



Two voters taking a selfie on Parliament Hill. They are direct stakeholders in the democratic reform debate, which is much bigger than electoral reform. iStock photo

Rebooting Canadian Democracy: More Than Just Electoral Reform

Thomas S. Axworthy

The fact that Canada is not a democracy in crisis raises the question of electoral reform: “If it ain’t broke, why fix it?” But, as Liberal Party elder statesman and Massey College Public Policy Chair Tom Axworthy writes, this is also a country of energetic, cyclical consensus building on policy questions that matter. And there’s more to democratic reform than electoral reform. This piece is adapted from Axworthy’s presentation to the Special Committee on Electoral Reform.

Canada is one of the world’s most successful liberal democracies: there is no crisis in democratic practice or outcomes in this country.

Every international comparison puts Canada in the top rank in governance, election outcomes and human development achievement. The World Bank, for example, sponsors a worldwide governance indicators project. In 2014, Canada had a 96 per cent rating in the

category of voice and accountability, 91 per cent in political stability, 95 per cent in government effectiveness, 98 per cent in regulatory quality, 93 per cent in the rule of law, and 94 per cent in control of corruption.

On electoral systems, the Electoral Integrity Project rated Canada in 2015 as “very high” at 75 per cent in electoral integrity overall, holding top place among those employing majoritarian electoral rule. This combination of high achieving governance and political practice has certainly contributed to the most important success of all, the expansion of human development and choice. Here too, for many decades, Canada has been at the top of the list in the United Nations Human Development Index, ranked first in 1985, second in 1995, and, in 2015, ranked 9th out of 183 countries.

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Our success is due, in large part, to the fact that we are a parliamentary democracy. The Westminster system, when it works right (and in Canada it has mostly worked right) concentrates power in the executive so that things can get done while ensuring that those holding this power are accountable for its use. When Parliament is sitting, the government is accountable to the legislature on a daily basis and its record will eventually be scrutinized and judged by the people at election time. Parliament represents and speaks on behalf of all Canadians in making and questioning governments. Ryerson University political scientist David E. Smith rightly describes our pre-

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eminent democratic institution as, “The People’s House of Commons.” He is right to, especially in a discussion of electoral systems to remind us that “representative government is about government as much as it is about representation.” The electoral system should not be discussed in isolation: it is the system that produces the House of Commons, which in turn votes confidence in a party (or parties, if a coalition) to formulate a government. Each type of electoral system—majoritarian, mixed, or proportional representation—has a different set of incentives for our parties to assess and is likely to produce different outcomes. Incentives for better or fairer representation, for example, may produce equal disincentives for the formation of effective governments. By every international standard of governance and electoral integrity, Canada already has a well-performing political system. So the key questions that must be asked are: What, exactly, is the problem that electoral reform is trying to fix? Will the solution to one type of problem create problems in other dimensions and, if so, how do you weigh the trade-offs? And, lastly, can the problem that needs fixing be ameliorated in some other way or is it only electoral reform that can do the job?

So, Canada has a governance and electoral system that works for us and is admired around the world, but it has taken 300 years to build these institutions with change and adaptation occurring on a regular basis. With every generation since our founding, Canadians have identified an electoral problem that needs fixing. So it is entirely appropriate that, as we begin the 21st century, this generation of Canadian leaders is initiating a serious review.

Six pillars contribute to election architecture: the franchise, voter registration, electoral districting, campaign finance, election management and the electoral system. Since the first representative assembly in Nova Scotia in 1758, Canada’s election history has been one of constant innovation, usually inspired by the positive workings of federalism since most of the reforms were initiated in the provinces before being adopted by Ottawa. Think of Canada’s first election in 1867: voting was public, staggered over several months to give the government party an advantage, with a restricted franchise of about 15 per cent of the population made up of white, male property holders. Today, 70 per cent of the population is entitled to vote (only those under 18 years of age and non-citizens cannot participate). About 3.5 million people lived in Canada in 1867, today the population is 10 times that number and we attract a quarter of a million immigrants annually from all over the world. Confederation Canada was 80 per cent rural; we are now 80 per cent urban with one-third of our population in the three cities of Toronto, Montreal and Vancouver alone.

As Canada has changed, our election architecture has adapted, too. In 1758, Nova Scotia became the first colony with a representative assembly and in 1848 the first to achieve responsible government with the executive formed from—and accountable to—a majority of the elected members of the assembly. In 1855, New Brunswick introduced the secret ballot subsequently adopted by Canada in 1874 along with single-day voting. In 1867, Canada was created and federalism established. In 1916, Mani-

toba became the first province to give votes to women over 21, followed by Canada in 1918. Over time, the franchise was expanded with property restrictions abolished in 1920, Asian Canadians given the vote in 1948, Inuit in 1953 and Status Indians living on reserves in 1960. In 1970, the voting age for Canadian citizens was lowered from 21 to 18. In 1920, the Dominion Election Act created the Office of an Independent Chief Electoral Officer and from this point forward, the federal franchise was established by federal, not provincial law. In 1956, Manitoba created an independent boundaries commission to do away with the practice of gerrymandering, and in 1964 the national Parliament followed suit by adopting the Electoral Boundaries Readjustment Act to create independent electoral boundary commissions in every province following each decennial census. In 1977, Quebec led the way in banning of corporate and union donations to parties, a reform not adopted federally until the 2006 Federal Accountability Act. In 1968, the first televised leaders' debate was produced by a consortium of the main television networks, with disputes about the criteria for inclusion a perennial issue ever since.

All of these changes were accomplished by legislation, none by referendum. Thus each of the electoral pillars has been significantly reformed except one: the single member plurality or first-past-the-post electoral system. This has remained Canada's way of electing legislators in every province, territory and the national Parliament since our first election in 1758.

In democracy, values contend. So, too, with electoral systems: as political scientist Paul Thomas writes "designing and adopting an electoral system is an inherently political exercise, rather than a technical problem." It is inherently political because all electoral systems create incentives and disincentives for parties, so where you are coming from on this question is largely determined by where you sit. Weighing

The Alphabet Soup of Electoral Reform

David Mitchell

The special parliamentary committee appointed to study and recommend changes to our system of voting has heard from diverse experts and academics about an interesting range of possible voting systems. These systems are often described by an assortment of acronyms unfathomable to the uninitiated. Here's our Policy primer, beginning with the status quo:

FPTP (first-past-the-post): This is Canada's current electoral system and has been used in federal elections since Confederation. It's also sometimes referred to as an **SMP (single member plurality)** system. The provinces and territories are divided into separate electoral districts and each is represented by a member of Parliament. The successful candidate in an election is the individual who wins the highest number of votes in each electoral district, or riding.

Proportional Representation (PR): A system of parliamentary representation in which the number of seats each party has in the House of Commons is in proportion to its share of the popular vote. There are several types of proportional representation voting systems.

Party List PR (List Proportional Representation), open or closed. Both involve parties drawing up a list of candidates for each constituency. In open-list PR, voters choose preferred candidates from the list of the party for which they wish to vote. In closed-list PR systems, the party ranks the names on their list and voters cast their ballots for a party, not a specific candidate.

Mixed member majority (MMM). One example of party list PR. Voters in single-member electoral districts cast two votes: one for a candidate to represent them and one for a party. These two votes are independent of one another and the party seats don't necessarily serve to correct any disproportionate result of the elected candidates.

Mixed member proportional (MMP): In which the number of FPTP seats remains, supplemented by a number of PR seats per province based on parties' share of the popular vote in each province.

Dual member proportional (DMP): Based on electing two representatives in each riding. The first seat in every riding goes to the candidate who receives the most votes, similar to FPTP. The second seat is awarded to one of the remaining candidates so that proportionality is achieved, using a calculation that awards parties their seats in the districts where they had their strongest performances.

Alternative Vote (AV): Also known as instant-runoff voting (IRV), ranked-choice voting (RCV), graduated ballot (GB) or preferential voting, is a voting system used in single-seat elections when there are more than two candidates. Instead of voting for a single candidate, voters rank the candidates in order of preference. Ballots are first counted for each elector's top choice. If a candidate secures more than half of these votes, that candidate wins. Otherwise, whoever is in last place is eliminated from the race.

Single transferable vote (STV): Would use a ranked ballot—but for multiple-member ridings. Under this system, electoral districts would be represented by two or more MPs from among those who received the highest number of first choice preferences.

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the five principles—effectiveness and legitimacy, engagement, accessibility, integrity, and local representa-

tion—outlined in the June 7, 2016 Standing Order to guide the Special Committee on Electoral Reform will

produce very different answers to the key question of what exact problem in the Canadian political system you are trying to fix depending on your stake in the process. For example, the value of legitimacy, which places a premium on reducing distortion and promotes fairness in translating vote intentions into results, highlights representation and leans toward the options of a mixed number or proportional representation system. But proponents of producing governments that have the power to make decisions and not be held up by stasis would argue for a majoritarian system like first-past-the-post. The value of local representation outlined in the committee's five criteria is a key requirement because citizens need a clear connection with their MP to help them navigate the shoals and frustrations of modern government. Simplicity and accountability are also important—voters need to know who is responsible for what when they make their choice.

Since electoral changes affect the core mission of our political parties, it is difficult to achieve consensus. Mandatory voting might be less contentious since it brings more voters to the polls, whatever system is used to translate those votes into seats. The possibility of on-line voting does seem to be more of a technical issue than a philosophical one, though the technical challenges are very real, as security must be paramount and who would argue today that the internet is secure? Yet no one should underestimate how difficult it will be to achieve a committee consensus on the key issue of which changes, if any, should be made to our tradition of first-past-the-post.

But there is a precedent for such a crucial committee assignment. In 1980, at the height of the debate over patriation of the Constitution, with the parties and provinces deeply divided, a Special Joint Senate-House Committee on the Constitution was formed. In amending the Constitution, creating the Charter of Rights and Freedoms, and patriating the Constitution from the United King-

dom, the stakes were much higher than in reforming our electoral system. Yet the committee sat for 56 days, heard from 294 groups, and 914 individuals. Prime Minister Pierre Elliott Trudeau had an even tighter deadline in mind than today's schedule on electoral reform, but he twice acceded to the Committee's wish to have more time for its deliberations. On this highest of political priorities, flexibility in timing became more important than ambitious deadlines. And though the parties were divided over the wisdom of the constitutional exercise, once the committee work began, every party made substantial contributions to the eventual Charter. Conservative members put forward 22 amendments (7 of which were accepted by the Liberal majority). The NDP put forward more than 40 amendments, of which more than half were accepted. The government sought real consensus, in part to bolster the legitimacy of the constitutional project as a whole, and the opposition members of the committee responded with hard creative work. Pierre Trudeau was certainly the driver of the process that brought

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Canada the Charter, and the federal-provincial negotiations were certainly intense, but what is often forgotten in the story is that the Charter itself is the result of a multi-partisan

parliamentary consensus. What was achieved once can be done again.

There are many ways to improve democracy in Canada: Electoral reform is only one of them. At Massey College, there is a two-year program to focus on the Senate, electoral reform, party financing and policy development, new tools like citizen juries, the role of Elections Canada, and enhancing democracy abroad. The Queen's Centre for the Study of Democracy has brought out reports on accountability, the public service, parties and Parliament, and a new way to organize election debates. The authors of the *Canadian Democratic Audit* recommended reforms and the recent work of the Samara Foundation is impressive.

Canadian democracy is not in crisis but one part of our system was—the Senate. The government should be applauded for giving this issue high priority and moving to transform the Senate into an independent, representative, merit-based institution that can improve legislation and check abuses while always adhering to the ultimate democratic primacy of the House. This reform is in its infancy and many implementation issues remain, but we now have the chance, if future prime ministers abide by current appointment norms, to make the Senate a vital part of our democracy.

Democracy should be about contemplation as much as it is about competition. We should make Election Day a civic holiday and develop forums of education and participation to go along with the act of voting. Deliberation days would help us all be better citizens. Democracy is ever-evolving. Electoral reform is certainly important but there is so much more to do. **P**

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