



13. Third-Party Activism

Thomas Collombat & Magali Picard
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Third-Party Activism

Thomas Collombat and Magali Picard

Advocacy group leaders play an important role in Canada's democratic system by bringing up issues or constituencies neglected by political parties. During electoral campaigns, Elections Canada groups these activities under regulations for "third parties." The role of their officials is both to define and to carry the electoral strategies of their organizations by reaching out to members and the broader public. Unions form a significant share of registered advocacy groups, and their leaders actively campaign by using their position, connections, and notoriety to advance the interests of their members.

Les dirigeants de groupes d'intérêts jouent un rôle important dans le système démocratique du Canada en attirant l'attention sur des questions ou des segments de l'électorat négligés par les partis politiques. Pendant les campagnes électorales, Élections Canada regroupe ces activités en vertu du règlement sur les « tiers ». Le rôle de leurs représentants est à la fois de définir et d'appliquer la stratégie électorale de leur organisation en rejoignant les membres et le grand public. Les syndicats représentent une part importante des groupes d'intérêts enregistrés, et leurs dirigeants font activement campagne en utilisant leur position, leurs relations et leur notoriété pour défendre les intérêts de leurs membres.

ADVOCACY GROUP leaders play an important role in Canada's democratic system by bringing up issues or constituencies neglected by political parties.¹ Elections Canada regulates their activities during election campaigns under rules for so-called third parties. Over time, legislators and courts have tried to strike a balance between guaranteeing these groups' freedom of speech and ensuring that the groups do not take a disproportionate place in a campaign or circumvent campaign and party financing laws.² These regulations guide the conduct of third parties and therefore the kind of work that their officials can and cannot do.

Third-party expenses during campaigns are strictly limited. Historically, the approach in Canada has been to extend both the definition of the activities covered and the time frame during which they apply. Third parties have to report on both partisan activities and advertising, the latter including, during campaigns, issue advertising that does not target a specific party or candidate. Elections Canada has adopted an extensive definition of what qualifies as electoral advertising by including most messages supporting or opposing a position taken by a political party.³ Third parties have to adjust to this interpretation. Some strategies in past campaigns that were not considered partisan at the time could fall under that category during the next election. The use of social media and other electronic ways of communication also belongs to the list of regulated activities. Digital communications are particularly useful for advocacy groups to improve their political communications.⁴ Their relatively weak participation during electoral campaigns is usually explained by the lack of funds and resources as well as by the fear of appearing to be too partisan, which could both jeopardize their charitable status under Revenue Canada's stricter regulations and compromise their relationship with the future government.⁵ Each registered third party is allowed to spend up to a certain amount during the pre-election period, usually between three and four months before election day. Each is permitted to spend up to another amount during the official campaign.

Unions form a significant share (about 20 percent) of third parties registered under Elections Canada. In Canada, the labour movement's relationship to electoral politics has been largely dominated by its connection to the New Democratic Party (NDP). The party counted unions among its founders, and its constitution has allowed them to become affiliates and to have formal representation in its governing bodies. Unions were also a major source of income for the NDP until the federal government barred all union and corporate contributions to political parties. Although observers expected this new framework to alter considerably the relationship between the NDP and unions, its impact was not that significant, proving the historical and political strength of the bond between the party and its labour affiliates, despite some policy divergence.⁶ Yet not all Canadian unions affiliate with or even support the NDP.⁷ This is particularly true of some more conservative craft unions or, for different reasons, most unions in Quebec. Similarly, some unions have decided to promote strategic voting, mostly to avoid a Conservative victory in an election. The decision of then Canadian Auto Workers President Buzz Hargrove to support strategic voting in favour of some Liberal candidates when Paul Martin was the prime minister was considered a sign of defiance toward the NDP. However, other unions have called for strategic voting as well.⁸

The third party that we focus on in this chapter is the Public Service Alliance of Canada (PSAC), the largest union representing federal public employees. Its members are directly affected by the outcome of a federal election given that the political orientations of the government have a significant influence on how it behaves as an employer. Union delegates elect PSAC officials at the convention. Therefore, they are distinct from union staff, often called union representatives, hired by the union. The president, the national executive vice-president, and the regional vice-presidents form the Alliance Executive Committee, the executive body of PSAC.

During electoral campaigns, the national leadership is in charge of applying the orientations adopted by the convention and

determining the specific strategies to do so. Often unions have a two-pronged approach to elections: on the one hand, they have to convince their members to vote according to the position of their union; on the other, they try to influence the broader population to support their views and vote accordingly. In this work, union officials also represent the public face of PSAC. They are the ones who address the media in the name of the union and reach out directly to politicians in order to promote their positions. Sometimes they publicly support specific positions or connections, whether they are mandated to do so or not. For instance, in 2011, Nycole Turmel, the former PSAC president, was elected as an NDP MP. She eventually became the interim leader of the party. Her role in the NDP symbolized its labour connections.

Duties in an Election Campaign

Advocacy groups vary greatly depending not only on their sizes but also on the interests that they represent and the internal structures that they adopt. Among those that are member-based (the case with unions), officials are the elected representatives of the members and subject to the accountability mechanisms and governing procedures of the particular organization. Its largest and most representative body usually adopts the political orientation of the group. Executive members participate in those debates, but they do not decide by themselves what the general orientation should be.

Political representation is an important component of PSAC officials' day-to-day work. As the main bargaining agent for federal government employees, these officials act both as labour relations officers and as political representatives of their members. The executive members are at the heart of this dual relationship with the state and with the governing political parties. Their regular contacts with government representatives and political staffers set the groundwork for their duties during the campaign.

The PSAC executive provides training and tools to members for the purpose of political representation. The union leadership

updates a lobbying kit monthly. The kit summarizes the positions and priorities of PSAC and how to reach out to politicians in order to promote these goals. When a regular lobbying activity happens during the year of an election, it becomes part of the plan of the union to push forward its agenda. The National Lobbying Day organized by the Canadian Labour Congress – to which PSAC is a major contributor – is one of those events. On that day, rank-and-file members meet with MPs in Ottawa, prioritizing those bearing the portfolio of labour, to promote the positions of their unions. Union officials play a crucial role in preparing union members to communicate with MPs, ensuring that the position put forward by the union is consistent, whether communicated by members or national officers.

For officials of member-based advocacy groups, another crucial element of campaign preparation is knowing where the group's members stand politically. This is all the more important in the case of a large union such as PSAC, whose membership covers a broad range of occupations as well as varying degrees of identification with the union itself and its positions. Information is usually gathered through direct contacts between the executive and the membership as well as through the internal representative structures of the union. Internal polls are also commissioned to inform leaders about the concerns of members, their perceptions of the current government, and their voting intentions for the next election.

Even when they are member-based, advocacy groups often have partial perceptions of their members through the issues that they represent or the services that they provide – hence the necessity to gather more information in order to determine an electoral strategy. For the executive, the goal is not to tailor the organization's position to the dominant one of its membership. Rather, it seeks to adjust the electoral strategy so that it reflects the union's values and ideology, along with the capacity of the union to mobilize its members on this basis.

When an election is scheduled, the PSAC National Convention preceding the election determines the position of the union and

adopts a budget specifically dedicated to the campaign. The executive committee is then mandated to put together and bring to life the strategic plan of the union. PSAC usually encourages the election of candidates who support the development of federal public services and are in line with the values of the labour movement. The job of the executive is therefore both to refine the position and to determine the specific tools that will be used by the union to act on that mandate. This task entails writing to party leaders to inform them of the union's priorities and to ask them about their takes on those issues. Because of the historical ties of the NDP to the labour movement, contact with the party is usually easier, though it can vary from union to union and over time. Similar proximities can exist between other advocacy groups and parties, depending on the issues at stake. The parties' answers contribute to pinpointing the union strategy so that the National Board of Directors, the highest governing body of the union between conventions, can adopt a final strategic plan shortly before the official pre-electoral period.

The strategy is twofold: convincing members to vote along the lines of the union's recommendations and reaching out to the broader public to make the organization's positions known. Executive members play a central role in both aspects. As the highest elected officials of the union, they are its voice and have significant influence on its members.

A major part of the electoral strategy is to meet in person with as many members as possible. This is done through a two-month-long nationwide tour of the leaders during which they meet with thousands of PSAC members. Up to six meetings are organized every day, sometimes including weekends. These meetings allow the president and then national executive vice-president to explain the union's positions, encourage members to get involved in the campaign, and exchange ideas. This can be a delicate exercise for the union leadership, and that is when knowing where members stand becomes crucial. Union members, just like members of any advocacy group, do not follow blindly the instructions of their

leaders. The meetings are opportunities for union officials to carry their messages and make members aware of the positions of the parties and their potential impacts on the federal public service. This consultation occurs without imposing a view or suggesting which candidate a member should support. The personal qualities of the leaders play a particular role, and they use their legitimacy and access to argue in favour of a position without giving the impression that they are dictating a choice.

For all advocacy group officials, communications with their members are a particularly efficient and privileged way of campaigning because communications are not included in the activities regulated by Elections Canada. Even when member outreach is done during the pre-electoral or the electoral period, these activities are not as restricted as those directed to the broader public. Depending on their resources, advocacy groups may engage in actions focused on key ridings where opinion polls indicate that the race is close and involves a candidate that the organization wishes to support or defeat. The job of the national leadership is to define the criteria to pick those ridings. The PSAC executive usually favours ridings where the NDP candidate has the best chance, though they might support another candidate if that individual has a better chance to beat the representative of the party that the union opposes the most. The capacity of the union to campaign effectively in this riding is also taken into consideration – areas where the union has critical masses of members to help with canvassing are privileged. In addition to picking those ridings, officials might be requested to participate in local campaigns, for example by meeting with candidates.

Media interviews comprise a big part of the leadership's work during the campaign. Whereas all parties and advocacy groups fight for airtime, it is the role of executive officers to use their notoriety and connections to be heard as much as possible. Their main duty is to make sure that the issues most important to the organization are talked about and that candidates are then questioned about them. Beyond the issues themselves, advocacy group representatives

sometimes use their media interventions to make the public aware of who their members are and what they do. This is particularly true of PSAC, whose members' work as federal public servants is often less known by the public than the union representing their provincial counterparts. By educating voters about the roles of federal employees, PSAC tries to convince the electorate that it is important to listen to the messages of their representative organizations.

The leadership also supervises the content of the promotional material produced for the campaign. Although advocacy groups can use print materials such as posters, flyers, and newspaper ads during an election, digital communications now form a significant part of the effort and are regulated as such by Elections Canada. A website dedicated to the election is set up and directed to both members and the broader public. Whereas some sections simply present the positions of the organization, others contain information dedicated to members. The PSAC leadership has decided, for instance, to inform members about their rights and restrictions to be politically active as federal public employees. Social media accounts are also used to carry the campaign. When the leader of the organization is particularly well known, that individual's social media profiles might have more followers than those of the organization itself. These profiles can be used to build a prominent platform to spread the message of the campaign.

Finally, it is common for nationwide advocacy groups to be federations themselves, umbrella organizations with which smaller entities are affiliated. This is the case of PSAC, itself a gathering of several unions, each representing workers from specific departments or agencies of the federal government. In this case, the role of the leadership is to make sure that the campaign is unified and that the message carried by the organization is consistent. Even if the affiliates of the organization are represented in the different governing bodies of the union, some might have the capacity and the autonomy to launch their own initiatives for the election. The executive then has to make sure that no unintentional repetitions or contradictory messages are sent to the members and the electorate. This

applies to all dimensions of what the organization does, but it becomes particularly crucial during electoral campaigns, when the capacity of an advocacy group to be heard and listened to depends on its ability to articulate a clear and coherent message.

Overcoming Obstacles

One of the main goals of any advocacy group during an electoral campaign is to convince parties and candidates to support its positions. For a union, this involves the values and policy options that it promotes as well as the material conditions of its members, namely their jobs. Unions in general and PSAC in particular usually consider the NDP as a natural ally and tend to support its candidates. Therefore, it came as a surprise when the party decided, a few months before the 2019 general election, to support the idea of a single tax return in Quebec administered by the provincial government. If it were implemented, then it would jeopardize the jobs of hundreds of PSAC members working for the Canada Revenue Agency in Quebec. The national executive vice-president of the union therefore requested a meeting with the leader of the NDP to explain the implications of that position and the impacts that it could have on PSAC's support for the party. Shortly afterward, the party changed its position on the matter.

Another challenge for advocacy groups is to make sure that the issues they care about stay at the forefront of the campaign. For PSAC, the long-lasting issue of the federal government's failing pay system, known as Phoenix, had to be one of the main topics discussed by candidates. Noting that the public discussion was moving away from it in the middle of the campaign, PSAC leaders decided to target the National Capital Region, where the union had the most members affected by this issue and launched a media blitz to put Phoenix at the centre of the campaign again. A few days later both the NDP and the Liberal Party held press conferences to address the issue. It was particularly challenging for PSAC. While blaming the former Conservative government for initiating Phoenix,

the union also criticized the Liberal government for not fixing it. This stance presented difficulties in ridings where the best-placed candidate to beat the Conservative one was a Liberal, given that the union's position could then be interpreted as contradictory.

Worth noting in those two cases is how union officials faced those challenges by using not only their connections and notoriety but also the numerical strength of their organization. The historical ties between organized labour and the NDP definitely make it easier for a union to connect with and eventually influence the party. However, the impact on the involvement of the union in the campaign also weighed in the balance, mostly when some Quebec sections of PSAC decided to support another party in the past. The same goes for the media blitz in the National Capital Region, a decision that fit with the strategic plan adopted by the union that favoured ridings and areas where significant numbers of PSAC members live. Ultimately, advocacy group leaders use a broad range of tools to advance their interests in a campaign, whether it is their reputation, their expertise, or their connections. In the case of union members, they do not vote in elections as a bloc with their leaders, but they do tend to support the party favoured by their union in a larger proportion than the rest of the population.⁹ The strength of a vast membership remains a significant weapon, even to convince traditional allies.

Notes

¹ Grosenick, "Opportunities Missed."

² Lawlor and Crandall, "Policy versus Practice."

³ Elections Canada, "New Requirements for Third Parties."

⁴ Laforest, "Going Digital."

⁵ Pross, "Barriers to Third-Party Advertising in Canadian Elections"; Grosenick, "Opportunities Missed."

⁶ Janson and Young, "Solidarity Forever?"; Pilon, Ross, and Savage, "Solidarity Revisited."

⁷ Savage, "Contemporary Party-Union Relations in Canada."

⁸ Savage, "Organized Labour and the Politics of Strategic Voting."

- ⁹ Savage and Ruhloff-Queiruga, “Organized Labour, Campaign Finance.”

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Contributors to Chapter 13

THOMAS COLLOMBAT

is an associate professor of political science at l'Université du Québec en Outaouais. He publishes on the socio-political dimensions of the labour movement in Canada and Latin America, and he is the president of the Canadian Association for Work and Labour Studies.



MAGALI PICARD

is the national executive vice-president of the Public Service Alliance of Canada. She is highly involved in the political orientation and strategies of Canada's largest federal public workers' union. She was the regional executive vice-president for Quebec from 2012 to 2018.

