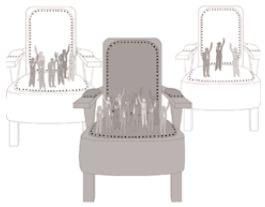
IN CANADA, PROPORTIONAL REPRESENTATION SHOULD BE A HARD SELL



J.A.A. Lovink

In the July-August issue of Policy Options*, a number of commentators proposed that Canada adopt one form or another of proportional representation (PR). Almost no one dealt with the complications that such an important change in the electoral system would produce in the political system at large. PR does make sense in countries where minority interests feel strongly that they must have direct representation in the legislature, but most Canadians still seem content to see the brokering of political interests within large nationwide parties. A small modification in the current electoral system—run-off elections where no one had a majority of the vote—would increase democratic legitimacy at only a small cost in political uncertainty.*

Dans le numéro de juillet-août d'Options politiques, plusieurs auteurs ont proposé que le Canada adopte une forme ou l'autre de représentation proportionnelle (RP), mais aucun d'eux ou presque n'a évoqué les complications qu'un changement de cette ampleur risque d'entraîner sur notre système politique. La RP est certes justifiée dans les pays où des minorités souhaitent fortement que leurs intérêts soient directement représentés au Parlement, mais la majorité des Canadiens semblent encore satisfaits de voir leurs différents intérêts politiques relayés par de grands partis nationaux. En apportant à l'actuel système électoral une modification mineure prévoyant un scrutin de ballottage quand aucun parti n'obtient une majorité des votes, on raffermirait sans perturbations politiques majeures la légitimité de notre démocratie.

In the July-August 2001 issue of *Policy Options*, a number of Canadian political scientists, politicians and others came out four-square for replacement of the present electoral system with some version of proportional representation (PR). The proposals were interesting as expressions of citizen values and opinions. But the arguments used to support them were unduly one-sided, with little or no reference or response to many well-known concerns about the consequences of a switch to PR, while the objections to the present electoral system that motivated the proposed reform were often either debatable or unfounded. In this commentary, I will substantiate these two contentions and will argue that other possible electoral reforms offer substantial improvements with fewer drawbacks.

Regarding the scope of the arguments for PR, they showed little explicit acceptance of the elementary proposition that well-established electoral systems cannot be changed *fundamentally* without significant repercussions in the rest of the political systems in question. Some of these repercussions may be unattractive and should thus be counted among the costs of the proposed reform. The resulting need for a multi-dimensional assessment of proposals for electoral reform was ably demonstrated by Professor John C. Courtney in the same issue of *Policy Options*.

In contrast, most of the proponents of a switch to PR expressed no need for a careful look at many of its likely repercussions. Most deemed it sufficient merely to trot out the well-known and undeniable weaknesses of single-member constituencies with plurality voting—the most important of which is the inconsistency between the overall distribution of party votes and seats and the implicit inequality in voter representation. The equally well-known and important disadvantages of PR were largely ignored, however. This is like prescribing a medication without mentioning side effects that the patient might very well consider to be worse than the disease itself.

PR has been studied and implemented so widely that no one could seriously deny that its adoption in Canada

would have major repercussions throughout the political system. Among other things, it would:

- increase the number of political parties able to win seats in the legislature, make it more difficult for any one of them to win a majority of the seats, and produce coalition governments as the norm;
- make it more difficult for governments to make decisions, because the power to do so would be dispersed more widely among people who would be less likely to reach a consensus and would have less incentive to cooperate;
- make governments less clearly accountable, because it would be less evident to voters who deserved the primary credit or blame for particular policy decisions or for the government's performance in general;
- make it very difficult to remove an entire group of political leaders in whom many voters might have lost confidence (as Canadians were able to do, most recently, in 1979, 1980, 1984 and 1993);
- eliminate the ability of voters to lobby or seek help from a particular elected politician who represented them personally and who had personal knowledge of their part of the country; and
- shift control over the party nomination process from local to central party organizations, a change that likely would have important—if hard to predict—implications both for the types of candidates nominated and for their behaviour if elected.

Most politically knowledgeable Canadians will be well aware of these elementary features of PR, and many, though certainly not all, are likely to see them as important disadvantages. In the circumstances, it was disappointing that none of the latest proponents of PR made any serious attempt to persuade readers that those indisputable consequences of their proposal are either unimportant or a cost justified by its benefits.

It was also disappointing to see PR being supported by complaints about the present electoral system that are at best debatable and at worst unfounded. Those criticisms included claims that:

- *The present electoral system does not reliably produce a major opposition party with a reasonable hope of forming a new government, a failing that is not likely to change*. Although the first half of this complaint is demonstrably true, it strikes at a straw man. No electoral system can be reliably depended on to consistently produce two dominant parties, as well as frequent alternation in their control of the government, and the present system's inability to do so is therefore not a good reason to abandon it. The second part of this complaint predicts that under the present system the Liberal Party will remain the dominant party in Canada, second-party fragmentation is unlikely to go away, and alternation of parties in government is thus "a thing of the past." It is astonishing to see such confidence in the validity of straight-line projections of the past into the future, and such reliance on pure speculation as a primary basis for a switch to PR. In view of the explicit recognition that adopting PR would require us to "settle for a more modest form of party movement into and out of government, for *circulation* of coalition partners rather than their total replacement" (a major consequence by any reckoning), one might reasonably have expected a more balanced analysis and evaluation of PR's merits;
- *The electoral system, having resulted in a "lack of political competitiveness," is "the prime culprit" in the drop in voter turnout in recent years*. Aside from the fact that Canadian politics is extraordinarily competitive (mainly because voter loyalty has long been extremely low, a precondition for very wide swings in party support from one election to the next), there is no good basis for the suggestion that the electoral system is *the*, or even *a,* primary determinant of the level of "political competitiveness." Although the system has certainly given the currently dominant Liberal Party more seats than are justified by its share of the national vote, the party's ability to win that relatively large share of the vote in the last three general elections has no more than secondary links to the electoral system. Further-more, there is no reason to believe that voter turnout, which is now running at historically low levels, is primarily determined by the overall level of inter-party competition, nationally.
- *The electoral system has exacerbated regional divisions in Canada*. This criticism was originally articulated by Professor Alan Cairns in 1968 in an article in the *Canadian Journal of Political Science*, often referred to as "seminal." Although his article was undoubtedly a first-rate contribution, I demonstrated in a rebuttal published in the same journal in 1970 that the asserted causal relationship had been seriously overblown. The gist of my argument was that Cairns had provided no clearly defined, systematic evidence of the regional biases in federal party policies that had supposedly exacerbated

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the regional divisions in Canada, and no credible justification for including the electoral system among the factors primarily responsible for such biases.

- *The electoral system causes the under-representation of women and members of visible minorities*. The alleged cause-effect relationship in this complaint has never been clearly explained, making it difficult to evaluate. It appears, however, that the representation of women and visible minorities reflects the impact of a host of factors, among which the electoral system almost certainly plays a very secondary role, if any.

In Canada, most voters remain ready to support inclusive, brokerage-type parties that aspire to achieve and retain broad, nationwide support—exactly the kinds of parties the present electoral system tends to foster.

Aside from all the above-mentioned weaknesses of the argument for a switch to PR, it is hard to be impressed by the assurance, offered by one of the academic advocates of PR in the July-August issue of *Policy Options*, that many European countries with PR have not suffered from unstable or ineffective governments. It is difficult to know what is meant by an allegation that some institutional arrangement "works very well" in a particular set of countries, or to evaluate the validity of the implied cause-effect relationships, never mind figure out whether what might work well in some countries would necessarily do so elsewhere as well. Moreover, no matter how effectiveness is defined, it may have been achieved *despite* the complications resulting from PR, and PR might then better be seen as something to be endured (when necessitated by the political culture and deep political cleavages) rather than as something actually to be desired.

These grounds for skepticism toward proposals for the adoption of PR in Canada also cast doubt on the merits of challenging the present electoral system as unconstitutional, as was advocated by one of the contributors to the July-August issue of *Policy Options* and has actually been done in a challenge of the *Canada Elections Act* before the Ontario Superior Court in the "Green Party Case." In that challenge, the claimants contend that the present electoral system, as defined in the *Act*, violates the voting and equality provisions of the Charter of Rights and Freedoms. Based on that interpretation of the Charter, the claimants have effectively asked the courts to declare elections based on geographical constituencies to be unconstitutional (inasmuch as elections on that basis invariably produce the inequalities at issue) and to require Parliament to redesign Canada's electoral system to maximize the achievement of one value (voter equality), despite the major drawbacks of doing so. It is incredible that the courts would venture that far into the "political thicket," to use an apt and memorable phrase coined by U.S. Supreme Court Justice Felix Frankfurter.

This critique of PR is not intended as an attack on its merits in principle. There are many societies with economic, religious, cultural and other divisions so deep (and often overlapping) that each group must have its own political voice and direct representation in the legislature. In such situations, a plurality winner-take-all electoral system would be unacceptable and unworkable. But that is not the situation in Canada. Here, most voters remain ready to support inclusive, brokerage-type parties that aspire to achieve and retain broad, nationwide support—exactly the kinds of parties the present electoral system tends to foster. Here, most voters do not seem to feel unrepresented if their preferred candidate is not elected. It is therefore not surprising that in this relatively consensual context, many people think the costs of PR exceed its benefits.

Another reason for the widespread acceptance of the present electoral system may be found in the likely recognition, at least among politically knowledgeable Canadians, that Canada's highly pluralistic and participatory democracy already gives well-organized minorities ample opportunity to militate for changes in public policy, as well as substantial power to hinder the implementation of unwanted policies and decisions. This reality adds value to an electoral system that fosters *integrative* political parties bent on gaining majority support and undivided control of the government. In this kind of situation, the emphasis should not be on weakening governments by adopting PR but on strengthening Parliament's ability to evaluate government policies and decisions in a more knowledgeable way, and thus to elicit better explanations and justifications for them than those commonly provided today—an innovation that might eventually lead to better policies and decisions. But that large and vital issue cannot be explored in this article.

This critique of PR should not be mistaken as an argument for retention of the existing electoral system, "as is." To the contrary, there should be keen interest in any reform that would diminish the system's known weaknesses without creating major, unwanted repercussions in

the rest of the political system (or, as Professor Courtney puts it, without compromising and endangering "the carefully crafted set of arrangements we have established to govern ourselves").

In two prior issues of *Policy Options* (April 1998 and June 2001), I have argued for one such modest reform: the addition of run-off elections between the two leading candidates in any constituency where the first ballot has not given any candidate a majority of the vote. In my view, the resulting assurance that all legislators would have been elected by a majority of the voters rather than a mere plurality would remove a major deficiency of the present electoral system and significantly enhance its democratic legitimacy. Moreover, it is hard to think of major negative consequences that would justify rejecting this modest proposal or even necessitate extensive further study.

The only real doubts on that score would stem from uncertainties about the impact of run-off elections on the voting behaviour and party preferences of Canadian voters. Would some political parties benefit while others would be hurt? Would the level of inter-party competition be changed? In the present electoral situation, would the dominance of the Liberal Party be affected? These questions cannot be answered credibly through survey research: voter responses to hypothetical questions must always be treated with great skepticism. In the context of actual choices in particular future elections, what voters really did might be quite different from what they might think today that they would do.

There are at least three reasons, however, for believing that the impacts in question would not be major:

- The five largest political parties all have substantial support in the electorate, nationally and/or regionally. Although that support can fluctuate substantially from election to election, it is hard to see how or why the new scope for strategic voting associated with the addition of run-off elections would cause any of the parties to gain or lose significant support *systematically and permanently*.
- The distribution of party preferences across the country was such, at least in the last two federal general elections, that the Liberal Party did not come first or second in many constituencies, which would have caused it to be excluded from many run-off elections that would have been necessary if the proposed reform had been in effect. If, as expected, party preferences did not change much because of the introduction of run-off elections, there should be no particular benefit to the Liberal Party and therefore no increase or decrease in its dominance as a result of the reform.
- My attempt at a simple simulation of the results of the last two federal general elections, assuming that run-off elections had been necessary, suggested that the five parties' representation in the House of Commons would have changed very little. (See the June 2001 issue of *Policy Options*.)

Admittedly, these expectations are all conjectural. No one can know what the consequences of adding run-off elections would be until the change is actually made. And there is the further risk that even though run-off elections would be easier to introduce, administratively, than PR, and could thus be undone more easily as well, reversing the change could prove difficult if one of the largest parties did end up being benefited by it. But any change has its risks and in this case the risks seem both modest and justified by the improvement in democratic legitimacy that run-offs would bring.

In one of the few non-PR-oriented articles in the July-August issue of *Policy Options*, Professor Thomas Flanagan advocated a version of the alternative vote system in which voters, grouped by constituency as now, would be allowed to rank the candidates in order of preference. Under that system, any candidate with 50 per cent or more of the first preferences would immediately be declared elected; all other candidates eventually declared elected would be those with the highest total number of first, second and lower voter preferences, following vote transfers and retransfers from successively eliminated candidates with less support. As Professor Flanagan points out, this arrangement would have "much the same practical effect" as run-off elections, at least in the sense that both systems would be "majoritarian." In addition, his proposal would mean less inconvenience, cost and delay. Even so, there are four reasons to believe that adding run-off elections would be the better approach. Run-off elections:

- are already well accepted in Canada to ensure majority support for the winners of party leadership conventions.
- would involve simpler and more transparent vote-counting, thereby probably enhancing the perceived legitimacy of the outcome (inasmuch as any straightforward count of votes

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provides a more credible and understandable measure of relative support than a complex, "black box" tally of first preferences, transferred preferences and re-transferred preferences);

- would avoid complicating a process that already overtaxes some voters' will or ability to understand the options available, let alone consider the relative merits of more than two such options; and
- would provide a basis for party coalition-building, in getting out the vote in the second election, that might enhance the competitiveness and responsiveness of the party system.

Finally, some comment is needed on a possible hybrid version of the present electoral system that would combine the constituency basis of representation with PR. In one such arrangement, many or most legislators would continue to be elected by single-member constituencies but the remainder would be elected on a proportional basis, to reduce or eliminate the otherwise-to-be expected distortion in the votes-seats relationship. The attractiveness of this option might seem to depend on the size of the PR "top-up." If the resulting proportion of legislators elected on a proportional basis were large, say 40 per cent, the arrangement would trigger the same drawbacks as full-fledged PR, which are mostly associated with the consequent unavoidability of coalition governments. If the resulting proportion were small, say 15-20 per cent, the corrective effect would be commensurately less, as would the disadvantages. Even then, however, it would likely sentence the country to perennial coalition or minority governments, a price that most Canadians would probably consider too high.

Even a mixed PR system would likely sentence the country to perennial coalition or minority governments.

To conclude, all of the arguments in this article against the adoption of PR and for the addition of run-off elections are expressly restricted to the situation in Canada. It makes no sense to assume one size will fit all and so recommend institutional changes in a generic way for all political systems. What would be good for Canada might not be so good, or so doable, in other countries with plurality electoral systems, like the United States.

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