

Brief for the Special Committee on Electoral Reform

Dear Members of the Special Committee on Electoral Reform,

I submit this brief with recommendations for changes to Canada's existing "first past the post" (FPTP) system. For the sake of brevity, and recognising that you are well informed regarding the strengths and weaknesses of the various options under consideration, I will not repeat any general arguments and instead focus on how I believe my proposal relates to the five principles set out in the [motion](#) adopted by the House of Commons on Tuesday, June 7, 2016, outlining the mandate of the Committee.

Summary of recommendations:

- The system recommended is of mixed member proportional representation (MMPR), where a minimum of 10% of each province's seats would be allocated proportionately and the remainder would be elected according to a first past the post system.
 - *Principles: effectiveness and legitimacy; local representation; engagement.*
- Nationally, this would mean 299 constituencies and an additional 39 seats to be awarded according to a proportional formula, e.g. the D'Hondt method.
 - *Principles: local representation.*
- Once the number of proportional seats to be awarded to each party had been determined, each party's proportional seats would be given to its candidates, not elected directly in a constituency, who had obtained the highest percentage of votes in their constituency.
 - *Principles: integrity, accessibility and inclusiveness, engagement.*
- If the time required to redraw electoral boundaries is insufficient to have the new system in place before the next general election, an interim implementation measure would be to revert to the 308 pre-2015 ridings and allocate 30 seats to be filled proportionally.
 - *Principles: integrity.*
- The proposed system could designate a number of seats for Indigenous Canadians.
 - *Principles: inclusion.*
- A weighted vote would be the simplest form of preferential voting.
 - *Principles: integrity.*
- The decision on electoral reform should be made by Parliament, and not through a plebiscite.

1. (Recommendation) - Mixed Member Proportional Representation with a relatively small number of proportional seats

First, I believe that a form of mixed member proportional representation (MMPR) presents the optimal balance between options, as it reduces distortion and strengthens the link between voter intention and the election of representatives (*effectiveness and legitimacy*), while ensuring *local representation*.

Second, while many MMPR systems designate a relatively high proportion of seats to be allocated through a proportional mechanism, e.g. in the range of 40%, only a relatively small percentage of proportional seats is sufficient to greatly reduce the distortions of the FPTP system, with higher percentages subject to the law of diminishing returns.

Whereas an MMPR system that had a relatively high percentage of proportional seats could treat each province as a region in which a seat allocation formula could be applied, a low percentage would require

the proportional calculations to be done on a national basis, or at least on a regional basis. In the following example, I have used the results of the 2015 general election to model an MMP system in which each province had a minimum of 10% of its seats allocated proportionately. The result is that provinces with 10 or fewer seats would have one seat filled proportionally, with the remainder allocated according to FPTP¹. Provinces with 11 to 20 seats would have two allocated proportionately etc..., whereas the territories, with one seat each, would fill theirs according to FPTP. Nationally, this would result in 299 seats being won by FPTP (88.5%), and 39 allocated proportionately (11,5%). The proportional seats in the table below are allocated using the D’Hondt method, based on the total votes received by each party nationally, and an extrapolation of the 2015 election data to estimate the number of constituencies that would be won under FPTP.

Seats	LPC	CPC	NDP	BQ	GPC	Total
Constituency	163	87	39	9	1	299
Proportional	0	6	20	4	9	39
Total	163	93	59	13	10	338
% of seats	48,2%	27,5%	17,5%	3,8%	3,0%	100,0%

As can be seen, this model would ensure a strong element of local representation, while ensuring that votes cast for candidates who did not win a constituency would still contribute to their preferred party’s seat total.

2. (Recommendation) - Allocate proportional seats to the losing candidates receiving the highest proportion of votes in their constituencies

I would recommend against using party lists to fill the proportional seats.² Rather, a de facto open list for each party would be created by ranking all their candidates in descending order of the percentage of votes they received in their constituency. Once the number of proportional seats to be allocated to each party had been allocated, their top remaining candidates would be awarded those seats. In the example above, the Conservative party six top runners-up would earn proportional seats, the NDP’s next 20, the BQ’s four, and the Green Party’s, nine.³ This ensures that these seats are awarded to those obtaining the highest support for their respective parties, which supports the principles of *integrity* and *accessibility and inclusiveness* by yielding reliable and verifiable results, and avoiding undue complexity.

I believe that the increased effectiveness and legitimacy of this system would also foster increased *engagement* on the part of voters, who would be more likely to believe that their vote would count, whether or not their preferred candidate won in their riding.

¹ It should be noted, however, that this system could also be combined with others, such as Single Transferrable Vote (STV), whereby a certain percentage of seats were to be allocated by STV, and the complementary percentage allocated proportionately on the basis of the first choice on each ballot.

² One possible exception to this rule could be for a party leader, in recognition of the fact that they are required to campaign across the country and present their party’s policies to a national audience. In such a case, a seat could be allocated to a party’s leader if that party achieved a minimum threshold of votes nationally.

³ The system could meet such constitutional requirements as ensuring four MPs from Prince Edward Island by requiring that at least one of the proportional seats be awarded to a runner-up candidate in PEI.

3. (Consideration) - Interim implementation proposal

Implementing this system will require redrawing electoral boundaries within each province, so as to redistribute seats equally according to population. However, given that adjusting electoral boundaries requires considerable effort and time, it may not be possible to do so before the next general election.

One way to implement the system rapidly enough to meet the government's commitment to have a new electoral system in place for the next general election, while giving the necessary time to Elections Canada to redraw electoral boundaries, would be to revert to the 308 ridings in existence before the 2015 election, and allocating the 30 seat difference from the current 338 to be allocated according to a proportional formula.

4. (Consideration) - Create a certain number of seats for Indigenous Canadians

Although this idea is not essential to my proposal, it is an optional element that could offer opportunities for inclusion of underrepresented groups in the political process (increased *inclusion*), and that would be to allocate a certain number of seats for Indigenous Canadians (14 would be proportional to their share of the total population). As indigenous people tend to live in small rural communities, or are heavily outnumbered in larger urban centres, they tend to be underrepresented in Parliament. Having a number of designated seats for Indigenous peoples could help compensate for this. Practically, some could be geographically-based, with large territories (possibly larger than some provinces) and therefore, be superimposed over many "regular" constituencies. Other MPs might be elected not on the basis of geography, but rather, on the basis of being First Nations, Inuit, Métis, or urban. Candidates in Indigenous constituencies could obviously run for existing parties, but this measure might also result in the creation of new parties with a focus on Indigenous issues, with a reasonable expectation of being represented in Parliament. Either type of constituency could elect MPs by FPTP (8-10), with the remaining 4-6 allocated proportionally.

5. (Consideration) - Consider weighted voting rather than Single Transferrable Vote

While my recommendation is for a form of MMP, there are certain advantages to preferential voting. In the event that the Committee is leaning toward a form of preferential voting, I would propose a simple weighted vote instead of the more complex Single Transferrable Vote.

Few voters have significant preferences beyond the first two or three parties, meaning that rankings beyond the first couple of choices become essentially meaningless and therefore difficult to complete when there are over a dozen candidates and parties on the ballot. I would therefore propose that a simpler system that only asks the voter to choose his or her first two choices would achieve substantially the same objective of ensuring the election of a candidate acceptable to most, but without unnecessary complication. There are two ways this could be implemented:

1. The two votes would be treated sequentially, with the second vote only counted if no candidate attained 50% of the first choice vote. In that case, second choices would be factored in, with the candidate with the highest sum of first and second choice votes being declared winner, whether or not the 50% threshold were achieved.
2. Alternately, these votes could be treated simultaneously as weighted votes, rather than ranked votes. For example, a first choice would count for two votes, whereas a second choice would

count for one vote. The candidate with the greatest weighted vote would be declared the winner. This would likely be rendered even simpler to administer and is preferable from the point of view of avoiding undue complexity (*accessibility and inclusiveness*) and making the results more easily verifiable (*integrity*).

One potential weakness of preferential voting is that it can be possible to “game the system” by voting only for one candidate or party, thereby denying other parties the support that would come from a second (or lower) choice vote. This tendency could be attenuated in a weighted vote by giving a first choice a weight of two only when a second choice is also selected; otherwise, the first choice would only have a weight of one.

6. (Recommendation) - Electoral reform should be decided by Parliament and not through a plebiscite

In closing, I believe that electoral reform should be decided by Parliament. Whereas referenda may appear more democratic from a certain perspective, they are a poor decision-making mechanism for complex issues, as they tend to result in the oversimplification of complex issues by reducing them to a simple yes or no answer that cannot reflect the full spectrum of possibilities available.

Canadian parliamentary democracy is indirect, not direct, and should remain as such. We elect our parliamentarians so that they can focus their time and energies on understanding the complex policy questions with which the country is faced, and develop the requisite expertise so as to make informed decisions regarding the inevitable trade-offs.

Having an electoral system that strengthens the link between voter intention and the election of representatives is critical in ensuring that the general orientations of Canadian citizens are translated proportionally into Parliament. I believe the system I have proposed would do this effectively, achieving effectiveness and legitimacy while ensuring local representation, integrity, accessibility and inclusiveness, and promoting engagement.

Submitted by:

Dominic Rossi

Ottawa

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