August 29, 2016

Broadbent Institute submission to the Special Committee on Electoral Reform

Summary

Because of endemic problems with our first-past-the-post (FPTP) electoral system in a modern, multiparty context - notably, false majorities, distorted outcomes, wasted votes and the underrepresentation of women and other groups - the Broadbent Institute recommends adopting a proportional representation (PR) system. PR systems are not only the most commonly used electoral systems, they are also more fair, equal, engaging and representative than majoritarian ones. A PR system would additionally best fulfill the government's five principles of electoral reform.

Submission

Canadians have been discussing electoral reform for decades. Indeed, between our federal and provincial governments, more than a dozen committees, commissions, and assemblies have studied the question of what to make of our national or provincial electoral systems.[1] Each has recommended some form of proportional representation (PR). Now, after many

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[1] This includes the 2004 Law Commission of Canada report.

years of study, discussion, debate, and waiting, we have an historic opportunity. It is time for Canada to adopt a system based on proportional representation that includes local representation — a system tailored to Canadian needs, that combines the best attributes of a variety of systems, and that best meets the principles set out by the government to guide electoral reform.

Choosing an electoral system

Elections are a time for citizens to express their preferences in terms of parties, leaders, and local candidates—and also, importantly, policy options. The Liberal party ran on a promise that the 2015 election would be the last one held under our majoritarian winner-take-all system of first-past-the-post. Both the NDP and the Green Party also ran on proposals to replace our majoritarian system, each opting for a form of PR.

Given voters' support for these parties and their proposals, the government has a mandate to pursue electoral reform. Canadians, however, must continue to be consulted throughout this process and other parties, on the committee and in Parliament, must be deeply engaged in choosing a system that will enable them to compete fairly in elections and that will produce a parliament that is representative of Canadians.

Since the electoral reform discussion started, some testimony given at this committee has suggested that a referendum is necessary in order to change the electoral system. The Broadbent Institute disagrees. Of the major constitutional changes enacted or pursued in the last several decades — Patriation and the Charter of Rights and Freedoms, the Meech

Lake Accord, and the Charlottetown Accord — only one has gone to a popular vote. Moreover, while the Referendum Act (1992) requires that "constitutional matters" must be put to a national vote, the electoral system is not a constitutional matter.

Given this, the question that ought to be most important to the committee is: Which electoral system is best for Canada and for Canadians? Decades of research and a long history of success from the world's top democracies suggest that the answer is some form of PR.

A proportional system is a good choice for Canada because it addresses the shortcomings of our current system. Around the time of Confederation, FPTP made sense: it was used in colonial legislatures, the country was much simpler to govern and only two parties competed in elections. FPTP was a good choice for 1867. It is not a good choice for 2016. The country has changed dramatically and so have our conceptions and expectations of democracy. The first step should be fixing the clear problems with FPTP.

First, our system generates false majorities. Technically, Canada holds 338 simultaneous elections during a federal elections. However, Canadians have come to expect that majority rule should be tied to *a majority of votes across the country*. Canadians tend to think of elections in terms of general outcomes, not individual races — which is why they often make choices based on party or leader when they vote, and not on specific candidates.

In the last two elections, this problem of "false majorities" was clear. In 2011, 93 of 308 seats were decided by a margin of 10 per cent or less — and 52 of those were won with *five per cent or less*. In 2015, 22 ridings were won with a margin of *1.5 per cent or less* — including one with a margin of 0.1 per cent. In both of these elections, the winning party ultimately came away with a majority government from less than 40 per cent of the voters who turned out (and thus even less from the total eligible vote). The *majority of Canadians* therefore voted for a party other than the one that ultimately formed a majority government.

These false majorities are common and have occurred 14 times since Confederation.[2] For example, in 1997, when the Liberal Party won a majority government, taking 52 per cent of seats with only 38.5 per cent of the popular vote. In 2011, the Conservative Party pulled off a similar feat, with 54 per cent of seats from 39.6 per cent of the popular vote, just like the Liberals in 2015 (54 per cent of the seats with 39.5 per cent of the popular vote).

A second related problem with FPTP is distorted outcomes. Opposition and third parties, relying on support that is spread out across the country, are often punished under FPTP, while smaller parties are shut out entirely despite enjoying support from hundreds of thousands of Canadians. In 1997, for instance, the Reform Party and the Progressive Conservative Party received roughly the same vote share. However, the Reform Party won 40 more seats than the PCs. In that same election, the Bloc Québécois won *twice as many seats* as the NDP, despite receiving fewer votes (and none outside of Québec).

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[2] In 1926;1930; 1945;1953;1968;1974;1980;1988;1993;1997;2000;2011; and 2015 — over half of all elections since 1926.

These distorted results are in part the consequence of concentrated support, which FPTP rewards. Meanwhile, electoral support that is spread out across the country, as is the case for the Green Party, to the tune of three to seven per cent of votes cast, has resulted in only *one seat* in two of the last five elections for that party (proportionally, the Green Party would have won 10-20 seats in those elections).

A third problem with FPTP is wasted votes. Of course, every vote that is correctly and legally cast is literally counted. But Canadians expect their votes to count towards producing a House of Commons that reflects their preferences. In 2015, a total of 9 million votes were cast that did not contribute to electing an MP — that is more than the populations of Alberta, Saskatchewan, Manitoba, and each Atlantic province *combined*. It means that the voices of nine million Canadians are shut out of deliberations in Parliament, the day to day work of our democracy. There is evidence that wasted votes could be contributing to citizen disaffection and mistrust (Colletto and Czop, 2015; Broadbent et al., 2015; Samara, 2015b). Many Canadians note that they either vote "strategically" or abstain from voting altogether because they do not believe that their vote matters and see the system as unfair; 46% of Canadians polled after the last federal election reported that they have voted for a party that was not their first choice in order to prevent another party from winning and 38% said they have sometimes not voted or considered not voting because their vote would not change the outcome in their riding. With voter turnout declining since the 1980s, we cannot afford an electoral system that alienates voters.

Finally, our electoral system contributes to the under-representation of women in the House of Commons. Currently, Canada ranks 62nd in the world in women's representation, with a mere 26 per cent of MPs being women (Inter-Parliamentary Union, 2016) — that puts us behind Kazakhstan, Tunisia, Iraq, South Sudan, Guyana, Afghanistan, and a host of other countries. FPTP encourages parties to run stereotypical or "safe" candidates — normally middle-to-upper class white men seen as "typical" politicians. This tendency has resulted in an overrepresentation of men in the House of Commons. According to a 2014 study by Kai L. Chan, there were 107 "extra" white men in Parliament (Chan, 2014).

Why should Canada adopt proportional representation?

With a made-in-Canada proportional system, Canadians can have confidence in an accessible, secure electoral system that maintains a link between the voter and their MP. While there is no such thing as a "perfect" system, there are systems that provide a better or worse fit with the values of a population. Proportional systems such as single-transferable vote (STV) and mixed-member proportional (MMP) allow for elections that are fairer, more equal, more representative and more engaging than majoritarian systems using either FPTP or FPTP with alternative vote (AV). In fact, tacking on AV (also referred to as a ranked or preferential ballot) to our current majoritarian system would exacerbate the problems outlined above. There is a reason so few countries use a majoritarian voting system with AV.

A fair system

Proportional systems do a good job of translating votes into seats, thus respecting the intention of voters. Under a PR system, if a party receives 30 per cent of the vote it will

receive, roughly, 30 per cent of the seats in the legislature. This means that with PR more Canadians would see their party of choice in Parliament. If, for instance, the 2015 election had been held under PR, we would expect, roughly, the Conservative Party to have won seven more seats, the NDP another 22 seats, the Bloc five more, and the Greens to have received 10 instead of one (Coletto and Czop, 2015). The Liberals would have won 45 fewer seats. The close match between votes and seats under PR means that fewer votes would be wasted and false majorities would be reduced or eliminated.

When votes are translated into seats in this way — closer to the way that electors intended them to be — parties and parliamentarians have a strong incentive to work together to pursue a policy agenda that reflects a broader and more diverse array of citizens' views. That is to say that PR encourages the legislature to serve *the country as a whole* by reaching common ground.

An engaging system

As mentioned, trust in the political system and the politicians who serve in it is dropping. These days, Canadians expect their democracy to be open, transparent and accessible. Yet, the current electoral system produces incentives and outcomes that work against these expectations. The 2015 Millennial Dialogue Report showed that alienation and disaffection are becoming increasingly serious problems for Canadian youth — citizens are giving up on a system they see as exclusionary and unresponsive (Broadbent et al., 2015). Given this, it is important that Canadians have an electoral system that encourages them to become

involved in the political system. PR systems tend to do just that — and in so doing, they can build electoral confidence.

Proportional systems are also associated with higher voter turnout. In 2015, we celebrated a 68.5 per cent turnout in the federal election — *because it was actually seen as high.* Compared to the last few decades, it was. The last time we enjoyed turnout at or above 70 per cent was in 1988. In 2008, a mere 58.8 per cent of Canadians cast a ballot. Under PR, we could expect turnout to increase by five to seven per cent (Blais and Carty 1990; Pintor, Gratschew, and Sullivan 2002). This increase would reflect the fact that Canadians would have more incentive to engage in the electoral process, since fewer votes would be wasted, and electoral outcomes would more closely match their preferences. This could improve overall system trust and approval.

Such improvements in system approval and participation, while not a panacea, would help revive engagement with our democracy, as fewer Canadians would feel that their votes were wasted, that they needed to "vote strategically," or stay home because their vote would not matter in their riding. As voters in 85 per cent of OECD countries vote without difficulty in PR systems we can expect Canadians to adapt and like their counterparts come to find a PR system comprehensible.

An equal and representative system

Under proportional representation, women are more likely to be elected, it is probable that more visible minorities[3] will be sent to Parliament, and, as recent evidence has suggested, more lower-income Canadians may be elected. (Bernauer et al. 2015; Lijphart 2012). This means that the House of Commons would become more diverse under PR.

More specifically, when it comes to electing women, PR systems tend to elect up to 8 per cent more women (Lijphart 2012; Salmond 2006). While Canada has done comparatively well at electing visible minorities more recently (currently, 46 members of Parliament are from visible minority groups, which is 14 per cent, compared to 19 per cent in the population at large; see Chan 2014), PR would likely improve this.

A stable, workable House of Commons

Most of the world's most robust democracies use PR systems to produce stable and accountable legislatures. In fact, of the top 15 democracies as ranked by the Economist Intelligence Unit, 12 use a PR system (Economist Intelligence Unit, 2015). That includes Germany, Sweden, Norway, Iceland, the Netherlands, and New Zealand, among other countries that enjoy stability and prosperity.

Stability is important to Canadians, and it is important that our electoral system produce governments that last and productive parliamentary sessions. Since 1945, Canada has averaged an election every 3.2 years. Compared to six major democracies that use PR, our

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[3] We are using the Statistics Canada definition and classification of "visible minority." See: source.

electoral system produces results that are similar or *less stable*. For instance, Germany (since 1949) and Ireland (since 1948) have averaged an election only every 3.6 years. Meanwhile, Italy, often used as an example of an unstable PR country, has averaged an election every 4.9 years (since 1945). Similar patterns hold for Israel and Sweden (3.4 years for each since 1949 and 1944 respectively).

At the same time, while under PR single party majorities would be less likely, coalition or minority governments would take their place. Globally, these arrangements are common and successful. (Remember that it was minority governments that gave us our flag, our pension plan and our national healthcare system.) It is very unlikely that adopting PR would result in a surge in the number of parties elected. The current House of Commons has five parties — the same number as Germany. In New Zealand, there are seven. Each of these countries uses PR and has a legislature that is stable and effective.

Canadians also value exercising accountability by having a relationship with their local member of Parliament (Coletto and Czop, 2015). A made-in-Canada PR system would ensure that citizens retain the close link between themselves and their local MP.

Conclusion

We can develop a made-in-Canada system that is fair, equal and engaging. One that produces legislatures that are representative, stable and workable and that meets the principles set out by the government to guide electoral reform:

- By ensuring a close match between votes and seats, PR eliminates distortions, thus restoring the effectiveness of the electoral system and reinvigorating the legitimacy of voting.

- PR is demonstrated to increase voter participation and to improve the representation of women in the legislature, and provides avenues for enhancing the representation of other underrepresented groups.

- By making every voter truly equal, PR is the most inclusive type of electoral system. Looking at the experience of voters in 85 per cent of OECD countries who vote without difficulty in PR systems, we can expect Canadians to adapt and like their counterparts come to find a PR system easy to understand.

- PR systems can be designed to include local representation, as MMP does in Germany and New-Zealand.

Adopting PR would mark a major step forward in building a democracy to serve all Canadians — building upon the foundations of our current system while fixing or improving several persistent shortcomings that will weaken the integrity of our democracy if left unchanged.

FPTP has not kept pace with the changing complexities of modern democracy and the sensibilities and expectations of Canadians, in all our diversity. Today, Parliament has a once in a generation opportunity to chart a new course for Canada by adopting PR. It should take this important step to make sure that every voter counts.

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