Fair Vote Canada Submission to
The Special Parliamentary Committee on Electoral Reform

SUMMARY

This submission covers the case for proportional representation (PR); a values-based approach to reform; and options for a made-in-Canada solution. We believe that the meaningful choice facing the ERRE is to recommend the best PR option for Canada. Emphasizing the principle of voter equality, we also support the principles of geographic representation and election of MPs by constituents. We propose three PR models for ERRE consideration: MMP, STV and Rural-Urban PR.

Fair Vote Canada (FVC) is a grassroots, multi-partisan, citizen-run organization for electoral reform. We are supported by over 65,000 Canadians, 35 prominent advisors, 40 regional teams and chapters, and over 500 Canadian academics. Recently, we helped found the "Every Voter Counts Alliance," which represents millions of Canadians and independent organizations who care deeply about this issue and are calling for equal and effective votes.

Appendices mentioned here are available online using the links.
Full list of Appendices here

THE CASE FOR PR

Defining the Problem

Elections are the heart of a representative democracy. A fundamental test of a healthy democracy is whether all voters have equal opportunity to affect the result. This condition is not satisfied in Canada's first-past-the-post system (FPTP).

Although voters elect the winner in their respective ridings, a vote for a losing candidate does not affect the outcome in Parliament. The issue is particularly poignant for voters inhabiting "safe ridings" who may never, over a lifetime, elect a representative aligned with their political preferences. **On October 19th 2015, over 9,000,000 voters (51.8%) voted for losing candidates and were unable to make their votes count.**

The regional imbalances that emerge under our current system make our country look regionally divided, even though most parties have support across the country. In 2015, Liberal voters were largely shut out in Alberta and Saskatchewan. The same happened to Conservative voters in Toronto, Montreal,

Winnipeg and Atlantic Canada, and to New Democrats and Greens almost everywhere.

False majorities based on 39% of the vote, as we had in 2011 and 2015, are endemic. Since WWI, Canada has had 17 majority governments only four of which received at least 50% of the vote.

Canada's Charter of Rights and Freedoms asserts that Canada is a free and democratic society and that all citizens deserve equal treatment under the law. Canada needs to make every vote count equally.

Canada's democratic deficit manifests itself in many other ways as well:

- The discrepancy between seats and votes means that Canada's demographic diversity, including women, is not fully reflected in the House.

- Voters feel compelled to vote strategically to block the election of a less desired candidate.

- Unrelenting party discipline under our winner-take-all system has fostered an increasing concentration of power in the PMO.

- Excessive attention to swing ridings leads to pandering during and after elections.

- Wedge politics play to populist viewpoints to pry voters away from opponents.

- Due to the high stakes involved, hyper-partisanship is intensified.

- Shifts from one majority government to another lead to "policy lurch," as new governments undo policies enacted by the previous one.

- Majoritarian voting systems create short-term thinking and force parties to focus their policy decisions on four-year electoral cycles. Constant campaigning aimed at winning the next 39% majority sidelines long-term solutions in favour of inaction or quick fixes.

These characteristics make our FPTP system patently unfair and are at the root of much of the cynicism, apathy and negativity that one encounters regarding our political system.

Two families of Voting Systems

Voting systems can be categorized into two big families: **majoritarian or proportional**.

Majoritarian, "winner-take-all," systems use single-member ridings that allow only one winner. This family includes our FPTP system, run-off systems and instant-runoff systems using ranked ballots. All winner-take-all systems treat voters as winners or losers.

Proportional systems take many different forms, all based on the principle of equal representation for all citizens in proportion to votes cast. Over 90 countries globally and over 80% of OECD countries use some form of Proportional Representation.

FVC recognizes Canada's democratic values and the need for all MPs to face the voters and be accountable to voters, with no closed party lists. A properly designed PR system can retain MPs local connections to their constituents. MPs who do their jobs well can expect to be rewarded at the polls (see Appendix 4)

Why Proportional Representation?

PR ensures that a country's leadership and policies reasonably reflect the values and choices of a voting majority by providing representation in proportion to votes cast. This is the only way to respect the right of each citizen to equal representation in the legislature.

PR provides positive voter choice and changes the dynamic of government by replacing the combative discourse of winner-take-all systems with inter-party collaboration and consensus building.

Comparative research as summarized in Appendix 1, shows that PR countries enjoy stable government and robust democracies. They tend to outperform winner-take-all countries in terms of environmental outcomes, income equality and fiscal responsibility; voter turnout averages about 7.5% higher; more women are elected; and voters have a more favourable perception of their democratic institutions.

The democratic belief that all Canadians should have equal, effective votes and positive representation in Parliament is a powerful idea, capable of igniting the imagination of Canadians.

We believe that if this Government listens to Canadians, if it relies on an evidence-based process and if it truly wants to design the best system for the citizens of this country, the only meaningful choice is some form of PR.

MAKING IT HAPPEN

Multi-Partisan Support

In Canada, electoral reform initiatives have often collided with opposition based on partisan self-interest. With that in mind, we applaud the government and opposition parties for taking a principled stand and committing to implement electoral reform that addresses Canadian values and is viewed as legitimate – one that is fair to all Canadians and fair to all political parties.

The result should be an electoral system that corrects gaps in the fairness and democratic effectiveness of our current system. Only PR can meet that test. If we accept that, the task of this committee boils down to choosing the best PR option and fleshing out the details in a way that respects the values and goals shared by most Canadians and political parties.

For the first time in nearly 150 years, the party holding a governing majority in the House of Commons is committed to making every vote count. At least two of the opposition parties support this goal. Meaningful electoral reform is an achievable, budget-friendly goal, requiring only that government and opposition work together to build a PR system that is fair to all.

Canadian Democratic Values

In December 2015, Prime Minister Justin Trudeau stated that a consultation with Canadians about electoral reform should start with values. He suggested that we talk about developing an electoral system that engages a broad range of voices, brings people together, and reflects Canada's diversity, while keeping a direct geographic connection between MPs and voters. We all agree that our democratic values should inform the development of Canada's new electoral system.

Voter Equality

FVC is guided by an overarching principle that we feel has not received the attention it deserves: voter equality. Voter equality is key in a representative democracy because without it, our democracy itself is "unequal." The new electoral system should ensure that voter intentions are respected, that all Canadians in every riding cast a vote in a competitive race, and that as many as possible contribute directly to electing an MP. Voters should not be systematically advantaged or disadvantaged in choosing our elected representatives because of who they vote for or where they live; neighbours should not be divided into winners and losers; ridings should not be divided into

swing seats or safe seats; a minority of voters should not be able to construct a Parliamentary majority. The new electoral system should create a level playing field for all.

Proportional Representation and the ERRE principles

While keeping this overarching principle in mind, FVC would like to elaborate on the five principles included in the ERRE's mandate to help the committee and the voting public assess different reform proposals.

Principle 1: Effectiveness and legitimacy

The ERRE's first principle emphasizes the need to fairly translate voter intentions into seats and reduce distortions. This calls for some element of proportionality without specifying to what degree, giving the ERRE the freedom it needs to fulfill its mandate. Our request to the committee is to show some creativity in designing a made-in-Canada solution that offers equality, fairness, effectiveness and voter choice in equal measure. Our new electoral system should make it easier for voters to hold representatives accountable and enable voters to vote freely for the candidates and parties of their choice, rather than voting strategically.

Principle 2: Voter engagement

Comparative research suggests that Canada would achieve increased voter participation if it adopts PR. When all votes count, voters will take greater satisfaction in the workings of Canada's political system.

Principle 3: Accessibility and inclusiveness

FVC agrees that voting should be as easy as possible for the electorate, but citizens all over the world vote under PR systems without difficulty. Meanwhile, FPTP entails considerable complexity of its own when voters feel obliged to vote strategically rather than voting with their hearts.

In terms of inclusiveness, Canada's new electoral system should build on our diversity as a source of strength. Groups now under-represented in Parliament – women, cultural groups, linguistic minorities, First Nations and others – should find it easier to elect representatives. The new system should produce a House of Commons that reflects the diversity of political opinion in Canada, including room for popular independent candidates.

Principle 4: Integrity

Harvard University's recent Electoral Integrity Project examined all national elections held over an eighteen month period in 66 countries and found that PR countries scored high on the integrity scale. To quote the project's report regarding countries with PR:

The top ranking elections… scored exceptionally well … for electoral procedures, characterized by effective and efficient voter registration and vote tabulation

processes. All these regimes have power-sharing institutions and coalition governments, providing multiple checks and balances on the executive branch. Contests in these countries have inclusive parliaments and a fairly level playing field for party competition... (p. 10).

Principle 5: Local representation

FVC believes that our representatives must be directly accountable to voters, not to party hierarchies. Party selection of candidates should be open, transparent and democratic and should not be dictated by party "insiders" or party leaders.

Rural and urban voters in every province, territory and regional community should be represented in the MP caucuses of both government and opposition parties. A fair electoral system would not favour regional parties over parties with strong national support.

Under a made-in-Canada PR system, voters will feel directly connected to their representatives and MPs will continue to be responsive to local issues.

Results from Past Consultations

This is not the first attempt to identify Canadian democratic values and apply them to different electoral systems. Since 1977, 13 separate processes have brought together citizens and experts and asked the same question that we are asking today. All of them concluded that we need to make our electoral system more proportional. We list the values identified in five of those processes in Appendix 6 and show how those values can be satisfactorily addressed in a PR system.

Made-in-Canada Solutions

Canada's challenge is to identify a PR system based on our country's geographical particularities, historical traditions, and values of special importance to Canadians such as inclusiveness, fair and equal representation, diversity of views, voter engagement, collaboration, accountability, voter choice, and stability.

Practically speaking, all PR systems use multi-member ridings or top-up regions. These are what make it possible to allocate seats proportionally. However, there are many ways to achieve proportionality.

We need to consider Canada's tradition of directly electing MPs, along with Canada's widespread geography. Most Canadians would resist seeing all their MPs or top-up MPs appointed from large party lists.

Fair Vote Canada would like to put forward three options, each one offering

a range of virtues.

We recommend that the ERRE consider three possible types of PR systems:

- MMP (Appendix 10),
- STV (Appendix 11), and
- Rural-Urban PR (Appendix 12).

Mixed-member Proportional (MMP)

Canada has used the FPTP voting system for nearly 150 years, and few Canadians have experienced anything else. Furthermore, Canada's vast geography makes it harder to envisage a PR system based on large multi-member ridings. While 60% of Canadians live in cities over 100,000, 40% do not.

To address these considerations, the electoral reform processes described earlier have most often proposed MMP as a way to achieve proportionality while keeping the single-member ridings to which Canadians have become accustomed. MMP does this by reducing the number of single-member ridings to make room for top-up seats.

MMP top-up regions must respect provincial boundaries, so the size of regions in smaller provinces could not exceed the number of MPs in those provinces.

In the 2007 Ontario referendum, the recommended MMP model was intended to keep things simple for voters. However, its inclusion of a single province-wide top-up region and closed party lists was not well received in certain quarters.

For Canada, we suggest the use of MMP regions in the order of 8-15 seats even in the larger provinces. This would help to ensure the election of individuals from every region on both the government and opposition sides of the House of Commons with acceptable levels of proportionality. We also propose the use of open lists, in which voters can vote for individual candidates personally, rather than closed lists.

MMP can be fine-tuned in different ways. Committee members can consult Appendix 10 for a discussion of different options.

Single-Transferable Vote (STV and STV+)

STV was the option proposed by the BC Citizens' Assembly in 2005. STV uses multi-member ridings, ranked ballots, and an instant runoff method to determine

the winners.

STV is recognized for maximizing voter choice. Voters cast their ballots for individuals, including independents, rather than parties, and can vote across party lines. Most votes count toward electing someone. Even surplus votes for

winning candidates are redistributed based on second-order preferences.

In urban areas, STV ridings might include five to seven MPs. Ten members of the Manitoba legislature were elected from Winnipeg in this way for decades. Elsewhere, the number could be as low as two, and single-member seats could be retained in places like the Yukon or Labrador.

STV+ has emerged as a hybrid model that adds a small number of top-up seats to achieve a higher level of proportionality. It becomes possible to achieve a higher level of proportionality while reducing the size of STV ridings and keeping a certain number of single-member ridings. STV+ is an example of the Rural-Urban PR model described below. See Appendix 11 for a more detailed discussion of the advantages offered by STV and STV+.

Rural-Urban PR (RU-PR)

The Rural-Urban PR model that we propose is described in Appendix 12. Inspiration for this hybrid model comes from several sources. Internationally, it draws on the voting system used in Sweden and Denmark. In Canada, it draws on the multi-member/single-member approach suggested by Jean-Pierre Kingsley.

The Rural-Urban PR model has three key features:

- single-member ridings or small multi-member ridings in rural areas,
- multi-member ridings in urban areas,
- a small layer of regional top-up seats to increase the proportionality of the system.

Because multi-member ridings are already proportional, if imperfectly so, the number of top-up seats needed to right the balance could be quite small, on the order of 15%. With so few top-up seats involved, region sizes could be relatively large (up to 20 ridings in large provinces), to maximize the proportionality boost provided by these top-up seats.

The Rural-Urban PR concept is flexible enough to accommodate the use of STV, List-PR or Dion's P3 for elections in multi-member ridings, FPTP or ranked ballots for single-member seats, and an open list or best runners-up mechanism for the top-up seats. Appendix 12 includes a Kingsley-inspired example, and an STV+ example.

Design considerations associated with the Rural-Urban PR hybrid include key questions such as the number of single-member seats to include and how best to accommodate the addition of top-up seats to the system. The option of adding seats (about 50 new MPs) would be less disruptive for sitting MPs and communities than reconfiguring the existing 338 seats for the 2019 election. However, it raises questions about the need for more MPs in the House and the additional costs that this would represent. The alternative would be to reconfigure all ridings to make room for the top-up seats. With 15% top-up seats, ridings would need to be only 18% bigger, compared to around 60% under MMP.

Conclusion

We need some form of PR to overcome Canada's democratic deficit. The key goal is well stated in the Liberal Party slogan, "Make Every Vote Count." Indeed, there can be no true democracy in a country where more than half the votes cast have no impact on the result, where one party can sweep whole regions of the country and most of the attention is on swing ridings that will win the day.

PR would revitalize the Canadian political system in many ways. We look to this committee to put partisan considerations aside and to work together to come up with a voting system that will make Canadians proud of our ability to bring about such a change, which would be truly historic for Canada and a beacon to the world.

In the 2015 Election, Canadians rejected divisiveness. We know we are stronger together. We are proud of our diversity and proud that the world recognizes us as one of the most diverse states on the planet. As Canada approaches its 150th birthday, this Parliament has a unique opportunity to make Canada a more inclusive society of political equals, proving to the world that, in Canada, democracy, diversity, freedom and equality walk hand-in-hand.

Appendices

Appendix 1 - **A Look at the Evidence**

Appendix 2 - Myths and Facts about Proportional representation

Appendix 3 - Most Democracies Moving To PR

Appendix 4 - Electoral Systems and Incumbency