

PROTECTING CANADA'S ENVIRONMENT REQUIRES A VOTING SYSTEM BASED ON PROPORTIONAL REPRESENTATION (PR):

QVEA BRIEF TO SPECIAL COMMITTEE ON ELECTORAL REFORM,
Sept 19, 2016, Regina Hearings.

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Oral presentation based on this *Brief to Parliamentary Special Committee on Electoral Reform by Jim Harding on behalf of the QVEA. QVEA organizers Lorna Evans and Randy Lebell presented at the Open Mike sessions.*

*Most democratic countries, other than the predominantly Anglo-Saxon-influenced ones of England, the U.S., India and Canada, have some form of Proportional Representation (PR). Eighty (80%) percent of OECD countries have some form of PR. There is a reason why, for **without PR, using the First-past-the-post-system (FPP) where winner takes all, a minority of voters can pick the government.** This pseudo-majority government can then take actions that the overwhelming majority of the population may not support. This is not only unrepresentative but can be dangerous to democracy.*

*In an era where we face such unprecedented global environmental challenges we will need the most representative and resilient democracy we can muster. **Some form of PR is clearly a better system than what we now have because it ensures that government is more representative of the people's choices.** It ensures that government will be more accountable and transparent to citizens.*

1. TYRANNY OF MINORITY: Our antiquated system allows a minority of eligible voters to pick the government. Fair Vote Canada reminds us that only 4 of the 17 "majority" governments elected by FPP in Canada since WWI received 50% or more of the popular vote. With 36% support among the 65% of eligible voters who voted, or **only 23% of the electorate**, Harper got a minority government of 143 seats in 2006. (You needed 155 to be a majority.) Being a minority government was some kind of check on Harper's power. However, in 2011, **with only 39% support among the 61% of eligible voters participating**, Harper got 166 seats and all the power of a majority government.

This was still **less than one-quarter (24%) of the electorate**, which is hardly rule by the majority. Combined with divisive wedge politics and voter suppression our country was at risk of centralized (PMO) manipulation.

Observation No. 1: Policies such as deregulating most waterways that were passed in undemocratic Omnibus Bills were clearly bad for environmental protection, and would never have been approved with a minority government. But these became the law of the land. As well as jeopardizing environmental protection, this amounted to a **tyranny of the minority**.

2. 2015 ELECTION STILL UNREPRESENTATIVE: The FPP also distorted the 2015 federal election results. Voter turnout thankfully went up to 69%, which was **much better than when Harper was elected in 2011**. But this was well below past elections, when the FPP system might be said to have been more fairly representative of the people's choices. In 1963, for example, the Pearson Liberals were elected with a majority with 79% of eligible voters participating.

In 2015 the Liberals got a majority government of 184 seats with only 39% of the vote. **There was a 69% voter turnout in large part due to broad discontent with Harper, but the Liberal majority was still won with support from only 27% of the electorate.** The Conservatives got 99 seats, which we'll see was closer to their share of the vote. The NDP got 44 seats, the Bloc 10 and the Greens only got 1 seat, that of their leader.

Observation No. 2: Things would have looked much different in 2015 if MPs were elected proportionate to the popular support of their parties. The Liberals would have had a minority government of about 135 seats, the Conservatives would have increased slightly to 105, but the NDP would have had 67 seats, 23 more than they actually got. The Bloc would have had 17 seats and the Greens 10.

3. SUPPORT FREEDOM OF EXPRESSION: An objective comparison of FPP and PR clearly shows that FPP creates severe disproportionality. FPP always undercuts fair and accurate representation, which, in turn, undercuts the sovereignty of the citizenry. Voter turnout is likely to decline because many people, even a majority, can come to realize that their vote isn't having an effect on the outcome. Voters are also more likely to vote strategically, to get rid of a government that they don't like, which was widespread in 2015. **Strategic voting, too, distorts representation and creates disproportionality.**¹

If people don't believe they have a positive chance to affect the outcome, then they are less likely to vote by conscience, if they vote at all. This undercuts the health of our political culture. Our electoral system should affirm the equality principle within the Charter of Rights; each voter should be able to have an impact on the election outcome

Observation No. 3: Enhancing proportionality and fair representation, and encouraging voters to participate and vote as they believe, complements the *Canadian Charter of Rights*, which sees freedom of expression and the equality principle as central tenets of democracy. Our voting system should be changed to encourage freedom of expression.

4. WHY SUPPORT CONTINUES FOR FPP: Representative government suffers from the disproportionality, low voter turnout and strategic voting that comes with FPP. So why, with all these flaws, do we still have support for this system? **Some of the support comes from familiarity and habit, which makes the system seem straightforward. Change requires deeper understanding, especially clear understanding of outcomes.**

Some supporters of the status quo argue that FPP creates more stability. But does it? And what kind of "stability" does it create? **The seeming stability of our present FPP system is based on misrepresentation and disproportionality, not on basic democratic consent and legitimacy.** We shouldn't be trading off the health of our democracy for such a questionable form of stable government.

The so-called stability is also based on citizen exclusion and even systemic manipulation, such as by divisive wedge politics. Both accountability and transparency will suffer under FPP.

Observation No. 4: Under the status quo of FPP, citizens become more alienated, disengaged and cynical about the election of governments. This can hardly be said to create any fundamental stability or legitimacy.

¹ One study found that 24% of people voted strategically in 2015.

5. DECEPTIVE CRITICISMS OF PR: There are unfair criticisms of PR which try to distract us from all the flaws of the FPP status quo. The Fraser Institute has been claiming that under PR the people won't be able to select their government.² They argue that *"under PR, voters effectively provide a sample of their opinions and the parties decide who will govern."* This is purely semantic. We've seen that 23, 24 or 27% of the eligible voters can select a majority government under the FPP. How can that be said to be "the people selecting their government"?

It's actually the opposite; if "the people" means the majority and majority rule, then it's the PR system and not the status quo FPP that would enable "the people" to select their government. The erroneous populist implication is that under PR the political parties will pick the government and that this is not "democratic." Think about this. Under FPP we elect a number of MPs. The party that gets the most or a majority of MPs becomes the government and the leader it picked becomes Prime Minister; under FPP this decision doesn't come directly from the voter. And a minority of the electorate can pick the party which becomes the government and picks the Prime Minister.

Under PR the parties create a list of their representatives that can be elected depending upon the proportion of the vote they get, say by the two-vote system of Mixed Member Proportion (MMP). Then the party or parties which have already picked their leaders and get the most or a majority of the seats pick the government. The Fraser Institute "critique" doesn't actually describe how the two systems work. **Rather it implies that "elites" will be manipulating behind the scene, similar to how Harper used such distrust of the "establishment" in his rise to power.**

Observation No. 5: The Fraser Institute and others who prefer the status quo are clearly trying to frame public discourse so that it disadvantages PR and the call for electoral reform. They are doing this before the wider public even gets a chance to understand how the different electoral systems work.

6. COALITION GOVERNMENTS: This misplaced criticism that PR will bring instability and doesn't allow "the people" to pick their government is also a criticism of coalition governments, which certain political and economic interests do not like. With coalition governments, for the most part, it is not as easy to lobby for or ram through a particular agenda. With PR the people's concerns and issues are more likely to be reflected within the government's agenda, including a coalition government. For a coalition to form and be viable it simply has to take a broader set of issues and positions into account, which would be a good thing. Comparative research shows that not only are countries that use PR "stable and robust" with a higher voter turnout, but are more likely to address environmental, income inequality and fiscal responsibility issues and to elect more women than FPP systems.³

Observation No. 6: Environmental protection and ecological sustainability is less likely to be marginalized with PR, including when it involves a coalition government, than under a government like that of Harper which got majority power from minority support.

7. FPP POLARIZES REGIONS: The FPP system actually creates more division than healthy coalitions resulting from PR. **In Canada FPP has accentuated regional polarization, which has been an obstacle to good government.** Because of the distortions in the FPP voting system the Bloc has sometimes been able to dominate Quebec federal representation, and even to become the Official Opposition, while the

² Changing Canada's Voting System Will Dilute Voter Power, Fraser Institute website.

³ See Fair Vote Canada, Brief to ERRE, Appendix 1.

Conservatives have been able to dominate Alberta's federal representation. In 2015 **the Conservatives still got 85% of Alberta's seats with around 50% of the vote.**

The Mulroney Conservatives got a large majority government with 50% support in only two regions: Quebec and Alberta. **His trade deal might have included other considerations than mostly corporate economic benefits if the electoral system and makeup of parliament had been more representative.**

Observation No. 7: The FPP system is generally not good for inter-regional communications or negotiations. PR would help depolarize the regions which would strengthen co-operative federalism. Pressing environmental issues like carbon pricing and moving to a less fossil-fuel intensive economy could then be addressed from a more pan-Canadian perspective.⁴

8. LOCAL CONTROL: PR is also criticized because it would supposedly weaken the connection between the MP and the local constituency. This is also based on a myth. Saskatchewan people probably got better representation (information about what the Harper government was doing) from Ralph Goodale than from all 13 Conservative MPs combined, who seemed to vote mainly by ideology and/or party discipline. If the voting system was fairer and more representative then MP's would have to pay more attention to what the voters in their riding were actually saying.

Constituency "representation" can become parliamentary profile for highly localized special interest issues while major policy issues that affect the overall public interest can get marginalized by a highly whipped federal caucus.

Observation No. 8: It would enhance democratic representation to have some MPs with a regional focus, as would happen with the MMP PR system, because then there would be a process to ensure better attention to overall concerns such as inter-provincial watershed protection.

9. VOTING AGE: Canada deserves and needs fairer representation and proportionality in its electoral system. PR is the most vital reform that is required to make Canadian democracy more resilient and stable for the coming challenges of climate change and ongoing geopolitical and global economic disruptions. **We need governments that focus and problem-solve rather than ones where the workings of the electoral system are an incentive to manipulate and divide people to stay in power.**

Of course other things should also be changed. The voting age should be reduced to 16. If high school students are going to study civics, as they should in any credible democracy, then they should also be directly participating in the electoral and democratic system.

Observation No. 9: A whole new generation of active citizens could be nurtured with such enhanced access and proportionality. Young people naturally care about what climate change will do to the world they will live in and will bring this awareness into the democratic process.

10. MANDATORY VOTING: And what about mandatory voting? Our democracy would be healthier if we were clear that rights involve responsibilities; that these go hand in hand. So the expectation that people should vote also needs to be enhanced. This would be a positive, not a punitive way to bring

⁴ Saskatchewan's Premier Brad Wall uses regional polarization to help stall developing a plan to reduce the province's huge carbon footprint. It is not only the highest (per capita) in Canada, but one of the highest on the planet.

change. If we require citizens to fill out census forms, can't we seriously consider requiring citizens to vote?

Observation No. 10: The norm that everyone is expected to vote needs to be encouraged hand-in-hand with the system being made fairer and more accessible. Comparative research already shows that PR will increase voter participation, so implementing this reform should be ERRE's priority.

11. ONLINE VOTING: What about online voting? The opportunity to vote should be enhanced on all fronts. However we need to always remember that voting is a social act and arises from people being a part of a political community or sub-culture. Having polls placed within First Nations communities increased voter turnout in the Regina-Qu'Appelle constituency in 2015. Also there are security and privacy issues that are raised by online voting.

Observation No. 11: Online voting can't be done at the expense of having accessible, secret ballot voting polls in all neighbourhoods, institutions, seniors home, etc. because this would undercut the goals of greater access, and better representation and proportionality.

12. REFERENDUM: And what about a referendum? It is unfair to say that we can't have democratic electoral reform without having a "democratic" referendum. We know that the wording of a referendum will shape the outcome. For example, a referendum that gave people four choices: the status quo, two types of PR, or a ranking-preferential system would **spread the support for change across three choices and the status quo FPP would likely come out the victor.**

This is not democracy at work. It's like the FPP, which allows a minority to have majority-like influence. The question at hand for the ERRE is whether we will: 1) maintain the present electoral system along with its disproportionality? or 2) create an electoral system which enhances representation and proportionality. The details and kinks could then be ironed out by our elected officials and public servants.

Let's remember that we are not starting from scratch; there have been 13 processes assessing our electoral system since 1977 and all of them have concluded that we need "to make our electoral system more proportional".⁵ Furthermore the Liberal government was elected on the mandate that this will be the last election using FPP. It's time to move forward on this as a country, which would be a good way to celebrate our 150th birthday.

Let's also remember that there was no referendum when women finally got the vote; it was just the right thing to do. And we can only imagine what would have happened if those with the vote got to decide. It would also be unfair for those who presently benefit from, and are more committed to participate in the FPP system, to be able to determine whether or not we get a voting system that encourages the broader electorate and publics to participate in our democratic processes. PR is the right thing to do.

Observation No. 12: Because a referendum campaign would probably be used to split public opinion and maintain the status quo it is not a good instrument for making our electoral system more representative and proportionate.

⁵ Brief to ERRE, Fair Vote Canada, Results From Past Consultations

13. RANKING-PREFERENTIAL SYSTEM: What about the ranking system? While it may seem easier and perhaps even cheaper to quickly instigate a ranking system without having to change constituencies or the number of MPs, this system would not guarantee better representation and proportionality, which is what is most needed.

In 2015 under a ranking system the Liberals would have received about 244, not 184 seats, which would have reduced the representation of all the other citizens (who supported Conservatives, NDP, Bloc and Greens) to just over 100 MPs. So in the name of expediency let us not go from the frying pan into the fire. Let us not allow the significant challenges involved in enhancing our democracy to dissuade us from making the changes that are required. **All Canadians will ultimately benefit if our electoral system is made more representative, more proportional and thus fairer.**

Observation No. 13: If the 2015 election had been run with a ranking system, taking into account people's second choices as indicated by polling, parliament would have been even more disproportionate than under FPP.⁶

14. ERRE PRINCIPLES: Last but not least we'd like to comment on your five "guiding principles". All of these will be affirmed by an electoral system based on PR. Our system will be more effective and more legitimate if it is made fairer by overcoming the disproportionality in the existing FPP system. PR will enhance the engagement of the broad electorate, including youth and disempowered groups. It will create better access and a more inclusive democracy in Canada. Making all these changes will create a much more fundamental integrity in the voting system. **Elected officials who can no longer get elected with a minority split vote will have to become more accountable to not only the range of local issues, but the regional, inter-provincial and pan-Canadian issues such as the Climate crisis and our dependence on fossil fuels that are challenging us so much.**

⁶ We realize that there is more detailed research comparing this and other electoral systems. See Comparative Study of Electoral Systems (CSES) database.