Valuing Canadians: The Case for Reforming Canada's Voting System

D A R L A   R E T T I E [†]

F irst of all, I would like to take an opportunity to thank the University of Manitoba's Faculty of Law, for inviting me. As well, I would like to thank Western Frontier International Group for co-hosting today's conference. I will be very brief, and will attempt not to repeat anything that has been very ably stated by my colleagues on the panel.

As Deborah mentioned, I began working with Bryan Schwartz on legislative process and electoral reform issues as a law student, and I continue to do to this day, as a practicing lawyer.

Bryan and I co-authored the book *Valuing Canadians: Options for Voting System Reform in Canada,* in 2003. It is appropriate that I'm following Gordon Gibson today because what this book, *Valuing Canadians*, really represents is our attempt to do the same sort of electoral system analysis that the Citizen's Assembly on Electoral Reform in British Columbia recently completed.

We were tasked by the Law Commission of Canada to look at how particular voting systems reflect Canadian values, as part of its research project on electoral reform. The reason the Law Commission of Canada wanted us to look at this issue was because they had come to the basic realization that electoral systems that don't reflect current Canadian values ought not to be followed. And, those models that do reflect Canadian values ought to be rigorously considered and debated as to whether they offer a better fit than the current electoral system. So, fundamentally, what we looked at was how values and voting systems matched.

It was quite a daunting process. First of all, a lot of people will say: "Canadian values—what are they? Does anyone know what Canadian values are?" The media oftentimes tells us that Canadians don't even

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know, or can't agree on, what it means to be a Canadian. I find that interesting, in the light of the research we've done. It seems that Canadians are quite competent in understanding who they are and what their basic values are.

So, to start at the beginning, what we did was we approached the whole project, of matching Canadian values with relevant electoral voting systems, in three steps.

The first step we took was we looked at the world of voting systems. We quickly realized that we couldn't consider all of the voting systems that are in use. Every democracy in the world uses a slightly different voting system, so what we decided to do was to look only at voting systems that were proven in democracies that bore some similarity to our own. In other words, we only reviewed voting systems in use in countries that have a parliamentary tradition similar to our own.

We further narrowed the types of voting systems that we reviewed by only considering systems that had been proposed by Canadians within the last 15 years. It's no big stretch to see why we added this further limitation: we were looking at electoral systems that Canadians might choose to adopt in the future. Therefore, we reasoned that we should really be looking at what Canadian academics, lay individuals, politicians, and administrators have put forward—as potential electoral systems that ought to be considered in Canada.

So, we took this two-filter approach: filtering all the different kinds of voting systems we found for models that had a proven track record within a parliamentary democracy, and secondly for voting models had been proposed by Canadians across the last 15 years. And, we came up with five models. Certainly we may have missed some, but the voting systems we focused on were:

1. The current system

2. A version of proportional representation that we typecast as "P.R. Light" (Not to be confused with some low-cal or low-carb product). This voting system is essentially the current system, with the addition of a limited number of "proportional representation" seats to counterbalance some of the inequalities embedded within the current system.

3. The third system we looked at was a full hybrid proportional representational system, as is used in New Zealand. What this system involves is creating about an equal number of proportional seats to constituency seats.

4. The fourth alternative voting system we looked at was the single transferable ballot, which Gordon Gibson explained in detail in his presentation.

5. Finally, the fifth system, we reviewed was alternative voting. This is a system that is not used very frequently worldwide. In a nutshell, one member is elected to each constituency, but voters rank their preference on their voting ballots. I won't go into any of the details, but if anybody is a real keener there is plenty of detail in our book.

At this point in our research, we had identified the five voting systems that needed to be analyzed in terms of how well they mirrored or supported Canadian values.

Our second step was to consider what Canadian values were relevant to the whole exercise. The premise here, of course, is that the voting system for any democracy should be designed to reflect the values of its citizens. Certainly, values may change over time, and values may not be fully shared by all groups within a country, particularly when diversity is encouraged. But these obstacles offer more reason to review whether the way we elect representatives "fits" Canadian's current aspirations and needs.

We weren't sure at the beginning of this whole process whether there were common Canadian values that could be identified. As a starting point, we reviewed the reports that flowed from the Citizens Forum for Canadians' Future. Back in 1990, the Federal government created the Citizens Forum to essentially go out into the country to determine what kind of Canada people wanted to create for themselves and their future. There were thousands of individuals who attended small town meetings, many of whom made oral presentations or submitted written presentations at these meetings. Out of this whole process of trying to determine what kind of Canada to create, a series of core Canadian values fell out.

I am just going to touch very briefly on what these Canadian values are, but I can tell you that Canadians, in general, have a very strong attachment to these values across different ethnic groups, across gender lines, and across regional lines. So truly there is some form of cohesive values structure in Canada and briefly, the values identified were:

- a belief in tolerance and fairness in a democratic society

- a belief in consultation and dialogue

- the importance of accommodation and tolerance

- support for diversity

- compassion and generosity

- attachment to Canada's natural beauty

- a commitment to freedom, peace, and non-violent change

So that's what came out of the Federal government's review of what were the core Canadian values that ought to be reflected in any legislative change initiatives it was contemplating.

When we think about these core values we realize pretty quickly that there is a problem. These core values are all idealistic, abstract notions—they are not concrete enough to be easily measured. In order to determine how various voting systems match Canadian values, one needs to identify more concrete criteria that not only express these values but can also be measured. So we needed to identify the "electoral criteria" that expressed these Canadian values.

I can tell you that we looked at a wide range of Canadian published commentary, books and journal articles, government reports and case law, to see what kind of "electoral criteria" Canadians identified as relevant when discussing the merits of various voting systems. We reviewed literature across a number of academic disciplines: political science, public administration, and the law. If you want some more details on what we actually looked at, in terms of the breadth of information, it's all included in *Valuing Canadians.*

Our research identified a menu of 14 electoral criteria that reflected Canadian values in some form, some more obviously than others. Gordon Gibson spoke about some of these electoral criteria, as many of these same criteria were considered by the Citizen's Assembly on Electoral Reform in British Columbia.

14 Identified Electoral Criteria that Support Canadian Values

Canadian electoral systems ought to:

- lead to a government that is geographically <u>representative</u>;

- reflect relative party support;

- mirror the electorate;

- treat parties equally;

- be accessible to voters;

- minimize the number of "wasted" votes;

- give equal weight to each vote;

- lead to a Parliament that is invested with real power;

- allow for accountability for past governance;

- assist in the development of national, inclusive parties;

- produce stable and effective governments;

- promote effective opposition;

- be administratively manageable;

- allow for ease of transition.

Our third step was to consider whether the five voting systems either inhibited or supported each criterion. In some cases, there was no Canadian consensus on whether the system was supportive of a particular criterion or not. Where we found disagreement we identified it and discussed it.

So to cut to the chase: when we actually matched the electoral criteria with the electoral systems, what we found was that ultimately there was no perfect solution. There was no electoral system that supported all of the identified criteria fully. But, there were systems that met more of the electoral criteria than others.

The system that best reflected Canadian values (as captured by the electoral criteria) was P.R. Light. This voting system offers enhanced geographic representation, more closely reflects relative party support, and encourages the development of national, inclusive parties. It tends to level the playing fields between parties – parties with more dispersed supporters are disadvantaged under the current system. P.R. Light tends to make the development of a viable opposition more likely – as more opposition members get elected.

Adding a few P.R. seats would not fundamentally change the best features of the current system. Current ridings would still elect one member who could be held directly accountable for the electorate. Elections would still result in stable governments – majority governments would still be elected under a P.R. Light system, although possibly less frequently. A shift to a P.R. electoral system would be relatively easy to install and remove, if necessary.

Such a system would retain most of the positive features of the current system, but would reduce many of its inequities that are in direct conflict with identified Canadian values. P.R. Light would effectively addresses a lot of the issues that Gordon raised in his presentation. As time is very limited, I will refer you to the book for the more detailed descriptions of how each of the five voting systems performed against the identified electoral criteria.

Thank you.