

## **How should Proportional Representation for Canada actually work?**

### **Summary:**

I will present three practical models:

1. Mixed Member Proportional Representation, with regions typically about 12 MPs each.
2. Mixed Member Proportional Representation, with regions typically about 8 MPs each.
3. Rural-Urban Proportional Representation.

### **Practical presentation**

I was elected four times as a school trustee. (This was when Ontario school trustees set local tax rates, before Mike Harris took that power away from school boards.) I know what constituents expect. We trustees thought we were elected to set policy and tax rates. My constituents expected me to get the school bus to stop at their door. My job included being a champion for my community. Some constituents had one idea of our community's interests, others had a different idea. That would be parents and teachers on the one hand, and on the other hand, the other taxpayers, with no children, who had to pay. But the one thing they agreed on was, that we needed a new school more than the next town did. So they wanted our town to have its own school trustee, not share three trustees with the larger town next door.

So with that background, I'm going to talk about how Proportional Representation for Canada should actually work.

### **MMP**

Both MMP models are based on the Report of the Law Commission of Canada (2004): Over three years the Law Commission held 15 public hearings and 30 other public meetings. It recommended adding an element of proportionality, as inspired by Scotland's MMP system.

But they recommended one big change from Scotland: open lists, not Scotland's closed lists.

They explained,

Based on the feedback received during our consultation process, many Canadian voters would also most likely desire the flexibility of open lists in an

MMP system. In essence, allowing voters to choose a candidate from the list provides voters with the ability to select a specific individual and hold them accountable for their actions should they be elected.

The Jenkins Commission in the UK accurately predicted why closed lists would be rejected in Canada. As they put it, additional members locally anchored are, more easily assimilable into the political culture and indeed the Parliamentary system than would be a flock of unattached birds clouding the sky and wheeling under central party directions.

In any MMP model you have two votes, and one is for your local MP.

One kind of open-list is called “flexible” list: you can cast your second vote for the regional list or one candidate on it. The other kind has fully open lists, used in the German province of Bavaria. The Law Commission preferred “flexible” open lists: candidates that receive perhaps 8% of the party’s vote jump to the top of the list. But Prof. Brian Tanguay, who drafted that report, told the ERRE he now prefers completely open lists. The voters alone rank the regional candidates.

I call this “**Personal MMP**” to distinguish it from Ontario’s 2007 model. It’s both personal and proportional.

### **Local representation**

The whole point of MMP is to retain a strong element of local representation.

Voters are guaranteed two things:

1. A local MP who will champion their area, accountable only to local voters; and
2. An MP whose views best reflect their preferences, whom they helped to elect and with whom they may have greater affinity.

MMP proponents say this gives voters the best of both worlds.

Local ridings will be somewhat larger; to make room for the top-up seats, but in return, voters will have more than one MP for representation or service.

How would regional MPs service a region several times the size of today’s ridings? For example, my simulation shows that in 2015, an MMP model in Saskatchewan would have elected two or three regional Liberal MPs. They might be based in Saskatoon, Prince Albert, or Regina, but they would likely have additional offices in North Battleford, Yorkton, or Swift Current and elsewhere, just as Conservative MP Robert Kitchen has

offices in Estevan, Weyburn and Moosomin. This is how it's done in Scotland, where regional MPs from a party hold office hours rotating across their region or their part of it. A pair of Scottish regional MPs from a party normally split the region between them for constituency service purposes.

Scotland uses regions of 16 MPs (9 local MPs, 7 regional MPs). Wales uses regions of 12 MPs (8 local MPs, 4 regional MPs). The Jenkins Committee in the UK recommended a moderately proportionate system, with local regions averaging only eight MPs. Parliament might decide that the average region should have 14 MPs, eight MPs, or some other number. We want to ensure that all MPs are accountable to real communities, or as the Jenkins Commission put it, locally anchored. Scarborough voters would not be represented by an MP from Etobicoke, and Kingston voters would not be represented by an MP from Ottawa.

The Hon. Stéphane Dion has suggested that having PR regions of different sizes in different provinces might divide Canada into different political microclimates. I agree, we need some uniformity in the size of MMP regions.

### **12-MP region MMP model**

Four provinces have ten to 14 MPs. With an average of about 12 MPs per region everywhere, we would have about 30 MMP regions across Canada, all with the same degree of proportionality. The average region size could range from seven to 15.

### **8-MP region MMP model**

My second alternative is an average of about eight MPs per region. That would mean about 42 MP regions across Canada. With an eight-MP average, region size could range from six to 11 (four in PEI.)

In either case, a new Boundaries Commission in each province would set the regional boundaries, using the parameters set by Parliament.

### **Simulations of each model**

On the votes cast in 2015, if we used perfect province-wide proportionality, the outcome would have been Liberal 137, Conservative 109, NDP 67, Bloc 15, Green 10.

With 30 12-MP regions, the result is not perfect proportionality: the Liberals get a bonus of 5 MPs, the NDP a bonus of 3, and Bloc a bonus of 1. This is because the Greens

elect only 6 MPs rather than 10, and the Conservatives are short 5 MPs, as explained below.

The 8-MP regions help keep the regional MPs closer to their electorate, but make the system slightly less proportional. With 42 8-MP regions the Liberals get a bonus of 8 MPs, and the NDP a bonus of 3. The Greens elect only 3 MPs (short 7), the Conservatives are short 3, and the Bloc is short 1.

But the 8-MP regions are great for Manitoba Liberals outside Winnipeg, letting them elect two MPs where the province-wide model did nothing for them. Windsor Liberals would also like it, as would Liberals in Mauricie—Centre-du-Quebec. In other words, any smaller region that might fear being shunted aside.

Here are examples of where all the mixed-member models fall short of perfection:

- In New Brunswick, a proportionate result would be five Liberal MPs, but with the Liberals sweeping all six new local seats, they would still elect one bonus MP.
- In Toronto, a proportionate result would be 13 Liberal MPs, but with 15 local MPs and 10 regional MPs, Liberals would have elected 15 MPs, a bonus of two.
- On Vancouver Island the NDP would have ended up with one bonus seat.
- Since Green Party voters cast only 3.4 percent of the votes, with 8-MP regions they would have elected no MPs outside BC, where they got 8.2 percent and would have elected three MPs.

However, if the Greens doubled their vote under a PR system, as they expect they would, my simulations give Green voters fair representation. With 12-MP regions they would elect the full 22 MPs that perfect proportionality would elect. Even with 8-MP regions the Greens would elect 15 of those 22.

Even with regions of only eight MPs, **voters for all three of the larger parties would, on the votes cast in 2015, have elected local or regional MPs in each of the 42 regions across Canada with few exceptions** (no Conservatives in 8-MP Montreal-est region or 6-MP Outaouais—Abitibi-Témiscamingue—Nord region). Bloc voters would have elected MPs in each of Quebec's regions except 6-MP Montreal West region.

With either model, Conservative and NDP voters who were shut out of places such as the Atlantic Provinces and Toronto, and Conservatives in metropolitan Montreal, Winnipeg and the city of Vancouver would now have representation in all of those areas. And the almost nine hundred thousand Liberal voters in the Prairies would have elected six more MPs. Also, the almost four hundred thousand Liberal voters from Barrie to Windsor would have elected three more MPs.

## **Rural-Urban Proportional Representation**

This new model was announced August 15 by Fair Vote Canada as one of the options they are asking the Electoral Reform Committee to consider.

This model was inspired by a suggestion by our former Chief Electoral Officer Jean-Pierre Kingsley, but also by the system used in Sweden. Kingsley suggested multi-member ridings for urban areas with 5, 4 or 3 MPs each, and single-member ridings for rural areas. We have tweaked that idea to make it fully proportional, by adding a small layer of additional top-up MPs, just as Sweden does.

Rural-Urban PR is specifically designed to provide excellent proportionality while still keeping single-member ridings in about 25% of present ridings, in rural and small urban areas. The other 75% of present ridings, in metropolitan and other large urban areas (population centres larger than 100,000 residents), become multi-member ridings.

A typical region would have 20 MPs: 13 from urban multi-member ridings, four from single-member ridings, and three regional “top-up” MPs. Of course, in the six smaller provinces the “region” is the entire province.

In order to provide for 15% of MPs to be top-up MPs, the single-member ridings become about 17% or 18% larger, rather than being 50% or 60% larger as you find in MMP.

A district that now elects seven MPs would elect six MPs from a multi-member district (again providing for 15% of MPs to be top-up MPs). The multi-member ridings would have an average of four MPs each, ranging from two to six. These would be small enough to have MPs locally accountable. They could elect MPs by simple open-list PR as Sweden and Denmark do, or by STV as Ireland does, or by Stéphane Dion’s P3 system.

Across provinces or regions within larger provinces, those results will already be sufficiently proportional that only about 15% of regional “top-up” MPs will be needed, unlike the 35% to 40% regional top-up MPs needed for MMP. Because these regions will be larger, a 4% threshold as Sweden uses may be a useful safeguard against micro-parties.

The simulated result on the votes cast in 2015 is almost perfectly proportional: voters for the Greens elect eight MPs instead of ten, Conservative voters elect 108 rather than

109, and voters for the other three parties each elect one bonus MP. These are mostly rounding anomalies.

## **Options**

The regional top-up seats could be filled using either a best runners-up system or an open list system.

The best runners-up (no-list) system, similar to Sweden, makes it unnecessary to have a second ballot with a list of regional candidates. Voters indicate their choice for local MP, with a single X as in Sweden, or by STV, or by Dion's P3; and in single-member districts by FPTP or AV. Top-up seats are filled by determining which parties win the top-up seats in each region (following the same approach as MMP), and then awarding the seats to the strongest runner-up candidate (not already elected to a local seat) in the most underrepresented district within the region for each party, just as Sweden does it. That is, looking at each of the multi-member districts and the group of single-MP ridings within the region, you determine where the party's voters are most underrepresented. Then, the seat for a party entitled to a regional top-up seat will be awarded to its strongest runner-up in that district.

In the open-list system you would have a second vote, just like MMP, and the second ballot has a list of regional candidates for each party, just like MMP.

"Best runners-up" does not provide as much voter choice as MMP. However, since the top-up regions are larger than in MMP, the list of regional candidates will be longer, and they will be less familiar to voters. Since only 15% of the MPs are regional MPs, the best runners-up option is certainly simpler, and in my view, better.

I have attached lists of sample regions below.

## Appendix: Sample regions

### Sample regions for MMP-8

Below is an example of how MMP regions could be configured, with an average size of eight MPs per region. This yields 42 moderately proportional regions across the country.

#### Ontario (15 regions)

- Scarborough—Don Valley 8,
- Toronto Central 8,
- North York—Etobicoke 8,
- Durham—Rouge Park 6,
- York Region 10,
- Brampton—Mississauga North 7,
- Mississauga—Halton 8,
- Hamilton—Niagara—Brant 11,
- Central Ontario (Barrie—Owen Sound) 6,
- Waterloo-Wellington-Dufferin 8,
- London-Oxford-Perth-Huron 7,
- Windsor—Sarnia 6,
- Ottawa—Cornwall 10,
- East Central Ontario (Kingston—Peterborough) 9,
- Northern Ontario 9.

#### Quebec (10 regions)

- Montréal-est 8,
- Montréal-ouest 6,
- Montréal-nord—Laval 8,
- Laurentides—Lanaudière 9,
- Outaouais—Abitibi-Témiscamingue—Nord 6,
- Longueuil—Roussillon—Suroît 10,
- Montérégie-est—Estrie 6,
- Mauricie—Centre-du-Québec 6,
- Quebec City—Saguenay-Lac-Saint-Jean—Côte-Nord 11,
- Chaudière-Appalaches—Bas-Saint-Laurent—Gaspésie 8.

#### Manitoba (2 regions):

- Winnipeg 8,
- Manitoba North and South 6

#### Saskatchewan (2 regions)

- Regina—South Saskatchewan 6,
- Saskatoon—North Saskatchewan 8

**Alberta (4 regions)**

- Calgary 10,
- South & Central Alberta 8,
- Edmonton 10,
- Northern Alberta 6

**British Columbia (5 regions)**

- Vancouver-Richmond-Delta 9,
- Burnaby—North Shore—Coquitlam—Maple Ridge 8,
- Surrey—Fraser Valley 9,
- BC Interior and North 9,
- Vancouver Island 7

**Atlantic Canada:** the “top-up region” is the whole province.

**Sample regions for MMP-12**

Below is an example of how MMP regions could be configured, with an average size of twelve MPs per region. This yields 30 proportional regions across the country.

**Ontario (10 regions)**

- Central Toronto—Scarborough 12
- North York—Etobicoke 13
- York—Durham 15
- Peel—Halton 15
- South Central (Hamilton—Niagara—Brant) 12
- West Central Ontario (Waterloo—Barrie—Bruce) 15
- Southwestern Ontario (London—Windsor) 11
- Ottawa—Cornwall 10
- East Central Ontario (Kingston—Peterborough) 9
- Northern Ontario 9.

**Quebec (7 regions)**

- Montreal-est—Laval 14
- Montreal-ouest 8
- Laurentides—Lanaudière—Outaouais—Abitibi-Témiscamingue—Nord 15
- Longueuil—Roussillon—Suroît 11
- Estrie—Mauricie—Centre-du-Q—Montérégie-est 11
- Quebec City—Saguenay-Lac-Saint-Jean—Côte-Nord 11
- Chaudière-Appalaches—Bas-Saint-Laurent—Gaspésie 8

**Alberta (3 regions)**

- Metropolitan Calgary 11
- Metropolitan Edmonton 11
- South & North Alberta 12



**British Columbia (4 regions)**

- Vancouver—Burnaby—North Shore—Maple Ridge 14
- Surrey—Richmond—Fraser Valley—Langley 12
- BC Interior and North 9
- Vancouver Island 7

**Manitoba (1 region)****Saskatchewan (1 region)**

**Atlantic Canada: the “top-up region” is the whole province.**

**Sample regions for Rural-Urban PR****Ontario (5 regions)**

- Greater Toronto Area 55 (No single-riding MPs)
- South Central Ontario (Hamilton—Niagara—Waterloo) 19
- Western Ontario (Barrie--London—Windsor) 19
- Eastern Ontario 19
- Northern Ontario 9.

**Quebec (3 regions)**

- Montréal-est—Montréal—Estrie—Centre-du-Quebec 30
- Québec-ouest (Montreal-West, Laval, Lanaudière, Laurentides and west) 26
- Québec-est—Mauricie 22

**Alberta (2 regions)**

- Alberta South 17
- Alberta North 17

**British Columbia (3 regions)**

- Lower Mainland 26 (No single-riding MPs)
- BC Interior and North 9
- Vancouver Island 7

**Manitoba (1 region)****Saskatchewan (1 region)**

**Atlantic Canada: the “top-up region” is the whole province.**

## **MMP Models for ERRE: Additional background**

### **Design Issues: Trade-offs and Options**

#### **Rounding formula**

Since the number of party seats corresponding to each party is unlikely ever to be a round number, some sort of rounding formula is required to determine the winners. "Highest remainder" is the simplest and most transparent. Thus, if Party A deserves 3.3 MPs, Party B deserves 2.2, and Party C deserves 1.5, in a seven-MP district, the seventh seat will go to Party C. which enjoys a remainder of .5 compared to .3 and .2 for the other two parties.

The D'Hondt or "highest average" method used in Scotland tends to favour large parties. In Scotland it was a factor in giving the Scottish National Party a majority government with only 44% of the vote in 2011.

#### **Share of top-up seats**

So if one party sweeps all of the local seats in a region, as often happens, one needs enough top-up seats to ensure proportionality.

Many experts recommend 40% regional MPs, where possible. In Northern Ontario, with nine MPs, I cannot imagine more than 33% regional MPs.

#### **Safeguards**

The Law Commission recommended that the right to nominate candidates for regional top-up seats should be limited to those parties which have candidates standing for election in at least one-third of the ridings within the province. The aim is to prevent a possible distortion of the system by parties pretending to split into twin decoy parties for the regional seats, the trick which Berlusconi invented to sabotage Italy's voting system.

#### **Ranked ballots or FPTP?**

In a few regions, using a ranked ballot for local MP might generate a local sweep by one party, making the number of compensatory MPs inadequate. In a few others, it might prevent such a sweep. The Jenkins Commission warned that "on its own, the effects of the Alternative Vote are disturbingly unpredictable." However, the introduction of ranked ballots may not do significant harm so long as the region size and number of top-up seats are large enough to compensate for any disproportionality that might emerge.

**Thresholds**

PR systems often include a legal threshold of four or five percent before a party can win a top-up seat. With region sizes from six to 15 MPs, a party would need over 5 percent to win a regional seat anyway. The Law Commission recommended no legal threshold. Still, a legal threshold would ensure that no regional micro-party might elect a single MP.