

Submission to House of Commons Electoral Reform Committee

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An Electoral System for Canada

Canada's existing electoral system was not designed to meet the needs of Canada, but was inherited from the United Kingdom. When people speak of alternatives to the existing system, they often merely mention systems that exist in other countries and speak of importing those systems wholesale. These approaches are problematic; we need to engage in a process of electoral design which creates a new system that responds to Canada's specific needs.

In designing such a system suited to Canada, there are a number of issues which must be considered and evaluated.

Canada is a geographically large country with a heterogeneous population. This fact introduces two issues that any electoral system must consider: local representation and national unity. Local representation is absolutely paramount due to the geographic size and diverse population, but at the same time, this diverse population and regional differences have traditionally created national unity problems for the Canadian federation. An electoral system made for Canada must both facilitate local representation and national unity.

The third issue that has perpetually been a problem for Canadians is one of electoral fairness. We need a system that ensures that the will of the people, expressed through voting in elections, actually translates to the seat distribution in the House of Commons. Canada's heterogeneous and diverse population mean that it is rare for any one party to achieve an absolute majority. Canada's electoral system should ensure that the House of Commons reflects how people truly voted.

The fourth issue is another historical problem in Canada, that of strategic voting. With a multi-party system, Canadians are often pushed to vote strategically. This means that many people do not vote for who they actually want to win, but vote for the candidate who they believe can best defeat the candidate they wish to lose. In this sense, voting becomes not an expression of a positive political choice of which candidate might best represent a citizen, but turns into a negative game where voters seek to block a candidate they do not like. An electoral system must encourage voting as a positive experience, otherwise it merely encourages cynicism which leads to declining participation.

First Past the Post Fails to Respond to these Four Criteria

Canada's existing electoral system, first past the post or single member plurality (FPTP for short), fails to respond to the unique Canadian political situation. To some extent, the members of the committee are cognizant of this fact for having created such a committee, but the problems with FPTP will be outlined quickly in order to demonstrate how a made in Canada system would be an improvement.

On the issue of local representation, FPTP is often positioned as the gold standard. It delivers local representation based on ridings. However, these ridings are very uneven in population. Sparsely populated ridings such as Nunavut, Labrador, and Yukon contain 18,000 to 25,000 potential voters, while dense urban ridings such as Niagara Falls, Brantford-Brant, and Oshawa contain as many as 95,000 to 101,000 potential voters. Due to the large size and uneven population distribution in Canada, FPTP fails to deliver adequate local representation in densely populated urban ridings. MPs in urban ridings represent five times more people, and thus are five times busier, making them less responsive and available. Furthermore, many voters feel compelled to vote for a local candidate they do not like, just because this candidate represents the party they support. FPTP encourages people to hold their nose and vote for bad local candidates in the name of ensuring their preferred national party wins.

On national unity, FPTP is often said to be not a national election but an agglomeration of many regional elections. This means that FPTP is inherently bad for national unity because it rewards political parties with condensed regional support, and punishes parties with broad national appeal. The practical result of FPTP has been the formation of majority governments and official oppositions which are regional in nature. The Quebec sovereignty movement, Western alienation, and Atlantic Canada's perpetual feeling of being ignored are at least in part a symptom of FPTP which enables governments to be formed that shut out entire regions or governments which unduly over-represent the regions in which they have concentrated their support.

FPTP is a problematic system in terms of fairness because it does not translate votes directly to seats in parliament. The nature of the system as a series of regional elections to elect a national government (which is a flaw in itself), leads to distortions between the will of the people and the composition of the House. The classic example of this distortion, which also underscores the national unity issue, is the 1993 federal election. Kim Campbell's Progressive Conservatives won a mere 4 seats, making them the fifth party in Parliament. Despite their very low seat total, the Conservatives actually enjoyed a considerable measure of broad national appeal which resulted in 16.04% of the popular vote. Unable to concentrate this support into a single region, their significant level of support did not translate to seats in the House. Meanwhile, the NDP won 9 seats that election with just 6.88% of the vote, and the Bloc Quebecois won 54 seats with only 13.52% of the vote. The Reform Party, who won 18.69% of the popular vote, just 2.65 percentage points more than the Progressive Conservatives, were able to translate that level of support into 52 seats due to regional concentration. After the 1993 election, the House of Commons did not accurately represent how Canadians voted, and did not accurately represent the political composition of Canadian society.

In fact, taken to the extreme, FPTP could theoretically deliver a majority government to a party that won just 26% of the popular vote while at the same time delivering not a single seat to a party winning 49% of the popular vote! Consider the following example of an FPTP election with 10 ridings and three parties where the numbers are the percentage of the popular vote in each riding:

A	B	C
49	50	0
49	50	0
49	50	0
49	50	0
49	50	0
49	50	0
49	0	50
49	0	50
49	0	50
49	0	50

Party A would end up with no seats and 49% of the popular vote. Party B would form a majority government with 6 seats and 30% of the vote, and Party C would be the official opposition with 4 seats and 20% of the vote. This is an extreme example, but is possible under FPTP, which demonstrates why it fails the fairness criteria. No impartial observer to such an election would seriously claim that Party B legitimately represents the interests of a majority of voters while Party A represents the interests of a negligible number of voters.

FPTP is also a major failure on the issue of allowing citizens to vote positively. FPTP is premised on the idea that there are only two parties running. In a persistent multi-party system, such as Canada, voters lose incentive to vote for who they truly want to win. Voters are persistently faced with the choice of whether to vote strategically or not in order to prevent the party or candidate they see as the least desirable from winning. An electoral system should enable people to vote for who they truly want to win. At its extreme, FPTP can turn people off voting altogether, as in certain ridings which are considered safe, even strategic voting will not make an impact. FPTP generates cynicism and a “why bother” attitude towards voting in such safe ridings.

Designing an Alternative: Some Suggestions

Given that FPTP is an unsuitable electoral system for the Canadian context, the next step must be to design a system that works for Canada. Too often, the popular media presents electoral systems as if there are only 3 or 4 potential choices, and we must simply pick one. This is wrong. We must design a new system to meet Canada’s situation, which might mean we start with an existing system as a basis, but then modify it to meet the needs of Canada. Below I present a few suggestions of how to design such a system that would respond to the four key issues I have pointed to above.

The primary issue is combining national unity and local representation. This is best achieved by starting with a Mixed Member Proportional (MMP) system as our basis. This does not mean copying the system of Germany or New Zealand, but using it as an initial building block. An MMP system would retain all existing ridings with their current boundaries (thus no extra work for Elections Canada in the lead up to the next election) and add a complement of seats which would be used to ensure that the seat distribution of parliament reflected that of the popular vote.

In terms of national unity, such a system provides a major advantage by ensuring that the House of Commons reflects how Canadians voted nationally. MMP would ensure that a party with broad national support, such as the 1993 Progressive Conservatives, would not be punished for running a national campaign rather than a regional one. At the same time, the power of regional blocks of influence would be diminished in order to encourage parties to run campaigns that appeal to all Canadians, rather than focusing their effort on winning one area and being disproportionately rewarded for it through a trick of the electoral system.

On the issue of local representation, MMP would be a significant enhancement on FPTP for two reasons. First is the fact that with MMP voters could cast two ballots, one for the national party they support, and one for the local candidate they support. This means that local representatives could not simply glide into the House on the basis of party affiliation alone. This would enable voters to select a local candidate who they believe would represent their riding well, even if that candidate is from a different party than what they support nationally. While this would somewhat undermine the power of parties to deliver chosen candidates to parliament via safe ridings, it would be a victory for voters who could easily punish or reward MPs based on their responsiveness to local issues, rather than just party affiliation.

This narrative runs counter to what critics of MMP often claim, which is that it gives too much power to parties by allowing them to use party lists to deliver their pet candidates into the House. Here is where we can innovate to make MMP respond to Canada. Instead of using party lists to select who would fill the proportional seats won by the party, we should adopt a best loser system. This would involve filling the proportional seats with the candidates who did the best in their local riding but did not win.

This is an absolutely essential element of adapting MMP to the Canadian context, as it would further enhance local representation. By using a best loser system (based on absolute vote totals rather than percentage in a riding), the problem of large urban ridings with five times the population of rural ridings could be fixed without redrawing boundaries. The larger ridings would likely end up with 2 or even 3 local MPs, depending on how close the results were, which would vastly increase local representation. It also solves the uneven problem where 8,000 votes can win a riding in Nunavut, but 20,000 votes puts you in third place in Oshawa. The best loser system would mean that parties would not be able to push their chosen candidates into office through party lists, and every MP would have to earn their way into parliament by winning votes.

Such a system would also be fair as it removes the distortion introduced by FPTP between popular vote and the composition of the House. How Canadians vote is directly reflected in the House of Commons without any tricks or distortions. MMP with an absolute vote total best loser system would also remove the problematic question of strategic voting. By allowing two votes, a

person who supports a party in a riding where the local candidate has no chance can still have their vote count. They can also “strategically” vote for another local candidate from a different party if they wish, without having to sacrifice their national party vote. At the same time, the best loser system incentivizes voting for the best local candidate regardless of party affiliation in order to ensure that the best local candidates are the ones who fill the party’s proportionally allocated seats. There is then incentive to vote for the best local candidate, even if they may not win or even if they represent a smaller party. The incentive to treat voting as a negative mechanism to block the bad is replaced by multiple avenues to express positive choices for the good, especially at the local level.

Other Alternatives and Additions

By undergoing a process of electoral design which seeks to design a system that works for Canada, the above suggestions are a good starting point. A single transferable vote system (STV) is often posited as an alternative electoral system. While this is a very clever system that works well in Ireland, it simply would not fit with Canada. It only simulates proportionality and does so by ranking candidates in a large district, resulting in the election of multiple representatives. Such a system would necessitate either geographically immense ridings or the creation of a very large number of new micro-ridings in order to preserve any proportional aspect to this system. Due to Canada’s large geography and uneven distribution, STV would simply be a poor fit. This system’s success in Ireland is not transferable to Canada because Ireland is relatively small geographically and has a much more homogenous population distribution.

Ranked ballots within the context of a single member plurality system is often touted as another alternative. This system fails all criteria except eliminating the need to strategically vote. It is also inherently unsuited to Canada’s multi-party system, as it works best in the context of two dominant parties with many very small parties. This system works moderately well in Australia, where there are two dominant parties and a number of smaller parties that usually get less than 10% of the vote. This allows the supporters of the smaller parties to still support their small party while ranking a second choice bigger party, removing the need for strategic compromises. This system would not work in Canada’s multi-party system as it would inherently favour parties that position themselves as ideologically between other parties. A ranked balloting system on top of the existing system could actually deliver even more distorted results as it is simply not appropriate for the Canadian context of multiple competitive parties.

Another issue that has been raised is whether or not to have a referendum on this issue. Referendums work on issues that are easy to understand and have a clear yes or no response. One cannot have a referendum on a process of design that requires deliberation and discussion among the public, experts, and parliamentarians. A demand for a referendum amounts to a demand not to engage in electoral design and thus is a demand to not have a system that meets Canada’s needs. In this sense, the demand for a referendum taking the guise of a call for democracy when its purpose is to block a process which would lead to more democracy is inherently a logical contradiction.

Two other aspects are being considered as well, mandatory voting and online voting. Mandatory voting is inherently problematic and should be rejected out of hand. Voting is the expression of a free political choice, it is meant to give citizens a means of shaping the broad public policy agenda of the country. Forcing those who do not wish to express such a preference to participate not only cheapens voting for those who are expressing a free choice, but is an attack on the right of citizen's privacy. Forcing people to participate, reminiscent of Jean-Jacques Rousseau's claim that everyone in a society must adhere to the general will or else they will "be forced to be free" involves the radical denial of dissent and borders on a form of totalitarianism.

Forcing everyone to vote is merely a tactic to try to cover over the fact that there are problems with representative democracy which lead to voter alienation. Mandatory voting is much like when a band starts demanding an unreceptive audience get up and dance. By attempting to draw the audience into the performance, they are attempting to remove the critical distance which enables judgement. Low voter turnouts are a symptom of bigger problems which many political scientists have been studying for decades. Simply papering over this fact with mandatory voting means that a large number of people will be casting votes at random to fulfil their duty, rather than making informed free choices, and in no way solves the issues that make people uninterested in voting.

The ability to vote online should be seriously considered. While it need not be part of an electoral reform package and could be subject to further study and trial projects, it is an inevitability. In my own research, I study the impact of the internet on politics. There are already major forums of political discussion and debate, sites of activism and organization, and public engagement online. Voting is relatively simple compared to these already much more complex elements of political engagement which are already happening online.

Younger generations who grew up the internet are increasingly seeing government as disconnected from their lived experience. These are the people who do all their banking online and have never visited an actual physical bank, file their taxes online and have never filled out a paper form, trade stocks online, and basically use the internet for everything. If voting does not move online, it will increasingly be seen as something that only old people do. There is a lot of research that demonstrates that voting is a habit, and if people do not start the habit of voting at a young age, there are much more likely not to pick it up. Online voting is then essential for encouraging youth to get involved and vote.