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# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Tuesday, November 22, 2011**

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**Chair**

**Mr. Joe Preston**



## Standing Committee on Procedure and House Affairs

Tuesday, November 22, 2011

•(1100)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** I call the meeting to order. We are here today in public. Pursuant to the order of reference of Thursday, November 3, 2011, we are considering Bill C-20, An Act to amend the Constitution Act, 1867, the Electoral Boundaries Readjustment Act and the Canada Elections Act.

We have three witnesses in our first hour today, and we'll have three witnesses in our second hour, also.

Here this morning we have Andrew Sancton, from the department of political science at the University of Western Ontario. He's a good Londoner. He's also a former electoral boundaries commissioner. If we have any questions on that, it may be suitable to ask them today.

We have Nelson Wiseman here today from the University of Toronto. It's good to have you with us. Also we have Michael Pal, from the Mowat Centre.

We're going to have them each give a bit of an opening statement, if they have one, and then we'll go to rounds of questioning.

Mr. Sancton, would you like to go first?

**Dr. Andrew Sancton (Professor, Department of Political Science, University of Western Ontario, As an Individual):** Sure, Mr. Chair.

**The Chair:** Go ahead. The floor is yours.

**Dr. Andrew Sancton:** It is a pleasure to be here, and as the chair said, I've served on electoral boundaries commissions in Ontario on three separate occasions and I have testified about this kind of redistribution issue on three or four other occasions in the past. Most recently, I wrote a paper on the principle of representation by population in Canadian federal politics for the Mowat Centre in 2010.

The first point I want to emphasize is that Bill C-20 amends the Constitution of Canada. The Constitution provides that Parliament, acting alone, can amend the formula for allocating House of Commons seats among the provinces, providing that it does not violate "the principle of proportionate representation of the provinces" and providing that no province is ever allocated fewer MPs than senators. There are no other restrictions on what Parliament can enact with respect to this subject.

I applaud the government for proposing to amend the formula so as to improve the relative representation of Ontario, British Columbia, and Alberta. In my view, lack of such action would have

left the existing formula open to constitutional challenge on the grounds that it was increasingly failing to reflect "the principle of proportionate representation of the provinces". I also applaud the government for proposing that no province that is over-represented by the current formula should become underrepresented as a result of the operation of any of the new arrangements.

But I cannot support any formula that has the effect of adding significantly more MPs than we already have. The government, of course, is absolutely right in pointing out that if we want to treat the fast-growing provinces fairly, and if we do not significantly add to the total number of MPs, the effect would be to remove MPs from some provinces.

By my calculations, since Confederation there have been 22 instances of individual provinces losing members of Parliament as a result of redistributions of seats following decennial censuses. It happens regularly within the constituent units of other federations, most notably in the United States, where the size of the House of Representatives is held constant and the size of each state's delegation is adjusted up or down every 10 years. The U.S. Constitution does not allow Congress to act alone and do what the government is proposing that Parliament do by enacting Bill C-20.

The so-called grandfather clause, which prevents provinces from losing seats from one redistribution to another, or prevents their seats from falling below what they were in 1985, was enacted by Parliament alone in 1985. It can just as easily be removed by Parliament acting alone in 2011. In fact, that is exactly what I urge you to do.

If Parliament once again makes it possible for provinces to lose seats, then fast-growing provinces can be treated more fairly without significantly expanding the House of Commons—or, indeed, without expanding it at all. By enacting the government's proposed provision that no currently over-represented province can become underrepresented, you will ensure that no small or slow-growing province is treated unfairly. That's why I support that provision. Some might see it as an advantage that this provision could possibly apply to provinces other than just Quebec, and I'm thinking particularly here of Manitoba and Saskatchewan.

As I've followed this debate so far, I believe there has been far too much emphasis on exactly which provinces are getting exactly how many more seats. The key issue is the fairness of the formula itself and how it affects the relative representation of each of the provinces in relation to the others. Except for incumbent and aspiring MPs, I believe the absolute number of seats in a particular province is quite irrelevant.

The issue that the rest of us are concerned about is the relative representational strength of provinces in relation to their respective shares of the total population. I am sure everyone here realizes that floor for the number of Senate seats has the effect of protecting seats in the small provinces of Atlantic Canada, but not in Manitoba and Saskatchewan. Under my preferred approach, I'm the first to admit that these two provinces, Manitoba and Saskatchewan, would lose relatively more seats than the Atlantic provinces, and perhaps there is a need for some form of cushioning mechanism.

The problem, of course, is that each time exceptional mechanisms are added, the fast-growing provinces lose in relative terms. The whole object of this enterprise is to begin once again to treat them fairly. My preferred option, in the form of a cushion or a floor, would be to enact a rule that we've had before, that no province can have fewer MPs than a province with a smaller population.

● (1105)

I would like to end my presentation with a personal anecdote relating to my experience on electoral boundaries commissions. The first time I was on one was in the 1980s. I wrote my first academic articles on this subject in the 1970s. In the early 1980s, I was appointed by the then-Speaker of the House of Commons to be one of three members of the Federal Electoral Boundaries Commission for Ontario.

Under the terms of the amalgam formula enacted in 1974, Ontario was to receive 10 more seats and the House of Commons was to expand from 282 members to 310 members. We commissioners did what we were supposed to do: We drew our proposed maps, which of necessity led to many significant boundary changes—and I emphasize that. When you have a lot more seats, you're going to change a lot more boundaries. You don't just plop the seats in a neat package; it changes everything. Anyway, we did that and we proceeded to hold public hearings in accordance with the act.

It's not an exaggeration to say that we were met with a torrent of abuse. "Why all of these changes? Why do we have more MPs", people asked. The wise and kindly judge who chaired our commission, who died only recently, tried to explain that this was all for Ontario's benefit. Our audiences were not convinced. They knew rightly and instinctively that enlarging the House of Commons to accommodate Ontario's fast growth could not possibly be the only way of proceeding.

The government of Prime Minister Mulroney then brought in legislation that abolished our commission and created a new formula. That formula is the same one that contained the grandfather clause, and has had the effect over time of increasing the underrepresentation of fast-growing provinces.

This is the formula that Bill C-20 is designed to change but, of course, it's not getting rid of the grandfather clause. My fear is that Bill C-20 is repeating a crucial mistake from the past. Canadians do want fair and proportionate representation. Certainly, Ontarians do, and I fully support that. But people don't want more MPs. Every time I tell people what I'm doing today, that's what they tell me, "We don't want more MPs." You might not feel the full effect of the anger now, but if this bill is enacted in its current form, I believe you will increasingly feel that anger as the prospect of many more additional MPs becomes real.

Thank you, Mr. Chair.

● (1110)

**The Chair:** Thank you very much.

Mr. Pal, please go ahead.

**Mr. Michael Pal (Fellow, Mowat Centre, University of Toronto - School of Public Policy and Governance):** Thank you very much for having me here today.

*Merci de m'avoir invité.*

I'm going to talk about two main things in my brief remarks here: first, about the positive steps forward that I believe Bill C-20 is taking, and second, to raise a couple of possible amendments or other reforms that Bill C-20 does not fully address, in order to further the value of representation by population.

To get to the areas where I believe Bill C-20 moves forward, it makes four key reforms. The first is that it removes the artificial cap on the size of the House of Commons. The current redistribution formula divides the population of each province by 279. The practical effect of the 279 formula means that not enough seats are added to the fast-growing provinces, those being Ontario, Alberta, and British Columbia. By removing that cap, Bill C-20 raises the possibility that representation by population will be adhered to much more closely than it currently is.

The second positive move forward by Bill C-20 is that it adds seats to exactly those provinces that have fast-growing populations. Alberta would receive six seats, Ontario fifteen, and British Columbia six. Professor Sancton spoke a little about provincial representation. I think the real issue is actually the representation of voters. It's voter equality that matters. It's not the absolute number of seats going to each province, it's what the voting power of an individual Canadian citizen is. Currently, citizens in Ontario, Alberta, and British Columbia are underrepresented. That has been the case for decades. Population growth in those provinces is concentrated not province-wide, but in the urban and suburban areas in those provinces. That has been known for quite a long time.

The changing demographic fact is that population growth is now driven by immigration. Immigrants, who are overwhelmingly visible minorities, choose to settle in the largest urban areas in those three provinces—for example, in the 905 district around Toronto, in Greater Vancouver, or in Calgary and Edmonton. What we're really talking about is who is the underrepresented voter. That underrepresented voter is increasingly a new Canadian who lives in a suburb and, increasingly, he or she is a visible minority. By adding seats to the fast-growing provinces, Bill C-20 is a positive move because it raises equality for those voters. It raises their voting weight.

The third positive move of Bill C-20 is that it treats Ontario equally with the other fast-growing provinces, Alberta and British Columbia. As I believe the committee will know, earlier versions of the legislation applied a specific formula that didn't allow Ontario's seat complement to grow as fast as it allowed Alberta's and British Columbia's. This bill treats those three provinces equally, and I think that's a very positive move.

The fourth issue is that adding seats to the House of Commons had the unintentional effect of diluting Quebec's proportionate representation. This bill would add three seats to Quebec. I think that's a good development, because it means that the proportion of seats Quebec has in the House will not fall below its proportion in the general population.

Those are the four positive moves.

What else does Bill C-20 need to address to really deal with representation by population? Bill C-20 deals with interprovincial inequalities, such as the case with a farmer in Ontario who has less voting weight than a farmer in Manitoba or Saskatchewan. Bill C-20 gets to that problem. What Bill C-20 does not address is voting power within provinces. Within each province, suburban and urban voters have much lower voting power than voters generally in rural areas, and you also see discrepancies between regions.

Once these seats are allocated to each province, as you know, it's independent, non-partisan electoral boundary commissions that decide on the actual boundaries. I think most academics are in agreement that the boundary commission process works very well, but the problem lies at the legislative level.

The Electoral Boundaries Readjustment Act allows commissions to deviate by 25% above or below the average population in a province. Then in extraordinary circumstances—which are undefined—they can even go beyond that. If you have a province with an average riding population of 100,000 people, the commission can deviate as low as 75,000 or as high as 125,000 people, not even using the exceptional circumstances clause. That's actually quite a wide deviation, which makes federal districts an outlier both domestically and internationally.

• (1115)

Recently, Manitoba, Saskatchewan, New Brunswick, and Newfoundland have all moved to much lower variances. They now allow between 5% and 10% as the number, with exemptions for those ridings where it's just geographically unmanageable to insist on representation by population. But those exceptions tend to be quite small in number.

As Professor Sancton said, the U.S. insists on absolute voter equality. I hope it will also be of interest to the committee that the United Kingdom has legislation before it that would reduce the variance to 5% in the U.K., with some exemptions.

At the Mowat Centre, we suggest that this bill should be amended to allow only a 5% to 10% variance, with some exemptions for ridings such as Labrador. Labrador is separated from the rest of Newfoundland by water. It only has 25,000 or 30,000 people, and it doesn't make sense to connect that riding with another riding in Newfoundland. That's the kind of riding where an exemption would be valid.

The last issue that I just wanted to raise is that while this bill gets rid of the 279 baseline for the size of the House, future growth of the House is still limited. The bill uses 111,161 people as the electoral quotient for the 2011 redistribution, and that moves us quite close to representation by population—although Ontario is still slightly underrepresented. But the formula contained in rule 6 of the bill increases that 111,000 number by the average rate of provincial population growth. In practice what that means is that the number of 111,000 will increase and will be something like 120,000, if Statistics Canada's medium-range population projections turn out to be accurate. On my reading of what those numbers will mean, the average riding size in Ontario, Alberta, and British Columbia—not for this redistribution of 2011, but the next one in 2021—will continue to grow to levels that I believe Parliament should consider problematic.

Under the Bill C-20 formula, the average riding in Ontario, Alberta, and British Columbia would have about 122,000 people, whereas the average riding in the rest of Canada would have about 82,000 people—and those are just the averages. There are extremes that obviously go quite a bit beyond that. So what we propose as a preferable formula is to keep 111,161 as the permanent electoral quotient going forward.

Now, the consequence of this will be that more seats are added to the House of Commons. Professor Sancton has raised some valid concerns about that. But if what we're really trying to do is to achieve representation by population, then an amendment to the formula will help us to achieve that.

Those are my comments.

Thank you very much for your time. I look forward to your questions.

**The Chair:** Professor Wiseman, your comments, please, and then we'll go to questions.

**Dr. Nelson Wiseman (Associate Professor, Department of Political Science, University of Toronto, As an Individual):** Thank you, Mr. Chair. Thank you for inviting me, and I apologize for my lack of facility in French.

I've read the debate at second reading on November 2. I'm thankful to Michelle, the clerk, for connecting me with the audiocast of your hearings of last week, to which I listened; and I also found very helpful a research piece by the Library of Parliament, prepared last year in April, on Bill C-12, the forerunner to this act.

Now this issue of redistribution, of course, is dealt with in the Constitution Acts of 1867 and 1915; but we've also had legislative tinkering, not only in 1985 with the grandfather clause, but in the 1940s, in 1946, in 1951, and in 1974. I want to echo a number of things Michael said, but my perspective is somewhat more critical.

I think it's unfortunate that this whole issue of redistribution is now subject to partisan bickering and has become unnecessarily politicized. I don't think we should be engaging in this exercise every decade or two. I think what we need is a fixed number of seats in the House of Commons, and I want to remind you that the House of Commons is the people's house. It's not the provinces' house—that's the Senate. MPs work very hard, as you do, primarily for your constituents. That's what you report in surveys. And MPs don't vote on the basis of what province they come from; you vote overwhelmingly on partisan lines.

Bill Casey found that out very powerfully. He felt he was voting for his province and he paid for it. When Newfoundland MPs voted for their province, I noticed their leader was castigated for not imposing discipline.

Now the minister and others have referred to Canadians' expectations of their votes being equal, but the real inequality, as Michael Pal has pointed out, is between rural and urban areas. I've heard Brampton West mentioned in the hearings by the member for Brampton West, and comparing that constituency to a rural constituency in Saskatchewan, it seems to me, is not as relevant as comparing it to a rural constituency in Ontario. I would also point out that if you go back to at least the 1960s, you will always find that the largest constituency in Canada is in the Peel region, which is where Brampton West is. So this really isn't anything new.

My own position is concurrent with the position of the current prime minister, Stephen Harper, when he was a member of this committee in 1994-95, when he said, "...there is no rationale for our constituencies to have only a fraction of the population common to electoral districts in other democracies."

He suggested a maximum of 273 seats. I think the maximum size could be around 260. The House of Commons operated quite well when we had that number for several decades. Under the current Prime Minister's proposal, eight provinces would have lost seats.

I want to point out that every single province in Canada, except Newfoundland, Alberta, and British Columbia, has lost seats in some redistributions. And here, I'm including Quebec. Quebec had 75 seats from 1953 through 1965, and then from 1968 through the 1974 elections, it only had 74 seats. Saskatchewan used to have the third-largest contingent in the House of Commons. I think that lasted for over 30 years. Now it has the smallest contingent, as we know, outside of the Atlantic provinces, along with Manitoba. Ontario as well lost seats during the First World War. I think we're overly concerned here about provincial representation.

I want to emphasize that MPs are first and foremost speaking for the provinces or their premiers, their governments, or their legislatures. This is a matter under federal jurisdiction and I don't think we need input from the provinces. They can provide it, but we don't need to consult with the provinces—as has been asserted by various speakers in the debate—if we want to reduce the number of seats. It doesn't involve consulting the provinces, as Professor Sancton pointed out, nor do we have to gain their unanimous support, which I think was also an erroneous statement made during the debate.

●(1120)

Now the minister, when he appeared last week, indicated that the provinces indeed were not consulted on the construction of this bill. The provinces would only need to be consulted, as I think you know, on changes to the Senate's numbers. The idea of undoing the grandfather clause of 1985 requires a constitutional amendment. According to the *National Post*, that involves the participation of the provinces. This is simply erroneous, and it's something that's being perpetuated. The clause, I believe, could and should be repealed by this House of Commons, because without doing so, we're guaranteeing the permanent expansion of the House of Commons in perpetuity.

At second reading in the debate, the parliamentary secretary, Mr. Lukiwski, said, and I'm quoting him, that "it is a fundamental principle of our democratic process, that each Canadian's vote should have the same weight". But as Michael Pal points out, Parliament does not subscribe to this principle, because its legislation permits a 25% variation above and below provincial average size, when you take into account the seats allowed to each province. The Supreme Court has upheld this variation. I have no problem with it, although like Michael, I would prefer that it be narrowed, perhaps to 10% or possibly 15%.

Our jurisprudence in Canada has been quite different. In the United States, they've stuck closely to the principle of the right to an equal vote. That has not been the Canadian tradition. In Canada, the courts have actually focused on the equal right to vote, and thus the franchise has been expanded to many who weren't eligible before, such as judges, those living abroad, prisoners, and some others, including returning officers.

I don't think we can have a perpetually increasing and large House of Commons. I would note that reducing the size of the House of Commons has been done in the past. The number of seats was reduced from 265 to 264 after 1965, and it stayed that way until 1979.

My criteria aren't primarily the cost savings. The savings and costs are marginal when you look at a budget that's approaching \$300 billion. I'm actually hopeful that a smaller House could perhaps engage in more civil exchanges and that it would make for more camaraderie and more familiarity among fewer members. One of the paradoxes right now is that we're increasing the size of the House of Commons, but we're using time allocation more and we're actually giving fewer MPs the opportunity to speak in the House of Commons. To me, that seems to be a contradiction.

I heard the concern of one MP that if the size of the House were reduced, we would have the anomalous situation of a maritime province having ten MPs—such as New Brunswick or Nova Scotia—and Manitoba and Saskatchewan only six. My own reading of it is that I don't believe this could happen, because there's a provision in the law, according to the Library of Parliament's legislative summary, that no province may have fewer seats than a province with a smaller population.

I would propose a floor of ten seats for every province, except P.E. I. and Newfoundland, and I would distribute the rest of the seats proportionately. Of course, it would still entail slight under-representation for all the other provinces, but we're dealing here with very small percentages. In many cases, we're quibbling over fractions of a single percent, which would get wiped out, in any event, when we have the rounding.

There's the issue of Quebec, which is sensitive.

●(1125)

**The Chair:** I'd like you to wrap it up, please.

**Dr. Nelson Wiseman:** Okay, let me make a political comment.

I'm a resident of Ontario. In the 1990s, the Government of Ontario introduced a bill called the Fewer Politicians Act. Many of the senior cabinet ministers in that government are now senior cabinet ministers in the federal cabinet. I notice that this bill is called the Fair Representation Act. That bill wasn't called the Unfair Representation Act, nor is this bill called the More Politicians Act.

I don't see a great demand. I heard a statement by the minister that this was a commitment made during the election. I don't recall hearing one candidate in the election, or the Prime Minister, nor did I see a single piece of literature distributed to anybody's house, saying "If you elect us and my party, we are going to increase the size of the House of Commons".

Thank you.

**The Chair:** Thank you very much, professor.

I'd like to go to a five-minute round, starting with Mr. Lukiwski, please.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you very much, Chair, and thank you all, professors, for being here.

On this one question I have several comments to make, but my first question would be to Professor Sancton, and perhaps a similar question to Professor Wiseman, because both of you are taking the same approach inasmuch as you're suggesting that we need fewer rather than more members of Parliament. But have either one of you consulted with any of the provinces that might be affected under your suggestions, particularly the province of Manitoba or Saskatchewan?

Professor Sancton?

**Dr. Andrew Sancton:** No.

**Mr. Tom Lukiwski:** Professor Wiseman?

**Dr. Nelson Wiseman:** I haven't consulted with the governments, but I am a Manitoban. I grew up in Manitoba, and I was there when the seats were reduced and it wasn't an issue, because I sensed, as I think other Manitobans did, that the important point wasn't how many seats you had, but the proportionality.

I think that's how Saskatchewanians responded. They lost seats more dramatically than other province in Confederation. They went from 21 seats to 13 seats. I wrote my thesis on prairie politics, and I never encountered this as an issue at any time in the first three-quarters of the 20th century.

●(1130)

**Mr. Tom Lukiwski:** Thank you.

I asked that question because, while you're quite correct, Professor Wiseman, on what you stated about Saskatchewan losing seats, that was over 45 years ago.

I have consulted with the Province of Saskatchewan and I can assure you that they are not enamoured whatsoever with the possibility of losing seats. That's the difficulty I see in both of your recommendations that we reduce seats, because it's very easy to give, but very difficult to take away.

Things have changed in the last 45 years. We are trying to foster an environment of positive federal-provincial relationships on a number of different fronts. To start alienating provinces by taking away members, in my view, would not be the best approach to foster this type of relationship.

Again, I note that it has been many years since any province has seen a reduction in its members. While I can appreciate the fact that many Canadians may say, and I believe it to be true that they're saying, "Look, the last thing in the world we need is more members of Parliament. Look at the cost, look at the expense." That's the same argument I hear time and time again in other areas, such as nobody's worth a \$1-million salary or a \$2-million or a \$3-million salary. It's a very easy argument to make that it costs too much money.

I think what we have to be focusing on is the fact that we need a bill that, as Professor Pal has pointed out, closes the gap on representation by population and allows provinces who have experienced a faster population growth to be represented more equally. While this bill is not perfect—it doesn't give equal representation and there's still going to be underrepresentation in British Columbia, Alberta, and Ontario—it certainly closes the gap significantly.

The question may become, do we put a cap on it? Is it 260, as Professor Wiseman has indicated, or a different cap, but no more than 308?

That's going to be a debate that's going to go on for awhile. But I do know that the provinces that would have their number of representatives reduced—despite what you say, Professor Wiseman—would take offence because of it, because I have consulted with them and I know what their response would be.

Professor Sancton, I see your hand up, so I'll certainly allow you to—

**Dr. Andrew Sancton:** I didn't respond at length to your factual question about whether I've consulted the governments and so I think I would like to respond to this point.

If 30 members of Parliament are added, and if some provinces get none of those members, they are losers. So my question to you would be, did you consult with the Government of Saskatchewan about 30 members of Parliament being added and their getting none of them, because—

**Mr. Tom Lukiwski:** Absolutely, I have.

**Dr. Andrew Sancton:** And they think it's better? They don't think that they've lost representation?

**Mr. Tom Lukiwski:** Absolutely, they think it's better, because they understand the need for the faster growing provinces to have more equal representation, but they have no desire to see the number of members of Parliament in Saskatchewan reduced.

**Dr. Andrew Sancton:** But they have less influence.

**Mr. Tom Lukiwski:** I understand your argument, sir. I'm just saying what the reality is related to my discussions with the province.

**The Chair:** You're at five minutes.

**Mr. Tom Lukiwski:** Thank you.

**The Chair:** Mr. Comartin, for five minutes, please.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Thank you, Mr. Chair, and thank you, gentlemen, for being here.

Let me start, Professor Wiseman. Going back to 1867, have we ever, on this equal vote—every vote being equal—had that type of equality?

**Dr. Nelson Wiseman:** No. I think for most of Canada's history, the boundaries were often set by the government, so we had gerrymandering. I think we're really quite advanced because we now have these independent electoral boundaries commissions and the legislation has been dramatically improved. I think this has been a great advance. The problem I'm still having, though, is that it's as if the comments here are from people representing provincial governments.

People ought not to be abdicating their role. This is the people's house. You were elected by Saskatchewanians, not by the Saskatchewan government. So I want to focus—and I would move toward it, although I think the American standard is too tight—toward representation by population. That's essentially not an inter-provincial issue; that's an issue of lessening the divide between rural and urban voters.

• (1135)

**Mr. Joe Comartin:** If I understand your position, you would still allow for exceptional cases—the territories, Labrador, and those kinds of examples.

**Dr. Nelson Wiseman:** Yes. I think you'd have one seat each for each of the territories. I heard Labrador mentioned. I should point out that we have split up constituencies where we have islands and mainland. I'm thinking of Elizabeth May's constituency, which includes the Gulf Islands and a large part of Vancouver, the Saanich Peninsula. I don't think the Gulf Islands should have their own seat. For Labrador, I could see a case being made.

In the case of far northern constituencies, I think the courts have accepted, in a case that came out of Saskatchewan, a variation of up to 50%. Beyond that, these are very small...we're talking maybe a handful or 10 ridings. I think we should move closer toward representation by population, maybe narrowing it down to 10%.

**Mr. Joe Comartin:** So do you think Mr. Pal's position on going down to 5% is not doable?

**Dr. Nelson Wiseman:** I think that's doable. I think you can even drill it down further, as they have in the United States. I just think

that in the Canadian tradition, there's been more of a focus in the jurisprudence on community interest, the historical traditions. There's more of a group focus in our constitutional tradition than there is in the United States, which is focused solely on the individual. So I accept that. I just think the variation right now is simply way too wide.

**Mr. Joe Comartin:** Professor Pal, you obviously want to get in on this.

**Mr. Michael Pal:** The act grants the boundary commissions the discretion to operate within the 25% range. One option they could have taken was to say we're not going to use that range unless we really need to.

**Mr. Joe Comartin:** Historically they have.

**Mr. Michael Pal:** Historically they haven't; currently they have. They operate well within that range and consider that normal. So the consequence is for suburban voters; they're underrepresented as a whole compared to rural voters. But you can see that suburban voters are underrepresented compared to urban voters. If you live in Brampton, your vote is worth less than if you live in downtown Toronto. You also see other anomalies where western Ontario has a different voting power than eastern Ontario. What's the principled basis for that?

It doesn't have to be 5%—I think it could be 5% or 10%—but we've used those legitimate exceptions that are out there, like the northernmost riding in Ontario, or Labrador, or the Gulf Islands, to set their 25% rule. Instead, we should have a narrower norm and then exemptions for that small number that are actually exceptional.

**Mr. Joe Comartin:** So you would allow for those exemptions. The Timmins—James Bay riding, for example, would be in the exemption category.

**Mr. Michael Pal:** I would say probably yes. You'd need to look at which specific ridings would qualify, but I don't think boundary commissions should have that discretion, because they end up using it to over-represent some ridings and under-represent others, where there's less of a case than there is in Labrador, or maybe in northern Ontario.

**Mr. Joe Comartin:** So how would you design the exemption? What would the criteria be to fall into the exemption?

**Mr. Michael Pal:** That's an interesting question. You'd have to look at geographic size. It could be ridings that are physically really large. You could draw on the expertise of boundary commissions, where they have traditionally found ridings to be over-represented. But—

**Mr. Joe Comartin:** I'm not getting any agreement from your colleague there.

**The Chair:** You're at five minutes.

Monsieur Dion, for five minutes please.

[Translation]

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Thank you, Mr. Chair.



[English]

First, I would like to say that I'm very sorry, professors, that we are squeezing you in with so little time. It's a debate that we had between us. We did not win this debate. I hope I will convince my Conservative colleagues, though, that it would indeed be good if the Fair Representation Act did not become the More Politicians Act.

I'm convinced that this may be fixed. We all agree that the proportions are right now. Ontario is not left out; Quebec is not left out. We have good proportions, but what we disagree on is the size of the House. I would like to hear from you about that. Two of you have made it very clear that you would prefer not adding seats to the House, and Professor Wiseman would like to decrease the number of seats.

What do you think about the alternative proposition that I think you're familiar with, that we would change the current federal clause by the 15% clause—that would say that a province cannot lose seats more than 15% at each operation? That would allow us to stay at 308 seats and to achieve the same proportion for each province, and then to have equity without ballooning the House with 30 new seats.

So, each of you.

• (1140)

**Dr. Andrew Sancton:** Mr. Dion, I basically support that position. That was inherent in the presentation that I made.

If you had a 15% cushion, a province couldn't lose more than 15% of its seats; it would have the effect of decreasing the relative strength of the faster-growing provinces. But I appreciate the difficult compromises that have to be made here, and we've heard about Saskatchewan already. Given those kind of difficult circumstances, I think that would be a very fair and honourable compromise. So I support that formula.

**Hon. Stéphane Dion:** Thank you.

Professor Pal.

**Mr. Michael Pal:** Would the ideal representation formula be one purely based on representation by population? I think that's probably correct. But given that we have certain constitutional constraints, how can we work within those? If you remove the grandfather clause, what you're saying is, some of the provinces that grow at a slower rate will lose seats and others will not, so you create an inequality between those provinces. I raise the issue that previous versions of this bill didn't treat all the faster-growing provinces in the same way—Ontario was treated differently from Alberta and B.C.—so this is in a way the reverse problem with the slower-growing provinces, and that's an issue.

The other thing I would ask is, once you've redistributed some of the grandfather seats in 2011, what do you do in the next redistribution in 2021? It's not clear to me that there would be enough extra seats to redistribute, so you would at that point have to add more seats. As you say, you're delaying adding more seats. If your goal is not to add more seats, you've delayed it by one redistribution; but I don't see from the numbers how you could delay it beyond that, if you want to stick to rep by pop.

**Hon. Stéphane Dion:** Professor Wiseman.

**Dr. Nelson Wiseman:** Well, I prefer fewer seats in the House of Commons. I got anxious about it once it hit about 295. Obviously, therefore, I would prefer 308 seats to 338 seats. I don't appreciate all the technicalities in the bill, but I don't understand, quite frankly, the projections that the current bill would accommodate population growth for decades to come. The issue isn't the overall population in Canada, but interprovincial migration. We can have dramatic shifts, as we have had, out of Saskatchewan and in and out of Alberta, which would result, if you can ever lower those numbers of seats, to a perpetually increasing House.

**The Chair:** There's a minute left.

**Hon. Stéphane Dion:** Well, I would say that it's not only a matter of cost for me. I have been Minister of Intergovernmental Affairs long enough to know that when you have a lot of MPs, they want to be the mayor, they want to be the MLA. For the effectiveness of our federation, it would be good to not increase the House, but to keep it at 308.

Professor Pal, we have the same proportion as the government does, at 308. If you're right, if you think that in the future we'll need to add seats because of demography—although it's difficult to predict, as you know.... In fact, Immigration Canada came out with new figures today showing that immigrants are now going more to the Prairies than to Ontario. Assuming that's the case, don't you think it's an additional reason to keep it at 308 this time, that we may do it while achieving the same equity as in the government's bill?

**Mr. Michael Pal:** In the sixties, as Professor Wiseman mentioned, we had a formula that removed seats from certain provinces. Then in the seventies, we came up with the amalgam method, as Professor Sancton mentioned, which was mainly to prevent those provinces from losing seats. The political pressure from knowing that the formula would reduce seats for specific provinces over time is something for Parliament to decide, but it's a very difficult proposition, I think, sir.

**Hon. Stéphane Dion:** But what is your preference?

**Mr. Michael Pal:** Then the issue is whether it is fair to reduce seats for some of the slower-growing provinces and not for others. I think we would really need to consider whether that's a proper—

**Hon. Stéphane Dion:** But the opportunities are the same with the government's bill anyway.

**The Chair:** Thank you.

We're going to try to get as many people questions as possible. We'll go to a four-minute round.

Mr. Reid, please start.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Why don't we go to a four-minute round after me?

First of all I wanted to say in terms of the description of the intraprovincial as opposed to interprovincial problem—because there are really two things being discussed up here—I disagree with the urban versus rural characterization, that rural regions are overrepresented and urban regions underrepresented. But I do agree with the “underrepresentation of suburban versus overrepresentation of everybody else” paradigm.

I think that means I'm agreeing with you, Dr. Pal.

I had my own experience with this following the 2000 election. The highest number of votes cast in any riding in Canada was cast in the riding I then represented, the now defunct riding of Lanark-Carleton, a growing suburban riding on the outskirts of Ottawa.

Professor Sancton, you are the only panellist who has sat on a boundaries redistribution commission. You were faced with the problem of ridings like that one, and many more ridings that were like that on the outskirts of Toronto.

Are you permitted to take into account projections of future population growth to avoid this occurring in the future, or are you actually prohibited from doing that?

• (1145)

**Dr. Andrew Sancton:** That's a very good question, Mr. Reid.

In the Electoral Boundaries Readjustment Act, there used to be a provision under which projected growth could be taken into account by the commissions, but Parliament removed that provision. The interesting question that remains is what the motivation of Parliament was in removing it. Presumably it was that they didn't particularly want commissions to look at that.

**Mr. Scott Reid:** That's interesting. Do you have any idea whether the projections that were used were inaccurate or wrong guesses? Is that the reason for it?

**Dr. Andrew Sancton:** My interpretation of it, sir, was that the projections were being used to add seats or portions of seats in urban areas, and members of Parliament from rural areas didn't think that was an appropriate way of acting.

**Mr. Scott Reid:** I now have an entirely rural riding, so I may have more sympathy with that argument than I would have had in 2000. Who's to say? At any rate that's actually a very useful part of the discussion.

I'd just like to pursue another issue that came up. In 2021 we're likely to have a version of the same problem—and I gather, Dr. Pal, that was your comment—we now have now, presumably to a lesser degree than we would have had if we didn't do anything. If we don't do anything, will we start seeing that for Ontario, Alberta, and B.C. vis-à-vis the Atlantic provinces, there is a growing disproportion?

**Mr. Michael Pal:** Do you mean that if Bill C-20 were not passed?

**Mr. Scott Reid:** I mean if we don't act with a future version of C-20 and further adjust the formula.

**Mr. Michael Pal:** I did some numbers on that.

In 2021 prior to redistribution, using StatsCan projections, which of course are projections, Ontario would have about 123,000 people per riding; Alberta, just under 123,000; and British Columbia, 134,000, whereas the rest of the provinces would be at just a bit

above 81,000 or 82,000. After the redistribution those numbers get better under C-20. They average about 120,000 or 122,000 in the three fast-growing provinces. If you keep 111,000 as the quotient, then the average riding population will be about 110,000 or 111,000 for those three provinces. It's still quite a large gap, but it's closer under the formula that we're proposing at the Mowat Centre than it would otherwise be. If we keep the 279 formula, C-20 is a big improvement. We're suggesting further refinements to that formula if the goal is to enhance rep by pop.

**Mr. Scott Reid:** Very quickly, did you have any numbers as to what kind of seat total you would get if you used your proposal looking ahead.

**Mr. Michael Pal:** There would be, I guess, 30 additional seats in this round, and you would add something in the range of an additional 20 the next time. So there is a consequence for—

**The Chair:** Our formula doesn't allow you to add minutes to your speech. I will give equal time to Ms. Charlton, so please go ahead for four minutes and twenty-two seconds.

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Thank you very much, Chair.

I want to take the conversation in a little bit of a different direction. I appreciate the arguments you've been making, and when I look at the Liberal proposal for Ontario, for example, the average riding size would be 121,573. Under the government's bill it's 110,000.

Professor Wiseman, you said that having 260 MPs would be fine, because with closure we're not getting additional debate anyway. I think that's a point well taken, but what we do in the House is only one side of our job. We do have significant responsibilities in the riding for things, including case or advocacy work on behalf of a number of people within our ridings. I have to tell you, in a riding where we have a huge newcomer, immigrant population that isn't reflected in these numbers in terms of their ability to vote, it's difficult to be able to meet all of the demands at the riding level. I've often pined or wanted to be a member from P.E.I., where the riding size is 36,000.

In your comments, you focus solely on size of the House, based on our responsibilities here as parliamentarians and participants in debate. I wonder if you'd want to comment on the impact on riding representation.

• (1150)

**Dr. Nelson Wiseman:** You make an excellent point and I'm sympathetic to MPs who have to represent that many more constituents. One way it can be addressed, I think, without adding more MPs is, perhaps, providing for greater administrative support, more money so you could hire more people. That would help you discharge the responsibilities of MPs who have more constituents. That's how I think it could be done.

There are other jurisdictions that have ceilings, the United States, for example, and they have greater support for their senators and congressmen.

**Ms. Chris Charlton:** But we're dealing with this bill at a particular point in time, where the pressures on constituency offices are actually increasing because of cutbacks to federal bureaucracies and to the services government is providing in constituencies. So there's not going to be an appetite to enhance our budgets based on regional variations. We are dealing with this bill at a particular point in time and I am really worried about our ability to represent our constituents, not only here but at home.

Professor Sancton, I wonder if you might be able to speak for a minute. I don't know if you've done the number crunching, but do you know how many seats Manitoba and Saskatchewan would lose?

**Dr. Andrew Sancton:** It would depend on whether you had a cushion proposal in there or not, but effectively, if we kept the House at 308 seats and got rid of the grandfather clause, they would each go down to 10 seats. But if they weren't allowed to lose more than 15% of their population, it would be around 12, I believe.

**Ms. Chris Charlton:** Thank you.

My last question is for Professor Wiseman again. I know that you were cut off by the chair because we had to allow more time for Mr. Reid, so I wonder whether you might be able to finish your presentation, particularly your thoughts on Quebec.

**Dr. Nelson Wiseman:** I've heard the NDP speak on Quebec. Actually, Quebec has lost seats in the past. I'm not as sympathetic. I believe the people of Quebec accept the principle of proportionality. They accepted it in the Constitution Act of 1867, which hadn't been the case before that, when we had a double veto principle in the old Province of Canada.

I also noticed many references in this committee to Quebec as a nation motion. But motion is just a motion, like a toast to the Queen on her birthday. It doesn't have legal status and it doesn't have any more status than the motion I would remind you was passed by Parliament in 1995, that whenever Parliament considered a bill, it would take into account that Quebec was a distinct society. That was passed soon after the referendum.

I come back to the point: What are we debating here? It's whether Quebec should have 23% or 24% of the seats. The point that is important to me is the partisan colouration of the MPs, because they vote on that basis. To pretend that you're sitting around here as provincial representatives...that's just not the case.

**The Chair:** Mr. Kerr, four minutes or thereabouts.

**Mr. Greg Kerr (West Nova, CPC):** Thank you, Mr. Chair, and certainly, welcome to the witnesses today

I want to follow on from Ms. Charlton. One of the great misconceptions, at least for some of us who have been elected for a long time and perhaps at different levels—and you hear this a lot in the media and in the academic world—is that we're strictly parliamentarians and that our job is strictly about what goes on, in this case, in Ottawa. The reality on the ground is that we were elected by the people; we represent the people and we're responsible to the people. What we often find is that even though we're only at work when we're in Ottawa, the vast majority of the work for most of us is not in Ottawa.

I'm looking for a little comment on the loss of seats. It would be different if you were in a province that's going to receive additional

seats compared to one that's going to lose seats. I think there would be a vast difference in the reaction.

But I will comment on the rural-urban divide, because you've raised it a couple of times in your conversation. I've talked to many of my colleagues from urban areas who say that there's such a commonality. Five or ten members can have the same issues going on at the same time as far as public conversation is concerned, whereas in many of the rural seats you'll find there are many different conversations going on, even by district or region.

I don't think any of us is intending to be influenced by provincial governments—I don't think that was the intent—but we are very much influenced by the people whom we represent, the area that we represent. So I'm wondering how you deal with that issue as we get into this complicated urban-rural formula process, where the demands and workload, I believe, in the rural area are not going to diminish. How do you not lose representation for those people if, in fact, you reduce the number of members? I ask because the reduction will take place, according to what you're saying, in the rural areas.

I leave that as a general question, and not specifically for any person, but I would like to hear your comments on that.

• (1155)

**The Chair:** Mr. Sancton.

**Dr. Andrew Sancton:** This is an issue that has come up repeatedly in electoral boundaries commissions. The fundamental principle that we're dealing with here is representation by population. A vote in suburban Toronto should be equal to a vote in any other part of Canada. Unfortunately, we don't have that issue solved right now.

What I do find very difficult to accept is that, right now, a vote in rural Ontario.... Indeed, a rural Ontario member of Parliament has 30% more people and much bigger ridings, in many cases, than in other rural provinces. I understand the issue about servicing constituents, but that is an issue that has to be dealt with after we sort out the issue of representation by population, in my view.

**Dr. Nelson Wiseman:** I was just going to say that what we're dealing with here are just a number of different variables. You have to decide and you have to prioritize them. We're trying to take into account the pressures that you face, the very real pressures as an MP in representing people, and the differences between rural and urban regions, and then the difference between representing Brampton West and Davenport—which I think has perhaps even half the population of Brampton West. So that's different. You have to reconcile those principles.

But it seems to me that the principle that's been driving this committee's work is the notion of proportionality among provinces. And it hasn't been about compensating rural members for their issues in terms of the differentials from one district to another district, and so on. If you want to somehow incorporate that into the act, I guess you could. Or you could try to take, as I'm suggesting, administrative measures to accommodate that through greater resources.

When I hear about constituency offices, does it have to be the case that everyone gets that same number of people in a constituency office? Maybe the people in rural constituencies need two or three constituency offices with more resources, and maybe that would be the case for the north or suburban regions.

**The Chair:** Thank you, Professor.

We have a couple of minutes left.

Mr. Albrecht, one quick question and answer; and then Mr. Toone, one quick question and answer.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** I just want to follow up on the point that Ms. Charlton raised. It was addressed briefly in terms of members of Parliament. Not only are we elected by a certain number of votes, but we also have a job to do in representing our constituents. It's fine to say, just add more administrative services, but my experience is—and I'm sure my colleagues would back me up on this—is that the people say they want to talk to the MP. They voted for him; they didn't vote for their staffer. We know it's not that possible and most people are reasonable.

**The Chair:** What is your question, Mr. Albrecht?

**Mr. Harold Albrecht:** Okay. How can we possibly continue with the amazing difference between a riding like Brampton West with 170,000 people, and ridings in P.E.I. with 40,000 people, and still have the same services offered to constituents? Regardless of what province they are from, we need to provide the services they are demanding of us.

**Dr. Andrew Sancton:** I have one quick—

**The Chair:** Very quickly, Professor Sancton.

**Dr. Andrew Sancton:** I would like to make a quick defensive comment, as an electoral boundaries commissioner for Ontario. When we're talking about the population in Brampton West, or these ridings, I wish people would look at the populations as they were in 2001, not as they were in 2006, or as they are in 2011. The point is, we drew those boundaries equal in population back in those times. That's why we're having another process to fix them. We would be doing that even if you were not debating Bill C-20.

It is true that in northern Ontario, we made special provisions. It's also true that in Prince Edward Island, they have many smaller constituencies. You cannot do anything about that. That's entrenched in the Constitution, which cannot be changed unless you have unanimous agreement of the provinces. What I'm asking you to do is to fix the things that you can deal with. You can make it more equal. The electoral boundaries commissions will make the individual constituencies more equal the next time around.

• (1200)

**The Chair:** Mr. Pal, we're going to give Mr. Toone a question. Hopefully you can help him with that.

Ask and answer it as quickly as you can, please? We're past our hour, and we need to go on to the next group.

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Thank you. Very quickly, then, as fast as I possibly can.

A lot of the debate today has been based strictly on the numbers, on the populations of the different ridings. Also, we talked of how

the debate is happening on a provincial level versus a pan-Canadian level. I want to focus on that.

We had a court decision, the Saskatchewan decision in 1991, that I think clearly illustrated that the problem of representation in Canada was not simply a numbers game, like it is in the United States, but about representing communities. I didn't hear that a lot today and I'm a little disappointed because of it. I want to hear more about how we, as MPs, can represent the communities across Canada, and how electoral reform can bring forward those communities. The beauty of our system is that it is truly non-partisan. We really should be focusing on that. I think we should try to get away from the inference that this is a partisan game, and talk about how we can better represent the populations. There are so many of them in Canada.

I want to ask you, as quickly as I possibly can, what is a community of interest?

**Dr. Andrew Sancton:** Believe me, I do not believe that the Carter decision from Saskatchewan was very helpful in telling us what a community of interest was. As an electoral boundaries commissioner, I've found no guidance from that. Regarding which constituencies should get special treatment, if any are going to get special treatment, I really believe it's up to Parliament to decide that.

I was never elected to anything. All I was supposed to do was to work with the numbers and to try to take into account some idea of communities of interest. If Canadians want certain parts of Ontario, or certain parts of Newfoundland, to get special treatment, it should not be decided by one judge and two electoral boundary commissioners. You people should be deciding what those areas are.

**The Chair:** May we have your comments, Mr. Pal?

**Mr. Michael Pal:** Whatever the definition of community of interest is, it has to be applied equally. The way the boundaries commissions have traditionally applied it has often been to look at smaller communities with less population. Why don't visible minorities or suburban voters also constitute communities of interest? Their interest should be taken into account. When they're underrepresented, are their interests being taken into account? I don't believe so.

Whatever the definition is, it has to apply equally across not just geographic groups, but other kinds of groups as well.

**The Chair:** Thank you very much. We're going to suspend for just one minute while we change the witness panels.

I thank the witnesses we've had so far today. Thank you very much for coming and helping us with our study.

• (1200)

(Pause)

• (1205)

**The Chair:** Professor Carty, we thank you for joining us from British Columbia today. It's good to have you.

**Dr. Kenneth Carty (Professor of Political Science, University of British Columbia):** Good morning, Mr. Chair.

**The Chair:** Professor Franks and Professor Massicotte are also part of this panel.

Professor Carty, I understand you are also a former boundary commissioner.

**Dr. Kenneth Carty:** I am, Mr. Chair.

**The Chair:** Great. You may hear some of the members ask you some questions on that piece today too. We're going to allow you each an opening statement. Try to keep them as brief as you can, so there's as much time as possible for the members.

Professor Carty, we'll start with you.

**Dr. Kenneth Carty:** Thank you very much, Mr. Chairman. I'm sorry I can't be with you in person, but time and distance make that impossible.

Let me say why I have some credentials on this subject. I have been a professor of political science at the University of British Columbia since the 1970s. During that time, I have actually had a good deal of hands-on experience with the issues of Bill C-20.

Initially, I started working for the British Columbia ombudsman on the legal issues, and then for the Fisher royal commission that ultimately led to the initial court cases on the constitutionality of boundary changes. Then I was a senior member of the research team for the Lortie commission, that is, the Commission of Inquiry on Electoral Reform and Party Financing. Then I was appointed by the Speaker of the House of Commons to be an electoral boundary commissioner for British Columbia during the last go-round. Since then, I have worked for the citizen assemblies in British Columbia, Ontario, the Netherlands, and New Brunswick.

I understand the aims and goals of Bill C-20 and its intention to provide for proportionate representation in the House of Commons. I think it's an admirable goal, and all reasonable democrats should endorse it. After all, it seems to me that there's no reasonable or valid justification for several of the country's provinces to be continually underrepresented and for their votes to count less in the selection of our governments than others'.

Certainly, as a boundary commissioner, I heard a good deal from ordinary citizens at hearings about how they thought the system was unfair and biased against their province and their community. However, I must say, despite my admiration for the determination of the government and the House to move to correct the imbalances that now exist in the patterns of representation, I have serious reservations about the way you're proposing to go about it and about what the bill proposes for rectifying this situation.

Let me put it this way. When I first started teaching Canadian politics at UBC in 1974, there were 264 members of Parliament. Then in 1979, the number jumped to 282. In the 1988 revision, the number increased again, this time to 295. In the 1990s there was another redistribution, and that led to 301 MPs. And then, after the 2004 redistribution, the number climbed to 308. Over the three decades I've been teaching my students about the House of Commons, it has grown by 44 members, which is almost a 20% increase. Now, as my teaching career is about to come to an end, there is a proposal to add another 30 MPs to bring the total to 338. That is an increase of 74 MPs, almost 30%, just over the years I have been teaching at UBC.

One other thing promised by the bill is that the number will grow again after the next census and will grow again in the census after that. For each census after that, there will be this continual growth.

I want to propose to you that the time may have come to stop this endless growth. Our national House of Commons is now more than twice the size of that of our Australian cousins, and I find it difficult to think how we can justify this continual growth.

We know why it continues to grow. It does so because this appears to be the easiest way out of the redistricting controversies and claims for representation that are inevitable in this important rebalancing exercise you're engaged in. We, after all, pretend that no province has really lost anything, even as their proportion in the House continues to shrink. The 10 seats New Brunswick has in the proposed 338-member House of Commons are not going to be worth the same as the 10 members of Parliament they had in the 264-member House when I was an undergraduate at the University of New Brunswick. Their role has, in fact, shrunk—although by not changing the number, we pretend that it hasn't.

What is really important, of course, is not the absolute number but the democratic principle of proportionate representation. I think it's time for members to take the bit by the teeth and make some hard decisions.

Seventeen years ago, the member of Parliament for Calgary West spoke out in the House, arguing that the House didn't need to grow any larger than it was, and I think he was right then. There were only 295 MPs that year. I can't imagine what that member, Stephen Harper, who is now, of course, the Prime Minister of the country, thinks of Bill C-20. The bill proposes a House of Commons that's going to have 43 more members than he thought were necessary in 1994.

I believe it is important for this committee to ask when all of this continual growth is going to stop. By ignoring the question, of course, you guarantee that the House is going to continue to grow indefinitely every 10 years.

● (1210)

Of course, to provide for proportionate representation, we're going to need to accept that the territories and very small provinces like Prince Edward Island have a Senate floor. But they account for only a very small number of seats; the rest of the House can be organized proportionately without growing it.

But—and of course there is a but, and it's an important one—we'll have to accept that the so-called grandfather clause is the problem. It's the reason for the endless growth. If we do away with the grandfather clause, we can produce a result in proportionate terms very much that like that envisioned by Bill C-20, and make sure that we're not going to be doing this again and again every decade and that the House will continue to grow endlessly.

My recommendation to this committee would be say that the House ought to stay at its current size. We're not going to grow any longer. Some provinces would lose seats under that kind of arrangement, however you worked out the mathematics. Under the proposed bill, seven of them are going to see their relative share of seats in the House of Commons shrink anyway. All but Alberta, British Columbia, and Ontario are going to have a smaller share under this bill; only they are going to have more.

So I urge you to be the members who face up to what I think is the foolishness of the grandfather scheme that condemns us to an increasingly and endlessly growing House. It was, after all, a rule only invented by the members of Parliament in the 1980s, and I think it's your challenge to decide that it's a rule that hasn't served us well and that it's time for you to create your own rule.

No doubt there will be some outcry against such a determined and quite sensible action, but it won't come from ordinary voters. I predict they'll salute the members of the House who put an end to this endless growth.

Thank you, Mr. Chairman, and members of the committee.

• (1215)

**The Chair:** Thank you, professor.

Professor Franks, would you like to go next, please.

**Dr. Ned Franks (Professor Emeritus, Department of Political Studies, Queen's University, As an Individual):** Thank you.

As often happens amongst the professoriate, I'm not going to agree with everything my friend Ken Carty says here.

I will begin by saying that I don't get excited about this growth in the House of Commons. I think there has to be a cut-off.

I apologize that I didn't have time to get my paper to you in time to be translated and distributed, but let me just read a few figures. New Zealand has a population of four million-plus, with 122 MPs and about 36,000 citizens per member. The United Kingdom has 62 million people, with 650 MPs and about 96,000 members per constituency. Canada has roughly 33.5 million people, with 308 members and close to 109,000 per member. Australia has 22.8 million people, with 150 members and 151,000 constituents per member. India has 1.210 billion people, with 552 members and 2.2 million constituents per member. Canada, under Bill C-20, would have 338 members, and that's 99,075 per member.

I don't look at that issue as a question of the cost of finding offices for MPs. I'm sure they can work out of their hotel rooms, as we professors do. But I want to suggest that with either Bill C-20 or things as they currently stand, Canada is within a zone—10% or so—larger than the British. That in my mind is about as high as I would like to see the number of constituents per member go, to address the question that was raised earlier about constituency business.

Constituencies vary enormously in the amount of business they have, depending on whether they're urban or rural; whether they're downtown or suburban; whether there are immigrants or not; and how many old age pensioners they have—and, for Kingston, how many penitentiaries there are. That's fine, but I would be concerned

if Canada had 150,000 citizens per member like Australia, because I think you would get to the point where constituency business would be either neglected or too difficult.

I'm comfortable with the 308 seats we have now. I'm comfortable with 338 or 350, but I simply can't get excited about it. At the time of Confederation in 1867, there were fewer than 20,000 people per MP, and only a few thousand of them had the vote. We've come a long way since then. Fortunately we're not like India. We would have 15 members in the House if we had India's proportion. But that's a totally different system. I've done some work in India, and I've been astonished at the way the Lok Sabha works there.

The distribution of seats between provinces and territories is not based on rep by pop, as we very well know. We have what I call “legacy seats” in the eastern provinces of Newfoundland and Labrador, Nova Scotia, P.E.I., and New Brunswick. They are over-represented, and as far as I can see, they will be unless they all agree with the rest of the provinces of Canada to change the Constitution.

I want to point out some of the anomalies there. If we had representation across Canada on the same basis as P.E.I., we'd have more than 900 members of Parliament. If we had it on the basis of New Brunswick, we'd have close to 450. I don't advocate equal size based on the size of the maritime provinces to begin with. So I think we have to accept that we have anomalies. The northern territories I accept again.

• (1220)

I asked in my paper whether there were other grounds, such as the costs, the size of the House, the size of constituencies, etc. I don't get excited if Canada grows. I have a terrible feeling that we all feel that at some time—usually in the past—we lived in a golden age and that things have gone downhill ever since, but I don't feel that's happened to Parliament. In many ways, it's a far better place than it was when I first started looking at it in the 1950s, especially in terms of constituency work and the committee work of the House. I do not believe costs should be a major factor in determining the size of the Canadian House of Commons. The costs of Parliament are minuscule in comparison with the rest of government, and we have to ask what price we want to pay for democracy.

The last question I asked in the paper was whether the process of reaching and considering this legislation has been fair, open, and thorough. My own answer—and the government members are welcome to disagree with me on this—is that we've had a three-stage process. First, it's been about Alberta and British Columbia; second, about making additions for Ontario; and third, about making additions for Quebec. Then when I look at the materials I find on the web explaining this, I found an enormously complicated formula, which I don't even want to understand, that explains how we got to this point. I don't believe that's how we got there; I think we got there through a process of the government making a proposal, people reacting, and then it making another proposal. We have wound up in a good place, but having started my career as an engineer, I would want to suggest that normally in science, the formula comes first and produces the answers. What we've done here is produced the answers and then created a formula, so I don't really trust it, and I don't care whether it's good or bad—but it is irrelevant for this discussion.

Thank you.

I have one more thought. I am somewhat disturbed that this piece of legislation was rushed through Parliament with no public consultation before it got here and that there's a fairly strict time allowance for its discussion. I say this because our democratic processes are the core of the country.

Thank you.

**The Chair:** Thank you, Professor Franks. I do agree that we're at the golden age of chairing of committees too.

**Voices:** Oh, oh!

**The Chair:** Professor Massicotte, it's your turn.

**Dr. Louis Massicotte (Professor, Department of Political Science, Laval University, As an Individual):** Thank you, Mr. Chair.

[*Translation*]

It's a pleasure for me to participate in your work, which deals with an issue I have been interested in for a long time. I followed from afar the 1974 reform, which produced the terrible amalgam formula. I was an undergraduate student at that time. I followed the 1985 reform much more closely. I was then a research officer at the Library of Parliament, and I was assigned to two parliamentary committees that studied that formula. I also appeared before your committee in 1994 when Parliament, in its wisdom, tried to put an end to the ongoing redistribution process. In addition, I also conducted a study more recently on electoral redistribution and Quebec for a focus group on federalism.

[*English*]

My opinions will not necessarily be shared by everybody around the table. My only defence, as the late Senator Forsey would have put it, is that whenever somebody honours me by requesting my opinion, he is in great danger of getting it.

[*Translation*]

I myself would prefer that the current formula for allocating seats be maintained, at least when it comes to the redistribution following

the 2011 census. I think there are two advantages to maintaining the status quo. First of all, the current formula provides for a moderate increase in the total number of seats. That's a great improvement over what we had in the past. Second of all, that formula was not too bad for Quebec. It did not single it out on the basis of its cultural difference alone.

However, like everyone else, I recognize that this formula penalizes the three growing provinces significantly, a disadvantage that is likely to increase and is now deemed to be unacceptable by those provinces. It is also rather considerable compared with what is seen in other federations. The seven declining provinces have been unable to join forces to protect the advantage they gained through that formula.

Bill C-20 proposes a new level of interprovincial fairness in terms of representation. As it's been mentioned, the bill manages to do that by increasing the total number of seats considerably—by 30. I will discuss those two elements in succession.

When it comes to the proposed redistribution among the provinces, I feel that Bill C-20 is an improvement over the two related bills the government had previously introduced.

Henceforth, there will be three categories of provinces. The three growing provinces will remain under-represented, but to a lesser extent. The six declining provinces other than Quebec will continue being overrepresented, but to a lesser extent. As for Quebec, it will be represented in proportion to its population. That way, it can avoid becoming the only declining province to be under-represented. Any other province in the same situation will be treated in the same way.

Therefore, overall, we would be moving toward fair representation for Canadians, but not at Quebec's expense. That province is not to blame for most of the current unfairness.

Others are calling for Quebec's representation to be frozen at 25% of the total, or the level it is currently at. The motivation behind that request is the fact that a motion of the House of Commons recognized Quebec as a nation in 2006, and that a nation is given special treatment because of its status.

Personally, I'm uncomfortable with that kind of an approach. My research has made me realize that I'm not alone in feeling this way, as I have not seen similar special treatment in other democratic federations, even those that are multilingual or have a somewhat multinational nature.

I'm now getting to the second element, the proposed addition of 30 seats to the current 308. That's a considerable increase. If we do the math, that increase would be the most significant one, in real numbers, in House of Commons history. You may recall that the 1974 formula, also known as the amalgam formula, was dropped after being used only once precisely because it involved significant increases.

According to a proposal made public last Friday—and I will refer to it as formula 308 in order not to make it too personal or give it partisanship undertones—it would be possible to reach an almost identical level of interprovincial fairness as the one proposed in Bill C-20, but without adding 30 seats.

In my text, I had looked into that approach without achieving results I would consider to be satisfactory. Therefore, I was very skeptical and critical in my study of the proposal known as formula 308.

After some thought, I agree that you should give that proposal some serious consideration. I think it's a worthwhile solution. I had some concerns, especially when it comes to how Quebec would fair under that formula. I see that Quebec has not been forgotten and that a positive aspect of Bill C-20 has been carried over. I was also worried about Manitoba and Saskatchewan. However, I see that they are covered by the 15% clause. I think this solution should be explored.

In closing, I have a comment about the population figures that were chosen as the basis for the redistribution. That's something that was not covered by those who spoke before me.

• (1225)

Bill C-20 breaks with Canada's political tradition, despite that tradition having been followed in the two previous bills introduced by the government. In its readjustment of provincial representation, this bill uses—for the first time—population estimates or population projections prepared by Statistics Canada, instead of census figures.

You should know that, based on the 2001 and 2006 data, the projections will slightly decrease Quebec's portion and increase Ontario's portion of the total. This decision by the government seems to suggest that the census figures are unreliable for establishing the representation of each province, but that those unreliable figures will be used to draw constituency boundaries. I am not against that change, but I think it needs to be justified more adequately.

Thank you for your attention.

• (1230)

[English]

I'm willing to answer your questions in either language.

**The Chair:** Thank you very much.

Let's go to question, then, and see how many we can get in.

Mr. Reid, you have five minutes.

**Mr. Scott Reid:** Thank you very much, Mr. Chair. Thank you to all of our witnesses, who were very informative.

I want to start by asking a question of Professor Franks. First, I have an observation to make. No matter where I go and no matter what subject I'm discussing, you're always a witness there, Professor Franks. You're obviously a man of many talents. I found your testimony last spring before this committee on a very different subject to be particularly helpful, and I am very appreciative of it. I did some follow-up work on it.

I agree with your assessment that the overall number of seats ought not to be of concern to us. I appreciate the way you've pointed out the number of seats in the United Kingdom where, presumably, the geographical extent of a seat is never an issue as to its effectiveness, to the degree that it is here.

As an observation, I had the chance with this committee about six years ago to go to Australia. I was given a map by members of the

Australian Electoral Commission. In Australia, they allow plus or minus 5% only. They are very strong believers in what they call one vote, one value. I got a chance to see what happens when you apply that and a very large population per seat. The riding of Kalgoorlie, or the electorate of Kalgoorlie, as they would call it there, is about the size of Quebec and half of Ontario put together. That's what happens when you apply those things with the large numbers, so I do think you have some inherent problems like that in a large country like Canada or Australia with very small populations per seat.

I'd add one other thought in regards to this before I actually ask for a comment. We're constantly expressing concerns regarding the costs of doing this, the cost of MPs. If we want to address the cost of MPs, we could always adjust our salaries or freeze them, as opposed to any of the other alternatives available, like denying our citizens representation. We currently earn, more or less, about \$150,000 per year, which puts us in the top 1.6% of the Canadian population. We could always say that we'll have to get by with only being in the top 5% of the population in terms of income, and we might save a bit of money, allowing us some more representation at the same cost. That's simply a thought.

Anyway, I'm interested in any further comments from the panellists with regard to the thought that having an average level of representation around that in the U.K. is reasonable.

**Dr. Ned Franks:** I'll give you my answer, which is yes. The basis for it is my sense of members and constituencies, which is the same issue we have in the northern parts of Canada where the constituencies are very small in numbers but huge in size. It's also true in the northern parts of the provinces. I think we're entirely justified in having fewer constituents per member in the north.

When we get to the south, I have not yet seen a really good study of constituency work by MPs. I've done some work myself, and I am satisfied that the big-city MPs—and it very much depends on riding—have enormous workloads, and some don't.

**Some hon. members:** Oh, oh!

**Dr. Ned Franks:** It depends on the members. I remember speaking with one member from Alberta, and I said over the Christmas holidays, "How many constituency events did you go to?" Some of you can probably work out who it was. He said, "None." I stared at him and said, "I beg your pardon?" He said, "None." He was very pleased with himself, but I'm not sure he was telling me the truth.

Anyhow, the point is that I do rate the constituency work of MPs, which in all honesty—ignoring parties, which I know I shouldn't—is the member's pipeline to the people they represent. I have never in my whole experience—which goes back more than anyone else's here, back to 1957 when I first came out to Parliament—met an MP who didn't care about his constituents. Never. That's your number one job, in my view, and parties come second. Try to tell that to your bosses.

**Some hon. members:** Oh, oh!

• (1235)

**The Chair:** Professor Carty, if you want to jump in, just give us a wave so we know that you have an answer to one of those questions too.



Would you like to answer Mr. Reid's question?

**Dr. Kenneth Carty:** Well, Mr. Reid raises the question of the size of the House and I'd say it's an important one. My view about this bill is that it provides for a much larger House with no rationale why it should be so. It's just the way the numbers work out. It provides for a House that will grow year after year, decade after decade, because the provisions you're writing into the law will guarantee that it will grow the next time and the time after that—and it doesn't provide for a proportional House. So it's a cobbled together compromise. That's okay, but it seems to me that here's an opportunity, which only comes along once every 10 years, to think hard about how big the House ought to be. Are there limits to growth? How should we contain that? How important is proportionality?

I think this bill skirts all of those issues. It basically doesn't take them up, and guarantees that we'll be doing the same old thing again, as we did in the seventies, the eighties, the nineties, and in the last decade. Maybe that's the way it will be, but I think we're missing an opportunity.

**The Chair:** Mr. Reid, your time is up, and I'm sorry that I took some of it there by asking Professor Carty to contribute, but I really want him to be part of the conversation.

So make some sort of signal when you have a point that you want to jump in with.

Mr. Comartin.

**Mr. Joe Comartin:** I have a comment first of all. There's something in addition to just the amount of work that we have to do for our constituents. There's also their accessibility to us.

I come from a riding that has the fourth most diverse makeup in the country, or maybe the fifth now. I'm constantly surprised at how the constituents of mine who weren't born here—those who grew up in other countries—are amazed by how accessible their MPs are.

If we grow the ridings to an extent where that accessibility drops dramatically.... I have about 120,000 constituents in my riding, but when you move up into the 160,000 or 170,000 or 180,000 range, your availability to individual constituents drops off dramatically. It's just inevitable. I remember trying one night to go to five different events. You can't do that, and that's the kind of demand on your time that would be increasing.

That's my comment. Now a question....

Professor Carty, I'll go to you first. If I understand you, you're saying that you would drop this bill completely and fix the number of seats to a maximum number. Would you lower the number of seats? That's my first question.

What formula would you use to deal with those ridings in the territories where there's a small population in a large geographic area? What formula would you use for the exemptions, if you would allow for exemptions?

**Dr. Kenneth Carty:** Fixing the total number is a fairly arbitrary decision. Parliament worked well when it was 265 members. It worked well when it was 295. I think that's a matter of making a decision. In fact, most of the other Houses that Professor Franks referred to have an absolute number. They don't engage in this endless growth exercise that we do.

In terms of these external ones, I think it's only reasonable to think that each of the separate territories has one seat. The constitution of course guarantees that the very small maritime provinces have a Senate rule. That can't be avoided. I think you work within that and, in a sense, you deduct that number from whatever total you decide and allocate the rest proportionally. You could do that if the House were 300 or you could do it if it were 400 or 200. The House works at about 300 now. Maybe it's time to say, enough.

I'm just challenging the committee to face up to this question. Rather than adding 30 seats, which, as I say, is 75 more than when I started teaching only three decades ago, do we want to see a House that's that much larger again in another 20 or 30 years? Well, we will or we'll come close to it unless we actually stop and think for a minute about what we're doing.

● (1240)

**Mr. Joe Comartin:** So there will be another 75 over the next 40 or 50 years....

Where's the downside? Where do you see the downside?

**Dr. Kenneth Carty:** I don't know what the point of it is. If the House gets larger and larger, I'm not sure that it would accomplish things that the current House doesn't. I'm not sure the current House does accomplish the things that the House did when it was 265 seats

We're increasing it not because we think there's a good reason for increasing it; we're increasing it because it is seen to be the easy way out of dealing with redistribution. If there were reason that we needed a bigger House, let's have a discussion about the reason. Let's have a discussion about the size of the House we need. We're not doing that. We're increasing it only because it's the way in which we don't confront the problem of some provinces perhaps losing seats in a proportionate reallocation.

**Mr. Joe Comartin:** Well you've heard the statements—

**Dr. Kenneth Carty:** You want to pretend. You want to play this game where no one ever loses seats.

**Mr. Joe Comartin:** You've heard the statements from a number of us about accessibility to our constituents and the workload we have for our constituents. You don't see those as valid reasons to increase the number of seats?

**Dr. Kenneth Carty:** I guess I heard enough comments from citizens at boundary commission hearings 10 years ago all across British Columbia.

We have federal seats that are virtually the size of England and we have federal seats that are only a few city blocks. It occurred to us, listening to those citizens, that every single district had different kinds of challenges—and members find different ways to respond to them. Some members have three people who will work as nothing but translators in their office, and others have people who are drivers and can get them around the district, or they can have several offices. I think those are questions for each member to respond to in terms of the distinctive communities they serve.

**The Chair:** I'll stop you there. It's a little less time than I gave Mr. Reid, but I took some of his time.

Monsieur Dion.

[Translation]

**Hon. Stéphane Dion:** Thank you, Mr. Chair.

[English]

I would like to start with two quotes.

The first one is:

Advancements in communications technology have allowed downsizing and increased efficiencies in the private sector that must also be realized by the government.

The second quote is:

With provincial governments having jurisdiction over many of the functions performed by the central governments in other countries, there is no rationale for our constituencies to have only a fraction of the population common to electoral jurisdictions in other democracies.

I'm quoting a young member of Parliament in 1994, and I think he was right. After that, I had a very successful career.

I want to address the comparisons that have been made with England.

Professor Franks, if you don't take into account Scotland and Wales, England is a centralist government; members there have all the responsibilities of an MLA and an MP together. Despite that, they've recently decided to decrease their size by 50 seats—or at least it is under discussion.

I would like to draw the attention of my colleagues to a recent study published in October by Professors Thomas, Loewen, and MacKenzie, comparing the quality of representation in Canada and the United Kingdom. There is no more satisfaction on the part of the people regarding the working of democracy from having more MPs.

I know we think we are overloaded, but if you add 30 seats, you will be overloaded anyway. It's part of political life. And professors are also overloaded. I have been one of them.

[Translation]

**Dr. Ned Franks:** I'm retired.

**Hon. Stéphane Dion:** You're still very busy.

Professor Massicotte, could you tell us how you think Canada measures up to the rest of the world in this area and how that comparison may help clear things up for us in this debate?

**Dr. Louis Massicotte:** A number of factors are involved. In particular, we see that, internationally, Canada is less egalitarian-minded than most federations when it comes to its distribution. I think that only Brazil, Argentina and Spain are even less so than we are. I think that's justification enough for us to move further toward population-based representation. I have also noticed by comparing Canada with the rest of the world that there is little support for the idea that being recognized as a nation entitles a group to better representation.

When it comes to increasing the number of MPs, international comparisons indicate that, the more members there are, the more the value of Parliament's role is somewhat reduced. A very specific example comes to mind, that of the State of New Hampshire House of Representatives, in the U. S. New Hampshire, with a population of over a million, is represented by 400 members. In contrast, California, which has more people than Canada, has about

80 members. The fact is that the 400 New Hampshire members work part time or even very little and have extremely limited resources. Obviously, when a state has 400 parliamentarians, it's hard to provide them with significant resources. There are only 80 members in California, but as anyone would tell you, they are very professional legislators because, owing to their small number, they can be provided with a lot more resources, thus enabling them to do their work.

That's all I have to say.

• (1245)

[English]

**Hon. Stéphane Dion:** Professor Carty, can you comment on the formula 308, as Professor Massicotte called it?

**Dr. Kenneth Carty:** Excuse me, I didn't quite—

**Hon. Stéphane Dion:** Formula 308 is the proposal that the third party in the House has tabled. I think you are aware of this proposal. It is to change the grandfather clause by the 15% rule, ensuring that no province would lose many seats in one allocation. It would always be a modest decrease. Let's say that Manitoba and Saskatchewan would stay at 12 seats, instead of going lower.

**Dr. Kenneth Carty:** Well, as I indicated in my comments, I think the grandfather clause is the source of the real problem. But the 15% rule was a previous rule, again, to avoid the hard question about what the real numbers should be. So if I were to take my principal position to its extreme, I would say we ought to do away with that rule as well.

Now, if in fact there's a sense that, having fixed the number, we ought to have a transition to it, then something like the 15% rule might be appropriate. But it does seem to me that both of these rules are different ways of avoiding the real questions of how big a House we need, what it does, and how fairly apportioned it should be.

So in principle, I'm opposed to both rules, but I understand that if you wanted to fix the size, you might want something like the old 15% rule as a way of transitioning.

**The Chair:** Mr. Williamson, you have four minutes, please.

**Mr. John Williamson (New Brunswick Southwest, CPC):** Thank you, Chair.

Professor Carty, I'm interested in zeroing in on some of your comments. I appreciate what you're saying about going after a number and working towards that. But again, recognizing some of the quagmires or problems that exist in regard to minimum representation, what do you think the effect would be in prairie provinces if one day Manitoba or Saskatchewan had fewer seats than New Brunswick or Nova Scotia, because of the Senate representation—or even equal seats?

I can ask some of these questions because I'm from New Brunswick. We're dug in with 10 senators, 10 seats. We're not going to lose anything. But I do wonder what the effect would be on some of these other provinces, a province of 1.2 million people versus a province of 750,000, having the same number of seats in the House of Commons—or potentially fewer.

I'll leave it at that. I'm curious to get an answer.

**Dr. Kenneth Carty:** I think that's the heart of the problem. If we got to a stage where there were three or four much larger provinces—and you point to the prairie provinces as the case, if they had fewer seats than New Brunswick—I think you'd be coming close to serious constitutional issues.

New Brunswick, and potentially Newfoundland and Nova Scotia, and certainly now Prince Edward Island, have all these constitutional guarantees. Now if we have a system in which almost half the provinces—or in effect more, if we include the prairie provinces—are constitutionally protected from the principle of fairness and the principle of proportionality, at some point you will have a democratic problem. You will have a democratic crisis.

Essentially, by adopting this bill, we try to avoid that, and that's what we've been doing for 40 years now. Every time we do this redistribution, we say, well, we're going to put that off, let MPs deal with this 10 years from now, and we won't let the numbers change.

The reality is that under this bill, Saskatchewan, Manitoba, New Brunswick, Nova Scotia, and Prince Edward Island are all going to have a smaller share of the House of Commons. We're not changing that reality. We're reducing their share. We're just pretending we're not by not changing the number, so we're not facing up to it.

• (1250)

**Mr. John Williamson:** I disagree with that. We can all understand simple math. I think we can all see it. The fact is, we're both elevating the numbers of the larger provinces, while maintaining some level of equilibrium between smaller provinces.

My concern from some testimony I have heard today—certainly in the first half—is that we seem to think of this country first as Ontario-Quebec. That seemed to satisfy some members when we look at seat redistribution. Then we add in British Columbia and Alberta, and then the rest are just considered to be parts of the federation, which aren't worthy to be included in this discussion. That troubles me—particularly when I see the Senate seats in the west, the six there—because I wonder how a federation works where the large provinces are moving towards representation by population, and the smaller provinces are just kind of shoved off and told they are all the same, even though they're actually all a little bit different.

I don't know if there's a comment to be made on that.

**Dr. Kenneth Carty:** The problem for the House of Commons is that we talk about it in terms of provinces, and maybe we should be thinking of it in terms of voters, if it's a democratic system. At what point do we want to sacrifice the principle of all voters counting equally? All Canadians choice of Prime Minister, of government, and of their member of Parliament ought to count the same. The reality is that they don't now, and they're a long way from it. This bill is going to change it a little bit, but it doesn't address the basic problem, because we don't really care about the principle. I think that's what we're saying.

I'm just challenging members to deal with this.

**The Chair:** You're over your four minutes. I think we're being generous.

Madam Charlton.

**Ms. Chris Charlton:** Thank you.

I have two questions. One starts from a comment.

Professor Carty, you started off by saying that the House doesn't function any better now than when it had 265 seats. I would suggest that there are probably a number of reasons for that, not the least of which is the problem that many of your colleagues have studied: the centralization of power in the Prime Minister's Office, going back to Trudeau and Mulroney, and a trend that we're continuing to see today. I'm not sure it's the size of the House that is the biggest determinant of how well the House is functioning right now vis-à-vis the executive branch.

When you talk about the number being somewhat arbitrary, it's not purely a statistical problem. Every presenter today has acknowledged that, yes, the territories should each have one, regardless of population. Nobody is suggesting that we open the Constitution to deal with the four seats for P.E.I., for example. Yet, why is that? Are you suggesting we ought to be doing that?

This really is a combination of both the statistical problem of how you achieve representation by population in the fairest possible way, and the political problem. In part, this is a nation-building exercise, as it continues to be, and it's an exercise of trying to identify communities of interest.

I'd just like to hear you talk a little bit about squaring that circle.

**Dr. Kenneth Carty:** As long as we have these constitutional guarantees that essentially make equal representation impossible—and that's what the Senate four for Prince Edward Island does—the circle can't be entirely squared. But we can come pretty close to it, if we abolish the grandfather clause and just redistribute the seats in all the other provinces—the large majority of them—and the vast majority of the population on a proportional basis.

I know, as a boundary commissioner, that in almost every single public hearing, we heard people saying, “You know, this isn't fair. You're giving us these large ridings in the north, but look at Prince Edward Island, they've got these tiny things. As a Canadian, you know, we're not being fairly represented”. I was actually quite struck, because I expected to hear, “Oh, well, Vancouver's getting it all, it's not fair”. But those weren't the kind of things I heard. Time and time again at public hearings there was, in fact, a kind of profound sense that the distribution across the country really wasn't fair and wasn't equal. People came to public hearings for boundary commissions because it was one of their few opportunities to make that point.

So the closer we can get to a kind of proportional allocation, the closer we can get to building a sense amongst all Canadians that their voices are more or less equally heard. I accept the fact that we can't do much about Prince Edward Island, unless we want to open the Constitution. I'm not here to advocate that.

**Ms. Chris Charlton:** Can you say a little bit, though, about your earlier comment that the House doesn't function any better now than it did when there were 265 seats, and maybe put that in a bit of a context by giving some of the other reasons for that? I don't believe it is merely a comment on the size of the House itself. There are other external factors that have had a profound impact. I just don't want members to leave this committee thinking that this act will either be the cure for that, or will make things even worse.

• (1255)

**Dr. Kenneth Carty:** I'm afraid you've asked for lecture number four in Political Science 101, which is a 50-minute exercise.

My view is that the House of Commons worked as well as it could in the context of the day in the seventies, eighties, and nineties. Increasing the size hasn't changed it in fundamental ways or made it better. I don't believe it's made members' capacity to represent their constituents fundamentally different. I've been observing members of Parliament and have known many of them over the years, and I don't think that every time we increase the size their jobs, they become better or that more citizens in downtown Vancouver or in rural corners of Kingston are better served. There's no evidence of that.

**Ms. Chris Charlton:** But then there's also no evidence that it's been worse.

**Dr. Kenneth Carty:** No, I don't think so.

**The Chair:** Thank you.

Mr. Lukiwski, four minutes.

**Mr. Tom Lukiwski:** Thank you, Mr. Chair.

Let me say that what I'm hearing from the testimony of the professors, with the exception of Professor Pal and Professor Franks, is the suggestion that in some form or another we set an arbitrary number of MPs for the House of Commons. My view is that it would be just as wrong to set an arbitrary number of members of Parliament as it would to set an arbitrary number of professors in a post-secondary educational institution.

The inexorable fact is that the population will continue to grow in this country. I'm sure that as professors, all of you are concerned about the student-professor ratio and you want to be able to give the same level of service to your students. If your student population increased significantly, I'm sure that as an institution the university would be looking at increasing the number of professors to give the same level of service that it had prior to that.

I see nothing different in that from what we're doing here. In fact, I guess with the exception of Professor Franks, I would challenge any of the professors to say that they've done any kind of in-depth study on the type of constituency work that members of Parliament do. I agree totally with what Ms. Charlton and Mr. Comartin said previously, that the demands on members of Parliament are significant and will only increase if the number of people within our constituencies increases.

I feel quite comfortable in telling all professors that I take pride, as I'm sure every member of Parliament does, in giving as much attention and support as possible to individual constituents who come into my office. To me, the option of simply hiring more staff

and giving casework to staff is not a proper one, nor would it suit the level of service demanded by constituents.

In summary, let me just say that I fully agree with Professor Franks. I think that in the larger scheme of things, the costs associated with increasing the numbers of members of Parliament are relatively insignificant given the costs of providing the level of service to constituents they deserve, as well as demand.

I think I have probably exhausted my four minutes, Mr. Chair, but —

**The Chair:** You have a minute and a half left.

**Mr. Tom Lukiwski:** —I do want to say that if any professor on the panel cares to comment on any type of study they've done on constituency work by members of Parliament, I would welcome that comment now.

**Dr. Louis Massicotte:** I can reassure the member that if the number of professors had increased to the extent that the number of students has increased, we would be many many more than we are at present. When I started teaching in 1992, for example, there were approximately 20 students in every undergraduate classroom. There are now over 100 in first year terms. So we have been able to deal with this, sir, and we have, I think, done it quite satisfactorily.

Is it because the population increases that the number of members is bound to increase indefinitely? I'm not so sure. Our neighbours to the south seem to have found it to be different. The size of the House of Representatives used to increase at every census and, at some point, exactly one century ago, in 1910, they decided to cap it at 435 and it is still at that level today.

Of course, the level of services provided by them has not fallen to small levels, as far as I know. It's simply that they were granted the necessary staff. They have the capacity to delegate work to other people, giving instructions, as we professors have to do. There are things that we used to do ourselves and now, because we have larger resources, we instruct people to do a few of the things that we used to do ourselves. I don't know, as I'm not in your position, but I understand that this would possibly mean capping the number of members at 308. It will, indeed, cause some inconvenience to members.

May I point out in finishing that there is nothing arbitrary about 308. It happens to be the exact size of the House at present.

• (1300)

**Mr. Tom Lukiwski:** I guess the answer is no, you haven't done an in-depth study of the work members of Parliament for their constituents.

**Dr. Louis Massicotte:** We used to.

I'll give you this. I receive members every year in my seminar, precisely to overcome the dearth of academic literature on it.

**The Chair:** Thank you, professor.

We are at our time today.

We'll see each other on Thursday.

The meeting is adjourned.







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