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DISCIPLINE IN IRISH PARLIAMENTARY PARTIES

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DECLARATION

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ABSTRACT

DISCIPLINE IN IRISH POLITICAL PARTIES

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The level and nature of discipline in modern political parties remain two of the most fascinating aspects of politics. This study provides a review of the literature on the role of political parties and the perceived need for some form of collective action within parliament. A survey of work on party discipline in other countries is also provided, followed by a closer examination of what is meant by 'discipline'. We explore the level of cohesion and discipline in Irish parties. The organisation of Irish parties and the development of the whip system is examined along with other influences on the behaviour of TDs, such as the electoral system and Irish political culture. A systematic account and analysis of cases of indiscipline between 1969 and 1997 is provided and analysed. The work concludes with a social-psychological explanation of TDs behaviour which is tested using available empirical evidence and a laboratory experiment.

The thesis argues that the high levels of discipline among members of Irish parliamentary parties is best explained by reference to rational choice theories of political behaviour.

ACKNOWLEDGEMENTS

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A special word of gratitude to my family and friends who have always given me support in many forms and shown interest and amusement in my endeavours.

There are undoubtedly errors and shortcomings in this work. Despite all the succour and advice I received, I alone am responsible for what is contained herein. When you find a mistake blame me, every time you don't thank someone else.

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ABBREVIATIONS

FF	Fianna Fail Party
FG	Fine Gael Party
GOD	Game Overall Director
MEP	Member of the European Parliament
MK	Member of the Knesset
MP	Member of Parliament
TD	Teachta Dála (member of Dáil)

INTRODUCTION

The object of this thesis is to present a detailed analysis of discipline and indiscipline within parliamentary parties in the Republic of Ireland.[1] It aims to test the accuracy of the conventional wisdom that parties in Ireland are amongst the most disciplined in the world. The core objective is to develop an understanding of the nature of the control which parties have over their parliamentarians, the degree to which this control is required for party government and the extent to which parliamentarians are willing to accept such control.

A case study approach examines the occurrence of rebellion against the party. A model is derived based on a rational choice approach to understanding behaviour. An examination of the intra-party structures and environmental variables is undertaken to explain the high levels of conformity. This model is examined in a simulation that seeks to replicate the Irish political system and the costs and benefits associated with undisciplined behaviour.

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[1] The Oireachtas is composed of two chambers, the Dáil and the Seanad. The body of this work concentrates on discipline of Dáil Deputies. As O'Halpin (1998b, p. 2) and Coakley (1993, p. 135) notes the Seanad is subordinate to the Dáil and enjoys few real independent powers. Cases of indiscipline among members of the Seanad are only utilised to make general points about rules of behaviour relevant to members of the Dáil.

Given that this subject area is in its infancy this piece of research is an exploratory analysis which has allowed me to identify a number of questions. The boundaries of a masters thesis do not make it possible to provide answers or address fully all the issues that arise.

OUTLINE

This thesis is divided into five parts. Chapter one provides a review of the literature on party control of parliamentarians in western democracies as well as an overview of the importance of the intra-party arena to modern democratic government. The question of why modern political parties subject members of their parliamentary party to such control is also examined. The concepts and theories of previous authors will be reviewed. The author also investigates the various mechanisms by which discipline is maintained in parties in other countries.

Chapter two examines the level of cohesion and discipline in Irish political parties drawing on a roll-call analysis of Dáil divisions during 1996. The evidence clearly indicates that the level of discipline is very high.

Chapter three examined the structure of parliamentary parties in the Republic of Ireland with reference to their influence over and control of parliamentarians. The organisational structure of Irish parties and the

parliamentary parties will be outlined, focusing on the role of key actors such as the party leader, ministers and party whips.

Chapter four provides a systematic account of indiscipline in Irish parties in the latter half of this decade. Using the cases, we seek to provide answers to questions such as who were the rebels and why did they rebel ?

Having explained cases of indiscipline chapter five seeks to provide an analysis of why parliamentarians are typically willing to accept official party policy. A number of possible theories of behaviour will be assessed. The chapter develops a formal model of Irish legislative behaviour. Environmental influences on the behaviour of deputies, such as candidate selection processes, are examined to see if they provide an incentive for TDs to remain absolutely loyal to the party leadership.

Based on the rational choice model, a simulation is developed, which seeks to capture the essence of the decision making process facing members of parliamentary parties when deciding how to vote in the legislative arena.

CHAPTER ONE
POLITICAL PARTIES

1.1 INTRODUCTION

Political parties are extraordinary creatures. They remain pervasive and ubiquitous in all western political systems. Moreover they are the core feature of democratic states - providing the principal link between the governed and governing. Yet, despite this, political parties are a much maligned phenomenon. The founding fathers of the American political system went to great lengths to diminish the possibility of the emergence of parties, believing them to be synonymous with factions in society (Kelman, 1996). Edmund Burke was the first political philosopher to give political parties legitimacy and respectability, defining them as 'a body of men united, for promoting for their joint endeavours the national interest, upon some particular principle in which they all agree' (Harmel & Janda, 1982, p. 74).[1] Today in almost all liberal democratic states party government is the norm. Despite this most interest has focused on the party system as the predominant unit of analysis. However as Eldersveld (1964, p. 1) has noted a party 'is a miniature political system. It has an authority structure ..., it has a representative process, an

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[1] The different views can be better understood when we recall Madison's definition of a faction and party as 'a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.' (Madison, 1787, p. 54)

electoral system, and subprocesses for recruiting leaders, defining goals, and resolving internal system conflict.' Fundamental to any study of the internal working of political parties must be the issue of internal discipline, in terms of the degree to which it exists, how it is achieved and its consequences for wider issues such as democracy and effective government.

1.2 THE CONCEPT OF PARTY

Burkes' definition captures one of the key elements of a party by recognising that some unity of purpose must exist between the people who form the organisation. Parties emerged as a means for managing the huge number of conflicting demands that have grown from the increasing complexity of society and its governance since the early nineteenth century. As the autocratic power structure collapsed in Europe and the suffrage was extended some institutional organisation was needed to provide the people with an acceptable and feasible choice between different policies.

Representative democracy first emerged in most western countries nearly a century and a half ago, and has as its basis the principle that power was placed in the hands of a representative assembly, modelled to a greater or lesser degree on the assembly system of ancient Athenian democracy (Arblaster, 1987). Modern political systems in the western world differ from their Athenian counterpart because they are representative rather than direct.

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As Worre (1996, p. 2) notes, 'political developments changed the realities of the representative system.' Political parties developed, sometimes outside and occasionally inside parliament, and their creation marked the end of the individual representative. Parties were seen as the instrument where conflicting interests could be channelled and collated and providing an instrument with which *responsible government* could be established. Parties evolved from the primeval slime of individualism into actors in their own right with their members accepting the principle of collective action. Today the plurality of interests in society makes representation and effective decision making impossible without political parties who are able to organise those conflicting interests.

The development and contemporary nature of parties vary greatly between countries. In North America national political parties are very weak coalitions of individual politicians who in effect unite only once every four years to battle in a presidential election campaign, and even then the campaign is more candidate-centred than party-centred. This traditional thesis that American parties are weak has been challenged in recent years. Coleman (1996, p. 368) for example notes that

> the past decade has seen a sea change among scholars
> regarding the health of party organizations in the United
> States. Where fifteen years ago there was consensus that
> party organization was weak, today the consensus argues

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that party organizations are revitalized, resurgent, and relevant.

In western European countries on the other hand there has never been any doubt about the central role of political parties in politics. Almost all parliamentary systems experience relatively disciplined, programmatic parties. The essence of a executive-parliamentary system of government relies on the parliament supporting the actions of the executive - if the executive loses the support of a majority of the parliament, it must resign.[2] Consequently being guaranteed the support of a majority of parliamentarians is crucial to stable government.

1.3   MEASURING DISCIPLINE

An assumption of any analysis of the explanations of discipline must be that parties are well-disciplined creatures. While a casual observation may indicate that they are, some valid mechanisms are needed to calibrate discipline. Researchers in other countries have employed two mechanisms to measure this scientifically: roll-call and re-election.

roll-call analysis

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[2] The exact constitutional requirements vary from country to country. In Germany for example the constructive vote of no confidence requires that the parliament cannot break a government unless they make a new one.

The defining feature of parliamentary government in most western European countries is that the government in office depends on the support of parliament for its legislative programme and its continued survival. It ensures this support by requiring deputies who are affiliated to the governing parties to vote as they are instructed by the government. Likewise in trying to frustrate the Government, opposition parties will depend on their MPs to vote as they are instructed.

As voting in parliamentary divisions is so important an analysis of the voting behaviour of individual MPs who are members of political parties can give an indication of whether or not parties are indeed cohesive and well-disciplined organisations. This analysis is assisted by the fact than in most parliaments the practice is for the votes of individual MPs to be recorded. Were this not the case and a procedure such as a show of hands or private voting were the mechanisms of voting then no analysis of the voting behaviour of individual MPs could be undertaken[3].

One of the simplest techniques to study voting behaviour is that used by the US journal *Congressional Quarterly* to examine the cohesion of voting in Congress. A 'party unity score' is computed expressing 'the percentage of times that a member votes in agreement with a majority of his party, on votes that split the parties, when a majority of voting Democrats oppose a majority

of voting Republicans'. A figure for the overall cohesion of each party can then be computed as the average of the mean scores for each member of that particular party.

The index lies between 1.00 and .00 where 1 indicates a completely cohesive party (members always vote with a majority of their party, the majority always equalling 100%) and 0 where only 50 percent of the time a member will vote with the majority of his party. If a parliamentarian voted randomly then he would be expected to vote with his party 50 percent of the time.

A similar method is used to calculate the 'Rice index of cohesion' (Rice, 1928). The Rice index of cohesion is calculated as the proportion of the group comprising the group majority on a roll call less the proportion comprising the group minority. The Rice index lies between 100 and zero. Thus in a group of 100 where (100-0 that is everyone in a party votes the same way we have an index number of 100 (100-0) and where exactly half the party vote one way and the other half vote another way we have a index number of 0 (50-50).

These technique are problematic because they fail to account for those who do not vote (those who abstain or those who are not present in the chamber for a vote). This seems to be a major problem because an alternative to voting

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[3] The Italian Chamber of Deputies is an example of a national parliament where voting can be conducted in secret. As Sassoon (1997, p. 200) notes the 'members of the Italian assemblies

against the party is simply a refusal to vote for the party. This as we will see in later chapters is possibly a more common form of indiscipline.

The 'index of agreement' attempts to take into account the importance of unsanctioned abstentions (where a party expected a member to vote but they did not). Attiná (1990, p. 564) describes the index as 'a measure of the relation that exists between the three modalities of votes - in favour, against and abstention'. More specifically the index is computed as the percentage difference between (1) the highest numbering modality and the sum of the other two modalities in a vote by members of the party and (2) the total number of votes cast by the group.

The index of agreement is equal to 100 when all members of the parliamentary party vote in the same way. Between this and zero the level of internal cohesion decreases, but more than half the members of each party express the same modality (for, against, abstain). At zero we have a two-way split of the votes in two modalities (half the party vote for or else vote against or abstain) or a combination of any two modalities represent just half the votes of those voting (for example half the party either abstain or vote no and the other half vote yes). A negative figure, which arises where the votes break down into three modalities and even the highest number of votes in one modality is less than half of the total votes of party members, indicating an even higher level of undisciplined voting.

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can use a secret ballot and can thus escape party discipline'.

An alternative to using the index of agreement to take account of unexcused abstentions is to multiply the ordinary index of cohesion or Rice index by an index of participation.

The index of participation captures the proportion of those MPs who were required to participate by their party and who actually did. It is easy to obtain an index of participation where the list of excused absentees is known to the analyst. The index itself is calculated by the following formula:

$$1 - a/s$$

where

- a = the number of members voting
- s = the number of members who should be present in the house according to the list of excused absences.

The index of participation ranges between 1 (where all members required to vote do so) and 0 (where no member of the party who is required to vote do so). The index is of itself a useful measure of discipline as it tells us something about the success of the parties in getting their members to attend for votes. However it is most useful when multiplied by any of the other non-participatory measures of cohesion.

What links each of the above methods of measuring party discipline is their focus on the voting behaviour of members in parliament. While each method has its own unique methodological problems one important factor allows for their employment; votes by individual members of parliament are recorded. A contrary system (and one still used in theory in some countries) is for the chair or speaker to put the motion to the floor of the parliament and seek an oral response from members.

re-selection

Writing about Spanish parliamentary parties, Sanchez De Dios (1995) uses an entirely different means to measure discipline. This measure is based on an examination of the rate of turnover of MPs in the Spanish national parliament - the *Congreso de los Diputados*. The justification for adopting this method is twofold: firstly, because individual MPs are unable to offer dissent in voting in the parliament because under the rules of the parliament the parliamentary group leader casts a vote on behalf of the members of the group a roll-call analysis is not possible. Secondly, the system of electing MPs is based on voting for a party list with the party deciding the composition of the list. Thus the selection and re-selection of candidates is entirely at the discretion of the party elite. The argument here is that one of the few reasons why a sitting MP would fail to get re-selected and be placed towards the top of the party list and thus stand an almost certain probability of getting re-elected is if the MP's behaviour is not acceptable to the party elite. This method of analysis is

of course dependent on the party elite having control of the candidate selection process. Where this is not the case, no inference could be made between turnover of MPs and the level of discipline.

The potential certainly exists for such causal relationships to be made in many western European countries because the party (at some level) usually has control over who their candidates are. When a sitting MP's behaviour is undisciplined, the party may de-select him or her. The number of de-selections is then used as a measure of the level of discipline. However we must be careful to recognise that de-selection could occur for entirely different reasons not in any way related to the undisciplined behaviour of the sitting MP. A more serious methodological problem with the application of this procedure is that even when an MP acts in a undisciplined way he or she may still be re-selected by the party as a candidate.

1.4   EXPLAINING DISCIPLINE

Politicians are generally intelligent and well-educated people, wishing to exercise influence, with beliefs, preferences and tastes of their own. Yet it seems that frequently they surrender their will on all issues when they become or seek to become members of parliament. The behaviour of British MPs has been likened to that of a flock of sheep being herded through a gap by a farmer with a large stick. It has been questioned if it would not be more

economical to hire sheep to be driven through the division lobbies of western European parliaments rather than pay parliamentarians (Ingle, 1995).[4] How then can this willingness to conform to party requirements be explained ?

One explanation of why parliamentarians are predisposed to follow the party line is that they agree with the party policy because they are like-minded individuals. Typically the party system is based on ideological cleavages and consequently we could expect members of the same party to be closer to each other on policy issues than to members of a different party. Therefore where a policy divides parties in a parliament, as we would expect it would in an adversarial system, members of each party will be in agreement with each other.

Kirkpatrick and McLemore (1977) are amongst the strongest proponents of this explanation. They term this agreement as being akin to 'personal directives from within' (Kirpatrick & McLemore, 1977, p.686). However this explanation is not self-sustaining when one considers the myriad of issues that parliamentarians are required to express an opinion on. Even in a multiparty system where parties can reflect multidimensional ideological beliefs, it is hard to imagine that enough parties could exist to meet the exact ideological belief of each member of parliament on every single issue of

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[4] Following the election to government of the British Labour Party the leadership decided to find alternative tasks for backbenchers. As *The Independent* (24 June 1997) reports 'Labour's army of 330 backbenchers is to be put to work out in the country as the eyes and ears of the

which they are required to give an opinion. What is more in a two party system on occasions the ideological divisions are even less likely to correspond with personal preferences of members.

Take for example the issue of European integration and the previous British parliament (the second Major government). The core divisions within British politics on European policy is not inter-party in nature (that is between the parties) but intra-party (within parties). Thus where policy decisions cut across ideology as defined by the party system, we cannot say that the disciplined nature of parliamentary parties results from the fact that members of each party share exactly the same opinions on all issues.

Another explanation is based on the fact that while not all members of the same party will agree with each other all of the time they generally do and when they don't they will nevertheless, out of a sense of duty to collective action, accept the majority view of their party. Crowe (1986) refers to this explanation as 'internal identification.' He refers to cases where a positive relationship exists between particular parliamentarians. Certainly it is often assumed that particular parliamentarians, even though they disagree with a specific policy, will nevertheless go along with it out of a sense of obligation to the party. Here an MP will behave in a disciplined way not because he agrees with the stance his party is taking but because he acknowledges the

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Government. In a move designed to prevent dissent born of boredom, the Government is planning a "revolution" in the way its MPs work.

principle of party loyalty. Surprisingly this view has remained underdeveloped as an explanation for party discipline.

hope of future promotion

As Epstein (1956, p. 361) points out 'the position [in insuring discipline] particularly of the party leader is strong because he is either prime minister or a potential prime minister and as such he bestows the ministerial offices without which an ambitious MP's career is a failure, financially and politically'. Of course leaders of smaller parties share the same power because the allocation of ministerial portfolios which the party may be allocated if they are in government is decided not by the leader of the government but the leader of each party. Thus if an MP wants to ever become a member of the government or frontbench he must have a clean sheet in that his or her record of support for the party must usually be absolute. In the United Kingdom the prime minister will normally consult with the Government chief whip before making appointments to any position within the government from parliamentary private secretary to cabinet minister. Many parliamentarians however realise that they stand little chance of ever becoming part of the government and some are happy to remain as backbenchers for as long as they are in parliament. Clearly for these the possibility of being rejected for a ministerial career if they do not show loyalty is not a very powerful enforcement mechanism.

potential patronage

A government or potential government do however have other prizes to tempt their members to behave correctly. The European Parliament, where parliamentarians have no possibility of entering a European government, is a good example of where leaders of party groups use other means to entice their members to cooperate, which usually requires that MEPs simply turning up or on occasions to vote with the group. Raunio (1996b, p. 9) reports that 'individuals who constantly dissent from the group line can expect not to receive nominations of their choice within the chamber.' The potential of patronage as a tool of discipline is of course very much dependent on who normally allocates such benefits and on whether or not individual parliamentarians are concerned with gaining promotion. Another study of the European Parliament (Corbett et. al., 1995) has shown that members are not heavily influenced by the possibility of being appointed as key rapporteurs, or to other political positions within the parliament. Consequently other mechanisms have to be used to ensure some degree of group cohesion. In national parliaments, where the consequences of voting in a particular way may be greater than in the European Parliament, it is more difficult to influence parliamentarians with the offer of committeeship. This is especially true when we consider the weakness of committee systems in most national parliaments.

expulsion

If all else fails it is usual that the party leadership will threaten to expel from the parliamentary party or even from ordinary party membership an MP who votes against the party. In addition MPs who receive this punishment may lose a number of privileges such as party research assistance, the help of the party press office and a range of other benefits accruing from membership of the parliamentary party. Members who are expelled from the party lose the right to run as a party candidate or be associated in any way with the official party. In some countries (such as Ireland) party rules impose automatic expulsion from the parliamentary party if a member fails to vote with the party or even fails to turn up for a key vote. In other countries expulsion is at the discretion of the party leader. However as Jackson (1968) has pointed out many party leaders are loath to dismiss a British MP from the parliamentary party because once dismissed they are not required to support their party although their voting behaviour would probably be the basis for deciding on their eventual return to the parliamentary party. This concern is greater where disciplined voting is imperative, for example in parliaments with a wafer-thin government majority.

de-selection

Perhaps the greatest compliance mechanism can be the threat by the party to refuse to re-select the member as the official party candidate at the next general election. The aim of most members of parliament is to get re-elected at the next election. If failure to gain re-selection reduces one's ability to get

re-elected, there is a clear need on the part of sitting MPs to do whatever is required to gain re-selection. Of course candidate selection processes vary across countries, from being highly centralised (with the party leadership choosing candidates) to heavily decentralised selection mechanisms (with party members, or as in America the voting public, choosing the candidates). Where re-selection is at the discretion of the party leadership one would expect that MPs would have greater need to be loyal. However Thiébault (1988) points out that in the larger French parties the centralisation of the selection process has not increased the level of discipline despite the fact that repeated infringement may result in members having diminished chance of being re-selected.

In addition to those mechanisms listed above, an even more powerful one at the disposal of a Prime Minister is the threat to dissolve Parliament if his or her own backbenchers fail to provide the necessary support for the government's legislative programme to succeed. This of course depends on the constitutional power of the executive to do so - in Israel, for example, the prime minister has no power to dissolve the Knesset. An example of the use of such a mechanism was the attempt of the second Major Government in the United Kingdom to ratify the Maastricht Treaty on European Union in the House of Commons in 1993. The government was initially defeated on the bill when a number of their own backbenchers who were sceptical about the treaty defied the party whip. The Prime Minister immediately informed the

House of Commons that the bill would become a matter of confidence in his government and would therefore be voted upon again with the clear constitutional implication that if the bill was again defeated the government would have no option but to resign. The Prime Minister's brinkmanship-like strategy was successful and a number of those Conservative MPs who originally voted against the government voted with the party on the second occasion. While it was common to use this tactic in the nineteenth century Epstein (1956) notes that its use as a mechanism to compel cohesive voting within government parties has been very rarely used throughout this century.

1.5   COMPARATIVE STUDIES OF INDISCIPLINE

A number of pioneering studies have sought to examine the level and reasons for discipline in specific countries or parliaments.

Franklin et. al. (1986) have sought to explain the apparent decline in party cohesion in divisions in the British House of Commons by undertaking an analysis of those MPs who defied the whip during the early 1970s. They test three hypotheses : The first, termed the 'new breed hypothesis', suggests that discipline is on the decline because new members of parliament are more professional and therefore less willing to adhere to party policy. A regression analysis is run to test the relationship between rebelliousness and 'newness' (the length the MP has served in the Commons) and from this the authors

conclude that no significance can be attached; members who rebel are not necessarily younger or likely to have been elected for the first time more recently.

The second hypothesis; that poor leadership in the Conservative party was the cause of rebelliousness and centred around a identifiable right-wing faction, was tested with an examination of the breakdown of dissent between the two main parties, Labour and Conservative. The conclusions reached disprove the hypothesis as the evidence showed that indiscipline was as likely within the Labour Party as within the Conservative party. The fact that within each party dissent is highest among members with leading committee roles, who are drawn from representative cross-sections of each party rather than one wing, suggests that dissent is not based on particular factions within particular parties.

The third hypothesis relates to the issue of the decline of the 'parliamentary rule' which ensured that a government who lost any Commons division would have to resign. This was put forward as a reason for increased undisciplined voting by Labour backbenchers. However the authors reject the argument because no difference could be seen between behaviour of Labour and Conservative members either in or out of government.

In rejecting all three hypotheses the authors conclude that (p. 156)

whatever the source of this period effect, our analysis makes it appear unlikely to have a simple one. If the effect was felt as widely as we have documented it to have been, then the chances are good that its roots lie in a multitude of factors

Cox and McCubbins (1991) seek to test the conventional wisdom that the importance of party in the US Congress has been in decline since the turn of the century. This is most clearly seen by the decline in adversarial voting along party lines, and where adversarial voting actually took place by the decline in inter-party cohesion. Based on a roll-call analysis they argue that party cohesion has not declined dramatically. For example between 1933-46 the majority party leadership won, on average, 75 per cent of the time. The equivalent figure for the period 1979-88 was actually higher at 81 percent, suggesting an increase in party cohesion.

Raunio (1996b) undertakes an analysis of voting behaviour of the members of the European Parliament in votes taken on a roll-call. While the results show that, in general, group cohesion is quite strong, interesting differences emerge between groups. For example the score of the Left Unity Group at .938 was much higher than that of the European Democratic Alliance. The differences in the levels of cohesion is explained in terms of the level of homogeneity within each group. Another study of MEPs by Attiná (1990) suggests that the nature of the vote (initiative or control function) can often predict the level of cohesion with initiatives producing greater party cohesion because they can

serve to promote and legitimise at the European level the interests that the MEPs claim to represent.

Sanchez De Dios (1995) concludes that dissent in voting in the Spanish parliament has not been significant. Indeed in a study of voting behaviour on 568 bills, the average vote was 223 in favour, 28 against and 14 abstentions. While the average level of abstentions may be considered an indication of incohesion it is noted that in reality it is difficult to associate abstentionism with dissent in Spain. The author concludes that the principle of free mandate of MPs enshrined in the 1978 constitution is ineffective in reality.

Worre (1996) suggests that the cause of cohesion within Danish political parties arises from the structure of the parliament. Like their counterparts in Spain, Danish parliamentarians cannot take any initiatives, such as introducing private members bills, without the consent of their party. They are 'party representatives in parliamentary affairs' (Worre, 1996, p. 11).

Harmel and Janda (1982) have undertaken a comparative analysis of voting cohesion in 67 parties in 21 countries throughout the world. They also test for the relationship between what they term 'environmental variables' and party cohesion. Their results are reproduced in table 1.1. The propositions which they measure are as follows:

1. The structure of the relationship between the executive and the legislature has an important effect on party cohesion. Where the executive originates from, and is dependent on the support of the legislature then we could expect cohesion to be higher.

Where the structure of the state is unitary rather than federal party cohesion will be higher. Thus for example we would expect party cohesion to be lower in America and Germany than in the United Kingdom other things being equal.

2. A multiparty system is likely to have more highly disciplined parties because each party will be more homogeneous than if only two parties existed.

3. Where society is polarised along class lines then we could expect parties to be more disciplined. The greater the distance between parties along the ideological continuum, the greater the polarisation and thus the greater the cohesion within each party.

4. Parliamentarians elected from single-member constituencies rather than multi-member ones will be less disciplined in their voting behaviour.

The more effective and powerful the legislature the less cohesive will be the parties.

TABLE 1.1 EXPLAINING DISCIPLINE

Environmental Factor	Simple Correlation r	Explained Variance r2
Presidential system	-.53*	.28
Federalism	.05	.00
Number of parties	.00	.00
Ideological polarisation	-.04	.00
Single-member districts	-.11	.01
Legislative effectiveness	.26*	.07
* indicates the result are significant at the .05 level		

Source: Harmel and Janda (1982, p. 86)

The analysis of the environmental factors with the level of discipline in parties in each country show no correlation between the structure of the state, the number of parties, ideological polarisation around class, the district magnitude and the level of discipline. The presidential system of government is negatively correlated with party discipline and a positive correlation is shown to exist between legislative effectiveness and party cohesion as expected.

In an earlier study Epstein (1980, p. 321) reached similar conclusion - that the low level of cohesion in American political parties is best explained by reference to the separation of powers. Where the survival or even effectiveness and efficiency of the government is not dependent upon a party

in the legislative arena then there is less incentive and need for parliamentarians to act cohesively.

Two of the leading scholars on British political parties have examined the attitude of local party members to the issue of discipline within the Conservative parliamentary party (Whiteley & Seyd, 1997). Based on results from a wide ranging survey they conclude that more staunch members attach great importance to their MP's loyalty to the centre party. On the other hand members who value decentralisation in the party organisation are more concerned with their MP serving the needs of constituents. In the same study the authors (p. 20) conclude that

> in the light of this discussion it appears that appeals to the grassroots by the parliamentary leadership for help in disciplining rebellious backbenchers are increasingly quiet likely to fall on deaf ears ... an MP who gratifies local sensibilities, and who does a reasonable amount of constituency service, can persistently rebel in the House of Commons, without being unduly concerned that this will lead to his or her deselection.

The issue of whether parties throughout the world are becoming less disciplined is an interesting one which requires further study. In the small number of countries surveyed by the author only one researcher noted that parties in his country seemed to be becoming more disciplined. Using data

from a roll-call analysis Rasch (1997) concludes that for parties in the Norwegian parliament discipline has increased rather than decreased in recent years.

Searing (1995) in constructing a social psychological explanation of discipline is one of the first to attempt an abstract model of the topic. Although setting out to use a combination of rational choice and normative theories the result of the research seems to draw heavily on the latter with little mention of rationality or preference maximising politicians. Based on interviews with members of the British House of Commons Searing provides little new explanation of substance while concluding that

> political authority is the principle alternative to coercive power. Each pursues compliance; but the results they achieve, and the way they go about it, are different. Authority seeks voluntary compliance through rational persuasion and gentle manipulation and is therefore the more efficient and less unpleasant strategy. Power, by contrast, expects little more than grudging obedience and is content to live with the resentments of those it compels to act against their wishes. (Searing, 1995, p. 695)

1.6 DEMOCRACY AND DISCIPLINE

Parliamentary Government

Government in most developed countries is party government - the executive is formed from and with the support of parliamentarians who have allied themselves with certain parties prior to election. As long as a party has a majority of parliamentary seats, the role of the parliament seems only theoretical. In systems of parliamentary government (most countries excluding the United States, France and more recently Israel) the ability of parliamentarians to act independent of any pressure would seem to be the only basis of democracy.

Many have lamented the passing of the golden age of parliamentary power, most closely associated with the British House of Commons in the nineteenth century. In this era, in so much as it actually existed, the executive were truly responsible to and dependent upon the support of the House. Today we have the same dilemma as political scientists talk about the weakness of parliaments and their declining role. It is claimed that the classical role assigned to parliaments is farcical when one recognises the seminal role of the modern political party. Let us examine each of these roles in turn to see if the concerns are legitimate.

• APPOINTING A GOVERNMENT: In parliamentary systems the people vote in an election for individual politicians who then go to parliament and support the appointment of a government. Likewise a government will fall if it no longer has the support of a majority of the parliament. Clearly the role of

parliamentarians in this regard is fundamental. However when we introduce party into the equation we quickly realise that the surprise is eliminated from the process - where a party secures a majority of seats it is easy to predict that that party will form the government, the party leader will be prime minister and the government will not fall until a participating party wants it to.

• MAKING POLICY: The central feature of a parliament is that it has the sole authority to make law. But again this rather grand power fails to recognise the role of party. As Gallagher et. al. (1995, p. 43) have noted:

> European governments are not always keen to allow parliaments a real role in making laws, feeling that parliaments should confine themselves to discussing and ultimately approving what the government proposes ... a government will usually expect to be able to rely on party discipline to push its program through the legislature.

Consequently a handful of politicians, almost always centred around the cabinet, control the whole policy-making process. The role of parliament is simply to accept as a *fait accompli* the decision of the cabinet and government.

This point was most clearly seen when the Irish government were defeated in the Dail on a bill to introduce a light rail system for Dublin. The upset came as a shock to everyone as the following exchanges between a government

deputy (Noonan) and an opposition deputy (Andrews) during debate in the chamber testifies:

Noonan: This is a pyrrhic victory - the Opposition did not expect to win.

Andrews: Of course we did not expect to win; the Government would have been expected to win.

(Dáil Debates 11 June 1996, col. 1693)

Indeed the contempt for the role of parliament was most clearly shown when the Government re-introduced the same bill within a few weeks - much to the annoyance of the opposition parties.

- OVERSIGHT OF GOVERNMENT: The expectation here is that parliamentarians will act as hawks, ensuring that the government will act correctly and properly at all times. The nature of discipline in parties seem to rule out the possibility of deputies openly taking issue with a minister when the party is in government. Likewise opposition parties do not look with favour upon their own deputies criticising their party frontbenchers. In these circumstances oversight becomes an domain of shadow cabinets rather than of individual parliamentarians no matter how engaged the backbencher is in a particular topic.

USURPING THE ROLE OF PARLIAMENT ?

Sartori (1997, p. 190) shares the view of many social scientists and commentators when he claims that

> the call for party discipline has an unpleasant ring to it.
> Many tears are shed over the dire fate of the back-bencher,
> of the parliamentary peons or water-bearers; and much
> invective is pronounced against the rubber-stamp MP. I
> sympathise, for I would not myself like any of that. Yet the
> fact is and remains that a parliamentary government cannot
> govern without parliamentary support; that support means
> that the parties that uphold a government can actually deliver
> the vote of their MPs; and that means, in turn, the capacity to
> impose uniform voting.

The comments by Sartori are important because they highlight the real dilemma for constitutionalists - how to ensure the presence of necessary discipline to allow for effective party government while ensuring a democratic role of individual elected parliamentarians.

The answer seems two-fold. First governments are responsible to the wishes of the majority of parliament and no one, not even a whip, can stop a member of parliament from withdrawing support for their party.

Secondly parliamentary party politics is realpolitic. The head of the executive is the head of the party and depends on the members of the party for continued support. If the leader does not act according to the wishes of the party he or she will more than likely see themselves out of office - not because of a vote of no confidence in parliament but a vote of no confidence and a subsequent leadership selection within the parliamentary party.

The fall from power of Margaret Thatcher is a case in point. Her style of politics was to be chief of the cabinet making decisions from her office for all of the government departments and without recourse to the wishes of the people. Yet the lady dubbed by many as the untouchable was forced to resign as party leader and prime minister because her policies (particularly it would seem on the issue of further European integration and the poll-tax) and leadership style were no longer acceptable to the governing conservative party. As Onslow (1997, p. 1) has written:

> In 1990 it seemed Margaret Thatcher had committed the cardinal error of assuming that her supremacy in Cabinet was 'the bottom line', forgetting that she was ultimately answerable to the party in the House of Commons.... certainly, the initiative and ultimate policy-making decisions do rest with the leadership. But these decisions have to reflect the pulse of opinion within the Tory ranks; otherwise, dissent ferments to the point of open criticism and erodes the leadership's ability to carry the party forward.

Consequently in systems with highly disciplined parties we should not rush to criticise the lack of power of ordinary parliamentarians. While a government with a large majority of seats may feel able to take parliament for granted the political elite must be aware of the dangers of causing major annoyance and trouble to their own backbenchers. To use the terminology of Rose (1986), while most parliamentarians are unwilling to bite they are more than willing to bark.

And barking may be enough to cause major embarrassment and a change of policy on the part of a government. Having members on the same side of the House oppose and in some cases openly castigate the policy or performance of ministers probably causes more damage than the collective ability of opposition parties. As one leading political commentator has recently written:

> that's the dilemma for the whips: by taking disciplinary action they risk making them (the rebels) martyrs who have nothing to loose by maximum publicity.[5]

Thus while some, such as Blondel (1995) see parliamentarians in a disciplined party (and by extension the parliament of which they are members) as having little or no effective power we should not completely discount their role as being merely symbolic rubber-stamping. Referring to the British House of Commons, Rose (1986, p. 15) for example argues that

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[5] Donald MacIntyre writing in *The Independent*, 25 June 1997

backbench MPs are weak but not completely impotent. Because the expectation of party loyalty is so strong, any deviation there form appears disproportionately important: abstention or a vote against the government by half a dozen or by a dozen MPs in the governing party can make headline news, and backbenchers can sometimes use the threat of public rebellion to secure ministerial modification of a policy.

1.7   SUMMARY

Political Parties are now a central aspect of most if not all competitive political systems. Of central concern to scholars of parties and party systems must be intra-party politics - the politics within parties and how this impacts on the role of parties in the wider political system. This chapter has reviewed works by a number of scholars interested in the phenomena of control and discipline in parliamentary parties.

The occurrence of discipline is most clearly demonstrated by reference to voting behaviour of politicians in parliamentary assemblies. This has given rise to formal statistical analysis of voting records in an attempt to compose indexes of cohesion which measure the level of discipline within political parties. Many authors have also attempted to explain discipline. In general this has usually been done with either reference to the hierarchical structure of

party organisation or by seeking to comprehend the motivation of individual parliamentarians. *35*

Of equal concern must be the consequences of discipline, both for intra-party democracy and consequently the democratic foundations of the whole political system. The existence of parliamentary sovereignty, with the implication of equal but collective sovereignty for members, must be questioned when parties exert so much control on the behaviour of their parliamentarians.

CHAPTER TWO
MEASURING DISCIPLINE IN IRISH POLITICAL PARTIES

2.1   INTRODUCTION

This chapter seeks to explore the conventional wisdom that members of Irish

parliamentary parties are highly disciplined. This investigation is prefaced by

a discussion of what constitutes discipline and how this term differs from the

closely associated idea of cohesion in political parties. Having identified

discipline as a distinct phenomenon we turn our attention to examining the

voting behaviour of TD in Dáil divisions. The chapter concludes by probing

the problems associated with our roll-call analysis.

2.2   COHESION AND DISCIPLINE

In a study of this nature it is very easy to equate the terms 'cohesion' and

'discipline'. However each expression, despite being frequently used

interchangeably, has a very different meaning. The   differences are

fundamental to understanding the true meaning of what we are trying to

explore - party discipline.

In physics cohesion is related to the force that holds together the atoms or molecules in a solid or liquid and is distinguished from adhesion where the opposite force exists. Likewise in its common use cohesion is associated with unity and coming together. Discipline on the other hand refers to obedience and more especially a conditioning training associated with behaviour modification.

Consequently when we talk about cohesion and discipline in parliamentary parties we are really talking about two different things. Indeed while the aim of discipline is to ensure cohesion (in voting behaviour for example) attempts at discipline may fail. Likewise cohesion can occur naturally without any hand (visible or invisible) from the party leadership.

Thus what we ordinarily refer to as discipline may not be discipline at all. One can have a state of cohesion without discipline - spontaneous discipline or what we term natural cohesion. In such cases what we term 'discipline' and which we are concerned is not an issue in party solidarity. Such natural cohesion in political parties can be thought of as being similar to an equilibrium condition in classical economics. Citing the now dated but still important work of Ozbudun (1970), Bowler et. al. (1997, p. 4) summarise the argument as follows:

> whenever we observe members of legislatures voting as a
> bloc, or otherwise acting in unison, this can be because

either the members agree with each other, or because they
are being made to act in accord with each other despite their
personal preferences (or perhaps, a combination of the two)

Thus we must first of all attempt to establish if the collective behaviour of
parliamentary party members results from natural cohesion rather than
enforced party discipline.

Do members of the same political party share the same political and social
values and policy beliefs? Are they, for example, ideologically cohesive?
Downs identified ideology as 'verbal images of a good society and the chief
means of constructing such a society' (Downs, 1957, p. 96). Certainly
ideology must be the cornerstone upon which cohesion rests - unless
parliamentarians are so awe inspired by their leader that they automatically
accept his or her every desire.

2.3   COHESIVENESS OF IRISH PARTIES

Providing a reliable measure of party cohesion is no easy task. How is one to
estimate the degree to which a group of people have the same ideas and
beliefs, especially when their expressions of belief may not be their own?

A first attempt may be to hypothesise that a party system that is ideologically
divided along several cleavages will have parties that are more naturally

cohesive. In theory at least, a politician with a different variety of beliefs along several cleavages could find a more suitable party if a larger number of parties existed in a given democracy. Thus in a two party system, where political cleavages are multiple, parties will by definition probably be less ideologically coherent. Each party will have factions that are at home to the differing beliefs even if all members of the party share the same view on a single issue.

If the number of parties in a party system is an indication of the internal natural coherence, then many would suggest that Irish parties are probably internally coherent given the number of parties in the party system. However as we can see from table 2.1 relative to other western European countries Ireland does not have a large effective number of parties[1].

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[1] 'Effective number of parties' takes into account not only the number of actual parties but the size of each and is therefore a better indicator of the level of fractionalisation and fragmentation than the actual number of parties.

TABLE 2.1

EFFECTIVE NUMBER OF PARTIES IN PARLIAMENT

United Kingdom	2.3
Germany	2.6
Austria	3.0
France	3.0
Ireland	**3.5**
Sweden	3.5
Iceland	3.8
Luxembourg	3.9
Denmark	4.5
Norway	4.8
Finland	5.2
Netherlands	5.4
Switzerland	6.7
Italy	7.3
Belgium	8.4

(Source: Gallagher et.al., 1995, p. 290)

Consequently the Republic of Ireland appears to have one of the least fragmented and fractionalised party systems of any European country. A major determinant of this is the origin of the modern Irish party system. The origin is important because it indicates the cleavages which are represented by the parties and their capacity to represent different chapels.

In general the Irish Party system appears to be uniquely non-ideological[2]. The two largest political parties are composed of members and deputies who do not necessarily have strong ideological differences along numerous cleavages with their counterparts in the other party. Certainly, and as one would expect, ideological coherence probably becomes stronger as one moves away from the centre. However in general, the origin and nature of the party system would not suggest strong natural cohesion along most (non-nationalist) policy dimensions. Writing in the early 1980s Carty (1981, p. 85) noted the makeup of the party system in the following terms:

> the Irish party system is unique. In no other European polity does a small number of programmatically indistinguishable parties, each commanding heterogeneous electoral support, constitute the entire party system.

The Irish party system is conventionally dated as beginning in the 1920s following the split in the republican movement over the Anglo Irish Treaty of 1921. Thus, unlike in most other western European countries, the two largest parties that now exist in the state were formed along a nationalist cleavage far removed from the traditional or contemporary cleavages of conflict such as

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[2] For an overview of the party system see Mair (1987)

those identified by Rokkan and Lipset in their seminal work on party system (Lipset & Rokkan, 1967, p. 13-26, however c.f. Kissane, 1995).[3]

Mair (1996, p. 89) notes the uniqueness of the party system which he attributes to its origin:

> in short, at least as far as the centre-right is concerned, the origins of the Irish parties bear little or no relation to those elsewhere in western Europe, and for this reason also Ireland has tended to be regarded as a unique case. It is not surprising that this should be so. The[largest two] Irish parties in fact emerged from a unique experience in the period 1916-23, during which an intra-nationalist conflict and civil war experience centring on the country's constitutional status followed an armed independence struggle.

An alternative method that could be used to measure natural party cohesion is to look at the voting behaviour of TDs in each party where they were given a free vote by the whips. This has occurred very infrequently in recent years. Where it has occurred it has been related to issues of a moral nature (such as legislating for contraception or divorce). One famous case of a free vote occurred in 1974 relating to the vote on the Importation and Sale of Contraception Bill. The Fine Gael/Labour coalition government had

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[3] The cleavage structure identified were; 1. centre - periphery, 2. church -

introduced the bill following the decision of the Supreme Court in *McGee v Ireland* that married couples were entitled to use and if necessary import contraceptives for their personal use. The bill was obviously fraught with difficulty for the more conservative members of Fine Gael. The party therefore agreed to allow a free vote. Gallagher (1982, p. 202) notes that the Taoiseach was joined by Richard Burke (the Fine Gael Minister for Education) and five Fine Gael backbenchers in the opposition lobby ensuring the defeat of their own government's Bill for the Control of the Importation, Sale and Manufacture of Contraceptive, by 75 votes to 61.

In April 1983 the Fine Gael Parliamentary Party again agreed that because eight of its deputies had conscientious objections to its formula to amend the constitution to prohibit abortion, disciplinary action would not be taken against members who did not support the Fine Gael motion.

An even more unusual occurrence was the voting behaviour of the Fine Gael party on the 1972 Offences Against the State (Amendment) Bill when it passed its final stages in December of that year. On the occasion of the voting the Fianna Fail government won the support of a number of opposition deputies including Liam Cosgrave, the leader of Fine Gael.[4]

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state, 3. rural - urban and 4. class
[4] see further p. 80.

Indeed in the few cases where a free vote has been allowed the government parties always lost the support of a number, albeit a small number, of their backbenchers and in some cases as mentioned above their frontbench members. Consequently this would lead to the tentative conclusion that when the loss of the whip is not a factor for deputies not all will be in agreement with their parliamentary colleagues.

The above suggests that we have no basis to suggest that Irish political parties are more naturally cohesive than their counterparts. Indeed we could even suggest that they may be less naturally cohesive.

2.4   ROLL-CALL ANALYSIS

As we have seen in chapter one, the voting behaviour of members of parliament is used as a convincing guide to the level of discipline in political parties. Political scientists have employed roll call analysis to help measure the degree of voting along party lines in legislatures. A roll call analysis is concerned with examining the voting record of parliamentarians by systematically measuring how they vote over a given period of time. This methodology can be used to measure voting by TDs in Dáil divisions, given that all divisions are recorded and published.

voting in the Dáil

As with all aspects of procedure in the house Standing Orders govern the voting mechanism in the Dáil. Under standing order 65.1 the Ceann Comhairle (or his deputy acting in his absence) puts the question to be considered to the house. Members vote by replying *Ta* (yes) or *Nil* (no). However in reality a formal vote is taken wherever there is opposition from the other side of the house (or if either side want to cause maximum disruption to the running of business). Under standing order 65.2 a division is called if any deputy so wishes. The division bells will normally ring for four minutes to notify members that a vote is about to take place. All rooms in Leinster House and Government Buildings have an intercom system so all present in the buildings are aware a vote has been called.

During the vote the doors are locked and all deputies wishing to vote must physically pass through either of the two lobbies. The party whips usually act as tellers and record members as they pass through the respective lobbies. Once all have voted the gates are closed and the number of names totalled. The slip with the totals is then given to the Ceann Comhairle and the names of those voting *Ta* or *Nil* are placed on the record of the house. Importantly it is not possible to have an abstention noted.

the methodology

To measure the cohesiveness of voting we examined divisions in the Dáil and measured the degree to which the composition of each voting block was

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determined by party. In a division two measurable blocks exist - yes (*Ta*) and no (*Nil*). What we want to look at is the cohesiveness of each group - for example the cohesiveness of the government group. This is determined not by examining who votes in the government block but who votes in the opposition block. If the opposition block is composed only of members of the opposition then the government party or parties vote cohesively.

Likewise we can measure the cohesiveness of the opposition by examining the composition of the government cohort. If the government block consists solely of government deputies (and consequently no opposition deputies) then we can say that members of the opposition parties voted cohesively.

For each block (each yes, no over every vote measured) we have compiled an index of cohesion based on the following formula:

*x /y * 100/1*

where:

x = the number of deputies voting in the same block from the same group

y = the total number of deputies voting in the same block

To show how the index operates consider a division involving only two parties. If 200 deputies vote, made up of 150 government and 50 opposition,

and all vote along party lines then the index of cohesion is for the government:

*50/50 * 100/1 = 100 %*

and for the opposition the index of cohesion is calculated as:

*150/150 * 100/1 = 100 %*

To better understand why government cohesion is obtained from examining the voting patterns in the opposition block consider a case where five government backbenchers vote with the opposition. The index for the government would be

*50/55 * 100/1 = 90.90% #*

group versus block

In our analysis we take a group as the collection or coalition of parties. This is necessitated by the multiparty nature of the Dáil which means that more than one party will usually be voting the same way in divisions. The block represents all parties where a majority of the voting members voted the same way. One methodological problem which we encountered was how to deal with independent (non-affiliated) TDs. In recent times independent TDs usually vote with the opposition parties but on occasions they side with and support the government. An exception to this is when minority governments

depend on the support of individual independents.[5] As they are not subject to a whip we would need to discount their impact so that they would not distort the figures. But our method of analysis ensured that their votes were nullified in the formula we used. Consequently as the government consisted of three parties, and the opposition of two parties with a number of floating independent TDs we measured cohesion with reference to two groups. One group consisted of government TDs and the other of TDs from the opposition parties. As mentioned above the vote of the independent deputies was allowed to float between government and opposition so that it would not distort the figures for the parties.

There is little point in examining every single vote taken since the foundation of the Dáil. For one thing it would simply take too much time and would involve methodological problems in matching deputies with their party. Consequently it was decided to select one calendar year and examine all divisions taken in the Dáil during that year. As at the time of research 1996 was the last complete year for which Dáil records were available it was selected for the study.

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[5] As yet there is no satisfactory study of independent members of the Dáil or Seanad.

undertaking the research

As noted above the Dáil proceedings which are published and made available to the public show how each voting member voted. To undertake a roll call analysis it was necessary to assign each voting member to their respective political affiliation. Nealon (1993) provided a list of TDs with their party affiliation. Gallagher (1996) was used to update the affiliation lists to take account of deaths and by-elections. More recent changes in the composition of the house along with changes in party affiliation were obtained from various issues of The Irish Times.

the results

During the calendar year 1996 there were 93 divisions in the Dáil. Table 2.2 reproduces the results of our analysis for the government block while table 2.3 reproduces the results for the opposition block.

TABLE 2.2: COHESION OF GOVERNMENT GROUP (1996)

DATE	FOLIO	y (opposition)	x (government)	GOV COHESION %
23-Jan	460/3 831-834	72	72	100
23-Jan	460/3 891-894	68	68	100
25-Jan	460/5 1302-1303	59	59	100
07-Feb	461/2 343-346	58	58	100
07-Feb	461/2 361-364	56	56	100
08-Feb	461/3 647-650	39	39	100
21-Feb	461/8 2393-2396	57	57	100
28-Feb	462/3 641-644	55	55	100
28-Feb	462/3 875-878	53	53	100
28-Feb	462/3 879-882	53	53	100
28-Feb	462/3 891-894	52	52	100
06-Mar	462/6 1757-1760	58	58	100
13-Mar	463/1 291-294	42	42	100
03-Apr	463/7 1911-1914	57	57	100
16-Apr	463/8 2217-2220	61	61	100
17-Apr	464/1 293-296	58	58	100
18-Apr	464/2 525-528	57	57	100
24-Apr	464/4 1149-1152	53	53	100
01-May	464/7 1751-1754	50	50	100
01-May	464/7 1909-1912	51	51	100
01-May	464/7 1959-1962	52	52	100
01-May	464/7 2001-2004	54	54	100
02-May	464/8 2203-2206	43	43	100
08-May	465/1 311-314	58	58	100
09-May	465/2 537-540	34	34	100
15-May	465/4 887-890	57	57	100
15-May	465/4 889-892	58	58	100
15-May	465/4 1123-1126	53	53	100
15-May	465/4 1195-1198	63	63	100
16-May	465/5 1213-1216	53	53	100
22-May	465/7 2015-2018	58	58	100
22-May	465/7 2055-2058	44	44	100
28-May	466/1 255-258	54	54	100
29-May	466/2 327-330	56	56	100
29-May	466/2 331-334	56	56	100
29-May	466/2 339-342	56	56	100
06-Jun	466/5 1293-1296	56	56	100
11-Jun	466/6 1690-1692	62	62	100
12-Jun	446/7 1789-1792	59	59	100
12-Jun	446/7 2031-2034	57	57	100
12-Jun	446/7 2033-2036	58	58	100
18-Jun	467/1 249-254	69	69	100
18-Jun	467/1 253-256	67	67	100
18-Jun	467/1 255-258	68	68	100
18-Jun	467/1 293-298	68	68	100
19-Jun	467/2 385-388	59	59	100

DATE	FOLIO	y (opposition)	x (government)	GOV COHESION %
19-Jun	467/2 635-638	61	61	100
20-Jun	467/3 675-678	62	62	100
20-Jun	467/3 677-680	60	60	100
20-Jun	467/3 681-684	60	60	100
26-Jun	467/5 1373-1376	51	51	100
26-Jun	467/5 1383-1386	53	53	100
26-Jun	467/5 1647-1650	54	54	100
02-Jul	467/7 2351-2354	59	59	100
02-Jul	467/7 2362-2364	59	59	100
05-Jul	468/3 765-768	54	54	100
05-Jul	468/3 769-772	56	56	100
05-Jul	468/3 871-874	50	50	100
25-Jul	468/4 1105-1107	58	58	100
25-Sep	469/1 533-536	49	49	100
25-Sep	469/1 545-548	49	49	100
26-Sep	469/2 721-724	51	51	100
03-Oct	469/4 1309-1312	54	54	100
03-Oct	469/4 1317-1320	52	52	100
09-Oct	469/6 1951-1954	61	61	100
09-Oct	469/6 1995-1996	60	60	100
09-Oct	469/6 1997-2000	58	58	100
09-Oct	469/6 1999-2002	59	59	100
15-Oct	470/1 171-172	54	54	100
16-Oct	470/2 493-496	56	56	100
17-Oct	470/3 555-556	50	50	100
17-Oct	470/3 557-560	51	51	100
23-Oct	470/5 1091-1094	58	58	100
23-Oct	470/5 1093-1096	58	58	100
30-Oct	470/7 1377-1380	57	57	100
31-Oct	470/8 1643-1646	63	63	100
06-Nov	471/2 241-244	56	56	100
06-Nov	471/2 269-270	56	56	100
06-Nov	471/2 281-284	55	55	100
06-Nov	471/2 383-386	53	53	100
13-Nov	471/5 1005-1008	70	70	100
20-Nov	471/7 1375-1378	60	60	100
27-Nov	472/2 305-308	55	55	100
27-Nov	472/2 315-318	54	54	100
03-Dec	472/3 547-550	56	56	100
05-Dec	472/5 999-1000	56	56	100
10-Dec	472/6 1233-1234	55	55	100
11-Dec	472/7 1507-1510	62	62	100
11-Dec	472/7 1509-1512	64	64	100
18-Dec	473/2 363-366	63	63	100
18-Dec	473/2 467-470	60	60	100

TABLE 2.3: COHESION OF OPPOSITION PARTIES (1996)

DATE	FOLIO	y (government)	x (opposition)	OPP. COHESION %
23-Jan	460/3 831-834	80	80	100
23-Jan	460/3 891-894	79	79	100
25-Jan	460/5 1302-1303	69	69	100
07-Feb	461/2 343-346	71	71	100
07-Feb	461/2 361-364	71	71	100
08-Feb	461/3 647-650	62	62	100
21-Feb	461/8 2393-2396	69	69	100
28-Feb	462/3 641-644	74	74	100
28-Feb	462/3 875-878	66	66	100
28-Feb	462/3 879-882	66	66	100
28-Feb	462/3 891-894	68	68	100
06-Mar	462/6 1757-1760	73	73	100
13-Mar	463/1 291-294	55	55	100
03-Apr	463/7 1911-1914	72	72	100
16-Apr	463/8 2217-2220	68	68	100
17-Apr	464/1 293-296	70	70	100
18-Apr	464/2 525-528	68	68	100
24-Apr	464/4 1149-1152	65	65	100
01-May	464/7 1751-1754	66	66	100
01-May	464/7 1909-1912	64	64	100
01-May	464/7 1959-1962	65	65	100
01-May	464/7 2001-2004	64	64	100
02-May	464/8 2203-2206	60	60	100
08-May	465/1 311-314	68	68	100
09-May	465/2 537-540	60	60	100
15-May	465/4 887-890	70	70	100
15-May	465/4 889-892	70	70	100
15-May	465/4 1123-1126	69	69	100
15-May	465/4 1195-1198	68	68	100
16-May	465/5 1213-1216	63	63	100
22-May	465/7 2015-2018	64	64	100
22-May	465/7 2055-2058	66	66	100
28-May	466/1 255-258	63	63	100
29-May	466/2 327-330	70	70	100
29-May	466/2 331-334	69	69	100
06-Jun	466/5 1293-1296	68	68	100
11-Jun	466/6 1690-1692	61	61	100
12-Jun	446/7 1789-1792	72	72	100
12-Jun	446/7 2031-2034	69	69	100
12-Jun	446/7 2033-2036	67	67	100
18-Jun	467/1 249-254	76	76	100
18-Jun	467/1 253-256	76	76	100
18-Jun	467/1 255-258	75	75	100
18-Jun	467/1 290-294	76	76	100
18-Jun	467/1 293-298	75	75	100
19-Jun	467/2 385-388	71	71	100

DATE	FOLIO	y (government)	x (opposition)	OPP COHESION %
19-Jun	467/2 635-638	69	69	100
20-Jun	467/3 675-678	68	68	100
20-Jun	467/3 677-680	68	68	100
20-Jun	467/3 681-684	70	70	100
26-Jun	467/5 1373-1376	62	62	100
26-Jun	467/5 1383-1386	64	64	100
26-Jun	467/5 1647-1650	61	61	100
02-Jul	467/7 2351-2354	72	72	100
02-Jul	467/7 2362-2364	72	72	100
05-Jul	468/3 765-768	67	67	100
05-Jul	468/3 769-772	68	68	100
05-Jul	468/3 871-874	64	64	100
25-Jul	468/4 1105-1107	72	72	100
25-Sep	469/1 533-536	61	61	100
25-Sep	469/1 545-548	60	60	100
26-Sep	469/2 721-724	61	61	100
03-Oct	469/4 1309-1312	67	67	100
03-Oct	469/4 1317-1320	67	67	100
09-Oct	469/6 1951-1954	75	75	100
09-Oct	469/6 1995-1996	70	70	100
09-Oct	469/6 1997-2000	70	70	100
09-Oct	469/6 1999-2002	70	70	100
15-Oct	470/1 171-172	67	67	100
16-Oct	470/2 493-496	70	70	100
17-Oct	470/3 555-556	67	67	100
17-Oct	470/3 557-560	65	65	100
23-Oct	470/5 1091-1094	72	72	100
23-Oct	470/5 1093-1096	71	71	100
30-Oct	470/7 1377-1380	64	64	100
31-Oct	470/8 1643-1646	69	69	100
06-Nov	471/2 241-244	68	68	100
06-Nov	471/2 269-270	69	69	100
06-Nov	471/2 281-284	66	66	100
06-Nov	471/2 383-386	63	63	100
13-Nov	471/5 1005-1008	79	79	100
27-Nov	472/2 305-308	65	65	100
27-Nov	472/2 315-318	64	64	100
03-Dec	472/3 547-550	68	68	100
05-Dec	472/5 999-1000	67	67	100
10-Dec	472/6 1233-1234	65	65	100
11-Dec	472/7 1507-1510	74	74	100
11-Dec	472/7 1509-1512	74	74	100
18-Dec	473/2 363-366	68	68	100
18-Dec	473/2 405-408	72	72	100
18-Dec	473/2 467-470	73	73	100

analysis

In all Dáil divisions taken during 1996 each group (and consequently each party) showed complete and absolute voting cohesion. Writing over twenty five years ago about the behaviour of British MPs Samuel Beer (1969, p. 350-351) noted that voting cohesion 'was so close to 100 per cent that there was no longer any point in measuring it.' The results of our analysis of voting behaviour give the same impression.

issues

We are basing voting cohesion on two possible actions by TDs: vote yes or vote no. However a third option is available to parliamentarians - abstention. This involves declining to vote with the party or with the opposition and is potentially a useful indicator of cohesion and discipline. Our case study analysis in chapter three indicates that a number of Dáil deputies show their disapproval with policy or the party by abstaining rather than voting against their party.

However there are major problems with incorporating abstentions into any roll call analysis of the Dáil. Firstly, and as already mentioned, the records of the Dáil do not include those who abstain. Furthermore, and even more problematically, a number of different reasons cause deputies to abstain. Many of these have nothing to do with a revolt against the party. For example a system of 'pairing' exists whereby a deputy from one side may be allowed to be absent (away on official government business for example) and is paired

off against a member of the opposite side of the house. The pairing system is operated by the party whips and the government chief whip but each pair is the consequence of a gentleman's understanding rather than a formal signed agreement. Consequently it is impossible to identify systematically when pairing has occurred.

As we will see in later chapters in some case non-voting arises simply because a deputy has forgotten to vote. Either they did not know that the vote was taking place or they did not know that they were required to be present. Again it is impossible to differentiate between those abstentions and abstentions for the purpose of showing disagreement with the issue and party. For these reasons a roll-call analysis including an index of participation would not be feasible.

2.5 SUMMARY

The evidence presented in this chapter clearly shows that, during 1996 at least, Irish parliamentarians are as disciplined in their voting behaviour as they can be. The nature of the party system allied to the complexity of legislative issues facing TDs suggests that this cohesion is based on discipline rather than any natural cohesiveness among members of the same party and differences between parties. We can therefore turn our attention to

understanding the nature of discipline in Irish parties confident in the

knowledge that they are well disciplined.

CHAPTER THREE
THE ORGANISATION OF PARTY POLITICS IN IRELAND

3.1 INTRODUCTION

This chapter analyses Irish parties, their parliamentary representatives and how so much of the internal organisation of the parties is devoted to affecting the behaviour of their parliamentarians. In doing so we consider the rules and regulations of the main political parties to gauge their expectations (and justifications) of loyalty. We begin by reviewing the work of others who have examined discipline in Irish parties.

3.2 IRISH PARTIES AND DISCIPLINE

There exists a consensus among political scientists that Irish parliamentary parties are highly disciplined creatures. Basic Chubb, whom many regard as the *doyen* of Irish political studies, notes that it is very rare for deputies to defy their party and ever more unlikely for single party governments to be defeated where they enjoy a majority in the Dáil and Seanad (Chubb, 1992).

Examining the weakness of the Dáil as a parliament, Gallagher (1993, p. 146) points to the high level of discipline within political parties as the most important reason for the dominance by the government of the Dáil:

> deputies behave not as individuals but as members of a party. When it comes to the crunch, deputies in most parliaments follow the party line; when political life is dominated by political parties, as is the case throughout Europe, deputies' orientation to party is stronger than their orientation to parliament. .... the solidarity of party voting in the Dáil is extraordinarily high, to the extent that any government TD voting against any government bill, apart from those very rare occasions when a free-vote is allowed, is likely to be expelled from the parliamentary party.

Laver and Schofield (1991, p. 229) in reviewing the unitary actor model of coalition theory also note the high level of discipline in Irish parliamentary parties, writing that 'the parties as constituted tend to function as unitary actors' and that the level of legislative voting discipline, especially in the larger parties, allow governments to continue in office even where they exist on wafer-thin majorities.

Gallagher (1988, p. 133) explains the high level of discipline in Irish parliamentary parties as follows:

the main reason for this [voting solidarity] is the salience of party in binding the parliamentary group together and in determining voters' behaviour. Deputies have a loyalty to their party, an emotional identification with it, and a disposition to respect the decisions it and its parliamentary group reach.

Gallagher also notes that deputies know that their chances of re-election are small if they lose the party whip and they will forego any possibility of promotion to the party front bench or government ministry if they step out of line with party policy.

O'Halpin (1997b, p.15) notes that Irish parties are very effective in enforcing discipline and that the ultimate threat is expulsion from the parliamentary party, which among other things would deprive TDs of parliamentary benefits. He also notes that 'in practice expulsion has tended to be of short duration: either the recalcitrant member shows some signs of penitence and is readmitted to the fold, or he is left to fight the next election without party support and is therefore unlikely to hold on to his seat'.

Chubb (1992) focuses upon the political culture which stems from the struggle against British rule at the turn of the century and the deep divisions caused by the civil war which resulted from the Anglo Irish Treaty of 1921. Parties emerged as it were from the shadow of military machines where loyalty and respect for superiors was a virtue. It translated into a political

virtue as a strong allegiance to party elite was established. Changing sides was considered absolutely unthinkable, and treated in a similar way as spying or treason would be in another country.

In examining the case for electoral reform in Ireland Laver (1996, p. 488) concurs with the belief that party discipline 'depends ultimately upon the threat to expel dissidents and deny them the comfort of the party label at the next election'. However in the same report Laver concludes that the Irish electoral system, (proportional representation by means of a single transferable vote), which support the selection and election of candidates on the basis of local power bases rather than party label, discourages discipline.

Chubb also rejects the idea that deputies feel compelled for their own good to be highly disciplined. He argues that because it is possible for a deputy to leave one party, or even be expelled, and still retain his or her seat at the next election no real mechanism exists for parties to enforce discipline.

3.3   THE PARTY RULES

Political parties expect their deputies to 'toe the line'. However parties try to indicate to their potential members what precisely is expected of them. This and the standing/usefulness of party rules are now considered.

Even before they are elected, candidates are typically required to provide a pledge of allegiance and loyalty to the party. This pledge occurs at a number of distinct levels of party involvement:

1. Upon becoming an ordinary member one must sign a pledge of support for the aims of the party and the party rules. These usually require one to support the party on all issues. All the main political parties have such a document setting out the rules of membership, a statement of the general principles of the party and the organisational structure. For example Article II.I of the Constitution of the Labour Party (1992, p. 1) reads:

> Any person who -
>
> (a) subscribes to the Principles and Objectives of the Party and accepts this constitution,
>
> (b) is not a member of any other political party or of an organisation subsidiary or ancillary thereto, and
>
> (c) is not a member of, or associated with any organisation, publication or other institution the objects or activities of which have been declared by the General Council to be injurious to the interests of the Party or inconsistent with its Principles and Objectives, shall be eligible for membership of the Party.

2. A 'solemn pledge' is required by the larger parties for those in the party standing for election as a party candidate. For instance in Fine Gael the selected candidate is required to sign a declaration of support and an undertaking to uphold the party rules for the chairperson of the selection convention in full view of all present.

Following internal dissent in the 1970s the declaration required by the Labour Party from candidates became more precise, and it now pledges them if elected to undertake to sit, vote and act with the party. Furthermore they are required to accept any instructions given to them by the Parliamentary Labour Party and to obey the party whip at all times and under all circumstances. Moreover they must agree to resign their seats if so requested by the parliamentary party.

The Fianna Fail pre-election contract with candidates requires the candidate to resign his or her seat if a two-thirds majority of the party's national executive so instructs. This is expected to guard against TDs who are expelled or cross the floor of the house to join another party. The Fianna Fail declaration also requires the candidate to conduct the campaign on the instructions of the national director of elections.

consequence

The problem of course, for the party leadership, is that such pledges are not treated as legally binding contracts. Thus if a deputy does cross the floor calls will be made by the politicians of his own party for him or her to resign the seat. However no one seriously expects anyone to resign their Dáil seat because they signed a pledge to do so before the previous election.

FIGURE 3.1: THE PLEDGE TAKEN BY FIANNA FAIL

CANDIDATES FOR GENERAL ELECTIONS

Realising the honour conferred on me if selected as a candidate for Fianna Fail, I undertake to conduct the election campaign in accordance with the instructions of the Director of Elections and to refrain from doing anything inimical to the prestige of the Organisation. I, (name of person), do hereby signify my consent to stand if selected as a candidate for the constituency of (name of constituency) and pledge myself, if elected, to work to the best of my ability for the Aims and Objectives of Fianna Fail, as stated in the Córu, and to abide at all times by majority decisions of the Party or resign my seat as Teachta Dala. I further promise that if called upon by the National Executive, by a two-thirds majority of the members present, and voting, at a meeting specifically convened for the purpose, to resign my seat as Teachta Dala, I will do so.

signed:

(Source: Fianna Fail, 1988)

Pledges such as these can conceivably take two forms: those that are nothing more than an empty declaration and those that have the force of law and are

thus legally binding. While it has never been tested it is taken for granted by those concerned that the pledges relating to party loyalty belong to the latter type.

The legal issues surrounding such pledges or promises is certainly ambiguous. The law is generally seen as conferring no legal basis to promises or pledges of any kind unless they are contractual in nature. To be of a contractual nature a number of criteria must apply, most importantly the existence of consideration.[1] Given the probable absence of consideration it would appear that promises, no matter how formal their nature, have no legal basis. From time to time however, and in matters in no way related to politics or politicians, the Irish courts have ordered that effect be given to promises when one of the parties to the promise have reneged.[2]

Article 16.1.1. of the 1937 Constitution which deals with the membership of the Dáil and Seanad provides that:

> Every citizen without distinction of sex who has
> reached the age of twenty-one years, and who is not
> placed under disability or incapacity by this

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[1] Consideration is a legal term which means that for a contract to be legally binding each party to the agreement must in some way give up something in return for receiving something else (Smith, 1992).

[2] See for example the case in 1950 involving a Protestant father who made a pre-marital promise to bring any children resulting from the marriage in the Roman Catholic faith. However he later placed the children in a Protestant home so that they could be raised as Protestants. The President of the High Court, Mr Justice Gavan Duffy, ruled that, since he had given a written promise to raise the children as Catholics, he was legally obliged to do so. The children were ordered to be returned to their mother, a decision upheld by the Supreme Court.

Constitution or by law, shall be eligible for membership of Dáil Eireann.

The article raises two relevant issues. Firstly 'membership' seems to include continuing membership so that a serving TD who is 'placed under disability or incapacity' would be required to resign. Secondly, and by extension, the article seems to leave open the possibility of enacting legislation to allow for deputies to be removed as the law sees fit. If this were the case the Oireachtas could legislate to force a TD to resign if he or she was expelled from the party or changed allegiances. But this has not happened as the Electoral Acts, which give legislative force to the article in question, do not cite a change of party as a case for incapacity or disability.

Moreover one leading Irish constitutional expert has hypothesised that Article 15.2.1 of the constitution[3] is violated by the operation of the party whip system (Morgan, 1997, p. 279 n. 57). However in writing about the separation of powers between the executive and legislator the same author recognises that the constitution accepts, to some degree, the fusion of the two branches and consequently the *de facto* existence of party discipline.

Another obvious problem is that the courts are loath to interfere with politics and are bound by the constitutional articles which provide for the Dáil and Seanad to operate its own rules and procedures and guarantee independence

from judicial review save in exceptional circumstances. In such circumstances, and given the absence of any legislation on the issue of parties, it seems clear that TDs can resign their seats without the threat of legal challenge to remove them from their seat.

The preceding analysis may surprise many political scientists or legal experts and may even sound bizarre to some. The justification however lies in the fact that in some countries a parliamentarian who does 'jump ship' or is expelled is required by law to resign their seat. In India, for example, an MP in the House of the People is deemed to have vacated his or her seat if they defects from the party (Sartori, 1997, p192). Haywood (1995, p. 99) notes that in Spain deputies who want to leave their own party may not join another party. Instead if they leave they join a 'mixed group'.

Moreover in Israel recent reforms were introduced in an attempt to dissuade members of the Knesset changing allegiances. As Peretz and Doron (1997, p. 180) note 'since 1991 an individual MK has been forbidden to leave his or her party, join another party, and then be included in that party's list for the next election'.

The irreverence for such solemn declarations was recently exemplified by the behaviour of Councillor Tom Morrissey. Morrissey was selected as a Fine

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[3] The article reads: ' The sole and exclusive power of making laws for the State is hereby vested in the Oireachtas: no other legislative authority has power to make laws for the State'.

Gael candidate for the 1997 general election in the Dublin West constituency, taking the oath of allegiance to the party. But within a week he had left the party, joined the Progressive Democrats and agreed to accept their nomination as a general election candidate and stand against his former party in the same constituency (The Irish Times, 5 April 1997).

Nevertheless, paper declarations at least provide evidence of what the party requires of its parliamentary party members. In their absence it could be argued that it would be totally undemocratic for the central party to force individual deputies to follow the party line. When voters vote for a party candidate, with the knowledge that those candidates must be loyal to the party and not their constituents (should a conflict exist) they accept that their representatives must support the party policy no matter how detested it is by the constituents.

3.4   THE WHIP SYSTEM

Because TDs take a pledge of allegiance before entering the Dáil they are expected to support their party on all issues and on all occasions, from giving interviews to journalists to attending and voting in the chamber. In order to understand the party expectations better we will now look at the role of the whips office in keeping backbenchers 'in line.'

Origin

Not surprisingly the whip system was first developed in the British parliament from which so much of our parliamentary and governmental system and process derives. The actual term whip which conjures up images of parliamentarians been whipped into line came from fox hunting, where whippers-in or whips are used to look after the hounds and prevent them from straying (Richards, 1972, p55., n.1). Porritt (1903) claims that the first attempt to organise and inform individual MPs can be traced back to the early 1620s when followers of King James I received regular reports detailing what was happening and what they were required to do in parliament.

Having accepted the 1921 Treaty the drafters of the Irish Free State Constitution of 1922 envisaged a governmental and parliamentary system not unlike the Westminster model but with some notable differences. Most noticeably for us was the expressions of hope and desire that parties would not be the focal point of the political system. One key player, Kevin O'Higgins, then the Vice President of the Executive Council, declaimed in the Dáil:

> There is nothing admirable in the party system of Government. There is much that is evil and open to criticism ... returning to the party system of government, with all its errors and anomalies and men voting constantly against what their judgement dictates simply at the crack of the party whip. (Dáil Debates Vol. I, 5 October, 1922, col. 1271)

However if O'Higgins believed what he was saying he was sadly mistaken and indeed spoke against the existing proof which indicated that members of an Irish parliament would be heavily whipped[4].

The reality was that the members of the House of Commons who represented Ireland had been amongst the most disciplined group within the parliament from the middle of the nineteenth century onwards. Bracken (1995, p. 7) notes that in 1851 John Sadleir and William Keogh were successful in forming a group of Irish MPs which agreed to work together and took a pledge to vote as a block. The group were rather despairingly referred to as 'the Irish Brigade' and the 'Pope's Brass Band' - an obvious indication of their strong Roman Catholic beliefs. Later they were to form The Irish Independent Party, but a split occurred when the two leaders were enticed into a coalition with Sir Robert Peel. It was not until Parnell emerged as the father of the Irish cause that discipline was fully restored and the Irish members spoke, to a large degree, with a common voice. This was now in the form of the new Irish Parliamentary Party. Cruise O'Brien (1957, p. 148) observing Parnells' authoritarian grip of the party, noted that

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[4] An exception in the early years was the behaviour of Senators. Quoting a member of the Free State Senate O'Sullivan (1940, p. 118) recalls 'we have our own individual opinion about things. I do not believe there is any member of the Senate ... who is belonging to a party or in any way shaping his actions or votes in the interest of any party'. The author also notes that 'the truth of this statement is exemplified by the division list of the early days . Senators who by tradition and habit of mind might have been supposed to be in agreement frequently voted on opposite sides.'

At the end of 1885, an organisation existed, such as it was impossible to return on the home rule ticket any potential opponent of Parnellite policy. The new members... were hand picked, pledge-bound, and paid out of party funds. The 'policy of the party' came down to them from above, from the leader and his lieutenants, and they had no choice but to obey

Of course the party was to fall from grace following a split over the leadership issue. However even before the state was founded those representing the people were aware of the operation and necessity of a well disciplined and highly whipped party. The early years of the Fianna Fail party also show that a high level of belief in discipline was inherited. Interestingly Mansergh (1997) noted that one example of Fianna Fail inheriting the traditions of the Parnellite party was that the pledge was very similar. In his analysis if party documents in the early years of the party O'Halpin (1997a, p. 9-10) concluded that

If the minutes of meetings are any guide, the main preoccupation of the Fianna Fail parliamentary party between October 1927 and December 1931 was discipline. This term embraced not only the basic criterion of always voting as instructed, but a host of related matters such as policy making, speaking in debates, coming to party meetings, and paying subscriptions when due; maintaining the appropriate balance between personal business, local

authority duties and Dáil   attendance; relations with members of other parties; and personal behaviour.

Thus from before the foundation of the state and during the creation of the modern Irish party system discipline was a key issue which parties tackled with great effort.

Whip's Role in the Dáil

All of the main political parties have a whip. Parties in government also have a chief whip who is normally the whip for the largest of the parties in the coalition. The government whip, assisted by a small office of civil servants and private appointments, has the task of setting the business of the Dáil from week to week. This is in addition to ensuring that deputies undertake the duties levied upon them. These duties include:

1. *Being in the Dáil as required by the whip.* Each week the office of the whip will circulate to members of the relevant parliamentary party or parties a list indicating the business of the house including debates and likely divisions. This memorandum referred to as the 'whip' indicates whether a TD is expected to attend or not. If the debate title is underlined only once then no debate is anticipated but nevertheless a TD ought to attend. A two line whip indicates that a division is expected and a TD should therefore attend. A triple underlining represents a three line whip which indicates that the division is of

great importance (for example a vote on the Budget) and all TDs must attend

no matter what other arrangements they may have had. Failure to attend will

normally result in some form of mild rebuke from the whip or more likely the

party leader.[5]

On occasions the party whip may want to make an example of the offenders -

like a headmaster disciplining a pupil for a relatively minor offence and

holding the episode up as an warning to others. Thus the current practice is

for the party leader to summon the offenders and ask for an explanation. In

the past some unusual and bizarre excuses have emerged.[6]

2. *Voting with the party*. Not supporting the party in a division, or knowingly

failing to support it by abstaining, is a much more serious offence which the

whip must also deal with. It has become practice for a TD who has disobeyed

the party line, either by voting against the party or abstaining in protest, to be

expelled from the parliamentary party for an unspecified period. In some

parties, such as Labour, the expulsion is automatic. A guilty TD receives a

letter from the party whip (or in some instances the Leader or Chairman of

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[5] One exception to the rule that TD are normally required to be present for voting occurs in the case of former Taoisigh who 'upon leaving office are given considerable latitude in terms of voting, involvement in Dáil business and attending parliamentary party meetings' (The Irish Times, 20 November 1997). However this did not stop the government chief whip requesting the presence of Albert Reynolds for voting because the government was in a minority position.

[6] Take for example the case of deputy John Jinks in August 1927 after he missed a crucial vote of confidence in the Dáil . Following the incident he told *The Irish Times* (August 20 1927) 'I did not wish to create a split by voting against any party or by announcing my decision in advance. I just thought the best thing to do was to leave the House before the division and go back to my hotel'. However Moss (1968) recalls that Jinks had been 'wined and dined' by members of the opposition in advance of the debate and was found 'in O'Connell Street gazing

the Parliamentary Party) informing them of their expulsion. At the next meeting of the parliamentary party meeting it is simply noted that the person in question has been deemed to have been expelled.

In the two main parties, expulsion is not automatic and a motion must be put in front of the parliamentary meeting calling for the expulsion of the individual concerned. The motion is normally tabled in the names of the party leader and the party whip. At the meeting the individual concerned is given an opportunity to oppose the motion and his supporters, if any, can attempt to either have the motion withdrawn or defeated in a vote.

Surprisingly such motions do not generally appear to be accepted without debate and division within the parliamentary party. The agenda and minutes of meetings are kept strictly confidential and a TD can be expelled for even commenting to a journalist on the events of a meeting. However two examples illustrate the difficulty faced by some party leaders in having motions to expel members accepted:

In October 1979 Dr Bill Loughnane, a Fianna Fail deputy representing the rural constituency of Clare, was openly critical of the party leader, Mr Jack Lynch over disclosures of a secret agreement made by the Fianna Fail government with the British Prime Minister concerning cross-border security

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up at the Nelson Pillar'. In recent years excuses have included feeling as if one was about to get the flu or thinking that the vote was over.

cooperation. At the time Lynch was out of the country on an official visit to the United States, which could add credence to the old saying in politics that 'when the cat is away the mice will play'. Loughnane publicly claimed that Lynch had lied to the Parliamentary Party meeting which took place on 24 October. At that meeting Tom McEllistrim, a Kerry backbencher, had placed a motion 'opposing any concessions to the United Kingdom on cross border troop movement.' The motion was withdrawn when the Taoiseach assured the meeting that no change to the sovereignty of the state had occurred. The matter of Loughnane's public criticism of the Toaiseach was placed for consideration before the meeting of the Parliamentary Party to be held on 14 November. Before the meeting it was felt that the only conceivable course of action was to have the whip withdrawn and the Taoiseach clearly indicated his desire that this happen telling the media that he was sure the matter would be 'dealt with firmly'. However Loughnane's fellow backbenchers took a different opinion of what should happen. When he agreed to withdraw his statement against Lynch, the Parliamentary Party declined to move the motion to withdraw the whip. What this episode clearly demonstrates is that the withdrawal of the whip where it is not automatic can be troublesome for the party leadership.

Bearing in mind the importance of the whole issue of whips it is difficult to believe that the largest political party never drafted formal rules governing the removal of the parliamentary party whip until 1993, some 67 years after its

foundation (The Irish Times, 9 July 1993). The set of standing orders also deal with issues such as leadership selection and de-selection. It specified for the first time that any member who votes against the party or abstains in Dáil or Seanad divisions will automatically have the whip removed.

A new development was the adoption of the rule that expelled members can only have the whip restored following the acceptance of a motion to the parliamentary party. Furthermore the motion must be proposed by the party whip. This obviously makes it more dangerous for members to dissent believing that the parliamentary party will be sympathetic to their situation. A whip, by definition, would be less willing to forgive and forget.

Parliamentarians as representatives

Parliamentarians have other duties beyond the formal needs of supporting their party in the chamber. An incident in early 1996 illustrated the control that the whips exercise on the extra-parliamentary role of deputies. A television programme, The Late Late Show, had invited every TD to participate in a 'state-of-the-nation' debate. However the Oireachtas Committee on Procedures and Privileges decided that the debate would be wholly inappropriate. Consequently party whips agreed to rein in all their TDs and make the studio a no-go area after dark (The Irish Times, 26 January 1996).

The Constitution of Ireland allows for the election of a President as head of state but with little executive or political authority. To be a candidate however requires the nomination of at least 20 TDs or four local authorities. Clearly therefore TDs have a crucial role in the nomination process and their inability to act independently of the party leadership in this regard came to the fore in mid 1997. While the larger political parties sought suitable candidates to run for the post an individual without any party-political affiliation declared her interest in running (The Irish Times, 7 August 1997). To her apparent surprise, and the surprise of many others, she could not obtain a nomination from among Dail Deputies[7]. Her supporters along with commentators criticised the nomination process on two fronts. Firstly they argued that the process should be made more open by the use of popular primaries (as discussed by the Constitutional Review Group) and more interestingly claimed that the whip system operating in the Dail ensured a completely undemocratic situation where the reality of the situation was that three people (the leaders of the largest three parties) decide who would be a candidate. This arises because of their tight control of their deputies. One political

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[7] She was successful in becoming a candidate when she won the support of four Local Authorities. At the time of writing confusion existed as to whether two of these nominations were valid. Interestingly if they are deemed invalid the Fianna Fail General Secretary indicated that, as the party had since nominated an official candidate, the whip may be applied to councillors requiring them not to support the nomination of any non-party candidate. Earlier the party councillors in Galway refused to support the nomination of an independent, Mr Derek Nally (The Irish Times, 20 September 1997).

scientist even went so far as to suggest that when it came to nominating candidates for the office of president the whip should be removed.[8]

3.5 SUMMARY

The small amount of literature on discipline in Irish politics concludes that members of Irish parliamentary parties are highly disciplined. Leading commentators have provided varying reasons for this level of conformity. Some have focused on the prevailing political culture while others have noted the importance of the parties to the re-election prospects of incumbent TDs.

What is clear is that the main parties play close attention to the need for discipline and this is reflected at all levels of the party from ordinary membership to membership of the parliamentary party. Each of the main parties, for example, require members to take an oath of loyalty. Within the parliamentary party the party whip is a well established office whose main concern is the ordered running of party business in the Dail and Seanad - a key aspect of which is ensuring attendance and voting by party TDs. The origin of the system in Irish politics can be traced back to the activities of the Parnellite Party in the British House of Commons. As we have seen the whips exercise influence over all aspects of a TD's parliamentary role from voting on motions and legislation to other powers such as selecting candidates for

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[8] The comment was made by Michael Laver, Professor of Politics at the University of Dublin,

the office of the President of Ireland. The high level of involvement must lead

to the conclusion that the whip influences most if not all formal decisions that

a TD may be expected to make.

Trinity College during the Saturday View programme transmitted on RTE Radio One (16 August 1997)

CHAPTER FOUR
REBELLION AND REBELS

4.1 INTRODUCTION

Despite the findings in Chapter two that Irish parliamentary parties enjoyed 100 per cent voting cohesion during 1996 it would be wrong to suggest that absolute discipline always occurs or that parliamentarians always act in the parliamentary arena as predetermined by the party leadership. The results of our investigation of cases of indiscipline since 1970 are reported in this chapter. Based on these cases the chapter seeks to explore the causes, nature and consequence of indiscipline. Key questions such as who were the rebels, why did they rebel and what, if anything, happened to them as a consequence of their in-discipline are put forward. We begin with a brief discussion of the research methodology employed in obtaining our cases.

4.2 PARAMETERS OF THE STUDY

This chapter reproduces information on cases of indiscipline which occurred in Irish political parties since 1970. Potentially two ways existed to obtain our data. We could have analysed the entire voting behaviour of TDs as recorded in the official Dáil Debates for the period covered in the study. However this would have been excessively time consuming as it required matching party

membership information to voting behaviour for every deputy for every single vote. This would have been necessary as in the past some deputies have crossed the house, leaving one party to join another. A more fundamental problem with such an approach is the fact that, as already noted in chapter two, no information is available on pairing. This would make it impossible to determine whether non-voting by a deputy was an act of indiscipline or the consequence of a legitimate party pair or another form of excused absence.

The alternative method is to examine archival news material to obtain the cases of indiscipline. In countries where discipline is not very high in parliamentary parties it is unlikely that a revolt by one or even a few backbench parliamentarians would be worthy of mention in the national media. However, as we have seen, in Ireland the occurrence of rebellions or even threats to rebel are infrequent to say the least and when they happen they frequently make for front page coverage.

When Tony Killeen voted against his Fianna Fail party his constituency colleague, Sile De Valera, resigned the whip in support of their concerns at party policy on the status of Shannon airport both received attention from the national media for several days. Killeen was even pictured on the front page of *The Irish Times* 'being raised shoulder-high by workers and supporters' on his returning to his constituency after having voted against the Government (The Irish Times, 9 July 1993). Likewise for De Valera *The Sunday Tribune*

ran a 1,800 word profile of the TD with the headline 'marching to the beat of her own drum', and all as a result of her falling out with the party (Sunday Tribune, 18 July 1993).

Consequently identifying dissenters can be a matter of examining national newspapers. Given the workload the time period was limited to between 1970 and the end of the 27th Dáil in May 1997. The former date was selected as it is seen as the end of one era and the beginning of another, most notably with the change of party leadership in Fianna Fail and the resulting decline in the relevance of civil war politics.

Therefore it is hoped that the data collected are reliable in terms of having captured most cases of indiscipline[1]. At the least we can examine the ones which we have successfully obtained and work on the basis that the cases collected are an unbiased sample of the entire population. However we can also be confident that based on the reporting practices of the newspapers and the hopefully low human error in identifying the news reports that our data cover approximately all cases of indiscipline.

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[1] We have included cases of indiscipline related to members of the Senate in this section on the basis that the provide further examples of 'inappropriate' behaviour for parliamentary party members.

4.3 CASE STUDIES OF INDISCIPLINE

21 April 1970[2]: A motion to expel Stephen Coughlan, TD for Limerick East, from the Parliamentary Labour Party is overwhelmingly defeated. Deputy Coughlan faced the wrath of those protesting at his alleged and well documented anti-Semitic remarks. Attempts at the National Executive and Annual Conference to have him expelled from the party also failed. What this case illustrates is the difficulty and unwillingness of the Labour party, at various levels from leadership to grassroots, to remove members, especially when they were elected representatives.

4 June 1970: Fianna Fail Parliamentary Party withdraws the whip from Kevin Boland, TD and former Minister for Local Government. In May Charles Haughey (then Minister for Finance) and Neil Blaney (then Minister for Agriculture) were asked to resign as ministers by the Taoiseach Jack Lynch. At that time Boland resigned as minister in protest at the treatment of the two ministers. In June, following the arrest of Haughey and Blaney for alleged gun-running, Boland accused Lynch of 'felon setting' and demanded a special Party conference, the aim of which was to remove Lynch from the party leadership. The motion to expel Boland was accepted in a secret ballot by a margin of 60 votes to 11 with one apparent abstention. On Monday 22 June the party National Executive met and it was announced that, in the interest of party unity, Kevin Boland had resigned his membership of the

party. Following much speculation he later resigns his seat in the Dáil. On 19 September 1971 he founded Aontacht Eireann, the new Republican Unity Party, and was joined in doing so by another Fianna Fail TD, Sean Sherwin. Consequently the actions of the party leadership in disciplining Boland resulted in the loss of two deputies to the party.

28 April 1971: The Fianna Fail Parliamentary Party unanimously withdraws the party whip from Joseph Leneghan who had voted against the Government in an opposition motion urging that the controversial 'dole' order be annulled. The opposition motion called on the Minister for Social Welfare to reverse an order he had made which cancelled unemployment benefit for six months to all single rural workers who were hitherto entitled to it. A number of Fianna Fail TDs from rural constituencies expressed annoyance at the Government decision. In the chamber Des Foley, the Fianna Fail TD for North County Dublin made a speech denouncing the Government but he abstained in the division. It appeared that a number of other Fianna Fail TDs also abstained. The Minister for Lands, Sean Flanagan was said to be unavailable to vote because he was at a function; however it was reported that he was actually seen in the precincts of Leinster House around the time of the division.

Chubb O'Connor, a Fianna Fail TD for Kerry was reported to have left the chamber abruptly after the speech by the Minister for Social Welfare, thus

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[2] Except where otherwise stated the source of each case is *The Irish Times* of the day following the date of the story.

avoiding the vote. Neither Mick Moran or Des Foley voted despite the fact that, like the other Fianna Fail TDs, none had a 'pairing' arrangement. Only Joseph Leneghan was disciplined. Leneghan's previous political affiliations were with Fine Gael, independent, independent Fianna Fail and eventually Fianna Fail. Before his expulsion he was quoted in *The Irish Times* of 27 April 1971 as saying 'I am not worried about it and I won't get gray hairs. I suppose I will probably be put out of the party, but, on the other hand, they didn't put me out when I went in as an independent and kept them in office. They were very nice to me then.'

The newspaper also reported that after the vote and while still in the chamber the Government Chief Whip, David Andrews, pointed to Mr Leneghan and called him 'a traitor'. In *The Irish Times* of 23 April, its leading political commentator, John Healy, declared that by his actions Leneghan has 'thus made himself the second deputy to get into the 20th [next] Dáil, the first being the Ceann Comhairle who is automatically returned.' Clearly the implication was that a deputy who puts constituents before party would be treated as a local hero and would thus be able to depend on greater support in any future election. However, despite being nominated as one of the official party candidates at the following election, he lost his seat.

10 November 1971: Neil Blaney and Paudge Brennan abstain in a division on a motion of no confidence in the Minister for Agriculture, Jim Gibbons. The

two were expelled exactly one week later by the Fianna Fail Parliamentary Party.

9 February 1972: John Brown and John O'Connell, two Labour backbenchers introduce a Private Members' Bill which would liberalise the law on contraception and birth control facilities. The Bill was opposed by three of their fellow members of the Parliamentary Labour Party (Stephen Coughlan, Michael Pat Murphy and Dan Spring), all of the Fianna Fail Party and eight Fine Gael TDs. The issue was one of the few in the history of the state to cause such internal division in each of the main parties. Attempts to have the three Labour deputies dropped from the Parliamentary Party failed when at the 1972 Annual Conference delegates voted not to discuss an emergency motion calling for them to be expelled. However as a result of the whole debacle the parliamentary party established a sub-committee to consider the issue of discipline and make recommendations about introducing formal rules to cover unauthorised voting in the Dáil and Seanad.

2 December 1972: The Offences Against the State (Amendment) Bill is passed by the Dáil. The Fianna Fail Government has the backing of a number of Fine Gael TDs (including its leader Liam Cosgrave) but is not supported by some dissenting Government backbenchers. The Bill came one day after two bombs in Dublin killed two and injured 127. This incident was important in that it reinforced certain members' reluctance simply to adhere to their

party line. Consequently we experienced the unusual sight of a Government failing to carry all their backbenchers with them while being backed by some opposition members, most notable the leader of the main opposition party. On 11 December 1972 Paudge Brennan and Des Foley are expelled from the Parliamentary Party for voting against the whip on The Offences Against the State (Amendment) Bill.

16 July 1974: Following the 1973 case of *McGee v Attorney General* in the Supreme Court, which enumerated a constitutional right for married couples to import contraceptive devices for their personal use, the Government introduce a bill which would have allowed contraceptives to be imported and sold, under license, by chemists to married couples. As some TDs seemingly claimed conscientious objections to the idea of legislating for artificial and unnatural contraception, something which would clearly be against the teaching of the Roman Catholic Church (Gallagher, 1982, p. 202) the Government parties (Fine Gael, Labour) allowed their members a free vote. Commentators and politicians are shocked when, without any warning to his colleagues, the Taoiseach, Liam Cosgrave votes against the bill which his cabinet had introduced.

Gallagher (1982, p. 202) notes that the Toaiseach was joined by Richard Burke (the Fine Gael Minister for Education) and five Fine Gael backbenchers in the opposition lobby ensuring the defeat of their own

Government's Bill for the Control of the Importation, Sale and Manufacture of Contraceptive, by 75 votes to 61. One Labour Party TD, Dan Spring, used the right to abstain to show his annoyance at his party leadership over his recent demotion within the organisation. The incident is probably one of the most bizarre breaches of the concept of cabinet Government and collective responsibility.[3]

April 1975: Labour Senator and General Secretary of the Irish Transport and General Workers Union, Mr. Michael Mullen, votes against the Government on the first reading of the Criminal Law Jurisdiction Bill. The Bill, which was staunchly opposed by Fianna Fail, allowed for terrorist suspects to be tried in the Republic for crimes committed in other jurisdictions, including Northern Ireland.

Gallagher (1982, p. 202) informs us that as a consequence of Mullen's action the Parliamentary Labour Party amended its rules so that, thereafter, any member of the parliamentary party who failed to support the Government would be deemed to have automatically relinquished the party whip. The only exceptions would be where the parliamentary party did not support the Government motion or where the Government allowed a free vote. As a

[3] The principle of collective cabinet responsibility is enshrined in Article 28.4.2 of the 1937 Constitution; The Government shall meet and act as a collective authority, and shall be collectively responsible for the Departments of State administered by the members of the Government. The Cabinet Confidentiality case of 1992, *Attorney General v Hamilton*, reinforced the importance of the principle as a central feature of the Irish political system (Hogan, 1993). Farrell (1997, p. 51, n2) has noted that where a minister (and consequently

consequence, when Mullen voted against the Criminal law Jurisdiction Bill on its final reading, he forfeited the whip. Having prior knowledge of the consequences of his action Mullen claimed that he would 'do the honourable thing' and resign his seat in the Seanad. However this never happened and he was re-admitted to the Parliamentary Party on the 16th February 1977.

22 January 1976: Dr. John O'Connell, a Labour backbench TD puts down an amendment to his own Government's Criminal Law Jurisdiction Bill. However in the division he abstained so as to avoid automatic expulsion from the parliamentary party. The idea of tabling a motion but then being unable to support it because of party rules is an interesting example of TDs attempting to exercise influence without stepping over boundaries and facing recrimination.

28 April 1976: The Parliamentary Labour Party decides to expel Dr David Thornley because he appeared on a Provisional Sinn Fein platform during a prohibited Easter Rising commemoration ceremony. The vote at the meeting was twenty two for the motion and three against. The whip was restored the following February.

20 September 1977: Dr. Conor Cruise O'Brien resigns as a member of the Parliamentary Labour Party because of conflict with the leader of the party,

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Taoiseach) cannot accept cabinet policy they are expected to resign, although some isolated examples of such non-conformity had occurred in the 1920s.

Frank Cluskey, over his contributions to the debate on Northern Ireland at a conference in Oxford on 18 September where he claimed that a majority of people in Ireland do not want Irish unity. It was believed that had he not resigned Crusie O'Brien would have faced a motion of expulsion on the basis that he put himself in open conflict with the party position.

29 September 1977: The Administrative Council of the Labour Party decides that Dr Noel Browne and Matt Merrigan have ceased to be members of the party because they contested the election on behalf of a separate political party with its own election manifesto and organisation. They had done so while still being paper members of the Labour Party.

January 20 1982: Charles McCreevy is expelled from Fianna Fail because of his public criticisms of the party leader. Despite being a one time close friend and ally of the leader, McCreevey had become disillusioned with the party policy on the economy and gave an interview to a Sunday newspaper (*The Sunday Tribune*) to that effect (Collins, 1992). In October of the same year McCreevy unsuccessfully tabled a motion of no confidence in Charles Haughey as party leader.

25 January 1983: The Fianna Fail Parliamentary Party establish a sub-committee to investigate the telephone tapping controversies and the role played by Sean Doherty, the front bench spokesman on Justice. The former

Minister of Justice and Fianna Fail TD for Roscommon is eventually forced to resign from the Parliamentary Party following disclosure of the news that he authorised the tapping of the phones of two journalists in 1982. He was reinstated by Charles Haughey and the Parliamentary Party towards the end of 1984 and went on to top the poll in the following general election in his constituency. Earlier in the same month Martin O'Donoghue resigned from the Fianna Fail Parliamentary Party. On January 16 the Parliamentary Party is also forced to denounce the recording of telephone conversations between O'Donoghue and Raymond MacSharry.

26 April 1983: The Fine Gael Parliamentary Party agree that because eight of its deputies have conscientious objections disciplinary action would not be taken against members who will not support the Fine Gael motion on Wednesday 27 April in the Dáil regarding a wording to amend the constitution aimed at prohibiting abortion. On the day eight deputies cross the floor and vote with Fianna Fail. They are Oliver J Flanagan, Tom O'Donnell, Alice Glenn, Liam T. Cosgrave, Michael J. Cosgrave, Michael Begley, Godfrey Timmons and Joe Doyle. Labour members also split on the issue.

26 March 1985: Desmond O'Malley, TD and former Government minister, is expelled from the Fianna Fail Party by 73 votes to nine because of his frequent public criticisms of the party leader. O'Malley objected to the lack of discussion on party policy, most especially on the New Ireland Forum Report

of 1984, both inside and outside the parliamentary party. He criticised the way debate within the parliamentary party had been stifled by the party leader (Dwyer, 1992, p. 126-127). He says he will consider forming a new political party.

21 November 1985: The Dáil approves the Anglo Irish Agreement. Mary Harney is expelled from the Fianna Fail Parliamentary Party a week later for voting with the Government and against the party. Harney joins Desmond O'Malley in founding a new political party.

18 December 1986: Liam Skelly, a Dublin West Fine Gael TD, threatens to withdraw his support for the Government unless it approved a £200 million transport development plan for Dublin (the Skelly Caneire plan). In February 1987 the local party organisation de-selected him as a party candidate.

26 November 1986: Michael O'Leary threatens to abstain in a vote on the Governments decision to cut £3 million off Christmas bonuses on social welfare payments. He does not however follow through on his threat.

30 November 1986: Fine Gael TD Brendan McGahon threatens to withdraw support for his party unless they sanction a package of aid for the border counties. He failed to secure re-selection by the local party organisation in the winter of 1996. Although he continued to be seen as somewhat of a maverick

he is added to the ticket by the National Executive of Fine Gael. The case illustrates the dependence that the national party have on individual members to get re-elected where the outcome of the general election is seen as being very close and every single seat could be the difference between being in or out of power.

19 December 1986: Oliver J. Flanagan told the Government chief whip 'you can depend on my vote for ordinary legislation and financial matters, but on moral issues God cracks the whip'. In 1983 he campaigned for the pro-life amendment to the constitution and called Garret FitzGerald a Herod. He opposed the Government family planning bill and campaigned against the introduction of divorce. He was for a brief period Minister for Defence and represented the constituency of Laois-Offaly for 43 years. He stood down at the 1987 election. His comments were made after he was forced to travel from his hospital bed to support the Government in the division on the Christmas adjournment debate.

10 December 1986: Alice Glenn resigns from the Fine Gael Parliamentary Party over controversy caused by her 'enemy of the people' remarks. She had stated that Protestant clergymen who opposed the introduction of divorce (which was party policy) should be considered enemies of the state. On 28 November she failed to get re-selected by the local party organisation. The party leader, Dr. FitzGerald, had placed a motion to have the whip removed

from her before the parliamentary party despite the fact that the Government majority in the Dáil depended on her support.

14 December 1988: Willie O'Dea, the Minister for State and Fianna Fail TD for Limerick East, is expelled from the Fianna Fail Parliamentary Party after having failed to support his minority government on a motion regarding the closure of Barringtons Hospital in his constituency. The government was defeated on the motion and O'Dea was removed as a junior member of the government. In April 1989 the whip was restored by the parliamentary party. In the following election the TD topped the poll and on the appointment of Albert Reynolds as the new party leader he returned to the front bench as a junior spokesman on justice.

14 March 1989: The Labour Party amend their constitution to make it easier for the national organisation to expel Militants. Soon afterwards five ordinary members, including Joe Higgins, were expelled for apparently writing articles in the *Militant* newspaper. Higgins was elected as a deputy in the 1997 general election as a member of the Socialist Party.

24 July 1989: Jackie Fahey TD resigns the Fianna Fail whip and says he will sit as an independent in protest at Mr Haugheys' decision to enter a coalition with the Progressive Democrats. The local party organisation in Waterford are amongst the most vociferous opponents of the change of policy and

openly condemn it and their representatives for supporting it. Records suggest that Fahey continued supporting the party in Dáil votes although he was later expelled from the parliamentary party.

19 May 1992: Two Labour Party TDs, Michael D. Higgins (Galway West), the party spokesperson on Foreign Affairs, and Emmit Stagg (Kildare), make known their opposition to the Maastricht Treaty on European Union. This was despite official Labour Party policy being in favour of a yes vote in the referendum. As there is no division on the subject in the Dáil their voting behaviour is not tested. In an interview Mr Stagg said that he would have voted along party lines.

20 May 1992: Senator Des Hanafan, the arch conservative and leader of the so called pro-life and anti-divorce movements is expelled from the Fianna Fail Parliamentary Party for voting against the party in the Seanad on the motion to allow for a referendum to ratify the Treaty on European Union (Maastricht Treaty). Many believed that the treaty would encapsulate into Irish law the possibility of abortion being legal in the Republic because of the Supreme Court decision in the *x case* and the protocol in the treaty reaffirming the article of the constitution upon which the pro-choice decision of the court was made. Hanafan was said to have received a lot of support at the Parliamentary Party meeting, much to the annoyance of the party leadership.

7 July 1993: Tony Killeen, a Fianna Fail TD for Clare, votes against the Government on the issue of the removal of the compulsory Shannon stop-over for all transatlantic flights to and from the Republic. He also resigns the party whip in protest.

Sile de Valera, Killeens' fellow Fianna Fail TD in Clare, and now a front bench spokesperson, also resigns the party whip. She is out of the country and thus paired for the vote in the Dáil and has to show her annoyance with party policy by resigning the whip by fax. Both Killeen and de Valera are supported by the local party organisation and by all 17 Fianna Fail public representatives on Clare County Council, who also resign the party whip in protest at Government policy. Only in December 1993 is harmony restored between the party in Dublin and Clare.

This case also illustrates in two ways the intra-party rivalry to represent local interests. Firstly we can speculate that de Valera felt obliged to resign her seat after her party colleague had done so. Secondly at the subsequent general election in 1997 The Clare Champion (6 June 1997) reported a 'Dogfight' between the three Fianna Fail candidates over the issue of the Shannon vote. Senator Brendan Daly had distributed a letter in which he claimed credit for the further development of the airport. Deputy Killeen 'reminded' Senator Killeen that he had refused to 'walk the plank' back in 1993.

29 June 1994: Four Labour Party deputies from north Dublin refuse to take the party and Government whip. Sean Ryan (Dublin North) and Tommy Broughan (Dublin North East) vote against the party on the opposition motion regarding Government policy on Team Air Lingus. Two others, Joe Costello (Dublin Central) and Sean Kenny (Dublin North East) abstain in the same vote. The four deputies lose the party whip and have a number of party-related privileges, such as the use of party research facilities and the party press office, withdrawn by the party leadership.

6 April 1995: Paddy Harte, the Fine Gael deputy for Donegal North East and former junior minister and front bench spokesperson, is expelled from the Fine Gael Parliamentary Party. He is expelled for failing to support the Government on the Abortion Information Bill 1995. At time of expulsion it was clear that he could expect to be re-admitted 'with open arms' within six months, according to Phil Hogan TD. Harte was said to be totally unrepentant over his voting behaviour. Some Fine Gael TDs attending the Parliamentary Party meeting were said to have called for a conscience clause for members who had difficulty voting on social or moral issues.

Many felt shame that a man of his experience should be removed that way. However the Taoiseach noted that in order for cohesion to be maintained in Government there must be discipline and all Government TDs are expected to

vote for Government legislation. The motion to expel was made by the party leader and seconded by Sean Barrett in his capacity as chief whip. Four members of the Parliamentary Party, Brendan McGahon, Ted Nealon, Dinny McGinley and Shane Ross, all supported Paddy Harte. In all 45 members voted in favour of the leaderships motion. Harte lost his seat at the 1997 election.

3 October 1995: Michael J Noonan (FF, Limerick) who first entered the Dáil in 1969 and served as a junior and cabinet minister votes against the Government in the vote to allow for a referendum on the issue of divorce (Divorce Referendum Bill) which was backed by opposition parties including Fianna Fail. The party whip is withdrawn.

8 November 1995: In the Seanad the Government lose an important vote due to the unexcused absence of some senators from the Government party. Each of the Senators have certain privileges withdrawn for the remainder of the session as punishment. The Government whip in the Seanad is rebuked for his mismanagement by the Taoiseach.

11 June 1996: The Governments Transport (Dublin Light Rail) No. 1 Bill 1996 is defeated at its second stage reading. It was re-introduced, without amendment, on 18 June. Bertie Ahern, the leader of the opposition, claimed it was the first defeat of a Government bill, other than in 1976 when a free vote

was allowed. The reason for the defeat was that six TDs were absent without pairing: Moosajee Bhamjee, Derek McDowell, John Mulvihill, Jim Kemmy, Joe Costello and Peter Barry. Bhamjee claimed he was feeling unwell, and Costello and McDowell claimed they did not know about the vote. Labour Party whip, Brian Fitzgerald, gave the five Labour deputies a verbal reprimand. As punishment the Government Chief Whip announced that the six would not be facilitated for the remainder of the session. As *The Irish Times* commented, the fact that everyone was shocked at the defeat of a Government bill shows the extent to which the Dáil has become a mere rubber stamp.

26 March 1997: Fianna Fail provides pairs for three Government Senators (Jim Townsend, Mary Kelly and Dino Cregan). However six rather than three Senators were absent - they were Michael Finneran, Ed Haughey, Rory Kiely (paired), Mick Lanagan (paired), Paddy McGowan (paired) and Michael O'Kennedy. Finneran was late for the vote. No comment was made by the FF whips in the Seanad (Tom Fitzgerald and Brian Mullooly) or by the leader of the house G V Wright. The Government won the vote 27 to 23. (The Phoenix, 11 April 1997, p. 4). This case shows the continuous pressure placed on whips to ensure members are present as required - and the consequences of not having the numbers. Even members of the Dáil as we have seen forget to turn up. A more recent example was provided when Brian Lenihan (jnr) who is a Fianna Fail TD failed to show for a vote on the order

of business on the last day of Dáil business before the 1997 summer recess. The position of the Government, having to rely on support of non-affiliated members, ensured Lenihan's absence won him a rebuke from the party whip (Magill, September 1997, p. 60).

6 March 1997: Michael Lowry, who was forced to resign as Minister for Transport, Energy and Communication in November 1996, resigns from Fine Gael, following allegations of financial and tax irregularities. The leader of the party, John Bruton, informed Mr Lowry that his re-selection as an official party candidate for the forthcoming 1997 election would be blocked by the National Executive as his tax affairs were not in order.

In making the decision to block any attempt at re-selection the party were aware that Lowry would probably stand as an independent and due to his high level of popular support in his constituency of North Tipperary the party risked loosing a seat. The decision some weeks later by Lowry to contest the election as an independent split the constituency party with many Fine Gael activists backing the independent TD. In the election Lowry received increased support and was elected far ahead of any other candidate. The Fine Gael candidate failed to get elected.

4.4 ISSUES AND PONDERABLES

Re-defining discipline

A cursory glance at the cases will immediately reveal that from time to time parliamentarians have been willing to openly rebel against their party. What is also clear is that they are willing to take advantage of more than one method, formally voting against the wishes of the party in parliament, to express their annoyance or disapproval at something the party did or was about to do. Likewise we can observe a willingness on the side of party leaders to discipline members for offences not related to their voting record.

How did they rebel ?

Our study identified 13 cases of indiscipline involving parliamentary party members actually voting against their party in Dáil or Seanad votes and being expelled for doing so. But this of course is not the complete story. There were circumstances where a deputy could expect to break the whip without being expelled.

Other popular forms of rebellion which exist in Irish politics include making public criticism of the party leader or party policy. This angers the party and is seen as being equivalent to rebellion because members are meant to express their personal opinions inside the parliamentary party and thereafter to accept the high level of collective responsibility. This strict line with backbenchers,

where any public comments against the official party position resulted in retribution, seems to have been severe under the leadership of Charles Haughey in Fianna Fail with two prominent TDs (Charles McCreevey and Desmond O'Malley) paying a heavy price for open criticism of party policy. The former was expelled for a time from the parliamentary party and certainly seemed to have his career put on hold until the arrival of a new leader, while the latter was expelled from the party.

Why did they rebel?

An interesting question to ask is what were the issues that caused the rebellion? Our first approach was to define each issue as being either of national importance (an issue of public policy) or local importance (an issue of constituent representation) to the TD. Obviously it is difficult to quantify some causes. For example was the case of Joseph Leneghan who rebelled over the issue of dole payments a policy issue or a constituency issue ? On one hand this could be seen as a national issue while on the other it could be seen as a local issue in so much as it may have adversely disadvantaged some of his constituents. On other issues (examining parliamentary questions) authors have tended to define constituent versus national issues by reference to the presence or absence of a specific geographical area in the question (Judge, 1974; Raunio, 1996a).

Our cases show no clear pattern between the two possible distinctions. While some have rebelled on local issues others seem concerned with national ones. Given the small number of rebellions it also seems plausible to suggest that even where constituency issues give rise to problems for the local TD they are still not usually willing to defy the party whip on the issue. Take for example the minority Government of Charles Haughey between 1987 and 1989. During that time the public finances underwent a period of contraction with severe cutbacks in spending on areas such as health. Many hospitals were planned to be closed. The issue was most notable in County Roscommon where the failure of the two local Fianna Fail TDs to 'break ranks' resulted in the local pro-hospital lobby fielding candidates in the 1987, 1989, 1992 and 1997 general elections. The 1989 election resulted in the unseating of a Fianna Fail TD and his replacement by the pro-hospital candidate.

Since this dramatic event other TDs seem to have become more alert to the need to be seen to be supporting local issues whatever the consequence for their career or relationship within the party. Thus in the wake of the crisis at Team Aer Lingus in 1994 the four local Labour Party deputies quickly showed their discontent with their Government's handling of the situation and refused to vote against an opposition motion on the issue.

One of the most controversial areas where the party whip system has been enforced is on issues which relate to moral or religious beliefs such as

liberalising the availability of contraception or amendments to the Constitution to deal with moral issues such as abortion or divorce. As we have seen many criticise the operation of whips and expulsions for ignoring party lines on matters of 'conscience'. While in the 1980s parties accepted the right of members to vote as they wished on issues of morality and conscience, recent Governments have been unwilling to accept the right of deputies to exercise the conscience vote. Thus in 1995 two senior politicians, Paddy Harte in Fine Gael and Michael J Noonan in Fianna Fail were expelled from the parliamentary party for not backing their respective party's position.

Outside of Dáil voting the practice in Fianna Fail has been to instruct members that they are free to campaign on moral issues within their own constituency but they must still follow the guidance of the parliamentary party in Dáil votes.

What happened to the dissenters?

On the face of it our cases suggest that it is not necessarily a grave experience for deputies who are expelled from their parliamentary party. Even in the worst case scenario of being de-selected at the next general election a sitting TD seems to have a good opportunity to gain re-election as an independent. Michael Lowry, who resigned from Fine Gael after the party leader indicated that his nomination as a candidate would be opposed by party headquarters,

actually increased his share of the vote in his constituency and was comfortably re-elected.

The norm is to expel deputies for a short period of time and then welcome them back with open arms. Most if not all TD who have been forced to relinquish the party whip have, where they have wanted to, been allowed back into the parliamentary party fold within a matter of months. This leads to the conclusion that suspension is really not a great problem, especially when we consider the free publicity and probable good-will which the individual will receive as a result of standing his or her ground.

Of course it could be argued that losing the whip for a short time is the least of the disadvantages incurred by a rebellious TD. Rather those TDs could be sent out into the political wilderness never to hold any important party post from that day forward. Neither, it may be suggested, would they ever be promoted to important Government committees or even to junior ranks within Government or the frontbench because of their track record of disloyalty. The evidence suggests that it is difficult to posit a causal relationship between promotion possibilities and life long compliance of the whip. Certainly if someone is a continuous source of annoyance to the party elite a promotion ought not be expected. But the case of Sile de Valera proves that you can speak out against the party leadership, resign the whip in protest, and still hope to be a Government minister in a few years time.

4.5 SUMMARY

This chapter has provided evidence of cases of indiscipline in Irish parliamentary parties. It serves to highlight the fact that even in tightly controlled parties indiscipline will still occur. The cases listed highlight the fact that although parties are indeed highly disciplined creatures parliamentarians do occasionally find the need to break free and openly revolt against party policy on certain issues.

Furthermore this revolt may take one of many forms ranging from 'off the record' conversations with the media, giving full interviews, making but not voting for amendments to party policy in the chamber to actually voting against the party in the Dáil or Seanad.

We have also seen the willingness of the party leadership to challenge such revolts and their willingness to deal with other matters which bring the party into disrepute or for actions not in the best interest of the party in a similar way.

CHAPTER FIVE
TOWARDS A FORMAL MODEL OF BEHAVIOUR

5.1 INTRODUCTION

This chapter attempts to build on the empirical evidence provided in chapters two, three and four. The aim is to explain party discipline, the phenomenon which we have been observing in Irish parliamentary parties. Chapter one provided comparative accounts of discipline in other countries and this chapter also seeks to build on this work. As will become clear our analysis is built upon the assumptions of the rational choice school. Consequently we begin with an overview of this approach and its use in political science. We then develop a formal model of legislative intra-party behaviour to explain party discipline. We seek to apply our theoretical model to the case of Irish parliamentary parties by examining the coherent logic of the model with specific reference to the workings of the Irish political system. This is primarily based on an examination of the power of party elites and the environmental influences, such as the electoral system, on the behaviour of politicians in the parliamentary arena. The chapter concludes with a brief examination of how incorporating elements of structural-institutional explanations of political behaviour into the classical rational choice model can improve our understanding of discipline. We begin however with a

overview of the methodology of formal analysis and in particular an overview of the basis and assumptions of rational choice explanations in political science.

5.2   THE RATIONAL CHOICE APPROACH

The aim of the rational choice approach is to construct formal normative models of behaviour. Although rational choice comes is numerous guises the most common varieties are all predicated on the key doctrine that individuals seek to maximise their own preferences, desires and interests. Allied to this is the assumption that individuals can recognise and order such preferences. Faced with a decision rational choice assumes that an individual will choose the option that maximises their own wellbeing, or in the jargon of classical micro-economics, their utility.   An individual's actions are therefore seen to be based not on any notion of predetermined socialisation but solely in terms of self-reward and self-interest.

The rational choice approach therefore provides a very distinct way of viewing the world. As a methodology it has found applications across many disciplines from biology to economics. Within political science rational choice has been used in all sub-disciplines and has been applied to many issues from understanding the emergence of new political parties (Hug, 1996)

to explanations of nationalism (Olson, 1993).[1] Not unexpectedly such an approach has found many critics. That criticism has ranged from the school's inability to provide theories that have stood the test of empirical scrutiny[2] to beliefs that the underlying assumptions are flawed.[3] We aim to counter these criticisms by following the examples of recent writers in incorporating institutional and non-rational elements into the theory (c.f. Nørgaard, 1996).

5.3   ASSUMPTIONS OF THE MODEL

Assumptions are the foundations upon which a model is built. Therefore it would be careless not to spell out explicitly some of the major suppositions underlying our model. Doing so may be venturesome as many may balk at the conjectures being made and immediately cry 'unrealistic'. My answer (in all likelihood really the answers of others) is that without making assumptions and simplifications the community of social scientists would be able to explain very little. Surely it is better to set intelligent parameters to a model and attempt to chip away at the unrealistic assumptions at a later stage than not to be able to generalise and theorise at all.

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[1] For two excellent overviews of the use of rational choice in the study of politics see McLean (1991) and Ward (1995).

[2] The most common criticism is made of rational choice theories of voting. All models predict that a rational individual will not vote. Clearly this has no basis in reality although many have made great efforts to amend the model to explain away voting as an irrational act. Still one is unlikely to find a pure rational choice theorist who will accept that voting is anything but irrational (c.f. Mueller, 1989, p. 348-369).

[3] In recent years the debate about the validity of rational choice theory and the study of politics has been revisited with the publication of a book by two leading critics of the approach (Green & Shapiro, 1994) which excited must controversy including responses by some of the leading scholars in the field (Friedman, 1996) .

Indeed to justify the case for assumptions we only have to look at the work of others in the profession. Take, for example, one of, if not the most, important work on political parties. I refer to Downes' seminal work entitled *An Economic Approach To Democracy* (Downes, 1957) whose central thesis was the prediction that by constructing a two dimensional map of party systems and identifying a median voter one can predict that all parties should move to the centre (the median voter) to maximise electoral support. This model despite depending on an almost implausible assumptions about the number of dimensions in party policy and the existence of a median voter continues to have a profound effect on scholarly thinking and has remained essentially unchallenged (although c.f. Gilljam, 1997).

Assumption I: the nature of politics

In attempting to model rational behaviour a question needs to be asked regarding the basic motivations of politicians. In this model I draw on the assumptions posited by political scientists working on models of government coalitions. As reported by Gallagher et. al. (1996, p.304-306) the literature is dominated by two different approaches: the 'office seeking' school and the 'policy seeking' school.

office seeking politicians

Many assume that politicians are motivated above all else by a desire to hold high office. Traditionally this has been applied to and meant membership of government with all the perks and benefits that such an office brings. However in this model office seeking refers to two possible and quiet distinct arenas. The first arena is the basic post of member of parliament. In the case of incumbent members this refers to the desire to secure re-election to parliament. Indeed it does seem quiet plausible to imply that the primary motivation of politicians is to get re-elected at the next general election.

In the current context office-seeking could also operate in another arena - the internal party. Promotion in the internal party to the frontbench (or the cabinet for governing parties) and potentially to the leadership of the party (and prime ministership for governing parties) is a second prize that politicians can aim to achieve by their actions. Of course to succeed in the second they must first pass the first by continuing to gain re-election.

policy seeking politicians

An alternative, and somewhat less cynical, view is to assume that politicians are interested above all else in making and implementing public policy. Certainly this is the most likely reason that incumbent politicians would give for entering politics. The assumption has found favour among many theorists in political science. De Swaan for example (1973, p.88) notes that

'considerations of policy are foremost in the minds of the actors ... the parliamentary game is, in fact, about the determination of major government policy.'

Assumption II: information

The degree to which each legislator knows how each of his or her colleagues will act is an important consideration in any model. Our model will make an assumption of perfect information among and between TDs . This seems a legitimate approach as most deputies are aware of the opinions of each other. More importantly the crucial focal point may not be the actual act of voting but the pronouncement in advance of how one is going to vote. A further issues is whether the decision making process is influenced by the dynamic of the decisions being made simultaneously. In other words if X and Y are considering rebelling and X then decides not to rebel this may impact on the subsequent decision of Y which may impact on the initial decision of X^4.

Assumption III: once off or repeat play

Most models start with an analysis of an interaction which is described as 'once-off' in that the interaction occurs once and only once. Although we start with such a situation we will show how to develop the game into a

repeat play supergame. However the game will not be played infinitely but indefinitely[5].

5.4   A MODEL OF PARLIAMENTARY DECISION MAKING

Applying a rational choice theory of decision making to parliamentarians requires us to analyse the costs and benefits of making particular decisions. Consequently for each potential action there is a clear associated outcome which predetermines the rational choice to be made by the decision maker.

Each time a TD goes to vote in a Dáil division he or she is faced with one of two options: vote as required by the party (decision A), or vote against the wishes of the party (labelled decision B). We can therefore assume that the following formula will be facing each TD each time they attempt to vote:

$$VA \text{ if } Uva > Uvb$$

Where the utility of voting for A is greater than the utility associated with voting for B the rational actor will always choose A. This certainly should not

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[4] To take account of the non-static nature of many interactions game theory models depend on bayesian decision theory to allow for common knowledge to be undated at each stage of the game (c. f. Osbourne & Rubinstein, 1994, pp. 24-30).

[5] A infinite repeat play game is one which is played over and over and never stops. An indefinite game is one which is played over and over but will stop at some unknown point in the future.

be considered surprising. We do however need to compute the utility for the choices faced by deputies. This is done by reference to the costs and benefits associated with such action. Before we do so however we develop our model to take account of the interdependent element of the decision making process.

5.5 A MODEL OF INTERDEPENDENT DECISION MAKING

This section introduces an element of uncertainty into the model to reflect two possible situations. Firstly deputies will be influenced by the likely decisions of other deputies in deciding how to act and secondly they will not necessarily be aware of how their colleagues will act.

These factors are, I argue, important because in the real world the situation arises where one deputy who is potentially ready to rebel is swayed by what other deputies will do. Likewise if one believes in party politics, as surely members of parliamentary parties must, then each must have a concern for maintaining the principle of cohesive voting. This would not however prevent dissent as long as the dissenting felt their actions would not have consequences beyond the immediate vote.

Consequently the motivation of actors may be similar to a free-riding scenario: I will allow myself to defect but others must continue to co-operate

at all other votes. Let us say for the sake of simplicity that we have a parliamentary system with only two parties, party A and party B. As both parties are well-disciplined, usually approximately all the members of each party will be united in opposition to the policies of the other party. But on all issues at least a small minority of members would like to oppose the policy of their own party. The parliament is composed of Party A with 101 representatives and Party B with 99 representatives (therefore party A forms the government with a working majority of 2). Now let us say that on every issue to be decided Party B will oppose party A and vice versa.

On every issue, two members of Party A will oppose that particular issue and only that issue and on every other issue they will be in full and absolute agreement with the majority of their party. Furthermore we know that in the lifetime of the parliament 100 decisions will be made.

At each vote in parliament MPs who are personally opposed to their party on a particular issue must choose between two options:

1. vote with the opposition, defeating the particular policy of their own party but voting and achieving a utility of +10, or

2. vote with their own party and disregard their own opinions and achieving a utility of -10.

Figure 5.1: decision tree facing parliamentarian with once-off voting

vote with opposition **(+10)**

vote with party **(-10)**
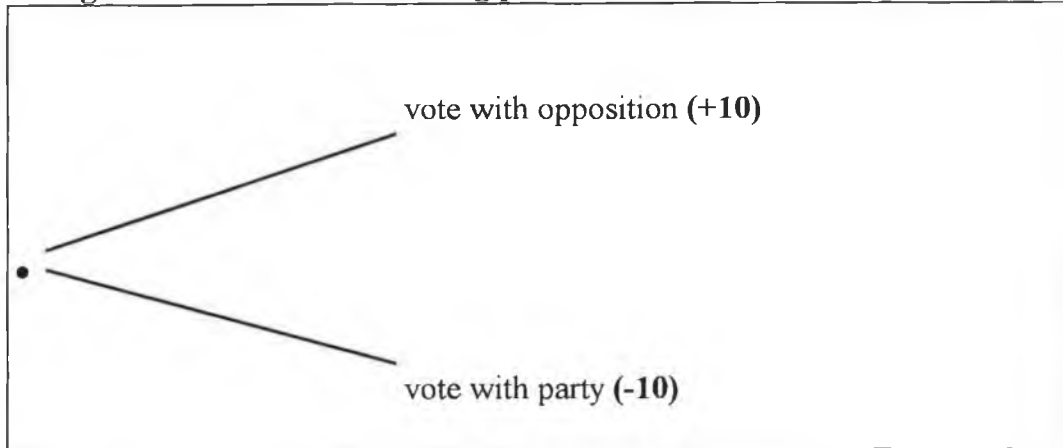
Decision theory would suggest that the rational action is for the player to vote with the opposition because in this particular game he or she achieves their desired outcome (the bill is defeated).

However an important point which we must take into account is that voting in a legislature is not a once-off game, rather it is repeated over and over again. In our example 100 votes will be taken during the period. The consequences of someone voting against their party therefore has repercussions further down the line as it may help to establish the acceptability of indiscipline within the party. If this were the case the consequences of voting against your own party would not just be to have this particular issue defeated as you want but to have all other 99 issues defeated as on no issue could the party be sure of a legislative majority.

Thus when we consider the long-term effects of a player being disloyal the utility attached to each alternative for the player changes remarkably:

1. vote with opposition, defeating this particular bill (+10) but establishing a norm whereby it is socially acceptable for a parliamentarian to vote against his party thus ensuring your party will never have a working legislative majority and consequently the other 99 issues which you support will fail (-990 comprising 99 issues at -10 utils per issue) giving a utility of -980, or

2. vote with party, ensuring the particular policy to which you were opposed is passed (-10) but ensuring that the social norm of party loyalty is maintained ensuring that on the other 99 issues with which you agree the party will have the necessary majority to secure its approval (+990) giving a utility of +980.

Figure 5.2: decision tree facing a parliamentarian with repeated voting

vote with opposition (-980)

vote with party (+980)
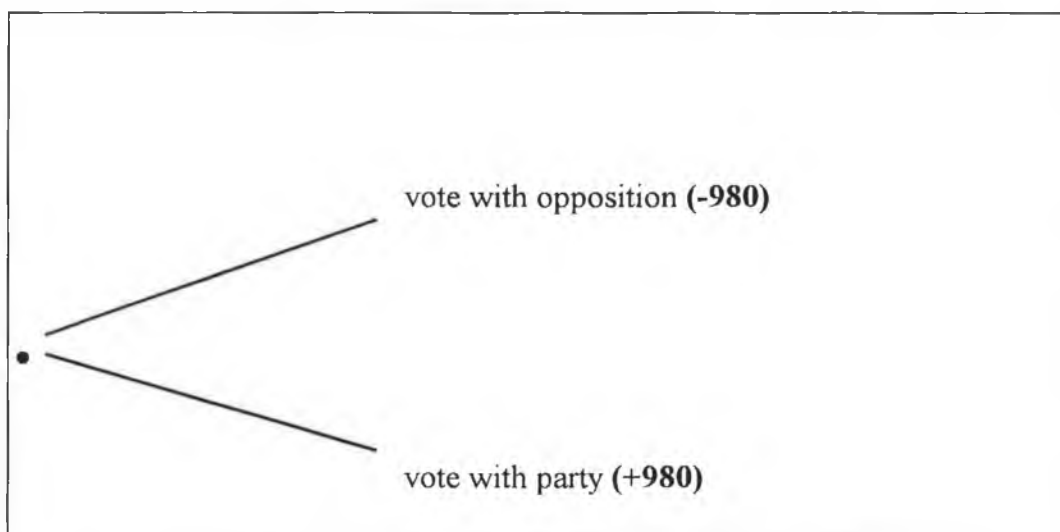
Thus the decision tree is altered dramatically when we take a longer term view of the consequences of voting behaviour.

What this simplified analysis shows is that it is theoretically possible that politicians will look not just to the immediate consequences of their voting behaviour but to the long term consequences and will as a result forego short term benefit for long term ones. However the problem, as with all rational choice models of decision making, of collective action emerges. At some stage a member of parliament will vote against the party because he knows that just because he did it and got away with it not everyone else who wishes to do it will actually do so when it comes to them vote against the party. Thus politicians will frequently choose to 'free-ride' when deciding how to vote - they will vote against a particular issue when they are opposed to it but expect everyone to vote with the party on issues with which they agree.

Recognising that people will choose to free-ride the central party may choose to introduce compliance mechanisms to encourage or force individual MPs to vote with their party. Mitchell (1995, p. 14) notes that 'leaders (at least of European political parties) have immense resources with which to seduce, cajole or discipline recalcitrant militants'. Crowe (1986) claims that in a Westminster type system party leaders commonly have four mechanisms of compliance with which either to encourage or threaten MPs who may be

undecided about supporting their party. These can be classified as either rewards for loyalty or punishment for disloyalty.

Following this therefore it is necessary to examine the costs and benefits associated with an act of disloyalty to the party in the parliamentary arena. This allows for an accurate depiction of utility for our models. If the costs are greater than the benefits, ceteris paribus, our model predicts that deputies will remain loyal however bizarre it may seem. Consequently the nub of our model rests on how the parties and wider political environment react to indiscipline. As noted in chapter two the immediate penalty is the loss of the party whip. Consequently we begin by exploring the likely effect of this on a politician.

5.6   LOSING THE PARTY WHIP: WHAT IT MEANS

Loss of participatory rights

A TD expelled from the parliamentary party loses the right to attend the weekly meeting of the parliamentary party. As such meetings are held behind closed doors we can only hazard a guess as to what typically occurs and consequently how important they are. Usually where the party is in government, ministers will use the opportunity to brief their colleagues on the backbenches on what is happening. If required, the opinions of the party is often obtained from the participation and comments of members at the

meeting and sometimes the party leadership may be warned of the possible discomfort a particular policy would bring to the members in their own constituencies. However, by and large, government ministers and party leaders tend to keep their backbenchers in the dark regarding policy.

Another possible benefit could be the removal of access to a government minister or department. As Gallagher and Komito (1996, p. 165) note TD's 'constituents expect them to be active constituency representatives, taking up their personal or communal problems or grievances with the relevant government department.' The point is that it is likely to be much easier to gain access to a minister or front bench spokesperson to 'lobby' on behalf of your constituents' if you are a member of the party. The ultimate cost of having no success in representing your constituents interests could entail failure to get re-elected at the next election.

One of the major sources of power for the parliamentary party concerns the selection or deselection of the party leader. This is usually seen as the most important role of a parliamentary party because as Marsh (1993a, p. 229) notes

> parliamentary elections are commonly "presidential" in
> character, with each party's leader playing a very prominent
> role in the campaign. In government too party leaders play a

decisive role in policy formulation and selection in both single party and coalition governments.

Given the importance for re-election and promotional prospects being outside the circle of activity may be a disadvantage. This is especially so in Ireland where incumbent leaders are challenged relatively frequently (Marsh, 1993b, p. 295).

Loss of promotional prospects

In the Irish case promotion takes two forms. Firstly at a minor level it may relate to sitting on Oireachtas (joint or single) committees and being appointed a committee chair or even taking the chair of the house (Ceann Comhairle for the Dáil). More important for many is the hope of appointment by the party leader to the party frontbench and if in government to a ministerial rank. Indeed this is one of the few 'carrots' which party leaders seem to have at their absolute discretion. However the small number of parliamentarians means that as far as committee membership is concerned the problem is usually with obtaining enough members to form a committee.

One former committee chair between 1987 and 1989 has commented on her difficulty in getting enough members to be present to form a quorum (Hussey, 1993, P. 70). With regard to the office of Ceann Comhairle the norm seems to be to appoint members with a 'long record of service'. Moreover the

numerical strength of the government parties may mean that a member from outside the governing parliamentary parties will be selected to hold the office (this occurred on many occasions, most recently with the appointment of a Labour Party deputy to the post with the support of the Fianna Fail / Progressive Democrat minority government..

Loss of travel privileges

One of the few perks which a TD could cite is the possibility of doing service to Ireland by travelling abroad on a 'fact finding mission.' Usually this involves an all expenses paid trip, staying at the best hotels and being 'wined and dined' by foreign governments or private interests. In some cases the mission will require the attendance of the deputies' spouses. While trips to India (1997 All-party delegation headed by the Ceann Comhairle to investigate the Indian parliamentary system) are arduous and burdensome tasks of state one will normally find members queuing up to do their duty! And it is the party whips who decide who goes where if anywhere at all.

Loss of facilities

Compared to their counterparts in other legislatures Irish parliamentarians are poorly resourced in terms of services and facilities available to them. A backbench TD can expect to have only one funded secretary and a small

administrative budget for the running of the constituency and/or Leinster House office.

The facilities available are governed by the Committee on Procedure and Privileges[6]. The committee is one of the most important in the Oireachtas and is composed of 17 TDs including the party whips, and is chaired by the Ceann Comhairle. The fact that an all party committee with a chairperson above party politics has the ability to disperse this gain ensures that formally at least it is not available for abuse by party mandarins. That of course is not to say that they would not try.

The former Fianna Fail Minister for Justice Maire Geoghan Quinn recalled the treatment she and four other TDs received after they participated in a failed attempt to remove the then Taoiseach, Charles J Haughey, from leadership of the party in November 1991. Following their return to the backbenches (from the cabinet or junior government posts) they were placed in Tasmania Avenue. The name apparently derived from the nature of the offices, far from the centre of gravity in Leinster House and very poorly serviced 'without phones or filing cabinets and with hardly a chair or table between them' (The Irish Times, 12 April 1997). The troubles experienced by her and her colleagues when they fell out of favour with the party leadership

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[6] Committee on Procedures and Privileges may be required to right a wrong against an individual member of either house. In March 1990 an independent Senator sought a judicial review when the Cathaoirleach of the Seanad (Sean Doherty) suspended the member and declined to remove himself from the committee during the hearing of the appeal by the Senator. The issue was resolved when the Seanad withdrew the suspension of senator Norris

highlight the minor things at the disposal of parties to warn their members. More importantly however it illustrates that entitlements to basic facilities are a right of members and consequently the supply of which is independent of the wishes or desires of ones party.

Following the change in government in 1994 which was the first mid-term change ever experienced the government was left in a dangerous position in the Seanad - as the previous Taoiseach had appointed 11 members rather than the new Taoiseach. The facilities for the six University Senators were, apparently, dramatically improved so as to aid them in deciding whether or not to support the government on issues coming before the Seanad.[7]

A further facility out of bounds for disobedient members are the party rooms and access to party based facilities. Party rooms are located in Leinster House and along with the members' bar, restaurant and corridors provide an opportunity for casual political activity. But the fact that an option exists in the bar and restaurant and that these are independent of party (even independent members of parliament have access) indicates that the barring of someone would not be too traumatic for the person concerned.

Of greater possible concern to a potential rebel must be the removal of facilities that are provided by the party. While these obviously vary among parties depending on their financial resources most maintain some facilities

that a TD will find useful. Take for example the party press office (or in smaller parties the press officer). This resource is available not just to frontbench spokespersons (government ministers have a department press office at their disposal) but all of the members of the parliamentary party and is invaluable in assisting TD to get press coverage, either at a local or national level for issues they want to promote. In a similar way parties have been known to provide tutoring for incumbents to improve their campaigning skills.

Yet another potentially valuable service is the party research service. Each party receives a substantial subvention from the state to assist in undertaking research. While we might expect that the bulk of this goes towards assisting party spokespersons, all members are entitled to avail of the service.

5.7   REFLECTION ON THE WHIP SYSTEM

As we have seen, the whip system in the Dáil is very tightly controlled. Not unexpectedly this not to the liking of everyone. Speaking in 1996 during a debate on the reform of the Oireachtas Jim Mitchell, TD, a prominent Fine Gael backbencher, has some stark words to say about the operation of the whip system:

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[7] Confidential observations of one former University Senator made to Eunan O'Halpin.

The worst feature of the Dáil today is the excessively tight whipping system through which all different or new ideas are siphoned. This creates an atmosphere in which deputies are discouraged from researching and expressing their own ideas. The irony is that all attempts of Dáil reform has been instigated by the Government Chief Whip whose overriding concern is to protect the Government. It is not surprising therefore that the sum total of Dáil reform has had a comatose effect on the Dáil. ...... If the Dáil is so tightly controlled under the whipping system by the Government which is supposed to be answerable to it, it is easy to understand why dullness and mediocrity is the order of the day.

(Dáil debates Vol. 469 No 6, Wednesday 9 October, col. 1896-1897)

The operation of the whip system also angers interest groups and those wishing to change public policy because it is almost always impossible to get any legislation through the Dáil and Seanad without the support of the Government. During 1993 the independent TD Tony Gregory introduced a bill to outlaw and prohibit hare coursing, something which while it caused polarisation among supporters and objectors seemed to be desired by the vast majority of people outside the Dáil. However when it came to a vote on the bill the whip was imposed and only 16 TD voted for with 104 voting against. In a letter to *The Sunday Tribune* one angry citizen wrote:

In its present form, the whip system is clearly undemocratic and amounts to little more than a thinly disguised form of

intimidation. The Dáil debate on hare coursing underlined just how ruthless and draconian is the function of the whip in Irish politics. The whip system shouldn't just be reformed, it should be scrapped. It's about time we dispensed with this politically cobwebbed relic of the nineteenth century.

Of course the whips and party leaders would hold a different view (at least while in office!). In an article the then Government Chief Whip, Noel Dempsey defended the tight Fianna Fail whip with two arguments (The Sunday Tribune, 1 August 1993). Firstly he claimed it was necessary for the conduct of party government:

> The whip system gives coherence and cohesion to political parties and, through them, to the nation's business in parliament. It allows the whips representing each party to plan better the processing of Dáil or Seanad business, especially legislation. The whip system leads to greater certainty in the business of parliament, especially when there is a minority government or a government with a slim majority.

But in his attempt to de-demonise the approach Dempsey goes further, claiming that

> properly understood, the whip system is a cornerstone of our system of representative parliamentary democracy ... our parliamentary system is based on the democratic election of,

in the main, members of a number of political parties. Put at its simplest, policies which they have put before the people at election time. In that way people know what they are voting for and may decide accordingly.

In the same article Dempsey defends the highly controversial issue of party whipping on issues involving moral dilemmas or conscientious objections for deputies:

> if we allow the concept, the real question becomes: where do we draw the line? One person's issue of conscience may be an everyday reality for someone else. So we end up back at square one, with everyone taking an individual line, the whip gone and representative parliamentary democracy whittled away. Weighted in the balance against that outcome, I think the clear verdict must be against allowing exceptions for so-called issues of conscience

Of course it is not just the party that influences the decisions of deputies. They must also appeal to the broader political landscape. Most notable is the need to satisfy the needs of their constituents in order to gain re-election. We now turn to these other influences which we have titled environmental.

5.8 THE POLITICAL ENVIRONMENT

The electoral system

Bunreacht Na hEireann provides that the electoral system for Dáil elections be proportional representation by means of single transferable vote (PR STV) with a district magnitude of no less than three seats and no more than five. Thus we are marked out from other countries who rely either on a plurality (first past the post) or a list system.

My argument is very simple; compared with other electoral systems PR STV as it operates in Ireland reduces the role and usefulness of political parties for candidates. If I can show that this is indeed so then yet another tool at the disposal of European political parties to discipline their members is absent in Ireland.

Let us first of all compare the obvious case of an electoral system where party is paramount. The party list system (as used in the Netherlands) gives the central party the most control over its parliamentarians. Under this system the party draws up a list of politicians it would like to see in parliament. Usually the party leader will head the list. The electoral system treats the whole country as a single constituency and voters vote for a party. The number of seats each party obtains is based on its share of the vote. The higher up the list the more chance of getting into the new parliament one has. Thus this system represents the most dramatic form of centre party control - if you are not

performing as required by the party you will possibly fail to be put on the list or be put on towards the bottom. Failure to get on the party list will ensure that you will not be returned to the next parliament as the only other plausible option - to form a new political party - is not very viable under such a system.

The plurality or first past the post system also benefits the central party. The key feature of this electoral system is that each constituency only returns a single representative. Consequently each party will have only one candidate and if you are not a party candidate your chances of obtaining a plurality of the vote are very slim. Thus in the United Kingdom it is extremely rare for an independent candidate to secure election.

Candidate selection and re-selection

Mayhew (1974, p.13) argues that the main ambition of an incumbent US congressman is to gain re-election. And normally the first hurdle facing an incumbent politician is to gain support for re-selection as the party candidate. In Irish political parties re-selection for sitting TDs is not automatic - instead they must present themselves in front of a selection convention. Indeed it has been known on occasions for sitting TDs to fail to gain the support of the convention.

For us the key question revolves around who in the party selects the candidates. Is it the party elite who could threaten to de-select or is it the local party organisation who would not necessarily be as concerned with a deputy's record of support for his or her party? In Ireland the answer lies somewhere in between.

An important point to note is that despite its centrality to the political system and our notions of representation and democracy the candidate selection procedure is not placed on a statutory footing, unlike for example in Norway, and consequently parties are free to make their own rules and follow their own procedures.

Despite this, the procedure follows the same principles in each party although exact mechanisms differ. It is the local party organised at constituency level that selects the candidates. The convention usually takes place in anticipation of an election and is attended by delegates representing the grass roots level of the party. Incumbents usually have to go through the same process as others seeking a candidacy although in Fianna Fail the practice is normally to commence the meeting with a motion to select the incumbents by acclamation. The only role of the centre party would seem to be the appointment of a convention chairman to oversee the proper conduct of the meeting. The chair is normally a senior party politician from outside the constituency.

This view underestimates the power of the central party in the candidate selection mechanism in three ways. Usually the party will indicate to the convention the number of candidates to be selected which could have the effect of making the re-election prospects of certain candidates more difficult. This is therefore one reason to be loyal to the party leadership.

Second, nearly all parties reserve the right to impose candidates on the convention, either before or after the actual decision of the delegates. An imposed candidate usually takes two distinguishable forms: an incumbent or party favourite who has been excluded by the convention, when this exclusion is deemed not to be in the interest of the party. Secondly, and more controversially as we have seen in recent European Parliament elections, the central party may 'parachute' a non-party figure who enjoys high popular appeal based on their other work (Marsh, 1995, p. 210).

The other power of the centre derives from its right to refuse to sanction the selection of candidates if it so wishes. When candidates are selected their names are forwarded by the convention chairman to the party National Executive in Dublin who can then either accept the decision of the convention delegates or strike the name of any person off the list of party candidates. However as Gallagher (1988) notes, this power has only

infrequently been used as it would cause a possible rebellion among members of the local party organisation.

While the role of the centre is thus important and growing, what conclusions can be drawn? The fact that the local party jealously guards its right to select its own candidates ensures that, by and large, TDs are not dependent on the backing of the party leadership and can act without the fear of being de-selected. However two caveats apply. Firstly the centre still plays a role in the process that could affect TDs. Moreover a TD continuously out of favour with his masters in Dublin ought to be wary of the grassroots who often remain loyal to the party leadership, and of their possible contempt for dissidents.

Campaign support and finance

Irish political parties are notoriously underfunded. While party leaders receive money from the state to assist with running head office and frontbench much of the finance seems to come from donations from individuals and business (c.f. Farrell, 1993, p. 32-34). Consequently parties do not have extensive funds to share with candidates at election time. What money they have is, by and large, spent by the national party. The only assistance given by the head office is with printing of manifestos for the candidates and the provision of

policy briefs. Essentially however individual candidates receive little financial support.

Interestingly, the Electoral Bill published in 1994 and amended in light of the McKenna judgement in the Supreme Court, provides for the financing of individual candidates who are not affiliated to any party at a rate higher than that given to a party for each of their candidates. Likewise in setting limits on campaign expenditure by individual candidates the Bill allowed for non-party candidates to spend 150 per cent of the amount allowable for party candidates. Consequently if the bill were enacted a monetary advantage would exist for an incumbent to leave his or her party so as to obtain the financial support of the state.

Loss of local party machine

The party machine is part of the less formal architecture of Irish political parties. It varies in its existence and intensity from constituency to constituency and party to party. Machine politics in Ireland is closely associated with the former TD Neil Blaney and his supporters in his North Donegal Constituency. A machine is an organisation of people led by a leader with the sole objective of securing success for that person at election time (for interesting and detailed accounts of the operation of machines in Cork and Donegal c.f. respectively Bax, 1979; Sacks, 1979).

Rural

Irish constituencies are relatively large (in terms of geographical spread) given the district magnitude and size of the electorate stipulated in the constitution. Allied to the localism inherent in Irish political culture, it ensures that a candidate needs a well oiled organisation if he or she is to stand any success in an election. While campaigning has become more presidential in nature the local element is still a key determinant of success or failure. Thus having people to canvas from door to door is an absolute necessity to success in any general election in Ireland. Candidates rely on party activists to perform this task and not having the support of the party would make life much more difficult for candidates.

Political culture and expectations

Politicians elected to the Dáil are elected as representatives of their constituents. Thus the views of those people regarding discipline are critical to a deputy's behaviour presuming that he or she wishes to attend to the wishes of the electorate if only in the hope of gaining re-election. Chubb (1978, p. 10-11) draws attention to the localism inherent in Irish politics:

> These locally based representatives are expected by their constituents to attend to their needs for those services that are to be obtained from public authorities such as housing, land redistribution, social security and health services, grants for this

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and that, and occasionally jobs. They must also work continuously for facilities for their own area. In return, they will hope to be rewarded with their constituents votes.

In a study comparing the work of Irish and British parliamentarians Wood and Young (1997, p. 226) support the view that TDs are obliged to do work for their constituents:

> Our findings, based on data generated through parallel interviews with junior legislators in both countries, support the dominant view found in the literature. TDs do perform more constituency services than do MPs, and TDs are more strongly activated by reelection motivation. The relationship between reelection motivation and constituency activity by TDs is statistically significant.

National politics only matters when it is an aid to the local deputy in directly assisting his constituents. Thus being allied to a party is advantageous to build contacts with government departments and for the most successful as a means of obtaining a cabinet portfolio. A cabinet portfolio is seen by constituents as a means to an end - namely more investment in the constituency. While no study has conclusively posited a benefit from a constituency being served by a minister, perception and casual observation suggest that a minister can strengthen his electoral appeal by using his office to assist the constituency. High spending government departments such as the Department of the Environment, in charge of the national road infrastructure and financing local

authority road improvements, could make a deputy a victor in his or her constituency.

The point is that ordinary voters seem to care little what their deputies do in the Dáil, whether the vote with or against their party, whether the cause a national scandal or not, so long as the deputy is servicing the needs of his or her constituents.

5.9 REASSESSING THE MODEL

The evidence of the costs and benefits of disobeying the party whip goes some way towards providing an explanation of voting behaviour. However an alternative explanation which remains credible is that deputies unquestionably accept the whip because their peers and predecessors have done likewise. This explanation has its basis in neo-institutional theories of political behaviour. Institutional theorists argue that the way to under stand behaviour is by looking at the rules and regulations that shape that behaviour. Institutionalism was the dominant approach in political science for many years. This is due in no small part to the belief that as Rhodes (1995, p. 42) reports, 'the focus on institutions was a matter of common sense.' Thus to understand the political system all that was needed was a list of the rules, regulations and to a certain degree the norms of the system.

A country would be primarily be explained in terms of its constitutional and legal structure. But institutional theory is more than just a description of the political institutions it surveys. The theory goes further by attempting to explain what happens in a political system by drawing a causal link between the institutions and behaviour - in other words institutions prescribe behaviour rather than behaviour prescribing institutions.

While the rational choice approach seems very profitable in the case of explaining disciplined behaviour one would be very foolish to completely ignore the important role of tradition and socialisation which would be engendered into deputies as we have seen from previous chapters. As Booth et. al. (1993,2) has pointed out,

> the interest in individualism is methodological: rational choice theorists do not conceive of persons as atomized, self-sufficient monads. Rather, persons are thought of as embedded in networks, contexts and institutions, and choice is considered to take place within constraints ... Theories of rational choice could not get off the ground if their subject matter was a decontextualised actor.

5.9 SUMMARY

This chapter has shown that a combination of rational choice and structural-institutional approaches to understanding behaviour provide a powerful insight into the nature of discipline in parliamentary parties. The model developed on the basis of decision theory and game theory draws tentative conclusions about the basic motivation of politicians in deciding how to vote in the legislative arena.

Applying the model to Irish parliamentary parties showed the power that parties have over deputies. However our analysis also highlighted the shortcomings of the whip system and the need of the party leadership to remain sensitive to the wishes of the majority of the parliamentary party.

A further argument espoused was that the political environment has an important part to play in shaping the behaviour of deputies. While some variables, such as the candidate selection process with the vetoing power of the national organisation, work to increase the dependence on the party other variables work to increase the independent abilities of deputies. Most notably the political culture works to ensure deputies must remain sensitive to the needs of his or her own constituents even where these interests clash with official party policy.

CONCLUSION

In systems of parliamentary government, where the executive is formed from and is responsible to the parliament, political parties are pivotal players. Parliament is composed of sovereign individual parliamentarians but in reality we have seen that it is also tyrannised by political parties.

Irish parliamentarians are not alone in being agents of their party. In most parliamentary democracies the role and influence of the individual representative is greatly diminished by the party organisation. This coercion is frequently legitimised on account of the need for strong party government. The argument postulated is that if parliamentary party members were free to support or reject the policy of the cabinet, the system of government decision making would break down due to uncertainty.

Methodological complications abound when we attempt to define exactly what we mean by *discipline*. The predominant mechanism through which discipline is measured remains the roll-call analysis of voting in national parliaments. The level of cohesive voting within parties is used as guage of the level of discipline. Many have neglected to consider that cohesive voting may not be caused by the enforcement of discipline but may occur naturally - as we could expect that members of the same party are inclined to vote in a like manner regardless of any

direction from the party leadership. Thus when we consider discipline we must remain vigilant to the possibility that what we term discipline has nothing to do with discipline.

In our study of the Irish party system we were able to discount the existence of natural cohesion. An analysis of the mean number of parties, which indicated relatively fewer parties in our system, and the origin of the modern party system, which is based on civil- war rather than contemporary policy concerns, suggested that Irish parties may be actually less ideologically cohesive than parties in other countries.

A roll-call analysis of Dail divisions during 1996 showed that in terms of voting behaviour Irish parliamentarians are highly disciplined with the roll-call reporting 100 per cent cohesion. The limited study confirmed the conventional wisdom that deputies act as agents of their respective parties in the legislative arena.

It is also clear that party organisations place great emphasis on discipline and respect for the decisions of the party leadership and parliamentary party. Candidates are required to sign an oath of allegiance to the party before being able to attempt to obtain an official nomination. If successful members are immediately introduced to the formal structures of the parliamentary party. Each of the parties in Ireland have a party whip whose main responsibility is to ensure that members are told what do to do, ensure that they do as requested and in the event of them not

following the instructions ensure that they are appropriately disciplined. Consequently TD are advised how or if they should vote by the party or government whip. Failure to support one's party in a vote in the Dáil or Seanad almost inevitably results in expulsion from the parliamentary party for a period usually not less than three months and not more than a year.

Over the years there have been a small number of cases of deputies and Senators breaking the party whip. On average this occurs only once or twice a year. The issues which give rise to rebellions vary from local constituency matters, where a TD feels obliged to make a stance if only for the benefit of his own local support, to issues of national policy that are important to some individuals.

Rational choice approaches to understanding human behaviour provide an excellent starting point when attempting to model the behaviour of TD in the legislative arena. Based on decision theory a formal model was constructed to explain the high levels of voting discipline. An elementary game theoretic model added to our understanding of the inter dependent nature of the process and the possibility of free riding by individual politicians. Essentially we found that it is rational for deputies to accept the decision of their parties even when they themselves do not agree with the decision because of the need to develop stable party policies and allowing those policies the greatest possible chance of implementation by having all party members vote for them.

Even if a deputy is motivated by something other than policy implementation an examination of the costs and benefits of breaking the party whip indicates that it is again rational for deputies nearly always to follow the whip and refrain from breaking it. The latter comes about because of the central role played by parties in the political system and the dependence that individual deputies have on the party.

However although some degree of independence does exist the party leadership must take care not to offend members as individual deputies may be faced with having to be seen to support their own constituency interests in the face of unpopular party policy. Indeed where a deputy does not break ranks with his party and the issue is important to his constituents not doing so may cost the incumbent, and his or her party a seat at the next general election.

The study has therefore gone some way towards documenting, describing and explaining the fascinating phenomenon that is party control over individual deputies in Irish parliamentary parties.

APPENDIX ONE[1]
GOVERNMENT CHIEF WHIPS[2]

Daniel McCarthy	1922 - 24
Seamus O'Dolan	1924 - 27
Eamon O'Duggain	1927 - 32
Gerald Boland	1932 - 33
Patrick J Little	1933 - 39
Patrick Smyth	1939 - 43
Eamonn Kissane	1943 - 48
Liam Cosgrave	1948 - 51
Donnchadh O'Brian	1951 - 54
Denis O'Sullivan	1954 - 57
Donnchadh O'Brian	1957 - 61
Joseph Brennan	1961 - 65
Michael Carty	1965 - 70
Desmond O'Malley	1969 - 70
David Andrews	1970 - 73
John Kelly	1973 - 77

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[1] Source: Bracken (1995), various *Dail Debates*.

[2] Since the foundation of the State the official title of the chief whip has changed twice; originally Parliamentary Secretary to the President of the Executive Council, after 1937 amended to Parliamentary Secretary to the Taoiseach and since 1978 the Chief Whip has been a Minister for State at the Department of the Taoiseach. So for example, the current chief whip, Seamus Brennan is Minister of State at the Departments of the Taoiseach and Defence and Government Chief Whip.

Patrick Lalor		1977 - 79
Michael Woods	144	1979 - 80
Sean Moore		1980 - 81
Gerry L'Estrange		1981
Fergus O'Brien		1981 - 82
Bertie Ahern		1982
Sean Barrett		1982 - 86
Fergus O'Brien		1986 - 87
Vincent Brady		1987 - 92
Noel Dempsey		1992 - 94
Sean Barrett		1994 - 95
Jim Higgins		1995 - 97
Seamus Brennan		1997 -

THE PARLIAMENTARY GAME

I hear, and I forget;

I see, and I remember;

I *do*, and I *understand*.

This chapter attempts to examine the disciplined behaviour of politicians in the legislative arena by developing a simulation. As we will see below simulations (or games as they are frequently referred to) provide a way of observing, understanding and learning about various political phenomena. The chapter continues by outlining how a simulation to examine the nature of party discipline can be constructed. The remainder of the chapter details the development of the specific simulation, how it is played and what happens/should happen when it is played. We conclude with a critique of the simulation method and our own specific game.

SIMULATIONS IN POLITICAL SCIENCE

Unlike other research methodologies, such as surveys, interviews, field observations and content-analysis, laboratory experiments are infrequently

used in the social sciences. Essentially the methodology is based on the belief that any real-world event can be simulated in a simulation.

Stein Greenbalt (1988, p.14) defines a simulation as 'an operating model of central features or elements of a real or proposed system, process, or environment.' Put very simply a simulation is a model of some element or potential element of real life. What makes simulations different from other forms of models in the social sciences, such as a mathematical model, is that it is dynamic as opposed to static. Like other types of models it does not attempt to capture every aspect of the real-life situation it is attempting to examine - rather it only includes specific elements which are considered important to the overall picture.

Confusion often arises when the terms 'game' and 'simulation' are used interchangeably. There are however important differences between the two. A simulation is, as we said, simply a model. Like a simulation, a game involves parameters (rules), participants (players) and choices (with related outcomes). But the essence of a game is that it involves players developing strategies based on interdependent decision making. Thus many simulations are games (a simulation of wage bargaining) and many games are simulations (the marriage game) but not all simulations are games (a simulation of an emergency plan) and not all games are simulations (poker). The most interesting simulations for political scientists are usually games, as they give a

feel for the interaction between different players with their respective incentives to compete or cooperate.

We will return to the advantages and disadvantages of our methodology at the end of the chapter but before moving on to developing the simulation it is worth quoting from one of the earliest users of this method. Writing in the late 1970s Fiorini and Plott (1978, p567) asked:

> What makes us believe, for example, that we can use college students to simulate the behaviour of Congress members? Nothing. Our beliefs are much more modest. We intend to use the laboratory as a screen for basic ideas: if a model does not predict well relative to others under a specific set of conditions in the controlled world of the laboratory, why should it receive preferential treatment as an explanation of non-laboratory behaviour occurring under similar conditions?

BUILDING THE SIMULATION

One of the leading game designers, Stein Greenblat (1988), identified five distinct stages in the development of a simulation. Those were as follows:

- ◆ setting objectives and parameters
- ◆ model development
- ◆ decisions about representation

- ◆ construction and modification

- ◆ preparation for use by others

In this section we take the reader through each step, explaining what was required to be done and the issues and dilemmas we encountered at each stage in trying to make the model as realistic as possible, useful for testing our claims but still operationalisable. Much of the preparation for the simulation must draw on the decisions taken in building the theoretical model in the previous chapter.

a. Setting objectives and parameters

The object of the experiment is to test the model developed in the previous chapter regarding the behaviour of members of a parliament. Specifically therefore we are seeking to observe, understand and explain behaviour of individual players when they are required to interact in a party and vote on motions and legislation in a parliament. Our dependent variable will therefore be the level of cohesion observed and our independent variables will reflect the various rules and norms associated with a typical legislative arena.

b. Decisions about representation

A form of iconic representation of the subject matter was necessary as it would be unrealistic to find 166 subjects. Indeed the number of participants for the test run was set at 20, based on the number of students available for the experiment. The students came from the authors class on Game Theory at the

Irish Centre for Talented Youth, Dublin City University. One potential worry arose because the students would learn how to act rationally in any strategic interaction during the course. Consequently the experiments were undertaken during the first few days of the course in late July. Further information on how the game was actually played is detailed in the report later.

c. Model development

The experiment was constructed in a number of steps and we will now summarise each step and the key decisions taken at each point.

We are attempting to construct a game about the behaviour of politicians in a parliament with decision making powers and existing political parties.

The first task therefore is to assign players to parties. While this could be done randomly an alternative is to gauge the beliefs and opinions of participants. To do this prior to actually playing the game participants are asked to give replies to some questions on topical issues. An alternative way is to assign players randomly.

The next step was to form political parties. It was decided that for the first play there would only be two parties. At the start of the game each member was placed in the team. The first job of each team was to select a party leader. In order to induce candidates the people selected as leader and chief whip would

receive a salary of £5 and £3 respectively. The electoral system is PR STV. If no candidate emerged one would be selected at random.

The rules of the game were then introduced to all players. Essentially each team leader was told to maximise the cohesion of his or her party in the voting that would take place. The team leader would be rewarded based on a sliding scale related to the actual level of cohesion. Each team member was told that they were a member of a political party to which they had pledged loyalty. Each was required to sign such a pledge.

Thereafter each were told that they could maximise their welfare in two possible ways:

1. by voting with the party and ensuring party solidarity would win money for their party a share of which they would be entitled to.

2. by attempting to enter into deals with the other party they could negotiate for extra money either from their own party or from the other party leader.

Every time a party voted with absolute cohesion they were awarded a certain number of points - in reality based on a sum of money. For each round, represented by each voting decision, a two minute period was allowed for inter-party bargaining where everyone could be cajoled by each other. Voting was secret as none of the participants are meant to know how anyone else voted until after the count. Points were allocated to each player and team by the game director during the subsequent decision making round.

Members were required to vote within a one minute period on pre distributed forms.

ROUNDS

Players were told that there would be an indefinite number of rounds. Consequently nobody knew when the game would terminate and could not forecast their best moves for each round with perfect information.

PLAYING THE GAME

As is essential in any major simulation some materials were required for the game. At the basic level each player was required to wear a team badge so as to be easily identifiable as a member of the team to the leader, whip and other players. Each player was also given voting cards. On each card they were required to vote yes or no to the particular motion. The voting card was then placed in a unmarked envelope and given to the game director.

THE ESSENCE OF THE GAME

The essence of the game is to see how individuals would behave when faced with a choice of whether to vote with party colleagues or to vote with the other party. Essentially, would they vote as directed by the party leader and party whip or would they vote according to their own preferences where this was different? To win a player had to weigh up the short, medium and long term

costs and benefits of following the guidance of the collective party as opposed to bargaining with the opposition.

The game should also provide insights into the 'non-rational' aspects of decision making such as moral consciousness of agreeing to abide but then not doing so. Indeed seeing how peers can inflict pressure on fellow politicians to act in a certain way must be seen as one of the insights provided by playing the simulation.

d. Preparation for use by others

In preparing the simulation for use it is important to ensure that the information provided is neither too complex or too simple. We have followed the format established by Michael Laver (1997b, 1979) and Bergstrom and Miller (1997). Thus we provide in some two pages an introduction, a note on equipment, the basic rules of the game and a list of variations with which the game can be played. A short analysis of the game for when the game has been played must also be included. This is reproduced at the end of this appendix.

RESULTS OF PLAYING THE SIMULATION

The Parliamentary game was first played by a group of 19 participants[3]. The results of each round of voting is reproduced in table 6.1.

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[3] The class was comprised of students from a number of different nationalities aged between 12 and 16. To gain entrance to the three week programme participants were required to sit the

Table 6.1: Results of The Parliamentary Game

round number	no of defectors in party 1	no of defectors in party 2
1	1	2
2	1	3
3	1	5
4	3	4
5	5	6

The winner of the game was the member of party one who constantly defected in each round. As we expected pressure played a major factor for wavering members of the two parliamentary parties. What we also see is that, as the game progressed and the defectors continued to receive increasing amounts of money, players who initially always remained loyal began to rebel.

A CRITIQUE OF THE SIMULATION APPROACH

The use of simulations as a legitimate research tool in the social sciences has not gone without much debate, criticism and counter-criticism. It is only proper that this information be shared with readers. Where it is possible the arguments made by methodologists will be examined in light of our own experience in using the laboratory experimentation approach. Of course when

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Standard Aptitude Tests, examinations usually required for 17-18 year old students to gain entrance into US Universities. Furthermore participants were required to be placed in the top 2 per cent for their age group. The majority normally are within the top 1 percent in terms of academic ability for their age cohort. This of course begs the question as to whether they are very different from whom they are representing given their high level of academic ability.

methodologists criticise and compliment the lab approach they are comparing it to the dominant alternative approach to social science research.

The primary argument could be that the best way to understand something is to view it and this can only be done in the natural environment and not in an artificially created one. Thus to study politicians we must observe politicians. While this is completely justified the problem is that we cannot equate observation and causal explanation. In our case we observed TDs voting behaviour but were unable to formulate any scientifically valid explanations of their behaviour because of the multitude of possible independent variables. Even the most hardened political scientist could not suggest changing the 'rules of the game' as played by real-life politicians so as to obtain a cause-and-effect explanation. Consequently the field experiment is just not an option for a study of this nature.

A related criticism of the simulation technique wherever it is used is that one cannot simulate a complex real-life situation in an experiment with a few subjects. Thus for example in our model the participants have not been socialised by 20 or more years of membership of and loyalty to a party. Likewise other parameters must be artificially induced. Again monetary rewards act as the motivational variable where in real life the motivational variable would be career enhancement.

A problem faced in many research techniques is the problem of demand artefacts. Thus even if they are not told what the experiment is trying to prove or disprove participants may well attempt to aid (or even disable) the researcher by guessing the intention of the research and responding to the research rather than to the independent variables.

Again as with most forms of research the degree of validity of the findings may be questioned. This can easily be divided into two distinct areas, internal and external. With regard to internal validity the question that must be answered is whether or not the results from the experiment are relatable to the experiment itself. It would be a problem if no causal link could be established at the experimental level. However as Malhotra (1996, p. 255) notes, 'a laboratory experiment also tends to produce the same results if repeated with similar subjects, leading to a high internal validity.' Of course even if high internal validity is obtained this will not necessarily translate into an equal level of high external validity - in other words we may not be able to generalise our findings into the real world with much confidence. Of course the key to equating the two is to set the parameters of the model as close to the real world situation as is possible.

However when all is said and done the laboratory experiment is taken seriously by social scientists (Frankfort-Nachmias & Nachmias, 1996). Green and Shapiro (1994, 121) who are generally extremely critical of the rational-

choice approach to understanding politics even have a few good words for the simulation method noting that

> the experimental literature on legislative voting contains some of the most imaginative and thought-provoking empirical work to emerge from rational-choice theory, and a dismissive critique fails to do justice to the potential contribution of this line of research.

SUMMARY

We have outlined a simulation that can be played in an attempt to provide a better understanding of the behaviour of parliamentarians in the legislative voting arena. The key parameters of the game sought to represent the real world situation faced by real parliamentarians. The essence of the exercise was to demonstrate the mix of cooperation and conflict that lies at the heart of the decision faced by politicians in deciding to act collectively or to act independently. The chapter proceeded to formalising the game and preparing it for play by others. Having played the game it is hoped that participants and observers would have a better understanding of the nature and workings of party discipline at a micro level. Below the game instructions are reproduced for use by others.

THE GAME

This is a game for between ten and 200 players. It should last for between one and two hours.

Essentially the game is played in rounds and each political party attempts to ensure that all its members vote in a cohesive manner while attempting to win support from members of other parties. Each political party is composed of two or more people, the more the better.

<u>WARM UP EXERCISE</u>

Parties are formed before the actual simulation commences. The number of parties will vary with the number of players. We recommend that on first play only two parties be formed and individuals be assigned to a party on the basis of their answers to the following questions:

Q1: Do you agree that taxes should be high in order to pay for social welfare.

Q2: Do you agree that the media should be controlled in what they attempt to write about so as to protect the private lives of famous people.

Q3: Do you agree that we should enter any future European military alliance.

The Game Overall Director (G.O.D.) should assign membership of parties based on congruence of opinion on questions. If question one provides an equal division then the remaining questions can be dispensed with.

PLAYING THE GAME

At the beginning of the game all members of the same party meet and elect a leader. The leader is responsible for ensuring cohesive voting. Each party is then provided with an envelope which contains a list of motions. The party will also be told how it is expected to vote.

G.O.D. assigns an equal amount of money to each of the parties. This money is to be spent at the discretion of the party leader in attempting to bribe members of the other parties to rebel against their own party position.

Round one commences with each party leader attempting to muster support from his or her own party. At the same time his or her representatives will be secretly attempting to do deals with members of the other party. At each subsequent round the party leaders receive £50.

Before each vote the two parties are required to place £ 50 in the kitty. Whichever party wins the vote will win the amount in the kitty. Should a tie occur in the voting the kitty is forfeit and returned to the bank.

The leader can decide to expel any member at any time although an expelled member can call for a vote of confidence in the leader, which, if he or she looses means they must retire from the game.

The game stops at a time decided by G.O.D. and unknown to any of the players. At the end any money retained in the party funds is distributed equally to all members of the party.

HOW TO WIN

The winner is the person with the most money at the end.

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