

Electoral reform 2016 – Dr. Kenneth M. LeDez

Submission to ERRE

Thank you for the opportunity I had to present at the Public remarks section of the agenda in St. John's.

October 5 2016

1. An election where the results do not reflect the will of the people as represented by the percentage of votes lacks legitimacy. It is not acceptable that governments with large majorities may be elected by less than 40% of voters. It is nonsensical to suggest that First-Past-The-Post produces strong governments when those governments represent a minority of voters.
2. There is sometimes excessive influence of party insiders under the current system and a danger that this could continue or even get worse under a Party List system.
3. However, proportional systems may assist with ensuring adequate representation for both genders, first nations, minorities, young people and persons with disabilities.
4. MP s are too often kept in check too much by party discipline or the threat to be overlooked for positions or have their nomination blocked. There is a danger of excessive control by Party Leaders who are not required to be elected directly by voters.
5. The first past the post system has a further major distorting and dividing effect, which is regional divisions and disenfranchising millions of Canadians in some provinces. For example, it takes many more votes to elect a Liberal in Alberta or a Conservative in Atlantic Canada. This may mean parties being completely shut out, or almost shut out of provinces or regions despite large numbers of voters. Parties that have substantial but dispersed support may not be represented at all, whereas parties with very limited popular support but concentrated within a small area may be markedly over represented. This situation divides the country against itself and is destructive.
6. In many cases there is nothing natural about electoral constituency boundaries, these can and have been rigged to favour a particular party or the effects can be almost random yet still distort the results. Multi-member electoral districts are less susceptible to manipulation of boundaries.
7. Also, MP s must represent people, not just parties. On the one hand, people may want the option of seeking assistance from an MP from the party they support, on the other, people want to know the name and feel their MP is accessible. This is more difficult with very large electoral districts with multiple members as is used in some PR systems like Single Transferable Vote (STV).
8. Nevertheless, if implemented well, STV may provide one of the best options that gives the greatest say to voters, it may reduce the influence of party "insiders" and offer choices between candidates from the same Party, and is efficient at ensuring that Parliament represents the will of the electorate. A pure STV system may not be optimal for rural and remote areas as these may have almost no influence if combined with urban centres with greater population.
9. The "preferential ballot" has a role, but within a proportional system. Without a proportional system people will be elected that were nobody's first choice and this may have very adverse effects. And it may exaggerate some of the current problems of the first-past the post system.
10. Very large districts as required by some electoral systems, risk making it even more about money. Without great wealth or a huge party machine how could a dedicated individual in St, John's, for example, campaign in Corner Brook or Northern Labrador if the entire Province was

one multi-member district? And how could that representative be familiar with such diverse areas? However, there may be ways to mitigate these problems, such as Internet distribution of campaign materials from each Party by election authorities. (This is separate consideration from online voting.)

11. The real question therefore is how to have a proportional system that avoids pitfalls such as excessive Party control and enormous electoral districts in rural provinces or widely spread out communities and that enables representation and personal access with identifiable representatives. If rural areas were to be included in a large multi-member electoral district there might need to be some qualification or "stratification" of the process to ensure one MP position had to assured to the rural area.
12. PR is arguably easier in large urban areas. There may need to be consideration of the differences between rural and urban areas of Canada and perhaps some differences in how elections are conducted therefore.
13. Perhaps there needs to be consideration of some variation between and within Provinces and Territories in the methods of election. And perhaps Provincial governments or provincial voters could make choices about what is best for them within nationally agreed principles that would have to include prior determination of the number of seats allocated to each Province or Territory. However, those principles must require an acceptable method of proportional representation otherwise the results would be distorted. For example, if Conservatives in Alberta were allowed to keep first-past-the-post and take advantage of PR elsewhere in Canada then this could produce a false majority government. There is little to suggest that there would be a major problem for example if one province were to have a Mixed Member Proportional system while another had STV. Electoral districts should not cross Provincial or Territorial Boundaries. In the Territories, Labrador and perhaps some other locations it is likely that there would be only one MP and other systems may need to be utilized, such as a preferential / ranked ballot or more than one round of voting / run-off ballots.
14. It is essential that Canadian voters determine governments in proportion to the votes cast in an election. This may lead to more coalition governments but if that is what it takes to ensure that a majority government represents a majority of voters then that is reasonable. However, coalition agreements but be made or unmade in a manner that is public and transparent.
15. Instead of simply adopting an off the shelf approach to our electoral system Canada should look to develop a proportional system that takes account of the wishes of Canadians and the distribution of population and the views of provinces, territories and regions.
16. It is likely that a proportional system would need to have national, regional or provincial thresholds so that parliament is not manipulated or controlled by an assortment of very small parties with very restricted goals. However, smaller Parties can play a very constructive role by bringing new perspectives and priorities to the decisions of Parliament, so the thresholds should not be excessively high. A threshold of 5% nationally or higher (?10%) in a region or (?15%) in a province might be a starting point for consideration. This could also help to prevent the near elimination of serious national parties that can arise from relatively small swings in the percentage of the votes.
17. Referendums are expensive and have limitations when it comes to dealing with complex questions. Elected assemblies are one option to consider for developing new ideas for Canada's election system. Efforts should be made to involve all parties and viewpoints in the new

elections system. Referendums can result in bitter divisions (such as in Quebec, Scotland, Brexit) that may take many years to subside. The purpose of electoral reform however should be to unite Canadians in having a system that reflects the wishes of voters. This will help to ensure that elections are fought and won on the basis of the ideas, policies and personal qualities presented to the electorate. It is difficult to imagine that a referendum held in concert with a general election would enable adequate attention to the issues. A Constituent Assembly could undertake the work of consulting and getting input from the public in a non-partisan manner while the federal government and parliament was getting on with the business of running the country.

18. Canada needs to move to a new system of Proportional Representation that takes account of the diversity of the Country. Respect for democracy must include respecting the will of voters as expressed at the ballot box.

Submitted

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