

Brief
Submitted to the
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Committees Directorate | Direction des comités
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With this submission I ask your Committee to move quickly on the matter of electoral reform. This is not constitutional change: it is a matter of simple legislation and regulation. Our democratic health requires electoral change. Much scholarly work has been done on the matters of electoral systems, representation, citizen engagement and democratic legitimacy in Canada, and many studies are comparative with other countries, including those most institutionally and culturally like Canada. No doubt your research staff is familiar with this corpus of material. I'll mention only four studies here. The 2004 Report of the Law Commission of Canada study (*Voting Counts: Electoral Reform for Canada*) is reliable, authoritative and available (if a little out of date now) and moreover was produced to educate and inform Canadians. Dr. Dennis Pilon's important work on electoral systems is also available, and his bibliography is a valuable resource to any study of Canadian electoral reform (Dr. Pilon is at York University; see his 2007 *The Politics of Voting*). Fair Vote Canada (<http://www.fairvote.ca/>), a respected non-partisan organization which advocates the adoption of proportional representation, has amassed a wealth of research data and popular support for its cause. Finally, Dr. Pippa Norris's multi-year 139 state study of electoral integrity measures is available and continuously updated; Dr. Norris's work is available at <https://sites.google.com/site/electoralintegrityproject4/publications-1/links-to-other-publications> and on related sites covering her work.

Dr. Norris's measurements of electoral integrity include human rights such as that invoked in the 1948 United Nations Declaration of Human Rights, Article 21(3): "the will of the people shall be the basis of the authority of government" and she evaluates countries on a 100-point system. She presented her work at the Canadian Political Science Association annual conference at the University of Calgary in June 2016. It demonstrates convincingly that proportional representation produces the best measures of representation of diversity of opinion and population and the best measures of democracy. Dr. Norris finds that PR achieves better measures of electoral integrity than any other system in the world. While Dr. Norris reported that Canada scored well (with 75/100) on measures of electoral integrity, it could do better; she asserted that proportional representation would improve Canada's score. In her presentation she noted that PR constrains the power of 'single party executives' [like our government] and limits rule manipulation; it maximizes the potential numbers of winners, which builds citizen trust in the electoral process; and it attracts more citizens into the political process. I recommend your Committee study her work.

Our plurality (or first-past-the-post) electoral system does not produce a sufficient measure of democratic representation. MPs routinely win elections with a minority of the popular vote, while the votes for other parties are effectively lost. While it is expected that the winning candidate, the MP, will represent everyone, the fact is that the MP not infrequently is most attentive to his or her supporters. Those who voted and especially those who are known to be activist for other political parties are less likely to receive effective constituency work and representation. The resulting Parliament does not accurately reflect the political diversity among Canadians. Simply consider the small but not insignificant number of Green votes that are currently not counted toward a representative: 3.43% of the 2015 federal vote produced 0.03 of the seats in

Parliament. Consider also historical electoral results in which regionally concentrated votes for a single party have led to a disproportionate share of seats in the House of Commons (the Bloc Quebecois in the 1993 election), while more widely nationally dispersed votes (such as the Progressive Conservatives in the 1993 election) have not led to representation in numbers anywhere near parties' popular vote share. The debate in and legislation from the consequently unrepresentative Parliaments is similarly unrepresentative of the range of Canadians' political views. Our unrepresentative electoral process leads to a reduced degree of electoral democracy and political legitimacy. It leads to citizen apathy and cynicism about politics. That erodes democracy.

Alternative vote systems have been shown to produce no better democratic outcomes than the plurality system. Dr. Norris's work confirms this. AV systems, or ranked ballots, allow people to indicate their first, second, and third choices: if their first choice doesn't win, their vote moves to the second, and so on. Parties are able to 'game' AV systems to secure electoral outcomes despite not holding a majority of citizens' first choices as, in a multi-party system, any party securing a good proportion of second choice ballots can win despite not having a majority of the first choice ballots. That condition is highly probable in Canada federally. The federal Liberals stand to benefit from AV, as they are the second choice of many Conservatives, Greens and NDP voters. An AV system would keep the Liberals in power a very long time without having a majority of Canadians choose them as their first choice. It would consign other parties to the political wilderness. That is not good for democracy.

Please give us a proportional representation system. The evidence is compelling. Only a proportional representation system allows people to vote for, and get, what they want. Votes for parties are aggregated and seats awarded on the basis of the percentage of the total vote. Thus, 20% of the popular vote translates into 20% of the seats in Parliament – no more and no less. Adoption of proportional representation will produce the best and quickest improvement in Canada's quotient of both democratic representation and democratic legitimacy. Our plurality electoral system does not produce a sufficient measure of democratic representation. The Prime Minister has assured Canadians that the 2015 federal election will be the last fought under the plurality system. The scholarly evidence is, hands down, in favour of proportional representation as the best mechanism to secure the best measure of electoral democracy, of representation of diverse populations and demographic categories, and of citizen confidence in electoral outcomes.

Please don't give us a referendum. Referenda are inherently divisive and are unlikely to produce positive change. Think Brexit. Governments often resort to referenda on profoundly important and complex issues. This is arguably a strategic option as it insulates governments from responsibility and thus from voter anger for a decision. But making decisions is the job of governments, who are elected to do just that. Our Parliamentary processes are intended to provide a vigorous debate and opportunities for reflection prior to legislative enactment. Canada is not designed to be governed by referenda. Most of us are not competent to make decisions on difficult and complex

political and legislative matters, while parliamentarians have highly educated specialists available to them. To my sorrow (and this is an indictment of both our education systems and our media) most Canadians are not well educated about our electoral (and other) institutions. Moreover, Canadians have shown that when faced with voting on matters which they don't feel well informed about, they vote for the status quo. The Charlottetown Accord was a good example of this, but the various provincial referenda held on electoral change have also demonstrated this. Committees such as yours exist to permit public contributions to the deliberative process. Thus, there are opportunities for those who wish to, to contribute to the debate without a need for referenda.

Canada's chief electoral officer Marc Mayrand has noted that a referendum would cost the country about \$300 million and about 6 months' of Elections Canada's time and talent – and that's without the cost of public education. The provincial governments which held referenda on electoral change did not provide robust public education in advance of the vote. Opponents spent heavily to advertise in favour of the status quo. No referendum should ever be presented without a strong public education program, publicly funded, accompanying it.

In sum, the scholarly evidence supports the adoption of proportional representation by Canada as the best means of securing the best measures of democratic representation and thus of legitimacy in the eyes of citizens. Other electoral options do not secure the measures of democratic representation and legitimacy that we seek. A referendum is undesirable as it would be divisive, costly, and would be highly unlikely to be mobilized on the basis of solid information. Parliament has the authority and the responsibility to make the electoral change promised by the current government without resorting to a divisive and costly referendum. It should do so without delay, in order to fulfill the government's promise, and in order to provide Elections Canada with sufficient time to conduct the next election under the new system.