Flanagan's Status Quo

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In 1988 abortion legislation was abolished by the supreme court of Canada (Flanagan 120). Current law was deemed to violate a women's "security of person" under the Canadian Charter of Rights and Freedoms (Wikipedia). Drafting and passing abortion legislation became the responsibility of the current Prime Minister and the House of Commons (Flanagan 121). Attempts by Brian Mulroney to introduce abortion legislation into the House of Commons and senate failed repeatedly (Flanagan 121).) Despite public opinion favoring moderate legislation, abortion in Canada remains unlegislated (Flanagan 121).Under the circumstances stated why does Canadian abortion law remain in a state of limbo?

In *Game Theory and Canadian Politics* Thomas Flanagan attempts to elucidate this seeming anomaly in Canadian politics. Firstly, the inability to pass new legislation is explained by the tendency for the status quo to prevail when a "cyclical opinion structure"(Flanagan 121) is present in the legislating body (Flanagan 121). Secondly, Flanagan (121) emphasizes how parliamentary outcomes are influenced by the procedures with which legislation is passed. These two points are illuminated and analyzed using aspects of game theory. Rational choice theory is used to analyze the parliamentary procedure and cyclical opinion structure that caused all possible resolutions and amendments introduced into the House of Commons to fail. Than, the game of chicken and extensive form games are introduced to explicate bill C-43's majority vote in the House of Commons and subsequent failure in the senate.

Although enlightening, Flanagan's analysis lacks in-depth explanations and pertinent aspects of game theory. He comments on the vote's failure to unify around the

median voter, but fails to develop or sufficiently explain this comment. The sequential games used to explore the case of bill C-43 lack fundamental aspects of game theory such as the Nash equilibrium and subgame perfection. Lastly, his assumptions pertaining to ordinal utilities appear to violate necessary elements such as connectivity and transitivity (Gates and Humes 8).

This paper will attempt to critique and expand upon Flanagan's case study the "staying power of the status quo." Mulroney's attempt to introduce abortion legislation to the House of Commons will be introduced and Flanagan's analysis of the subsequent events will be explained and critiqued using additional aspects of game theory absent from the original paper.

Mulroney began the battle for abortion legislation by attempting to test opinion in the House of Commons with an unconventional parliamentary procedure. He would introduce a set of resolutions containing three different choices: a moderate gestational approach, a pro-life approach and a pro-choice approach. The resolutions were to be voted upon and drafted into a bill (Flanagan 124). This voting process would eliminate a fourth option--the status quo-- which would typically be voted upon in parliamentary procedure. (Flanagan 124). Regular parliamentary procedure dictates the bill in its final, amended form compete against the status-quo. The opposition refused to comply with the new procedures and a free vote was held on a motion supporting moderate gestational legislation. (Flanagan 124). The resolution and five amendments were voted upon and defeated. The amendments were as follows:

1. A Pro-choice compromise that would necessitate justification of termination in later stages of pregnancy (Flanagan 126).

2. A pro-life amendment that would define early pregnancy to the first trimester (Flanagan 126).
3. A strong pro-life amendment allowing abortion only if the mother's life is in danger (Flanagan 126)
4. An amendment that would define early pregnancy to the first eighteen weeks (Flanagan 126).
5. A pro-choice amendment that would allow abortions to be performed only by a qualified doctors. (Flanagan 126)

With the failure of the resolution and all its amendments the status-quo continued to prevail. However, the vote did successfully test opinion in the house. The Members of Parliament could now be categorized according to their opinions. Flanagan analyzed this data by placing the MP's into seven groups:

1. 40 Resolute Pro-choice who wanted to maintain the status quo
2. 12 Pro-choice compromisers who voted for amendments one and five
3. 17 Pro-choice leaning moderates who voted for amendments one, five and the government resolution
4. 38 moderates who voted for the government resolution
5. 12 Pro-life leaning moderates who supported the government resolution plus amendment two
6. 9 Pro-life compromisers who voted for amendment three and the government resolution
7. 96 Resolute pro-lifers who voted for amendment two and/or three and against the government resolution. (Flanagan 127)

A strange phenomenon had occurred: the ninety-six pro-lifer's voted against the government resolution in the final vote and by default supported the status-quo—a seemingly pro-choice option. Flanagan mentions that the expected outcome would be for the "majority to coalesce around the position of the median voter…as is predicted by elementary rational analysis of uni-dimensional conflicts"(Flanagan 127). He fails to explain this comment. What is a "uni-dimensional conflict" and why does this situation violate its expectations?

A uni-dimensional conflict is a dispute involving a single issue, such as abortion, with gradated strengths of opinion (Brams 28). It can be represented graphically with opinion along the x-axis and the number of voters along the y-axis (Brams 28). The median is the line intersecting the x-axis dividing the area under the curve into two areas of equal proportion (Brams 28). According to rational analysis voter opinions are fixed but their vote will depend upon the position of the options along the horizontal axis (Brams 28). Under a bell-shaped distribution the median position falls at the optimal position for voting support because the majority of voters will have an opinion near the median position (Bram 28).

Flanagan's argument can be farther explored by displaying the distribution of MP opinion and placing each amendment at its approximate position on the distribution. This is demonstrated below (fig 1). MP opinion does not fall under a stereotypical, symmetric, bell shaped curve. Instead, opinions at the extremities have the greatest frequency. The pro-life side has an especially high frequency of voters at its extreme pole. This causes the median to drift left and fall between the pro-life moderates and pro-life compromisers (Flanagan 127). According to rational analysis amendment two should

have passed because it falls closest to the median and therefore should have harbored the greatest support. Why did amendment two fail? And why did the status quo-prevail when it falls to the far right of the gradient and is the farthest choice from the median?

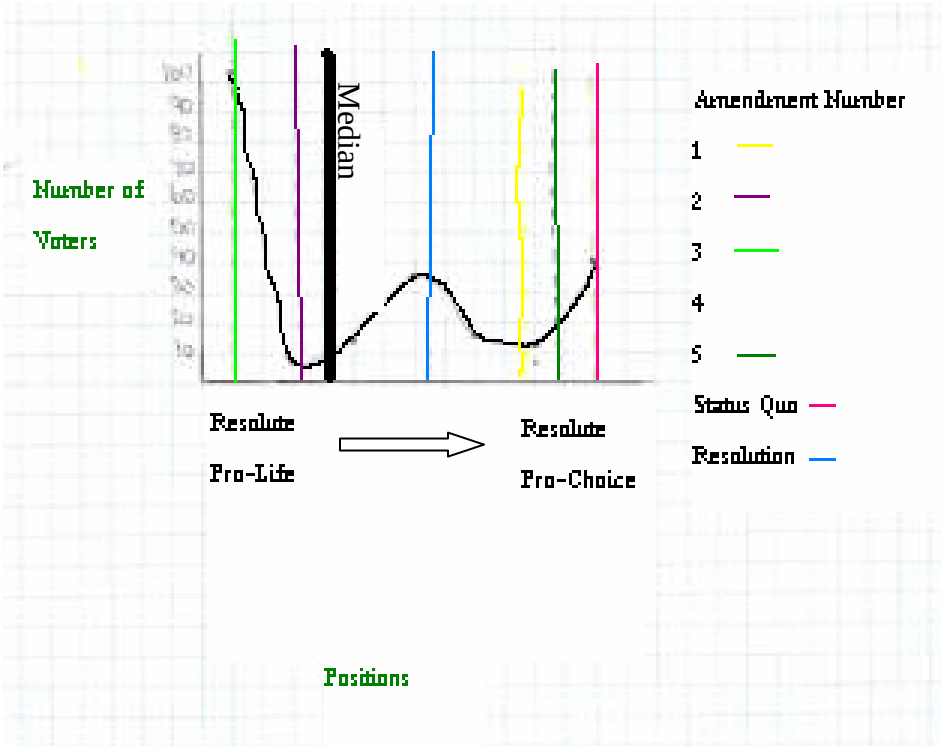


Fig 1: Voting distribution

Parliamentary procedure and a structurally induced equilibrium determined the fate of amendment two (Flanagan 130). In parliamentary procedure Member's of Parliament choose between two options in a series of votes. Each amendment competes against the original resolution and in the final vote the amended resolution is pitted against the status-quo (Flanagan 130). Amendment two was introduced before amendment three (Flanagan 127). It was defeated because the resolute pro-lifer's and pro-life compromisers still hoped to pass amendment three (Flanagan 127). The final vote was between the gestational resolution and the status quo. The status quo's triumph is an example of a structurally induced equilibrium. A structurally induced equilibrium is a

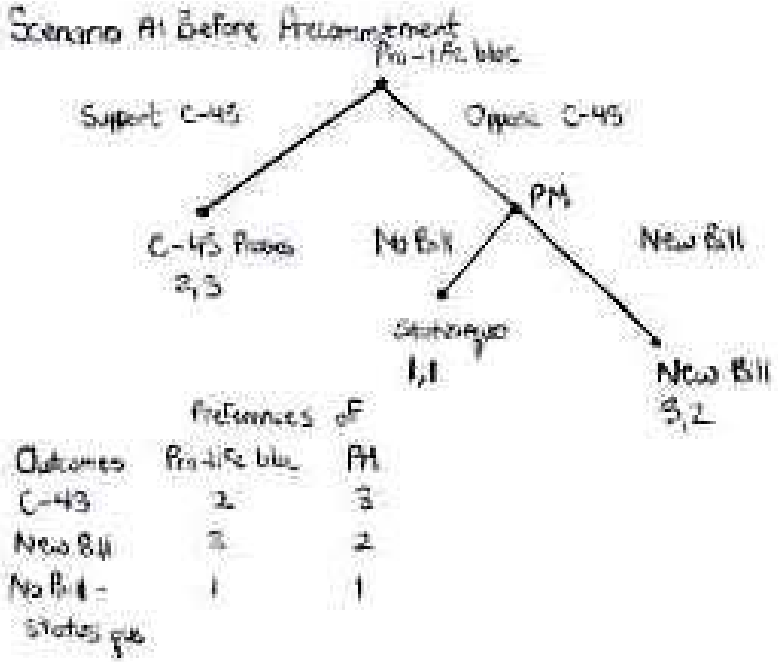
forced outcome obtained by directing options into a binary choice (Flanagan 130) The parliamentary procedure forced the resolute pro-lifer's to choose between the status quo and the gestational resolution in the final vote, when they clearly preferred a different option: amendments two and/or three.

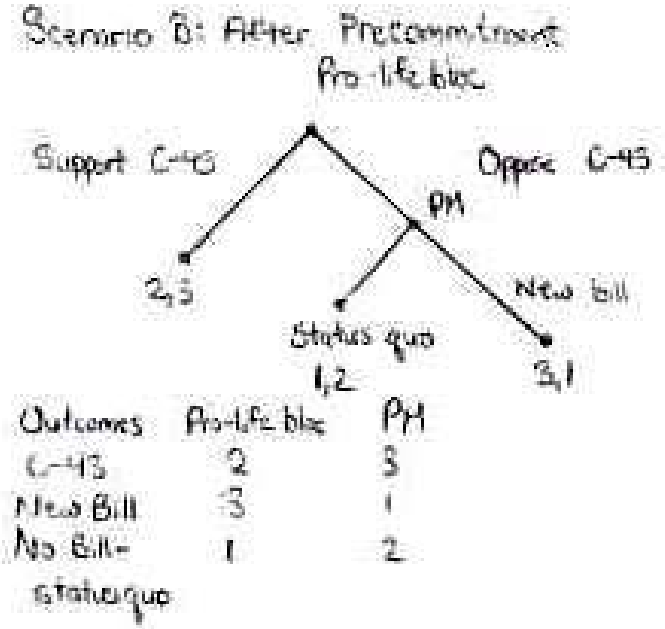
It was during the final vote that the ninety-six pro-lifers did something unexpected. They voted against the gestational resolution (blue in Fig 1) in support of the status quo (pink in Fig 1)—seemingly supporting the position farthest from their own (Flanagan 128). This action can explained by the resolute pro-lifer's hope that a present status quo would lead to move favorable legislation in the future (Flanagan 128).

In a final attempt to introduce abortion legislation Mulroney brought forth bill C-43. If successful, it would legalize abortion for women when pregnancy threatened psychological, physical and/or mental health (Flanagan 132). Mulroney announced that bill C-43 would be the final attempt by his government to introduce abortion legislation. Additionally, he declared all cabinet ministers would support bill C-43 (Flanagan 133). This is an example of precommitment (Flanagan 133): Mulroney declared his intended action and therefore limited the possible outcomes of the vote. Bill C-43 passed in the House of Commons but failed in the senate. Flanagan modeled the situation in the House of Commons before and after precommitment using sequential games.

Flanagan demonstrated the actions of the pro-life bloc and prime minister in the sequential games on the following page (Flanagan 128).

Fig 2: Flanagan's (134) Sequential Games





Flanagan (133) compares the actions of the resolute-pro lifers to players in the game of chicken. This comparison appears improbable and I will argue that the outcomes of the sequential games can better be explained using Nash equilibrium and subgame perfection

Flanagan claims the pro-life block's actions, before Mulroney's announcement to precommit, were analogous to the game of chicken. Although precommitment is a strategy used to respond to the game of chicken, the game modeled by Flanagan (134) does not resemble chicken. Chicken is modeled in matrix form below (fig 3)

	C	D
C	3,3 (P)	2,4 (N,P)
D	4,2 (N,P)	1,1,

Where 4>3>2>1

N= nash equilibrium

P=pareto optimal outcome

Fig 3 Chicken

The sequential game created by Flanagan was converted to matrix form and is modeled below.

Prime Minister			
Pro-Life Bloc		No Bill	New Bill
	Support C-43	2,3 (P)	2,3 (P)
	Oppose C-43	1,1	3,2 (N,P)

Where 3>2>1

Fig 4: Matrix form of sequential game

Firstly, Flanagan's game contains only three possible utility values compared to chicken's four values. Secondly, it contains different Nash equilibrium and pareto optimal outcomes. Lastly, Flanagan's game contains repeated outcomes: no bill and support C-43 and, new bill and support C-43 produce the same outcome. The matrix form of Flanagan's game does not appear to be analogous to chicken.

Flanagan neglects to analyze his sequential games using typical elements of game theory. Analysis using Nash equilibrium and subgame perfection adds depth to the explanation of the outcomes observed. Before precomittment a new bill is the subgame perfect outcome. This means it is both a feasible outcome within the game and is a best response for both players to all of the other players' possible strategies (Gates and Humes 25). After precommitment the passing of C-43 is the subgame perfect outcome. According to Flanagan's model the subgame perfect outcomes model the real life result: only after precommitment did abortion legislation successfully pass through the House of Commons.

My final contention involves Flanagan's sequential games and two basic assumptions of game theory: connectedness and transitivity (Green and Shapiro 15).

Firstly, connectedness implies that the preferences of an agent can be ranked. (Green and Shapiro). Attempting to assign a common ranked utility to a group and not a single agent becomes problematic. Flanagan (134) assigns common ranked utility values to all three pro-life groups. He is assuming all members of the pro-life group including pro-life leaning moderates who supported the government's original resolution and amendment two and, resolute pro-lifer's who opposed the government resolution but supported amendment two and three would rank their preferences the same. This is

unlikely as the pro-life leaning moderates would be more likely to prefer C-43—which is similar to the first resolution and amendment two—more than the resolute pro-lifers. Flanagan, by assigning a common ranked utility to all members of the pro-life group may be challenging the assumption of connectivity.

The inherent variation in opinion between poles of the pro-life bloc also hinders the assumption of transitivity. For transitivity to occur in Flanagan's sequential game the pro-life bloc would always prefer a new bill over C-43 passing and always prefer C-43 passing over the status-quo, and also always prefer a new bill over the status-quo (Gates and Humes 8). This implies the presence of a unified opinion within the group. This unified opinion is absent from the pro-life bloc. Therefore another basic assumption of game theory may be neglected in Flanagan's sequential game analysis.

In conclusion, Flanagan's analysis only begins to explore the applications of game theory to the "staying power of the status quo" (Flanagan 119). His analysis was propelled farther by modeling the distribution of MP opinion surrounding the abortion issue. One was than able to see the discrepancy between opinion and the outcome: the majority of MP's supported a pro-life approach but the status quo prevailed. The idea of structure induced equilibrium increases our understanding of this phenomenon in politics. By farther analyzing Flanagan's sequential game model with sub game perfect equilibrium our understanding of the final outcome increases and the outcome is seen to mirror real life events. Finally, certain aspects of Flanagan's sequential game model were critiqued and found deficient. Although Flanagan's case study was enlightening, some aspects may be flawed and an enhanced analysis farther explicates the phenomenon of the "staying power of the status quo."

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