Electoral Reform
Changes to How We Choose the Commons and Senate

Changes in the structure of Parliament and the electoral system are likely to require constitutional approval, meaning endorsement by 50% of the population and a majority of provinces. This is a scary prospect for our politicians who seem to fear any in-depth discussion of policy, especially one that might change the status-quo.

This means we should only seek changes that are overwhelmingly popular and which are incremental. One idea that has broad support is *proportional representation* but the proposed solutions have focused on the Commons and are sufficiently complex that they are unlikely to withstand a national discussion, especially if support means holding a referendum. Further, they threaten the established party power structure and may lead to coalition governments that Canadians have little experience of.

Another topic that has recently gathered public interest is *Senate reform*, though this too will require constitutional change and is potentially as complex as electoral reform. I suggest that both these thorny subjects could be tackled together, with a minimum of changes to established practices.

For the Commons I propose no electoral change at all. That is, we stay with the *first-past-the-post (FPTP)* system and maintain all the Canadian traditions that have led to mostly stable governments. Also, I propose we stay with an *appointed* Senate but with a fundamental and important difference. We should make the Senate *proportionally represent* the population, based on the most recent general election, with members appointed by each established party (i.e. any political party gaining more than 2% of the national popular vote). This takes away a key privilege of the Prime Minister and shares that privilege with the other party leaders. The senatorial appointment process would be administered by Elections Canada in consultation with the party leaders and reporting directly to the Governor General.

The Senate

To say that the Senate should proportionately represent the population is simple but the rules under which appointments are made need to be considered carefully to avoid a House of party hacks. The Senate has just over 100 seats so each established party would appoint at least two members. There would be no *Independent* members unless appointed by one of the established parties. (Recent practice of the Liberal Party removing the senate mebers from the Liberal caucus could encourage the other parties to take a similar approach).

The parties should be constrained to respect regional proportionality as well, based on where their votes came from in the general election. There will be public pressure to balance gender and other representative characteristics (e.g. indigenous background).

Undoubtedly new traditions will establish themselves but a case can be made to appoint Senators with specific expertise so that the governing party can draw its ministers from a more qualified group than those actually elected. Certainly, key party members who lose their seats might still be appointed as a Senator. Note also that the *term of appointment* is only a single Parliament; no lifelong members except by repeated selection.

A proportional Senate is likely to be much more functional than the current model. Even if the election results in a majority of seats in the Commons, the Senate is likely to be more balanced with no single party having an outright majority. This would encourage collaboration and informal coalitions in the Senate when reviewing legislation. It would likely prevent even a majority government from pushing through unpopular or flawed legislation.

The Commons

Although very little change is proposed for the Commons, a proportional Senate will change the balance between the two Houses. The Commons derives its legitimacy from being directly elected, while the Senate gains its legitimacy from its proportional representation. The Commons could no longer count on the Senate rubber-stamping its legislation, leading to more consultation in committee.

There are other procedural reforms that could be applied in the Commons (e.g. those proposed by Chong), but we should not try everything at once. The reforms suggested above should be allowed to settle and establish their own practices to see if further change is needed.

Seat Allocation

The results of the general election in 2011 are shown below by both seats (FPTP) and popular vote by established party. This was the (initial) configuration in the Commons.

	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL	YT	NT	NU	Total
Commons Seats														
PC	21	27	13	11	73	5	8	4	1	1	1	0	1	166
NDP	12	1	0	2	22	59	1	3	0	2	0	1	0	103
Liberal	2	0	1	1	11	7	1	4	3	4	0	0	0	34
BQ						4								4
Green	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Total Seats	**36**	**28**	**14**	**14**	**106**	**75**	**10**	**11**	**4**	**7**	**1**	**1**	**1**	**308**
% Popular Vote														
PC	45.5	66.8	56.3	53.5	44.4	16.5	43.9	36.7	41.2	28.4	33.7	32.1	49.9	39.6
NDP	32.5	16.8	32.3	25.8	25.6	42.9	29.8	30.3	15.4	32.6	14.4	45.8	19.4	30.6
Liberal	13.4	9.3	8.6	16.6	25.3	14.2	22.6	28.9	41.0	37.9	33.0	18.4	28.6	18.9
BQ						23.4								6.0
Green	7.7	5.3	2.7	3.6	3.8	2.1	3.2	4.0	2.4	0.9	18.9	3.1	2.1	3.9
Others	0.90	1.80	0.10	0.50	0.90	0.90	0.50	0.10	0.00	0.20	0.00	0.60	0.00	1.00

Just referring to the national popular vote, this result would lead to 40 PC, 31 NDP, 19 Liberal, 6 BQ and 4 Green seats in the Senate, for a total of 100. However, we would like to have some proportionality by region (province or territory) and we have to deal with the fact that our northern territories and even our smallest provinces probably need to be over-represented. This can be achieved, not by penalizing other provinces but by adding a few seats.

The population by province and territory in 2011 was as shown below. If we stipulate that each province should have a minimum of two senatorial seats, and each territory a minimum of one seat, we have the following allocation. These five 'extra' seats should go to the most popular parties in those

	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL	YT	NT	NU	Total
Pop	4,499	3,790	1,066	1,234	13,264	8,008	756	945	144	525	35	44	34	34,344
%	13.1	11.0	3.1	3.6	38.6	23.3	2.2	2.8	0.4	1.5	0.1	0.1	0.1	
Base	13	11	3	4	39	23	2	3	0	2	0	0	0	100
+									+2		+1	+1	+1	+5
Senate Seats	13	11	3	4	39	23	2	3	2	2	1	1	1	105

regions; i.e. PCs get three extra for NU, YT and PE, Liberals get one extra for PE and NDP get one extra for NT.

For the more populous provinces the parties must ensure that regional representation is respected,

	BC	AB	SK	MB	ON	QC	NB	NS	PE	NL	YT	NT	NU	Total
PC	6	7	2	2	17	4	1	1	1	1	1	0	1	44
NDP	4	2	1	1	10	10	1	1	0	1	0	1	0	32
Liberal	2	1	0	1	10	3	0	1	1	1	0	0	0	20
BQ	0	0	0	0	0	6	0	0	0	0	0	0	0	6
Green	1	1	0	0	2	0	0	0	0	0	0	0	0	4
Senate Seats	13	11	3	4	39	23	2	3	2	2	1	1	1	105

Western Canada			ON	QC	Eastern Canada			Territories		
31			39	23	9			3		

just as the Prime Minister is currently required by the constitution to respect provincial quotas of senatorial seats. The 2011 configuration would look like the following.

In practice, because some numbers are small, rounding the results to integers will make it difficult for parties to fully respect regional proportionality. They should be accorded flexibility on this criteria, understanding that they are accountable to those regional populations. Grouping the provinces to make the regional populations more equal would provide the necessary flexibility (i.e. Western Canada, Ontario, Quebec, Eastern Canada and the Territories).

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