section 2.3 will review how sociological origins of legislative dysfunction play an important role in both countries. Conduct of elected
representatives in Ottawa and Washington DC, in addition to public attitudinal measures of trust in the political process, will provide the two central topics of sociological sources. In addition to Section 2.2, this segment will communicate the most apparent similarities between Canada and the United States. While categorizing sources of dysfunction by either ‘actor’ or ‘non-actor’ sections would be an oversimplification, the institutional factors do not generally possess the same behavioural origins as the ideological and sociological factors. However, as will become noticeable, many of the institutional sources of dysfunction undoubtedly possess components of behavioural factors as well.

2.1. Institutional Sources of Legislative Dysfunction

Abramowitz (2013) has examined the usage of the filibuster mechanism in the United States Senate. He has stated that the utilization of the filibuster tactic in the Senate has recently become a common, and substantially over-exhausted, instrument for the minority party to block legislation and obstruct the majority party from pursuing its policy interests. Abramowitz further points out that the dysfunction in Washington DC, which can be traced back to excessive partisanship, is being exploited through institutionally-recognized obstructionist tactics (Abramowitz, 2013). Filibusters are an example of dysfunctional obstruction in the U.S., as they permit speeches of unlimited length to block measures from passing and prevent Senators from discussing other measures. However, while filibusters can be ended with a 60% vote, the current realities of the American electoral system mean that it is rare for either party to win 60% of the seats in the Senate.

Barber and McCarty (2013) have also explored how the institutional setup of the Senate has hindered the policy-making ability in Congress. These authors have concluded that the existence of 'supermajoritarian institutions' have allowed for the more partisan representatives to possess a stronger legislative influence, instead of a law-making body that is controlled by cooperative legislators. Unfortunately, the absence of these median legislators allows for vetoes and filibusters to be routinely used at high levels (Barber & McCarty, 2013). Moreover, they argue that the institutional formulation
of committees in the House of Representatives has evolved from a more decentralized system to one of a tightly controlled system where party leaders have more authority. As a result, this creates a more rigid system of committees with a higher propensity to sway votes, as well as aggressive vetoing attempts, conducted on strict party lines. This system potentially results in an inability to pass policy legislation as effectively as when committees were more decentralized.

While the United States government, in particular the Senate, is designed to be more deliberative by nature as opposed to the Canadian Parliament, there are still institutional factors within Canada’s federal government that can be argued as contributors to dysfunction. The filibuster offers a legislative tool for members of the Senate to prolong and delay action on a specific bill. The utilization of this tactic often results in intentionally elongated speechmaking on the Senate floor with the sole purpose of obstructing the passage of legislation. In contrast, there are clear rules in the Canadian House of Commons that allow for the government to curtail debate through time allocation and closure. These procedures are designed to ensure that decisions can be made within a sensible time frame. Blidook and Byrne (2014) have made the case that due to the legislature’s ability to dissolve Parliament on a non-confidence vote, the Canadian government has recently witnessed a rise in ‘constant campaigning’ among representatives in an increasingly partisan atmosphere. These authors have argued that due to the electoral system, any party that holds a minority government essentially receives no ‘safe period’ in which to pursue legislation that may be viewed as part of a preconceived mandate. Instead, as soon as any new government forms, the build up to the next campaign has already commenced.

Godbout and Høyland (2011) have researched how, in some cases, the governing party may try to introduce bills and motions to divide the opposition in order to gain a competitive advantage in the forthcoming election. This tactic was employed by the Liberal Party during the 35th (1993-97) and 38th (2004-05) Parliaments, and by the Conservative Party during the 39th (2006-08) Parliament. Most recently, the Conservative leadership has been introducing these motions with the specific objective of creating a divide between the Liberals and the Bloc Quebecois. Similar to the tactics
researched by Blidook and Byrne (2014), introducing polarizing motions to divide opposition is carried out due to the anticipation of a possible upcoming election.

Lastly, Soroka et al. (2009) approach the structure of Canadian elections from an electoral perspective by looking at the concept of "dyadic" representation. They consider how the institutional architectures of elections and campaigns promote a mentality that contributes to dysfunction (Soroka et al., 2009). The authors have discovered that the relationship between the actions of elected officials and the interests of their constituents has a strong tendency to be muffled in favour of an emphasis on strong party discipline in Ottawa. As a result, this leaves "little space for independent, constituency-responsive action by elected representatives" (Soroka et al., 2009). Unique from the previous two sources of literature, this research directly addresses how Canadian citizens are being left to endure a government that prioritizes party discipline over democratic representation.

2.2. Ideological Sources of Legislative Dysfunction

Godbout and Høyland (2009) have stated that the increasingly partisan atmosphere in Ottawa encourages the political parties to remain more disciplined and less likely to engage in inter-party compromise. There is a high tendency for voting coalitions to be formed along ideological lines in the House of Commons. Additionally, there appears to be a second dimension of divide on issues relating to federalism and the province of Quebec. Johnston (2008) has also reaffirmed these two areas of divergence within the government. He has documented how the Liberal vote share, which is seen as the most moderate influence in Parliament, has been shrinking somewhat steadily over the past few decades (Johnston, 2008). Furthermore, he points out that while Canada was once a distinct parliamentary arrangement with a strong centre party, it has now evolved into a polarized pluralistic system. This transformation has created a more ideologically divided House of Commons.
As noted by Conley (2011), Canada does not possess a strong history of coalition politics. He argues that our dependency on minority governments, coupled with a priority to adhere to party lines, has created a rise in excessive partisanship. Moreover, because minority governments traditionally require more time to develop legislation that appeals to all parties, the overall productivity in Parliament has decreased. Conley also points out that Canada has witnessed productive minority governments in the past, such as the Liberals under Jean Chrétien in 1993, but this occurred during a time with much less ideological partisanship in Ottawa. Since the 2004 federal election, there has been a noticeable increase in inter-representative polarization. Canada's inclination towards avoiding formal coalitions casts doubt upon the efficiency of future minority governments.

The exit interviews with outgoing members of Parliament conducted by Loat and MacMillan (2014) revealed that a culture of internal party favouritism and pressure to abide by party instructions was present. This atmosphere has also created a highly negative incentive for representatives to often do what they feel is right. In some cases, representing their constituents' concerns can be difficult if the political party they belong to does not support policy that aligns with these concerns. The necessity for parties to stay unified is imperative in the current political climate, as representatives must often make the difficult choice of whether to adhere to strict party orders or to make decisions based on their constituents' best interests. From the individual party leader's perspective, a severely partisan environment has made establishing intra-party unison the most critical priority.

The increasing ideological gap within the U.S. Congress has also been well-documented. Baldassarri and Gelman (2008) have argued that the current level of political polarization within Congress is a real threat to the functionality of the system as a whole. An ideologically diverging Congress "induces alignment along multiple lines of potential conflict and organizes individuals and groups around exclusive identities, thus crystallizing the public arena into opposite factions" (Baldassarri & Gelman, 2008). This has resulted in less overlap in agreement when dealing with policy-related issues.
Abramowitz (2013) has argued that a more ideologically polarized Congress diminishes both the ability and incentive for parties to achieve legislative compromise. This will also enhance the amount of gridlock and stalemates throughout the policy-making process. While the rules surrounding legislation passage in the Senate are more restrictive than in the House of Representatives, Abramowitz draws attention to the rise in partisan brinkmanship which is now much more common throughout Congress. This problem has become exceedingly frustrating for the American public, especially during a time when important issues remain unaddressed and unresolved.

2.3. Sociological Sources of Legislative Dysfunction

Sotiropoulos (2009) reviews the lack of professional decorum and behaviour between elected representatives in Ottawa. Contemporary interaction in the House of Commons is viewed as symbolic of the decline of respect politicians display for one another in Parliament. He has argued that Members' Statements increasingly cross the threshold of what can be considered 'acceptable behaviour'. The civility that was once expected between representatives has become less commonplace. Sotiropoulos, through studying Members' Statement periods, has found that there has been a noticeable increase in partisan discourse during the 38th and 39th Parliaments. This is counterproductive to establishing an environment that encourages inter-party cooperation.

Keeping within the realm of Members' Statements, Blidook and Byrne (2013) have collected evidence that the discourse within the Canadian Parliament has become more negative and adversarial over the past couple decades, especially during the SO31 Member Statements in the House of Commons. In particular, the authors found that Conservative MPs are most, although not exclusively, guilty of communicating a more partisan tone than their colleagues from other political parties. However, the average levels of partisan tone by all parties have increased over the past decade (Blidook & Byrne, 2013). As a result, this negative tone is considered to have an effect
on the electorate, who disassociate themselves from politics and lose trust in the government.

In addition to the main variables of sociological dysfunction, there are a few indirect sources that warrant mentioning. Since this analysis is one of an exploratory nature, it is important to keep the scope relatively broad. These two indirect sources pertain to declining public trust in elected representatives, as well as noticeably decreasing levels of voter turnout in both Canadian and American federal elections. Although these sociological effects do not present straightforward causality in their association with legislative dysfunction, there is an element of a 'feedback loop' among these specific factors that justifies their inclusion in the analysis. Roese (2002) has studied the causes and consequences of Canadians’ declining trust in government. He looks at two key interpretations of distrust: positive and negative. Positive distrust centres around a higher understanding of government's shortcomings, which is demonstrated through social activism and an intention of trying to develop one's role in the political process through more sophisticated means. By contrast, negative distrust often results in dissociation and disengagement from the political system as a whole (Roese, 2002). The author points out that between 1965 and 1993, overall trust in the Canadian government has declined from 58% to 33%. Additionally, he attributes much of the deteriorating trust in government to changes in the media, as well as to overly simplistic and off-putting political advertising.

Stone et al. (2013) have further researched the impact of political advertising on the electorate, and on both politically involved and non-politically involved citizens. The study found "compelling evidence that low-involvement individuals view political ads in general, and attack ads in particular, more favorably than do individuals who are highly involved with politics" (Stone et al., 2013). Furthermore, these researchers discovered that individuals who were highly involved considered attack ads to be less trustworthy and credible, and in fact, voters have arguably become so oversaturated with negative political advertising that very little of the information presented was perceived as reputable. When one considers the constant campaigning in the Canadian Parliament, as well as the uninterrupted partisan atmosphere and frequent House elections in the
United States Congress, it is understandable why trust levels in government have declined.

The main analysis will introduce a wider range of literature on these specific sub-variables of legislative dysfunction. It will become clear that these three categories have garnered research and attention from those who study the inner-workings of the legislative branches. Additionally, this analysis will offer the necessary context and background in order to understand the value of classifying dysfunction within three broad groupings. The following chapter will present the two central claims to be explored throughout the paper, as well as a table that allows the reader to visually capture the important sub-variables to be analyzed.
Chapter 3.

Research Objectives

The dilemma of legislative dysfunction in Ottawa is an issue that has not been examined in the appropriate depth, or through a wide-ranging scope. Moreover, there is a noticeable absence of literature that explores the important structural and sociological contributors to dysfunction. Incorporating a comparison with the current state of American politics will allow us to more comprehensively scrutinize the primary sources of dysfunction that are not unique to one system of governance. It may appear necessary to limit an analysis of legislative dysfunction to either a parliamentary system or a presidential system exclusively; however, the following analysis will demonstrate that this is not the most adequate approach.

The preceding academic literature review considered the principal contributors to dysfunction and distinguished between the main categorical factors involved. As discussed, routine instances of political strategies and procedures can be separated into these three categories. Characterizing the sources through Institutional, Ideological, and Sociological groupings allows us to focus on the type of dysfunction first, and the specific system of government second. Institutional sources of dysfunction explain how the structures of differing types of government encourage the use of obstructionist tactics. These pertain to both mechanisms in the legislative setting, and to strategies that stem from the design of the electoral systems at large. Ideological sources of modern dysfunction, which are largely due to the polarization of political parties in both countries, are resulting in a deficiency of inter-party compromise and an increase in inter-party conflict. Excessive partisanship between representatives on opposing sides of the ideological spectrum is a clear indicator of this trend. In addition, sociological contributors to dysfunction encompass the matters of declining respectful behaviour among elected members of government as well as an increasingly hostile environment.
in the legislature. Finally, diminishing levels of trust in the government among the public are arguably producing a less accountable system overall. Experts on this topic have provided convincing explanations as to why these familiar features of political life in both the United States and Canada contribute to the dysfunction that has become noticeable in government. These prevalent practices will be expanded upon and supplemented during the main analysis.

Deciding how to organize this exploratory study of dysfunction involved a wide-ranging scope of research and consideration. Firstly, it was crucial to differentiate between 'government' and 'legislative' dysfunction. The legislature is merely a subset of government as a whole. While not mutually exclusive concepts, there are areas of government outside the legislature itself that act as conduits for dysfunction to occur. While these matters certainly deserve attention, this paper will focus on the factors that pertain to dysfunction within the legislature exclusively. It is for this reason that my analysis will not explore contentions of functionality and disjointedness in the executive branches of the United States or Canada. Moreover, to simply divide manifestations of legislative dysfunction into 'institutional' and 'behavioural' sections (instead of the current three) would fail to capture the subtle nuances between the factors stemming from ideological origins, and those which can be derived from societal roots. Additionally, comparing dysfunction between the two countries without any cataloguing would run the risk of becoming convoluted. It was important to underscore the differences between sources of dysfunction that could be labeled under the guise of political gamesmanship, and those under the theme of behavioural trends. After establishing an initial list of observable cases, the following step required organizing them in a way that made the most sense for this specific comparison between Canada and the United States. Using these three classifications enables the reader to consider the degree of similarity within multiple areas of the legislative setting.

The literature review highlighted the central differences between these three classifications, especially between the ideological and sociological categories. These two categories can be easily conflated, as they centre around the specific actions of representatives, as opposed to being directly related to institutional mechanisms of government. On the surface it may appear difficult to differentiate, but a more in-depth
examination illustrates the basic dissimilarities between them. Table 1 (below) displays the sub-variables within the three main categories of dysfunction, and is organized by both source and country. These sub-variables will be explored in the analysis to follow. We should expect to find elements of organizational and behavioural dysfunction to varying degrees within many of these sub-variables.

### Table 1.

<table>
<thead>
<tr>
<th>Source of Dysfunction</th>
<th>Canada</th>
<th>United States</th>
</tr>
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<tbody>
<tr>
<td><strong>Institutional</strong></td>
<td>• Ability to Dissolve Parliament</td>
<td>• Senate Filibuster</td>
</tr>
<tr>
<td></td>
<td>• Exhausting Usage of Divisive Motions</td>
<td>• Formulation of Committees</td>
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<tr>
<td></td>
<td>• Omnibus Bills</td>
<td>• Constant Campaigning for House Elections Every 2 Years</td>
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<tr>
<td></td>
<td>• Need for Constant Campaigning</td>
<td>• Bills Containing Unrelated Riders and Attachments</td>
</tr>
<tr>
<td></td>
<td>• 'Dyadic' Representation Due to Election Cycle</td>
<td>'Triadic' Representation Due to Special Interest Groups</td>
</tr>
<tr>
<td><strong>Ideological</strong></td>
<td>• Polarization (Diminished Liberal Party in the Centre)</td>
<td>• Polarization (Republicans Shifting Right)</td>
</tr>
<tr>
<td></td>
<td>• Inability to Compromise</td>
<td>• Inability to Compromise</td>
</tr>
<tr>
<td></td>
<td>• Divide on Cultural, Federalism, and Quebec Issues</td>
<td>• Heavy Divides on Social and Cultural Issues</td>
</tr>
<tr>
<td></td>
<td>• High Emphasis on Strict Party Discipline</td>
<td>• Party Discipline</td>
</tr>
<tr>
<td></td>
<td>• No History of Coalition Politics</td>
<td></td>
</tr>
<tr>
<td><strong>Sociological</strong></td>
<td>• Lack of Professional Decorum</td>
<td>• Lack of Professional Decorum</td>
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<tr>
<td></td>
<td>• Confrontational Members’ Statements</td>
<td>• Confrontational Members’ Statements</td>
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<tr>
<td></td>
<td>• Negative Attack Ads</td>
<td>• Negative Attack Ads</td>
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<tr>
<td><strong>Indirect Sources</strong></td>
<td>• Low Voter Turnout</td>
<td>• Low Voter Turnout</td>
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<td></td>
<td>• Waning Public Trust in Government</td>
<td>• Waning Public Trust in Government</td>
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1 Triadic Representation describes the three-dimensional relationship a legislator has with their constituents, their political party, and their commitments to special interest groups.
My examination of the relevant literature pertaining to the topic of legislative dysfunction suggests two general claims about how dysfunction is conceived and explained in the two countries. The first claim is that the differentiation of institutional mechanisms and legislative processes between Canada and the United States produces distinct sources of national-level legislative dysfunction. The parliamentary and presidential systems of government entail distinct institutions that employ different procedures, both for passing legislation and for allocating degrees of power to the majority and minority parties. To initiate my exploration of how these two systems create and manifest dysfunction, I will examine claims made by prominent authors about sources and characteristics of dysfunction in the relevant Canadian and American literatures. The explanatory and descriptive value of key contributions to each literature will be assessed with the aim of evaluating this first claim.

My second claim is that despite these institutional differences, the two nations largely share ideological and sociological sources of dysfunction. Notably, the increasingly partisan atmospheres in Ottawa and Washington DC encourage the political parties to remain more internally disciplined and less likely to engage in inter-party compromise. These circumstances are currently affecting the functioning ability of both the Canadian Parliament and the United States Congress. In addition, the increasing ideological gap within both legislative bodies is having a noticeable impact. While the parliamentary and presidential systems utilize distinct legislative methods, behavioural realities surrounding political polarization and the conduct of representatives suggest the value of studying the two countries together to effectively understand legislative dysfunction in the Canadian case. This comparison of the literature from both countries reveals that sources of dysfunction can be compartmentalized into these three major categories.

The following analysis will aim to explore and disaggregate these categorizations of legislative dysfunction. For purposes of organization, the main analysis will contain the three primary sources of dysfunction within their natural categorizations. This will allow the reader to more easily appreciate the manifestations of the main sources of dysfunction, as presented in Table 1. The secondary portion of the main analysis will discuss important interactions between the three sources of dysfunction. As alluded to
earlier, the three classifications should not be understood as operating in isolation of one another, as there are identifiable interactive effects across these three categories. The interconnection of multiple sources and the synergistic consequences they have for systems of government are important to acknowledge. Combinations of more than one of the three types of dysfunction can often be observed in the legislature simultaneously. It is often the partisan exploitation of institutional mechanisms that accentuates the volume of dysfunction. This chapter will also dedicate attention to some ambiguities that pertain to the origins of political polarization. The primary aim of this particular segment is to encourage the reader to think about sources of legislative dysfunction on a deeper and more analytical level.
Chapter 4.

Analysis of Legislative Dysfunction

To understand the current predicament of legislative dysfunction in both Canada and the United States, three sources of legislative dysfunction — Institutional, Ideological, and Sociological — must all be analyzed. This chapter demonstrates why each of these classifications deserves individual consideration, and offers an inclusive comparison between the two countries. Lastly, this section will examine how the sources within each of these countries interact in practical terms and in both legislative settings. Recognizing the interconnectedness of these sources is imperative. This final segment will explain how the three primary sources of dysfunction should be viewed in relation to one another and not as isolated factors. Our two central definitions of political dysfunction are those designated by Ornstein (2014) and Wilson (2014). Ornstein focuses on severe ideological polarization and partisan behaviour as the main features of dysfunction, while Wilson focuses on an overall institutional impairment that results in the failure of governmental processes to operate as designed. By combining these two descriptions, we are able to fully illustrate the wide range of sub-variables that can be organized into our three main categories.

A. Categorizing the Sources of Legislative Dysfunction

1. Institutional Sources of Dysfunction

Systems of government in Canada and the United States possess noticeable differences. The fusion of the legislative and executive branches in the Canadian parliamentary system allows for a closer working relationship between the elected representatives and the prime minister. Conversely, the United States' presidential system of government exercises a distinct separation of powers between congressional members and the president. The statutory election requirements in both nations further
exemplify these structural dissimilarities. The Canadian government contains less rigidity and predictability in its electoral cycle by allowing for more frequent national elections through the dissolution of Parliament following government decisions to dissolve, or through a loss of confidence among a majority of MPs. The United States holds a more firm election calendar for members of Congress. The term length for those in the House of Representatives is two years, while the length of each term for Senators is six years (Barbour & Wright, 2009, p. 181). Fixed election dates, which traditionally occur in November, represent a more predictable election and campaign schedule. Furthermore, the composition of the United States government is set up to foster deliberation and emphasize checks and balances on power, by purposefully proceeding at a slow pace (Smith, 2010, p. 213). Bills and motions do not hold the luxury, as opposed to the Canadian legislature during a majority government, of being expediently streamlined through the necessary checkpoints leading up to passage. Despite these key differences in configuration and intention, both systems contain institutional mechanisms that allow dysfunction to transpire.

In fact, Canada's more irregular election cycle opens up a key possibility for dysfunction to occur. In the Westminster system, the prime minister can advise the governor general to dissolve government after a vote of non-confidence and hold an election, or alternatively, the PM can request that the governor general consults with the official opposition about their ability to form a government (Chalmers, 2009, p. 29). The ability to dissolve Parliament creates the opportunity to hold a federal election at a time when it is beneficial for one or more parties, especially in the instance where a vote of non-confidence has been successful. A government possesses the ability to call an election to suit itself, while the opposition parties have the opportunity to time elections to their advantage only during minority governments. In a highly partisan atmosphere, there is always a necessity to consistently allocate political capital to preparing for the next election (Blidook & Byrne, 2014). This unfortunately often comes at the cost of expending legislative energy on policy and governing. Especially in the cases of minority party rule, the obligation to dedicate resources to the next election is heavily enhanced.

The past decade has arguably confirmed these authors' claims, as three successive minority governments resulted in three federal elections between 2006 and
Even throughout the past century, Canada has experienced many short-lived minority governments with clusters of frequent elections. The average minority government in Canada lasts for just 1 year, 7 months, 27 days (Parliament of Canada, 2011). Ibbitson (2009) criticizes the current state of the Canadian Parliament by arguing that due to a seemingly never-ending election cycle, political parties have become fragile and more focused on campaigning than on policy. He refers to a study by C.E.S. Franks which explains that while Parliament sat, on average, 163 days per year in 1973, it has dropped down to just 105 days per year in 2008. Furthermore, data has shown that the success rate of bill passage in Parliament is witnessing a steady decline. The 1950s saw 96% of the legislation introduced into Parliament become law. The Mulroney government witnessed a decrease to 73% of legislation, while the most recent Harper minority government saw that figure drop to just 48% of legislation that made it through the process to royal assent (Franks, 2009). We are now at a point where less than half of the legislation introduced to Parliament during a minority government becomes law. This gradual downward trend can be partly attributed to the inability of representatives to focus on the present, especially in a minority government where the dissolution of Parliament is much more likely. And despite the structural vulnerability of leading a minority government in a highly partisan environment, the power of the prime minister to dissolve Parliament is used as a political tool. Paul Martin was heavily criticized in 2004 for his indecision on when to dissolve Parliament, as his critics accused him of using his power to gain an unfair electoral advantage. Until the rules surrounding this practice are reformed, it will continue to be viewed "as a power with the potential to affect harmony between the people and Parliament" (Smith, 2007, p. 5).

In 2007, Bill C-16 was given royal assent after a lengthy discussion in the House of Commons and Senate. A summary of the bill stated that the primary objective was to amend the "Canada Elections Act to bring in fixed election dates at the federal level in Canada. It provides that, subject to an earlier dissolution of Parliament, a general election must be held on the third Monday in October in the fourth calendar year following polling day for the last general election" (Library of Parliament, 2007). While this initially does appear to address the issue, an early election is still permissible if the confidence of government is lost in the legislature. In fact, although the legislation stated that the "first general election after the bill comes into force [is] to be held on Monday, 19

Growing major party fixation on constant campaigning has altered the legislative behaviour of both the governing and opposition parties. The grandeur of opposition importance does not hold the same significance as it once did, as its role has experienced a change in persona. There has been a noticeable shift in expectation that the public places on the opposition. To a certain extent, voters have become "agnostics about Parliament", and do not view the legislature as an arena that will change their lives for the better (Smith, 2013, p. 161). It will likely require a change in how Parliament is structurally assembled for the opposition to regain their proper reputation of holding the government accountable while properly representing members of their party. With the NDP now forming the official opposition to a Conservative majority, the preconceived duties of the opposition will assuredly be tested, and perhaps redefined. Despite these potential modifications, it is still the governing party that holds the greatest control over how Parliament functions.

The governing party, depending on a perceived electoral advantage they may hold, will occasionally present bills and motions to force difficult, and often symbolically divisive, votes by the opposition parties. This has been utilized by both the minority Liberal and Conservative governments over the past decade (Godbout & Høyland, 2011, p. 385). The motivation behind this tactic is to gain a competitive advantage on substantive issues among the public, knowing that forcing the opposition to reveal internal differences may uncover some critical policy schisms. Within the sole context of prioritizing electoral success, these symbolic motions appear to be clever, perhaps even necessary for a minority government to maintain control. Considering the steadily decreasing time during which Parliament sits, devoting time and energy to votes which only hold the aim of scoring political points does not appear to be the most economical usage of resources. Consequentially, the efficient operation that Parliament once boasted no longer exists.

The culture of perpetual campaigning in the Canadian legislature has a direct effect on constituents as well. Soroka et al. (2009) insist that institutional architectures of
elections and campaigns are unintentionally promoting an environment that contributes to dysfunction. The concept of ‘dyadic’ representation, which describes "relationships between constituency characteristics and individual legislators’ behaviour in a parliamentary system", has revealed that there is now an imbalance on the side of party discipline, with less attention being given to the people they represent (Soroka et al., 2009, p. 563). This notion brings into question the contemporary role of the individual MP, and how they must recalibrate their conduct and endeavors while in Ottawa. Unless the platforms these representatives were elected on reflect those of the party leader, a misalignment of promises and actions will potentially occur. The possible deviation away from the expectations of a constituency towards the strategic directions of the party not only acts to disengage voters, but also confines positive deliberation on issues within the party itself. For instance, multiple Conservative MPs may be elected on the bases of differing policy agendas depending on the demographical composition or geographical circumstances of their respective constituents. Due to the nature of strict party discipline in Parliament, there is a reasonable chance that these MPs will need to depart from their agendas if pursuing them diverges from the present ambitions of the party. The scenario of legislators acting solely on the policy preferences of their electoral ridings is unrealistic. The obligation to remain unified in a culture of constant campaigning appears to take precedent.

While not exclusively proposed for the objective of creating electoral wedges, the more-encompassing omnibus bills that have been presented, such as the 2012 Budget Bill C-38, also provoke undesirable predicaments for legislators. Both Canada and the United States have types of legislation that contain a vast number of unrelated components within a single bill. In Canada, omnibus legislation originates from the executive branch, and when introduced by a majority government, they can decide to ignore the oppositional contentions and dissenting opinions. Only the introduction of omnibus legislation during a minority government holds the potential for legitimate parliamentary debate. Nonetheless, with the expectation that legislators will vote along party lines, representatives must often ignore the surplus of varying components within the bill and remain consistent with the strategies of their party. This dilemma heavily dampens the procedure of parliamentary review (Massicotte, 2013, p. 17). While omnibus bills have been used in decades past, they draw mixed reviews from citizens
since they contain a long list of components pertaining to relevant issues. Moreover, they epitomize the modern realities of politics in Ottawa, where members of Parliament are relentlessly torn between conforming to party expectations, and fulfilling their responsibilities as democratic representatives. The C-38 Budget Bill is a revealing example of how one bill can contain a multitude of varying components, and as a result, can ignite partisan conflict and condemnation from members of Parliament. This bill contained over 400 pages of incongruent legislation that affected a wide range of issues in Canadian society (Levitz, 2012).

Legislative dysfunction in the United States presents some key dissimilarities from Canada, but there are also a few comparable institutionally based sources. One of the most distinct parallels can be credited to the constant campaigning that stems from differing electoral systems. The United States Congress is composed of a House of Representatives containing 435 elected representatives serving two-year terms, and a Senate consisting of 100 elected members serving six-year terms (Barbour & Wright, 2009, p. 181). Nationwide elections every two years fill all House members’ seats. Approximately one third of the seats in the Senate are also up for election every two years. While this structure theoretically allows Americans to regularly hold their representatives accountable, the actual result has been a never ending campaign on the part of House members – the vast majority of whom are now re-elected incumbents (Cillizza, 2013). Similar to the Canadian case, this appears to naturally cause legislators to worry more about their re-election prospects than on passing legislation.

As Abramowitz (2013) argues, "effective party democracy would require unified party control of the executive and legislative branches for a long enough time period to allow the majority party’s policies to be enacted and implemented, a requirement that midterm elections frequently interfere with. Two years simply may not be enough time for major changes in the direction of public policy to be adopted and implemented". When one considers the amount of planning, campaigning, and fundraising that must be devoted to an election bid, two-year terms appear to be quite limiting. Congress’s ability to function with efficiency has noticeably suffered, as three of the last four midterm elections have reversed what had been unified party control of both the legislative and executive branches (Abramowitz, 2013, p. 24). It is interesting to note that while the
Canadian system exercises less rigid term lengths, the continual prioritization of campaigning is evident in both countries. Despite the fact that the United States has a two-party system, while Canada’s is more pluralistic, the necessity for representatives to continually pursue electoral goals while in office is also apparent. This suggests that a system with short established term lengths, as well as a system in which governments can call elections at their discretion, result in a culture of constant campaigning.

This rapid election cycle also raises questions about dyadic representation and the legislators’ challenges of balancing their relationships between constituency and party. Due to the imperativeness of both raising significant funds and appealing to influential groups, one may be left wondering just how much time a House member can actually dedicate to the general public. Modern political campaigns suggest that running on a budget, without large financial donors, is rarely successful (Barbour & Wright, 2009, p. 187). With incumbents having closer access to political action committees (PACs) and more established associations with prominent special interests, it is rational that candidates for the House of Representatives raise funds in a streamlined manner through larger groups, who may or may not have a personal stake in the people of any particular constituency. This produces what we can identify as ‘triadic representation’, which describes a legislator’s three-way relationship with constituents, political party, and the obligations to special interest groups who have provided considerable financial support. The sociological factors associated with this predicament, as it pertains to the influences that special interests have on elected representatives, will be explored in more detail in Chapter 4B.

The United States Congress employs a strategy of omnibus legislation comparable to the Canadian Parliament. It is also used as a strategy for the ruling party to pass controversial legislation with the optimism that it will be overshadowed by the larger components of the bills. As opposed to the procedure in the Canadian legislature, these larger bills are constructed and debated within committees before being sent to either the House or Senate floor. Representatives from both parties take advantage of the process to secure special perquisites for their constituents or major donors. In Canada, only the governing party is able to insert additional and unrelated content into a bill. Congressional representatives will then often use ‘riders’ (additional attachments) to
move controversial measures through the legislative process (Krutz, 2001, p. 211). This results in extremely diverse bills that make their way through congressional legislative processes with much private dissatisfaction, but little vocal protest. It also results in a propensity for representatives to trade favours with one another and add additional attachments to the bill, even after it has been debated.

Although one could make a case that this particular feature of the American legislative process entails a nominal display of compromise, many would view it as an institutional mechanism that allows unpopular measures to get passed by taking larger issues hostage. It also places the executive branch in a quandary, where "presidents who favor one part of an omnibus bill are forced to sign a larger bill that includes provisions they find distasteful" (Krutz, 2001, p. 211). For example, a 2011 spending bill was held up in Congress because a Republican House member wanted to include a provision that tightened restrictions on travelling to Cuba, in addition to other policy modifications that had minimal substantive relation with the main bill (Pear, 2011).

Another mechanism that cultivates the presence of dysfunction in the United States is the formulation of committees in the House of Representatives. This has transformed from a more decentralized system to an inflexible system where party leaders yield more authority. Because of this, "decisions about policy development and strategy are increasingly likely to be made by party leaders" (Barber & McCarty, 2013, p. 42). Consequentially, this produces a stiffer system of committees — one where the party leader has a more direct influence over the votes and is more effectively able to diminish the contribution of minority party members. The ideological differences between both parties are now more pronounced and effectual than they were when committees were more decentralized.

Any discussion of legislative dysfunction in the United States must mention the filibuster mechanism in the Senate. This legislative feature represents the starkest distinction between Canadian and American dysfunction. While the above analysis has covered institutional resemblances between both nations, the use of the filibuster in the Senate signifies the primary difference when examining major determinants of dysfunction. Passing legislation in the Senate has become a more arduous task, as the minority now habitually engages in "pervasive obstructionism" through threatening to
filibuster a wide range of measures. This tactic purposely creates a delay, as invoking cloture would require a three-fifths vote of Senators (60) to end debate (Wallner, 2013, p. 5). This procedure offers the minority party a systematic method of both stifling debate and blocking the legislative initiatives of the majority party. While levels of party discipline in Congress are not traditionally as strong as those in the Canadian Parliament, the minority party often possesses the ability to unify to the extent where they have at least 40 Senate members in agreement. Especially in a two-party system, it is not often that the majority party captures a 'filibuster-proof' majority of 60 Senate seats.

There has been an increased academic focus on the obstructionist culture within the Senate. The increase in political polarization among representatives only acts to intensify the goal of blocking legislation. In 2012, a much-publicized gun control bill in the wake of the Sandy Hook Elementary School massacre was drafted and heavily debated. An issue close to many Americans, public opinion suggested that citizens had developed a relatively large consensus about tackling this concern. Nonetheless, the public was reminded of the preventative design of the Senate, as "more than 50 senators — including a few Republicans, but lacking a handful of Democrats from more conservative states — had signaled their support for the gun bill, not enough to reach the 60-vote threshold to overcome a filibuster" (Weisman, 2013). Overall, Senators must weigh the political costs of blocking legislation and threatening filibusters. As Koger (2010) has pointed out, politicians are constantly weighing both the negative and positive implications of blocking legislation. Constituents of a representative in the minority party may in fact reward the politician in the next election for standing up to unfavourable policy agendas. Unfortunately, this often comes at the cost of preventing important and widely-popular legislation from being passed. In fact, the filibuster is often not even carried out to its formal end, as the majority party realizes the potential waste of their time introducing measures they know will eventually be filibustered by the minority. The rates of filibuster usage thus actually under-represent the true effect it has on the Senate. As the Canadian government is often left with the ruling party possessing less than 50% of the total seats, many Canadians are likely relieved that their Parliament does not contain such an obstructionist mechanism at the disposal of the opposition.
2. Ideological Sources of Dysfunction

As this analysis progresses into the sources of legislative dysfunction that stem from ideological factors, the resemblances between Canada and the United States should become even more apparent. This section primarily examines how ideological divergence on political issues, and the increasing inability of elected officials to compromise 'across the aisle', are understood as key sources of dysfunction in both legislatures.

An increasingly partisan tone in the Canadian Parliament has created a more susceptible environment for dysfunction to grow. There is now a much higher tendency for voting coalitions to be formed along ideological lines in the House of Commons. As a result, parties have become much more disciplined and are less likely to attempt across the aisle compromise (Godbout & Hoyland, 2009). This trend became more prevalent after the unification of Canada's right wing parties into the Conservative Party, as this forced the Liberals into a minority government after a long majoritarian reign and presented a new opportunity for the Conservatives to stick to their ideology during votes in the legislature. No longer was there an incentive for Conservative MPs to engage in informal coalitions with the Liberals, as their once firm grip and large influence as the center party had lessened. Conley (2011) has studied the influence of formal coalition politics in the Canadian legislature and has asserted that Canada's dependency on minority governments, in conjunction with disciplined party line voting, has resulted in a noticeable increase in excessive partisanship. According to his research, "analysis of governmental success rates and legislative productivity provides some indirect evidence that the advent of greater partisanship is at least partially the cause of recent minority governments' woes" (Conley, 2011, p. 433). Assuming that the opposition parties have no systemic incentive to work closely with the party in power, it has become much more difficult for minority governments to pass legislation than it was several decades ago. The most recent leaders of minority governments, Paul Martin and Stephen Harper, have found "coalitions difficult to build as the party system was fragmented to such a degree that steady partners were harder to secure and issue coalitions are much harder to construct" (Conley, 2011, p. 433). And to offer historical perspective, Conley makes
mention of past instances, showing that "Pearson’s several minority governments were far more successful and somewhat more productive than the most recent governments of Martin and Harper, and equal if not better when compared to some majority governments" (Conley, 2011, p. 433).

The modern absence of formal coalitions as a parliamentary strategy, which arguably stems from an increase in ideological partisanship, initiates a much less effective legislative process. Instead, governing parties often rely on the support of another party in the legislature in order to maintain confidence, primarily through building voting coalitions. In a minority government setting, opposing parties often make the decision to systematically combat the government's agenda as part of a strategy (Godbout & Hoyland, 2011, p. 457-58). These authors admit that the genuine motivations behind this approach are often difficult to interpret, as the amount of empirical research on the topic of coalition voting in Canada is minimal. Axelrod (1970) has argued that coalitions usually develop between political parties that share ideological overlap. Utilizing this tactic effectively allows opposition parties to remain more unified and less prone to policy divisiveness. In order to better grasp the reasons behind the decreasing levels of productivity in the legislature, it is important to consider how the evolving ideological composition of Parliament is fostering a more partisan atmosphere.

The concept of political polarization has come under closer scrutiny with regard to the partisan divide in the Canadian government. Modestly put, polarization is the result of legislators and their ideological preferences shifting toward the poles on both sides of the left/right political spectrum. As a result, a vacuum is created where the more moderate and centrist voices once existed. According to some authors, Canada is now experiencing political polarization on a level that has never previously existed. Johnston (2008) has expressed concern over the Canadian political landscape, which now exhibits a problem of 'polarized pluralism'. He has documented how the Liberal vote share, which is seen as the most centrist party in the legislature, has been gradually shrinking over the past few decades (Johnston, 2008, p. 825). Furthermore, he claims that while Canada was once a distinct parliamentary arrangement with a strong centre party, it has now become a more polarized system with regard to both parties and ideology (Johnston, 2014). This transformation has created a more ideologically divided
Parliament, as well as drawn comparisons with the phenomenon of political polarization we have been witnessing among the party system in the United States.

This thinning of the moderate influence was exemplified during the most recent federal election. The 2011 Canadian election witnessed an increased vote share on the right, and more importantly, an impressive rise of the vote share on the left. The NDP, Canada’s major left-wing party, received over 30% of the vote share in 2011, while the Liberals retreated to 18%, a significant drop from the 27% share they captured just three years prior (Gidengil et al., 2012, xvi). This result may prove to be significant, as it establishes a structural justification for polarized representative philosophies and smaller motives to reach across the aisle on controversial policy issues.

Of these contemporary cleavages, two in particular deserve attention. Traditional ideological lines, as well as a second dimension of divide relating to federalism and the province of Quebec, have come under the microscope. Customary political divides in Canada, such as moral traditionalism, market liberalism, and our relationship with the United States, are predictably arranged between NDP and Conservative representatives (Fournier et al., 2013, p. 873). These general orientations follow preconceived ideological assumptions; however, many of those on the left who once voted for the Liberals in past elections threw their support behind NDP candidates in 2011. Additionally, Canadians who held more centrist policy preferences likely broke off in opposing directions, choosing to abandon the 'centre' party and vote for either NDP or Conservative candidates. A second element of parliamentary division exists between issues pertaining to federalism and preferences concerning Quebec (Godbout & Hoyland, 2009). The results of the 2011 election hold the potential of further complicating this divide and generating more areas of disagreement among legislators. Much of the vote share that had previously gone to the Bloc Quebecois is now in possession of the NDP, which experienced large gains in Quebec. Because of this, many of the issues unique to Quebec have been unofficially adopted by representatives in the NDP and thrown into the discussion between the three major national parties, as opposed to having their own sovereigntist legislators. Only future elections will reveal whether a Bloc resurgence will alleviate some of the pressures and divisions that are associated with Quebec’s ambitions as a province. Furthermore, it will be interesting to
follow the overall effect that political polarization in Parliament, coupled with a currently
diminished Liberal Party, will have on overall legislative productivity during the next
minority government and on future majority governments. The current Harper majority
government has enjoyed high legislative success so far, with 65.9% of bills introduced in
the Senate and House of Commons being signed into law (Parliament of Canada, 2014).

The final point to be made on the ideological sources of legislative dysfunction
relates to the increased partisanship on display in Parliament. In conjunction with the
currently polarized party composition, the observable culture of internal party favouritism
also plays a large role in how the House of Commons functions. Polarization and conflict
itself also appear to exist within each political party. In a revealing study, Loat and
MacMillan (2014) interviewed outgoing members of Parliament about aspects of their
time in office to gain insightful and first-hand commentary on the tribulations of party
politics in Ottawa. Multiple interviewees contended that their leaders made it clear that
as MPs they had a negative incentive to follow their core beliefs, and even represent
their constituents in some cases, if the party leader felt that doing so would disrupt party
unity. As well, this resulted in a culture of party favouritism and dissatisfaction on the part
of more independently-minded legislators. It was not rare for under-qualified
representatives to be given lucrative positions on committees as a reward for exhibiting
enhanced partisan behaviour in the House. The overarching aim of party leaders is not
to propose and debate important legislation, but to turn a cohort of individual
representatives into a forceful and unified party (Godbout & Hoyland, 2013, p. 1).
Unfortunately, this has caused well-intentioned MPs to become alienated from the
current environment of strict party consolidation, and has hindered the legislative
ambitions of those who do not sufficiently mold to their party’s desires.

Generally speaking, there are a wide range of policy preferences and ideological
beliefs within either the liberal or conservative realm of thought, especially when taking
into consideration the diverse culture of the populace. Those who understand the
dynamics of political strategy and power politics will recognize that a unified party model
will more often enjoy success over a disjointed, albeit more inclusive, party structure.
However, politically active Canadians will likely feel underrepresented, or even forgotten,
upon learning about the realities of intra-party struggle. From the perspective of a party
leader, a severely partisan Parliament has reaffirmed the importance of establishing intra-party cohesion.

The effect that ideological polarization is having on levels of partisanship in the U.S. Congress appears to be reasonably similar to the Canadian case, and is currently threatening the effectiveness of the legislature. An ideologically diverging Congress "induces alignment along multiple lines of potential conflict and organizes individuals and groups around exclusive identities, thus crystallizing the public arena into opposite factions" (Baldassarri & Gelman, 2008, p. 409). This has prevented compromise and agreement when dealing with policy on a wide range of important issues. The literature on political polarization in the American government is far more developed than similar research in Canada. Much of the documented polarization has been attributed to their two-party system and the nonexistence of a true centrist establishment. In fact, it has been argued that there are inherent risks when candidates adopt more moderate policy positions, as they may potentially alienate a significant percentage of their electoral base (Abramowitz, 2008). The void left near the ideological extremes by candidates who opt to pursue stances closer to the center will often be filled by more extreme candidates who are then able to capture voters who feel abandoned by the representative moving towards a more moderate position. One key point of emphasis, however, is that constituencies with higher rates of centrist voters experience more frequent rates of representative turnover (King, 2001, p. 30). This opens up a substantial electoral opportunity for more ideologically extreme elites and party activists to try and gain a stronghold of the wavering public. Because of this heavier analytical focus on political polarization, authors are now able to specify areas of policy that are being negatively affected by ideological divisiveness. For instance, issues pertaining to economic policy and private-sector regulations have faced negative procedural hurdles and obstructionism in both the House and Senate (Azzimonti, 2013), in addition to foreign policy initiatives and diplomatic priorities (Shapiro & Bloch-Elkon, 2008). The debate over whether polarization is only a real phenomenon among elites, as opposed to being driven by electoral divisions, is still unresolved among researchers. This debate will be addressed during the commentary on noteworthy interactions between the three sources of dysfunction.
It is necessary to understand how political polarization is impairing the functionality of the U.S. Congress. Heavy ideological divides on important issues have severely damaged the propensity for members of the Republican and Democratic parties to engage in legislative compromise. Abramowitz, one of the leading scholars on the issue of American polarization, has found that a more ideologically divided legislature diminishes both the ability and incentive for parties to attain compromise. As a consequence, this also enhances the amount of obstructionist behaviour and gridlock during the policy-making process (Abramowitz, 2013). Even though the requirements for passing legislation in the Senate are generally more restrictive than in the House, the rise in partisanship has become much more commonplace throughout both chambers of Congress.

There are two unique dynamics of ideological divergence that exist in the American two-party system. First, strong differences of political persuasion on significant issues can be prevalent within one party. Within both the Republican and Democratic establishments, there is ample opportunity for issues to generate conflict in respective caucuses, most often between the more extreme and moderate voices. For example, the ideological beliefs of traditionally moderate Blue Dog Democrats, who have historically held conservative views on certain issues, will inherently differ from those on the more progressive wing of the Democratic Party. Alternatively, there exist a handful of long-serving Republicans with more interventionist views on foreign policy who share staunch differences of opinion from those who claim to be Tea-Party conservatives and desire a smaller role for government in international affairs. This conflict will be outlined further in the context of intra-party polarization in Chapter 4B. Second, in terms of how the parties themselves have evolved over time, the ideological shift on the right has become a topic of increasing debate. Despite the wide range of left-leaning issues in America today, the average Democratic representative is at approximately the same ideological location as they were four decades ago. According to Poole and Rosenthal\(^2\), who specialize in researching and documenting ideology among congressional representatives, the Republican Party is gravitating further towards the right-wing side of

\(^2\) The data created by Poole and Rosenthal was the main subject of James' analysis of ideological polarization in his article.
the ideological spectrum. Conservatism has become much more solidified and accentuated among members of the GOP to the extent that "Republicans are now furthest to the right that they've been in 100 years" (cited in James, 2012). The inability for Republicans and Democrats to come to reasonable agreements, as well as the internal struggles that arise surrounding policy issues within each party, typify the effect that an ideologically fractured Congress can have on multiple dimensions (Gutmann & Thompson, 2010, p. 1127). The perpetual demands of holding on to political capital and positioning oneself for the next election create many internal difficulties for members of Congress. It also fosters a culture of suspicion and distrust of those on the other side of the aisle. 'Compromise' is now perceived less as a sacrifice of ideological fortitude than as a forfeiture of political strength.

The seemingly inherent ideological divide between parties appears to be a difficult obstacle to overcome. In reality, the ineffective nature of Congress has already become mainstream news and is now almost expected by increasingly frustrated and apathetic citizens. The recently elected 113th Congress has already been labelled as the least productive in modern history (Murray, 2014), primarily because its members seem unwilling to set aside their ideological differences and work together to pass legislation that the American public desires. However, the roots of this polarization run quite deep. In a study that analyzed legislative speech records from the 101st to 108th Congresses of the U.S. Senate, the origins of ideological differences among representatives were addressed. The results showed that "cultural references appear more important than economic references in distinguishing conservative from liberal congressional speeches..." (Diermeier et al., 2012). The significant cultural divergences were especially revealed by heavy Republican emphasis on the issues of abortion, gay rights, and marriage. Alternatively, societal issues most commonly alluded to by Democratic representatives pertained to women, science, and labor (Diermeier et al., 2012, p. 43). These findings suggest that ideological allegiances with rather deep cultural roots hold the most credence in the Senate. This is not to suggest that economic policy preferences are not responsible for much of the gridlock on display in Congress, but perhaps cultural preferences represent the largest impediment to inter-party compromise.
The function of culture as a driver of ideological divergence in the House of Commons is also evident in Canadian politics. Cochrane (2010) has studied the ideological positioning of Canada's elected representatives over the past several decades through party platforms and documented manifestos. Prior to 1980, it was not all too uncommon for legislators to take positions on issues that, by today's standards, would likely confuse those in tune with Canadian party politics. In fact, "the supposed rightists, the Conservatives, were to the left of the Liberals in 8 of the 12 elections between 1945 and 1979" (Cochrane, 2010, p. 591). During the time before political polarization really began to take hold, it was ordinary for members of right-wing parties to publically support left-wing views and campaign on liberal issues. This started to shift after 1980, when Canada's parties underwent a realignment that saw members and parties organize themselves more rigidly. The gap widened even more after 1993 when the "populist Reform party supplanted the Progressive Conservatives as the dominant force on the Canadian right" (Cochrane, 2010, p. 591). One of the prevailing theories behind the past four decades of ideological polarization is the role of cultural differences among representatives. On the right, particularly among those who supported the Canadian Alliance, moral traditionalism and free market principals comprised the backbone of the conservative movement. Although the Alliance is no longer a national party, those values are still present in the much larger Conservative Party. Ideological organization among left-wing Canadians offers a less complex background. NDP members tend to categorize both their social and economic preferences around one underlying theme: human equality (Cochrane, 2010, p. 599). An interesting distinction between the left and the right in Canada is that the left (NDP) can better consolidate policy guidelines due to this overarching theme of equality, while Canada's right-wing parties have experienced much more fragmentation. However, the Conservative Party has been successful in creating a large platform that appeals to the wide range of right-wing ideals and beliefs. The modern realities surrounding the influence of ideologies in political parties suggest that it will continue to be difficult for them to engage in brokerage tactics. Furthermore, there exists the challenge of parties being able to adapt to the policy preferences of changing demographics and evolving views on societal issues (Cross & Young, 2004). In just the past 40 years, we have witnessed a significant shift in both the ideological composition and systematization of Canada's political parties. While
recent trends suggest that parties are moving further apart, it is not to be assumed that this model is permanent or indissoluble.

3. Sociological Sources of Dysfunction

The final classification of dysfunction in this analysis concerns sociological sources. The primary difference between ideological and sociological factors is that the sociological category pertains to sources of dysfunction that do not directly stem from policy-based strategy and intentional legislative gamesmanship underpinned by divergent core ideological beliefs. Sociological sources are more concerned with behavioural aspects, both within and independent of the legislature, that may contribute to dysfunction. However, akin to the ideological sources of dysfunction that were just covered, consistent sociological elements are evident in both Canada and the United States.

One of the most striking characteristics of the Canadian House of Commons is the apparent lack of professional decorum and respectful demeanor between elected representatives. Often, conduct by MPs within Parliament suggests that officials see themselves as enemies, rather than fellow democratic representatives. Members’ Statements increasingly cross the threshold of what is deemed as 'acceptable behaviour' (Sotiropoulos, 2009). In addition, the presence of mutual respect that was once ordinary between representatives has become less routine. Sotiropoulos, through examining Members’ Statement periods during the 38th and 39th Parliaments, discovered that there had been a visible increase in disrespectful behaviour. While researching the dynamics surrounding parliamentary SO31 Member Statements, Blidook and Byrne (2013) also perceived the discourse among representatives to be more negative and adversarial over the past couple decades. Their study revealed that while Conservative MPs were more guilty of engaging in inappropriate verbal behaviour than those of the other political parties, the averages for all parties have increased over the past decade (Blidook & Byrne, 2013, p. 63). It is clear that none of the federal parties have made a sincere effort to reverse the trend of disrespectful behaviour. This behaviour creates wedges between members of differing parties, and in an atmosphere of sizeable ideological divisions, this conduct does little to build any bridges of potential compromise.
In a recently completed and wide-ranging study on decorum in Parliament, Whyte (2014) attempted to quantify the negative behavioural traits that took place in both the Canadian and British legislatures. She looked at the variables 'interruptions' and 'order', with the intention of documenting their frequency in the two parliamentary settings. Her findings in the Canadian case suggest that interruptions have actually decreased since 1994, although she attributed a potential cause of that to a higher degree of intervention by the Speaker (Whyte, 2014, p. 11). While these findings are important to consider, it is plausible that the increase in negative tone is primarily carried out during the allotted speaking time for representatives, and that they use their designated speaking period to criticize the opposing parties, as well as their MPs.

The lack of respect between representatives in the U.S. Congress has also been drawing the attention of researchers. While many political tactics employed in the House and Senate can be attributed to differing ideologies and cultures, the negative tone of decorum has also infiltrated the legislature. Former U.S. Senator from South Dakota, Tom Daschle, wrote a critical review about the evolution of legislative behaviour he witnessed while in office. He stated that, "in recent years, Washington has become deeply polarized and far less civil. Dysfunction has become the status quo... When we were in Congress, we had active lines of communication and, for the most part, members were friends. Members spent more time in Washington with their families. There were many occasions to socialize across party lines" (Daschle & Lott, 2013). According to Daschle, companionship once played an important role among representatives from both parties, but this has since declined. He further goes on to write that "dysfunction is compounded by the fact that members of Congress spend less and less time in Washington. With fewer legislative days, there are fewer opportunities for dialogue and negotiation. It is not uncommon for legislators to leave Washington on Thursdays, return on Tuesdays and attempt to govern on Wednesdays" (Daschle & Lott, 2013). This mirrors the trend that Ibbitson (2009) pointed out regarding the amount of days that the Canadian Parliament sits during the year. There is simply less time now, partly due to the perpetual requirement to campaign for the next election, for legislators to become personally and sufficiently acquainted with one another. Additionally, it is common to see members of different parties informally campaigning against one another while in office.
In fact, extremist behaviour and growing disrespect has been on the rise within both parties in America. According to statistics from the past 40 years, it has traditionally been the Republican Party which has raised the levels of disrespectful behaviour, only soon after to be matched by Democrats (Ahuja, 2008, p. 99). Neither party is committed to reversing these tendencies, as each establishment seems content with the continuation of incivility. And from the perspective of an accomplished Senator who spent time in both the House and Senate, this implanted lack of respect is clearly contributing to the levels of dysfunction being witnessed today.

We must also acknowledge that the media plays a significant role in the perpetuation of legislative dysfunction. The industry of political marketing and media campaigning during the electoral cycle deserves quite a bit of attention, especially with the prevalence of social media and other far-reaching mediums. Research on this topic suggests that the growth of political attack ads has supplemented dysfunction in Canadian legislature. Taras and Waddell (2012) have researched the impact that negative campaigning has on the political process, and more suitably, on behavioural mannerisms among representatives. They describe how political parties use advertisements to focus more on character condemnation, rather than attempt to denigrate the policy accomplishments and preferences of a competing candidate. They also invoke the psychological implications of negative campaigning, which compel parties to not leave an attack ad unanswered (Taras & Waddell, 2012, p. 13). This creates a cycle of negative responses and retorts by all parties involved. While this may be perceived as ordinary party utilization of media, the new culture of attack ads Canadians are being subjected to has only emerged relatively recently. Political attack ads have existed in Canadian politics for generations, but the avenues that are available to campaigns are now much more diverse.

The proliferation of political attack ads is a foundational aspect of the American campaign cycle. Due to the continuous election calendar, especially for House representatives, the American public essentially receives no pause from getting lambasted by commercials that seek to diminish the character and ridicule the policy positions of those running for office. Their tendency to be effective, and the psychological implications that these ads have on voters, have become a popular
phenomenon of study (Lau & Rovner, 2009, p. 288). Campaigns would not invest incredible amounts of time and money towards producing these attack ads if they were ineffective. The news media also plays a significant role in the advocacy and disapproval of certain candidates, which has a strong effect on voter biases (Bernhardt et al., 2008). Nonetheless, in light of the recent turn of attention toward the legislature's inability to function properly, many are considering what effect these campaign tactics are having on the parties themselves. Although it may be difficult to quantify the precise impact that negative campaigning has on legislators’ abilities to execute their responsibilities efficiently, from a sociological standpoint, it would be safe to assume that the culture of denigrating political opponents is a contributor to the common lack of respect that elected representatives are demonstrating today. This ingrained culture of disrespect is certainly a perpetrator of the contemporary divisiveness we are now witnessing in the legislatures.

There are two sociological effects that, while not straightforward sources of legislative dysfunction, deserve attention here. The issues of declining public trust in government, as well as decreasing levels of voter turnout, appear to provide a 'feedback loop' that is associated with legislative dysfunction. These feedback loops of indirect sources of dysfunction centre around the concerns of voter disengagement and apathy towards the legislative process. Both Canada (during federal elections) and the United States (during midterm elections) have witnessed slowly declining electoral turnout rates over the past few decades. In 1917, Canada's turnout rate was 75%, and still held steady around that mark, with moderate fluctuation, until 1988. In 1997, the rate dropped slightly to 67%, and then further down to 64.7% in 2006. The two most recent federal elections have seen an average of 59.9% voter turnout (Elections Canada). During U.S. midterm elections, when all seats in the House of Representatives and approximately one third of the 100 Senate seats are on the ballot, voter turnout has been convincingly low. Without the excitement and emotion of a presidential candidate up for election, voter turnout among Americans during the midterms has decreased from 41% in 1950, to 37% in 2010 (DeSilver, 2014). Just over one out of every three Americans are now casting ballots when politicians in their own district are running for a placement in the House of Representatives. These downward trends in both Canada and the United States embody the real lack of political engagement in public life.
Similarly, levels of trust and approval in government among the public in both countries have also undergone a significant decline over the past several decades. In fact, Canada and the U.S. offer a very similar history of diminishing trust in their federal governments. On the question of "How Much Do You Trust The Government in Ottawa To Do What Is Right?", nearly 60% of Canadians in 1970 answered with "Most/All Of The Time". This began to continuously trend downwards to a low of 21% in 1990. After experiencing a temporary rise to 45% in 2009, it had settled at 24% among Canadians in 2013. Additionally, when asked about the direction of the federal government in 2013, 51.2% stated it was moving in the wrong direction, while 35.4% felt it was headed in the right direction (Ekos Politics, 2013, p. 6). This result can likely be explained, at least partly, by positive attitudes from supporters of the Conservative Party and dissatisfaction from those who voted for alternative parties. However, having over half of respondents discontented with the direction of government is not suggestive of an entirely healthy democracy. When asked the same question about trust in Washington, nearly 80% of Americans in 1965 approved of their federal government. By 1973, this was down to just over 50%. Between 1980 and 2009, trust levels remained exclusively between 20-45% (Ekos Politics, 2013, p. 6). According to a recent 2014 Gallup Poll, only 13% of Americans now approve of the job that Congress is doing (Jones, 2014).

The reason for including these two sub-variables is that the literature occasionally suggests that they are part of a cyclical feedback loop between the public and the legislature. In his examination of the causes and consequences of Canadians' declining trust in government, Roese (2002) focuses on two key interpretations of distrust: positive and negative. Positive distrust can often be supplemented with social activism and an effort to involve oneself in the political process through more intelligent channels. Negative distrust, by contrast, often results in disengagement from the political system as a whole and "may exacerbate the disenfranchisement of already marginalized members of society" (Roese, 2002, p. 150-1). One theory is that reduced trust in representatives naturally forces them to become more concerned with their public image, which can lead to focusing more on public polling information and trying to secure voters (Roese, 2002, p. 151). As a result, this may take the emphasis off effective governance, legislative deliberation, and policy objectives. One can recognize how voter disengagement, which is to a degree caused by a growing distrust of
government, has an influence on the functionality of the system as a whole. Consequentially, this perception of a dysfunctional system then facilitates further disengagement. What is unclear, however, is where the source of this cyclical feedback loop originates. These public perceptions about a dysfunctional system have resulted in strong sentiments of distrust in both Canada and the United States. Nonetheless, while it is difficult to prove that either declining trust levels or low voter turnout directly causes legislative dysfunction, there can be little doubt that these sociological factors are correlated.

B. Interactive Sources of Legislative Dysfunction

Up until this point, the analysis has remained relatively segmented according to the three main categories of dysfunction — institutional, ideological, and sociological. While this has allowed the reader to gain a better understanding of how these three sources each play a significant role in legislative dysfunction, it is imperative that we supplement the analysis with a few key observations. First, there are clear interactions between these three categories. Party discipline and the reluctance to engage in inter-party compromise are issues that combine both institutional and ideological aspects. One could make the argument that the necessity of tight party discipline is the result of a flexible election cycle, but at the same time is also heavily encouraged by ideological consolidation and polarization on the part of the parties and individual legislators themselves. Although the ways in which Canada's and America's electoral cycles are arranged can promote strict discipline and dissuade compromise, the decline in compromise can also be attributed to an obvious divergence of legislators’ principles and ideals. In other words, legislative institutions provide the accommodating framework for discipline to persist, but that is by no means a guarantee that it will occur. Contemporary ideological polarization has created an atmosphere where it is more acceptable to use this legislative practice to a higher degree.

The central differences between party discipline in Canada and the United States are the forces that control legislators. In Canada, as has been examined, legislators are tightly controlled by party leaders. Conversely, while party discipline is not as stringent in the United States Congress, the case can be made that discipline comes from external influences, such as special interest groups and large campaign financers. This is not so
much the case in Canadian politics. The concept of triadic representation in the United States, not to be confused with dyadic representation in Canada, is an influential force over members of Congress. Not only do representatives have obligations towards their constituents and party leaders, but modern-day realities in American politics suggest that special interest groups hold a substantial amount of authority over the actions and priorities of legislators. The sheer degree of influence that special interests now possess over Congress and the consequences they are having on the political process as a whole are incontrovertible. This clear leverage over the political process justifies its inclusion as a sub-variable of legislative dysfunction. However, it is difficult to categorize this issue into only one of our three groups. The rules surrounding permissible campaign donations to politicians and lobbying regulations in Washington have institutionalized this influence. Moreover, there are certainly ideological motivations behind many of the interest groups that have specific policy ambitions and regularly donate to representatives of a particular political orientation. There are also sociological factors present, as the prevalence of large political action committees has now become a foundational aspect of American elections, and has conceivably distorted the democratic relationship that citizens once possessed with the electoral process. In most regards, the institutions of these countries have not changed much over the past few decades, yet we have witnessed some key indicators that suggest the levels of dysfunction are increasing.

One of the primary focuses in the analysis of ideological sources of dysfunction pertained to increasing political polarization within the legislatures. The dynamics of ideological polarization are not completely understood, as it suffers from an internal feedback loop similar to the issues of distrust in government and voter disengagement. It is not entirely clear if ideological polarization can be characterized by a legislature that mirrors the polarity of the country at large (Abramowitz, 2008), or by a population that is becoming more polarized due to the ideological divergence of the legislature itself. It has even been argued that the general population is not nearly as polarized as our elected representatives may have you believe (Hetherington, 2008). Being able to prove causality on a notion this complex continues to be a work in progress.
It is also important to understand the dynamics of intra-party polarization. Since national political parties are large establishments with a considerable assortment of policy ambitions, there exists the possibility of polarization within a single party. For instance, there are political commentators who have studied the Democratic Party in the United States and have witnessed a leftward shift in social policies relating to marijuana legalization and same-sex marriage, among others (Kohut, 2014). Conversely, others have argued that the Democratic Party has promoted an economic policy that has actually shifted to the right when compared with two decades ago, such as on tax rates and defense budgets (The Economist, 2012). One would not reasonably expect the manifesto of a party to remain constant over the course of a few decades, but there is support for the belief that even the parties themselves are not immune to internal polarization. Understanding the various facets of political polarization, both in the legislature and among the public, is invaluable towards recognizing the influence of ideology on the government as a whole.

Both of the original claims have been explored in detail throughout the analysis. The main purpose in this section was to research the three categorizations of legislative dysfunction through examining the sources within both Canada and the United States. Overall, the findings were not entirely surprising, but there undoubtedly exists some noteworthy overlap in the institutional sources of dysfunction that were not anticipated at the onset of this analysis. On the topics of ideological and sociological sources, the research revealed some expected parallels between the two countries in addition to some nominal differences. These distinctions were outlined and explained in the context of their respective political systems and legislative cultures.
Chapter 5.

Conclusion

This research has presented an overview and conceptual classification of the literature on institutional, ideological, and sociological sources of legislative dysfunction in Canada and the United States. The Canadian and American cases have been compared for the insights that two different institutional settings and political cultures can provide into related, but analytically distinct, dimensions of dysfunction. Constructing a comparative analysis of these countries has provided a more well-rounded understanding of how contemporary sources of dysfunction can permeate legislative settings. These factors can be organized into general categories, but exploring how they interact also allows us to recognize the effect that these varying determinants have on legislatures.

Through this analysis, there is evidence to support the claim that institutional differences between Canada and the United States generate discernible variations of legislative dysfunction. While both systems of governance are responsible for distinctive examples of dysfunction, they can be ascribed to differences in legislative procedure and the allocation of power. The research has shown that while the institutional mechanisms of the United States Congress play a strong role in encouraging obstructionist tactics and legislative gridlock, there is no institutional equivalent in the Canadian Parliament. In the Canadian legislature, dysfunction originates due to the government's ability to dissolve Parliament in addition to the usage of symbolic divisive motions. Canadian-style dissolution of Parliament is not a component of the American system. Even though minority governments do often see their initiatives blocked by the opposition, there is no structural counterpart in Canada to the filibuster mechanism, which severely diminishes the probability of the majority party passing legislation in one chamber.
Nevertheless, some institutional commonalities between the two countries’ institutional setups are noteworthy in our findings. Most significantly, both electoral systems promote the need for constant campaigning on the part of both the party in power and the opposition parties. Despite utilizing two entirely different systems of governance, there is evidence that both countries strongly promote a necessity for elected representatives to devote more attention to campaigning than governing. The uncertainties of forthcoming elections in Canada, and the short term lengths for U.S. House members, create a culture of perpetual campaigning and adherence to strict party lines. Elected representatives often prioritize 'election-mode' over 'governing-mode'. This also results in members being required to adhere to strict party orders, as a divided party holds the potential of suffering consequences in the next election. This also inevitably results in conflict surrounding dyadic representation, where legislators are placed in the undesirable conundrum of democratically representing the needs of their constituents while also complying with the demands of their party. Both the parliamentary and presidential systems encourage these circumstances. Another evident similarity can be viewed in the complexities surrounding omnibus legislation that contains a range of dissimilar elements. These bills can put legislators in an uncomfortable position if they feel that there is not sufficient deliberation, or if they consider the inclusion of unrelated content within the bill to be underhanded.

Analysis of the relevant literature has shown that the two nations largely share ideological and sociological sources of dysfunction. Notably, the increasingly partisan atmosphere in both Ottawa and Washington DC encourages the political parties to remain more internally disciplined and less likely to engage in inter-party compromise. These circumstances are currently affecting the functioning ability of both the Canadian Parliament and the United States Congress. At times, these deep-seeded differences appear irreconcilable, and the probability of compromise seems doubtful. Political polarization is now a central theme among those who analyze party politics. There has been a documented trend of polarization among both Canada's and America's political parties that has seen a large gap left in the middle. In the case of Canada, this is primarily due to the decreased popularity of a once dominating Liberal Party, and a reorganization of the nation's right-wing parties and left-wing ideological unity since the 1980's. In the United States, polarization is mostly due to a Republican Party that has
continually been shifting further to the right. Overall, this has resulted in less overlap between parties, as well as an inability and unwillingness to compromise. Cultural motivators are also a strong factor in the current partisan climate. The primary divide in Canada revolves around issues pertaining to federalism and the province of Quebec, while the United States has exposed and exacerbated more general cultural cleavages among representatives. The productiveness of legislatures in both countries over the past 50 years reveals a noticeable downward trend, much of which is arguably the result of stark ideological separation.

The literature also points to key parallels among the sociological sources of dysfunction in both countries. There has been a noticeable erosion of professional and respectful decorum inside of the legislatures, in addition to a more negative tone on display during official Members' Statements. This can be partly attributed to the lessening amount of time that representatives spend in the presence of one another on a yearly basis. In addition, the usage of negative advertising in the media is also a key societal similarity on display in both nations, as character defamation is proving to be an effective strategy. The proliferation and increasing exposure to negative political attack ads in the media has regularized the strategy of tearing down the character and political beliefs of one's opponent. The culture of delegitimizing opponents has moved beyond the purview of simply criticizing policy, and into the realm of disparaging the personalities and private lives of political adversaries. As a result, this is arguably detracting from the levels of respect that legislators once had for one another.

Although the central aim of this paper is not to examine possible governmental reforms, a brief overview of solutions is appropriate in drawing the analysis to a close. The prospect of eliminating legislative dysfunction in Canada often appears to be slight. As has been described, the factors that comprise contemporary dysfunction are interconnected in a complex manner and stem from various areas of society. Ultimately, the hope is that adjustments to the political systems themselves will promote improvements to multiple areas of the legislative environment.

Decreasing the democratic deficit in Canada may be aided by a few modest changes to parliamentary procedure: including increasing public consultative exercises
as part of the parliamentary process, establishing more citizen assemblies and juries, and formalizing the two-line vote (Aucoin & Turnbull, 2003). The two-line vote is a procedural vote where the government takes a position and also recommends a preferred outcome to its caucus. In this situation, "ministers are bound to support the government's position on a two-line vote... but other Members are free to vote as they wish" (Pepall, 2010). An additional recommendation of governmental reform that addresses the democratic deficit may come through modifying the committee system. Committees can be utilized to bridge the gap between representatives and constituents through consulting citizens and creating more avenues of active discourse. One positive aspect of this proposal is that it can offer a non-partisan arena for discussion (Lenard & Simeon, 2012, p. 199). These reforms will allow citizens to become more engaged with the political process, and will also encourage a more solutions-based caucus. The electoral system itself could arguably solve much of the democratic deficit through adopting a proportional representation (PR) system. This would prevent the rule of "artificial majorities" that result in a disproportional representation of political parties in Parliament, and also help re-engage citizens who have grown wearisome of the current political establishments (Couture, 2014). PR systems are currently employed in a number of countries, such as the Netherlands and Israel, and would put a focus on coalition politics while potentially reducing the strict party unity that is partially responsible for dysfunction in the Canadian legislature.

The implementation of unambiguous fixed federal election dates would help alleviate much of the dysfunction that is attached to the concerns surrounding the dissolution of Parliament in a non-confidence vote. The Conservative Party of Canada has in fact made this one of their policy commitments (Milner, 2005, p. 27). Although the arguments against fixed election dates carry legitimacy, and should rightfully be considered in any substantial conversations surrounding Canada's electoral future, establishing predictable election dates offers a foreseeable reversal of the consequences that our current system now faces. Learning from the pitfalls of America's fixed election calendar can prospectively produce a system that averts the downsides associated with the American framework. Perhaps a fixed electoral system with a modest amount of years between elections could offer a more reasonable alternative. Fixed election dates will eliminate the dysfunction that specifically stems from both the
threat of dissolving Parliament and the culture of perpetual campaigning that accompanies that uncertainty. Once a new government forms, an excessive focus on the next election would not provide nearly the same benefits that it currently does. This would also hopefully eliminate the initiation of bills and motions that act purely to divide the opposition.

While the challenges surrounding the issues of legislators’ behaviour and inter-party compromise are well documented, some authors remain optimistic. As the Hon. Tony Valeri fittingly states, "Canadians want Parliament to be about more than the quest for power. They want to see that debate is meaningful and that we are listening to one another when we engage in it. They want to see more collaboration and less confrontation" (Valeri, 2005, p. 5). The institution we currently have in place has not always yielded the same volume of theatrical conduct and ideological partisanship. There certainly exists an opportunity for significant dialogue and cooperation. It is impossible to legislate demeanour and intent, but promoting a more functional government is entirely achievable. As former Senator Hugh Segal (2010) argues, "the first challenge of leadership these days is to set aside artificial barriers and focus on what is owed to the broader community and what the community owes back" (Segal, 2010, p. 558). Without a legitimate effort to break through these barriers and endorse compromise, the cynical nature of power politics is likely to continue. And unless Canadians are able to venture beyond their decreased levels of political engagement and recognize the primary motivators of legislative dysfunction, they will have few incentives to reform the system in meaningful or appropriate ways.
Bibliography


