

## **Submission to the House of Commons' Special Committee on Electoral Reform (11-9-16)**

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At the very dawning of Political Science, Aristotle observed that the primary challenge for any democracy is to produce a government that reflects and aims toward the common good, that is serves the whole community or *polis*; and not just a particular faction, even the majority (Aristotle, *Politics*, 1280a6-12). Although our idea of democracy differs in important respects from what Aristotle knew—we favour representation rather than Athenian-style direct democracy—the essential question Aristotle asked remains a timeless challenge to friends of democracy today: Does the way we elect our representatives serve the common good of the whole community? In Canada I believe the answer is clearly no. The problem is our outdated, distorted, and inequitable First-Past-the-Post (FPTP) or single member plurality (SMP) electoral system. The problem is clear and so too is the solution. Canada needs to adopt an improved electoral system based on the principle of Proportional Representation (PR). My preferred option is a Mixed Member Proportional (MMP) system with regional “top up” seats that combines elements of the Scottish, New Zealand and German electoral systems with features unique to the Canadian context. Given that the empirical and comparative research outlining the technical aspects of these various electoral systems is widely and publicly available, in this brief I will focus primarily on the philosophical, psychological and normative dimensions of Canada's electoral reform debate.

Perhaps it will help us understand our condition today, if we step back for a moment to consider the historical progress of democracy in the past. In the 19<sup>th</sup> and 20<sup>th</sup> centuries the democratic movement was animated mainly by the battle to expand the franchise to previously marginalized groups, especially the poor, racial, linguistic and religious minorities, as well as women and young adults. These were heroic struggles that helped push forward the historical unfolding of the idea of human freedom and equality central to democracy. In our time, in the 21<sup>st</sup> century, there is a new challenge confronting democracy. It is a struggle less heroic than the suffrage movements of the past, but in some respects no less important. I believe that it is our task in our time to transform an electoral system we inherited from past centuries when these ideals of equality were only very dimly perceived, and to redesign the great electoral machine of democracy in order to give substantive, concrete meaning to the democratic principle of treating every vote equally. In the past we strove to expand the orbit of democratic rights. Now we live in an age of enhanced social technologies that make possible the practical realization of these rights in an electoral system that truly empowers our citizens. In this respect, changing the voting system is part of a larger process of democratic reform that could include reconsidering our voter enumeration process, as well as thinking more deeply about mandatory voting, the

possibility of electronic voting and expansion of the franchise to sixteen year olds. But make no mistake reforming the voting system is the most important and urgent task before us.

We need to reflect upon the nature of the problem in our democracy. It is well known that in modern Canadian history our putative “majority governments” rarely have been elected by the majority of votes cast in a federal election. In our system a party that wins 39% of the vote effectively wins all of the power in our Parliament. In every riding the candidate that wins a plurality of the vote acquires 100% of the right to represent the constituents in that riding. In a multi-party democracy such as Canada has been for nearly a century, the FPTP or SMP model practically guarantees that the “winner” of an election has won the support of only a part, and typically not even a majority of the voters. When you consider that a majority government in Canada may have as little as 39% of the votes cast in an election in which only 2/3 of the eligible voters even vote, then you wind up with governments that have acquired the active support of a subset of only 25% of the electorate. How can this be democratic?

The effect of this situation is what can only be identified as a democratic deficit. Declining voter turnout in Canada to rates among the lowest of any advanced industrial democracy suggests that FPTP increasingly fails to meet the democratic expectations of 21<sup>st</sup> century Canadians. Canadians expect their parliament to be more inclusive, more cooperative and more representative of our diverse country than ever before. Hyper-partisanship and the micro-targeting of small demographics in select swing ridings are the direct product of our flawed single member plurality electoral system. We have seen historically how sentiments of regional and sectional alienation flourish due to the legitimacy problem that arises when one party with less than true majority support imposes its mandate on the entire country. Keep in mind also that in our parliamentary system we have no meaningful form of separation of powers or checks and balances on the power of the House of Commons.

Proportional representation is the solution to the problems of our electoral system. PR is adaptable to almost any context including Canada’s unique characteristics. The central idea of PR is that it ensures that elections produce governments that reflect the values and choices of a voting majority by providing representation in proportion to votes cast. In a PR system applied to a multiparty democracy such as Canada, it is unlikely that one party will ever “win” all the power and thus our national politics will demonstrate greater consensus, power sharing and policies that represent Canada’s diversity.

My preferred option for reform is MMP because I believe that it is best adapted to the features of Canadian political life. I would recommend reducing the number of single-member ridings and establishing “top up” seats set by region that would be won by parties on the basis of the proportional share of their vote in the region. I would prefer that members elected by the regional top up seat route be drawn from an open party nominating process or who qualify as being the losing candidates with the largest vote share among that party’s single member constituency contests.

I believe that this or a similar form of PR would satisfy all of the guiding principles outlined in the public statement of the Committee Directorate. It would ensure **Effectiveness and Legitimacy** by reducing the distortions of FPTP and better translate voter intentions into seats in Parliament. MMP will also encourage a greater sense of democratic **Engagement** as voters will feel that every vote actually counts because for all intents and purposes practically every vote will go towards the election of a member of parliament. Comparative research indicates that turnout increases in countries that adopt PR. MMP also promotes **Accessibility and Inclusiveness** because underrepresented and marginalized groups will be more likely to be elected to parliament, if not from a single member riding, there is the additional opportunity of being elected as a candidate in a regional top up format. Moreover, unlike some forms of Single Transferable Vote (STV) that can get very complex, MMP avoids “undue complexity in the voting process” as it would require nothing more than adding a second party-only ballot to the traditional candidate ballot with which Canadians are familiar. Adding a second ballot to allow expression of partisan preference hardly demands abstruse speculative reasoning. As for ensuring the **Integrity** of the voting system, MMP would practically guarantee a power-sharing government of some kind, unlike FPTP or ranked ballot in a single member constituency in which efforts to compromise only a small number of votes can reward one party with total victory in that riding. Finally, MMP preserves **Local Representation** and the principle of accountability this promotes. In the MMP system I propose every MP will have been elected through a constituency election or as part of a regional contest, and thus have to face re-election by the people, not simply appointment by party hierarchies. In fact, local representation would be enhanced over any electoral model that relies solely on single member constituencies because with MMP the typical Canadian would have more than one member representing his or her community. MMP thus clearly fulfills the demands inhering in the principles outlined in the Committee’s mandate.

I applaud the Committee Directorate’s statement of the principles guiding our examination of the various options available for reform. I agree that practically all of these principles are integral to our idea of healthy democracy. My one criticism is that the stated principles “Effectiveness” and “Engagement,” while good as such are, if anything, perhaps too timid. I urge the Committee to consider the principle of **Empowerment** in your deliberations. At its deepest level, the primary test confronting any electoral system is: How does it make the voter feel when she or he steps into the polling station? Does the voter feel that her or his activity will have an impact or make a difference? To my mind, there is no question that the FPTP has given millions of Canadians a feeling of disempowerment. Our voter turnout rates are among the lowest of any advanced industrial democracy because so many of our fellow citizens feel that their votes do not matter. The sad truth is that they are right.

If you do not have the good fortune to live in a riding marked by some degree of parity in the correlation of partisan forces, then there is little incentive to vote because your vote will not make much of a difference in the outcome. As a Political Science Professor I find it depressing

to admit that this, but I cannot look my students in the eye and tell them that every vote matters in our democracy. In Canada today this is simply not true. We must not miss this historic opportunity to improve our electoral system.

**Empowerment** as I understand it goes beyond “engagement” or “effectiveness.” It is a radical principle, and it is a profoundly democratic principle. It means literally every single voter having the power to elect a representative of their choice and every citizen experiencing the subjective feeling that he or she is part of the sovereign general will of society. This lies at the heart of my problem with the idea of a ranked ballot used in a single member constituency to produce a fabricated majority, sometimes called the “instant run” off method. In this model if your first choice does not have sufficient support, then the voter is told “don’t worry, the system will take your second or even third preferences and assign that support to another candidate.” This form of ranked ballot certainly requires a great degree of engagement for the voters who have to ponder the intensity of their preferences ranging from “great I love this party or candidate” to “well this crowd at least don’t make me violently ill.” This may be engagement of a sort, but how is this empowering? I don’t feel empowered when I go to a store to buy something only to be told I can’t have what I want, but they can sell me something else that I don’t like as much. I don’t feel good or empowered in this situation. Actually I feel disappointed or annoyed. The only system that empowers the voters is one that ensures to the greatest extent possible that every individual’s vote—their real choice—will help elect their representative in parliament. The only electoral system that achieves this sense of empowerment is PR whether it produces proportionality through regional top up sets added to single member constituencies or through a STV ballot attached to multimember constituencies.

One of the main issues this committee will have to confront is what I call the “change problem.” Some of those who oppose any electoral reform will try to make the argument that the current system is familiar to us and thus has some kind of default claim on the loyalty of Canadians. They will plead that “FPTP has worked well to produce stable, majority governments and has stood the test of time through war and peace.” Therefore any change to something as important as our electoral system is simply too risky, too uncertain. Even some people who identify with the pro-electoral reform camp accept this basic premise and insist that “yes some change is needed but not too much change.” Reduce some of the worst features of the current system, but do not eliminate too much that is well-trodden. This is the specious attraction of the ranked ballot in single member majority, “just a little tinkering.”

I find this argument utterly unpersuasive. Change is required whenever inequities that have been tolerated in the past become intolerable. I submit that this is the state we have reached in this country regarding First-Past-the-Post. The public, especially young people, want to see fundamental change not only in the way we elect MPs in the mechanical sense, they want to see a transformation in the way our political elites dominate political life in its totality. Whatever may be their feelings about specific electoral reform proposal A in contrast to electoral reform proposal B, Canadians are tired of false majority governments with the temerity to claim to

represent the whole of this vast, diverse and complex federal political community. In the last election in October 2015, Canadians expressed their desire to end the hyper-partisan, wedge issue politics that flourish in our traditional FPTP system.

Now is the time to take seriously the new creed of innovation that is sweeping through all of our political, economic and social organizations. On every university campus in the country we see signs heralding **Innovation** and **Transformation**. Can it really be the case that we are thoroughly unsentimental about every aspect of our communal life except the way we elect our Members of Parliament? Is it possible that in this one vital plane of our political association we should accept: “If it was good enough for Lord Simcoe, it is good enough for me.” The principles of justice may be eternal but the mechanical structures and social technology of democracy need to be revamped and improved periodically.

Canadians are ready for a more consensual and inclusive form of political representation that calls upon us to fundamentally alter the way we view elections. Instead of having the first question we ask on election night being “Who won?” Canadians look forward to a time when our first instinctive reaction to election results is “What did the people, my fellow citizens, say with their vote?” Only later will we ponder which party or parties won in the technical sense. Frankly, in a PR system the people win every election.

This kind of dramatic transformation in our political culture is possible, but it is important to recognize that this kind of change does not arrive spontaneously or through purely organic growth. It is naïve to believe that change will always happen, if it is meant to happen. History shows us that it takes concerted, deliberate action with strong institutional support often to right even the most obvious injustices. There are those who will say that high-minded rhetoric about democratic ideals is all very nice, but the practical political reality is that human beings are creatures of habit that will always revert back to what they know instead of untested schemes. I admit that there is some truth to this. Those of us who came of age under the old FPTP system may take time to adjust and learn the unfamiliar patterns and rhythms of power in the new system. As a political scientist I may have to unlearn everything I thought I knew about Canadian elections and our party system. But the reforms this committee are considering are not primarily about me. With all due respect these reforms are not even about the members of this committee. Improving our democracy is about the future. Tomorrow I will teach an Introduction to Politics course at the University of Regina. The incoming class at the UofR today were in diapers on 9/11. Young Canadians are not as wedded to the current system as we sometimes assume they are. My experience is that they typically do not suffer from intellectual myopia or sheer force of habit. Young Canadians see the problem of disproportionality in our current system and they expect it to be repaired and, if need be, replaced.

Let me end this submission with the example we can draw from one other important electoral reform in modern Canadian history with which I know everyone on the Committee (indeed every parliamentarian in Canada) is familiar. Every MP in Canada was elected in ridings

that were drawn by a process of boundary adjustment governed by the *Electoral Boundary Adjustment Act* first introduced back in the 1960's and amended several times since then. Prior to this time, constituency boundaries had been drawn by the government or parliamentary committees typically controlled by the government. This principle of periodic partisan electoral boundary adjustment was the tradition in Canada, as it still is in most of the American states in which the state legislatures draw the congressional boundaries. The idea of independent, nonpartisan commissions drawing electoral boundaries on the basis of scientific data and reasonable community of interest was something we Canadians learned from the Australians. It made our democracy better. It is almost inconceivable that Canada would go back to the partisan boundary adjustment process that seemed so natural prior to 1964. I believe that something similar will happen with respect to reforming our voting system. Future generations will say we did a good thing introducing a proportional voting system. They may just wonder, what took us so long.