



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 003 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, July 6, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, July 6, 2016

• (1405)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good afternoon, everyone, including the members of the committee, those in attendance and those watching us on television.

I remind you that taking photographs is no longer permitted at this stage. I believe you have taken a number of them, so it should be okay.

[English]

Good afternoon to all, and welcome to the third meeting of the Special Committee on Electoral Reform. It's our third meeting, but our very first with witnesses.

Yes, Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Before you begin, Mr. Chair, I have to confess that when we discussed witnesses and the importance of having longer presentations from some of the really important witnesses, of whom the minister is certainly one, I did not anticipate that our meeting with her would be so structured that we would have a lengthy presentation but very, very brief questions and answers, which is what happens as a consequence of the steering committee's being immediately after this one.

I wonder if we could push back the steering committee by half an hour, thereby allowing the rounds of questions for each MP to be extended by a couple of minutes.

The Chair: First of all, I'd like to welcome the minister to the committee. *Eid Mubarak*. Thank you for being here on Eid. We appreciate it very much.

The request by Mr. Reid is that we extend the sitting a little bit longer. Right now we have 30 minutes or less for the minister, depending on how much time the minister needs. Then we were planning on having one hour of questions. There's a request here by Mr. Reid to extend that one hour to, I don't know, an hour and 15 minutes.

Mr. Scott Reid: That would do, Mr. Chair.

The Chair: First, I'll ask the minister if she is available to stay for an extra 15 minutes.

Hon. Maryam Monsef (Minister of Democratic Institutions): Mr. Chair, thank you for your welcome. I'm happy to stay an additional 15 minutes if the members feel the need to have me here for longer.

The Chair: I sense, from looking around, that people think that's a good idea. Thank you very much for accommodating us.

[Translation]

Minister Monsef is accompanied by Isabelle Mondou, who is the assistant secretary to the cabinet and counsel to the Clerk of the Privy Council.

Welcome.

Ms. Isabelle Mondou (Assistant Secretary to the Cabinet and Counsel to the Clerk of the Privy Council, Privy Council Office): Thank you.

[English]

The Chair: Without further ado, I would invite the minister to make her presentation.

Hon. Maryam Monsef: Thank you, Mr. Chair, honourable members of this committee, the various team members, and of course members of the media.

I am delighted to join you here today on this traditional Algonquin territory, and to thank you for the opportunity to be your first witness.

I am pleased to be here on Eid, an important celebration for Muslims around the world. I'll take this opportunity to wish *Eid Mubarak* to Canadians in this country celebrating Eid. I promise my family members who are watching this at home that I will be home very soon.

As you mentioned, Mr. Chair, I have the great privilege of working with members of the Privy Council. Isabelle Mondou, assistant secretary and counsel to the Clerk, is here to assist with any technical questions.

I want to thank the members of my small but mighty team for devoting their time and talent to this important initiative we have all undertaken, and to express my deep appreciation to each of you. I know that the work that each of you has taken on is quite a commitment. I suspect there are many important private and public demands on your time. Despite this, you have committed to undertaking a comprehensive examination of electoral reform options. To each of you, I would like to express my sincere thanks and gratitude on behalf of the government.

Mr. Chair, the establishment of this committee in its current form and specific membership is the result of collaboration among political parties and represents the embracing of ideas that come not just from the government, but political opposition parties as well. This was the result of listening to Canadians and acting on what we heard from political parties. I believe this spirit of collaboration should be a hallmark of the work that all of us will do together on this file. Electoral reform, to be successfully achieved, needs to be built on co-operation among political parties, and have the broad support of Canadians.

I am reminded of a piece of advice that a former cabinet minister received as he assumed his place in cabinet, by the then-deputy prime minister, Herb Gray, that if you insist on having all of your views prevail all of the time, and if your colleagues also insist that all of their views need to prevail all of the time, then no one will achieve anything any of the time.

I believe the Honourable Herb Gray provided wise counsel. In moving forward, I believe the views and perspectives of all parties and of all Canadians will be important in informing the eventual approach that we adopt. This is not to suggest that electoral reform should not cause much debate or discussion. Each of us, as parliamentarians, has a responsibility to provide Canadians with a variety of perspectives on how we may move forward on this, and indeed on any public policy issue. Providing Canadians with vigorous study and debate is key to this process, and not doing so would be a disservice and unlikely to achieve fundamental reform.

I trust that the perspectives each of you bring to this table will be shaped by the testimony you hear from experts, political practitioners, and everyday Canadians. Those perspectives, I suspect, will also be based on deeply held political views each of us hold, and which inform the policies and the platforms that each of our parties stand for.

Mr. Chair, I believe the committee will work best when the members debate ideas brought forward within the context of these values, political and personal, that each of us and our respective parties hold. This may not always be the easy way, but I do believe that it is this kind of collaboration that holds the greatest potential for meaningful change.

I am also hopeful, Mr. Chair, that the product of your deliberation goes beyond the tabling of five minority reports outlining individual party positions, but rather represents the development towards a compromise that seeks to reflect our own views and those of our colleagues, as well as all Canadians.

● (1410)

In providing additional comments this afternoon, Mr. Chair, I'd like to touch on four topics, including, first, why I believe it's important to move to a system other than first past the post; second, the values that I believe should help shape any alternative system; third, how we go about consulting Canadians; and fourth and finally, the issue of obtaining the support of Canadians and moving forward with any specific changes.

Some have pointed out that Canada is a mature, successful democracy whose citizens enjoy a high standard of living and a level of political freedom that is the envy of the world. They question why

we would consider changing such a successful democracy. Although I accept the premise of that thought, I do not agree with the conclusion. Simply pointing out that something works is not a reason not to try to make it better. First past the post is an antiquated system designed to meet the realities of 19th century Canada and not designed to operate within our multi-party democracy.

We require an electoral system that provides a stronger link between the democratic will of Canadians and election results. As pointed out by the Institute for Research on Public Policy, during the course of the 20th century, a number of countries have opted to move away from first past the post, from Australia in 1918 to New Zealand in 1993. More tellingly, few democracies in the modern era have gone the other way and adopted first past the post as their electoral model. There are good reasons for this: first past the post is a voting system that generates disparities between votes gained and the number of seats secured.

Since 1960 we've had 10 elections that resulted in majority governments, but only in one case, in 1984, did the winning party receive more than 50% of the vote. Under first past the post, parties achieving similar or same percentages of the vote may not always garner a similar number of seats. Look at the election in 1997 as an example, in which the Reform Party garnered 18.7% of the vote and received 60 seats, whereas the Progressive Conservatives garnered 18.8% of the vote—virtually the same—but received only 20 seats. The Reform Party garnered the same percentage, but 40 less seats. In the previous election, in 1993 the Progressive Conservatives won 16% of the vote but only two seats; meanwhile, the Bloc Québécois received 13.5% of the popular vote and 54 seats. First past the post tends to favour parties with regional, rather than national, appeal.

First past the post also regularly elects MPs for whom the majority of constituents did not vote. In the most recent election, less than 40% of those elected—including me—were supported by a majority of their constituents.

Beyond this, Mr. Chair, Canadians have indicated that they want change in their electoral system. In the last election, 63% of Canadians voted for parties that clearly stated they wanted an alternative to first past the post, and Canadians expect us to keep our promises.

As I have said in the House on many occasions as the Minister of Democratic Institutions, I've come to this process with an open mind, prepared to be convinced by persuasive and respectful arguments on what type of electoral system would best replace first past the post, recognizing that no system is perfect.

I believe that our discussions and those of Canadians need to be shaped by the guiding principles set out in the committee's mandate. They reflect our sense of fairness and inclusion as Canadians. The reality is that a variety of systems could satisfy each of the principles in different ways, depending on the values, choices, and priorities of Canadians.

•(1415)

I'll take a moment if I may to remind everyone of the principles adopted by the House in establishing the committee. They are as follows: first, restoring the effectiveness and legitimacy of the voting system by reducing distortions and strengthening the link between voter intention and electoral results; second, encouraging greater engagement and participation in the democratic process, including fostering civility, consensus building, and social cohesion; third, supporting accessibility and inclusiveness for all eligible voters and avoiding undue complexity in the voting process; fourth, safeguarding the integrity of our voting system; and fifth, taking into consideration the accountability of local representation.

Mr. Chair, these concepts of legitimacy, engagement, inclusion, integrity, and local representation belong to all of us. They provide a meaningful and accessible starting point for a national dialogue on electoral reform. They are meant to spark debate and deliberations. These principles are not meant to be prescriptive or limiting. Their purpose is to serve as an invitation to this conversation and not a conclusion.

I believe the principles give all of us, including the committee trusted with this work, a common frame of reference that enables Canadians to participate in a sustained conversation about their priorities, to ask thoughtful questions, and truly to listen to one another. We have to start there before examining the technicalities of various electoral systems.

I'll take this moment to pause and express my delight. We have run out of seats, and it appears that more chairs are being placed in this room. This is a good sign.

As I've said on many occasions, Mr. Chair, the government is not prepared to proceed without the broad support of Canadians. To achieve that support, it is critical that our nation be engaged in the process of developing solutions to the challenges of our electoral system.

It is our responsibility to provide resources that allow as many Canadians as possible to learn about the various options of electoral reform, to learn about the complexities involved, to consider the possible impacts of any changes, and to provide an informed opinion on how the government should proceed.

This engagement process needs to be crafted in a way that reaches out to all Canadians and not just to the usual suspects, some of whom are in this room right now.

A key purpose of electoral reform should be to engage Canadians who have historically not been involved in our democratic institutions. We need to reach out to those who often face greater barriers within the electoral processes. They include new Canadians, indigenous persons, people of modest economic means, young Canadians, those living in rural and remote communities, those with disabilities and exceptionalities, and others whose voices have been silent in the past.

To accomplish this, we need to use new and creative tools in addition to those we have employed in the past. This includes the important work being done by this committee, but also community town halls, academic symposia, surveying, and importantly, social

media, as that is how many Canadians, especially those under the age of 45, interact and carry out discussions. In 2016, Facebook, Twitter, and similar platforms are not a frivolous novelty, but a primary tool to engage with each other and with private and public institutions, and an important resource we cannot overlook.

•(1420)

With that in mind, it's important that the committee will also duly be considering other reforms noted in the motion—online and mandatory voting—in the work that it does between now and December 1, 2016. Online voting and similar reforms that embrace the technological advances we have today should be seen as ways to increase participation by removing barriers that may exist for some Canadians. For others, these may simply represent preferred forms of engagement in the process. At all times, though, there should always be a balance between the security and the integrity of the voting process. Mandatory voting, similarly, reflects a concept that some view as a means to a more participatory democracy, and as such is practised in varying forms in 22 countries around the world. My hope is that the committee and the experts you will hear from will consider the merits of all sides of this conversation. I know we will collectively benefit from that work.

Speaking of those very conversations, I would like to take a moment to speak about resources for Canadians hoping to engage in, and even host, these conversations. To support the national dialogue on electoral reform, we have developed a dialogue guide that is intended to help potential organizers with the planning, coordination, and reporting of these events. Keeping in mind the need to engage more than the usual suspects, this guide is intended for any Canadian in any community in any part of the country who may wish to use it. I'm tabling a copy of this resource with members of the committee today and will be making it available to the public electronically as well. I believe a copy of it is being circulated as we speak.

This guide is not meant to be prescriptive or to compete with the committee's work, but rather to provide citizens, organizations, and MPs, if they wish, with a resource for their consideration. Furthermore, when Canadians have these conversations, I trust that the committee will welcome hearing from them so that Canadians will know that their views and efforts are directly contributing to the deliberations and report of the committee.

I see you leafing through it already. That is a good sign, too.

I'll also be announcing further details of the complementary outreach plans that my parliamentary secretary, Mark Holland, and I will be putting in place over the summer and early fall to meet with Canadians across this great nation. Please encourage those who are interested to keep an eye on the canada.ca/democracy web page, where they can find and download the dialogue guide and engage with further resources and find up-to-date information and news on upcoming events, join the conversation on social media, and learn how every Canadian can have their voice heard in this process.

Mr. Chair, I'd like to make it clear that whatever method we use to enact electoral change, this government is committed to moving forward with a modernized electoral system only with the broad support of Canadians.

As part of this committee's mandate, you have been directed to study and advise on additional methods for obtaining the views of Canadians. As I've said in the past, Mr. Chair, although I recognize that a referendum is one way of seeking clarity from Canadians, I remain to be convinced that it is the best way. Referenda do not easily lend themselves to people effectively deciding complex issues. They can, and often have, led to deep divisions among Canadian and within other societies, divisions that have not been easily overcome. Although everyone has the ability to vote in a referendum, almost half of eligible voters have not done so in the recent referenda on electoral reform. I believe we can do better. A democracy that is comfortable with half its population not voting is a democracy in need of renewal and reform.

● (1425)

A study conducted by Statistics Canada after the 2011 election confirmed that many groups—sometimes the most marginalized—do not participate in elections. The study found that those under the age of 45 vote in lower numbers than those over 45; those with a high school diploma vote in lower numbers than those educated in college or university; that single parents vote in lower numbers than married people; and that those who immigrated to Canada in the last five years, or even 15 years, vote in lower numbers than those who are Canadian born; those who rent their homes vote in lower numbers than those who own their home; those who live in rural areas vote in lower numbers than those who live in cities; and that those who are unemployed vote in lower numbers than those who are employed.

Mr. Chair, we can imagine that it could be similar in the context of a referendum. My apprehension about a referendum is the possibility that it will provide an incomplete picture of what Canadians want. I believe we need to do better than that, and I look to the committee to examine various methods for engagement and to provide its advice on the ways to determine the will of Canadians.

Canadian history is full of examples of fundamental changes being made to our electoral system through legislation approved by Parliament, including in 1874 when Canada adopted the secret ballot. In 1918 we began to expand and extend the franchise to women. In 1920 we created the office of the Chief Electoral Officer. In 1960 we extended the franchise to indigenous peoples here in Canada. In 1970 we extended the franchise to young adults—those between the ages of 18 and 21—and in 1996 we introduced the permanent voters list.

These changes reflect the nature of a representative democracy, and although some were controversial in their time, in retrospect they all seem like obvious reforms undertaken by the Parliament of Canada.

Mr. Chair, Canada is a very special country with one of the most admirable records of embracing democratic processes to elect its leaders and to periodically and peacefully and seamlessly transfer power from one party to another. Our democratic reform initiative is about making our system—which has many strengths—better, and to improve what we currently have. We know that here in Canada better is always possible.

This electoral reform initiative is about continuing a process that has seen us make significant and positive changes over the past 149

years, including the expansion of the franchise to indigenous persons and to women, protecting the integrity of the process, and responding to the evolving reality of a changing world.

As colleagues who serve in this institution, I ask for your help, for your guidance, and for your advice as we strive to modernize our electoral system; to provide opportunities for those who have not participated in the past; and to explore how modern technology can enhance the democratic process. Together we can and will make our vibrant democracy even stronger and give every citizen the opportunity to shape our future.

● (1430)

I'm very much looking forward to working with this committee and am thankful for the opportunity to speak with members today, Mr. Chair. I'd be happy to answer any questions that members may have.

The Chair: Thank you so much, Minister, for that presentation.

We've done the math, or I should say the clerk did the math, and we have six-and-a-half minutes per question.

[*Translation*]

We will follow the order we have already set, starting with the Liberal Party.

Ms. Romanado, go ahead.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Mr. Chair.

Eid Mubarak.

Minister, thank you very much for joining us today. I know that this is a holiday for your family, so we appreciate your being here.

[*English*]

I want to thank you again for explaining a little bit the rationale for what we're doing and for your commitment to work with the committee.

What do you think are some of the challenges or barriers in our current electoral system that are preventing folks from coming out and voting in large numbers?

Hon. Maryam Monsef: Thank you very much for the question and kicking off our debate here together.

As I mentioned in my speech, while first past the post has many strengths that we have benefited from over the past 149 years, the reality is that it's a system that was designed for 19th century Canada. Canada was a very different place then. It has a tendency to distort voter intentions. It's a system that tends to make people feel like their vote doesn't always matter. As a result, it leads to voter apathy and lower voter turnout.

As the evidence and other nations are showing us, there are better ways to go about electing representatives. Frankly, this is a conversation that has been happening in various jurisdictions for years. It's an issue that's been discussed federally for over 10 years, and here we are with a government that has the political will needed to explore this important Canadian issue at a national level. I'm thankful that with all of you, we will be seizing this opportunity and allowing Canadians across the nation to have their voices heard in this process and to come up with an alternative that matches our values as Canadians, as well as the realities of our time.

Mrs. Sherry Romanado: Some suggest that Canadians are happy with the current system. There is the old saying, "If it's not broke, don't fix it." What are your thoughts on this? Why does the government want to change the current system?

Hon. Maryam Monsef: Through you, Mr. Chair, this was a commitment made not just by our party during the election but also by many parties to their constituents, that they would explore and implement new ways of voting should they form government. For us, it wasn't something that we as a party decided was important. It's a commitment in our platform based on the conversations that our then-leader, our current Prime Minister, had with Canadians from coast to coast to coast about the issues that mattered to them, about the Canada they want to live in, about ways to enhance the health of our democratic institutions.

The reason we put forward this piece of our policy platform is that it's what we heard from Canadians. Over 60% of Canadians ended up voting for parties that clearly stated their commitment to implementing a different way of voting. While our system works, it can be better. The simple fact that something works is no reason not to make it better, and this is one commitment that we made to Canadians. Canadians expect us to deliver on our commitments and that's why you're all here today.

• (1435)

Mrs. Sherry Romanado: You mentioned the national engagement process and you elaborated a little bit in your speech about different stakeholders or citizens who didn't vote. You mentioned that those who are unemployed and those who are in rural areas tend to vote less, and so on and so forth. What are your thoughts on reaching out to those who normally wouldn't be part of the democratic process to get their advice and suggestions on what we should be doing? Could you elaborate a little bit on that?

Hon. Maryam Monsef: This is, I think, a main challenge and opportunity for me but also for all of you. There are those who are new to this country; those whose ancestors have always been here, the indigenous peoples of this land; those with disabilities, exceptionalities; and young people, who we know are definitely amongst those who do not vote in the numbers we'd like to see them voting in. Each group faces specific challenges and barriers. There are many ways we can go about this. It's why we're encouraging a multi-channel way of engaging with Canadians, with several platforms.

One way we need to do this work is through the work that all of you do. Another way to do this is that MPs have a really good understanding of the people in their ridings. They have the connections and the relationships built with the organizations supporting these specific groups and communities. They can

leverage those connections. Another way to do so is through various online channels and social media.

One further way to do so is the resource that we introduced here today. The guide that we have provided allows for grade 5 students, allows for high school students, and allows for those groups who don't traditionally find an easy path to participation to engage in this process.

Additionally, you have been asked to provide additional ways of seeking Canadians' views. I'm looking forward to your recommendations on that.

The Chair: Thank you very much.

I have to go to Mr. Reid now.

Mr. Reid.

Mr. Scott Reid: Welcome, Minister.

Minister, on May 10, at the press conference when you established this committee, you said, and I quote, "A referendum is one of a number of tools that can be used to engage Canadians". Moreover, your colleague, Dominic LeBlanc, said that it was quite premature for us to be deciding on whether or not we should have a referendum or not.

However, based on what you said today, it sounds like you have firmly shut the door. There will be no referendum on your government's proposed new electoral system under any circumstances. Is that correct?

Hon. Maryam Monsef: Through you, Mr. Chair, I want to thank the honourable member for his commitment to this file. I look forward to the important work he does on this committee.

I would like to go back to the motion the House adopted that allowed this committee to come together, which clearly states that part of our mandate, as parliamentarians serving on this committee, would be to advise the government on what the best way for us to obtain the broad support of Canadians might be. I've stated my personal position on this, based on what we've seen happen here in Canada and in the past, that a referendum is not the best way to reach out to those groups who don't traditionally engage—

Mr. Scott Reid: I appreciate that, Minister. My question then becomes, are you saying that the committee is or is not in a position to recommend a referendum? That is, you don't care whether it recommends a referendum, you don't care whether Canadians want a referendum, we won't have a referendum. Or are you open to it?

Hon. Maryam Monsef: Could you repeat the part after you said that I don't care? I missed that.

• (1440)

Mr. Scott Reid: When you said we're looking at a variety of mechanisms... It's in the wording of the motion establishing the committee, a change you yourself made. The question is, are you saying that a referendum is not one of the consultation mechanisms that the committee can look at? Is it out, or is it something that is a possibility?

Hon. Maryam Monsef: This committee itself is a reminder that this government is open to various parties' positions. One thing we did in the amended motion that we put forward on June 2, Mr. Reid, is provide an amendment that reads like this: "that the Committee be directed to study and advise on additional methods for obtaining the views of Canadians". It is up to you to hear from Canadians. It is up to you to find out what values—

Mr. Scott Reid: If the committee recommended a referendum, would you accept that a referendum is necessary?

Hon. Maryam Monsef: If that is what the committee recommends, if that is what you hear from Canadians, if you arrive at a consensus that this is the best way to engage Canadians in 2016, then it is incumbent upon me and the government to take that seriously.

Mr. Scott Reid: Does that mean you would then have a referendum if there were that recommendation?

Hon. Maryam Monsef: I'm going to do something that I know you very much—

Mr. Scott Reid: Well, let me rephrase that: would you say no?

The Chair: Mr. Reid—

Hon. Maryam Monsef: Would you like me to finish my sentence? No?

The Chair: Mr. Reid, please let the minister answer.

Mr. Scott Reid: Fair enough.

The Chair: Go ahead, Minister.

Hon. Maryam Monsef: I'm going to do something that I know many folks appreciate. This process as a whole is an exciting prospect for all of us. This process has at least three stages. There's the first stage of hearing from Canadians. We can't do this process without hearing from them. We can't arrive at a conclusion without hearing from them. So we need to hear from them, and that is why your work is going to be so valuable.

The second stage is you deliberating and hopefully coming up with a report that reflects the consensus you have arrived at on the various aspects of your mandate. Yes, tell us which system you heard from Canadians that clearly they prefer. Do we consider online voting? Do we consider mandatory voting?

Then the third step, Mr. Reid, is determining whether this system that we are about to propose has the broad support of Canadians.

I know you are eager to jump to the third step, but we are only at the first step, and I'm looking forward to your recommendations on December 1.

Mr. Scott Reid: Minister, you won't say no to a referendum here. You will not say no. I've asked you directly. So now let me posit to you this thought. A variety of steps need to take place in advance of holding a referendum. Certain commentators—including Jean-Pierre Kingsley, who will be testifying before us tomorrow—have observed that the Referendum Act is in need of updating. Amendments have to be made to the act or new legislation has to be done, or else the option of referendum ceases to exist. It simply falls off the range of possibilities regardless of what this committee decides, regardless of what Canadians want.

My question to you, therefore, is this. Are you taking any measures in your department to update the Referendum Act or to

engage in other legislation in order to ensure that a referendum could take place, if it proved that it was desirable, so that we do not face the situation of having a new system imposed in 2019 without the approval of Canadians after there has been an agreement that we ought to be having a referendum? Would you answer that, please?

Hon. Maryam Monsef: I'll answer all your questions.

First of all, I'm thankful that your witnesses tomorrow are the current and former chief electoral officers. They bring a wealth of knowledge. I hope their counsel and their guidance are concepts and contributions that you will continue to rely upon, as I have.

It is true that there is legislation that needs to be amended. The Referendum Act does need to be aligned with the Elections Act. But I believe it is premature to make those changes. It's putting the cart before the horse to arrive at a conclusion before you folks have even begun to travel the country.

Mr. Scott Reid: Mr. Chair, in the remaining moments I have left

The Chair: You have 20 seconds.

Mr. Scott Reid: —I just want to make the point that the cart is put before the horse if you decide not to update the Referendum Act, because it becomes impossible under any circumstances, no matter how strong the consensus, to have a referendum if you don't take the initiative to start updating the act.

So I ask again, what are you doing to update the Referendum Act so that the cart is not put before the horse and so that we do not set out a new system without a referendum if that is what ultimately we decide we should be having?

The Chair: Mr. Reid, your time is up. Maybe another member will continue on that point.

We have Mr. Christopherson now.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you, Chair. I appreciate the opportunity.

I'll just say, I wish the Conservatives had been a fraction more interested in public input when they were ramming through the unfair elections act in the last Parliament, but I don't want to be small minded.

I'll begin by wishing all of my Muslim sisters and brothers in Hamilton and across the country *Eid Mubarak*. I was pleased to be at my local downtown Hamilton mosque on Monday night to break the fast with my friends.

If I may be allowed one little bit of an indulgence, Chair, I would point out that the Broadbent Institute is obviously very much engaged in this issue. If you would allow me, I will recognize the fact that the former leader of the federal NDP and the man who was the leader of the party when I first ran in 1984, Ed Broadbent, is with us here today. We all know his commitment to Canadian democracy. It's always good to see Ed.

Some hon. members: Hear, hear!

Mr. David Christopherson: Minister, I need some help with clarification. It's pretty clear where the Conservatives are. They just want to stay with status quo. They want first past the post. That's clear. Everything they are talking about supports that whole thing so we at least know where they are.

We favour proportional representation. We have a preferred model, but we're flexible, and ultimately we believe PR needs to be brought here to Canada to take that next step in modernizing and improving our democracy.

Now when it comes to the government, it's a little less clear. At one point, in fact, even trying to get this all set up, you will recall we finally got something going the night that you, Mr. Cullen, and I, and Mr. Holland, and your chief of staff met and hammered out the deal that got us to this point. But up until then, we had been all over the map with this government, up to and including the government House leader holding his breath, and stamping his feet, and saying there wasn't even going to be a committee because he couldn't get his way. That's an issue that doesn't speak to clarity of thought and focus of purpose.

The Prime Minister has said that his preference is the alternate ranked voting system. That's what he likes, and he's already on the record having said that. You have come out on behalf of your government, and through you, Chair, and said you don't believe that first past the post serves us any further. You say you're neutral, and yet it wasn't that long ago that the Privy Council Office hired Mr. Derek Alton who's the co-founder of the group 123Guelph, which advocates the use of the alternate ranked ballot.

So it's really unclear. We know where the Cons are, we know where the New Democrats are. I'm hearing the Liberals saying that they're open, but quite frankly, they've been all over the map. Can you help me and provide some clarity on what you really are open to, because there is always this issue that it looks like what you want out of this is the alternative ranked ballot system. If that's so, say so, but commit to it. But, no, the government's saying "we're wide open".

I've laid out the case where you have been everywhere. Can you help us understand where you are, and what your government's intent is.

• (1445)

Hon. Maryam Monsef: Mr. Chair, I would like to thank the honourable member for his work and his ongoing dedication to making this country and this place better.

I know over the last 10 years a perception may have developed that there's only one way and one view within any given caucus, especially that of a governing party. That's not the way we do things. We respect and recognize that there is a diverse range of opinions on this particular matter, and that diverse range of opinions will vary across this nation.

We haven't arrived at a final conclusion. We haven't made up our mind about any given system. I've come to this with an open mind and would like to recognize what a unique opportunity this is.

What the Prime Minister has tasked me with is the establishment of this committee so together we may go and hear from Canadians.

This isn't about us. This isn't about our parties. This is Canadians' system. This is their electoral system. We know the harder way is to have an open mind on this particular matter, but the right thing to do is to hear from Canadians and make sure their values align with whatever reform we enact as a House. That's what I have been tasked to do along with the support of all of you, and I hope we all take full advantage of this opportunity.

• (1450)

The Chair: Mr. Christopherson, you have about a minute left.

Mr. David Christopherson: Very good. Thank you, Chair.

Thank you, Minister. I appreciate what you said, and thank you for your personal remarks. I have to say that it's still not clear to me. Again, the Prime Minister is not just anybody. Let's remember that past presidents of the United States have said that they would give anything to have the power of a Canadian Prime Minister with a majority government. So what the Prime Minister says matters a lot.

You just hired somebody in the PCO who clearly, publicly, favours the alternate vote system, so it's kind of hard to accept that you really are open to something different when we can point out evidence that you're doing everything you can to try to stack the outcome. Could you take another crack at it for me, please, and see if you can convince me?

Hon. Maryam Monsef: Thank you for providing another opportunity for me to address that other part of your question.

I believe Derek is in the room somewhere. I can assure you that as a member of the Privy Council Office, a member of Canada's public service, providing independent, non-partisan advice to the government.... Neither the Prime Minister nor I have been involved in the hiring of individuals who work with the Privy Council Office. That independent, non-partisan advice is something that we can all be really proud of having at our disposal.

The Chair: Thank you.

[Translation]

We will continue with Mr. Thériault, who has six and a half minutes.

Mr. Luc Thériault (Montcalm, BQ): Thank you, Mr. Chair.

I want to thank the minister for this enlightening meeting.

As the members of the committee know, I have been worried since we started our work. Over a four-year period in Quebec, I lived through an attempt at electoral reform that involved changing the voting the system. I am concerned by our operating methods.

I was looking at the votes today. The Privy Council will have \$10.7 million over four years, with \$8 million for this year. However, the committee has just \$300,000 to consult all Canadians. It seems to me that there is an imbalance and that a parallel process is being set up.

You have submitted a guide today. What will this money be used for? Don't you feel a certain lack of legitimacy in the fact that the committee, regardless of the members' party, is in charge of consulting Canadians, but that you are getting so much money to do parallel work, even though we don't even know what this is about? Transparency is lacking here. At the same time, why aren't we getting as much money to do work that is a lot more extensive and important in the short timeframe you are giving us?

[English]

Hon. Maryam Monsef: Mr. Chair, I would like to thank the honourable member for his question. It is an important one. More importantly, I'd like to express my gratitude in seeing him at this table. He has welcome knowledge to bring to this conversation, and we will all benefit from it.

Now, we have received \$10.7 million, over the next four years, to conduct outreach to Canadians across this country. I have expressed that there will be a parallel process happening. As you reach out to Canadians across this country, Mark Holland and I will be doing the same. Our approach will be about reaching out to those regions and those peoples I mentioned who aren't traditionally engaged in the process. That's how the funds will be used.

As far as the budget and the resources allotted to this particular group are concerned, as you are well aware it is a decision not made by me but by the Board of Internal Economy. The hope is that the resources that have been provided will allow you to do an extensive and meaningful engagement process with Canadians. If the resources are not sufficient, if you believe you need more to do more, to be more effective, so that you can arrive at some sort of a consensus by December 1, then I urge you to connect with your chair, who can then connect with the Board of Internal Economy. If you need more funds to do this work, I can assure you that I support your doing so.

• (1455)

[Translation]

Mr. Luc Thériault: It is even more disturbing, if I may say so, that you are ruling out a public consultation from the outset. You said earlier that this was a voters' reform and that it belonged to them. Here is my interpretation of your comments. This is not a debate of politicians, experts or insiders. These issues have to be resolved by Canadians instead.

You said in your presentation that there was no perfect system.

But in these conditions, to avoid our deliberations being tainted by partisanship, why not show your willingness to change things by making a commitment to letting the Canadian people speak to the advantages and disadvantages of various models?

Is it because you are not sure you will succeed? I think that something needs to be done. It seems that the objective is a new voting system for the next election. That is one of the elements of an electoral reform.

Why not commit to this right now?

[English]

Hon. Maryam Monsef: Thank you.

We committed to this past election being the last one conducted under first past the post for a reason. It's what we heard Canadians say or request they need during the consultation process that the Prime Minister took upon himself, over several years, to put in place to hear from Canadians. Canadians asked us to reform the way we vote, so we are simply committing and staying committed to a promise that we made.

Where I disagree with the honourable member is on the premise of his question. We do want to hear from Canadians. We do want a debate within communities across this country about what system they'd like us to implement. The difference between how this may have been done by other folks at other times and us, we hope, is that we need to have a debate about values, the particular values that inform us as to which system Canadians find most suitable. We want it to be a legitimate system, we want it to be an inclusive one, we want it to be accessible, and we would like to maintain that connection to local representation.

This guide that you have referred to a few times in your remarks, the work that you will be doing, the work that Mark Holland and I will be doing, and various social media channels, will all be used to inform our decision. And also, you have been asked as a committee, by the motion adopted by the House, to come up with various ways of hearing from Canadians. I look forward to all the ideas you may have.

The Chair: Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair, and thank you, Madam Minister.

In the time I have I want to start by publicly thanking the government for making the commitment that was in the Liberal platform part of the Speech from the Throne, and for saying more clearly in the Speech from the Throne what wasn't said in the platform, which is this: "To make sure every vote counts...2015 will be the last federal election conducted under the first-past-the-post voting system." I'll put on the record that I intend to hold you to the promise. I think this is the one chance in a generation to get fairer voting in Canada—and it isn't that we haven't tried before.

I have a few little historical factoids before I ask you a question. The first parliamentary committee to take up a study of proportional representation to replace first past the post was in 1921, and there was another in 1937. Our system of voting wasn't designed for 19th century Canada; it was invented when people thought the earth was flat. I would also add one more change made by Parliament that I think is even more fundamental to how we voted, which was in 1970 when, for the first time ever, the identity of the candidate became subservient to the name of their party. In the 1970s the first elections were held in which the name of the party was next to the name of the candidate on ballots.

I would note one quick thing. In my own riding, I've already done a survey of every household, and 82.4% of the Saanich-Gulf Islands residents who reported in the survey want proportional representation. That said—and here ends the thank yous—we have a problem, and that is the legitimacy of the process we undertake. There is more in our current media attacking the process to get rid of a perverse voting system than there is on why we need to replace it in the first place. Moreover, the legitimacy of the process is undercut by the very point my friend Mr. Christopherson made, which is that to do the right thing here may mean that a majority government of Liberals choose a voting system that goes against their self-interest. That tends to make people's cynicism rise above their willingness to suspend disbelief. I'm on the side of suspending disbelief. I'm on the side of getting a fair voting system out of this group of 11 MPs who can vote, and our chair.

I'd like you to give us your word—and people may think the word of a politician doesn't mean much, but I have a lot of respect for this minister—that you will fight for whatever this committee recommends when it comes time to take a report to cabinet?

● (1500)

Hon. Maryam Monsef: Mr. Chair, I'd like to express my appreciation to the honourable member at this table, who has the ability to participate fully and meaningfully. The fact that we are around this table and that this committee is unlike any other committee in the House of Commons right now, I hope is a reminder that this government is committed to doing things differently. We're open to listening to Canadians and to taking into account the recommendations and the feedback we receive from other parties. The fact that we're here in this room should be a constant living reminder that we are open to ideas and serving the best interests of Canadians.

I am committed to working alongside you, to hear from Canadians about the values they want to see reflected in their electoral system. I am committed to reviewing the report that you thoughtfully put together for our deliberations, and to bring forward to the House of Commons a recommendation that makes sense for all of us.

Ms. Elizabeth May: Can I take it from that, Madam Minister, that our report will be something you will support if you find that we have legitimately consulted with Canadians to the best of our ability?

Hon. Maryam Monsef: Please repeat your question, Madam May.

Ms. Elizabeth May: Will you support the report's recommendations if you're satisfied that the work we've done reflects a good faith effort to listen to Canadians?

Hon. Maryam Monsef: I am looking forward to reading the report and making an informed decision once I've received it. As eager as we are for this work to arrive at a conclusion, I think it's important to allow this process to unfold.

Ms. Elizabeth May: I think I have two minutes left, Mr. Chair.

I'm going to now ask you questions that have come in through Twitter. Larry Pardy in Amherst, Nova Scotia, wants to know if our committee will be holding hearings in remote northern ridings, those most adversely impacted by proposals that might enlarge riding sizes.

I know this is usually a question for the committee, but since you're here, what is your view on our getting to more remote northern ridings?

Hon. Maryam Monsef: First, Mr. Chair, I would like to commend this committee for opening this conversation to Canadians who do not have the privilege of being in this room. I think it was very progressive and very thoughtful of you to allow for this channel and I thank Larry from Nova Scotia for his question.

Through you, Mr. Chair, Larry, we have asked this committee to focus on groups that will be affected by the reforms that we put forward in a unique way and that includes those living in rural and remote regions. Mark Holland and I will be reaching out to Canadians who belong to these communities specifically and I urge this committee to do the same. There are a lot of creative, thoughtful ways to meaningfully engage Canadians. You've opened the floodgates, which is great, and those ideas will continue to pour in.

Ms. Elizabeth May: One last question from Twitter for the minister is from Sam Nabi in Kitchener-Waterloo, Ontario. This is a really good one. How can we ensure truth in advertising through the consultation process?

I would just say parenthetically that in the campaign referendum on single transferable vote in B.C. in the spring of 2009 a lot of things were said about the single transferable vote that were simply not true and it was hard to confront that. It always favours the status quo. How do we ensure truth in advertising?

● (1505)

Hon. Maryam Monsef: Well, thank you, Sam, from Kitchener, for engaging in this process. The awareness campaign that needs to take place so that all Canadians are aware that this engagement process is happening, that they have opportunities to be part of it where the various conversations are happening, needs to be done in a non-partisan way. This is a commitment that was made by our government. It's a commitment that we had delivered upon by outlining various recommendations and guidelines for doing so.

I am counting on the good work of our free and independent press to ensure that as many Canadians as possible know what's going on with this process as it unfolds.

The Chair: Thank you very much.

We'll go back now to the Liberal Party with Mr. DeCoursey for six and a half minutes.

[Translation]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much, Mr. Chair.

Minister, thank you for joining us today. I also want to thank you for your dedication in addressing this matter and for the work you are doing to ensure that each and every Canadian can have their say in their Parliament and their government.

[English]

Also, *Eid Mubarak* to you, your family, and certainly to the people celebrating in Fredericton, whom I wish I could be with this evening.

While I have the chance, Ms. May, I'll address Larry's question by assuring him that as the Atlantic representative on this committee, I'll be reaching out to my colleague Bill Casey to ensure that he hosts a town hall consultation in that region, which does lead me to my question.

Madam Minister, the town halls that all MPs have been asked to conduct I see as an important part of this process, an important way of ensuring that not just the perspectives of experts but the testimony of all Canadians is heard. In your conversations with parliamentarians, how do you foresee these MP town halls proceeding? Is there a level of interest? In your conversations with Canadians, how have they impressed upon you the importance of these town halls?

Hon. Maryam Monsef: I thank my honourable colleague for committing to spending his summer, along with other colleagues, on this work and for “voluntelling” Mr. Casey to do his own town hall.

Some hon. members: Oh, oh!

Hon. Maryam Monsef: What I've heard from members across parties, as well as senators, is how eager they are to be part of this conversation, to facilitate these conversations. They are looking forward to all of the ways that you will support them in reaching out to their constituents and to hosting these town halls. There are some who find it sufficient to host one. There are some, like one of my honourable colleagues, who's going to hold 17 town halls on various topics, including electoral reform. They see it not just as a means to an end of arriving at a solution to present to government, but also as important community-building opportunities, as I've certainly seen these conversations can be across this nation.

Besides parliamentarians, I've heard from others that they too want to be part of this conversation. I refer to grade 5 students and high school students. I've heard from college and university students. I've heard from church groups. I've heard from various book clubs that they want to host their own town hall type of conversations. They are eager to get started this summer, around kitchen tables, around barbeques, in their own community centres.

I'll take this opportunity to refer back to the dialogue guide. This particular guide has several components: first is a background. The conversation around electoral reform can be an intimidating conversation. What this guide provides is information that will bring folks up to speed on the opportunity we have.

This particular dialogue guide is meant to provide not just MPs but any Canadian with a step-by-step guide on how to go about promoting an event like this; how to go about formatting it and facilitating it; and most importantly, about how to report to this committee what they're hearing from people in their communities. You'll see on the final page a reference and contact information that allows folks to provide that feedback to you. I'm really looking forward to what MPs come up with. I certainly will extend an invitation to any of you around this table that if you think that having Mark Holland or me in your riding would be helpful in any way, to please reach out to me and we will do our best to make it out to your particular riding. But there are many other ways, beyond MPs' taking

the lead, that we have outlined in this guide. I hope that Canadians will take advantage of this opportunity.

• (1510)

[Translation]

Mr. Matt DeCoursey: I am also looking forward to seeing all Canadians participate in this dialogue.

[English]

While these consultations are taking taking, with MPs hosting town halls and Canadians using the tool kit—and I assume it's amenable to being used by different demographics, including the young and old in different areas—what process will you and the parliamentary secretary be undertaking and how will you be keeping attuned of the consultation process taking place across the country?

Hon. Maryam Monsef: This is certainly a guide that's meant to be accessible and inclusive. It's not meant to be prescriptive. It's meant to serve as an invitation into a complex but really important conversation that we know that many Canadians, regardless of age or background, want to be a part of. While this work is happening in communities across the country, what we envision is that each of you will be reaching out to Canadians from coast to coast to coast, in the unique way that you will do so, in a way that encourages engagement from those groups that are traditionally not engaged or included in this process.

Mark Holland and I will be conducting our own tour of the country, making sure that we are staying connected with Canadians, that we're hearing from them on what values and what priorities they have for their electoral reform so that come December 1, when you provide your report to us, we have also heard from Canadians and we can make sure that the most thoughtful recommendations are put on the table in the House of Commons for us to then deliberate upon further.

I just want to outline that the most important aspect of this is being creative and recognizing that in 21st century Canada there are lots of ways we can reach out to communities across the country. Some may be hosting town halls in person. Some may be doing them on the phone. I know that some people will be knocking on doors. That's what we'd like to see. A diverse country deserves a multi-channel conversation on its electoral reform.

The Chair: Thank you very much.

Monsieur Deltell.

[Translation]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Chair, esteemed colleagues, Minister, I'm happy to be joining you on this beautiful July day.

Mr. Chair, the minister made some statements earlier that we feel are questionable.

[English]

She said that a referendum is an “incomplete picture”.

[Translation]

In other words, a referendum would not provide an overall picture of the situation.

Through the exercise we are asked to do in our ridings, we will reach 50,000 or 60,000 Canadians, at best. That's a lot of people and it has never been seen before. That said, will those 50,000 or 60,000 Canadians help us paint a comprehensive portrait? Wouldn't the 17,559,353 individuals who voted in the last election rather be able to really help us get an overall picture? For us, it is clear that a referendum, and not consultations such as the ones we will hold, would help paint an overall picture.

The minister is talking about conversations in various jurisdictions. Steps have already been taken in a number of provinces, so she is quite right. I am from Quebec, and I know what I am talking about. Any time a province wanted to make changes, it used the referendum to do so, whether we are talking about British Columbia, Ontario or Prince Edward Island. This brought one of the current government's senior ministers, the Honourable Stéphane Dion, to say the following:

Precedent makes holding a referendum necessary in Canada: changing the voting system would require popular support.

This was said by Stéphane Dion, one of your government's senior ministers.

The minister concluded with the following:

[English]

it's what Canadians said to us in the last campaign.

[Translation]

Really? Canadians told her that?

Maybe she should talk to her colleague from Hamilton-East—Stoney Creek, who said the following:

[English]

It's not something I've heard anything about on the campaign trail.... I don't recall one conversation at the door that had to do with that.

[Translation]

The same thing is happening in Quebec City as in Hamilton. No one has talked to me about that either. Coincidentally, I am going to Hamilton on vacation next week. I am sure that people will be as friendly there as they are in Quebec City.

We did not hear about this during the election campaign. The Liberal Party's election platform, which you are familiar with, Mr. Chair, contained 96 pages, but it had only three sentences about the electoral reform. And you are saying that it was an important issue? Come on!

My question for the minister is very simple; it's a referendum question. If there are changes, are you prepared to hold a referendum, yes or no?

•(1515)

[English]

Hon. Maryam Monsef: Mr. Chair, I'd like to thank the honourable member for the contributions he'll be making on this committee and I'd like to take the opportunity to answer several components of his conversation just now.

It is true that we have seen more than one province explore the possibility of electoral reform. It is true that the provinces' referenda

have not changed the status quo. It is also true that half of the population in those provinces did not engage in the referenda. Now it may be okay for some people to not have 50% of the electorate engaged, but that is not good enough for me and that is not good enough for Canada. In 2016, surely there is a way to be more inclusive and to be more engaging with Canadians.

That said, while I have yet to be convinced that a referendum is the best way to go forward, I am counting on your deliberations and your recommendations in your report, which I look forward to reading come December 1 of this year, on the best way to go forward and to determine that broad support. This is not going to be easy work. This is very challenging work. You'll be sacrificing a lot to arrive at that final report. This is a diverse country, too.

[Translation]

Mr. Gérard Deltell: Mister—

[English]

Hon. Maryam Monsef: What works in one province, what we hear in one province, does not dictate what we're going to hear from the rest of the country, which is why there is a committee reaching out to Canadians across this nation. I can assure you that in the 26 debates I participated in in Peterborough—Kawartha, electoral reform came up at every single one of those debates. We were clear in our party platform, which you referred to. I was here in Ottawa. It was June of 2015, and I stood shoulder to shoulder with other hopeful MPs, behind our now-Prime Minister, who made a commitment to deliver upon 32 commitments for a more open and transparent government. That included the idea of reforming the way senators are appointed. That included the ideas that we are exploring here around changing the way we vote. That includes mandatory voting and online voting.

[Translation]

Mr. Gérard Deltell: Mr. Chair—

[English]

Hon. Maryam Monsef: We are not going to arrive at a conclusion. We're going to count on you to hear from Canadians and bring their voices into this conversation.

[Translation]

The Chair: Mr. Deltell, go ahead.

Mr. Gérard Deltell: Mr. Chair, my question was clear, but the least we can say is that the answer was not. I asked the minister to answer with a yes or no, but she answered me with a maybe, and I am even being generous using that term.

Here I am thinking of the answer you gave earlier to my colleague, when you said that you were not definitely excluding the holding of a referendum. If that is the case, Minister, could you tell me what steps you have taken so far in terms of amendments to be made to the Referendum Act and the changes you are making to Elections Canada to ensure that a referendum can be held on this key issue, which consists in changing the voting system?

[English]

Hon. Maryam Monsef: Mr. Chair, I'd like to remind all members that this is not a simple conversation. This is not going to boil down to a simple yes or no answer. This is not a black and white issue. To that end, you will not receive a simple black or white answer.

What have I done? I've been in constant communication with Elections Canada to ensure that we're on the right track. I have put forward a motion in the House to strike this committee, and then amended the motion to make sure that it's as inclusive as possible. I'm here today speaking with you about my priorities. I'm really looking forward to the conversation that you will have with Canadians and the recommendations that you provide me with about various aspects, including how to engage, whether or not we have that broad buy-in.

• (1520)

The Chair: Thank you.

We'll go to Mr. Fergus now.

Mr. Greg Fergus (Hull—Aylmer, Lib.): Thank you, Mr. Chair.

[*Translation*]

Minister, thank you very much for joining us today. I would like to wish *Eid Mubarak* to you, as well as to my Hull—Aylmer constituents who were celebrating that event today. I assume you are anxious to return to your riding to celebrate with your family. So I want to thank you once again for being here today.

My question is about principles, but before I ask it, I would like to extend an invitation that may interest our colleagues opposite. We will hold a public debate on the electoral reform in my riding of Hull—Aylmer. That fits well with the member debates I have been organizing since my election. We have already held three of them: one on the environment, another one on immigration and a third one on the Trans-Pacific Partnership. Hundreds of people attended those meetings. I assume and hope that you or your parliamentary secretary will be able to attend the one we will be holding next October. I expect hundreds of people from Hull and Aylmer to be there. I hope that one of my constituents, Mr. Deltell, will also be there. He will certainly be welcome.

Minister, my question is more about the five guiding principles you listed in your presentation that were part of the motion adopted by the House of Commons to create this committee. I would like to know why those principles are so important to you. Can you tell us in more detail what you think about the principles?

[*English*]

Hon. Maryam Monsef: I thank my honourable colleague, and I am proud of him for hosting three town halls, and many more to go. I look forward to the possibility of being part of the conversation that his constituents will have on electoral reform in October—but I hope not too late in October because October 14, of course, is the deadline for MPs to send their reports from their town halls to this committee so that you may include them in your report.

I appreciate the question about why we have a set of guiding principles and why they're so important.

As we have seen over the past few months of this Parliament, and certainly further in the past, there is a diverse range of opinions on electoral reform out there. Certainly I've been connecting with various stakeholders, and current and former parliamentarians. Those groups I spoke of earlier looked at existing data, looked at what's happened in other jurisdictions in our country and around the

world, and believe it or not, there are areas where consensus is possible.

One of those areas is that for this conversation to occur effectively, to engage Canadians meaningfully, it needs to be anchored with a set of principles that we can relate to as Canadians and can then match with various existing systems. To do it the other way, to have a very technical conversation about the systems that exist and then try to find our values, as a nation, within them is much harder work and, I'd argue, not effective.

The reason we decided to take a principle-based approach is that this is the consensus in the literature, in other jurisdictions that had done so, and also what we heard from current and former parliamentarians.

I'm going to be talking about them, so I'm going to take a moment to remind folks of these principles, the first one being restoring the effectiveness and the legitimacy of our voting system by reducing the existing distortions, and strengthening the link between voter intention and electoral results; and encouraging greater engagement and participation in the democratic process, including fostering civility and consensus-building and a sense of social cohesion. So far these two, I hope, are principles that we all share.

We want a system that is perceived as and is legitimate. We want a system that encourages greater participation, which brings the voter turnout to a higher number. With the last election being the exception, youth voter turnout has been on a steady decline over the last 20 years. Surely we can do better. Surely we want more people participating, and that's what greater engagement, as a principle, is meant to focus on.

The third principle that the House adopted was supporting accessibility and inclusiveness for all eligible voters, and avoiding undue complexity in the voting process.

We have connected with many groups who have shared their concerns about the lack of accessibility that currently exists in the voting process. Fortunately, the leadership at Elections Canada has had the good sense to bring together a body made up of individuals, advocates with lived experience around accessibility issues, and is actively working to enhance accessibility.

• (1525)

The Chair: Excuse me, Minister, we have to go to Mr. Boulerice.

Our six and a half minutes for—

Hon. Maryam Monsef: In conclusion, principles matter.

The Chair: Yes.

Monsieur Boulerice.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

I would like to begin by wishing you, as well as to all our Muslim brothers and sisters from Quebec and the rest of Canada, *Eid Mubarak*—in other words, happy end of Ramadan.

I will take 10 seconds to continue to encourage people to use hashtag #ERRE to send us comments or questions on Twitter while we are in this meeting. We do look at the comments.

Minister, thank you for joining us. This historic opportunity to reform our voting system so as to make it much more reflective of the voters' will is very exciting for me.

As we know, the Conservative Party is in favour of the status quo, which is a system that creates significant distortions. For instance, your government was elected with 39% of the votes, but it accounts for 60% of the members in the House. There have even been times, in past elections, when the party with the most votes would lose the election, as it had obtained fewer seats, and that is completely unacceptable.

In the latest election, people sometimes had the impression that their vote was lost. It was actually more than an impression, as it turned out. The figures were analyzed by the Broadbent Institute. According to the figures, for each Liberal member elected, 40,000 votes were needed, while 70,000 votes were needed for the Conservatives, about 85,000 votes for the New Democrats and approximately 600,000 votes for the Green Party member. So I can understand that people are feeling frustrated, even angry.

At the NDP, we deeply believe that a Parliament should first and foremost reflect the diversity of opinions within society.

Jason Pugh, an individual who lives in Mr. DeCoursey's riding, asked on Twitter a few minutes ago whether we should adopt a system whereby a party with 30% of the votes would be allocated about 30% of the seats in the House.

[English]

Hon. Maryam Monsef: I thank the honourable member, firstly, for his remarks about Eid, and I'd like to point out that my parliamentary secretary, Mark Holland, fasted this Ramadan, so this is not a celebration just for Muslims or a practice shared by just Muslims, and I'm sure he's a stronger man for it.

We have come to this process with an open mind and we recognize that the current system, as much as it has served us well for 140 years, can be done better. Canadians have mandated us to review the alternative systems that are available. It's why we established a committee, it's why we're looking forward to hearing from all Canadians, including those on social media—and thank you, Jason, for your input in that regard—and it's why your work is so important. This is a historic opportunity before us to strengthen the way that we vote, to engage more people in this conversation, to be more inclusive, to be more accessible, to strengthen the connection between Canadians and their democratic institutions, and I'm looking forward to your contributions.

• (1530)

[Translation]

Mr. Alexandre Boulerice: Do you agree with the principle whereby obtaining 30% of votes would translate to getting about 30% of House seats?

[English]

Hon. Maryam Monsef: You are referring to the principle of proportionality?

Mr. Alexandre Boulerice: Yes.

Hon. Maryam Monsef: I think it's an important one to discuss. The principles that were adopted by the House of Commons in the motion that has brought this committee forward are meant to act as a starting point. They are not the only values that we expect you to explore with Canadians, but merely a beginning, a starting point for a conversation, rather than an inclusion. And under the first principle that we've set forward, we have asked that you consider a system that reduces distortion and strengthens the link between voter intention and the election of representatives.

[Translation]

Mr. Alexandre Boulerice: Minister, you have accepted the NDP's proposal to expand this committee in order to include parties that are not normally represented and make sure that it does not include a majority of Liberal members. The next question is about what happens next.

Can we get a commitment from you that the Liberal Party will not act alone and that, to do so, it will have to get the support of at least another political party in the House of Commons? We would like this electoral reform not to be a purely Liberal one.

[English]

Hon. Maryam Monsef: We changed the membership of this particular committee, not just because we heard from parliamentarians, but because we heard from Canadians. I hope that continues to demonstrate our openness in this process. I'd like to remind you that members from all parties have committed at some point or another to change the way we vote. In 2002, the member for Calgary Midnapore proclaimed his support for a segment of an NDP opposition day motion, declaring that he wholeheartedly agreed with the NDP on developing a policy that supports electoral reform to some more proportionate system of representation and of parliamentary reform. The member—

[Translation]

Mr. Alexandre Boulerice: I have about 45 seconds left, and I wanted to use this time to ask you a question.

I am worried that we ultimately won't have enough time to implement a serious reform by 2019. You have already said that this reform should receive widespread support.

Can you define that broad consensus you will need? Right now, it is very unclear.

[English]

Hon. Maryam Monsef: Broad support is something that we've asked you to hear from Canadians and to recommend to us the meaning of.

The Chair: Thank you very much.

[Translation]

Thank you, Mr. Boulerice.

Mr. Richards, you now have the floor.

[English]

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair, and, Minister, thank you for being here.

I think, Mr. Chair, that the minister has been pretty clear that her personal opinion is prejudiced against a referendum. She's been, I think, far less clear on the government's position on respecting the will of Canadians in a referendum, if that's being demanded. I certainly would indicate that's what we're hearing out there. However, I'll give the minister a chance to clarify this one more time. I know she's indicated her aversion to a yes or no question, but I can assure you, Minister, this is a question that you can, and I think should, answer with a yes or no. If this committee recommends, after hearing from Canadians, holding a referendum, will you commit to doing so, yes or no?

Hon. Maryam Monsef: I thank the honourable member for all the opportunities he's provided me to share my insight on this—

Mr. Blake Richards: An answer one time would be helpful.

Hon. Maryam Monsef: —and my opinion, as well as the government's approach. I will continue to remind him that it's not as simple as yes or no. If it was, we wouldn't need the support of the committee to hear from Canadians and to come to us with thoughtful recommendations. This is something that we've asked you to help us refine. I'm looking forward to the work that needs to be done and the recommendations that you put forward.

Mr. Blake Richards: What I'm asking though, Minister, is, I appreciate the committee's going to do its work, but what I'm asking you is, if this committee does its work, and is recommending holding a referendum, will you then commit to doing so, yes or no? It is a yes or no question, and I expect a yes or no answer, please.

• (1535)

Hon. Maryam Monsef: Mr. Chair, I'm tempted to call you Mr. Speaker, as I feel like we are back in question period.

Some hon. members: Oh, oh!

Hon. Maryam Monsef: This is not a simple question. This is not a simple process. This is not something that my opinion alone or any individual's opinion alone can inform. To answer this question thoughtfully, to answer this question in a way that reflects the voices of Canadians across this country, not just my province, not just your province, but coast to coast to coast, requires a thoughtful and deliberate outreach effort that all of us are charged with. It requires getting creative. It requires using the technologies available to us in 2016 to ensure a wholesome and inclusive conversation that even those Canadians who don't traditionally engage in the electoral process can be a part of.

Mr. Blake Richards: Mr. Chair.

Hon. Maryam Monsef: That is much more complex than the member opposite is proposing.

The Chair: Excuse me.

Mr. Richards.

Mr. Blake Richards: I think it's pretty clear why the minister is so opposed to referendums. She just simply can't answer a yes or no question.

I think, Mr. Chair, what I'd like to do instead is to move back to the line of questioning that Mr. Reid had been pursuing before he ran out of time.

I think it's clear that the minister has a personal aversion to referendums, and that's fine. But we have to ensure that this process is about what all Canadians have to say. If Canadians are demanding a referendum, they should have the opportunity to have one.

To ensure that a referendum can even be an option at the end of this process, there must be steps taken now to ensure that any necessary legislation or processes are put in place to enable that. What I'd like to ask the minister is whether you and your department are taking the steps required to ensure that proper enabling legislation is in place or updated now so that a referendum can be held on your final proposal to change the voting system. This must be done now, not after the process, so are there steps being taken? Are you doing anything now to ensure that there is proper legislation in place to enable that at the end of the process?

Hon. Maryam Monsef: Mr. Chair, it's really important that this conversation be done not just by hearing from experts and academics, the usual suspects, but from everyday Canadians as well. Tomorrow you'll be hearing from chief electoral officers, past and present.

As we learned from previous practices—for example, when the former government enacted legislation that affected the work of Elections Canada—we cannot do this work without making sure that we take into account the capacity and the limits that Elections Canada will face in implementing the changes we put forward. Unlike the former government, we are continuing conversations with them. The Chief Electoral Officer has reassured the procedure and House affairs committee, I believe, as well as me that there is enough time for these options on the table to be enacted, including any legislation that needs to change.

The Chair: Mr. Richards.

Mr. Blake Richards: Let me just ask the minister this. One of her colleagues, the Minister of Foreign Affairs, wrote the following in 2012: “Precedent makes holding a referendum necessary in Canada: changing the voting system would require popular support.” Also in 2012, there was a Liberal Party of Canada policy process on democracy and good governance. The summary document about electoral reform indicated that “it is also suggested that electoral reform should follow a referendum.”

So it's pretty clear that in the past, Liberal colleagues of hers, including party members in a policy process engagement, were very clear that a referendum would need to be held, and there would need to be work done, obviously, to ensure the referendum could be held.

I will ask the minister again, and I'll give her one more chance to answer the question. She keeps talking about the question being answered over and over. Well, yes it is, but we're not hearing the answer to the question. Hopefully this time we'll hear the answer.

If this process is completed, if Canadians have demanded a referendum...and I certainly would say that the polling is indicating that this is the case. But let's say the process is completed and the recommendation is made that a referendum must be held. Will you commit that you would then hold a referendum, yes or no?

The Chair: You have about 20 seconds, Minister.

Hon. Maryam Monsef: There is a diverse range of opinions, including from MPs like the member for Lanark—Frontenac—Kingston, who has in the past said that his preference would be for the alternative ballot. I'm open to all opinions. Your job as a committee is to reach out to all Canadians and come to us with a report, with that final question: what is the best way to determine whether or not the recommended reform has the broad support of Canadians?

• (1540)

The Chair: Thank you very much.

[Translation]

We will now move on to Mr. McGuinty.

You have six and a half minutes, Mr. McGuinty.

Mr. David McGuinty (Ottawa South, Lib.): Thank you very much, Mr. Chair.

Minister, welcome.

[English]

Minister, *Eid Mubarak* to you and your family. I had the privilege this morning of attending two of the five mosques in my riding and meeting with 3,000 of my closest friends. It was a wonderful day.

Minister, I want to thank you for your thoughtfulness and your sincerity on this file in the face of so much cynicism and adversity. It's not easy bringing change to an existing order, and that's what we're trying to do as a government. I've felt for 12 years, since first being elected, that our responsibility here, and this committee's responsibility, is to try to enhance trust and drive up the credibility of both our democratic processes and our institutions.

I think that's in large part what this good-faith effort is trying to do at a time when, as you rightly pointed out, Minister, there are different demographics in the country with different voting propensities. For example, you said that younger voters vote less than older voters, newer Canadians vote less frequently than more established Canadians, and so on and so forth. So I want to thank you for your patience on this. As you rightly pointed out, to quote you back, this is “not easy work”, it's “very challenging work”.

I have a pointed question for you that I want to ask in terms of part of the mandate you have given to this committee. That is this question of mandatory and online voting. Can you give us a sense of why you're asking the committee to examine those two options, this notion of mandatory voting, which I believe is the case in Australia, and online voting, which may be the case in other countries?

Hon. Maryam Monsef: Thank you very much—and well done with not one visit but two to celebrate this important day.

Mandatory voting has benefits. It has been known to increase voter participation. There are merits to that side of the argument. On the other hand, there are those who feel that implementing

mandatory voting may not address the core issue of voter apathy. Furthermore, how do we enforce mandatory voting? It's important for this committee to deliberate on both sides of the argument and to make a recommendation based on what you hear from Canadians.

As far as online voting goes, in the same spirit, for some Canadians online voting means greater accessibility. For some Canadians online voting may just be the preferred way of voting. Whether or not we go about online voting, it will be really important to make sure that the integrity and security of the process are intact.

It's important for us to consider these options.

Mr. David McGuinty: Minister, I couldn't help but notice that my three Conservative colleagues, one after the other, simply couldn't take yes for an answer. So thank you for clarifying your position on this question of a referendum—not ruling it in and not ruling it out—in fairness, and without prejudging the outcome of this work. But I want to go back to something Ms. May alluded to earlier, which is the propensity to create enormous conflict around this question in the media coverage. It's about characters in conflict, it's a great play, but it doesn't necessarily help Canadians understand why we're trying to make these changes.

Can you speak to this question again, going back to some of your good remarks? Leaving aside the process questions that Ms. May alluded to, why are you so passionate about this?

Hon. Maryam Monsef: You were right in your observation that I don't share the cynicism that may exist out there around this particular issue. I don't share that cynicism, because I, and all of you in this room, are a reminder of what is possible in this country. Through the various parties that have come before us over 149 years, we've seen great work happen in this place, and I'm humbled to be a part of this.

I understand that this is an enormous challenge, and have understood it more and more every day. But I also know that it's an enormous privilege for any one of us in this world of ours to have a say on how we are governed. We have the opportunity to put our name on the ballot, yes, but to have a say on how we are governed is a privilege that many around the world do not have. Here we are, a handful of parliamentarians, tasked with this grave privilege and responsibility to reach out to Canadians.

I know the appetite is there for this conversation. I know we have the tools available to us in 2016 to do this in a responsible and inclusive way. I know it's possible for all of us around this table, or rather all of you around this table, to come to a place of compromise. If we were able to change the very makeup of this committee tasked with this very important work, to break from tradition, then surely it is possible, despite what may have happened over the past 10 years, for this group of elected parliamentarians to come to a thoughtful conclusion. I'm really looking forward to doing something that very few Canadians will ever get to do, which is to connect with Canadians from coast to coast to coast, to look them in the eye and to hear from them what values and needs and aspirations they have for their democratic institutions.

• (1545)

Mr. David McGuinty: Thank you very much, Mr. Chair.

The Chair: Thank you, Mr. McGuinty.

Mr. David Christopherson: Mr. Chair, I have a point of order.

The Chair: Yes, Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair. I didn't want to interrupt my friend, Mr. McGuinty, but I have a question about process that I would like to ask the minister.

Minister, part of the mandate of the committee here—

The Chair: Mr. Christopherson, why is this a point of order?

Mr. David Christopherson: If you give me 30 seconds, Chair, it will be clear.

The Chair: You should address it to the chair, please.

Mr. David Christopherson: Sure.

I want to ask the minister about the issue of the report from Mr. Mayrand that comes to the procedure and House affairs committee, which I also sit on, where every year we deal with all the recommendations that he has for changes. I'm wondering who has the mandate, then, in the eyes of the government, to review those

changes. I've been there before. He's going to bring them in. Are we expecting both committees to do the same thing, Chair?

The Chair: I don't see that as a point of order. It's just a question that you could have asked the minister at any point in the deliberation. Perhaps we can get an answer for you in some way afterwards.

I would just like to thank the minister again for making herself available on this important day.

[*Translation*]

I also want to thank the committee members. We have actually covered the issue in many respects thanks to the collegiality we established over our two first meetings.

Thank you all very much.

[*English*]

Thank you, Minister, for launching these hearings. I think we're all excited about the work ahead. Thank you very much.

Hon. Maryam Monsef: Thank you.

The Chair: The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 004 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, July 7, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Thursday, July 7, 2016

•(1000)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):
Good morning everyone.

Welcome, Mr. Mayrand. We, on the committee, were very eager to meet with you this morning. You have valuable insight that will help us make informed decisions.

[English]

We have with Mr. Mayrand today Stéphane Perrault, the deputy chief electoral officer, regulatory affairs, and Michel Roussel, deputy chief electoral officer.

[Translation]

Without further ado, I will now turn the floor over to you, Mr. Mayrand.

Mr. Marc Mayrand (Chief Electoral Officer, Elections Canada): Thank you, Mr. Chair.

I am pleased to be here today with my officials to meet committee members during their study of viable alternative voting systems to replace the first-past-the-post system and their examination of mandatory voting and online voting.

I will keep my introductory remarks brief. I should point out that, as the Chief Electoral Officer, I perform the role of administering the Canada Elections Act and the Referendum Act, and organizing and overseeing the conduct of electoral events. This also includes administering the political financing provisions of the acts, monitoring compliance, and conducting appropriate public information campaigns.

When there is a readjustment of federal electoral boundaries, which normally takes place after every decennial census, my role is to support the independent commissions and implement the new boundaries set by those commissions.

Finally, after a general election, I submit to Parliament a report containing legislative amendments that, in my opinion, are desirable for better administration of the acts.

My next recommendations report will be submitted to the Speaker of the House of Commons in early fall. This report is typically referred to and examined by the Standing Committee on Procedure and House Affairs, which is responsible for matters related to the election of members to the House of Commons.

My recommendations will include proposed amendments to the Canada Elections Act related to the voting process and the regulatory

regime. Adopting these amendments will be essential to improving the experience of voters and political entities, irrespective of the voting system in place for the next general election. In that regard, these recommendations are complementary to the work of this committee.

[English]

Given the nature of my mandate, I intend to support the work of this committee by highlighting the administrative aspect of operationalizing changes that the committee may study. This is particularly important given the very short time frame available to make changes to the voting system, if they are to be in place for the next general election.

I do not intend to address the pros and cons of various electoral systems. The committee will hear about this from its witnesses, including members of the academic community, and perhaps groups representing citizens, and citizens themselves. As I indicated at the Standing Committee on Procedure and House Affairs in April when they appeared on my office's main estimates, legislation enacting a reform should be in place well in advance of the next election to allow for proper implementation. I note that the government has committed to having legislation in May 2017, which I am comfortable with. In this regard I would like to point out some key considerations related to the implementation of a new voting system.

First, some alternative voting models you may consider may well require a redistribution of electoral boundaries. The current legal framework does not allow for redistribution except after each decennial census, and the current boundaries are supposed to be in effect until 2023. Nor does it allow for multi-member seats or regional groupings. Should redistribution be required because of a change in our voting system, enabling legislation will need to be put in place. Under the current regime the last redistribution exercise took 26 months to fully complete, and that was based on the newly compressed timeline that was enacted in 2011. While there may be ways to further reduce the timeline, the redistribution process should continue to reflect the fundamental principles of independence and neutrality through the establishment of an independent commission and a mechanism for public consultations.

Second, the introduction of a new voting system may make it difficult to publish the outcome of the election on election night by completing the counting of ballots manually at voting sites, as is currently the case. Canadians are accustomed to learning the results of elections quickly, and any possible delay should be considered carefully by the committee. For example, some systems require either moving all ballot boxes to a central counting place, which carries risk and can take significant time given our geography, or more likely would require the introduction of electronic tabulation at all polling places to ensure the timely release of election results on election night.

• (1005)

Third, in looking at other voting systems the committee may wish to consider the possible impact on the current political financing regime.

Fourth, consideration should also be given to the preparation of electors and election officers. An extensive public education campaign would be needed to ensure that Canadians understand the new system, and can exercise both their right to be a candidate and their right to vote. This is an aspect that cannot be overlooked and has been critical in other countries that have changed their electoral system.

My mandate in this regard would need to be clarified. The recruitment and training of election officers would also be crucial to ensure proper administration of the new rules.

Let me now turn briefly to online voting and mandatory voting. It is undeniable that many Canadians would benefit from the introduction of online or Internet voting. Internet voting would remove barriers and make a vote more accessible for various groups such as voters with mobility challenges, including seniors, those with visual impairments, and Canadians abroad. That being said, caution is needed in moving forward to ensure that Canadians continue to have the same high level of trust in the integrity of their elections. In this regard we are not currently planning to offer online voting in 2019. However, Elections Canada would certainly welcome direction from this committee in terms of a desirable approach in moving forward with Internet voting.

In examining this issue, the committee should consider a number of aspects, including social acceptance and the challenges that online voting present for the integrity and secrecy of the vote. I would ask the committee to consider the scope of the introduction of online voting, which may include limiting its use to particular groups of electors who would benefit most from this option, such as those with disabilities or Canadians living abroad.

Finally, with respect to mandatory voting I will simply note that there is a relatively broad range of experiences internationally. Currently 23 countries have legislation providing for mandatory voting at the national level. While I take no position on the merits of mandatory voting, I would encourage the committee to pay attention to several considerations during its study, including the provision of a compliance mechanism through sanctions or positive incentives, whether or not there should be exceptions for certain groups of voters, and of course acceptance by Canadians.

In closing, Mr. Chair, I wish to assure you that I and members of my staff will be happy to assist the committee in looking at these matters, particularly the operational and implementation aspect of various options for reform that the committee is considering.

Mr. Chair, I appreciate the opportunity to address the committee today as you begin work on your important mandate to review options to ensure that Canadians are effectively represented in the House of Commons. This rare opportunity does not happen often in many democracies. I wish you well in your work and I look forward to the outcome of your deliberations.

My colleagues and I are now available to answer your questions.

Thank you.

[*Translation*]

The Chair: Thank you, Mr. Chair.

Fellow members, we have an hour and 10 minutes. If my math is right, that should be enough time for two rounds of questions. Each member will have five minutes.

Is everyone in agreement?

Some hon. members: Agreed.

• (1010)

The Chair: Great. Every member will have two turns.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Wonderful. Thank you.

The Chair: We'll begin with Mr. Aldag.

[*English*]

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you so much for your presentation and for being here this morning.

I am particularly interested, in part because of my background in the public service, largely in communications.

Looking at some of the education and communications aspects of what would be involved in introducing a new system, on page 4 of your submission you talk about how critical it would be to have an extensive public education campaign. You note that your mandate in this regard would need to be clarified.

Could you expand on that, and what you would be looking for as far as clarification in that public education component?

Mr. Marc Mayrand: Clearly, given the very substantive changes that may be recommended by the committee, I think voters would need to be well informed to understand the new system. Systems can become quite complicated at times and even if they are not, there will be changes. It's important that voters understand what those changes mean in terms of how they exercise their options to select their representative.

Experience shows that such education needs to start early. It's not enough to do it only during a campaign; it has to start much earlier than that. I would suggest at least a year before the election so, again, that there are no surprises when electors show up at the polls and are asked to mark their ballots under a format that is different from what they are used to.

Mr. John Aldag: When you indicate that your mandate needs to be clarified, is there an issue with your existing mandate, or would you simply be able to jump into that kind of public education piece?

Mr. Marc Mayrand: My current mandate limits my education role to those who are under 18, so I think that's a limitation. Of course, I can inform electors of how and where to vote, but I think given that changes are being contemplated, we maybe need more than simply explaining where and how to vote.

Mr. John Aldag: If you could remind me, is that a recent change? I don't know if that's always been the case or if that was something—

Mr. Marc Mayrand: That change was introduced in 2014.

Mr. John Aldag: It's good to understand what would be needed there because I agree as we get into a potentially more complex system than we currently have, having that education for public understanding is going to be critical so that people can take full advantage of what it is that we're trying to do.

You indicate on page 3 of your notes, where you're talking about the timelines, “the Government has committed to having legislation in place by May 2017, which I'm comfortable with.” I take from that statement that you're saying that if the legislation does indeed fall into place by May 2017, you and your office would be able to have a new system. Could you just give us a summary of what components you would see being included in that? For instance, does that include things like the education campaign?

Mr. Marc Mayrand: Certainly. There are always various aspects to an election. The first one is the logistical aspect, procuring the material, developing the new procedures, the new training materials for poll officials who have no experience. No one in Canada has experience with an alternative system, so we're starting from a blank page there.

Beside these aspects, we also need to look at the infrastructure, the technology that will be required to be put in place; ensuring that we procure the hardware, the software, the services that are needed to support the delivery of the election; and, of course, the educational aspect of the election, which needs to be planned very early on.

Mr. John Aldag: On that point, if we were to look at things like some form of online voting or electronic voting, would the timeline of May 2017 include that kind of introduction, or would it be more of a status quo?

Mr. Marc Mayrand: I have no plans to introduce online voting for 2019. I would need, certainly, very clear directions in that regard. I think there's still a lot of research to be done, and there are many considerations. That's what I would like to see the committee doing in its work, addressing some of the key considerations and giving us some direction on where we should go and how should we proceed to explore and test online voting at some point. I doubt very much that this could be done by 2019, given the scope of the reform we're looking at. I think that would be a significant burden on capacity.

• (1015)

The Chair: Thank you.

We're going to go to the Conservatives now, and Mr. Reid.

Mr. Scott Reid: Thank you.

Thank you, Mr. Mayrand, for appearing here. I was very much saddened to learn that you will be leaving us, retiring at the end of this year, so let me just start by saying, having served on the committee that oversees you, the procedure and House affairs committee, for the past several years, what a pleasure it has been to work with you and how much I've been impressed by your sense of professionalism throughout that period.

Mr. Marc Mayrand: Thank you.

Mr. Scott Reid: I wanted to start by turning to your comments, the ones that Mr. Aldag just referred to, “the Government has committed to having legislation in place by May 2017, which I'm comfortable with”. My understanding is actually that the government has committed to introducing legislation within 18 months, which is to say by April 2017, and has actually not committed to having legislation in place. This would mean through the House and through the Senate and given royal assent by May 2017. There is a point somewhere after May 2017, and I don't know what that date would be, where from your point of view it becomes impossible to implement any new system that involves a redistribution and maybe other considerations. What is the drop-dead date? May 2017 you pulled out for other reasons, but I don't think it accurately reflects where the government said it was going in its throne speech.

Mr. Marc Mayrand: We may have a different understanding of the government view on that, but as I indicated before, we need at least two years before the general election. Again, this is somewhat hypothetical because I don't know which system will be put forward at this point. As details come through, as the calendar gets a little bit clearer, I'll be able to come back to the committee and indicate the challenges we're facing and the feasibility of doing what we are being asked to do.

Mr. Scott Reid: That would be very reasonable. Thank you, I appreciate that.

Let me turn to another issue that has come up regarding timing. On April 21 of this year you informed the procedure and House affairs committee, in response to a question I placed, that Elections Canada would require a minimum of six months to prepare a referendum. I wanted to reconfirm, first of all, that you still regard six months as an accurate length of time you would need, and then to ask when the clock starts running on those six months. Is it triggered by a formal message from the Government of Canada that they intend to hold a referendum or is there some other point from which you are counting those six months?

Mr. Marc Mayrand: Of course, the official trigger is a proclamation. Normally, there would be a discussion in the House regarding the question. That would be an early indication for us. Again, as we've done over the years, we constantly monitor the environment to try to estimate or assess the likelihood of a referendum and decide what efforts we should be putting into preparing for one. The six months is under the current Referendum Act.

That's the only assumption I can make at this point. Again, we live in a period of uncertainty in this regard, so I can't pinpoint precisely when we would start the six months. I can confirm with the committee that we've started to develop contingency plans, trying to identify what would need to be done. A referendum hasn't been held since 1992, as you know. We've started to identify work that need to be pursued to— There's no procurement; there are no activities in that regard. These things take time.

Mr. Scott Reid: Would you be comfortable at some point sharing those plans with us? It could be in the form of a written document sent to us during hearings specifically.

• (1020)

Mr. Marc Mayrand: I can share with the committee what running a referendum entails for Elections Canada.

Mr. Scott Reid: That would be enormously helpful.

Thank you.

The Chair: We go now to the NDP.

[*Translation*]

Go ahead, Mr. Boulerice.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

Mr. Mayrand, gentlemen, thank you for joining us today.

We, in the NDP, have always been in favour of changing the voting system, so we were very glad when this committee was finally created. We are also very glad that we managed to change the committee's makeup, although it did take a while for the committee to get down to work. Today, we are seeing the effects of that delay.

You said that, under the current regime, the redistribution exercise normally takes at least 26 months, when it's done after the census to take into account demographic changes and the like.

In this case, however, we are dealing with much broader and more comprehensive changes to the voting system. Let's say we opted for a mixed system, similar to that in Germany, where people have to cast votes on two separate ballots and a list system is used. If regional or provincial compensatory measures were needed, would the current 26-month time frame you mentioned be too short?

Mr. Marc Mayrand: If we go by the last electoral boundary redistribution, which wasn't all that long ago, the exercise should take between 24 and 26 months. That's how long it took the last time. Keep in mind that, back then, 30 ridings were added and, as a result, the commissions asked for time extensions, which were allowed under the act.

Without a fairly detailed scenario, it's hard for me to say whether it would take 22, 24 or 26 months. I would be misleading you if I were to give you an answer.

Mr. Alexandre Boulerice: It's just that the 26 months takes us to August 2017. That's soon.

Mr. Marc Mayrand: Yes, just in time for the election. They're fairly tight time frames. Bear in mind that the last redistribution was based on a timeline that had been compressed under the act just before the redistribution process began.

Mr. Alexandre Boulerice: There is another issue I'd like to discuss.

The current first-past-the-post system leads to fairly significant distortions between the percentage of votes cast and the percentages of party seat counts. We've even seen the party with the most votes in the country losing the election, and that, in and of itself, makes no sense.

Many Canadians feel their vote doesn't matter and wonder why they should bother voting. They assume that either the Liberal or the Conservative candidate will win in their riding. There's no way to apply a compensatory measure to an individual's ballot in order to achieve more proportional representation.

Would you say that hinders voter turnout? Do you think that might deter voters who believe their vote won't matter?

Mr. Marc Mayrand: After every election, we study voter turnout. In fact, I can make those studies available to the committee, if you'd like. We examine the circumstances of those who did not vote in an effort to understand why they decided not to. Three broad categories usually emerge.

First, about 40% of people tell us they didn't vote owing to various barriers. They weren't available, they weren't in their riding and couldn't make it to the appropriate location to vote that day, and so forth.

Second, 45% of people tell us they don't care about politics. They don't think their vote will necessarily count.

Third, about 8% of people report not voting for procedural reasons, such as the complexity of the voter registration process.

These are longitudinal studies that are published, so they are available.

Mr. Alexandre Boulerice: Thank you.

Do I have any time left?

• (1025)

The Chair: You still have about 45 seconds.

Mr. Alexandre Boulerice: Over the past 30 years, many western jurisdictions have changed their voting systems. In some cases, they were countries, such as New Zealand, and in other cases, they were regional parliaments, such as in Scotland and Wales.

Are you aware of any countries comparable to Canada, in terms of size and tradition, that replaced their voting system with the first-past-the-post system?

Mr. Marc Mayrand: Not to my knowledge, but I'm not claiming to be familiar with every voting system in the world. I wouldn't be surprised if there were new democracies that had opted for the first-past-the-post system.

Mr. Alexandre Boulerice: You said new democracies, but their traditions wouldn't necessarily be comparable to Canada's.

Thank you.

The Chair: Thank you.

It's now over to Mr. Thériault.

Mr. Luc Thériault (Montcalm, BQ): Thank you, Mr. Chair.

Mr. Mayrand, Mr. Roussel, and Mr. Perrault, welcome to the committee. Thank you for providing a document with such clear information. It basically summarizes the concerns you have from a technical standpoint, concerns I share.

My question has two parts. First, I'd like you to elaborate on the political financing regime.

The government wants to put a new voting system in place. Some of those here already have a preference for a mixed member proportional system to improve representation and the plurality of votes of the various parties. Government financing doesn't exist currently.

In light of the Figueroa decision, do you not think it would be a serious injustice if we didn't restore the capacity of political parties to assert their voice in time for the next election? Do you not think we would be failing to ensure all parties enjoyed a minimum level of fairness at the starting gate, as far as the democratic process was concerned?

Mr. Marc Mayrand: I believe political financing falls under the authority of various committees and Parliament, itself. Many debates on the subject have taken place over the years. The point I was trying to make was the importance of keeping in mind that changing the system would likely have repercussions on the organization of political parties, by riding and by region, perhaps, and that the regime wasn't adapted to such changes. It will be important to determine those potential repercussions.

For example, will it be necessary to revise the spending limits? Under the proposed system, the answer could be yes or no. I think those factors need to be considered. If there are candidates on the lists, how are they going to campaign? What type of campaign will they run? What spending limits will they be subject to? Will they be different from those imposed on the parties? Those are the kinds of questions that will need to be considered, in my view.

Mr. Luc Thériault: You said you hoped the committee would provide you with clear direction when it came to online voting. I'd like you to elaborate on that.

What kinds of problems do you anticipate, as compared with traditional voting? Casting a vote is a solemn event that usually takes place behind a voting screen. In that sense, is Internet voting problematic in your mind? Have you given it some thought?

Mr. Marc Mayrand: It's quite a debate. I'd be glad to provide the committee with our studies on the subject. Technology changes

quickly, but a few years ago, we did conduct some rather in-depth studies on the issues associated with online voting.

That said, I think it's important to take into account considerations such as social acceptability, security, and vulnerability, of course. Eventually, it will be necessary to set the parameters. One of the things that will have to be determined is whether online voting can take place at any computer or whether the process has to be supervised. Currently, voting is supervised. Certain details will need to be examined, so it may be useful to start defining those issues.

As I mentioned, our regime already allows for voting by mail, so that's an unsupervised method of voting. It's important to examine whether the risks associated with online voting are greater than with voting by mail and whether those risks can be mitigated. Those are the kinds of issues I would like some direction on.

In Canada right now, municipalities are making a lot of headway when it comes to online voting, but that isn't the case at the provincial or federal levels. Although studies have been done, no new initiatives have really emerged. It's a question that's been pushed into the public domain, and I think everyone is waiting for some guidance before moving forward in a particular direction and actually piloting an online voting system. I think we can all agree it isn't necessary to have a universal approach from day one.

• (1030)

Mr. Luc Thériault: Beyond the decorum and secret ballot considerations—

The Chair: Mr. Thériault, it's now Ms. May's turn.

Mr. Luc Thériault: Mr. Chair, would you mind letting us know when we have a minute left? That would be helpful.

The Chair: Yes, if I'm able to.

Mr. Luc Thériault: Thank you.

[*English*]

The Chair: Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Mayrand, I also would like to begin by thanking you for your service to Canada over so many years, and I share with Mr. Reid regret on your decision to leave your post at the end of this year. My questions are in light of your experience and your dedication to democracy.

The first question picks up on a point that you made just a moment ago in response to Mr. Aldag. On the changes that were made in the former Bill C-23, the Fair Elections Act, you pointed to one that limits your role in education. Am I inferring too much in that, as I recall, in Bill C-23 there was a very tight timeline between when an election happened and when staff could be hired and trained? I would see that as another barrier here. Could you provide us either now or later with a complete list of the things that need to be changed under the current Canada Elections Act to ensure that a new electoral system could be rolled out and you and your office could perform the role of training and education both for the staff of Elections Canada and for the public?

Mr. Marc Mayrand: I think you will find that in my report that will be released probably at the end of September. It will contain a number of recommendations that I think are needed to modernize our system, improve service to electors, and provide some flexibility to Elections Canada, to returning officers, to be able to adapt the service offered to the particular environment in which we have to conduct the election. You will see a series of recommendations coming this fall.

Ms. Elizabeth May: Thank you.

The other question is about a consideration that I hadn't thought of as being particularly significant in changing voting systems, and that's your second point on learning the results of the election quickly. I do know that in New Zealand on their first occasion of using mixed member proportional, having voted for that system, and wanting that system, and having a high degree of civic literacy around the question, New Zealanders were still surprised that it was some time before the parties figured out for themselves how they would govern, and what coalition they would form. The question to you is, are you speaking to how long it takes to count the ballots, or how long it takes the parties themselves to know how they're going to put together a coalition in the case that no one party has a majority?

Mr. Marc Mayrand: I'm speaking as the administrator of the election. It's the time required to count the ballots, depending on the system, again I don't want to generalize but subject to the system. You can look at what's currently happening in Australia where there are significant delays in computing, counting, the ballots. One of the main reasons there is that the contests are so close that in their preferential ballot system you have to allocate preferences and that requires several passes at the count.

Ms. Elizabeth May: That reminds me of the infamous 2000 election where the first past the post system south of the border ran afoul of butterfly ballots. I take your point, it's worth making sure we consider that.

Following up on the logistics questions for Mr. Reid, I wondered if there's a ballpark figure for what it costs the Canadian government to run a one-off referendum, not attached to a general election.

Mr. Marc Mayrand: Again, we have limited experience, the last one being in 1992. Our estimate is that under the current Referendum Act it would be around \$300 million to run a referendum.

Ms. Elizabeth May: As you've mentioned many times, there are a lot of different systems that would qualify for proportional representation systems. Some might not require redrawing any riding boundaries, some might. If you group together existing electoral districts and draw a line around some that already exist, is that a relatively simple exercise?

• (1035)

Mr. Marc Mayrand: It could be a simple exercise, and again that's speculative, but there may be a few, right? You still have to draw those lines and you still have to consider community of interest, geography, and all the factors that the commission needs to hear. I'm sure it will generate some debate, so I believe public consultation should happen on those regional groupings. It may be possible to accelerate the process, by how much I'm not in a position

to say right now. We may save a few months, but we're not going to cut it down from 24 to three months, I doubt it very much.

Ms. Elizabeth May: Thank you very much.

The Chair: Thank you.

We'll go back to the Liberals now, Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Mr. Mayrand, for being here today. It's nice to see you again.

One of the mandates that has been given to this committee is accessibility and inclusiveness. I was happy to know that in 2007, even after significant pressure from the Conservatives, you didn't alter the voting procedure to require Muslim women to remove their veil before voting. What changes can we make to the Canada Elections Act to ensure that we are inclusive and that we respect all the diversity that we have in Canada?

Mr. Marc Mayrand: We need to look at various barriers. If you want to make a fundamental difference in accessibility, and that's why I mentioned it earlier, you need to seriously look at online voting. Because various groups are facing barriers—and again I'm not denying the digital divide, we need to address that of course—if you look at the disabled community, we have 3.5 million electors who suffer various degrees of disability in this country. Technology would allow most of them to vote secretly and independently, which is the main objective that these groups have. If we really want to make a breakthrough, I would suggest exploring online voting more aggressively and how we make it an option for these electors.

Ms. Ruby Sahota: Okay.

Mr. Marc Mayrand: There may be other things that we can do here and there, I'm not suggesting there's nothing else, but most of the other things will be quite incremental and not necessarily make a major difference. That's on the side of the electors. On the side of political parties and their representation in all these things, there are also suggestions that could be considered in terms of making the candidate lists more representative and more diverse in representing our society.

You will see in my recommendation report—I think this is Parliament, I can share that with you—I will be making a recommendation to allow reimbursement of expenditures by parties or campaigns for making their information more accessible. Again, Parliament will decide whether that's appropriate or suitable, but that's certainly one issue that has been raised.

Ms. Ruby Sahota: You mean in order to become a candidate?

Mr. Marc Mayrand: There will be aspects in order to become a candidate, but also in order to reach out.

Much of the campaign information is not available in formats that are accessible to those who have a disability, so we will be putting a recommendation forward to propose that we consider reimbursing expenditures to campaigns that invest in making their information available in multiple, accessible formats. This is a small thing that we can do here and there, along with really taking a hard look at online voting.

Ms. Ruby Sahota: I think that's good motivation for most of the parties, to make sure that we have all that information available.

You're thinking the main barrier that people face is accessibility and, although you have stated that for this next election you're not prepared at this point to do it, that this committee should seriously take a look at giving you more direction on online voting—

• (1040)

Mr. Marc Mayrand: Yes.

Ms. Ruby Sahota: —and, by May 2017, you have an adequate time at least for electoral reform as far as changing the voting process is concerned. I'm happy to hear that because it gives us some incentive and direction as to what we can do within that time, and I think we can make some good recommendations, good changes.

You talked a lot about security and social acceptability. I think the world is starting to move toward finding it socially acceptable to do things online. People make million dollar deals online and transfer money all the time, so it's hard for me to understand why we can't figure out a secure way to vote online. I think people would come on board since it would open it up to so many more people.

The Chair: Unfortunately, we'll have to go to the next question, but it's a good thought, and we can pick up on it in a bit.

[Translation]

It is now over to Mr. Deltell.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Before I get to my question, I'd like to take a moment to remember J.-Jacques Samson, a prominent and influential political reporter in Quebec for the past 40 years. He was active in the municipal, provincial and federal arenas. As an accomplished, respected, and trusted journalist, he had an impact on people. On behalf of all of my colleagues, I would like to extend my sympathies to J.-Jacques's family.

My humble respects, Mr. Mayrand. It's a pleasure to meet you, as well as Mr. Perrault and Mr. Roussel. Through you, I would also like to acknowledge the thousands of Canadians who, every four years or, rather, whenever an election is called, work so diligently and methodically under tremendous pressure given that time is of the essence. We often forget that it is thanks to thousands of Canadians that we enjoy a viable, acceptable, and effective democracy. More specifically, I'd like to commend, if I may, the returning officer for the Louis-Saint-Laurent riding, Hélène Dion, and her team.

Mr. Mayrand, in response to my Bloc Québécois colleague's question about online voting, you mentioned the need for a certain level of social acceptability.

Do you think changing the voting system requires some social acceptability?

Mr. Marc Mayrand: I believe so. If we want Canadians to have confidence in the electoral system, we need to make sure it's one they accept.

Mr. Gérard Deltell: How do you think we can achieve the social acceptability you speak of as we make changes to the voting system?

Mr. Marc Mayrand: I will let you and the rest of parliamentarians, our elected representatives, make that decision.

Mr. Gérard Deltell: Earlier you said that it would take at least 26 months to make the changes or, rather, that 26 months was an acceptable time frame in which to make the eventual changes. Is that correct?

Mr. Marc Mayrand: Twenty-six months is how long the last redistribution of electoral boundaries took. What I said before and would like to make clear here again today is that, if the appropriate legislation is in place by May 2017—as was my understanding—it should be possible to implement all of the changes by October 2019.

Mr. Gérard Deltell: The Minister of Foreign Affairs, the Honourable Stéphane Dion, called for a proportional, preferential, and personalized voting system. He's not just anyone. Clearly, he's a man of the highest intellect, with a Ph.D. I'm not convinced that many of the people around the table today would be able to explain that system.

Do you think such a brand new voting system could be implemented and understood by Canadians within a 26-month time frame?

Mr. Marc Mayrand: As I said, regardless of the changes to the voting system, it's crucial to fully understand the importance of the public education campaign. The more complex the change, the more intensive the campaign must be and the sooner it must start.

I don't want to suggest that Elections Canada is the only authority responsible for that education. Concerted efforts will be necessary to make sure voters fully understand the methods and options available to them at the polling station.

Mr. Gérard Deltell: Mr. Mayrand, how long does it take to hold a referendum? You spoke of six months when you appeared before the committee back in April or May.

What steps would you have to take during those six months to hold a nationwide referendum?

Mr. Marc Mayrand: The same logistical elements always come into play. Obviously, we would have to prepare the ballot setting out the question to Canadians. We would need to revise all the material that hasn't been reviewed since 1992 and redo all the training manuals for elections staff. Basically, we would have to prepare the materials to train the 255,000 Canadians who help administer elections.

We would also need to review all of our systems that are not yet tailored to a referendum. We estimate that about 15 computer systems would need to be adapted. What's more, certain contracting arrangements would be necessary as far as supplies and equipment were concerned.

All that to say that those six months would be a period of intensive preparation.

•(1045)

The Chair: Mr. Deltell, you have 10 seconds left.

Mr. Gérard Deltell: The word “intensive” is a euphemism in that case.

Do you really think six months is enough time? You don't think you'll need a bit longer?

Mr. Marc Mayrand: Six months is the minimum. The time frames I'm giving you today aren't generous; they are the minimum periods of time required. It will be necessary to take into account the context in which a possible referendum would be held. I can't predict what else might be on the agenda at the same time.

The Chair: Thank you.

It is now Ms. Romanado's turn.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you.

Thank you for your presentation, Mr. Mayrand.

Would you mind speaking to the use of technology to improve voting?

You mentioned the tabulation of election results. I volunteered as an elections worker for a number of years. When ballots are being counted, human error can enter into the mix. Things can be lost, and the process can take time.

Could you elaborate on that?

Mr. Marc Mayrand: As a volunteer, you no doubt noticed all the physical documentation in polling stations. There's some work that needs doing as far as automating procedures is concerned. There's no real reason why record books and forms shouldn't be automated. We think that would contribute to better compliance. We would see fewer errors, and those that were made would be detected by the devices being used.

Another option is making the list of electors available online, across the country. It would be available to campaigns all over the country and make it possible to determine whether those individuals had already voted.

Technology would give us multiple opportunities to simplify and improve the service and, I believe, enhance the integrity of the process. Some of the things I'm referring to would require legislative changes, and I'll talk about that in my September report. No matter which electoral system is in place come 2019, I think we need to make these changes and leverage technology.

Mrs. Sherry Romanado: Very good.

Many of us talked about online voting as a way to increase voter turnout among Canadians. We already have the option of filing our tax returns online or on paper, which isn't too difficult.

Mr. Marc Mayrand: Let's just say it doesn't seem too difficult.

Mrs. Sherry Romanado: I'd like to know whether you're considering giving Canadians the option between voting online,

similar to electronic tax return filing, and going to the polling station and showing identification.

Mr. Marc Mayrand: In terms of any future work on the issue of online voting, I would say it's a fact. To my mind, there is no question of replacing traditional voting methods with online voting. We aren't able to do that. Similar to the voting options currently available to Canadians—voting at advance polls, by mail or by special ballot—online voting would simply be an additional way for electors to vote.

Canadians would choose the best option for them. Approximately 25% of voters prefer to vote at a time other than election day, and we are seeing a steady increase in that trend. That may suggest that some groups see a clear advantage in voting online, if it were an option. But that needs to be tested. As I already said, we are going to have to take a cautious, gradual approach.

•(1050)

[English]

Mrs. Sherry Romanado: In terms of accessibility, instead of selecting a specific group to pilot online voting, could we not leave how they would vote up to Canadians? I can order a pizza online, a Starbucks coffee, or charge up my bank account. I can do everything online. The day of the vote I may be busy. It may be raining, or maybe I don't want to go out that day. If I can do it from home, it gives me that option so I don't lose my opportunity to vote.

As I said, as someone who's worked a lot in elections, and also as a candidate trying to get out the vote, convincing Canadians to go out and vote and making sure they have the accessibility, whether being offered transport or making sure they are on the list and that they're able to see the vote, could really change the way we do our electoral process. I would hate to wait another two, three, four elections before we go that route.

Mr. Marc Mayrand: That's where we start going. We have to be careful. We also need to look at security. We want to preserve certain characteristics of the vote: confidentiality, secrecy, reliability, and integrity. When we start looking at moving online, I would point out the big difference currently in our system compared to any other services you get online: the risk of online services currently is the provider's. If you go online at a bank, you use your MasterCard, and somebody misuses it or accesses your account, the provider will cover that. That's one aspect that does not exist in the voting process.

The other aspect is that we lack a universal identification system in Canada. Without such a thing, it's very difficult to find some alternatives. The problem we have is that if you get a code with Revenue Canada, with the bank, or your PIN, everybody tells you to keep it secret, you have a personal interest in keeping it secret. I'm not sure we can say the same when it comes to voting.

The Chair: Thank you. We'll have to move on.

As long as we don't need a tax accountant to do it.

Voices: Oh, oh!

The Chair: We'll go now to Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you, Mr. Mayrand, for being here today. I want to add my voice, and I'm sure we'll also get a formal opportunity down the road to do so, and thank you so much for your contribution.

I have spent a fair bit of time in the last few years working internationally as part of observer missions for elections and on anti-corruption issues relating to the work of the Auditor General and the public accounts committee. Every time I go out and then come back to Canada, I'm so appreciative of what we have. I understand more than ever that one of the strengths of our democracy is our institutions and the calibre of the people we appoint to run those institutions. Sir, Canadians from coast to coast to coast owe you a huge debt of thanks for the work you have done on behalf of those citizens in ensuring that we have the fairest elections we can.

I would like to pick up on something that I tried to sneak in at the last meeting. Our eagle-eyed Chair jumped on me, rightly so, and said I could raise it in the usual discourse, so here I go.

It has to do with the amount of work that we're doing here, in particular on online voting and mandatory voting, that's specifically spelled out in the mandate. I've gone through these things as you know with your reports before, and what I wanted to raise with the minister and now with you is my concern that we can spend an awful lot of time getting into a whole lot of important details just on those two issues alone. My concern is that if we get too distracted from this very large macro picture we have of the overall voting system, we would get lost in these other issues.

Now on online voting I noticed that you recommend to us, or at least spell out, that one of the things that you would find helpful is some direction so that you can move forward on research with regard to Internet voting, given all the reasons you've just mentioned why it's not going to happen right away.

That's an easy one we could do by a quick motion, Chair, and boom that would send it off to the right place.

That leaves us with mandatory voting. I won't ask you about the details of it because that's not why we're here, but I will ask you this. You understand the procedure and House affairs committee as well as anybody, so would anything be lost in your opinion if we took the question of mandatory voting from this committee and referred it instead to that committee as part of your overall recommendations? Would something be lost in terms of timing or substance?

•(1055)

Mr. Marc Mayrand: It's very difficult for me to really respond clearly and directly to your question.

I think the one thing that comes to mind first of all is that this committee has a mandate. The other aspect is that these issues require, I think, assessing what the social acceptability of online voting or mandatory voting. I understand that this committee will undertake extensive public consultations over the next short while, looking at these matters and voting systems.

I'm not aware if the procedure and House affairs committee has by tradition undertaken such broad consultations. That's the one caveat I would put out there. I think it's important to have significant

consultation on these matters. They are important and directly affect electors.

Mr. David Christopherson: That's a good point.

Mr. Reid also sits on the procedure and House affairs committee, and I don't know whether that's something we want to take up to clear the path for this committee, or leave it in here.

However, I'll move on to another issue. Just circling back to the issue of the amount of time necessary, I want to be crystal clear.

Regardless of whatever option we're looking at, so far you're keeping an eye on what we're doing and looking in your crystal ball, trying to determine where we're going and getting out in front. Does that include a complete rework, not just a redoing of the boundaries, but actually a whole different approach in terms of regional ridings? I understand that clustering would save some time.

I just want to be absolutely clear that as long as we give you this period of time, if we have that law in place by May 2017, regardless of how ambitious a recommended change we'd like to make, you feel that it would give you adequate time to do that, sir.

Mr. Marc Mayrand: I would have to.

Voices: Oh, oh!

Mr. Marc Mayrand: Given the October 19—

Mr. David Christopherson: Yes, there are only so many things you can make fit that don't fit.

Mr. Marc Mayrand: As I said and will repeat, it should be okay, but you should not underestimate the challenges it will represent.

The Chair: Thank you very much.

Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks very much.

Earlier in one of your question and answers with another member here, you had started on something and I think the time had expired in the round. I'd like to continue on it, talking a little bit about this idea of the boundary distribution process. In your opening remarks you talked about the importance of the establishment of independent commissions and how important that is as part of the process, and then a little bit in that question and answer portion about communities of interest. So we're talking about what Mr. Christopherson was just talking about, the idea of regional groupings or multi-member seats and those kinds of things, and how important communities of interest are in that.

I can certainly think of several different parts of the country—and northern Alberta in my province is one of the examples of that—where, when you just try to group two or three ridings together you can create some very significant drive times. If we don't have these independent commissions and the idea of considering the communities of interest and hearing from local people, and doing full consultations to ensure that they're not being disadvantaged by having their member not able to properly access the riding, for example, or there could be a number of other problems....

I wonder if you could speak to the importance of the independent commissions and considering the communities of interest in any redistribution process that might take place for a different voting system.

Mr. Marc Mayrand: In my view, it is absolutely essential that there be an independent, non-partisan, objective process looking at how we determine the boundaries of various districts. That takes time because community of interest needs to be defined in each particular area of the country.

Even looking at a streamlined process to simply aggregate the current ridings, you will have pockets there where aggregation will not necessarily be the best way to go. You may find, among other things, community of interest could be linguistic so you may suddenly, through aggregation, completely dilute a community of interest. That's an example. There are plenty of others we can come up with. That's why I'm saying that it needs public consultation.

Again, it's an important part for electors to feel properly represented. You have to be part of a community.

• (1100)

Mr. Blake Richards: Okay, I appreciate that. I would agree with you that is a very important thing and it's not just as simple as grouping a couple of ridings together and assuming—

Mr. Marc Mayrand: It's not a strictly mathematical matter.

Mr. Blake Richards: I appreciate that and I understand the difficulties and the importance of that task and the timelines that can be created there.

That's where I wanted to go with my next question to you. You've been fairly clear today in talking about the last redistribution process taking 26 months. You've indicated that maybe it's possible, under certain circumstances, that you could shave a little bit of time off that but it wouldn't be much. It sounds like you're talking about two years to be able to do that process, at the very bare minimum by the sound of it.

You've also mentioned that in order to do a referendum you feel six months would be a minimum set-up time for that.

I want to get a sense, though, of a scenario where there is a significant redistribution required because of a change in the voting system, but also obviously a desire to do a referendum. You've said that in isolation 24 months may be the bare minimum to do the redistribution; and in isolation, six months the bare minimum to do a referendum.

If you had a scenario where you're doing a redistribution and holding a referendum, would you see that timeline expanding beyond 24 months? In other words, you said May 2017. If this

process were completed by May 2017, could you conduct a referendum and do a full redistribution if necessary in that timeline?

Mr. Marc Mayrand: We are, of course, scenario-making, and it's very hypothetical so I always hesitate.

If there were to be a referendum it would have to take place early on because that's possibly going to determine the course of action, so it seems to me it would have to be happening very early on in the process—

Mr. Blake Richards: So what you're saying then is—

The Chair: We're just about up, but—

Mr. Blake Richards: —that if the government wants to see a referendum has the opportunity to take place it would have to act very quickly to ensure that could take place.

Mr. Marc Mayrand: Yes, and I could foresee scenarios that would allow for it, that's all I'm saying.

The Chair: Thank you very much.

Mr. DeCoursey.

[*Translation*]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Again, Mr. Mayrand, thank you for being here. Thank you, as well, for your decade of leadership in election matters. I appreciated your presentation, taking many notes. I learned quite a bit today.

I've noticed that my fellow committee members have talked a lot about the timetable for implementing the changes to the electoral system. In your presentation, you said, and I quote, "I note that the government has committed to having legislation in place by May 2017, which I am comfortable with."

[*English*]

Now we know there will be challenges. We know it's an ambitious agenda, but Canadians have asked us to be ambitious in this pursuit. There are different variables. I know doomsday hypotheticals have been thrown out in certain parts of this committee, but can you confirm for us that you are comfortable, given the different variables at play, that a change to the system could be initiated, that Elections Canada could be provided with the proper resources to help conduct the next election?

Mr. Marc Mayrand: If I have clear directions from Parliament by May 2017, yes, I think we can make it happen.

Mr. Matt DeCoursey: I assume part of that will be the way that Parliament reacts to your report to be delivered later this fall.

Mr. Marc Mayrand: And to the report of this committee.

Mr. Matt DeCoursey: Absolutely, and this committee is looking forward to that report being tabled in Parliament. The committee work will include looking at various systems as well as mandatory and online voting, which are explicitly part of the mandate of this committee. Given our chance to consult with Canadians, given the reports that will ask us to consider a more robust mandate for Elections Canada, do you feel Elections Canada has the capacity to help lead an outreach sensitization and education campaign with other organizations across the country to ensure that all Canadians whether young students, residents of remote rural areas, seniors, deployed troops, and those with disabilities or exceptionalities have the opportunity to exercise their democratic right?

• (1105)

Mr. Marc Mayrand: That capacity would have to be augmented, but we certainly have the experience and the expertise to engage more broadly in that area.

Mr. Matt DeCoursey: I'm particularly interested in the role that Elections Canada can play working with first-time voters, potential first-time voters on university campuses. In Atlantic Canada we have 16 universities, not to mention community colleges and other private institutions. I have two in the riding I represent, UNB and St. Thomas. What role could Elections Canada or other organizations play working on campus to help facilitate first-time voting, and perhaps as well in communities to reach young people who aren't attending post-secondary education?

Mr. Marc Mayrand: A few things could be done. One that certainly comes to mind, and I thought it was part of this committee's responsibility but maybe not, is that we could reach out to youth before they reach the age of 18 and start registering them before they leave high school. One of the great barriers that youth are facing currently is that often they have the lowest rate of registration. If you're not registered it gets a bit more complicated to get information about the election, and to vote per se.

One thing that could be done is to register them even before voting age so that when they reach voting age they are automatically on the list of electors, they get the information, they know where to get the information, and where and when to vote. That's one thing; that's registration.

On the other aspect, a pilot we did this time around was to offer a special service on a number of campuses across the country. That was quite successful in terms of the turnout. I think we reached out to 72,000 young Canadians who voted through that process. We need to look at whether we can expand it for the next election and make it broader. The cost is another issue.

The Chair: Mr. DeCoursey, you're kicking off the second round so there's a seamlessness here. Is that all right with you?

[Translation]

Mr. Matt DeCoursey: That works for me.

We observed that students in Fredericton really appreciated being able to vote on campus. That worked out very well.

[English]

I wonder if maybe you could share some evidence that demonstrates that engaging young Canadians, those below 18 and those entering adulthood, in education around civic affairs,

democratic institutions, voting, helps enhance voter turnout and helps encourage long-term participation in the process. We absolutely want to encourage greater numbers of Canadians voting. I'm convinced of that. Is there any direction you can send us?

Mr. Marc Mayrand: Yes. There are some surveys that we've done and some studies that have been done across the country that suggest two things. Voting is an early habit. It's a habit that you need to develop early, otherwise you become an habitual non-voter. If someone misses two elections, it's much more difficult to bring the individual back.

The most significant factor or predictor of voting by young people is civic education. There is clear evidence that those who have been exposed to a civic education curriculum have a much higher propensity to vote. It's clear also that interest in voting comes from knowledge about democracy and your institutions. Again, that's where civic education is a significant influencer. It's probably, in my view, the most important influencer.

• (1110)

[Translation]

Mr. Matt DeCoursey: I would think that we—

[English]

Mr. Marc Mayrand: We can build all sorts of online services, remove all sorts of barriers, but if people don't have the interest, don't have the knowledge, they may not take advantage of the opportunity. I think these things go hand in hand.

[Translation]

Mr. Matt DeCoursey: I would think that we should play a role by encouraging our provincial allies to make sure their education systems favour that approach.

Mr. Marc Mayrand: Absolutely.

[English]

Mr. Matt DeCoursey: I'm all for encouraging early engagement in voting. At the same time, do you have any advice on how we can grab those who may have been disenfranchised along the way and haven't exercised their right to vote? Perhaps, for any number of variables, they're apart from the system.

Mr. Marc Mayrand: It is a most significant challenge and it remains a challenge for us. One thing that we've done over the last few years, one thing we found, is that it's better that those disengaged are re-engaged by people they relate to. If it's not their family or their teachers, it's maybe their friends. We're trying to leverage—that's not necessarily the right expression—various groups that are committed to engaging those who are more vulnerable or face barriers or are truly outside the system. It's by going through those channels that you improve your chances of success in re-engaging them. But it's an effort that requires time, consistency, perseverance, and also listening carefully to what these people have to say.

[Translation]

Mr. Matt DeCoursey: Thank you kindly for your advice.

Thank you, Mr. Chair.

The Chair: Mr. Reid, you may go ahead for five minutes.

[English]

Mr. Scott Reid: Thank you very much.

Mr. Mayrand, from my point of view it appears that the government is trying to run out the clock so that it will be impossible to have both a new electoral system that involves redistribution and a referendum on that new system. This can be done, of course, simply by refusing to say yes or no to a referendum until the deadline by which you could have done both things has passed.

I'm not asking for your comment on this, I'm submitting this to the world at large. I would submit that this explains the steadfast refusal of the minister yesterday to either endorse a referendum or to say that she rejects a referendum, while at the same time making it clear that she refuses to do what is necessary to modernize the referendum legislation.

My questions to you now revolve around how to stop the scenario of having the deadline on a referendum click by silently so that the government can, after the fact, finally introduce a real argument against a referendum, which is it's just too late.

Bearing this in mind, I've been looking at different options that would allow us to extend the clock a bit, and one I wanted to ask you about is a model used in the province of Ontario. Ten years ago the legislature in Ontario enacted a piece of legislation called Bill 155, Electoral System Referendum Act, 2007, which essentially said that the model that was then being designed would not be put in place unless there was a referendum on it.

I'm not sure if combining the government's proposed legislation on a new system with a clause that says this new electoral system will only go into effect if it's approved in a referendum.... If that were done as a single piece of legislation, would it be possible for you to implement this in less than the 26 months, plus six months, that I think we now face under the status quo?

Mr. Marc Mayrand: The two-year timing is not just driven by redistribution and a referendum or not, it's very much driven by the need to change our whole operation. No one in this country has experience in administering an alternative voting system. That's a profound change.

The other thing is that we have to redo all our systems. There are over 40 IT systems involved in an election. Not knowing the specifics, I can't tell you today, but I suspect that most of these systems will either have to be tuned or maybe scratched and started over again. That's why we need those two years. There's work in parallel. While redistribution is happening, the preparation for the election is also occurring, and that part takes two years.

Again, in other parts of the world, you will be looking I'm sure at New Zealand. It took almost 10 years before they ran into their new system. I'm saying yes, it's possible, but I'd be very cautious about trying to streamline it further and reduce that timeline. My advice would be you would put the election at risk.

• (1115)

Mr. Scott Reid: Thank you. That's very helpful.

I only have a minute here. The New Zealand model, surely it was not 10 years from the time the legislation was passed for the MMP system until the first election was held.

Mr. Marc Mayrand: No, it was the whole cycle, starting from the parliamentary committee, public discussion, to finally getting an election under the new system that had been adopted. It was close to a decade, yes.

Mr. Scott Reid: The New Zealand model of change in many ways is the one that has the most credibility here. I'm not saying that the MMP model they've used there is the best one, that would be premature of me. But the model of going through and transitioning is the closest thing I think we have to a gold standard for a Westminster-style country like Canada.

Could you take a look at what they did and point out to us—it can be in writing—any helpful lessons you can draw from that, that might guide us?

Mr. Marc Mayrand: I could propose witnesses to the committee who would speak directly to the New Zealand experience.

Mr. Scott Reid: That would be helpful.

The Chair: Thank you, that would be very helpful.

Mr. Christopherson.

Mr. David Christopherson: I'd like to follow on the questions of Mr. Reid. I'm not sure it's an area that we've spent a lot of time talking about publicly just yet in terms of getting the horse in front of the cart here. I'm not sure the Conservatives have done their homework. If they have, I haven't figured out the strategy yet. Correct me if I'm wrong, but it would seem to me that you cannot hold a referendum during a federal election. In fact, if a writ has been dropped for a referendum and then there's a subsequent general election writ, even if the day of the referendum is scheduled for the day of the election, it's deemed nullified. Is that correct?

Mr. Marc Mayrand: You're correct. A referendum cannot be run in combination with an election.

Mr. David Christopherson: Correct, so that means it has to be a stand-alone under the current act and in order to back it up a bit you need marching orders by May 2017 in order to meet all eventualities. As soon as you're given those, money starts being spent, time starts being focused, and there's no going back, you don't get to push the button reset and start another 26 months, you've got to do it all the first time around. One would think if you back it up another six months to prepare it so the referendum was say May 1, or the last day of April, now that puts us some time around December of this year. Is it fair to say that if we don't have a total package by December 16 to give to you to trigger a referendum, we would not be able to meet the deadline if it was a complete reform of the system and you needed most of that 26-27 months?

Mr. Marc Mayrand: Again—

Mr. David Christopherson: You don't follow that, I know, sorry.

Mr. Marc Mayrand: There are many variables at play here. I just want to be clear, I think it's possible to hold a referendum under the current legislation. What I need is an indication that a referendum will be happening so that I can start spending in preparation and preparing for it.

Mr. David Christopherson: When do you need that by?

• (1120)

Mr. Marc Mayrand: Again, the sooner the better. You mentioned, and it's certainly a case scenario among others, that there could be a referendum in spring 2017. That would be triggered by a proclamation that will have been preceded by debates in the House of Commons, and these debates will have been announced in advance. I'm hoping we will get that six months, that we'll get enough indication to trigger the six-month activities.

Mr. David Christopherson: Correct me if I'm wrong, but if the committee in its wisdom by majority decides to go with—I mean PR is the big thing that we're looking at, so let's just call it that for the sake of an argument—a PR system of some sort and you feel that you're going to need most of the 25, 26, 27 months at hand, is it fair to say then that you need some kind of indication by the end of this year that the committee by majority will, or I guess the House ultimately, would trigger to you in order to.... Do you see what I'm saying? If you need six months to do the referendum and you need 25-26 months to do a complete makeover if we go to PR, then is it not reasonable to say that if you don't have that signal from Parliament by December of this year, there's a good chance that Mr. Reid is correct that Parliament, whether they want to or not, have perhaps missed the point at which they could hold a referendum where Canadians would then make that decision that it goes forward?

Mr. Marc Mayrand: I see the process as somewhat evolved and progressing. A few weeks ago I didn't know if a parliamentary committee would be created and when. Now we know. Now I know that December 1 is the deadline for a report. I expect that I will get some sense of the level of consensus, some sense of direction that will help me in starting to at least plan for what needs to be done. I expect that the government—given their commitment to May 2017—will respond rather quickly to the committee report. So, again, more precision will come. This is all speculative at this point in time, I'm not saying it's anything else.

The Chair: Thank you.

Mr. Thériault.

[*Translation*]

Mr. Luc Thériault: I'd like to know whether you've done any studies in the past on online voting. You are aware of the problems Quebec experienced with that in 2005. I imagine that, even under the current voting system, you would be able to further automate the process or offer online voting. That was my understanding.

Is that correct?

Mr. Marc Mayrand: We did a fair number of intensive studies for a few years, at the beginning of the decade, and we do indeed have a solid grasp of the issues, the barriers, the possibilities, and the associated risks. I can share that information with the committee.

Mr. Luc Thériault: That would be helpful. Thank you.

I know politics isn't something you're involved in. We, on our end, have a mandate that you do not. However, your job is heavily dependent upon what emerges this December 1. I'm drawing on your vast experience, as far as the institution and the administration of electoral events goes. I'm also relying on your wisdom as someone who will be leaving their position soon.

You talked about New Zealand's experience. You talked about education and information. I'm not familiar with the penetration rate or effectiveness of your campaigns, but do you not think that an election involving a referendum question is one of the best ways to guarantee a clear penetration rate in terms of the issues and choices facing voters?

I, personally, have no problem with amending the legislation in order to hold a referendum the same day, by adding an extra box to include the matter of the new voting system, especially since the price tag of holding a one-off referendum is said to be \$300 million.

Wouldn't it make more sense for parliamentarians and society as a whole to take the time to do that? That would help move us toward a decision that would be in effect for the next election.

• (1125)

Mr. Marc Mayrand: I'm not in a position to advise you on the timetable. I think the committee will quickly understand the challenges and its ability to meet the deadlines. I'm not in a position to comment on that.

You talked about a combined referendum-election, which would require legislative changes. It's not impossible. I would say, however, that, more and more, referendums are being conducted by mail, and that significantly reduces the cost. As I said, all sorts of scenarios are possible, but it will be necessary to revisit referendum legislation.

Mr. Luc Thériault: Did you understand my question? You said it would be possible if you had clear direction. Given the scope of the task, coming up with clear guidelines in such a short amount of time is a whole mandate unto itself. You did say “if”. It's entirely possible that we won't come up with clear guidelines.

It's difficult to recruit elections staff. What's more, under our current voting system—which has been in place for decades—it's also difficult to properly train those people from one election to another. In light of that, do you not think it would be smarter to take the time necessary in order to make the right changes?

Wouldn't Elections Canada be better equipped if the matter were dealt with as part of a future mandate?

Mr. Marc Mayrand: Without knowing which scenarios are being considered, I can't answer that. As I've already said multiple times, I believe that, with a specific scenario in May 2017, I would be able to run an election based on that scenario in 2019.

If, however, neither the committee nor the government is able to provide a scenario, then, obviously, I would have to revise my—

The Chair: Unfortunately, the clock is giving me clear direction: I have to turn the floor over to Ms. May.

[*English*]

Ms. Elizabeth May: Thank you, and it's an honour again to get to ask a few more questions of you, Mr. Mayrand.

On the online voting question, I've seen in some commentaries that there's a societal benefit in the social cohesion of people collectively experiencing voting, even the lining up—I think we've all had great experiences as voters before we became candidates—and what happens when you're standing in line. Is there any literature on this? Is this a concern to be weighed against the convenience factor of online voting?

Mr. Marc Mayrand: I've certainly heard about it. I don't recall reading about it. That doesn't mean that it doesn't exist. We can see if we can find anything about it.

Ms. Elizabeth May: Elections Canada hasn't done research on it though.

Mr. Marc Mayrand: On that aspect specifically no, but it is an issue that has come up in various focus groups or discussion forums.

Ms. Elizabeth May: I would like to get to this question about timing that's come up a few times; David Christopherson mentioned it. Under current law you can't hold a federal referendum during a federal election. On the other hand I know that the New Brunswick Referendum Act specifically says you can only hold a referendum when you're having a general election. Is that a change that could be made in the Elections Act, to allow a referendum at the same time?

Mr. Marc Mayrand: It would be in the Referendum Act.

Ms. Elizabeth May: We know the current Referendum Act doesn't work in any event for electoral reform because it's quite limited to the constitutional question. We'd have to amend the Referendum Act to allow it to take place at the same time as a federal election.

My next question is a Twitter question from David McLaughlin. I think a lot of us know because he was the chief of staff of the late Jim Flaherty and the last CEO of the national round table. He has

asked me to ask, what would be the cost of a referendum? If a stand-alone referendum was \$300 million what would be the cost of a referendum, if you could speculate, if the law were changed, and it was in conjunction with a federal election?

Mr. Marc Mayrand: In conjunction there would be additional incremental costs, but of course we're not talking of the same order obviously because most of the costs still have to be incurred. It would probably mean a second ballot, and would probably need a few more staff to handle the thing and especially the count in these matters. It would be marginally more expensive.

• (1130)

Ms. Elizabeth May: That's helpful, thank you.

I have a question from someone watching us in Langley, B.C., who sent this question from Twitter. Given your experience at Elections Canada in monitoring the level of communications that go out in a general election, I don't know if it's possible. Will Breeze from Langley wants to know, can all referendum ads and publications—and this is hypothetical because we're not planning a referendum—be subject to fact-checking and/or fines?

Mr. Marc Mayrand: That's an interesting question. That's truly a public policy question. It's less a feasibility matter than whether it's a desirable matter. On this point I trust parliamentarians to give us direction in that regard.

Ms. Elizabeth May: I'm going to go to something that I'm interested in, again along the lines of my last question in the last round, about if we combined existing electoral districts would that make things any easier. It certainly was a difficult exercise before the 2015 election to add 30 seats to Parliament. We had very specific working groups right across the country and we carved out 30 new ridings. This is a hypothetical, but if the committee were to lean toward a system that required creating new seats such as in a mixed member proportional system, would there be any logic or benefit to looking at returning to the electoral districts we had in 2011 and adding the 30 seats that way?

Mr. Marc Mayrand: Everything is possible. That's an interesting question. I'll need to think about it. Again it would require all sorts of changes to the readjustment act because it sets a quota of population per riding. We need to change all that. If I understand your question it's whether we could go back to 308 ridings and add 30 based on proportional representation. It sounds very attractive, but I'm not sure you entirely escape the need for redistribution.

Ms. Elizabeth May: You're the expert, that's why I asked you.

Mr. Marc Mayrand: Those 30 seats now have to be redistributed across the country, by province.

[Translation]

The Chair: We understand fully. That becomes very complicated.

It is now Ms. Romanado's turn.

Mrs. Sherry Romanado: Thank you.

[English]

I know we've been talking a lot about online voting today. Given your background and the work you've done in the past, it's something that we want to hear more about.

I come from the post-secondary education sector so engaging youth in the democratic process is really important to me. You mentioned earlier that if we can get students or young people engaged early enough they become lifelong voters. I know that in a local CEGEP near me in the riding of Longueuil—Charles-LeMoine we had the booth set up specifically so that they could go to vote, which was a great success.

But we also have in my riding an aging senior population, so I'd like to get your ideas, again, on how we can leverage the technology so that the youth we've just engaged—we had the highest level for young people turning out in the last election—are kept engaged, but we are also mindful of an aging population who are going to have mobility issues.

Can you elaborate a little bit on that and the importance of that? In the next four years and in the next eight years we are going to have that problem.

Mr. Marc Mayrand: I believe the problem may be exacerbated by the social policy that we have to keep seniors in their homes. We're talking more and more about home care providers, and this means that those seniors will no longer be living in common residences. That means to some extent there will be barriers to their voting. I can't service residential homes. I can hardly service every single Canadian at home, and that is a problem I see coming over the next decade, I would say.

We are already getting increasing demands for home-bound voting and if not this committee, Parliament, at some time needs to consider how we are going to allow people who have voted all their lives to continue to vote. This is their act of citizenship, so how are we going to maintain that accessibility for them?

You will find that I am a little bit pushy but I think, again, in 10 to 20 years these seniors will be used to technology, and again, online voting may be part of the solution for them, so there is a link with all these things.

• (1135)

Mrs. Sherry Romanado: Absolutely.

On the flip side, if Canada did want to implement online voting—and now I'm talking about folks who are in rural areas who may not have broadband Internet—what would be some of the barriers for our being able to implement something? Again, I bring up maybe lack of Internet or good Internet access.

Could you elaborate on some of the other barriers?

Mr. Marc Mayrand: Connectivity, even though it's improving all the time, remains an issue in many parts of the country. As I

mentioned earlier, electronic tabulation may have its limits for very remote areas for the simple fact that connectivity is not always up to par. I think that's a government as a whole issue that needs to be prioritized. I believe there are various programs to improve broadband access and speedy Internet access across the country and it's an effort that needs to be continued.

Mrs. Sherry Romanado: This may seem like a little bit of a bizarre question but in your capacity as the Chief Electoral Officer, what would you recommend our role be in terms of helping to educate? You have 338 members of Parliament across Canada. You mentioned that you're not able to educate those over the age of 18, but what could we be doing to assist the Chief Electoral Officer in increasing engagement and so on and so forth?

Mr. Marc Mayrand: Aside from amending the legislation? I think an important aspect is this. When we study non-voters, one of the things that comes out is that because of all sorts of reasons there is less and less personal contact between electors and candidates. Any time you show up at a school, any time you show up at a community activity, there is evidence that it makes a difference.

The Chair: That's very interesting.

Mr. Marc Mayrand: I'd be happy to share that with you, but it does make a difference in terms of engaging young people, particularly.

The Chair: That's very encouraging for all of us because we do a lot of that and we always want to do more.

Monsieur Deltell.

[Translation]

Mr. Gérard Deltell: Thank you, Mr. Chair.

Mr. Mayrand, I'd like to turn to the readjustment of electoral boundaries. You're an expert, and as we all know, it's a very delicate issue. I want to make this very clear for everyone: if we don't support change, it doesn't mean that we are biased towards a more favourable option, as elected representatives, or that we are engaging in political mathematics. It is simply that we have formed an attachment with the people we represent.

I'm not going to tell you my life story, but back in 2012, when I was an MLA, I lost the Valcartier and Shannon portions of my riding, Chauveau. That saddened me greatly, one reason being that the area was home to the anglophone community, whom I was very fond of and represented to the best of my ability, like the rest of my constituents. It really had an effect on me. It had nothing to do with the numbers. At the end of the day, I lost those parts of my riding.

That's why, when we talk about electoral boundaries, it's important to understand that our positions don't stem from political calculations but, rather, a reality that we need to respect—the underlying socio-demographic fabric of the riding we represent. If the government decided not to hold a referendum on changing the voting system and to introduce proportional representation, proportional-preferential-personalized voting, single transferable voting, a list system, or preferential voting, changes would have to be made to the electoral map in most cases.

That brings me to an issue you are no doubt familiar with, the situation that arose in 2004 in the Acadie—Bathurst riding. The Chief Electoral Officer at the time had readjusted the electoral boundaries, a change that was challenged by not only the member for the riding, but also members of the local chamber of commerce and other constituents. Here again, I am setting aside any partisan motives. The matter even made its way to the courts, which sided with the constituents, who argued that electoral boundaries should not be touched for very specific reasons.

If the government decides to proceed with an alternative voting system that requires a redistribution of electoral boundaries, would you be prepared to deal with court decisions, which could, once again, lead to further delays?

• (1140)

Mr. Marc Mayrand: Elections Canada normally doesn't get involved in those kinds of disputes. Obviously, they can have repercussions, but the fact remains that those decisions are made by independent commissions. That's very different from the provincial system, I want to stress. The independent commissions have to take into account factors such as communities of interest and, as in the case you brought up, language communities.

In that specific case, the Federal Court found that the commission had not given sufficient consideration to that criterion and asked the commission to do the job over again. Since the commission had been dissolved by that point, another one had to be formed. I won't get into all the details.

Situations of that nature can occur, but they are rare, if not very rare. Our legal system ensures that those who feel their rights have been violated as a result of a decision have the ability to launch a court challenge.

Mr. Gérard Deltell: I am asking you the question precisely because the matter is outside your jurisdiction. You're essentially being held hostage by an independent body that can make a decision to redistribute electoral boundaries. You are forced to deal with that decision, which has the potential to be challenged. Earlier, you were talking about the 26-month timetable and the fact that it wasn't a generous amount of time, calling it a minimum. But this involves more than a minimum amount of time.

Mr. Marc Mayrand: Clearly, anything can happen. We always have to take the context into account. Right now, we are talking about 12 months. If you add to the mix legal challenges to redistribution, it could definitely change things for certain parts of the country.

Would it bring the process to a complete halt? I'm not sure. I'd need to know what the challenge was about.

Mr. Gérard Deltell: I'd like to wrap up by thanking Mr. Mayrand and his team. I'd also like to highlight the fact that making changes to democratic institutions is a very delicate business. It's essential to have time on our side. In fact, working under a tight deadline is the worst thing we could do. It's the same in baseball: having the time to do things right is critical. Time shouldn't factor into a decision as important as this one when we're dealing with the future of our democracy. It's essential that we change the voting system. It's something we hold very dear, so that's why we need to take the time to do it right. My understanding of the Chief Electoral Officer's remarks is that we should take the time to look closely at the big picture before making a decision.

The Chair: That brings us to our ninth inning, so to speak.

Ms. Sahota, you may go ahead.

[*English*]

Ms. Ruby Sahota: Thank you.

I was very interested in the comment you made to my colleague's question regarding engagement in the community of MPs, and the outcome of civic engagement. You said that you had numbers and studies for that. Is that something that you can provide this committee with? I'd be very interested in looking at that.

Mr. Marc Mayrand: Yes, definitely.

Ms. Ruby Sahota: Thank you.

Moving on, as my colleague mentioned getting more engagement, whether it is youth or seniors, I've also seen newcomers who have become citizens in this country. One organization in my community has informed me they've come across people who have been in their apartment for years, whether they're disabled or whatever, because they don't know how to use the services and they don't know how to move around. That's a gap in our system, and we can educate newcomers about that. How about educating new citizens about the voting process? Is that something Elections Canada can do?

Mr. Marc Mayrand: We try to do it. Particularly during the election campaign, we try to reach out. We publish basic information on voting during a federal election in 35 heritage languages. These languages are revised periodically to reflect the immigration demographic in the country. We also try very hard to recruit personnel who reflect the diversity of a riding.

Ms. Ruby Sahota: How so, and what does that personnel do?

Mr. Marc Mayrand: That personnel will do the day-to-day tasks, but they will be able to speak the language of electors in that riding. When they are a large community, we'll make a special effort to reach out to leaders in the community so they refer staff who can speak some of the languages. We have community relations officers, younger officers, who also function in some ridings—not across the country, in some ridings—where there is high diversity, who are tasked to reach out to community groups or community associations, again making sure that they have the information they need to inform their members. We have different initiatives and programs to try to reach out to new Canadians.

One thing about new Canadians, the evidence again shows that the first generation of new Canadians has a lower participation rate, but it picks up very quickly. It seems to be a single generation. There doesn't seem to be a generational transfer there. In a way it's positive. That being said, we need to continue to work on first-generation Canadians.

• (1145)

Ms. Ruby Sahota: Yes.

I have a quick comment. I did notice that in this last election many people in my riding were housebound and didn't know how they could get service in their home. There are some communication issues there that we can improve on.

Mr. Marc Mayrand: Communication and capacity. You need to understand that the test in the act is that the person who is housebound could not put an X on the ballot. That's a very narrow interpretation. Many of the calls we're getting are from people who could mark a ballot, but cannot move out of their home. They consider themselves housebound. But that's not the test in the Elections Act. Sorry to be so technical, but that's what we're facing.

Ms. Ruby Sahota: Okay.

I know you've been avoiding giving your preference on any system, but are there pitfalls or things that you can caution us about? I know that in the report and in your presentation you talked a little about Canadians being used to getting their results on election night and not wanting to wait any longer. That's a pitfall: we may perhaps be steering away from certain systems over others. Are there other cautionary tales you can tell us from other countries?

Mr. Marc Mayrand: In my mind the most important one—and I think the committee is setting itself up for that—is this. I would not underestimate the lack of information, understanding, and education about our electoral process. Most people see it as marking a ballot, not necessarily understanding all the ramifications it entails. I think in changing from a system that is relatively simple and easy to understand from a voter perspective, we should not underestimate the level of education that is required for people to start having a discussion on these matters.

The Chair: Thank you.

Mr. Boulerice.

[Translation]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

Mr. Mayrand, is encouraging people to vote and increasing voter turnout an important part of Elections Canada's mission?

Mr. Marc Mayrand: I think the fairly recent amendments made clear that that wasn't Elections Canada's role.

Mr. Alexandre Boulerice: Yes. We, in the NDP, believe in the importance of increasing voter turnout. For everyone's benefit and so that the analysts can make note of it, I'd like to point out that our Liberal colleagues are talking about involving Canadians and improving citizen engagement, including among young people. I want to draw attention to the fact that voter turnout increases by 7% when a voting system includes some level of proportional representation. I won't ask you to speak to that, Mr. Mayrand.

In 1979, the Pépin-Robarts commission recommended adopting a mixed member proportional system based on the one in Germany. In 2004, the Law Commission of Canada recommended a mixed member proportional system modelled after Scotland's. Under that system, two-thirds of MPs would be elected as they are today, in other words, through first past the post, and the other third would be elected using party lists.

More proportional representation can be achieved in a variety of ways, be it regionally or provincially. At the regional level, in urban areas such as Vancouver, Toronto, and Montreal, it wouldn't be too difficult to imagine merging certain electoral districts to achieve that proportional representation. In rural areas with lower population density, however, we obviously wouldn't group the Northwest Territories together with the Yukon to create a multi-member seat.

Administratively speaking, would it be possible or manageable to have a system where certain urban or suburban electoral districts were grouped together but where electoral districts spanning vast areas retained their single-member seats?

• (1150)

Mr. Marc Mayrand: I think certain witnesses would be better suited to answer those questions. Given the country's diversity and size, the problems you are trying to solve will require a made-in-Canada solution. It's very tough to compare a country like Scotland with a country like Canada, which is essentially a continent. There is no doubt that, in the course of your work, you are going to have to find truly Canadian solutions. Relevant research has been done, so I'm certain you'll hear from witnesses this afternoon who can talk about that.

Mr. Alexandre Boulerice: As democrats, we believe that Parliament should represent all of society's views, the oft-mentioned diversity of voices or plurality of ideas, and should, in fact, be representative of society itself. But we've got a problem. Only 13% of members elected in the last election are from visible minority groups. That percentage represents just half of the visible minorities that are part of Canadian society. In Canada's Parliament, only 26% of MPs are women, putting Canada in 49th place, behind Kazakhstan, South Sudan, and Tunisia. That's not much to be proud of.

Would you say that how we elect our MPs is one of the reasons why it's so difficult for Canada to achieve proportional, or realistic, representation in Parliament, particularly as regards visible minorities and women?

Mr. Marc Mayrand: It may be one of the factors contributing to the problem. How parties operate may be another factor, specifically in terms of the candidate selection process. Measures might be needed. For example, do any measures provide for funding to offset additional child care costs incurred during the election campaign? All sorts of measures can influence participation and diversity. That's my point.

The Chair: You have 10 seconds left.

Mr. Alexandre Boulerice: We could adopt a system based on lists and rules requiring half of a party's candidates to be female.

Mr. Marc Mayrand: That's an idea.

[*English*]

The Chair: Mr. Richards.

Mr. Blake Richards: Thank you.

I want to return to the topic I was on earlier and I think others have been on. I just want to make sure I'm completely clear. I ask for your indulgence if you feel it's being repetitive.

You had indicated when we talked about the topic of the scenarios where the decision is that we're going to want to see a referendum conducted, but also a significant change to the system and those timelines.... I think that what I was hearing from you was that if you receive some kind of an indication prior to the end of this year, basically you could start to prepare for a referendum. I think it was in response to Mr. Christopherson's question

I'm trying to get a sense of this. I think what you were saying there was that if you had an indication in the committee report that comes out by December, you would be able to start to prepare for a referendum and that would give you enough time. Was that what I heard or am I being inaccurate?

Mr. Marc Mayrand: What I was trying to convey is that as this whole process evolves there will be I expect, or I hope, more clarity. To me there are two markers in my mind. The first is December 1, which is the date of the report of this committee, and that will give me an indication of the level of consensus about possible reforms and all these things. As I monitor the environment, that will guide my actions. The next thing is that May 2017 or so I expect to see legislation in place.

I fully understand that to have legislation in place by May 2017 it has to be tabled in early winter, let's say. That's how I'm looking at

things, that there will be events happening that will trigger my activation of various preparations and plans.

• (1155)

Mr. Blake Richards: What I would want to know in a follow-up to that is, is there an absolute drop-dead date? Is there an absolute latest date by which you would need to have the government actually show its intention to actually call a referendum? We get that you might have some indication from this committee and the discussions here, but would there be some kind of a deadline by which you would have to have an absolute commitment that the government wants to call a referendum in order for there to be a referendum and to be able to conduct redistribution if it was necessary?

I just want to get a sense if there's an absolute deadline, that you would see it would be impossible to meet otherwise.

Mr. Marc Mayrand: It's very difficult.

Let's say by next spring there's nothing on the table. Right there, that tells me that unless some urgent meetings happen in the summer it means I won't see anything before the end of 2018. That means January 2019, and that means nine months before the election. I think we're out of it.

Again, I think that's why I put those markers; that's the one I'm using right now and there may be more as the environment evolves for sure.

Mr. Blake Richards: Is there anything you can suggest that could be done now, that the government could do or could look at, in order to prepare for the possibility of a referendum? Is there anything you would suggest could be done now to better prepare or to ensure that is still a possibility and the timeline doesn't get away from us?

Mr. Marc Mayrand: I couldn't speak for the government. I don't know what scenarios—

Mr. Blake Richards: Yes, but if you were asked for advice.

Mr. Marc Mayrand: —are being contemplated by the government and what actions are taking place.

Mr. Blake Richards: What I'm asking is, are there legislative steps or is there anything that could be done to help better prepare for that possibility?

Mr. Marc Mayrand: There are all sorts of things, but probably the government needs also some sense of where this committee is going. Again, the first thing government would have to do is decide what kind of legislation they want to introduce. Do they want to amend the redistribution act? Do they want to amend the Referendum Act? Do they want to amend the Canada Elections Act or is there something else?

However, that's for the government to consider in terms of their plan of action and the timelines for it. I can't comment on that.

Mr. Blake Richards: I understand that you have to react to what you're given, and I certainly appreciate the timelines you have to deal with and we appreciate knowing that you have given us some sense as to what it looks like for you in order to complete these things. We appreciate that.

The Chair: Thank you.

Last on the list, but not least, we have Mr. Aldag.

Mr. John Aldag: Thank you.

I was going to get into the weeds a little, but since I'm now last on the list, I'm going to give you a chance for some final thoughts on four areas.

The first one is, as we move forward on looking at electoral reform, what would you say is the top challenge of our current system that we need to be aware of? Some of these you may have already covered, but I'll just give you a chance to wrap up.

Mr. Marc Mayrand: I did a presentation to PROC some time ago, looking at various social trends. One is that the changing demographic of our population and the increased savvy of Canadians with technologies are all factors. At least as an administrator, Elections Canada needs to get a little nimbler and more flexible, and needs to be empowered by legislation to adapt its services to the circumstances of electors. I think it's something we've seen in recent years, and there is an expectation out there, here in Canada and internationally in convention, that we adapt our service offering—for lack of a better expression—to the circumstances of Canadians. For me, this is one of the top challenges.

I feel that I've exhausted what the current legislation allows me to do to reach out, for example, to those with disabilities, or who are homebound, or to adapt the system such that we don't have lineups at the polls, as we've seen at advance polls.

I need your support on changing the legislation in these regards.

• (1200)

Mr. John Aldag: Sure, and what you're saying leads into my second area, and that's the issue of aboriginal engagement, which we haven't talked about. Do you have any thoughts on how we increase aboriginal engagement?

Mr. Marc Mayrand: Again, it's an ongoing challenge for Elections Canada. Mind you, there has been progress. I think we need to take stock of things. The participation rate of first nations has increased consistently over the last several elections, and it's progressively closing the gap with the rest of the population.

It's very easy for me to say that, but depending on where you live in the country, you will see great disparities in turnout and in participation. Again, that's a challenge: how do you build a trust relationship so we can engage again with communities, and adapt our service offering to their cultural, societal needs?

Again, I'll bring it back to my original challenge: we need some flexibility in the legislation.

Mr. John Aldag: The third one is, simply, what would you say is a unique Canadian attribute that we need to consider when moving forward? Of all the things we talked about, what would be the number one Canadian challenge or attribute that we need to have front of mind as we design a new system?

Mr. Marc Mayrand: I would say that an attribute in Canada is no different from other countries. You will soon see some surveys that have been done from various perspectives, and multiple surveys that show that Canadians have an extremely high level of trust in their electoral system. This is very fragile. Once you lose it, it's very difficult to regain.

My caution, or my point here, is this: be extremely careful and sensitive to anything that's being done that may impact the trust of Canadians.

The Chair: Thank you very much, Mr. Mayrand.

[*Translation*]

I'd like to thank you for joining us today. You've given us insight and key guidelines that have helped us put matters into context. You've clarified multiple technical points.

I, too, want to thank you for your outstanding service during your time in office. I wish you great success in the future.

[*English*]

I would remind members of the steering committee that we have a meeting at 1:15 in Room 112-N.

[*Translation*]

Did I forget something? No. Okay, then. Thank you kindly, Mr. Mayrand.

Our thanks to Mr. Perrault and Mr. Roussel, as well.

Fellow members, thank you. See you shortly.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 005 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, July 7, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Thursday, July 7, 2016

• (1405)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Today is July 7, 2016, and we are beginning the fifth meeting of the Special Committee on Electoral Reform.

Esteemed colleagues, I would like you to be a bit more quiet.

Mr. Kingsley, welcome and thank you for making yourself available to meet with us, on this July afternoon, and to talk to us about electoral reform.

[English]

Thank you for being here, Mr. Kingsley. The floor is yours.

[Translation]

Mr. Jean-Pierre Kingsley (Chief Electoral Officer, 1990-2007, As an Individual): Mr. Chair, I want to thank you and the committee members for providing me with the opportunity to appear before you today, especially since you are beginning work that is of vital importance for Canadians.

[English]

I must commend you for sitting during the summer. I know how demanding your work is as MPs. It's something for which I have always had the most profound respect. I know the sacrifices you make.

It's a pleasure as well to have met a number of you, but I want to mention Mr. Christopherson and Mr. Reid. We did a lot of work together at the other committee, procedure and House affairs, so that is the answer to "When shall we three meet again?"

I heard Mr. Kenney speak yesterday of the strength of Canada, of the fundamental values of Canadians, and of the strength of our institutions. That includes a functioning Parliament with a well-funded loyal opposition; an independent judiciary, as incorporated in our Supreme Court and the other court systems; the Auditor General; the Chief Electoral Officer, to be blunt; freedom of the press; and political parties. I attribute importance to that; that's part of the right of assembly and the right of free speech.

Civil society—the right for us to organize ourselves as we wish in the courts, with legal objectives—is also a necessary adjunct to our Canadian values.

I also heard President Obama say that the world needs more Canada. Because of the quality of our democracy, we rank at the highest level, along with a very small handful of other countries.

I agree with both Mr. Kenney and President Obama.

Because of our international reputation and the quality of our electoral processes, Elections Canada, when we were invited, visited or received visitors in a myriad of delegations from around the world. I can't remember if it was 80 or 100. We met with different countries that came to us or invited us because of the quality of our democracy and the quality of our electoral processes.

Still, a number of questions are being raised in our society today about the role and the appointment of senators, the functioning of parliamentary committees, the authority of the Prime Minister, and our electoral system. The very strength of our democracy lies in our ability to question its functioning and to seek ways to improve it always. This is at the heart of the quality of our democracy.

That brings me to why we are here. We have given ourselves, we claim, a system of representative democracy because we have not yet found a way to govern ourselves by obtaining the participation of the electorate on every societal question, every societal decision. We haven't found the way yet to have direct democracy, as opposed to representative democracy.

Since Confederation, the two main parties have served us well and have been well served by our first-past-the-post system of representation. Third parties, as I call them, are not third in the sense of the Elections Act; other parties have existed or were permitted right from the start. There was never an interdiction on third parties, and we could accept the results of elections because those parties were not garnering a lot of electoral support. We could say to ourselves, "Well, this party got 52% of the votes, 60% of the seats; that's not an issue, since they got 52% of the vote."

However, for some time now the third parties have been having much more success and have effectively become the victims of our own success in allowing different ways of expressing themselves beyond what I've called the two main parties historically.

The awareness of Canadians—and I'm talking about many civil organizations such as Fair Vote Canada and others with whom I have had the pleasure of meeting—of the "distortions" of the results compared to the expressed will of Canadians has been growing over time. The minister, academia, and the media have all given examples. I don't intend to reiterate them and waste the committee's time, because they were here yesterday. Fundamentally, the issue of 40% of the votes getting 60% of the seats has begun to raise questions among Canadians.

The other distortion lies in the fact that it can take 700,000 votes to get one seat under our system, or in another case it can take 30,000 votes, if you're in the governing party, to get one seat. One member, 30,000 votes; one member, 700,000 votes. This is the type of disproportion that is beginning to raise questions. We owe more and more people an explanation, and we owe them the opportunity to review what we could do differently or better.

Other systems of representation have been tried, each with its strengths and its weaknesses. By the way, some of the strengths are viewed as weaknesses by some, and vice versa. There's not even going to be agreement on the strength of a system, but there will be and can be general agreement about general strengths. I would recommend to the committee that each one must be weighed, and the three or four main advantages and disadvantages of the different systems that will be presented to you should be focused on. If you try to focus on the fifteenth factor, you will find yourselves spending a lot of time on what will be disproportionately useless work.

A number of criteria or factors have been put forward for the enlightenment of Canadians. As the minister said, you cannot broaden this. I would like to submit several for your consideration.

The first one is what I would call the relative simplicity of the system or the ballot that we would replace, if we replace the present system. By the way, nothing will be viewed as being as simple as the present system, because we've been at it for 149 years. I don't care what you propose. This is part of the woof and fabric. This is part of the DNA of being Canadian and being born Canadian.

The real point is that the elector must understand the choice that he or she is making. How does my vote translate into our system of representation? Canadians must understand that. At the same time, they must understand how that translates into the establishment of a government and a functioning Parliament. This is at the heart of it.

The second one is the rapport, the link, between the elector and the elected, both for the representation of the electors, collectively and individually, and for the accountability of the elected representatives. These are the two factors that, in my view, exist together and are related to that link between the elector and the elected. Canadians are well accustomed to that rapport, that link. It has to be weighed very carefully if there's going to be any change.

The third factor that I wanted to bring forward is the tendency or the need to reinforce or to favour coast-to-coast-to-coast representation within political parties. I'm talking about national parties that would be of broad orientation and would have representation across the country. In other words, there would be representation in caucus from across the land, and blocks of the country would not be missing or significantly under-represented. I think that is essential for caucus. I'm not sure that we've always obtained that. We may not even have it today. Of course, the same applies to cabinet, but I'd put more emphasis on the caucus because I know what happens at caucus, and this is vital to our system of representative government.

A corollary to that would be to try to avoid intraparty competition between candidates at election time. If you have candidates from the same party vying for the same seat and they're in competition with one another, I think that affects party unity, and that aspect should be weighed very carefully.

The fourth factor is the ability to obtain parity between women and men. I heard all your conversations, by the way, both yesterday and today. I was glued to my television set. What can I say?

Some hon. members: Oh, oh!

Mr. Jean-Pierre Kingsley: I couldn't stay away; you were so fascinating. It is important.

● (1410)

The fifth one is that the Canadian reality must be reflected in the system of representation. By that I mean we simply have to take into account that there are 36 million of us in the second-largest country in the world in geographical expanse. We're sparsely populated in many of those areas—as a matter of fact, across most of the country—and yet we're significantly urbanized for the population we have. Ingenuity and compromise will be required. In other words, we may have to borrow from one system for one part and another system for another part. Nothing prevents us from considering this.

Canadians must be able to see themselves in their representatives and in the system by which they choose them. This is what I mean by “must reflect the Canadian reality”. This is what we're aiming for. That's why I'm talking about parity between men and women. The corollary to the constitutional right to vote is effective representation. It's all right to have the right to vote—section 3 of the charter—but it has to mean something. It has to be effective representation, and the Supreme Court has used that expression in citing our right to “effective representation”.

I have a few words about compulsory voting. Compulsory voting is, first of all, a misnomer, or at least it should be made a misnomer. No system should be contemplated whereby electors must choose only among candidates. That is unthinkable. There needs to be the right to have a choice in the marking of the ballot. “I do not wish to vote” should be one of the choices, okay? In this way you would no longer have compulsory voting, but compulsory attendance at the polls. You have free choice. If you don't like any of them, you don't even have to say you don't like any of them. If you're not aware of the issues, you don't have to be aware of the issues, and you can just say, “I do not wish to vote”, or words to that effect.

Some people will consider it—and I can hear the arguments, because this is a value-laden consideration—as opposing a fundamental human right not to participate. One can only wonder what debate would be taking place in Australia if compulsory attendance at the polls was being debated over there and they wanted to go to the system we have. I can only assume the debate would centre on the civil obligation to fulfill one's civic duty. I can hear them discussing it: “Why do we want to leave our system? Right now our system's citizens have an obligation to let us know what they think, and this is all part of...” It is not.

The point I'm trying to make is in Canada and in Australia it is not the fundamental value of our system. We have to answer the question of what best fits the temper of Canadians and what minimal level of electoral participation gives legitimacy to our elected representatives and to our government.

Legitimacy is tied to participation; it is not tied to legality. Legality is, of course, subsumed. It is assumed. If you don't have legality, you don't have legitimacy. However, even if you have legality and you have the best processes, at what stage do we say, "Pfit, we flipped. There's doubt about this government's legitimacy in terms of participation."

What else can we do about participation?

Online voting is coming fast. That light at the end of the tunnel is a train. The manner and speed of its implementation are critical. The analogy with online purchasing and banking—and I heard the arguments this morning—is flawed. The argument is flawed, and Marc Mayrand answered that question. Banks and other institutions hedge the risk and they remove the risk, at least most of the time, from the individual. A margin of error is acceptable, against which they successfully hedge, but what margin of error is acceptable to us with the electoral system?

Online voting should be considered initially—and I repeat what Marc said this morning—for electors with mobility difficulties. I will add one: Canadians who are not in their riding. Maybe one day we'll have voting in the riding, as opposed to being tied to a poll—that should be coming, and let's see what Marc has to say about it—but from one end of the country to the other, if you're not in your riding, you should still be able to vote, and this would be one way of doing it.

• (1415)

For Canadians abroad, there's still a legal case before the courts as to whether or not this applies universally to Canadians or to those who have been gone for fewer than five years.

The question we have to ask ourselves is this: the moment we start to introduce it, what are the ID requirements going to be? When I want to register, what do I have to give? Is it my driver's licence, my fingerprints—Mexico has fingerprints, all 10—a photograph of my left iris? Then, how do we check that identification when people are voting? What do we have at the centre?

What's required at the beginning, then, is one issue about security of voting. The other one is the security attached to the transmittal of the vote and then the transmittal of the results. Here I'm going to suggest that we will have to consider doubling systems, and having separate systems whereby we control that.

I may be completely wrong. There may be a new technology that will be invented, but at this stage I'm thinking one way of introducing it would be in that way. Eventually we will see it. People of a certain age have less of a tendency to live at the end of their gizmos, but there are several generations who are living at the end of their devices now. They're going to be old people one of these days, and they're going to say, "How come I can't vote on this device? This is my only way to relate."

Those were comments I wanted to make. Again, I appreciate the opportunity.

• (1420)

The Chair: Thanks very much.

If members don't mind going past four o'clock by a couple of minutes, we can do two rounds of five minutes—a very tight five minutes—for each MP. Is everyone good with that?

It's going to be tight five minutes, and the five minutes cover both the question and the answer.

We'll get going with Mr. DeCoursey.

[*Translation*]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Kingsley, for joining us today. I applaud the devotion you have shown to this issue over decades and the work you have done for Canada, Canadians and our democratic institutions.

As I already told you, in my student days, I had the tremendous honour to hear you speak, here on the Hill, on various uniquely Canadian themes.

[*English*]

I had the opportunity to hear you speak at length about the importance of civic engagement, about the importance of casting a ballot. It's ever since impressed upon me the fundamental role that Elections Canada and the chief electoral officer have to reach out and sensitize Canadians, and educate Canadians about the importance of their electoral system.

I wonder if you can speak a little about the role that you saw in your time as chief electoral officer in reaching out to Canadians, about the current mandate of Elections Canada, maybe about how that incapacitates some of those opportunities, and about what opportunities could be available with a more robust mandate for Elections Canada.

Mr. Jean-Pierre Kingsley: First, thank you very much for reminding me of those wonderful times that I had with the Forum for Young Canadians. I enjoyed each one of those opportunities, and it's good to be reminded.

Second, with respect to the present mandate, Mr. Mayrand explained this morning just what he can do, so I won't elaborate on that. You know how that came about. The curtailment of the role of Elections Canada and the chief electoral officer in reaching out to the actual electorate occurred only two years ago.

When I was chief electoral officer, Elections Canada both perpetuated and built upon what my predecessor had done when he was advertising about the right to vote and how to go about it, and participating in forums where he could effectively propagate this importance.

What is important for young people is to understand not how we do it—that's essential—but to understand what democracy is about and why this is so important to them and their future. That's missing in a lot of cases. If we succeed in translating that to them, we will succeed a lot.

I think it was in 1997 that Parliament put it in the statute that the Chief Electoral Officer may reach out particularly to groups that are significantly disadvantaged, blah, blah, blah, about this. That's when we embarked upon particular missions with minority groups and did more intensive things with the people who were disadvantaged because of their inability to reach the polls, people with what we consider disabilities, and aboriginal Canadians.

We met with these groups to find out how to reach out to their membership. We didn't try to reach out directly. What we found to be particularly useful, by the way, when we reached out to the aboriginal groups, was to have them transmit the message. This occurred particularly in the 2004 election, when we got the National Chief of the Assembly of First Nations, as well as other leaders, to mount campaigns with Elections Canada to speak to the people.

This is what we set out to do, and as I understand it now, this is no longer possible under the present mandate.

• (1425)

The Chair: You have about a minute.

Mr. Matt DeCoursey: Thank you for the answer. You spoke about any other system not being as simple for Canadians to understand as the one we currently have, so I think the need is being impressed upon us to have a robust education and outreach and sensitization strategy for Canadians. I hope someone else will pick up on this when their time comes.

You mentioned the link between electors and the elected. I wonder, in the brief time you have, if you can start to expand on what you mean by that.

Mr. Jean-Pierre Kingsley: The Canadian reality now is that we vote for one person among a group. A linkage exists. If you don't know who your MP is, you can find out. If you need to be represented in the bureaucracy for some reason, you can reach your MP. That's an important value, and you can hold that person accountable at the next ballot.

The Chair: We have to go to Mr. Reid now.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you.

Thank you, Mr. Kingsley, for being here. You're right in saying we go back a long way. I don't want other members of the committee to read too much into this, but I actually have known you longer than I've known my wife.

Some hon. members: Oh, oh!

Mr. Scott Reid: I've always respected the depth that you brought to the role when you were chief electoral officer and also the way you contributed to the national debate on various aspects of democracy since that time.

I wanted to start by asking you about a quote you made in an interview on June 5. It was regarding the Referendum Act. I'll start

by quoting the Referendum Act and then I'll come back to your quote.

The Referendum Act says in subsection 3(1), “Where the Governor in Council considers that it is in the public interest to obtain by means of a referendum the opinion of electors on any question relating to the Constitution of Canada, the Governor in Council may, by proclamation, direct that the opinion of electors be obtained by putting the question to the electors of Canada” in a referendum. That's the end of that quote.

On June 5, on CTV's program *The West Block*, you made comments that I think have been misinterpreted in some of the media. What you said, and I'm quoting again here, is “legislation would have to be significantly changed” in order for there to be a referendum on electoral reform, “And the number one consideration: you can only hold a federal referendum in Canada on a constitutional matter. And changing the electoral system is not a constitutional matter.”

Then, finally, just as a representative example, I see coverage like this—I'm quoting again from a story—which said that many people were left “to wonder if the opposition Conservatives failed to actually read the rule book before calling loudly for a national vote on electoral reform.”

This was based upon their reading of your comments, but I think that writer and some others misinterpreted what you were saying. You can correct me here, but I think what you were saying was simply that in order to have a referendum on a non-constitutional matter like electoral reform, you would have to amend the Referendum Act and allow other non-constitutional questions to be placed. Am I right in my interpretation?

Mr. Jean-Pierre Kingsley: Sir, you're absolutely right, and that's exactly what I meant. I wanted to thank you for the question you raised yesterday, which made it very clear that I was speaking in a non-partisan manner when I said this. I do not care what political parties say or do as individual political parties in any respect, so you're absolutely right about that.

Mr. Scott Reid: Thank you for that.

Mr. Jean-Pierre Kingsley: The fact that some writers interpreted it to mean that some people did not do their work is not fair. It's as simple as that.

Mr. Scott Reid: Actually, I must say that I don't think any reasonable person could have interpreted you as taking a partisan position at all, but if you read just the coverage and not your comments, it did look as if you were saying that you can't get there from here, whereas I think you were actually saying that you have to do the following thing to get there from here.

Mr. Jean-Pierre Kingsley: The very fact that you're raising the question is an indication that I did perform a public service, effectively.

Mr. Scott Reid: That is true.

I wanted to ask this other question, and I have a feeling it will take more time than we have, so I'll pose the question now, and if you can't answer it now, then I'll just remind you of it when I get my second round.

You were the chief electoral officer when the last referendum took place in 1992. I just want to go through some facts that are relevant here. The Referendum Act received royal assent on June 23, 1992. A referendum was held on October 26, 1992, four months and three days later. The actual question was one that was crafted at the tail end of August. Specifically, the question in the referendum was "Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?"

When I look at that, I see a much more compressed timeline than we had contemplated, a four-month timeline. I wanted to ask how you made that happen and whether such a feat could be replicated today.

The reason I ask this is that Mr. Mayrand has indicated it would require six months to organize and carry out a referendum, so is it possible to go below that, or were there circumstances in those days that made it different and made it possible to have a more compressed timeline in order to hold a referendum?

• (1430)

The Chair: Would you like, Mr. Kingsley, to answer that when it comes around again, because our time is up?

Mr. Jean-Pierre Kingsley: Sure.

The Chair: Thank you.

Mr. Christopherson is next.

That will be a very interesting answer. We're looking forward to hearing it.

Mr. David Christopherson (Hamilton Centre, NDP): Are you setting me up?

The Chair: No, not at all.

Mr. David Christopherson: Mr. Kingsley, take a minute of my time and give an answer to that question.

The Chair: Well, there you go.

Mr. David Christopherson: There you are, Chair. You got what you wanted.

Voices: Oh, oh!

Mr. David Christopherson: Go ahead, please.

Mr. Jean-Pierre Kingsley: I heard Mr. Mayrand talk this morning about the six months' minimum that he would require, and I generally would agree with that.

One must remember that the experience of the 1992 referendum is easy to trace. There's a lot of documentation at Elections Canada, in the media, and elsewhere, so a lot of the provisions of the statute could easily be replicated.

There's a lot that would have to be changed. As I said, one would be the constitutional reference, if it's not a constitutional question, as well as references to the Canada Elections Act. There are only 40 sections to the Referendum Act. When you hold an election, there

are 300, 400; I don't remember how many. In any case, there were references that would need to be refreshed.

The reason we were able to succeed was that it was such a high political imperative at the time. Initially, most of the members of government—the prime minister and others—did not want a referendum. That changed when the provinces started to say that they had to hold a referendum. People started to get concerned about what the provincial question would be. Would it be the same? By holding a federal referendum, the question was the same.

In terms of the ability to carry it out, it was because I was able to take the Elections Act, the organization of Elections Canada, and just make it work for the referendum. We went at it as if it were an election, with the same returning officers and the same hiring patterns. Everything was just replicated. That simplified matters within a reasonable six-month period.

Mr. Scott Reid: Thank you.

And thank you—

Mr. David Christopherson: You owe me two. All right.

In the time I have left, Chair, perhaps I can squeeze in a question.

First of all, sir, everything I said about Mr. Mayrand I apply to you. Thank you for your contribution. You still continue to provide guidance for us, and I thank you for that.

In addition to being our chief electoral officer from 1990 to 2007, you were also the president and chief executive officer of the International Foundation for Electoral Systems, a Washington-based NGO. One of the beauties of having you here is that you have all the informed knowledge that Mr. Mayrand has, but you also have the ability to give opinions, which is more difficult for him while he's in office.

I want to ask you at a basic level about the whole notion of a 39% vote. The current government actually got less of the popular vote than the previous government. It was by a small amount, but it was smaller nonetheless. The idea that 39% of the vote gets you 100% of the power is a problem for some of us.

We can take my own riding as an example. The government talks about moving to a majority. They talk about that as a preference, an alternate vote. This term I got 47%, but last election I got 57%. Fair enough; that's a nice clear majority. However, the 43% who didn't vote for me had no voice. Their votes had no effect. I just walked away with everything, as did everyone who won on first past the post.

Can you just give a civics lesson to Canadians as to why, from your international experience, it makes sense that we would move from our comfort position, our comfort zone of first past the post, into something that more accurately reflects the will of the people?

•(1435)

Mr. Jean-Pierre Kingsley: Well, sir, from my international experience, since you raised it, I can't think of a country that went with a first-past-the-post system when they were installing a democracy, because of known difficulties. Now, there may have been one, so I can't say there were none, but you're getting the gist here.

That was why I indicated that I think we need to look at this. Canadians have to come to an agreement on how we do it, and if we maintain the present system, the people will simply have to lump it.

Mr. David Christopherson: Sorry? Do you want to expand on that? You're basically saying that if we don't make a change, Canadians will be left with a system that doesn't as accurately...? Am I understanding you there?

Mr. Jean-Pierre Kingsley: Given the fact that Parliament is focusing on this in such great detail, if you do not come out with a new system, then the people who are complaining about the system that's in place now will simply have to understand that this is the way the matter has been settled and it is part of the compromises that Canada is willing to make.

Mr. David Christopherson: Right.

Mr. Jean-Pierre Kingsley: Do I agree with that or do I not agree with that? That is another issue. I wish to see a fair process undertaken here, which is why I'm here.

Mr. David Christopherson: You have a preferred model that you've talked about. Can you expand on that for us a little?

Mr. Jean-Pierre Kingsley: What it was, and I know—

The Chair: Very briefly, please. Mr. Thériault is waiting to ask a question.

Mr. Jean-Pierre Kingsley: Okay.

May I come back to that later, sir?

Mr. David Christopherson: Well, let's see what the next person who has the floor does.

The Chair: I told you they'd be tight five-minute rounds.

[*Translation*]

Mr. Thériault, the floor is yours.

Mr. Luc Thériault (Montcalm, BQ): Good afternoon. I really appreciate your testimony.

Would it not be crucial, according to the spirit of the Supreme Court's Figueroa decision, that, in addition to establishing a voting system that reflects the plurality of representation and the will of the people, state funding be made more equitable?

Mr. Jean-Pierre Kingsley: State funding has been more equitable in the past, back when a subsidy of \$2 per vote cast for a party was given to that party, every year, on a quarterly basis. I think that was a significant improvement. I personally recommend going back to that formula, but without necessarily keeping it at \$2.

At first, the figures we had at Elections Canada easily justified a subsidy of \$1.50. That amount may be \$2 today, but I would gladly accept \$1.50. That is a more equitable way to proceed, even though it's not perfect. It is not possible to establish a perfect mechanism to

maintain fairness within the electoral system. Invariably, some people benefit and others are disadvantaged. It's a matter of minimizing that inequality and making the situation acceptable from the perspective of a reasonable Canadian.

Mr. Luc Thériault: That would at least help small parties hold on to their votes in an election. By receiving that funding, they could make their voice heard between elections and participate in the democratic debate. That is one of the aspects highlighted in the Figueroa decision. The decision indicates that Parliament does not necessarily have to have a Green candidate—and I apologize to Ms. May—but that the Green Party or other fringe parties must from the outset be equal and have the same means to have their voice heard during that democratic debate brought on by an election, and thereafter. Otherwise, this disappears.

It is clear that you have a bias toward a diverse system. You say that this system contains an important element, which is the relationship between elected representatives and the electorate.

I know that, for the first aspect, there would be a first-past-the-post system, but what would you recommend for the other aspect?

•(1440)

Mr. Jean-Pierre Kingsley: Do you want to know where I would introduce proportionality in the results?

Mr. Luc Thériault: Yes.

Mr. Jean-Pierre Kingsley: That brings me to answer the question that was put to me. I would now like all the media to listen carefully. I was not making a proposal, but rather a suggestion, since I have not had the time to develop it.

That being said, here is my suggestion. Since Canada is so vast, we would keep the first-past-the-post system for remote, rural or large ridings. About 40, 50 or 60 members would be elected using that system.

As for urban areas, we could cluster four or five current ridings and ensure that four or five members are elected by the voters based on the vote results. I will not defend the following to death, but according to my way of thinking, a voter would vote for a party or a candidate. The candidates would be selected by the new cluster association of the four or five ridings. So the people would be choosing.

As for gender parity, let's say that there are five seats to fill. I would ask that three men and three women be elected, and that the party choose, at a local level, one man, one woman, one man, one woman, one man, one woman, and so on, so that it would always be one, two, one, two, one, two.

In short, the voter would choose. They would vote, as they currently do, for a candidate or a party. It would be the same thing. There would be only one vote. From there, it would be determined, for instance, that 60% of people voted for a given party, and that there are three seats. So we would be talking about 20%.

The Chair: Thank you.

[*English*]

Madam May is next.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

It's an honour to have you here, Mr. Kingsley. Thank you so much.

I will come back to your proposition. Since we do have the possibility of asking you something pretty direct, I wanted to know if you believe, with your experience as our chief electoral officer in the past, that given the distortions we experience under first past the post, our democracy will be improved when we get rid of first past the post?

Mr. Jean-Pierre Kingsley: I'm not going to hedge and I'm going to say what I think. I think that our democracy will be improved once the work of your committee is done and the decision is made by Parliament and Canadians about what the best system is for us—or the least worst system, as Shakespeare would have said.

I attach a lot of importance to the process that's being followed here. I have raised issues, values that I think are fundamental, but how you address them....

You represent the people; I don't. That's your job, and I don't want to pre-empt that by saying one thing or another. Democracy will be improved once we make a final decision.

Ms. Elizabeth May: Thank you.

You concentrated in your opening statements on the distortions within the first-past-the-post system, in that 40% of the vote gets 60% of the seats, or as Mr. Christopherson puts it quite rightly, 100% of the power.

You noted in your introduction that another preoccupation of Canadians lately has been concern about the power of a prime minister's office. I wondered if you wanted to expand on that, because that's an almost unique feature of the Canadian system, even as compared to other Westminster systems.

• (1445)

Mr. Jean-Pierre Kingsley: I was highlighting several aspects that have come forward for a number of years about how power is concentrated. The system that was established by Prime Minister Pierre Elliott Trudeau—and I was a middling public servant at the time, but I was participating in it—was meant to ensure that there was a unity of direction on the part of the government, as opposed to ministers flying off in directions that were contrary to what the party wanted. Presumably this must have been occurring, because he saw this system as a necessity, but over time, various prime ministers utilized that machinery more to centralize the authority of the prime minister, and a lot of people consider that to be problematic in our democracy.

That's not directly related to the particular issue here, but it is part of what is feeding into—and I consider this to be natural and part of democracy—the need to review certain elements of our democracy. The strength of our democracy is the ability to review it, including a review of that particular issue.

Ms. Elizabeth May: Thank you.

I wanted to go back to the line of questioning that my friend Scott Reid was asking and clarify your view on our current Referendum Act.

Just to clarify, it's your view that while Parliament can certainly decide to hold a referendum on electoral reform, we would have to revisit, revise, and amend our current Referendum Act before we could do that. Is that a correct statement of your view?

Mr. Jean-Pierre Kingsley: We would have to do that even if we were to raise it as a constitutional question, because there are references in there that no longer apply and they need to be rectified by Parliament. At the same time, it would allow an opportunity to review the financing regime and other aspects.

By the way, I will say that regime was exceedingly good in the allocation of free broadcast time. I think it set Canada apart so well in its Referendum Act. It set us apart with the one hour and a half to both sides, and the broadcasting arbitrator being able to allocate time to everyone who was interested in getting broadcast time. They had to get the money to put up their ads and to prepare their ads, but they did not have to pay the broadcasters. This was such a deep strength of our Referendum Act.

Ms. Elizabeth May: I think I have about 40 seconds left.

I wanted to ask about your comment around our section 3 charter right to vote and the fact that we also, as you put it, have a right to “effective representation”, and that the Supreme Court has commented on this.

Is it your view that under our current system of first past the post, some voters have a right to wonder whether their vote was an effective representation?

The Chair: We have 15 seconds.

Mr. Jean-Pierre Kingsley: It is my view that we owe an explanation to the people who feel that way, and they are numerous. There are many people. There's Fair Vote Canada, and they encompass a lot of other organizations. We need to bring them into the fold somehow.

The Chair: Thank you.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Thank you very much. Thank you, Mr. Kingsley, for being here. While I haven't known you as long as Mr. Reid has—we've just met—I did appreciate your presentation.

You mentioned a couple of criteria or suggestions for us. One was relative simplicity of the ballot. The second was the link between elector and elected—and you elaborated a little on that—and the third was the tendency or need to reinforce coast-to-coast representation in political parties, cabinet, and caucus. Could you elaborate a little more on that?

Mr. Jean-Pierre Kingsley: I'm alluding to the fact that right now in the western provinces people voted one way. There's representation here, and some parties are under-represented. This body's missing in caucus.

If we go to eastern Canada, the reverse is there. If we go to Quebec, it's the same thing: there are fewer Conservatives than should be there. I'm saying we lose out, because national decisions are made at the caucus, at least by the parties that have a national ambit, and that's part of what they want to do. They don't want to represent regions. I'm saying we need to facilitate that, and one way would be to do some kind of proportional or mixed proportional system, including the suggestion—not the proposal—that I've made, which would allow us to achieve that to a large degree, although not to a full extent. Again, we must realize that no system we devise, no matter what it is, will be perfect.

Mrs. Sherry Romanado: Okay. You answered the second part of my question, which would have been if you had a suggestion on how we could address that.

How would coast-to-coast representation affect intraparty competition?

Mr. Jean-Pierre Kingsley: Intraparty?

Mrs. Sherry Romanado: Yes, you mentioned avoiding battles—

Mr. Jean-Pierre Kingsley: I was making an allusion to what is called an open list, which is where the electors rank, within the same party, which one they prefer.

I've never been a candidate, but I'm saying that if I were a candidate and my name was fifth on that list, and I'm expecting only four to be elected, I would really bust my proverbial to be among the first four.

There would be some temptations. I'm sure you face some temptations in your electoral things when it comes time to do certain things. Of course, party discipline might come in, but we know what that gives us.

That's what I meant. If you want to see that introduced into the whole game, so that within the same party at election time people are choosing among the candidates of the same party, I'm really saying you have to think very seriously about what that does to the campaign at that level.

• (1450)

Mrs. Sherry Romanado: Do I still have some time?

The Chair: You have two minutes.

Mrs. Sherry Romanado: You also talked a little about the importance of that rapport between the elector and the elected. I had seven candidates in my riding, including me, and I benefited from first past the post. That's the reality. Regardless of who voted for me or who didn't vote for me, I represent them all, in my view. I keep that direct representation. I think that the onus is on the elected official after the fact to maintain that rapport, regardless of who voted for them.

I'm curious about what system you think would address that aspect, if we already have that commitment. I'm pretty sure my colleagues around the table have that commitment. Regardless of who voted for us or who didn't, we have that rapport already established.

Mr. Jean-Pierre Kingsley: There are systems that would allow for some kind of direct rapport. What I'm saying to you is you must weigh very carefully if it's going to be a system that is equated with,

mainly, proportional representation. In other words, if 30 seats are going to be decided in this particular province by a proportional system, and there are 210 candidates if you multiply by seven or whatever, then what is the link between the elector and the elected among those 30?

To come back to the suggestion that I made, if you're choosing four or five, is it possible to consider that to be an acceptable linkage? Can the elector know and easily reach one elected MP? Might the elector even be able to choose among the four or five the one he or she prefers to carry his or her issue, or appeal to all five when it comes time to represent a particular point of view of national import?

The Chair: Thank you.

Mr. Deltell is next.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

It's a great honour for me to meet you. I have known you for decades, but, unlike my colleague Mr. Reid, this is the first time I have shaken your hand, just like my colleague Ms. Romanado, whom I also wish to greet.

Mr. Kingsley, you said earlier that

[*English*]

if we make any change, we need “a fair process”.

[*Translation*]

What do you mean by this term, more specifically in the context of changing the voting system?

Mr. Jean-Pierre Kingsley: Mr. Deltell, it was also a great pleasure for me to meet you. I have actually been watching your evolution on the provincial stage, in Quebec, with a great deal of respect.

For me, a fair and equitable process is exactly what you are currently doing: considering the possible choices, the weight of major factors associated with each of them, assessing the advantages and the disadvantages—and we know that there is no perfect system—and, finally, determining which system is best for Canadians in your opinion.

This committee must ensure that Canadians know about your deliberations, so that anyone who is interested may not only know what your recommendations are, but also have an opportunity to be heard.

In other words, I anticipate two-way communication. I would even go further by saying that it is important to analyze the feedback you are getting from Canadians intelligently. Some companies specialize in providing an intelligent analysis of what Canadians are saying to us. They do more than simply provide a report without a real assessment. Things can be assessed. That is what I am trying to say, Mr. Deltell.

Mr. Gérard Deltell: Thank you, Mr. Kingsley.

You say that Canadians must know about our deliberations. I personally do a lot of work in my riding, on the ground. But people were quite surprised to learn that I had to come to Ottawa twice a week in July to sit on this committee. That said, I love what I do.

You also say that we should carry out an intelligent analysis. Yet we have only a few months. Our schedule is very tight.

In that sense, do you believe this is a fair procedure?

We have just a few months to carry out this analysis, which you consider so important.

● (1455)

Mr. Jean-Pierre Kingsley: As we say in Latin, *tempus fugit*. In practice, you have a very tight schedule. I grant you that, and I agree. However, as members of a Parliamentary committee, you have access to everything that has been done in Canada by various citizen assemblies, to the systems they considered and to those other Canadians will talk to you about.

I believe that you have to consider them very seriously and then come to a decision. In my opinion, it's possible to do so, but it will require you to be here this summer. Then we will see. I cannot guarantee it. I cannot say that I am absolutely sure, but I think it is possible.

Mr. Gérard Deltell: Just a few seconds ago, you insisted on us, parliamentarians, knowing which system is the best.

Do you sincerely think that an electoral reform of such importance should be left in the hands of parliamentarians? Should it not rather be left in the hands of Canadians?

Mr. Jean-Pierre Kingsley: I also referred to Canadians in my comment, Mr. Deltell. I should have perhaps mentioned it first, but I was thinking logically in terms of the procedure you have to follow here. That's all.

When it comes to ways to find out how Canadians feel, we are in a representative democracy, and we encourage you to consult your constituents to give you some food for thought.

It's a matter of figuring out how Canadians feel about what you are doing and what you will propose.

Mr. Gérard Deltell: The least we can say is that the schedule is very tight. Like you, I recognize that. I also recognize that, as parliamentarians, we have a job to do, but Canadians will ultimately be the ones to provide us with insight and, more importantly, inform our decision.

Let's take the exercise further. As you have been in charge of Elections Canada for 17 years, I would like to know whether you feel it is more important to hold a community consultation process, in front of a café, or rather hold a referendum where all Canadians will have a vote.

The Chair: You have 10 seconds left. The schedule is indeed tight.

Mr. Jean-Pierre Kingsley: I cannot answer in 10 seconds.

Could I answer this question in the second round?

The Chair: Okay.

Ms. Sahota, go ahead.

[English]

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

Thank you, Mr. Kingsley, for being here today.

At the 2000 federal election we saw a very low voter turnout, and you had stated that perhaps requirements should have been made at that time. What do you think about the decrease in voter turnout? However, I think in this 2015 election we have had a little bounce back in voter turnout, which is great.

Do you believe that participating in electoral reform and perhaps getting a new system in place would increase voter turnout? In your introduction, you talked about perhaps not compulsory voting, but compulsory attendance, so you can frame it in those terms if you like.

Mr. Jean-Pierre Kingsley: I wanted to frame it in those terms because that should be the reality. If there are five candidates and you must vote for one of the five, I don't believe in compulsory voting in that situation. I made that very clear.

In the year 2000, when I expressed myself in the media—and it took me 16 years to come back to that particular issue, in a sense—I said that we should be considering it. I did not say we should do it.

I wanted to send an alarm, and I sent that alarm again today because of the need for legitimacy of the results. I don't know if 50% attendance at the polls is sufficient to lend legitimacy to a government. If 50% of the people voted, and 39% voted for the governing body, and it got 58% of the seats, at some point in time you start to ask what's going on. That's why I made that comment at the time. It was branded as though I had recommended it, but that is not the fact. I am not recommending it today either. I have given you what I consider to be things to consider. I don't make these decisions on behalf of other people, but I will express my views about the factors to take into account and about the values that are assumed in that.

I've overlooked another part of your question.

● (1500)

Ms. Ruby Sahota: Do you think voter turnout would increase? I have a question from Twitter too. I should give a shout-out to Andrew Campbell, who asked me a Twitter question: "How much higher is voter turnout in countries with proportional representation?"

Do you have those facts? What is your opinion? If we have a change, would voter turnout increase? Essentially, that's what we want. We want people to participate in the democratic process. We want their voices to be heard, so we need an increase in voter turnout. Would proportional representation bring about that increase?

Mr. Jean-Pierre Kingsley: I remember reading some studies. There was one, I think by Professor Blais, and I think initially there was a view of about 7%, but I don't know if this has been sustained over time. I may even be wrong about the percentage I'm talking about.

There was a view that it might tend to increase it. I think that is it. However, there is also a view that it would be marginal, so I don't know where the answer is on that front.

Ms. Ruby Sahota: In your opinion.... That is the reason we have you here as a witness: not to impose a system on us, but to get your expert opinion, because you did serve us for so many years.

You talked about simplicity of the ballot, so would a certain system be more prone to getting more people out to vote?

Mr. Jean-Pierre Kingsley: It's possible that one system as opposed to another might have a slight increase or a slight impact on voter turnout. Because you're asking me the question directly, what really matters is that if we're going to keep a voluntary system of voting, we simply have to get to young people. They were voting at 38% at the previous election, and it was on a downward trend. It went up to about 58% at the last election, and that made a difference, by the way. I'm not saying that only young people were among that group, but the 58% were young people.

We're simply not reaching out to them. We're not succeeding. You, the candidates, are not succeeding, and you and we, the political parties, are not succeeding in reaching out to them where they live. They no longer communicate as we communicated, and they have to have an appreciation of what it's all about. I alluded to this in my earlier remarks.

If we're going to keep a voluntary system of attendance at the polls, we simply need to do more to reach out to people about the importance of voting, and not only about how to do it, but about why this is tied to democracy. That means engaging the educational system and the relationship between young people and how they relate to one another. They don't relate to television; we know that. Why do we still do television?

[*Translation*]

The Chair: Thank you.

We will now go to Mr. Boulerice.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

Thank you, Mr. Kingsley, for joining us this afternoon.

I won't be making an overly personal confession by telling you that I began my political involvement in 1990 as a volunteer. Let's just say that you were always Mr. Election during my first years of volunteering.

We are talking about an extremely complex and important issue that has consequences on political choices and on the way Canadians express their choices. However, this issue is pretty unknown. We, here in the room, and the people watching us at their office, are interested in the voting system and the electoral reform. However, it is not always easy for ordinary people to understand. In fact, even the current system is often poorly understood. People feel like they

are voting for the prime minister, while they are actually voting for a member, a local candidate. Those are things we hear when we go door to door and shake hands on the street.

Don't you think that, as part of this important reform—which we want at the NDP, let me be clear—the government has a responsibility that goes beyond the public consultations we will all conduct? Don't you think we should implement an education and awareness-raising program to explain exactly what this is about? That won't be done simply through the work of this parliamentary committee, as our work is not followed by the majority of Canadians.

What do you suggest?

Do you not think that the government would show some consistency by investing the time, the means and the money necessary to better explain what this is about?

Mr. Jean-Pierre Kingsley: Yesterday, I heard the minister explain to you why \$8 million or \$10 million had been allocated to her department, the Privy Council Office, and \$300,000 was allocated to you. I think that the committee should play a leading role. I agree that the government has a responsibility, but the government is the government. I am talking about a parliamentary institution—you. I believe that Parliament should try to reach the country's electorate directly.

I think that the solution doesn't lie in asking the government to take on this responsibility. It will do it, and that's great, but you should have a much more imposing structure, including mechanisms for sharing and receiving information, as well as analyzing in depth what you are hearing from Canadians who are tuning in.

At some point, things will stick and people will understand that significant changes are being considered. That will be accomplished through the media and your work. If you use social networks, which many people are involved in—be they younger or older—there will be a snowball effect. When people learn about a change to the voting system being currently considered, they will be surprised, they will tell themselves that they would benefit from staying tuned and they will learn about what is happening.

I have personally believed my whole life that Canadian voters are reasonable. If that's not the basis of our system, what is? Canadians are capable of understanding what is at stake in our democracy. If that's not the case, what is the point of democracy?

• (1505)

Mr. Alexandre Boulerice: That's a good question, Mr. Kingsley.

Last December, the Broadbent Institute conducted a survey, which was insightful. In fact, it could be noted that people felt it was a priority to ensure that the voting system makes it possible to represent plurality, as well as the diversity of voices and political opinions within Parliament, and to reduce the major distortions created by the first-past-the-post system.

Another priority was to make the voting system simple and make it possible to have direct access to a member representing a particular region or a community.

I would like you to draw on your experience and tell me what international voting system could address these two concerns of Canadians, in your opinion.

Mr. Jean-Pierre Kingsley: The question is specifically about certain voting systems, and I am not saying that they are the ones I favour. That said, a mixed system is an option. That system makes it possible to elect a member based on a defined geographic location, while a certain number of other seats are established based on a proportional system. In the case of Quebec, I believe that the first-past-the-post system was used for 75 seats and the proportional system was used for 50 seats.

According to that system, voters can maintain a direct relationship with a member.

I personally suggested another system, but it should be determined whether it would be acceptable for there to be four or five members, whether the relationship would be sufficient. If you are against that, it should be eliminated. Your work will consist in eliminating what you are against.

[*English*]

The Chair: Monsieur Richards is next.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you, Mr. Chair.

I want to return to something you were talking about. I forget who asked you the question, but you were talking about the system that you had suggested. I know you said it wasn't a proposal you were making, but it's the one about having two different types of systems, one for urban parts of the country and one for what we'll call rural parts of the country. I have a few questions around that idea.

You explained what you would see that system do and how it would work, but you didn't really give us any sense as to why we should look at that system or why it would be a good system for Canada. What would be your rationale for such a system?

Mr. Jean-Pierre Kingsley: Thank you.

I'm pleased to elaborate on what I was saying. The reason I call it a suggestion is that I have not had the resources to analyze this system. It is a huge undertaking to analyze the implications of a system like this across the land. I would be more than willing to do that quite voluntarily if I were provided some resources, by the way, but that's up to you to decide.

Effectively what I'm saying is if there's a new riding of five existing ridings and in all five the winning candidate came in with 40% of the votes and it's all with the same party, assume that, that's 100% of the seats. If that were run with five seats joined—

Mr. Blake Richards: Sir, no; I'm sorry to interrupt you, but I understood that part.

Obviously you're proposing two separate systems. You're proposing one that would be for urban areas and one that would be for more rural or remote areas. I was trying to get a sense as to

why you felt that the hybrid of those two things was a good idea for Canada.

● (1510)

Mr. Jean-Pierre Kingsley: I'm sorry; I misunderstood your question.

I'm basing it on a perception that may not be fair. After I have explained or suggested the system, I have had people come up to me who don't agree with my basic thesis, but I'm saying that people who live in rural or remote areas are very accustomed to that direct link between themselves and the elected. To put them into a proportional type of system represents more difficulty for them in accepting that, because already geographically the expanse of those ridings is too huge to be covered by one person. They would see that their vote would be subsumed to all of those urban votes.

I may be wrong about this. Certainly some people have come up to me after I have made presentations and said that they were rural people but would prefer to vote proportionally. I respect that. However, that was the basis for my proposal.

Mr. Blake Richards: I appreciate the comments about the rural seats. I think you've hit on something important.

You mentioned earlier that you figured about 40 to 60 seats might be in the country. I would argue that you're probably quite low in your estimate of the number of rural seats in the country. In my province of Alberta, I would say that at least half of the seats would be done that way, so that would be probably 16 to 18 seats. That's just one province, so you would probably be a bit low.

I'm wondering how you, or if you, have given any thought to this next question. Maybe you haven't, but if you have, can you elaborate for us on how you would see those seats being allocated in the urban areas? In other words, would you set up certain limits of a certain population, and above this population that city would then be multi-member districts, or how would you do that? Have you given thought to that?

Mr. Jean-Pierre Kingsley: I have given some thought to it. Under the present system, we have a quotient, and we would continue to respect the quotient. For rural and remote areas, we would exceed the quotient whenever necessary, because that's what the law allows for those boundary commissions. They're allowed that leeway.

I would take five existing ridings under the present system and bunch them into one. I heard the Chief Electoral Officer say he thought that redistribution might be required as well because of community of interest. I will tell you one thing about community of interest: it is the most nebulous of factors and is the most difficult for those commissions to put into place because it varies depending upon perception. I defy anybody, anybody in Canada, to define community of interest in precise terms. There's just a feeling.

Now, when you regroup five, this is what you would have. You could use the present quotient to stay...

Mr. Blake Richards: You're saying you would defy anyone to define it, but would you agree that's an important thing to consider, the idea of community of interest?

Mr. Jean-Pierre Kingsley: I would agree that it's an important thing to consider. It's important not just to do it without thinking about it. It's a matter to be thought of. Does it necessitate a redistribution? That is the thing that should be considered very seriously.

The Chair: We'll go to Mr. Aldag now.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

This question comes from Twitter, and I'd like your thoughts on it. The question is, simply, how do independents fit into any sort of new system? A lot of the work we've talked about relates to parties. Do you have any thoughts on independents and the future of our electoral system?

Mr. Jean-Pierre Kingsley: This is a major consideration on the international scene with purely proportional systems. It seems to obviate...and I think some solutions were found, but I can't remember what they are.

In the mixed-member system, it is not an issue, because you can still run as an independent in this particular case.

In the example I've given, you could also have independents. Their chances of being elected, by the way, would probably be the same as they are right now. We can't devise a system—at least, not readily—in which independents would rule the day, but it is important for that phenomenon to be able to express itself under our system, and there are various systems that would allow that quite readily.

Mr. John Aldag: Thank you.

In your opening comments you made a statement that from your perspective, online voting is coming. I'd like to get a bit more of your thoughts on that. We heard earlier today that the current Chief Electoral Officer is not foreseeing online voting for 2019. What makes you think that it is coming, and in what horizon would you say we will be facing online voting in Canada?

• (1515)

Mr. Jean-Pierre Kingsley: It's going to be later than we think, and it's going to be faster than we think. We're living our lives at the end of these gizmos. We're doing everything with them, so it's just a natural thing. I've indicated how important it's going to be to devise the right control mechanisms to ensure that the person who's voting is the person who registered, the person who's entitled to vote. Is it going to be a photo of the iris, as I said, or something else, such as fingerprints? Fingerprints are problematic, because those are tied to our criminal system. Some jurisdictions, new democracies, have no problem at all with doing that.

I'm saying it's coming because it's pervasive and people will expect it to become a reality. If it doesn't, there will be problems.

The Chief Electoral Officer said he cannot do it for 2019. Number one, he needs the permission of the House of Commons and the Senate before he even thinks about it. It used to be just this committee or the PROC committee of the House of Commons. Now it's been extended to the two bodies, so he can't even test it. I don't blame him for saying he cannot do it for 2019.

Mr. John Aldag: Along with the comments we heard this morning on online voting, one suggestion was to pilot and perhaps

look at some groups. One group that was mentioned was persons with disabilities. There were others. If we were to do a phased-in approach, would there be an approach that you would prefer or suggest? Would there be a group that you would prefer over another? How could we phase something in if we needed to take that approach?

Mr. Jean-Pierre Kingsley: The initial consideration would be that it not apply generally to a whole group, and by that I mean to the Canadian population and the idea that people could opt in if they wanted to. That would be too broad. You could restrict it to one, two, three, five ridings, or whatever, and to people with differing abilities—by the way, that's a Mexican expression. Instead of “disabled”, they say “differing abilities”. I like that a lot.

It could be those groups that do it, or people who have mobility issues and who would be able to say they have a mobility issue, and we would take their word for it. People don't lie about these things. We would be able to envelop that with control mechanisms that we could then use to check how well we performed and how well received it was by the electors, by the way. How much easier was it for the elector? If it's more burdensome than the present system, then why bother? That's how I would go about it.

I talked about parallel systems, by the way, so that we can ensure that what people are manifesting as their choice is really what is being manifested at the other end.

Mr. John Aldag: Another question I heard you ask—

The Chair: Mr. Aldag, you're almost at the end. You may comment, and then maybe it can come up again.

Mr. John Aldag: Sure.

You simply asked what margin of error would be acceptable. You put that to us, and I was going to put it back to you. What margin of error is acceptable?

Mr. Jean-Pierre Kingsley: Wittingly or otherwise, under the present system there is a margin of error. It is exceedingly slim and it is not mathematically ascertainable, but if we try to convince Canadians as a general population to vote online, they will say they want 0% error. That is going to be their expectation. That's why we need to develop slowly, over time, and then rapidly, more rapidly than we thought, so people have confidence that we know what we're doing and that the sanctity, as I will call it, of our electoral system is being preserved.

[Translation]

The Chair: Thank you.

We will now begin the second round, starting with Mr. DeCoursey.

Mr. Matt DeCoursey: Thanks again, Mr. Chair.

[English]

Mr. Kingsley, I wanted to come back to the issue that we left off on, which is the relationship between elector and elected.

This, to my mind, correlates nicely with one of the principles that we've been tasked with exploring in the mandate, which is the importance of local representation. I would echo the comments of my colleague Sherry, who spoke to the good-faith effort that I think all parliamentarians undertake to represent the voices of their communities. Being a representative from Atlantic Canada on this committee, I know that we, as elected officials in Atlantic Canada, hold ourselves accountable to our communities quite closely, and our electors well understand the link they have with their elected representatives.

Given that preface, I have two questions. In the proposed system you've mused about a little, how do you envision Atlantic Canada being divided in some of the larger centres versus some of the rural areas in the single-member and mixed-member riding system that you touched on? Perhaps I'll give you a second to answer that.

• (1520)

Mr. Jean-Pierre Kingsley: With respect to your first point about members of Parliament representing the whole population, I agree that this is a reality. I've seen it and I believe it. However, I also happen to believe that when the Conservatives get together to discuss something in caucus, you're not there, and I think that is important. That's what I meant by having representation that globally represents people in Atlantic Canada.

Insofar as how one would handle Atlantic Canada under the suggestion that I've made, first of all I would respect provincial boundaries. Rule one is don't fool around with provincial boundaries. You will get nowhere, okay? This is Canada. Don't waste your time.

Then each province would have to be looked at individually to see what people think of and accept as being rural, and what people think of and accept as urban. I'm not the one who would be making that choice, but I'm suggesting it is a choice that could be made that would reflect what people in each province would do. Does P.E.I. combine all four seats into one, or does it consider itself to be rural in all four seats? Let's ask the people of Prince Edward Island.

Mr. Matt DeCoursey: That's great. Thank you very much.

The second part of my question has to do with the role of an elected representative, elected potentially through a proportional system or a list system, versus a colleague who may represent a similar area who is elected through a first-past-the-post system.

Let's say we're in some sort of MMP. What is the role of that elected official toward the electors vis-à-vis the person who is elected through first past the post and represents a particular constituency? You have a person elected from the riding of Fredericton and you have a person who may be from Fredericton elected through a proportional list. What are the differing or similar roles they have toward the electors?

Mr. Jean-Pierre Kingsley: I will conjecture with you. There will be strong similarities between the two and there will be important differences between the two. The advantage of the system now is that people feel that this member of Parliament represents them and this is the geographical area in which we're contained. I'm not saying people know who that MP is in urban settings, but there's a way of reaching out to that person. There's a way of knowing. I can let that

person know that if he or she says that again, I'm not going to vote for them again. That is power.

Mr. Matt DeCoursey: And they do.

Mr. Jean-Pierre Kingsley: And they do, yes.

An election for members at large is where the word "ombudsman" comes from, because those members of Parliament owed less to individual electors. They knew that if it was a closed system and they were on that list, the next time around mattered more.

That doesn't mean they did not consider what was in the best interests of their country; that's not what it meant. It meant that the link with the individual elector was qualitatively different.

The Chair: Thank you.

We'll go to Mr. Reid now.

Mr. Scott Reid: Thank you.

Regarding the system you have discussed, I know you were at a meeting in February that was organized by the Senate and presented to it. Has it been published anywhere? Is there a printed version of what you're describing, or will there be at any point in the near future?

Mr. Jean-Pierre Kingsley: I've been very careful not to publish anything on that front, but as I've indicated, I'd be more than willing to do some work if I were assigned some resources. This is not an easy task to accomplish. It cannot be accomplished by one person, by me, within severe time frames or even over time. It requires concentration, so it's not published.

Some variations exist. I think Minister Dion had something equivalent to this. I would not say it's the same. I do not wish to blame him for anything here. I'm just saying that I think this is something that's on his website. There are variations on it.

By the way, a number of different people and different organizations have gotten in touch with me, some of them in this room, suggesting variations on this theme, and I think they're worth hearing.

In any case, that's the status of it.

• (1525)

Mr. Scott Reid: Okay.

From what you've said and from going through the models that I can think about there, the one that it seems most like is the STV model proposed in British Columbia, the so-called BC-STV model. It was the subject of a referendum in 2005. Am I right in making a rough approximation, or have I missed the point in doing that?

Mr. Jean-Pierre Kingsley: I would have to look at that model again before I would comment on it. I've not looked at it recently, but I'd be willing to do that and give you some of my feedback on it.

I will remind people, by the way, because people keep saying the referendum for change in British Columbia was not successful, that in the first referendum, 57% of the people of British Columbia voted in favour of change. The premier said they needed 60%; otherwise, they wouldn't get it. People say to themselves that it's never worked and that people have never wanted change, but they have wanted it. It was more than 50%, significantly more. To me, 7% means a 14% difference, in my books.

Mr. Scott Reid: Well, you're right about that. Actually, when you say to yourself that it hasn't...I have always defended a referendum, and your comment gives me a chance to say something that I think is important.

In British Columbia, you're quite right that 57% voted in favour, so that was the majority. They were prevented by an artificial 60% threshold from getting their way. I disagree with artificially high thresholds, but additionally, the turnout in that referendum was over 60%. This nonsense that somehow people do not participate in referenda on electoral reform is just not true. Over 80% voted in the New Zealand referendum on changing to an MMP system from first past the post.

What I would notice and point out to everybody on this committee is that when a model has a very low percentage supporting it, such as the Ontario model in 2007, which only had about 35%, it also normally has a very low turnout. I think we can safely interpret many of the people who did not vote as saying, "I'm not even going to vote on this, because I'm so uncompelled by this model." When people find the model compelling, not only do they vote in favour of it, but they also turn out in very large numbers to vote. I think that's a really important distinction to make, which I would like to have made to the minister yesterday.

I have one minute left, and I wanted to ask you this. You talked about avoiding redistribution by grouping a number of existing ridings together. That of course makes a significant degree of sense as a way of speeding things up. I want to ask the same question that my colleague asked Mr. Mayrand earlier. There is one particular community of interest that appears to have a right to have the retention of riding boundaries in a way that potentially can be used in litigation, and that is official language linguistic minorities.

In the case that arose in Acadie—Bathurst, a number of people, including the incumbent member of Parliament, said they found the change in boundaries to be unacceptable. I guess the concern I have is this: is it a danger that we could find an attempt to merge ridings subject to that kind of litigation, thereby slowing down the process?

The Chair: Very quickly.

Mr. Jean-Pierre Kingsley: The answer is that there's danger legally in practically anything you will do. Some of it will be on constitutional grounds. People will find ways to address it if they're not happy. That is something we will have to live with, and that includes the situation you described.

By the way, that case deserves to be studied much more carefully than we're able to do today.

The Chair: Thank you.

Mr. Christopherson is next.

Mr. David Christopherson: Thank you very much, Chair.

I want to go back to the comments Ms. Romanado made in response to my comments, to the effect that we represent all our constituents.

Yes, that's sort of a given. I have absolutely no doubt in my mind that if someone who is a known New Democrat phones Mr. Reid—I'll use him because he's the longest-serving member of Parliament on this committee—they'll get fantastic service. That person will be treated no differently from his neighbour. I have no doubt about that. If a known Conservative calls my office, I'd be mortified to find out that they felt they got less than fantastic service.

What I'm talking about is something far more important, and that is the actual division of power. You can't get re-elected if you don't represent everyone. What we're talking about is this: here is power in Canada, and how does it get divvied up?

I was on my feet in I believe the 38th, 39th, and 40th Parliaments, prior to the arrival of Madam May—she knows where I'm going here—to stand up and say that hundreds if not thousands of people voted in my riding and across the country for the Greens. At that time the number was about 500,000 people, yet not one member in the House was from the Green Party.

That matters. While Mr. Reid may do a fantastic job representing that constituent on their vet problem or on their Canada Revenue problem or on their EI problem, he will not be there for them when it comes to standing up and saying, "I want proportional representation." Conversely, in my riding, that same Conservative voter will get that same service from me on those issues, but when I stand up, I will not be defending first past the post.

We just voted on assisted dying. That was an incredibly divisive issue. You can't vote both ways. At the end of the day, whoever got the seat got to cast that vote, either in favour or opposed. It couldn't be both.

That's why I said that 43% of the population in my riding.... They get, I like to think, good service. I'm in my fifth term, so there are enough of them who think that, or I wouldn't be here, but in terms of reflecting the policies of the parties supported by the constituents who voted against me, that voice is not there. I will support doubling CPP from here to the end of eternity, until we get it. Mr. Reid would not. He feels differently about it.

• (1530)

Mr. Matt DeCoursey: On a point of order, Mr. Chair, we're here to question the witness, not to indict Ms. Romanado on her comments.

The Chair: Yes, I would agree.

Is there a question—

Mr. David Christopherson: Really? Really? We're talking about democratic reform, about democracy. I have my five minutes, I'm responding to a comment, and somebody is telling me I'm out of order?

The Chair: I would like it if you directed it through the chair, maybe.

Mr. David Christopherson: Sorry, what is your problem now, Chair?

The Chair: Could you direct your comments through the chair as opposed to—

Mr. David Christopherson: Sure. It will be through you, sir, Mr. Chair—

The Chair: Thank you. I appreciate it.

Mr. David Christopherson: —to Madam Romanado, who I was responding to. Someone may feel that's not the right response, but it's my five minutes, because I'm the one who has the seat.

The Chair: No, I understand that.

Mr. David Christopherson: Fine. I'm done anyway. You spent more time berating me than letting me finish my thought.

The Chair: I wasn't berating you, Mr. Christopherson.

Mr. David Christopherson: I do have a question for our witness—through you, Chair.

The Chair: Thank you.

Mr. David Christopherson: To our witness, you had said earlier, sir, that you weren't aware of any emerging democracies—I've done a fair bit of work internationally too—that have actually chosen first past the post. Can you give us some of the reasons you think they were considering when they didn't go that way? There is a good argument that they would look at Britain and Canada and say, "Hey, it works for them; why wouldn't we go there?", yet you're right that they're almost all going to some form of a parliamentary system.

Can you give us your thoughts on why they would go that way, in terms of trying to get the best democratic process from the very beginning? When they're designing it, why would they not or why haven't they? What do you think are some of the reasons they might have been considering when they made those decisions, sir?

Mr. Jean-Pierre Kingsley: It's the importance of multi-partyism, to put it bluntly.

You gave an example of 500,000 votes not getting one seat. In my introductory remarks, I said that 700,000 votes only gets one seat. We owe those Canadians an explanation if we're not going to change the system. We owe them that, as we do all the others who are concerned about 39% of the votes getting 50% or 60% of the seats. We need an explanation for those people. This is a democracy.

Mr. David Christopherson: Thank you.

Thank you, Chair.

The Chair: Thank you. Your time is about up, but there will be other opportunities.

Mr. David Christopherson: You're going to force me to go to the end now.

The Chair: No, no.

Go ahead, Monsieur Thériault.

[*Translation*]

Mr. Luc Thériault: Mr. Chair, this morning you didn't tell me when I only had a minute left and I was cut short, so I wasn't able to thank Mr. Mayrand or tell him certain things. However, I will impart them to Mr. Kingsley.

First, I would like to thank you for your immense contribution to maintaining the integrity of our electoral system. Mr. Mayrand said this morning that all voters have great confidence in the integrity of the system. I think that you and Mr. Mayrand have helped to make that happen.

And when I heard my colleague Mr. Boulerice say earlier that we should have much greater means to reach all voters, it was sweet music to my ears. Your response was sweet music to my ears, as well. You are entrusting us with this responsibility, and you said that we, much more than the executive body, are the ones who need to take responsibility for this electoral reform. In your opinion, we should have much greater means, and I agree with you on that.

Given the timeframes we're up against, the responsibility and difficulty we're facing are enormous. We will do our best. You said at the start that no system was perfect, and we agree. I've looked at several. They all have their advantages and disadvantages.

Ultimately, isn't it up to the people to determine what advantages and disadvantages they'd like to take on? Isn't it up to them to settle the debate, given that it isn't a discussion for experts, insiders or politicians? At some point, Canadians need to have their say. While we are trying as much as possible to keep them informed and they are keeping us informed too, we are going to have to present or recommend a model, which will also need to be presented to Canadians to see if they agree and if they are going to accept all the advantages and disadvantages for many years.

In these conditions, wouldn't it be more reasonable to consider holding a referendum at the same time as the next election?

● (1535)

Mr. Jean-Pierre Kingsley: I won't elaborate about the fact that I have run a referendum and know what it involves. I won't repeat the arguments for or against it. However, with a secretariat and solid mechanisms to engage Canadians about what you do, I think you could get their input, which would carry some weight.

We have a representative democracy, and we need to give this system a chance. As strange as it may sound, I see the possibility of a unanimous report from the committee. I also foresee the vast majority of the committee agreeing on a proposal, suggesting it to Canadians and gauging that reaction. That's your task.

But if that doesn't happen and only one party agrees with a given choice, I think other mechanisms need to be considered. However, I don't think it's necessary right now.

Mr. Luc Thériault: How much time do I have left?

The Chair: You have 45 seconds, including the response.

Mr. Luc Thériault: I think you're refreshing and optimistic. We are going to draw on that.

However, my experience is as a Quebecker. We had draft legislation that defined a very specific model. And we visited all the regions in Quebec to find out in the end that there were a number of stumbling blocks related to the mechanics of the voting system. Things weren't successfully completed. I find that we have a long way to go here.

The Chair: Thank you.

Ms. May, you have the floor.

[*English*]

Ms. Elizabeth May: Thank you, Mr. Chair.

Permit me for a moment, Mr. Kingsley, through the chair, to reflect on my own situation.

The Green Party has been used as an example here a number of times. I want to put forward that my reasons for wanting proportional representation are not self-interest. I'm not that interested in seeing how my party does. What worries me is the health of democracy overall, and the risk, which I think is real, of a party with a minority of public support gaining not just 60% of the seats, but in our system 100% of the power. That worries me more. I just want to put that forward.

The other thing I've noticed since I came into politics, which is only in the last 10 years—I was in my 50s before I got involved in a political party, and I'd love your comments on this—is that because of first past the post and because of the risk of strategic voting, we have a system that creates wedge issues and incentives for wedge issues, or what people call dog-whistle politics. It works against working across party lines. It is a force against collaboration.

I wonder if you've observed this or if you think it's just a view of mine that's off base. What's your view of the impact of first past the post on the ability to develop consensus-based politics?

• (1540)

Mr. Jean-Pierre Kingsley: I alluded to this when I said that we need a system whereby people are elected across the land and we have a party of national scope so that we have voices from all regions of Canada. The present system does not lend itself readily to that because of the success of multi-partyism and because our system allows regional parties to come to the fore. As a matter of fact, when some of them come to the fore, they're important because that's the way people in that region feel, but that can almost be viewed as, how come we're in this situation? How come the main parties are not representing those views? That's one observation one could make.

The whole issue of wedge politics has been coming up over time, and I consider it to be a natural temptation under our system. If I'm running for office and I need to get 40% of the votes, why would I

not go for 45%, even if I have to start modifying my position on things? I consider that natural.

Ms. Elizabeth May: Thank you.

Forgive me if I say that at this point your proposition of some rural seats remaining under first past the post and others being clustered for what is essentially a single transferable vote is a back-of-the-envelope idea that one would love to pursue. I think its benefit here to us—and correct me if I'm wrong—is in suggesting to this committee that hybrid systems are available to Canada and that we can find a system that works uniquely for Canada. We needn't say we must take Germany's system, or New Zealand's system, or the upper house of Australia, or the lower house of Australia. We should look at the specific Canadian needs.

Mr. Jean-Pierre Kingsley: That is precisely the point I was making in my remarks, Mr. Chair. I don't think we're bound by anybody else's system. I don't think there's anything wrong with anybody else's system; I just happen to think that we have peculiarities in this country that are going to be very hard to reconcile if we just try to take somebody else's system and say we think it can fit. It may be possible, but let us not be bound by that thinking.

There is a way of doing something that is entirely Canadian. That's what we've done with our system. We were the first country in the world to have an independent chief electoral officer. We were ahead of the game before anybody else. I think that came afterward in India in 1948, so it took a long time for people to catch on. We've been at the forefront.

Now we're dealing with a historical reality. We have first past the post. Here are some issues and drawbacks that people feel very strongly about. Do we want to do anything else? I think that's fair.

Ms. Elizabeth May: In the time I have left I'm going to put to you a question from Stephen Harrison from Victoria, B.C., who sent this on Twitter: recognizing that you were chief electoral officer in 2004 when the Law Commission made its recommendation on electoral reform, would you care to comment on what you thought of their work at the time?

Mr. Jean-Pierre Kingsley: Elections Canada collaborated very closely with the law reform commission in the provision of information, and not of advice. It was not appropriate for the chief electoral officer, at least in my view, to participate more actively in that aspect.

In terms of their report, I think it needs to be considered a viable option, something to which Canadians have already given thought, because many people were consulted on that process. This is what I meant when I said we've done a lot of work in Canada before. This is not an idea that has just fallen here and we have nowhere to go to find out about it. We have a lot of stuff here that we can look at.

The Chair: Thank you.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado: Thank you very much.

Mr. Kingsley, you mentioned that we need to reach our youth where they are and you mentioned they're usually at the bottom of one of these cellular devices. You also talked about how we need to make sure they know the importance of voting and how to vote. You also mentioned a little bit about online voting and that we should start initially with electors with mobility issues, electors not in their ridings, or Canadians abroad.

My thoughts are that if we're trying to reach an audience that had 58% participation in the last election, which was great, and we want to keep them engaged and we want to keep them in the process, would it not make sense to open up potential online voting to them through that channel, because that's where they are? I'd like you to elaborate a little bit on that.

• (1545)

Mr. Jean-Pierre Kingsley: It would make sense in terms of overall objectives of improving the participation of electors. It would be very difficult to say that it makes sense in terms of the numbers that would apply.

We must first of all understand what we're getting into by doing tests that are smaller, more easily controllable, and more easily analyzed. I would not recommend at all that we make it possible for a whole segment of millions of people to apply, because those are the numbers we're talking about.

Mrs. Sherry Romanado: We talked a little bit about mandatory voting or mandatory attendance. In that regard, how would we ensure—and maybe you'll know more about the mechanism—that people are in fact registering? How would we reach them? How would the mechanics work in terms of making sure that we could actually implement mandatory attendance? Also, would it be a reward system or would it be a punishment system if a person did not attend?

Mr. Jean-Pierre Kingsley: It can either be reward or penalty. The Australians have decided that they will impose a minimal fine. I think it's equivalent to \$40 or \$50, which is not tremendous. If you don't have an acceptable reason for not attending, they can invoke that fine.

In terms of controlling it, that's very easy. You have a list of electors, which is 94% or 95% complete, and someday we will have to find a way to relate to Statistics Canada as well and start... I'm not saying this in light of whatever we want to do about compulsory voting or attendance at the polls. By the way, we're not going to succeed in changing the terminology, so I'll call it compulsory voting.

Someday we'll have to get more intertwined, because we're picking up information that could be very useful on the electoral front in terms of maintenance of the list. We already have other data banks through which we're feeding information that people voluntarily feed to Elections Canada. No one is put on the list unless they want to be on it. Let's remember that.

Mrs. Sherry Romanado: Okay.

I asked this same question to the Chief Electoral Officer this morning: in terms of our efficiency in leveraging technology to improve our electoral process—for instance, when it comes to a compilation of votes and so on—could you elaborate on how we could at least think about improving the current system or any system we put in place to make it more efficient, more accurate, etc.?

Mr. Jean-Pierre Kingsley: Nothing is free, so I will feel free just to tell you exactly what is possible.

What is possible under our present system is voting machines with a paper copy. That would eliminate a lot of the rejected ballots that we have now or ballots that are not acceptable because they're badly marked. People would have an opportunity to correct their mistakes. They would be told they have made a mistake. If they still want the mistake to go ahead, it goes ahead, and you have a paper copy in order to be able to replicate the results in case there is a recount or a contestation.

As well, it would immensely increase the ease of counting. You press on the button at the end of the day, and the count is there: so many valid votes for this, this, and that. Then the result can be transmitted electronically to the returning office and to other offices as well. It could all be done very rapidly that way. However, that means an investment. That's one thing.

We're going to have to get smarter about allowing people to vote at different places. We can very easily have a list of electors for a riding on this device. We can have the whole of Canada on this little gizmo here if we want to, but at least we could have everything within a riding boundary. There are approaches that technology is opening up for us that I haven't even begun to think about.

• (1550)

The Chair: Thanks very much.

[*Translation*]

Mr. Deltell, you have the floor.

Mr. Gérard Deltell: Thank you, Mr. Chair.

Before continuing my conversation with Mr. Kingsley, I'd like to speak to something that bothers me a little.

For two days, I've been hearing people say that proportionality is important, that it is important to represent everyone and that it is appalling that the Green Party, which got 600,000 votes, has only one MP in the House of Commons.

I would simply like to remind you of the mathematics of this committee. The Green Party had 600,000 votes and has one representative here. We, the Conservatives, got 5,600,496 votes, which is nine and a half times what the Green Party got. Yet there are three Conservative MPs and one Green Party MP on this committee. With regard to proportionality and respect for opinions, this committee is not equitable mathematically either in terms of the House or the votes of Canadians. Let's keep that in mind.

Mr. Kingsley, let's get back to our earlier conversation.

You said that it was important to put Canadians at the heart of our discussions, that this committee was the first step but that, ultimately, we would need to go and visit Canadians, listen to them and hear what they have to say.

You were the chief electoral officer. You presided over, if I can put it that way, five elections and one referendum. What do you think the best way is to gauge the opinion of Canadians? Through a referendum or through town halls in a riding?

Mr. Jean-Pierre Kingsley: If I may, I will say that, initially, an election is the way to do it. We have a representative democracy, which is the foundation of our democracy. Holding a referendum has been problematic in the past. When it came to holding a referendum in 1992, it was insisted that it could only be held on a constitutional matter. No one wanted this to be instituted in our system and for referendums to be used regularly.

You asked me about this process. I responded as best as I could. Just now, I said what I thought about the consensus that this committee could reach and the impact it could have. How can we assess the impact of what you do with Canadians? There are ways to establish these things. I said that there are firms that specialize in these things. I don't mean firms that conduct surveys, but firms that thoroughly analyze people's answers. It has become an art. That's what I recommend you do. I think your committee should be structured based on that.

Mr. Gérard Deltell: How many Canadians should take part in the consultations in our ridings or within this committee? What do you think would be the ideal number of Canadians to properly represent what they think about a change as radical as changing the electoral process?

Mr. Jean-Pierre Kingsley: I can't answer that question. I don't know. It's a feeling that will be established. There are ways of building a consensus.

With the assisted dying bill, a consensus was established in our society. We saw it in newspaper editorials and articles, as well as in exchanges between people. Our society forms an idea of what is acceptable. Personally, I think parliamentarians respect this most of the time.

That's what I think about our system. Fundamentally, we decided that we wanted a representative democracy.

Mr. Gérard Deltell: Actually, Mr. Kingsley, the least we can say is that there is a consensus in society about the fact that this would take a referendum. Many editorial writers, observers and analysts have said that Canadians need to be consulted. Many elected officials feel the same way. In 2012, the former Liberal leader, who

is now the Minister of Foreign Affairs, clearly wrote that it would be done by referendum.

[*English*]

Mr. Dion, a very interested and very strong scholar, said clearly in his text that we shall ask Canadians to say what they think of that.

[*Translation*]

Mr. Kingsley, I'm running out of time, and I would like to ask you one last question.

You presided over five elections and one referendum, but I'm more interested in the electoral process and general elections. You made a new proposal that deserves consideration. I don't think that 26 months will be too long to explain to people what you are proposing if we decide to go in that direction.

Do you think that the five elections you oversaw did not represent how the public feels? In these cases, they were majority governments.

● (1555)

The Chair: Please answer very quickly. The five minutes are up.

Mr. Jean-Pierre Kingsley: I feel very strongly that all these elections represented exactly the will of the people, in keeping with the system of representation.

The Chair: Thank you.

[*English*]

Go ahead, Madam Sahota.

Ms. Ruby Sahota: Thank you.

Following the conversation on referendums, previously we had Mr. Reid talk about voter turnout in the last national referendum that we had, and I believe he said it was 60%. To me, that doesn't seem like an overwhelming number. When I was quoting media that had misrepresented you in the past in 2000, you were concerned about the decline in voter turnout, and rightly so. As parliamentarians and as Canadians, we are all concerned about voter turnout. That's why we're trying to improve our electoral system.

In the last election we had 68.5%, and we're still trying to improve on that, so 60% turnout on a referendum doesn't seem to be all that great to me. We need to try to reach out to a lot of people that we're talking about—youth in particular, and those who are disadvantaged, who don't turn out at the polls. How do we get to know what they are thinking and how do we get their input? Going forward, how do we get them to participate in our electoral process?

That's why we're trying to better our system. It's so we can be more inclusive, which is the mandate of this committee. I'd like to get your opinion about whether you think referendum turnout is adequate, and whether that is the best way to get an answer. I've been following what you've been saying, so it seems you are impressed by the depth that we're going into on this committee, and that is definitely a good start. What comment do you have about that referendum turnout?

Mr. Blake Richards: I have a point of order, Mr. Chair.

The Chair: Yes, Mr. Richards.

Mr. Blake Richards: I think it's always important that the record be accurate when anyone has the floor in this committee. I noted Ms. Sahota mentioned an inaccurate number. It took me a second to find the number.

The Chair: What was the number?

Mr. Blake Richards: I just wanted to point out that there was a 72% turnout in the last federal referendum. There were, I believe, over 20 million people—

The Chair: It's not a point of order, but it's noted.

Mr. Blake Richards: I just wanted to make the record clear. It was 72%.

The Chair: Got it.

Ms. Ruby Sahota: Okay. I was just going off a comment that was previously made. Upon googling the numbers, I think you can come to about 70% or 71-point-something. We've done better in elections before too, so I'm not saying it's anything to be—

The Chair: But your question to Mr. Kingsley stands?

Ms. Ruby Sahota: It stands, yes.

The Chair: Go ahead, Mr. Kingsley.

Mr. Jean-Pierre Kingsley: I'm going to be very blunt about this. It was 72% at the federal referendum. That could have been considered satisfactory. Then it was 72% in Great Britain, and that was unsatisfactory.

The point is, how important is the question to society? That has an impact on the turnout and the legitimacy of the results. It cannot be a simple answer of just one number being reached. The gravity of the question weighs on what an acceptable participation rate would be.

Ms. Ruby Sahota: With this matter, what would you think would be an acceptable participation rate, knowing that on our previous referendum we had 72%?

Mr. Jean-Pierre Kingsley: I've not gone in that direction in my thinking at this stage. I've indicated to you before that my wish is for this committee to come out with a unanimous recommendation, and if not, then with an overwhelming majority consensus. If not, I'll be more than happy to come back and tell you what I think.

Thank you.

Ms. Ruby Sahota: Thank you. I think that is really important, because we are trying to make sure that we have good engagement from all sides of the spectrum.

I'd like to get your input about how we can get marginalized people involved, whether it's aboriginal people or new Canadians or young people. I know you talked about electronic voting or online voting, but what are some other methods that can also be used in a new electoral process?

• (1600)

The Chair: You have 25 seconds, please.

Mr. Jean-Pierre Kingsley: I'm sorry. I'm not getting the meaning of your question.

Ms. Ruby Sahota: What strategies can we use going forward? What should we look at?

Mr. Jean-Pierre Kingsley: I'll be very quick.

The Chair: Yes, please.

Mr. Jean-Pierre Kingsley: We need to get more involved in the communities where these people live. As a system we need to do that, as political parties and as candidates. They are regrouped. They're not alone. They don't understand our system, and we could do a lot more citizenship teaching about our electoral system and our system of representation.

The Chair: Mr. Mayrand made the same point this morning—I believe you were listening—about more civics.

Monsieur Boulerice is next.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

I would like to take the opportunity to react to the comments of my colleague Mr. Deltell. He said that the inequalities in the composition of this committee are a reflection of those that existed in the House of Commons. They were caused by our current voting system. The NDP managed to convince the Liberals to withdraw their majority and increase the number of opposition seats, but the Liberals wouldn't have had to do this if our system had reflected the votes won by the Conservative Party, the NDP, the Bloc Québécois and the Green Party.

In 1979, the Pépin-Robarts Commission recommended a mixed member proportional system. The Law Commission of Canada said the same thing in 2004. The National Assembly of Quebec also went in that direction in its work. It was suggested that two-thirds of members be elected directly and locally and that the other third of members be elected through lists.

The German model, which has been in place for decades, comes close to this with 50% of members elected directly and the other 50% through a second ballot where voting is done using a list.

Some people fear that this kind of system would create two classes of MPs and two kinds of legitimacy. In your experience internationally, in countries that use this system, how are these two groups of elected members perceived differently?

Mr. Jean-Pierre Kingsley: I can answer only based on conversations I've had with members from both categories. They see a difference as to who they represent. It's crystal clear: they don't feel they play the same role. This is based on a few conversations and is not an in-depth survey. They told me that there is a difference between them and that their role is not identical.

Mr. Alexandre Boulerice: Concerning the possibility of voting for a party on a second ballot, there are many ways to proceed. There are closed lists, in which the party decides the order of its candidates, and open lists, in which it is voters who choose to vote for the Liberal Party, for example, but who put the candidates in the order that suits them.

In your opinion, in this kind of proportional system, is one way better than the other?

Mr. Jean-Pierre Kingsley: In my remarks, I indicated that you were going to have to be careful with what you were going to decide because Canadians will have difficulty with closed lists, unless they are very short. As for open lists, they raise questions about competition between candidates from the same party.

However, we must not automatically refuse these systems just because of that. We need to determine the advantages and disadvantages of such a system. In fact, every system has its advantages and disadvantages.

Mr. Alexandre Boulerice: The Parliament elected last October has a fairly low representation of women. I spoke about this with Mr. Mayrand this morning. Only 26% of MPs are women, which places us 49th in the world in this area. This isn't something to be proud of. Countries less democratic than ours are doing better.

In your opinion, what voting system should we recommend to ensure better representation of men and women in our Parliament?

Mr. Jean-Pierre Kingsley: In the voting system, you should alternate between male and female candidates to automatically end up with a 40-60 or 45-55 balance one way or another. Currently, the structure of parties and how local associations operate discriminate against the participation of women. It is very difficult for women to take part in political life because of all the lifestyle issues. That's how the system has evolved.

How could we remedy that? This morning, Mr. Mayrand spoke about incentives, which would help to resolve the problem, but I don't think it's the solution. It would take more than that. We need determination and an electoral system that would ensure alternation between male and female candidates. That would put an end to the problem.

• (1605)

The Chair: You have 20 seconds left.

Mr. Alexandre Boulerice: I think that's it for me, as well.

[*English*]

The Chair: Go ahead, Mr. Richards.

Mr. Blake Richards: Thanks, Mr. Chair.

I'm going to turn to this referendum question again briefly because it seems as though we have a Liberal government that has a real aversion to the idea of asking the Canadian public what they think about the changes they want to make to our voting system. We saw it yesterday from the minister. She was clearly speaking with her personal opinion against the idea of a referendum. We're hearing it from members on the other side today, even to the point of mischaracterizing things to some degree, so I wanted to turn to it.

As I mentioned in my point of order, Mr. Chair, in the last federal referendum almost 72% of Canadian eligible voters voted. There were actually 13,725,966 eligible voters, and of that number 9,855,978 voted. Almost 10 million Canadians voted in that referendum.

What I fail to understand is how the Liberal government would suggest that there would be a way they could reach more than that

number of voters through any other kind of consultation method they might be talking about. On these ideas of town halls, for example, if we were to have town hall meetings in each of the ridings in the country, to get the same number of people participating there would have to be 29,160 people showing up at each and every one of those town hall meetings. Alternatively, if you consider a more realistic number of people who might attend a town hall meeting, I think you might expect maybe 75 people. That would mean you'd have to have 131,413 town hall meetings to be able to reach the same number of people.

I would be more than happy to cede just a little bit of my time to any of the Liberal members on the other side if they could explain to me how they can potentially expect to consult with more Canadians than they would in a referendum. I'd be happy to cede my time to any of you if you'd like to answer that.

The Chair: You understand that we're here to question the witness?

Some hon. members: Oh, oh!

Mr. Blake Richards: Obviously I'll take their silence as the fact that they don't have an answer.

The Chair: No, the silence—

Mr. Blake Richards: I'll also note that it's not just my question they seem to want to ignore. On this idea of the Twitter questions that we've seen today—and the Liberals have asked a few of them—I just checked a few minutes ago, and today there have been 29 distinct questions by distinct individuals. Of those 29 questions, 16 of them were asking about referendums. I noticed the Liberals asked a few questions but chose to ignore the majority of the people who were asking about referendums by not asking that question.

I hope that they're going to understand eventually at some point that Canadians are not going to take this sitting down. They're not going to just let the Liberals do whatever they want and change the voting system that all Canadians must have a buy into and try to do it without giving Canadians a say in any way through a referendum on those changes. I certainly hope they're going to think better of that and realize that Canadians will not accept that or tolerate it. They will demand to have the right to be heard and to have their vote on any changes the Liberal Party is proposing.

With that, I'll conclude, Mr. Chair.

The Chair: Thank you.

So there's no question for Mr. Kingsley here?

Mr. Scott Reid: Do you want to divide your time with me?

Mr. Blake Richards: Yes, sure, I'd be happy to share the rest of my time with my colleague.

The Chair: Thank you.

Go ahead, Mr. Reid.

Mr. Scott Reid: Thank you.

The issue of voter participation in a referendum does raise a question. I am under the impression that if people find the question to be compelling, they're likely to turn out in a referendum. You had the experience of actually administering the referendum back in 1992, so I'll just.... I'm not sure this is a fair question to you as you're trying to be impartial here, but I assume that your experience was that the high voter turnout was based on the fact that people felt the issue to be a compelling one. That's actually what drove them to the polls, whether they were for or against.

Mr. Jean-Pierre Kingsley: I answered that I thought the turnout was satisfactory for the results that were obtained. Were they optimal? I will tell you one thing: it depends on the importance of the question. I liked 93% in one referendum—

• (1610)

Mr. Scott Reid: In 1995?

Mr. Jean-Pierre Kingsley: Ninety-three per cent is what I like when you're deciding something absolutely major, and we got that in this country. If referendums are the way to go, I don't know why we don't aim for that.

Mr. Scott Reid: Right.

We've heard from the minister that referenda are not inclusive, that certain groups don't come out to vote. In 1992, as compared to the election that you administered that came right after that a year later, was there any difference in terms of which groups participated or did not participate?

The Chair: That's a big question and we have very limited time, but go ahead and give it a shot, please.

Mr. Jean-Pierre Kingsley: That is a matter that was not studied or looked at in detail, sir. It was not studied.

The Chair: Thank you—

Mr. Jean-Pierre Kingsley: I will mention, by the way, that the political parties were not co-operating. The ones that favoured the referendum question being "yes" were a team together, but they were not co-operating. That had an impact on the results.

The Chair: Thank you.

Finally, we go to Mr. Aldag for five minutes.

Mr. John Aldag: Thank you, Mr. Chair.

Early on in your opening comments, you gave a bit of advice to us in saying that we should focus on three or four models instead of going after 15. You don't need to deal with this request now, but I am really curious to know if you've come across what you would consider to be three or four top models that would be worth looking at. Not only that, perhaps there are witnesses we could speak to who would be able to speak to the attributes, positive as well as negative, on each one.

I would just leave that with you. If you have time or you have something that you would be able to feed to the committee, it would be helpful as we move forward, given your wealth of experience.

Mr. Jean-Pierre Kingsley: I read significant pieces of the guide, if not the total document, tabled by the minister with you yesterday. In it there is a good definition, a very good definition, of the various

basic models—not the variations upon the themes, but the basic models. I found that to be quite helpful.

In terms of other people to call, we have a whole slew of people in academia in this country who have a wealth of experience to share, with much deeper knowledge about the advantages and disadvantages of the different systems. I would be happy to share those names. They're already well known to people, but I'd be happy to do that.

Mr. John Aldag: If you have something and you'd be able to do that, it would be helpful for us to get it into the official evidence.

Mr. Jean-Pierre Kingsley: Okay.

Mr. John Aldag: My next question is one that I posed this morning as well. You touched on this, but I'll give you another chance to speak to it. It's simply that as we move forward, what would you consider to be, as I termed it earlier today, a Canadian attribute for us to consider? I think you had called it a Canadian peculiarity. What would be a key consideration that you would say we would need to look at, in the Canadian context, as we move forward in revising our electoral system?

Mr. Jean-Pierre Kingsley: In any system we devise, I would consider the need to reconcile the remote and rural areas where the historic linkages with the elected representatives, in my view, have appeared to be different. It could lead us to a very interesting system.

There was another major attribute to which I alluded a little bit earlier, but I would only be repeating what I have already said, so the main one is to reconcile the geography of this country with its system of representation.

The other thing that I consider to be essential is to come up with a system that favours the national aspect of political parties, the coast-to-coast aspect that I mentioned, so that we have members of caucus from all across the land and not have significant chunks missing or significant disproportion in representation in caucus.

Mr. John Aldag: Okay. Thanks.

As my final question, I would simply offer you the floor if you have any other final words of advice, thoughts you haven't covered that you'd like to leave us with, or parting thoughts for the day as we move forward.

Mr. Jean-Pierre Kingsley: My only parting thought is to reiterate one thing: this committee must run the process with the Canadian public. You must beef up how you reach out to Canadians and how Canadians reach out to you. This is the most significant piece of advice I can give you. It is not up to the government to do that; the government is entitled to do what it wants to do, but you are the representatives of the people. You are the ones who must take this responsibility and give it life.

• (1615)

The Chair: Thank you, Mr. Kingsley, and thank you for being with us today. You have provided us with a lively session in the doldrums of summer.

Voices: Oh, oh!

The Chair: We appreciate that you have stimulated debate while sharing your wealth of experience. On behalf of all members of the committee, I believe, thank you for your service to Canada and for the ideas you have brought to the committee today. Thank you very much. You have made a great contribution to the discussion.

[*Translation*]

Mr. Jean-Pierre Kingsley: The pleasure was all mine. Thank you very much.

The Chair: Thank you.

Colleagues, we're going to take about a five-minute break and then continue in camera. I hope it will be very brief. We have a few decisions to make. Actually, we need to ratify some decisions of the steering committee.

Thank you.

[*Proceedings continue in camera*]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 006 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Monday, July 25, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Monday, July 25, 2016

• (1400)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good afternoon and welcome, everyone, to meeting number six of the Special Committee on Electoral Reform.

[Translation]

With us today are three subject matter experts. First, we have Professor R. Kenneth Carty, from the University of British Columbia. Next, we have Professor Brian Tanguay, from Wilfrid Laurier University.

[English]

We also have Nelson Wiseman, who is the director of the Canadian studies program and professor in the department of political science at the University of Toronto.

I think this is a very interesting point in our hearings, because we've heard from the minister and we've heard from the Chief Electoral Officer and the former chief electoral officer, but now we're really starting to look, from an academic perspective in many ways, at electoral systems, comparative electoral systems, and comparative experiences across countries.

We're really looking forward to hearing from all of you today so that you can share with us the fruits of your research over time on these important questions and allow us to get a perspective that we can take into further hearings and also when we travel across the country.

[Translation]

Without further ado, I'll hand the floor over to Mr. Carty.

[English]

The floor is yours for 10 minutes.

Dr. R. Kenneth Carty (Professor Emeritus, University of British Columbia, As an Individual): Thank you, Mr. Chairman and members of the committee, for the invitation to be with you today.

Although my academic work has focused very much on the issues you've been charged with considering, I think it's also fair to say that I've spent a good deal of the last 30 years in the real-world application of these issues. I served on the electoral boundaries commission and the Fisher commission in British Columbia. I served on the Lortie Royal Commission on Electoral Reform over two decades ago. I worked for both the CBC and the British Columbia ombudsman on electoral issues and electoral broadcasting, and

consulted with the Chief Electoral Officer of Canada. I was a federal electoral boundary commissioner for British Columbia after being appointed by the Speaker. I directed a British Columbia citizens' assembly on electoral reform, and subsequent to that, consulted with citizens' assemblies in Ontario, New Brunswick, the Netherlands, and the constitutional convention in the Republic of Ireland.

I've seen a lot of these issues in detail over the years in a number of different locations. On the basis of those observations, I really want to make just six simple, general observations, and then I will happily respond to any questions you might have.

My first observation, I suppose, is the obvious one that there is no perfect or even best electoral system. That's why no two countries in the democratic world use exactly the same system to elect their parliaments. Each has had to find a unique combination of electoral system parts and the wide range of parts that go into a system to suit their history, geography, social order, and their political life.

Interestingly, we saw this very powerfully a decade ago when five provinces launched electoral reform exercises in this country. At the end of those exercises, all five produced very different recommendations for different kinds of electoral systems, I think because they recognized that what maybe would suit them in New Brunswick was not what British Columbians wanted and so on. In the end, of course, despite the discussions that were launched by governments in office in all five cases, none of those five different systems was adopted. In three cases, that was because the provincial voters turned the system down, and in the fourth, because the government was defeated. So there's no perfect or best electoral system or easy choice.

Second, I think it's fair to say our experience cannot tell us how a change in the electoral system will actually play out in practice. That's because under any new rules, political parties, the candidates, and the voters will have clear incentives to behave differently than they do under the first past the post system. Rules that change the voting system will directly affect the whole system, including the way candidates are chosen and who chooses them, the organizing and financing of campaigns and how money is spent and collected in campaigns, the structure and the internal dynamic of political parties, the number and the character of the political parties in the electoral contest, the number and the character of the political parties that get elected to the House of Commons, and, of course, the decision-making mechanisms that voters go through when they choose.

Just for an example, in the last election, we saw a good deal of strategic voting. Under a different electoral system, there might be none, because there wouldn't be the same kinds of incentives for voters, there wouldn't be the same kinds of candidates nominated, and their campaigns would be run in different ways.

Third, I would observe that when a different electoral system produces a different party system and a different parliament, it's going to produce a different pattern of government. That's quite clear, but we can't honestly say how that will ultimately work after new patterns of voters and candidates and members of Parliament and political parties have evolved and changed over time.

I think it's fair to predict that under most other electoral systems, majority governments of the sort that Canadians have been generally most used to will disappear. We have so little experience with multi-party governments in this country that we don't have any clear idea how they'll work either in the short term or in the longer term or what they will look like. They seem to be working very well in Denmark, for instance, where the Prime Minister actually comes from the third-largest party in the Parliament. The parties have found a way to build working relationships. They don't seem to be working so well at this moment in Belgium or Spain where the parliaments have been struggling to form a government. As well, there is a whole range of examples in between that one could point to.

We don't know what governments will look like or how they'll work. This is something we'll have to learn and we'll have to change as new parliamentarians and new voter patterns evolve.

Fourth, I would say that we need to remember that the federal realities of our country will necessarily govern possible or even desirable reforms.

• (1405)

If we maintain our constitutional practice that assigns members of Parliament by province, then we must recognize that some systems that will work well in large provinces like Ontario might not work very well in the territories or some of the smaller Atlantic provinces that would have many fewer members, particularly if we wanted to go to some kind of proportional system that consumes more members than electoral districts.

It, of course, would be possible to have different systems in different provinces, or different parts of provinces. We experienced that in Canadian history over time, but that would undermine our understanding of elections as common national events and we would have to begin to think about what a national election was in that case. It would, of course, also produce a House of Commons whose members had very different responsibilities and orientations.

If we're concerned with the principle of "all votes counting equally", and there's been a lot of discussion about that, then it may well be that the place to start is surely with the fact that we don't have representation by population in this country and never have. Votes have always counted more in Prince Edward Island than in British Columbia, several times more. Changing the voting rules to a different system isn't going to change that reality. That won't give us equal votes as long as we don't change that system. I know it's deeply imbedded in the Constitution, and that's probably beyond where anyone on this committee reasonably wants to move, but

that's the kind of reality we need to keep in mind when we think about equal votes, this federal dimension to the system.

Fifth, let me say that the thousands of Canadians who took part in the recent provincial reform debates in the citizens' assemblies in Ontario and in British Columbia, in the Commission on Legislative Democracy in New Brunswick, on the parliamentary commission hearings all across Quebec, have been very clear about what they want in an electoral system. They've identified pretty clearly what they think are the three values that they most highly value.

One was fair representation, and by that most voters meant something like proportional representation was the value that was to be put near the top of the list.

Secondly, they valued strong, identifiable, local representation by which they meant an individual, local MP they felt connected to and that they could identify with, and would identify with them and their community.

Thirdly, many Canadians, in fact a plurality in British Columbia, said they wanted more choice on the ballot. They wanted a more sophisticated ballot. The one they have now allows them to put an X beside one name and they thought that, frankly, they made more complex choices every day in Safeway than when they went into the ballot box. Most other electoral systems provide for different patterns of choice, so choice was something they would like to see.

That was the perspective of voters, but those are three very different aspects of any system: the counting rules, the representational basis, and the ballot form. Those three dimensions of a system, which are part of any different electoral system, can be and are combined in very many different ways in different systems. Often, to give up some of one is required if you want to get some of the other. For instance, it's why they recognize that there's always a trade-off between proportional representation and local representation. If you want a single electoral representative from your district, it's very hard to have proportional representation because you have to go to multi-member districts, and so on.

In fact, all electoral systems involve difficult and contentious trade-offs between those three dimensions that then spill over into all the other dimensions of the electoral system I've referred to. That's in fact why the five provinces came up with five different systems when they went through this exercise, because they combined those basic pieces in quite different ways.

Let me conclude with a more personal note, drawn perhaps a little bit less from the comparative experience. As a scholar of political parties, and I've spent my career studying political parties in this country and abroad, I'm particularly struck by the extraordinary role that they've played in Canadian history. This is a country put together by political parties and constantly re-engineered and reimagined by political parties as nation builders. They are one of the few institutions that Canadians have in common. National general elections are one of the very few things that Canadians do together. On election day we all do that together. It's national political parties that tie us together at election time. When I cast my vote for a national political party's candidate, I'm acting in concert with my fellow citizens in Montreal and Saskatoon and hundreds of other communities across the country. I believe we risk losing a good deal of what gives elections their national meaning, gives common cause to our public life together, if we undermine national political parties.

• (1410)

In the past, both of the great historic national parties in this country have broken apart and fallen into pieces, only to be stitched back together in response to the powerful incentives of our current electoral system, the most recent example being the rebuilding of the Conservative Party after it broke into three pieces in the 1993 general election. My view is that with a highly proportional electoral system, there's a major risk that we would lose our national political parties. I think the electoral incentives would powerfully favour regional and sectoral parties at the expense of national ones. Our national parties might easily break into pieces of different kinds and different shapes depending on the party. Under proportional representation, like Humpty Dumpty, national parties would not easily be put back together again.

If the country was badly governed, if there was evidence of a genuine national democratic malaise, if there was a representational crisis, it might be worth taking the risk and moving to a radically different kind of electoral politics, a different kind of way of linking Canadians together on that one day in which we act together in concert in advancing our common community life, but I don't think those things are the case. In defence of political parties and our common national political life, my own personal vote would be against proportional representation.

Thank you, Mr. Chairman.

[Translation]

The Chair: Professor Carty, thank you for that very clear presentation.

We will now move on to Professor Tanguay, whose research focuses on electoral reform in liberal democracies. He studies the relationship between political parties and their interests outside the political system. I should also note that Professor Tanguay authored the Law Commission of Canada report entitled *Voting Counts: Electoral Reform for Canada*, in 2004, I believe.

Professor Tanguay, you may go ahead.

Mr. Brian Tanguay (Professor, Political Science, Wilfrid Laurier University, As an Individual): Thank you.

Good afternoon everyone.

[English]

I am extremely grateful to the Special Committee on Electoral Reform for inviting me to speak to today's session. The work being done by this committee, as everyone here no doubt knows, is of vital importance for the future functioning of our democratic polity and I am honoured to be part of the process.

In 2003, I had the great pleasure and privilege of working for the Law Commission of Canada, drafting its report, "Voting Counts: Electoral Reform for Canada", which was submitted to the minister of justice in 2004.

This followed an extensive and multi-faceted public consultation strategy undertaken by the LCC, in which citizens and experts were asked what values they wanted to see enshrined in our electoral system. Two values appeared to be the most important to voters and experts alike when they were asked to think about their ideal electoral system. First, it should promote demographic representation; in other words, the legislative body that emerges after a vote ought to reflect or mirror the population that elected it. Second, the translation of votes into seats ought to be fair or equitable in its treatment of the political parties; there should be a rough correspondence or proportionality between a party's share of the vote and its representation in Parliament.

Of course there were other values, as Professor Carty mentioned. The importance of local representation came out strongly in our consultations as well.

Just to underscore the importance that most voters place on this idea of the fairness of electoral outcomes, let me give you some illustrations from the 2007 provincial election in Ontario and the accompanying referendum when 63% of those voting rejected a mixed member proportional or MMP system for the province.

At that time a few colleagues and I conducted a survey of the electorate. When asked if it was acceptable or unacceptable for a party to win a majority of seats without winning a majority of votes, 44% said "unacceptable", versus 29% who said "acceptable".

When asked whether a party that comes in first in an election with about 40% of the votes should get more than half the seats in the legislature so that it can govern easily on its own, only 23% agreed. Fully 50% thought that the party with 40% of the votes should get about 40% of the seats. This idea of proportionality seemed ingrained even among voters who rejected the MMP proposal. We conducted our survey after the referendum.

Our existing electoral system—whether you call it single member plurality, SMP, or the more colloquial "first past the post", or whatever you want to call it—does not do a very good job of meeting either of the requirements I have mentioned. Of course this is not to deny that the present system has its strengths: in particular, its simplicity to the average voter, its ease of administration, its promotion of territorial representation, the link between the voter and his or her MP in a defined constituency, and its fostering of accountability—voters can usually easily identify the decision-makers, parties to reward or punish after their term in office through the time-honoured practice of throwing the rascals out.

But in terms of producing a Parliament that is a mirror of the nation, the present electoral system does a very poor job indeed. It poses significantly high barriers to the election of women, minority, and indigenous candidates. This was actually one of the original complaints about first past the post made by one of the earliest advocates of PR in the 1850s, John Stuart Mill.

First past the post, as we know, simply does not produce proportional results. It does not treat all parties fairly. Most importantly, from my perspective, the present system throws up enormous barriers to the inclusion of new voices in Parliament—like those of the Green Party, for instance—something that detracts significantly from the effectiveness of this body as a forum for the generation of new ideas and policies to cope with the challenges posed by this rapidly changing world.

Taking into account the data from the public consultations, the LCC report's main recommendation was to establish a mixed member proportional, or MMP, electoral system in Canada, similar to those currently in use in Germany, Scotland, Wales, and other jurisdictions.

Such a system, in the thinking of the commissioners, would offer the best of both worlds since it would feature the election of individual members of Parliament in geographically defined ridings, a hallmark of the British-style system that we've used here in Canada since before Confederation, along with European-style representation of diverse currents of opinion in the electorate through proportional representation from party lists.

• (1415)

I don't have sufficient time to get into the nuts and bolts of the model that was proposed by the LCC, but suffice it to say at this point that the essential feature of the system would be to divide the House of Commons into two different tiers of seats. Two-thirds would be constituency seats, elected through first past the post, and one-third would be regional list seats. In our current 338-seat Parliament that would translate into 225 constituency seats, 110 compensatory list seats, and with three single-member ridings for the territories as is presently the case.

Voters would have two votes, one for a candidate in a riding and one for a party, and they could split these votes, opting to support, for example, a Liberal candidate in their constituency while voting for the Greens on the party portion of their ballot. We have found in a country like New Zealand, which has adopted the mixed member proportional, that between 30% and 40% of voters will actually split their ticket.

A party's share of the seats would be determined by the party vote and the number of constituency seats it wins is then subtracted from this total. Remaining seats are filled from regional party lists, which would be determined in any of a number of different ways.

The law commission proposed so-called flexible lists, which would provide voters with the option of either endorsing a party's slate or indicating a preference for a particular candidate on the list. Since the law commission report was published it's become abundantly clear in the referendum result in Ontario, for example, that a majority of voters will not tolerate any hint of party elite manipulation of these list candidates. That was one of the biggest

factors contributing to the defeat of the referendum, in my experience.

The other was the proposal to increase the size of the legislature simply to restore the size that it had prior to Mike Harris and the Progressive Conservative government that was elected in 1995. That proposal raised the ire of a lot of voters.

If I were to rewrite or amend the 2004 report, I would try to ensure that these lists we're selecting from are in the most open fashion possible, either in the form of completely open lists where the voter can tick beside whatever list candidate they would want to support or even—why not?—in the form of regional party primaries, which would be one of the most democratic ways possible of selecting these candidates.

If this model were adopted, the MMP proposal from the law commission, one of the most significant consequences would obviously be to make majority governments an unlikely outcome of elections. Coalitions of necessity would become the norm. Many view this prospect with fear and loathing, but I firmly believe that this change would represent a tremendous opportunity for Canadians.

One of the biggest flaws in the Westminster model is that it allows the governing party with its artificially or mechanically swollen legislative majority to dominate the political agenda almost completely for a period of four or five years thereby contributing to the marginalization of Parliament. As Professor Henry Milner has recently argued—I'm happy to see he's on the list of witnesses scheduled to appear this week—our electoral system contributes to what he calls PMO autocracy and the only effective way of remedying this problem is to share power at the highest level by replacing majority governments with stable minority or coalition governments.

I share the view of the Dutch political scientist, Arend Lijphart, that consensus democracies, those whose electoral systems are based on some form of proportional representation, on the whole have more satisfied electorates than is the case with the majoritarian democracies—like our own—that operate under first past the post based on the Westminster style of government.

The consensus democracies in Lijphart's study, which is called *Patterns of Democracy*, do indeed provide a kinder, gentler form of democracy than their Westminster counterparts. They outperform the latter in terms of representing women's interests, promoting political participation, and providing the majority of their citizens with an adequate social safety net.

At the same time Lijphart shows that the most typical criticisms of PR systems, that they produce governments incapable of making the tough economic decisions and therefore lead to diminished economic performance, are highly exaggerated. PR systems are in use in a wide range of countries—think of Sweden, Norway, Germany—whose economic performance has been as good as or better than ours or the United States' in the last couple of decades.

●(1420)

Even though the law commission report was shelved by the government of the day, its analysis and recommendations have continued to inform recent debates over electoral reform in this country. I know that Fair Vote Canada frequently makes reference to the law commission report, and I find that gratifying.

This is an issue that simply refuses to die no matter how many referendums or plebiscites were held in the past decade. In my opinion, the only way to address the significant defects in our Westminster model of government is through fundamental electoral reform, by adopting a system that ensures both demographic representation and proportionality in the translation of votes into seats in Parliament.

Thank you.

●(1425)

The Chair: Thank you very much, Professor Tanguay. It was very interesting to have that historical perspective from the report you wrote.

We move on now to Professor Nelson Wiseman, director of the Canadian studies program and professor of political science at the University of Toronto. Professor Wiseman has appeared as an invited guest at the Senate's legal and constitutional affairs committee, the Standing Committee on the Legislative Assembly of Ontario, and the House of Commons procedure and House affairs committee. He authored an invited brief on Canada's fixed election date laws for the U.K.'s House of Lords as well.

Without further ado, Professor Wiseman, the floor is yours.

Dr. Nelson Wiseman (Director, Canadian Studies Program, and Professor, Department of Political Science, University of Toronto, As an Individual): Thank you, Mr. Chair, and thank you for inviting me to participate in your deliberations. You're welcome to my 10 pages of notes.

Your mandate is to study alternate voting systems, mandatory voting, and online voting. I'll state my positions briefly.

There is, of course, as Professor Carty pointed out, no single best electoral system. If I lean toward any one alternate system, it's the hybrid system used in Manitoba and Alberta between the 1920s and the 1950s, whereby you had a single, transferable vote in one large multi-member riding for the cities—Calgary, Edmonton, Winnipeg—and you had the transferable ballot in the other areas.

I would not put the issue of an alternate voting system to a referendum. It's unnecessary, it's a waste of money, and it will almost certainly fail. You may as well recommend not changing the system and save Canadians the cost.

If you have a free vote in Parliament on an alternate system, if it is a free vote, I also believe it will fail, because it's not in the interests of most members, or quite frankly, the governing party.

Mr. Kingsley gave you some examples of the distortions caused by the first past the post system. Here's a more glaring example. In 1993, 2.2 million Canadians voted for the Conservative party and 5.6 million voted for the Liberal party. For all those Conservative votes, they elected two members. That's 1.1 million votes to elect an MP.

For every 31,000 votes, the Liberals elected a member, and they got 177 seats.

I do not favour mandatory voting.

You've also discussed Internet voting. I don't favour that either, but if it is going to be used, I think it should only be for the housebound and the disabled.

Let me also say something about Elections Canada, because I had a chance to read the testimony of the Chief Electoral Officer. I don't think Elections Canada ought to have any education function beyond letting people know where to vote, the ID requirements, and how to register if not on the voters list—in other words, the conditions in the current Fair Elections Act.

Now, many have studied alternate voting systems, including a number of provincial governments, citizens' assemblies, academics, the law reform commission, and others. I'm curious what your committee is going to learn that is new. In fact, striking this committee suggests that the government is hesitant to fulfill its election promise.

There has been reference to the Ontario citizens' assembly. My thought is that we should look at it more closely, because I think the experience is instructive. There were 986 submissions about changing the system; 692 offered pro comments and only 7 or 8% tendered con comments. By a vote of 94 to 8, the assembly proposed MMP but in the referendum, the cons prevailed overwhelmingly. As Professor Tanguay pointed out, barely more than a third of the public voted for it.

I respectfully note that Mr. Reid discounts the cost of referendums. He said to the media, "If we're worried about the cost of democracy, then we should suspend having any future elections, shouldn't we?" This, I submit, is a false equation. If Parliament changes the electoral system without a referendum, the international community will barely take note. If elections are suspended, the reaction will be much different.

I'm aware of a recent poll that says 65% of respondents favour having a referendum. I suggest you discount such polls. I have yet to see a poll on any issue in which respondents said a referendum was not their preference, when they're asked.

I think referendums are a dreadful way to determine policy or to be taken as the cardinal measure of democracy. If Canadians feel strongly enough about how a government has changed the electoral system and they oppose the change, they'll defeat the government in an election, no matter what system is used. The term "democracy" is too readily bandied about in debates about the electoral system.

●(1430)

Democracy has a kaleidoscopic quality that transcends election rules, much more vital than the electoral system, much more vital than turnout rates or a country's underlying political cultural underpinnings. The health and vigour of its civil society, the independence and probity of the judiciary, media freedoms, transparency and accountability in public administration, informed debate in crafting public policy, unfettered competition in political ideas—on these scores, Canada's electoral system is actually a sidebar.

Proportional representation promises to end distortions caused by the current system. Proportionality, incidentally, is something courts consider in the context of section 1 of the Charter of Rights and Freedoms.

The ranked ballot, which I do not oppose, may also cause distortion. A party could receive 40% of all the first-choice votes and not win a single seat. B.C.'s experience demonstrates that the public's appetite for electoral reform varies with perceptions of the unfairness of the most recent election. In B.C., 58% of voters supported a change in the 2005 referendum, but 61% opposed it in the 2009 referendum. This suggested a fickle public.

The elections held before the referendum, however, explain the inconsistency. In 2001, the Liberals won 77 out of 79 seats on 58% of the vote. The NDP only won two seats out of 79, and it got well over 20% of the vote—22%. This seemed palpably unfair to many. In 2005, however, the Liberals won 46 seats on 46% of the vote, and the NDP won 33 seats on 42% of the vote. For many, this fairer outcome sated their appetite for change in the 2009 referendum.

I do not believe there is much popular desire for change nationally. The public perceives that although the Liberals won less than 40% of the vote in the last election, the result was consistent with 2011, when the Conservatives won the same percentage, and in both cases the parties formed majority governments.

MPs are elected to act on their party's platform and to exercise their judgment, not to make policy by transmitting the momentary and impulsive opinions of their constituents.

Some believe the constitutional convention requires a referendum. I think you're going to hear this tomorrow. I disagree. Tomorrow you'll also hear from the eminent constitutional scholar, Peter Russell. I look forward to his opinion. He may surprise me, but I think he shares the view that there's no such convention.

Some argue—and I saw this argument in *The Globe and Mail* by the former prime minister's legal adviser—that a reference case is necessary because the courts might rule a change unconstitutional because it lacks provincial concurrence. They cite the Senate reference case.

There's no parallel, in my opinion. Senators represent provinces and provincial interests. MPs do not; they represent parties and the people in specific constituencies. In the Senate case, the reason we had a reference is that many provincial governments questioned the constitutionality of the federal government's proposals and launched references themselves. No province has hinted at questioning the

constitutionality of changing the federal electoral system. If they do, I think they'll be batted down by the courts.

I have many more comments and observations, but I thank you for your time.

●(1435)

The Chair: Professor Wiseman, you have about a minute left, but I see your brief is much longer. Do you want to address some of the points in the rest of your brief through answers to questions, or are there specific points you'd like to make in the minute that remains?

Dr. Nelson Wiseman: Okay, let me attack Elections Canada, because nobody else has.

Voices: Oh, oh!

The Chair: You have 45 seconds to do that.

Dr. Nelson Wiseman: Elections Canada doesn't need an education campaign to alert voters to new systems. The media, the parties, and the candidates will do it. In my opinion, Elections Canada has become too big and is constantly looking to increase its bureaucratic net. It and many others, including media outlets and more than 400 academics, claimed that the Fair Elections Act would disenfranchise citizens and lead to lower voter turnout, but we had an uptick in turnout, from 61% to almost 69%. It has never increased that much between two elections since Confederation. Linking the electoral system to citizen disengagement is unconvincing. I suggest you look at what happened in New Zealand.

I believe my time is up.

The Chair: Thank you, Professor Wiseman.

Thank you to all three witnesses for those positions on electoral reform that were obviously very well informed by experience and research, positions that are not all in harmony, I would add, which will make our discussion that much more interesting and stimulating.

We'll do two five-minute rounds, keeping with our normal practice that we've established already.

We'll start with Mr. DeCoursey, for five minutes, please.

[*Translation*]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Our thanks to all three of you for sharing your perspectives, which are based on years of experience and hard work in this field.

[*English*]

I'll ask my questions in English for the benefit of everyone here.

Professor Carty, you talked a little bit from your experience working with different institutions and from your research. There's an appetite for citizens to have more choice in their balloting. I think Professor Tanguay, you mentioned the Law Commission of Canada was excited by some desire for that. I didn't hear that from Professor Wiseman.

Maybe starting with Mr. Carty, can you speak to some of the benefits that you may see or that you've heard from citizens, if they were allowed to have more choice or more preference in their balloting? Then maybe we'll get a perspective from the others.

Dr. R. Kenneth Carty: We've heard a very great deal about this in the British Columbia exercise, which involved the citizens assembly and 50-plus public hearings around the province. In many of the presentations, voters said, "You know, we're faced with putting an X beside one name or another, and that really doesn't give us much of a choice". They understood, because they'd been studying other systems, that in some places people were able to perhaps rank—one, two, three—the order of their preference; or that in some systems, people had a vote for a candidate and a vote for a party. There was a range of different ballots that offered them what they believed to be more sophisticated or more complex patterns of choice, and they were keen to exercise those, given that they had one day every four years to have some kind of input.

The other reason that was often strongly voiced was that they believed that this would give them more say in whom their representative was, and they thought that, in fact, the losers in that, or the people who would have less say, would be the political parties.

There is a deep antipathy and suspicion of political parties amongst voters. They said that, you know, 30 people get together in a church basement somewhere and foist a candidate on them. If the parties had to give them several candidates and they got to choose one, then they would have more say. This was a way in which they believed that citizens would have more say with respect to the parties and the candidates they offered, even in a party they strongly supported. It was a way in which, I guess, they would think of bringing a primary system and building it into the electoral system, so there was a double level of choice there.

Mr. Brian Tanguay: In terms of the law commission, one of the reasons we recommended the mixed member proportional was precisely because of the fact that it would seemingly maximize choice for voters. It would give them the opportunity to vote for a candidate, which we heard loud and clear is very important for voters, that geographic link that they have with their representatives. But at the same time, there was the other portion of the ballot, this fact that they would get two votes, the other for a party, which would allow some kind of heightened strategizing on the part of voters. In a single riding, they could say that they really do like the Green candidate but they think it's really important that the NDP get support. They could play one off against the other, and we've seen from the operation of mixed member proportional in Scotland, Wales, and New Zealand that this form of individual strategizing does take place, and it does seem to be important to voters.

● (1440)

Mr. Matt DeCoursey: Professor Wiseman, do you have any comment?

Dr. Nelson Wiseman: I don't think Canadians are terribly interested in this issue. I think studying alternate voting systems is an elite pleasure industry.

If you look at any of the polls taken before the last election, in which people were asked what the most important issues were, you'll see that changing the electoral system did not register. Now, are

Canadians interested? The people you will be meeting—and you're going to be travelling across the country—I suspect are going to be largely self-selected. Most will be in favour of changing the system, but they will not be representative of the public. We have experience with one stand-alone referendum on the issue, and that is in Prince Edward Island. In all the other places—and I heard Mr. Reid refer to a turnout of 61% in the referendum in B.C., but that's because there was an election going on.

In Prince Edward Island, the turnout rate is consistently 80% and above. It was that in the last election. When it has its stand-alone referendum on an alternate voting system, according to Peter MacKinnon, the political scientist, 35% of Islanders turned out.

The Chair: On that note we'll go to Mr. Reid, who I'm sure will have a number of questions.

Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you.

I want to start by asking Professor Carty to give a comment to follow up on a comment Professor Wiseman made. Professor Wiseman has indicated he's not an enthusiast for referenda on this subject.

Professor Carty, you were involved in the design of the B.C. STV system, which was subsequently submitted to a referendum. Back in 2004 you indicated that you thought referenda were the gold standard, as you put it then, for deciding on electoral reform. That was, in all fairness, before the referendum that took place.

I'm wondering what your views are on that today.

Dr. R. Kenneth Carty: Well, I would say I wasn't involved in designing that system. That system was designed by the assembly members, and I was only their humble servant in that exercise. The evidence from the referendum—and we did a fair amount of research after it—was that the large majority of people who voted in the referendum really knew nothing about the issue on which they were voting. People who voted for the referendum voted to adopt the system. I think someone said 58% voted in that referendum in favour.

The large majority of people who voted for it were people who knew about the citizens' assembly and who approved of that exercise. What they were really doing was signalling their approval of an initiative that had come from their fellow citizens. They understood that their citizens had spent a year going around the province consulting, thinking about it, and working out a range of alternatives, because they devised an MMP system, an STV system, and a first past the post system.

All that the evidence suggests, from the polling we did, was that people who voted for it were really people who knew about the system, but more to the point knew about the citizens' assembly and believed they had done a good job. The majority of people who came to the polls who knew nothing about it essentially voted against it. I think the evidence, certainly from Ontario, suggests that the large majority who come to these referendums really know nothing about the substantive details of the issue.

In both those cases they were being asked to vote on a very specific proposal, because both those citizens' assemblies weren't recommending a change to an MMP system or to an STV system, but were recommending a very detailed, worked-out, complex system, which it would probably be unfair to expect people to understand.

As to what I said in 2004.... I'm sorry, I don't remember.

• (1445)

Mr. Scott Reid: That's fair, and I did not mean to imply—

Dr. R. Kenneth Carty: Nor do I remember the context, but I think our evidence suggests that it wasn't a good exercise. There are other aspects of the citizens' assembly that, in retrospect, didn't work very well, if you're interested.

Mr. Scott Reid: I did not mean to imply at all that you were in any way manipulating the citizens' assembly, but you did participate and provide expert information to them.

Let me ask this further question, then, relating to the whole notion of citizens' assemblies. They provide an alternative way that this process we are engaged in today could have been done, and this raises a question. Whatever comes out of this process, there is this committee, which will make a report, and then the government may or may not choose to follow that report.

The government has been very explicit that cabinet will have the final say on how this thing is designed. This raises the question, effectively of whether that is going to cause the same outcome to seem less legitimate in the eyes of Canadians than it would have been had it come out of a citizens' assembly exercise.

Dr. R. Kenneth Carty: I don't think we know about that. I think it will depend on what comes out of it. People have conflicting views about the legitimacy of everything governments do. The citizens' assemblies were held, really, following the example of Premier Campbell, who thought it really wasn't the business of politicians to be writing their own rules. That was his logic, and it was one that he in effect sold to his caucus and sold to the province, so the citizens' assembly went at the business of devising a system.

The counter-argument is that it's precisely the business of elected representatives to make these kinds of decisions. I don't think we could extrapolate one way or the other about how people would respond to a report that came out of a balanced committee and that had a kind of measured consideration of the proposal that ultimately came out.

[Translation]

The Chair: Your five minutes are up, but you'll have a chance to ask more questions later.

It's now over to Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Mr. Chair.

[English]

Thanks, everyone, for being here.

I wouldn't mind perhaps, Mr. Carty, later finding out some of those lessons learned from the citizens' assembly. That is not the direction the government has chosen, although we would have

preferred one. Perhaps not today, but I know there was a great deal of...particularly on the side of the things that were learned.

Dr. R. Kenneth Carty: I wrote an excellent book on it.

Mr. Nathan Cullen: Buy the book; that's a good book promotion.

Some hon. members: Oh, oh!

Mr. Nathan Cullen: I'm posing a question to you, Mr. Tanguay. It's with respect to what you learned at the law commission and what we learned from other research on the direct connection, that in whatever system we come up with there has to be some direct connection between a voter and the person who represents them.

You talked about the potential of a party primary to derive the list. There have been concerns about MMP systems around the world where parties and party leadership decide who will be on that list and there isn't as much of a connection. They're like senators suddenly. You don't know who they are and you don't feel any connection to them, and that wouldn't be healthy for democracy. Have we seen that anywhere? Can we find some modelling of how that primary system would work in terms of deriving those lists? I assume it's at the regional level.

Mr. Brian Tanguay: It would be at the regional level, and to my knowledge, no. My thinking is that the law commission advocated what we called flexible lists, where as a voter you could choose between either the party slate or individual candidates on that slate.

Mr. Nathan Cullen: I'm imagining something akin to what we have right now, which is candidates for each of the parties running in local nominations at that riding level and first past the post. But in a consensus-based system that proportionality can get made up also of candidates but who ran at a more regional level, who were picked and then presented to the voters that way.

Mr. Brian Tanguay: Yes.

Mr. Nathan Cullen: Okay.

I committed to taking some questions from Twitter, and Eleanor Grant has consented to me asking this. If a Conservative in Toronto or an NDP in Atlantic Canada, you would like a sympathetic rep to talk to who knows your region. As it is right now, if you're a Conservative in downtown Toronto, or if you're NDP out in Atlantic Canada, if you're a Liberal on Vancouver Island, what does the proportional system offer that's improved from the winner-takes-all system for people who happen to live in a region in which their political views are not being expressed by the winner at the ballot box?

Mr. Brian Tanguay: Again, if it's the law commission model, it combines the two of geographic representation, of single representatives in a defined constituency, supplemented by these compensatory list MPs, however they're chosen. What we seem to find in both the law commission and subsequently the Ontario referendum is that the regional compensatory lists have to be small enough that you can't be a voter in Nipissing getting somebody from Toronto representing you.

Mr. Nathan Cullen: That's right, at the right scale level.

•(1450)

Mr. Brian Tanguay: Exactly, that's right.

Mr. Nathan Cullen: I have one follow-up question perhaps, and I don't know if Mr. Wiseman can comment on this, or you, Mr. Tanguay. I think you made reference about the stability of governments that are chosen by consensus democracies, by proportionality. How stable are those governments, because there are sometimes inferences that they're not? How successful are those democracies, and by that I mean economically, social programs, and that type of thing? Is there anything to fear in the examples that have gone ahead in other countries that have chosen proportional systems in terms of the effect on real people's lives and real outcomes in terms of policy?

Mr. Wiseman, do you want to start, then perhaps Mr. Tanguay?

Dr. Nelson Wiseman: We could talk about the Nordic model. It seems to have worked well up there, in Denmark, Norway, Sweden. We could talk about what happens in the Mediterranean basin. In Israel, in Italy, and in Greece, it hasn't been quite that co-operative, so I come back to my point that the electoral system is secondary to the underlying political culture. That's going to be much more influential. As Professor Carty pointed out, there's no way of knowing how things will work out, but I'd be fairly optimistic if you change the system.

In New Zealand after it was changed—and voters wanted the change, they voted in favour of it—they got the change and then they got very upset. Had we had another referendum, they would have reversed it because they felt that a small party was the tail wagging the dog. The smallest party joined with an unlikely—

Mr. Nathan Cullen: Did they not have another referendum? They had a second one, whether to keep it or return to first past the post, and they chose to keep it, did they not?

Mr. Brian Tanguay: They did.

Dr. Nelson Wiseman: Yes, they did, because after that election now the politicians and the citizenry were adjusted to the system. It seems to be working there. I'm not an authority on New Zealand.

I think that would happen in Canada.

[*Translation*]

The Chair: Thank you.

It's now Mr. Thériault's turn.

Mr. Luc Thériault (Montcalm, BQ): Good afternoon, gentlemen. Thank you very much for your input.

Mr. Wiseman, I quite appreciated your candour, even though I don't necessarily agree with what you said.

This is for all three witnesses. You talked about the political culture. I had the opportunity to travel across Quebec as part of the study carried out by the province's electoral reform commission. In every single region of the province, we frequently heard from people that, beyond the mechanics of the electoral and voting system, they were fed up with the conduct of politics, particularly when it came to party lines.

Political parties are ideological war machines. A compensatory mixed voting system would inevitably lead to coalition governments.

Would that necessarily make the public less cynical about governments? On the one hand, if the political culture does not follow, responsibility for the mandate is more or less clear come election time. I'm referring to the responsibility for the process. On the other hand, who makes the list? Even if it's voters casting the ballots and primaries are held, the list is still the choice of the top 15 members that the party has more or less given priority to.

Doesn't such a system strengthen the party line, when the government is made up of a coalition decided by the party apparatchiks after the fact, following an election?

I have to be critical, even though I am in favour of change.

Isn't the situation I described likely to make people even more cynical, if political parties don't adapt? What reason is there to think that parties would be able to adapt?

What value would election platforms have in 25 years if we ended up with coalition government after coalition government?

•(1455)

Mr. Brian Tanguay: As for whether the reform advocated by the Law Commission of Canada could lead to less cynicism among voters, I think the answer is partly yes. As Professor Carty mentioned, people are highly skeptical of political parties at the moment. That makes our jobs, as political scientists and members of a special committee on electoral reform, quite difficult. In some cases, that cynicism has simply become the reflex and is not necessarily based on the reality.

In my opinion—again, this is merely my opinion—a system in which the forming of a coalition government forced the political parties to work together could eliminate some of that cynicism. Confrontation-style politics, a key component of the Westminster system, reinforces the cynicism that Canadian voters have, in my view. I think voting systems based on proportional representation force political parties to co-operate, thereby eliminating some of that voter cynicism. That said, such a system would not be a cure-all.

Mr. Luc Thériault: And what about the issue of party lines?

Mr. Brian Tanguay: It depends on how candidates on the list are chosen. If the party machine or elite appear to have control over who is on the list, it will reinforce voters' cynicism. But if voters get to choose, for example, through primaries or completely open voting, I think it would be very hard to claim that party elite were controlling the process.

The Chair: Thank you.

That leaves about five seconds.

It's now over to Ms. May.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

Thank you to all of the witnesses today.

I noted that Nathan Cullen had intended half of his question to go to Professor Tanguay, so I'm just going to follow up.

You may have been ready to jump in and we ran out of time. The question that was being asked was whether we had any evidence of how consensus-based PR systems perform in terms of indicators of stability of governments, economic performance, and so on. If you had any comment on that, I wanted to give you a chance.

Mr. Brian Tanguay: Thanks very much.

Again, I mentioned in my remarks the seminal study by Arend Lijphart, the Dutch political scientist, who divided up OECD countries into consensual versus majoritarian democracies. He found on a whole range of indicators that the consensus democracies, those that use some form of proportional representation, had happier, more content electorates, citizenry; performed better on a whole range of social indicators; and were certainly no worse, and in many cases better, than the majoritarian countries, such as the U.K., the U.S.A., and Canada, in economic performance. One of the key elements of consensus democracies is coalition government, which forces collaboration among parties, which leads to greater continuity of policy outputs. All of that leads, in a kind of beneficial feedback loop, to a happier electorate.

Ms. Elizabeth May: While I'm with you, Professor Tanguay, I wanted to ask you this. I've had this idea, and I think Scott Reid actually remembered that it's used in one state within Germany. The most open of lists that I can imagine would be if the proportionality to redress skewed results, which did not reflect how people had actually voted, would be just to take the top-performing candidates from those who'd run across the country under the party banners nominated through the usual way. Has that been an idea that, instead of your regional primary idea, would be sufficiently open? Are there flaws in that?

• (1500)

Mr. Brian Tanguay: It is a very good idea. I will say that Fair Vote Canada is currently drafting a kind of proposal that would be based on the best losers—the term that's sometimes used for that. I guess that's derogatory.

Ms. Elizabeth May: I think that won't catch on.

Mr. Brian Tanguay: That's right. We should say the best runners-up or something. The advantage there is that these are all candidates who have presented themselves before the electorate in one way or another, whereas some list candidates—whether they're chosen through a primary or an open ballot or a flexible list, whatever—would never have actually sought election on the hustings, as it were. That would be the great advantage of that particular system, and it is something that Fair Vote Canada is actively pursuing at the moment.

Ms. Elizabeth May: My next question is to Professor Carty. I was struck by your presentation because you said things and, with all due respect, I thought it was the opposite. I just want to put it to you. You said that a highly proportional political system will encourage regional and sectarian parties. Now I've always been of the view, with all due respect to my friend Luc, that the Bloc Québécois could never have become official opposition other than by first past the post. I mean how does a party that only runs in one province assemble enough seats to actually be the official opposition in our Parliament if not for first past the post? Maybe you were just contrasting highly proportional representation systems versus proportional representation that included mixed members. I was confused by the comment. Perhaps you could clarify.

Dr. R. Kenneth Carty: I think my observation was that I believe under relatively highly proportional systems, even moderately proportional ones, the big national parties would be disadvantaged. In fact, it would be to the advantage of different parts of these national parties to kind of go their own way, as the Conservatives went three ways in 1993. Without first past the post, they would never have come back together. I think that over time we would have, in fact, the erosion of national parties because there would be electoral incentives in different regions, among different groups, to produce their own candidates and not be tied by a national platform. I believe the real risk of proportionality is the erosion of national parties, and I believe, national politics.

Mr. Thériault made the very wise observation that political parties are instruments of war; they're instruments of conflict. The question about electoral systems is this. Where does the conflict take place? Does it take place within the parties, between the parties, amongst the candidates? Every electoral system changes where the conflict takes place, both at the electoral level and at the governmental level.

What we're thinking about is how we organize conflict in our society—I mean that's what democracy is trying to do—and how it gets structured, and what the consequences are of different patterns of conflict. My observation was simply, I think, that proportionality would generate patterns of conflict that would be antithetical to the broad, national political parties that have been critical to our national development.

The Chair: Thank you.

We'll go to Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

Thank you for being here today. I'm quite enjoying your testimony today, because it's eye-opening and very blunt. I like that. I appreciate it.

We were talking a little earlier about education during the periods of referendums we have had in Ontario and in B.C.

Mr. Wiseman, you were saying that you didn't think Elections Canada should be involved in the education process. I feel that we have an ambitious agenda ahead of us, and we have been reassured by Elections Canada that once this committee comes up with a recommendation and it passes, we will be able to put a new system in place.

My concern, however, is how to educate the people about this new system. Are there any lessons that were learned from B.C. and Ontario about the education process in their referendums? Then, Mr. Wiseman, could you also comment on why you think Elections Canada shouldn't be involved in the education process? I know they're eager to make sure that we increase voter representation and voter turnout and that we educate voters on the new system.

• (1505)

Dr. R. Kenneth Carty: The experience of the British Columbia exercise was not encouraging. The major paper in the province, the *Vancouver Sun*, assigned a full-time correspondent for the entire year, and the assembly and all its work was covered in enormous detail. The newspaper published the entire report in full in the newspaper, yet we know that when most people came to the polls, they really knew nothing about it.

I'm really loath to admit this, as a political scientist, but it turns out that most people don't go to bed at night thinking about electoral systems and dreaming about possibilities. It's the truth, so the challenge of educating would be enormous and I think most people would learn simply by doing, the first time.

If I had a simple-minded solution—this is one that Wiseman is really going to hate—it would be the power of compulsory voting, because I think that would produce enormous incentives for the political parties to get out and educate large numbers of voters.

Large parts of campaigns are spent now identifying the vote and getting people to the polls. You all know that; you live by that. If you have compulsory voting, parties don't need to spend nearly the same kind of time identifying voters and getting them to the polls, because they're going to get there. I think one of the experiences of Australia is with compulsory voting. It means the parties spend an awful lot of time trying to educate the people who are going to show up about what's at stake and what their policies are.

What you want to do is create a system in which parties and active participants who have something at stake are actively engaged in educational work.

Mr. Brian Tanguay: Based on my experience in the Ontario referendum campaign, I would not be optimistic about the prospects for political education through the party organizations themselves. I think that kind of education is always going to be refracted through a partisan lens.

What we found in the referendum campaign is that the parties played a confusing role. They sent out confusing and mixed signals to their own voters. That was especially true of the Ontario Liberal Party of the time, which itself was conflicted over its initial recommendation to create a citizens' assembly to explore electoral reform. If that means a greater role played by Elections Canada in educating voters, I would be all for the bureaucratic overreach entailed in that system. I don't see it occurring through the parties themselves.

Another thing was that there was a lack of information in the Ontario referendum campaign. The citizens' assembly report was not published, as far as I know, by any newspaper. The copies disappeared very early in the referendum campaign. I remember going out to local farmers' markets and people asking for a copy of

the report, and I never had one to give them. I'd have to try to summarize it myself.

There was, then, a lack of education, a lack of information, confusing signals put out by the parties themselves, all of which led to a less than optimal context for the conduct of the referendum vote itself.

Again, just to confirm something Professor Carty said, what we found in Ontario was that the more people knew about the system being proposed, the more likely they were to support it, but that was a minority of the voters.

The Chair: Thank you.

We'll have to go to Mr. Kenney, but you have about five to 10 seconds left, and we'll make up for it on the next round.

Go ahead, Mr. Kenney.

Hon. Jason Kenney (Calgary Midnapore, CPC): Thank you, Chair.

Thank you to all three of the witnesses.

One point that seems to be held in common by the three witnesses, if I'm not mistaken, is the view that the public, broadly speaking, does not follow in great detail questions about electoral systems, and as we just heard, perhaps wasn't even aware of this as an election debate.

Just as a matter of debate, it is the contention of the government that it has a mandate for potentially radical changes to the electoral system without reference to the people directly in a referendum because the commitment to end first past the post was a platform item in the last general election.

Do any of the three witnesses have any evidence that this was a top-of-mind consideration for voters in the last general election?

Dr. R. Kenneth Carty: I have none.

Mr. Brian Tanguay: No.

Dr. Nelson Wiseman: I am quite certain that it wasn't. There isn't a poll that mentioned it, but that doesn't take away from the fact that parties act on their platforms. That justification has been used by every party.

• (1510)

Mr. Brian Tanguay: Exactly.

Hon. Jason Kenney: Quite, but has it been used before for radical changes to the electoral system in Canada?

Dr. Nelson Wiseman: Nobody has proposed it.

Hon. Jason Kenney: But it has been, has it not, Professor Wiseman? In the Prince Edward Island, Ontario, and British Columbia instances, all three governments ran on a mandate to change the electoral system after consulting the public, either through citizens' assemblies, or referenda, or both. Is that not true?

Dr. Nelson Wiseman: No, they simply ran on a platform that they'd have a referendum.

The story in Ontario—and I'm quite sure in British Columbia—is that the parties didn't take positions on it. In fact, if you read the media, you would have found it hard to know that when you went to vote you would have two ballots: one for whom to vote for, and one on the referendum. Indeed, 138,000 fewer ballots were cast on the referendum question in Ontario. They were left blank.

Hon. Jason Kenney: Mr. Wiseman, it was your contention that there is no convention in Canada for a referendum to be held prior to significant changes to the electoral system. But is it not true that those three referenda constitute a clear convention, and that in every modern effort to reform the electoral system it has been submitted to the people for their judgment?

I ask this of all three witness: does that not constitute a convention?

Dr. Nelson Wiseman: I don't think it does. It's not a constitution.

Mr. Brian Tanguay: Not at all.

Dr. Nelson Wiseman: Indeed, does that mean it would have to be 60%?

Look, if the governing parties were interested in changing the electoral system, they would not have set a bar of 60%. That's a clear signal that you don't want it to change.

Hon. Jason Kenney: Now, Mr. Wiseman, you've said that a referendum is not necessary and it would be defeated; that is to say, a proposal to change from first past the post would be defeated.

As an advocate of changes in the system, are you not saying that it's unnecessary precisely because voters would choose something other than your preferred option?

Dr. Nelson Wiseman: My position is that voters will adjust to whatever system is devised and they won't have any problem with it, as Mr. Carty said, after they do it once. They'll see what will happen after.

Hon. Jason Kenney: Tell me if you think this is a mischaracterization of your position: that potentially radical changes to the electoral system are supported by elite opinion, shall we call it—you said 600 or so of the 900 submissions to the Ontario citizens' assembly, for example—but that it is not supported by popular opinion.

Dr. Nelson Wiseman: It's not supported because the public doesn't think about this issue. As Professor Carty said, they don't go to bed at night..., and changing the system doesn't take away from people's right to vote or their preference to vote.

It seems to me that the assumption in your question is that changing the system favours a certain kind of party, for example.

Hon. Jason Kenney: Professor Carty just indicated that it was the view of former Liberal premier Gordon Campbell that the electoral system did not belong to politicians, but to the people, and therefore they should be involved, initially through a citizens' assembly and ultimately through a referendum on any changes to it.

Professor Wiseman, you're now suggesting that not only should there not be a referendum, but there shouldn't even be a free vote in the House of Commons. The executive branch essentially ought to dictate a system.

Why do you reject former premier Campbell's contention that the system ultimately belongs to the people and that they should have the ultimate say?

Dr. Nelson Wiseman: I'm not opposed to free votes in the House of Commons. I just believe if you do have a free vote it will be defeated. I'm not saying the government should act without a free vote. That's up to the government. I don't have any problem.

With respect to Campbell, Campbell was interested in getting re-elected. One of the ways you get re-elected is that you tell people we're going to give you a referendum on a question. "Hey, I like referenda. Give me any question. I want to vote on it."

The Chair: Okay, that's it.

We'll have to move on now to Mr. Aldag for five minutes, please.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

I'm going to turn my questioning to the issue of online voting.

Professor Wiseman, I think you indicated that you don't support online voting except, perhaps, for the housebound.

I would like to just get your thoughts on your hesitation or resistance to online voting and then move to our other two witnesses to get their thoughts or comments on the question of online voting.

● (1515)

Dr. Nelson Wiseman: In my limited reading in this area I've seen that the preponderance of experts are opposed to it because it's easy... well, not easy, but you can hack the system.

A few years ago three federal government departments were hacked. We have no idea of how extensive the information was that was lifted. Also, we just had the Democratic Party, the DNC, hacked.

At the University of Toronto the students decided—students are ahead of me, I don't even have a cellphone—that by having Internet voting it would increase participation because turnout was only 15% when students went to vote. They introduced Internet voting and turnout was 15%.

Two or three years ago, the University of Western Ontario had an election for their student council and president and it was hacked. The NDP had a convention to select the leader and snafus appeared. Can you imagine what will happen on election night?

The Internet is convenient, but incidentally it's not a social activity. It's social when you show up at the polls, you meet your neighbours, you get in line, and you talk to other people. Pressing these buttons at home is cocooning.

Mr. John Aldag: Thanks for sharing your concerns about that.

I would ask the other two if they have any thoughts on online voting.

Mr. Brian Tanguay: This isn't something that I have done research on, but like Professor Wiseman I would be worried about the security aspects of online voting. However, nonetheless I am intrigued by the prospect and believe that a number of studies at the municipal level here in Ontario are being conducted or will be conducted in the future, and ought to continue to be conducted. I think it's definitely something that should be explored.

All the while we should keep in mind that the Internet is not necessarily a secure environment for this kind of thing.

Dr. R. Kenneth Carty: Yes, I know nothing about the technicalities. I heard both the current and the past Chief Electoral Officer say they don't believe that the security concerns have been dealt with yet. I think this is an issue probably for the future.

Mr. John Aldag: The next one I would like to look at is the idea of a referendum, and we've talked about it and we're hearing some ideas, concerns.

I have particularly enjoyed, Professor Wiseman, your candid thoughts on this.

I would like to throw out to all three of you that we are, as a committee, trying to have meaningful consultation with Canadians and setting aside the question of whether or not there's a referendum. What advice would you have for us in terms of getting out and having meaningful discussions with Canadians on this work and the question about how to go forward on electoral reform in Canada?

Mr. Brian Tanguay: I think this committee should continue to conduct the work that it is doing. The town halls are going to start taking place or already have started taking place.

This committee should conduct its work and issue its report and recommendations. The government should bring in legislation and there ought to be included in that legislation some provision for review in the future, which could include, if need be, a referendum. But I think at least one electoral cycle should take place, and maybe two, with the recommended system.

I think Professor Wiseman has made the case that the referendum on this is not needed and in fact might just muddy things. However, by all means include a provision for reviewing whatever new system is brought in after one or two electoral cycles.

Mr. John Aldag: So saving the—

Dr. R. Kenneth Carty: I have the experience of probably hundreds of public consultations on electoral boundaries, on different electoral systems across this country, and my experience is that they're not very helpful at all. Most people who come to them either come with their own very narrow agenda, with a line to push, or they really don't know very much about it.

Where they can be very helpful is if you have a concrete proposal you're seeking a response to. Certainly that's the lesson of electoral boundary commissions. We go out and hear ideas for boundaries and you get stuff that's not helpful to boundary commissions, but when you propose a map then you get really specific suggestions and reactions that can be enormously helpful.

I think that without a specific proposal saying, "Look, what do you think about this and how should we be thinking about it?", it's very difficult to get very coherent and cumulative opinion.

The Chair: Thank you.

We'll move on to Mr. Blaikie, if that's all right.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Thank you very much.

We've heard a fair bit from Mr. Carty concerning his views about the impact a proportional system might have on regionalism in Canadian politics.

I came of age in an era in which, under the first past the post system, Canadian politics was intensely regional. You had the Liberal Party, which was really the party of Ontario; you had the Bloc Québécois, representing Quebec; you had the Reform Party representing all of Alberta and much of western Canada. I'm therefore personally open to the idea of trying something different.

I know that regionalism in Canadian politics was one of the considerations of the law reform commission report in 2004. I wonder, Mr. Tanguay, whether you would share your views on how switching to some model of proportional representation might impact regionalism in Canadian politics.

• (1520)

Mr. Brian Tanguay: I'm not as convinced as Professor Carty that it would be the death knell for national political parties. I don't see Canada being as riven by what political scientists call cleavages, as, say, Belgium is. The model proposed by the law reform commission would have a built-in kind of threshold. You'd need, probably, at least 10% of votes in a region to get one of those list seats.

To me, the worry that there would be a proliferation of fringe or extremist parties and that the national parties would fall apart seems exaggerated. I just don't see—and I share, actually, your views so eloquently stated in the preamble to the question—that we grew up or lived through the near death of the country, all under first past the post. I don't think that a mixed member proportional system would exacerbate regionalism. I don't think it would be any worse than it is now.

Mr. Daniel Blaikie: To the extent that it might help get regional voices inside national caucuses, it could actually have the effect of reducing regionalism in Canadian politics.

Mr. Brian Tanguay: I would agree with that, yes.

Mr. Daniel Blaikie: I think it's fair to say that critics of the first past the post system would say that one of the major issues is that, with a minority of votes, you get 100% of the power.

When we look at the two main streams you can choose as an alternative to that, you have the alternative vote system and you have some form of proportional system, and there are many configurations. Which of those two do you think is most likely to duplicate that problem of the first past the post system, and how?

Mr. Brian Tanguay: I personally am not a fan of the alternative vote. Although it does give greater choice to the voters, it seems to replicate all the problems that we find in first past the post. The ranked ballot by itself would not address the issue that we certainly heard from citizens at the time of the law commission and at the time of the Ontario referendum. That system would not address the flaws in the current system that are so in need of resolution.

Mr. Daniel Blaikie: Maybe I'll put a more philosophical kind of question to the entire panel. For me, part of the question between trying to decide between an AV model and a proportional model of some kind, if there's agreement that we move away from the first past the post system, is whether we are electing just a rep from a local constituency or trying to elect a Parliament, and one that represents the diversity of views within the Canadian context; and whether we affirm the idea that Parliament, however many parties might be in it and however much they might have to compromise and negotiate, would be better if it represented that diversity of opinion.

Even Canadian voters are sometimes divided within themselves. They say, I really like that person and would like that person to represent my area, but I don't really like their party or I don't like their leader. They wish they could vote for party X and candidate Y, even though they don't belong to that party.

Do you see part of the point of an electoral system as being to represent a Parliament, or do you think it's really just about who the person is who is representing this particular point on the map that we've carved out?

Dr. Nelson Wiseman: I appreciate your concerns. I'll tell you what I think will happen.

Unlike Ms. May, I don't think it's the first past the post system that generated the Bloc Québécois. I think what will happen with a proportional system is that you'll get a "B.C. First" party, and people in British Columbia will appreciate, given the number of seats they have, that they're not going to become the official opposition but that in a minority Parliament they could be the difference between being part of keeping a coalition in power and not, and could end up driving the agenda of a federal government in favour of British Columbia. Then we'll get an "Alberta First" party.

Actually, the position of the Bloc would probably be reinforced. I think that's the danger. We saw, in Israel, a pensioners' party arise, but on vital issues of war and peace they had no position whatsoever. They were simply interested in securing the position of pensioners.

• (1525)

[Translation]

The Chair: Thank you. I have to stop you there to give the floor to Mr. Deltell.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Welcome, gentlemen, to your Parliament. It's always quite impressive to have such great minds at the table. Your contribution to Canadian democracy is greatly appreciated, as is your input into our study on this fine July day. While it may not be nice outside, here, in Ottawa, it certainly is pleasant in this room.

You've made numerous points, gentlemen. Although I may completely disagree with some of your views, I can definitely agree on one point.

[English]

Mr. Carty said at the beginning of his speech today that there is no perfect way. We have to understand that what we're talking about is

nothing but trying to get the best for Canadians because there is no perfect system. If we had one, well, we'd use it.

[Translation]

There's a commercial in Quebec that goes, "If it existed, we'd have it." If the perfect system was out there somewhere, we'd have it. We are well aware

[English]

that there is no perfect system on that.

[Translation]

Something really surprised me, and I'd like to discuss it further with you, Mr. Wiseman.

[English]

You talked about the free vote and you said you do not disagree with a free vote, but you said that if there is a free vote, no change will happen. I would like you to explain more about that. I want to hear about that. How can you come to this conclusion today?

Dr. Nelson Wiseman: I come to the conclusion.... Look, I'd love to be proved wrong, and I'm wrong 70% of the time, but I don't think that many people who ran as Liberal candidates stressed that bit of the Liberal platform or that it was vital to them. Most of the people right here, I think, were not elected on a majority vote. They look around and they know how they got elected. Now, they're taking a risk by having it.

You're going to be travelling around. I want to get back to this point about how we find out what Canadians think. Professor Carty talked about the limitation at town hall meetings. I have a suggestion. Every MP sends out householders. You'll find out. Ask them a specific question on this, and I think you'll find a lot of detachment about it. Again, it's self-selected who responds to these householders and the surveys, but you might be surprised about how few responses you get.

Mr. Gérard Deltell: I totally disagree when you say that there is no free vote or if there is a free vote, well, we will lose. As far as I'm concerned, first of all, we are always free to vote. Whatever the vote, we are always free. But the most important thing is that we should let the people decide. I do agree with you when you said that the Liberals—and I will not talk on behalf of them, those people in front of me—didn't hear a lot of talk from their constituencies about this issue. I can quote for you. The member for Hamilton East—Stoney Creek said a few weeks ago:

It's not something I've heard anything about on the campaign trail.... I don't recall one conversation at the door that had to do with that.

It's clear, crystal clear. I can assure you it's exactly the same thing in my riding in the Louis-Saint-Laurent and Quebec City area. Since the beginning of this committee no one has talked to me about the issue, except those who are involved in politics.

But you know what we're talking about is very serious. We're talking about making a big move. This is why it's quite important, and at least if we follow your guidance, if we follow what you're saying to us, saying, don't have a free vote—

Dr. Nelson Wiseman: [*Inaudible—Editor*] free vote.

Mr. Gérard Deltell: But you said, don't try a free vote because you can lose.

Dr. Nelson Wiseman: No, try it. I'm just speculating that it will be defeated. I support the free vote. I'm eager for you to have your free vote.

Mr. Gérard Deltell: That's not exactly what you said at the beginning—

• (1530)

Dr. Nelson Wiseman: Well, I'm sorry.

Mr. Gérard Deltell: —but I do appreciate your evolution.

The point is that if we don't have a free vote on that issue and if we don't have any referendum, at the end of the day, just one man will decide, the Prime Minister, and we know where he stands.

The Prime Minister said many times before he became leader, before he became Prime Minister, that he did strongly support, and he does strongly support the preference vote. That's his choice. I do respect that. But when you are the Prime Minister and, as you describe quite well, you hold the power as the Prime Minister holds the power, all the decisions belong to one person. Is that fair? Is that democratic? I don't think so. This is why we support a referendum. Don't you?

The Chair: I think this is more of a rhetorical question, and we're out of time.

Some hon. members: Oh, oh!

The Chair: We'll go to Ms. Romanado.

[*Translation*]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you.

I'd like to thank the witnesses for being with us today.

[*English*]

My question is for Professor Carty.

In your scholarly article entitled, "Political Turbulence in a Dominant Party System", you wrote that Canadian electoral politics is both regional and volatile and that the result of this volatile, multi-party contest in single-member districts is a high level of turnover in the House of Commons.

I have two questions for you.

Do you have a preferred electoral system that would remedy the volatility and reflect the regional and local political preference?

Second, in your opinion, how does the current electoral system reflect the many social cleavages of Canada in the House of Commons?

Dr. R. Kenneth Carty: I don't think I have a preferred system. I worked awfully hard for a decade not to have one, when I was working with the British Columbia citizens.

Frankly, I can see the advantages of an MMP system or an STV system, which you'll hear about, I guess, tomorrow morning, or a finished list system, which someone described as one in which every

candidate in the country is listed on the sheet, and you just pick the one and it's translated....

There are hundreds of possibilities and they all involve trade-offs. If you give a little bit more proportionality, you lose a little bit with less local representation, or if you give a little bit more voter choice, then you lose a little bit with less of the parties' capacity to discipline their members. They all involve trade-offs. I don't have my own preferred system.

The great success of the Canadian party system, in my judgment, has been in some sense preventing the enormous variation in the cleavages, in the divisions of Canada, from spilling into our Parliament in a way that would make us a dysfunctional country.

The New Democrats exist as a kind of coherent national party. I don't think we want to produce a system in which the Leap Manifesto New Democrats and the Notley New Democrats have been sentenced to run independently because they would see that they could get more votes in different parts of the country from different elements of their constituency. One of the strengths of the way our system has worked is that it has in fact forced the parties in some sense to work hard at preventing that expression of so much division, in a country that's constantly changing.

The Canadian political system has been a remarkable experience. Our electorate grew in the 20th century far more than any other electorate in the world, much more than that of the United States. We went from being a country of small rural people to the most multicultural urban place in the world. However you measure the transformation of Canada, our democratic social order has probably been transformed more than that of any other democracy, and somehow our big national parties have found ways to accommodate that. It was different in the First World War, in the Second World War, and in the sixties, and in the eighties. I think it gets high marks, frankly.

Our system of governance was just rated by the people in Davos as ranking second-highest in the world. We're at the top of the United Nations' political development indexes. I think by most comparative indexes we've done pretty well. The electoral system hasn't been responsible for all of that, but it has been one of the pieces. If you start undoing the pieces, you start undoing that system. That's a sort of "small c" conservative view, I guess.

Mrs. Sherry Romanado: My next question is on something we touched on briefly, mandatory voting. Professor Wiseman, you mentioned in *The Hill Times* that if politicians were serious about increasing voter turnout, they would put mandatory voting in place. I know you mentioned earlier that you're not a supporter of it.

My question is to all three of you, actually. How would you see a Canadian mandatory voting system, if we were to implement one? What would we do to incentivize or penalize people? What would your suggestion be in that regard?

•(1535)

Dr. R. Kenneth Carty: The system the Australians use works, I think, perfectly well. Simply, the law requires you to show up at the polls and cast a ballot. You can spoil the ballot, if you like. You can write anything on it you like, but you must attend and take a ballot. For those who don't attend and don't have an excuse, there's a modest fine.

The first time, there would probably be a number of people who didn't, but after a while people would start to obey the law in the way they stop at red lights and pay their taxes, and do all the other things they're required to do. It would probably be a bit sloppy the first time, but like any change—and we have talked about other kinds of changes—the public and the players would adapt, and the campaigns would run probably very differently. We'd end this mass-voter mobilization stuff, because the voters would get themselves to the polls themselves; you wouldn't spend money on that. Parties would be engaged in other kinds of activities.

[Translation]

The Chair: Thank you.

That concludes our first round. We'll start the second round with Mr. DeCoursey.

Mr. DeCoursey, you have five minutes.

Mr. Matt DeCoursey: Thank you, Mr. Chair.

[English]

I want to get back the idea of more preference or more choice for electors. In the reflections that you've had from the different commissions, assemblies, research, is it likely to enhance voter turnout if electors could check more boxes, claim more preference in their votes? Relative to the ease in which people understand the system now versus the change towards more preference, where is the increased complexity? Thirdly, on election day, as the results are tabulated, what could electors expect for a return on a ballot where there was more than one check box or multiple choices, or two different streams of election?

I'll be happy to start with Professor Tanguay.

Mr. Brian Tanguay: In terms of what might happen on election day, it might take longer to tabulate the votes. If you have more choice that is one of the drawbacks. In, say, STV, it can take longer. The vote-counting process is much more complicated and time-consuming.

Will it increase turnout? Most comparative research seems to indicate that proportional systems provide a bump in turnout of about six to seven percentage points. That may be a reflection of the fact that, again, more currents of opinion are reflected in the resulting legislature, which brings more people to the polls, but it's not a social scientific law. If you want to look at the experience of New Zealand, voter turnout increased in the first elections using the new system, a mixed member proportional, from 1996 on, but afterwards it fell again. The constraints, the factors, the dynamics that are driving down voter turnout extend well beyond the electoral system. I think if you want to get a handle on what's happening, you have to look more and more at what young people are thinking and why they're

not coming to the polls in the numbers that we, older, aging boomers, think they ought to be coming to the polls in.

Personally, I do think that if we offer more choice to voters, and I'm just going to editorialize just a second.... I think that so far we've heard a lot about the fears of what might happen with a change: national parties would disintegrate, fringe parties would proliferate. The system has worked well as it is, but you have to ask for whom? I think the one group that consistently has been excluded is young people. I think by offering greater chances to newer parties, non-mainstream parties, you would mobilize more young voters and bring them into the system in a way that the status quo does not.

•(1540)

Mr. Matt DeCoursey: Thanks very much.

With the time left maybe I'll go to Professor Carty.

Dr. R. Kenneth Carty: I think the evidence on turnout is pretty complicated. You're going to hearing from André Blais later this week I believe. Nobody in the world knows more about the relationship between turnout and electoral systems than André, so I would recommend you listen to him.

The reason that the citizens' assembly in B.C. chose the single transferable vote, to the surprise of everyone, was that they believed it offered them more choices, because they could choose both candidates and parties in whatever order they liked. It's true that the counting process is a more complicated one. The Irish, who use it for their national elections, don't start counting until the next day, and in some of their districts it takes two or three days to count. A few years ago in a couple of ridings they actually instituted electronic counting of the ballots, which gave them instant results, and they hated it. They actually liked the one- or two-day kind of "who's ahead on the first count, who's ahead on the second count" process and they would crowd in and watch the process. So they sold all the machines, at a huge loss, and they're now out of the electronic machine-counting business.

However, they were recognizing that there was a social dimension to the electoral process that engaged them all, and the count was part of that, as well as the vote counting.

The Chair: Thank you.

We'll move on now to Mr. Reid.

Mr. Scott Reid: Thank you.

I don't know if you know the answer to this, Professor Carty. In Ireland, they have multi-member districts; I believe the boundaries conform with the traditional counties. For each party in the Irish system, when they have a number of candidates running in a single district, how are they chosen? Is it some sort of internal party process, or is it a more democratic process?

Dr. R. Kenneth Carty: That's changed over time. The boundaries are less and less coterminous with county boundaries, as the population is becoming more mobile and they've been less and less successful at doing that. The parties vary in terms of how they choose their candidates. In, say, a five-member district, parties would not run a full slate of five candidates, because they know the result would be sort of proportional. If they thought they had a chance of getting maybe three elected, they would probably nominate three. They don't want spillover waste in the counting process. By-and-large the parties have now gone to a convention process—it's not unlike ours—to choose their candidates. They were organized differently in branches in the past; they now go to conventions.

That's been complicated in the last year by a new law that requires that 30% of the candidates be women. In the next election it will be 40%. Now, the parties can violate that regulation, but if they do so, they lose financial support from the system. In a number of ridings, to make sure the party got to its quota, they've had to go in and say, okay, you can have two candidates in this district, and one has to be a woman and one has to be a man, or things like that. So there's been shifting tension between locality and central party, as there are in any proportional systems, in terms of who gets to choose the candidates and how that process works.

That would be, in fact, one of the biggest changes—if we changed the electoral system here—that the parties would have to experience: the process of how to identify candidates, how they would be chosen. There would be a lot of conflict transferred into the parties in the first round or two.

Mr. Scott Reid: Professor Tanguay, returning to a comment you made earlier, and following on Professor Carty's remarks, you said that in 2007 one of the lessons of the referendum in Ontario was that the people tend to reject party-controlled lists. Is it the case, then, that some people were voting no in 2007 because they felt that the list side of the MMP system that was being proposed in Ontario was going to be too party controlled? Please elaborate on that, if you could.

Mr. Brian Tanguay: That is exactly what happened. I think that the two aspects of the proposal that came in for the most criticism were, first of all, increasing the size of the legislature—a lot of people were really upset about that—and second, the closed-list system. It was portrayed very negatively in the media as backroom individuals, usually men chomping on cigars, selecting their friends to be at the top of the list and guaranteeing them election in perpetuity. It was extremely easy for the media to portray the closed list as something inherently bad. Although, in defence of the citizens' assembly and the people who worked for it—I know Jonathan Rose is going to be appearing here before the committee—the closed list was always thought of as a means of promoting non-mainstream candidates, an easier way of increasing the chances of the election of women, minority candidates, or indigenous candidates. However, a large majority of voters who were voting on the merits of the system itself rejected that idea.

• (1545)

Mr. Scott Reid: That raises a tension that I think has existed for some time. I know one can design an MMP system in which the list is open, chosen through some sort of democratic process. On the other hand, that will almost certainly mean—and you can correct me

if I'm wrong here—that one of the chief selling points of MMP, that it will produce a larger range of the kinds of candidates who right now tend not to be presented and that they'll be at the top of the list where they're likely to be elected, is effectively cancelled out. I don't know if there's a way around that tension; you're the expert.

Mr. Brian Tanguay: You're quite right. The purely open lists would maybe not eliminate but reduce the opportunities for promoting non-mainstream candidates. That's why the law commission settled on a flexible list, which again is sort of the best of both worlds, part two, where you could have parties promoting a slate that would consist largely of non-mainstream candidates, and then the individual candidates for those voters who really are concerned about their capacity to reject elite control by the parties.

Mr. Scott Reid: Thank you.

The Chair: We go to Mr. Cullen now.

Mr. Nathan Cullen: It segues nicely from that conversation to another question from Twitter, where we're trending, by the way, Mr. Chair. I don't know if you know that. The committee is trending. There's lots going on, and we're near the top of the list.

This is from Charday B. What's the impact of having women and minorities better represented in the legislatures on the public policy produced?

Is there a connection between voting systems—I'm going to suppose in this—and the representation of traditionally under-represented groups?

Mr. Wiseman, you seem to want to come in on this.

Dr. Nelson Wiseman: I just wanted to relate what happened in New Zealand—this is my understanding—when they introduced MMP. More women got elected, no doubt about it, but guess what? Power does not lie in parliament. It lies in the cabinet. Fewer women ended up in the cabinet because you had a trade-off among the leaders about how many cabinet posts each party was going to get and they were going to get to decide who's in them.

Right now there's pressure on the Prime Minister to have a diverse cabinet, but the pressures will be completely different when you have horse-trading among the parties.

Mr. Nathan Cullen: I'm trying to follow this. If someone says to me that having more women in Parliament is going to be bad for women in power... I understand this very explicit example you're using in this circumstance in New Zealand, but the other cases that we've studied here today show that the opposite is true, that more women end up running more things under proportional systems.

Dr. Nelson Wiseman: I don't know. I'm just saying the dynamic is different. It's parties that will want a lot of women or minorities at the top of their lists, but it will be party leaders who get together after the vote when there's a minority and say, okay—

Mr. Nathan Cullen: Right. I suppose, but it's 2016, after all. I imagine if party leaders cropped up and put a bunch of—no offence—old white guys into their cabinet and nobody else, there might be a natural consequence to that the next time voters get to vote.

Dr. Nelson Wiseman: If we could—

Mr. Nathan Cullen: I want to turn to Mr. Tanguay for a moment.

You've broken these down into two families of systems, voting systems. I'm trying to pull back from this a bit in terms of the details, to get the broad flavour. There are the consensus democracies and there are ones that use majoritarian systems. First past the post is in the second, the majoritarian. Where does AV, alternative vote, lie?

Mr. Brian Tanguay: Majoritarian.

Mr. Nathan Cullen: It's in the same family as first past the post.

Mr. Brian Tanguay: Yes, as with the French two rounds system.

Mr. Nathan Cullen: Right. That's the same thing. It's a winner-take-all type of approach.

Mr. Brian Tanguay: Yes.

Mr. Nathan Cullen: The other families, the STVs, the mixed member, those are all the proportional, what you're calling "consensus democracies". Is that right?

Mr. Brian Tanguay: Yes.

Mr. Nathan Cullen: I just wanted to clarify the groups. Sometimes they get confused.

You talked about the tension within the parties, if we went to a proportional system in which there were lists of some kind and there were nominations within parties to formulate those lists as we talked about, maybe regional runoffs or some sort of primary. But there are obvious tensions between parties and their memberships now on nominations. Is that fair to say?

• (1550)

Dr. R. Kenneth Carty: Sure, and where those tensions get played out and by what rules will be governed by the new electoral system.

Mr. Nathan Cullen: Right.

Dr. R. Kenneth Carty: The tensions will exist and different systems provide incentives for particular kinds of behaviours and they reward certain strategies and they disadvantage others. But when we're talking about changing electoral systems, we're not just talking about accounting rules, we're talking about nominations and finance, all aspects, because the rules change the incentives that govern the actors.

Mr. Nathan Cullen: My last question is for you, Mr. Tanguay. I went back a bit and now I want to go into some details.

Mr. Kingsley has made a proposal in which there was a mixed system, in which there would be larger ridings in the urban areas of Canada, in which four or five constituencies would be made one. There would be four or five representatives who would come out of that and there would be a more proportional reflection. The rural constituencies, he has argued, would remain essentially the same size, which would eliminate the need to go and redraw boundaries in any significant way.

Do you have any comments on that proposal?

Mr. Brian Tanguay: It's interesting. I think Professor Wiseman mentioned it as the system that was in use in some of the western provinces from the 1920s on. It's an interesting idea. I would suggest that people take a look at Fair Vote Canada, which is coming up with a similar kind of system but where there would be more attention paid to compensatory outcomes, in other words, where the results would be even more proportional than with the system you're describing.

[*Translation*]

The Chair: Thank you.

It's now Mr. Thériault's turn.

Mr. Luc Thériault: So much to say!

First, I have something to say to my fellow members Mr. Blaikie and Ms. May, who brought up the 1993 election and the fact that the Bloc Québécois became the official opposition. They shouldn't think of it as some sort of regional aberration. May I remind you I am a sovereignist, as everyone knows. Don't fall off your chair, now.

In paragraph 164 of the Figueroa decision, the Supreme Court justices said, and I quote:

Perhaps the most significant manifestation of the importance of political representation of regional interests in Canada is our federalist system.

They go on to cite the Fathers of Confederation:

...“any proposition which involved the absorption of the individuality of Lower Canada...would not be received with favor by her people” and in the Maritime provinces, although they shared a language and a system of law with Upper Canada, “there was as great a disinclination...to lose their individuality, as separate political organizations”...

It could always be said that, aside from the quantitative aspect, what happened in 1993 was simply the qualitative manifestation of the Canadian political dynamic, after two failed attempts to restore something at the national level. The nation made itself heard and chose the official opposition. There is no aberration in that. In 2011, the same thing happened: one region, Quebec, manifested its desire with the orange wave.

You said no system was perfect. What I'm concerned about is not the principles underlying it but, rather, the way it is being handled. Quebec's reform exercise began in 2003 and ended in 2007. When we spent a year travelling across the province, we already had a draft legislative proposal. So we had a model, and we were consulting the people on something specific. Here, we have nothing. We are going to consult the people in the 338 ridings, but to ask them what? Are we going to ask them which voting system they want?

You told us that no one is interested in the issue and that political education is necessary. That's fine, but it's complex. At the same time, how can we consider changing the rules of our society's democracy without letting the people have their say, in terms of the pros and cons, since there is no perfect voting system? I'd like you to answer that question.

If it's not debated by experts or politicians, how can simply conducting a months-long education campaign possibly justify changing the rules without even holding a referendum? The people voting in the next election won't even know how the voting system works.

• (1555)

[English]

Dr. Nelson Wiseman: The rules around elections are constantly changing, and we don't have referenda. The Fair Elections Act wasn't put to a referendum. The Election Expenses Act that took force in 1974, when for the first time parties' names were put on a ballot, wasn't subject to a referendum. The expansion of the House of Commons—and I think most Canadians are opposed to having more seats in the Parliament of Canada—wasn't put to a referendum.

That's why you're elected. You're elected to make public policy, not to stick your finger in the wind. That's why I'm actually surprised—or not surprised, but I'm cynical—about the creation of this committee and of your travelling around the country, because I thought that if the government were serious, they would introduce legislation, and if they really wanted to find out what parliamentarians think, give them a free vote.

Can I just say something about mandatory voting? I see voting more as a right than as a duty, but I'm not opposed to its being mandatory. I just don't think it's in the interests of most MPs to do it.

Instead of a penalty, as in Australia—where, incidentally, voter turnout isn't much above 80%, I think.... In New Zealand, where they don't have it, they've had elections in which turnout has been as high as 98%. Rather than a penalty, which I believe you can get out of if you have an excuse, offer them a carrot. Parliament has introduced so many boutique tax credits. Give them \$20 or \$30. Right now, it costs about \$30 for every vote that's cast.

The Chair: We'll go to Ms. May now, please.

Ms. Elizabeth May: I'm going to start with a question from Twitter, so I don't forget to ask it.

It's to Professor Tanguay from Jennifer Ross, and she wants to know what you would think of minority governments who choose to work in an accord with another party, less than a formal coalition. Do you have any thoughts?

Mr. Brian Tanguay: We do have the experience of one in Ontario's history from 1985 to 1987. From the perspective of voters, I think it was a good thing, a two-year accord between the NDP and the governing Liberals in which the Liberals implemented a lot of the demands of the NDP, which were popular with voters, such as a ban on extra billing by physicians, a key issue at the time. The problem was that, in the subsequent vote that was called in 1987, the moment the accord ended, the NDP was massacred and the Liberals got all the credit for many of the policies that were thought up by the NDP.

The problem with that is in the nature of minority governments as they exist under the existing rules of the game. I mean the biggest prize is a majority government, so everyone has an interest in trying to undermine their opponents, not collaborate in real terms, so that they can win that magic prize in the next election.

Ms. Elizabeth May: That's certainly my observation in the brief time of my life that I've been in politics. There are incentives built into first past the post that discourage co-operation or even recognition that another party has a good idea.

Mr. Brian Tanguay: That's exactly it. From my personal experience, a lot of voters find that really frustrating.

Ms. Elizabeth May: I'm going to my own questions now.

Going back to the very provocative point made by Professor Wiseman, about what you can learn that is new and the question of public consultations, I did in fact do a householder to everyone in my riding. It was 100% a basic primer on electoral reform. I got back more than 300 individual responses, handwritten and mailed in, and 80% plus wanted to get rid of first past the post.

Then it broke down as you had imagined: some wanted STV, some wanted MMP, and some wanted a hybrid. Overwhelmingly they didn't like the idea of mandatory voting, interestingly enough. That's my riding, Saanich—Gulf Islands.

However, in terms of consultation with the public—and I believe in public consultation, by the way, and we're going to do everything we can as a committee—in looking back at the experience of the B. C. citizens' assembly, the Ontario citizens' assembly, and the 2004 law commission report, do you think we have lessons learned there and that there isn't really anything new under the sun, and that we should brush these off and learn their lessons?

I'll ask all three of you.

• (1600)

Dr. R. Kenneth Carty: I think you're going to be rehearsing and revisiting all the issues that were taken up by the law commission, the citizens' assemblies, the New Brunswick Commission on Legislative Democracy, the very large amount of work done in Quebec as it travelled the province, and by the royal commission in Prince Edward Island. All this is “been there, done that” in what we have to learn, and it's on the record, so it's there. I think you're going to perhaps have these hearings, but you're not going to hear anything that you couldn't find out from these various sources.

I think without going to the hearings with two or three specific proposals—here's an idea for this, this, this, or this; what do you think about these three; what are the pluses and minuses of the basic types that Mr. Cullen was referring to—it will be hard to hear anything that's cumulative or helpful.

Ms. Elizabeth May: I think I still have time to hear from Professor Tanguay and then Professor Wiseman. I'll just go in that order.

Mr. Brian Tanguay: I think it's certainly possible to learn new things and that you will. A lot has happened in the world of electoral reform and in research about it since 2002 or 2003, when this whole process took off at the provincial level. I think those who spend their time designing electoral systems have learned lessons from the experience of New Zealand and from other countries that have changed their systems. I think that will lead to more interesting and more substantive proposals in the current round of consultations.

I'm optimistic about the prospects.

Dr. Nelson Wiseman: I learned from your report on your Saanich—Gulf Islands constituents, who are very atypical. Look, they elect a Green MP. Where else in the country does that happen? I don't know what it is they're smoking out there, but having said that—

Ms. Elizabeth May: Hang on, I also—

The Chair: We won't have time to find out, because the five minutes are up.

We'll now go on to Ms. Sahota.

Ms. Ruby Sahota: I wanted to follow up on my colleague Mr. DeCoursey's question.

Mr. Wiseman, you didn't get an opportunity to answer it. His question, just to remind you, was along the lines of asking, if more preferences are given on a ballot and more options are provided for, how that would affect voter turnout or election night results. You didn't get an opportunity to answer that question, so I want to pose it to you.

Dr. Nelson Wiseman: I'm not sure I heard.... Is it how, if you provide all these alternatives, it increases voter turnout?

Ms. Ruby Sahota: It's that and the question of how it affects election results.

Dr. Nelson Wiseman: Well, it will affect election results because there will be all kinds of different strategies and calculations among the candidates. You're not going to badmouth somebody else if you want their second-choice vote, for example.

I don't think it has any effect on voter turnout. I look at New Zealand. From 1946 until 1996, turnouts in New Zealand were from 84% to 98%, according to a website I've looked at. Since 1996, only one election has had a turnout higher than 80%. It's been as low as 74%.

I don't really think, then, that there's going to be any impact on voter turnout, and here's where I really want to be provocative in this. I'm not as concerned about voter turnout as most are. Professor Tanguay taught me that voter turnout has been declining in western democracies since the seventies, so Canada is not exceptional. It could be, also, that lower voter turnout actually reflects the fact that people may think it doesn't matter who gets elected; that the quality of their life, their material well-being, is not going to change greatly.

Now, there's another factor. Although youth vote at a lower rate, I would say that youth are more involved in politics than ever, but the involvement is expressed in different ways. They join NGOs. They join Greenpeace. They do research for the Sierra Club. They're engaged in issues, and data studies by Elections Canada show this.

• (1605)

Ms. Ruby Sahota: Now I want to turn to another question.

We talked a lot about Canadian values. I wanted to give all three of you an opportunity to express.... We have an idea of what you prefer, but if you could state it one more time, tell us what system you prefer, regardless of some of the shortcomings that all systems have, and what you absolutely think Canadians would just not go for and what would not work in Canada.

Dr. Nelson Wiseman: I don't think first past the post works, but I think Canadians prefer it because they know it. People would go with the devil they know rather than the devil they don't know, because they're not interested in electoral systems. Whenever I've lectured, not just to seniors' groups but in my own class, students say, I don't understand exactly how it will work. Well, I don't exactly understand how the income tax system works either, but I fill it out.

I like the system they had in Manitoba, maybe because I'm familiar with it. There, you had Winnipeg as one multi-member constituency of 10 people. The interests of people, let's say in Spadina—Fort York, are not that different from the interests of people next door in Davenport or where I live, University—Rosedale. Similarly, the interests of people who live in Papineau don't differ that much from what they are next door in Rosemont—La Petite-Patrie, but those collective interests are very different from those of people who live in Abitibi—Témiscamingue or in Kenora.

I suggest that the ranked ballot could make sense outside of large cities. In large cities, have one large constituency, or in a place such as Toronto or Montreal or Vancouver, have maybe three or four. That system seemed to work well in Manitoba. The one evaluation I saw, by Tom Peterson, said that he thought it worked out proportionally and didn't favour any particular party. But I have to say that at that time there were many acclamations in rural areas; there was a coalition government in power.

The other thing, which we can't replicate now, is that since 1974 you've put the names of parties on the ballot. That is the real elephant in the room, because now, when people go to vote, they may not know who you are, but if your name is next to "Liberal" and they know that Justin Trudeau is a Liberal, that's what they want. For many people, the first time they find out who they're voting for is when they actually go to the ballot box.

What I like is that in the past there was an onus on the elector to become educated, because two people could run, and one would say, "I'm the Conservative candidate," and the other one would say, "No, no, I was at a meeting and I'm the Conservative candidate." The people get to decide who the Conservative candidate is, if they want to vote Conservative. Right now, the party leader has the ultimate voice.

[Translation]

The Chair: Thank you.

It is now Mr. Kenney's turn.

[English]

Hon. Jason Kenney: Thank you.

I just wanted to follow up with Mr. Wiseman's recent suggestion, or effort, to draw an equivalence between ordinary routine amendments to elections statutes and a radical change to the system. Do you not find that a false equivalence? Is it not a bit disingenuous to suggest the kinds of ordinary amendments that every Parliament considers and adopts without anybody suggesting there ought to be a referendum are the equivalent to a radical change in the way that we choose our elected representatives to Parliament?

Dr. Nelson Wiseman: It depends how radical... Yes, it is a change. It's a dramatic change. I believe in responsible government. That's what you were elected to do. I didn't hear anybody saying in the election, either a party or a candidate, vote for me and I'm going to give you a referendum on electoral reform. It's, hey, I voted for you so I don't have to go out to the polls again.

Hon. Jason Kenney: Actually, then, you didn't read the policy declaration of the Conservative Party, which calls for a referendum on these issues.

Dr. Nelson Wiseman: I didn't hear it mentioned once on the hustings.

Hon. Jason Kenney: About as often as the Liberal Party mentioned its commitment to change the system.

Dr. Nelson Wiseman: I agree.

Hon. Jason Kenney: Thank you.

Mr. Tanguay, he's referred to the common distinction between consensual versus majoritarian democracies. Is it not true that, broadly speaking, the consensual democracies, as generally identified by academics, tend to be smaller and more homogeneous states than majoritarian democracies, which tend to be larger and more diverse?

•(1610)

Mr. Brian Tanguay: Not all of them, no.

Hon. Jason Kenney: No, my question was about a tendency. I didn't ask about all of them.

Mr. Brian Tanguay: I don't—

Hon. Jason Kenney: Benelux and Scandinavian countries, etc., tend to be consensual; larger populations and federations tend to be

Mr. Brian Tanguay: Germany.

Hon. Jason Kenney: Right, there is your exception. I was asking about a rule, not for exceptions.

Mr. Brian Tanguay: France...no, not France.

It might be a tendency, yes. Certainly the Nordic model is reliant on a fairly homogeneous population, that is true.

Hon. Jason Kenney: Right.

You painted a bit of a picture of the consensual democracies being bucolic states, where everybody's happy—

Mr. Brian Tanguay: Again, we're talking about tendencies—

Hon. Jason Kenney: Tendencies. All right.

Mr. Brian Tanguay: —which Lijphart makes very clear.

Hon. Jason Kenney: You've indicated that's the tendency or that's the general rule. Is it not equally true that some of the most dysfunctional democracies in the world are in the consensual category? Right now Spain would be a relatively good example of that. I don't know if you've ever visited the Knesset but political discourse in that Israeli system, driven by proportional representation, is not exactly very civil.

Mr. Brian Tanguay: This is old hat, Mr. Kenney. The examples of Israel, or you should have mentioned the Weimar Republic electing Hitler, these are the examples trotted out—

Hon. Jason Kenney: For the record, you talked about that, Mr. Tanguay.

Mr. Brian Tanguay: —continually by those who are fearful of electoral reform, and it's not fair. It's not accurate. To cite Israel indicates that you're not serious about being open to a discussion about the merits of electoral reform, you're simply starting off opposed to the idea. That's abundantly clear.

Hon. Jason Kenney: So I'm not serious because I'm raising concerns about consensual democracies that don't function at the same level that you suggest they generally do...? Okay—

Mr. Brian Tanguay: Yes.

Hon. Jason Kenney: —thank you very much.

Is it not true that in the United Kingdom, I think it was four years ago, there was a referendum on changing the electoral system?

Mr. Brian Tanguay: Yes, there was.

Hon. Jason Kenney: What was the result of that?

Mr. Brian Tanguay: They rejected it.

Hon. Jason Kenney: What was the result of the referenda in British Columbia, Ontario, and P.E.I.?

Mr. Brian Tanguay: One succeeded, in British Columbia, as you well know, although the 58%—

Hon. Jason Kenney: And the second one...?

Mr. Brian Tanguay: As I mentioned in my own remarks, the Ontario one failed quite spectacularly, as did the second one in British Columbia.

Hon. Jason Kenney: And in P.E.I. and Ontario.

Mr. Brian Tanguay: And in Prince Edward Island.

Hon. Jason Kenney: It's your position that the people were wrong. You just want to keep trying until they get it right.

Mr. Brian Tanguay: I'm not saying that they were wrong, but the referendum campaign, as I was involved in it, did not allow for an educated debate about the system, about the alternatives, and, again, partisan posturing tended to pervert the debate.

Hon. Jason Kenney: I see. So the voters are easily misled, is that what you're saying?

Mr. Brian Tanguay: Sometimes, not always.

Hon. Jason Kenney: I see. You want to keep trying until they get it right or just obviate the need for a referendum altogether.

Mr. Brian Tanguay: Mr. Kenney, I believe that this is an important reform for democracy, and that's why I will continue to militate in favour of electoral reform.

Hon. Jason Kenney: Is it such an important reform for democracy that we cannot submit it to a democratic decision in a referendum?

Mr. Brian Tanguay: As I said, you can, after it's in place for one actual electoral session.

Hon. Jason Kenney: After it's—

The Chair: We have to move on now to Mr. Aldag.

Mr. John Aldag: Thank you.

One of the items in our committee's terms of reference relates to effectiveness and legitimacy. When I was out door-knocking prior to the election, I actually heard from a number of my constituents that they wanted to see change. It wasn't necessarily in the terms we're talking about now, electoral reform, but there were concerns about the existing system and a kind of cynicism about whether their perspectives were being reflected and whether their vote was actually counting. That was one message I heard over and over again.

I also heard, though, that people did have trust in our existing system. What I'm struggling with and I'd like your thoughts on is, as we consider moving forward to change to achieve effectiveness and legitimacy as principles we're trying to achieve, and also looking at your comment that there is no perfect system, how do we design something moving forward?

I guess the question really relates to an issue of trust. How do we move into this dialogue on electoral reform knowing that many Canadians are actually looking for change, while they also have a sense of trust within the existing system? How do we move that barometer? How do we go to something different and maintain trust? What words of wisdom would you have for us as we try to shift on this very important part of our democracy?

•(1615)

Dr. R. Kenneth Carty: I don't pretend to know how to advise you on how you can persuade the public that they ought to trust. I think trust comes when they see that there's been a legitimate process, that there's been a fair and open conversation about it, and that there wasn't a kind of manipulation. I think there's likely only to be a kind of legitimacy awarded to the system after it's been tried a couple of times and people have decided that it works and it works fairly in terms of their expectations and values. They will come to see that it works differently.

It probably won't work very well the first time. There's a lot of evidence that, in the first election in New Zealand, most of the parties and many of the candidates operated in ways that were essentially irrational in terms of their own immediate interests because they hadn't quite worked out how it was going to work. It's an iterative process between politicians and voters, and they're going to have to learn how to work together in a whole different set of institutional incentives and constraints. There will be a lot of uncertainty. There will be questions about legitimacy and effectiveness, but that's inevitable in any fundamental institutional reform. I think the best you can hope for is a process that is open and that's as transparent as possible. I would think things like a free vote in Parliament would go a long way to sending a signal.

Questions about referendums are going to be difficult because there's a widespread view that this is important. Then there will be hard questions about what would count. Would a 50% majority in a referendum count? What if everybody east of the Ottawa River voted against a different electoral system and everybody west of the Ottawa River voted for it? Then you would have a kind of legitimacy problem.

That's why, of course, we had this extraordinary double standard in British Columbia. I don't know if it's the right one, but there was a perception that 50% wouldn't work if all Vancouver wanted one thing and all the rural areas wanted another thing. There are real challenges.

Again, you need openness, transparency, and working through a process that's understood to allow all those viewpoints to be somehow weighed and balanced in what inevitably will be a series of trade-offs. Nobody's going to get all of what they want in this process. There ought not to be a process in which everybody can get what they want, so what you want is a process in which the trade-offs are seen as fair and reasonable and in accord with what people understand to be decent.

Mr. John Aldag: Do either of the others have any thoughts on this?

Dr. Nelson Wiseman: I think our system right now is very effective. One man holds a lot of power, as was pointed out by one of the members on the committee. I think our system is very legitimate, and I think if we change the voting system, it will probably remain effective and it will remain legitimate. There will be a transition. I think the words of Professor Carty are very wise, really wise, on this issue.

The issue of trust might be much more related to things such as, if all of a sudden the economy is booming, I have trust in the government, and if it's not, I lose a lot of trust. Right now there's a lot of trust in the government.

The Chair: We'll go to Mr. Blaikie.

Mr. Daniel Blaikie: Thank you very much.

As a non-regular member of this committee I'm going to take a little bit of liberty and ask whether in your opinion it would be better for this committee to come out with a general set of principles or guidelines about what a good system would look like or whether you think it would be more productive to have this committee come out with a more concrete proposal for what an electoral system would look like and then ask the government to either accept or reject that proposal. In your view, what would be better from a process point of view?

We started with Professor Wiseman last time. Maybe we'll start with Professor Carty and work back to him.

Dr. R. Kenneth Carty: I think that if the committee came to the conclusion that a particular kind of system would be desirable, it would be very helpful if Parliament had a real debate—a kind of “second reading in principle” debate—about whether this is really where they wanted to go.

If you decided to go to an MMP system, it would be complicated to design. I remember that when the British Columbia citizens' assembly designed their MMP system, there were I think 17 separate decisions that had to be made about the fundamental pieces, and there were very subsidiary pieces. Every time you made one of those decisions, it impacted upon the other 17 parts of that MMP system.

I think, then, that having a preliminary debate about whether to have first past the post or the alternate vote or a compensatory system such as the law reform commission suggested or an STV system would get you a long way down the road. Then there could be a debate about the niceties, which is where the traffic is really going to hit the chickens in terms of MPs' interests, financial interests, funding, registration of local associations, etc. They're all going to be deeply affected by the details, but you have to get to that principle—what type of system to have—before you can get to that point.

•(1620)

Mr. Brian Tanguay: Essentially, I agree totally with what Professor Carty said. It would be better to indicate the broad models that are possible here. That ties in to the question Ms. Sahota asked earlier: what is not acceptable in Canada? Well, “list PR” is not acceptable. Also the Israeli system is not acceptable, nor that of the Netherlands. Anything that simply offers voters a single choice for a party is not acceptable.

The options are fairly clear: alternative vote in single-member ridings, some combination of alternative vote with STV in larger ridings, mixed member proportional, or no change. I think if you have the broad alternatives available to voters and discuss and debate them fairly and transparently, that will serve this committee and the government well.

Dr. Nelson Wiseman: I have great confidence in you as committee members. I think, after you've been given a mandate to go out and listen, that you'll listen.

I think you have to meet. You can meet behind closed doors and work out whether you have a consensus or not. If you have, I think you should report it to the government and make your recommendations. It might be for a free vote, it might be for a referendum, it might be for a specific system. Let's get some action.

We've had a lot of talk about changing the electoral system in the last 20 years; I don't see any action. This is more talk.

Mr. Daniel Blaikie: You all, of course, know that this is a different composition of committee. Do you believe that this committee should persist until such time as it can examine the legislation that the government puts forward? Otherwise, it would be referred to some other committee of the House, and we know that those committees are composed of a majority of government members. In your opinion, would it be good from the point of view of the legitimacy of the process to have a committee with this composition look at the legislation, once we have a concrete proposal, or to have an ordinary committee of Parliament?

Mr. Brian Tanguay: One of the great advantages of this committee is precisely how it's currently composed and how the voting rules are going to make votes take place. I would think it would be optimal for the process if it were to continue.

Dr. R. Kenneth Carty: If the committee is successful in moving the debate ahead, then it ought to continue. If it comes to a roadblock and finds that it's not able to recommend, then some other process may be necessary.

The Chair: Mr. Blaikie, you have about 15 seconds. I don't know whether there's anything you want to say in that time.

Mr. Daniel Blaikie: No, that's fine. Thank you.

[Translation]

The Chair: Your turn, Mr. Deltell.

Mr. Gérard Deltell: Thank you, Mr. Chair.

Thank you, gentlemen.

Mr. Tanguay, a few moments ago, you said a coalition government might be better for Canadian democracy because the parties would have to compromise and so forth.

Over the past one hundred years, Canada has seen 28 elections. Only once did the party that garnered the most votes end up in the opposition. It was in 1979. A historical footnote, the government lasted nine months. Conversely, only three governments received more than 50% of the votes.

That means our system has always operated on majority, or basically majority, governments that did not enjoy the absolute majority. And yet, they had 100% of the power, as you said earlier, despite not receiving 100% of the vote or even less than 50%.

Nevertheless, would you say our democracy has fared well over the past century?

Mr. Brian Tanguay: Yes, clearly, our democracy has worked well.

From my experience with the Law Commission of Canada and the Ontario referendum, I would say that our system could be more effective, especially in terms of including representatives and the varying views of the electorate.

There is no doubt that Canada enjoys a successful democracy, but the system does have its problems or flaws, shall we say. Fixing them would simply involve reforming the electoral process to provide for more proportional representation. That is not to say Canada's system isn't working.

•(1625)

Mr. Gérard Deltell: Do you think it's worth making such a radical change? You, yourself, said it was important to—

Mr. Brian Tanguay: I take issue with the word “radical”, which has been used repeatedly here today. Many countries have reformed their voting systems. It's not all that radical. It's merely a matter of adjusting the mechanics to convert the votes into seats. That's all.

Mr. Gérard Deltell: The current system has served us well, after all. Canada enjoys political stability and a solid economy. At the end of the day, things are going well, and that's not me saying so but actually Mr. Wiseman. On March 13, 2008, he told a Senate committee, and I quote:

[English]

I think the current system has served us well.... We have political stability, we have a thriving economy....

[Translation]

Would you agree with that?

Mr. Brian Tanguay: Yes, but the question is who is it working for?

Mr. Gérard Deltell: It's working for Canadians, Mr. Tanguay. It's called democracy.

Mr. Brian Tanguay: It doesn't work for all Canadians. The very interest in electoral reform indicates that the current system isn't working for everyone.

Underlying my recommendations is the notion that a system based on proportional representation could serve a lot more people, particularly young people and those whose opinions don't fall in the middle of the political spectrum, such as those of the Green Party. The House of Commons should have more Green Party representatives.

Mr. Gérard Deltell: My goodness, we know who you're voting for in the next election. I have no problem with that; it's democracy in action.

The change being proposed to the electoral process represents a lot more than just an extra word on the ballot. It's a lot more significant than that. The government is asking us to make a radical change to the way Canadians vote.

Mr. Brian Tanguay: It's not radical.

Mr. Gérard Deltell: Oh no?

Mr. Brian Tanguay: No.

Mr. Gérard Deltell: It's so far from radical, Mr. Tanguay, that the Chief Electoral Officer needs at least two years to prepare.

Mr. Brian Tanguay: Over the years, it's been done numerous times in Canada, at the provincial level—

Mr. Gérard Deltell: He needs two years to explain to people how the process is going to work, and you don't see that as a radical change?

The Chair: Forgive me, Mr. Deltell, but you have to give Mr. Tanguay a chance to respond before asking a follow-up question.

Go ahead, Mr. Tanguay.

Mr. Brian Tanguay: In Canada, voting systems have been changed numerous times in the past, provincially, and it's been done without referendums.

Mr. Gérard Deltell: Did those reforms entail changing how members are selected, as is being proposed?

Mr. Brian Tanguay: Yes. That was the system Nelson Wiseman described.

Mr. Gérard Deltell: When the public was consulted, however, people rejected it.

I'm missing something, here. I don't understand why someone who is such a strong advocate of democracy is opposed to consulting the public on such a significant and radical change to our democratic process. I used the word “radical” just for you.

Mr. Brian Tanguay: I've answered that question multiple times.

The Chair: Yes.

We will therefore move on to Ms. Romanado, who will have the honour of asking the last question.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado: Thank you very much.

[English]

Actually, Professor Tanguay, you didn't have a chance to answer my previous question regarding mandatory voting. I just wanted to give you the opportunity to answer that question. If we were to go that route, what would the Canadian model look like, and would it be a carrot or stick suggestion?

Mr. Brian Tanguay: Again, this isn't something that I've done a lot of research on, personally, and I would simply reiterate what Professor Carty said. The Australian system has a bit of a stick. I cannot take seriously the proposal to give people tax credits for showing up to vote. I think there should be a modest penalty if they don't show up to vote. Again, I think the Australian system is the one that recommends itself.

Mrs. Sherry Romanado: My question is now to the three panellists. In your opinion, what electoral system should be implemented that would reflect the composition of Canadian society today? I believe it was Professor Tanguay who mentioned that we should be promoting demographic representation, and so on and so forth. What model, in the opinion of all three of you, would best make sure that we are reflecting the demographic of Canada today?

•(1630)

Mr. Brian Tanguay: It would be some version of the model that was described in the Law Commission of Canada's report. Some form of mixed member proportional would, I think, do the best job. Again, it's not going to be perfect. There are still going to be flaws in the electoral system, but I think it would do a better job than the current one of representing more sections of society, of producing a Parliament that had a greater variety of representatives drawn from a broader range of categories of society. On the whole I think that MMP is the system that recommends itself. It's not perfect, but it would be better.

Dr. Nelson Wiseman: The more I hear about MMP, the less I'm enamoured with it. One of the reasons is that I've been hearing that people's local MP is very important for them. But again, this is why I think the system I'm talking about makes the most sense. If you live in a large metropolitan area, it doesn't matter if the MP represents Davenport or Spadina—Fort York; the issues are similar. However, if you live outside of those cities, it's very vital. If you live in Dauphin, or Salmon Arm, you want to know who the MP is. The trouble, of course, with MMP is that you have two classes of MPs; one is tied down handling passport issues, immigration, vets issues, and the other is a prima donna who can just focus on foreign policy or defence policy.

One other thing is that if you're going to have a referendum, why does it cost \$300 million? Why does it take a year and a half or two years? Why does it take that long? Greece called a referendum on June 27, 2015, and had a vote on July 5. You've just made such elaborate and expensive rules around elections and referenda. No one thinks that the Greek vote was undemocratic.

Mrs. Sherry Romanado: Go ahead, Professor Carty.

Dr. R. Kenneth Carty: I don't know that I believe there is a system that will be better. Every system will be different. It will produce a different-looking House. Some of it comes down to how we think about elections. What are they and what are they for? Partly, they're to produce a representative assembly, but also they're about connecting citizens to governments. Are they a series of individual contests, or are they somehow more diffuse contests, and how do we think about it?

I used to say something like this to my students, "Who should win the Stanley Cup? Should it be the team that wins the most games or the team that scores the most goals over seven games?" They'd say, "The team that wins the most games." I would say, "What if we just changed it and played seven games? The team that scored the most goals should win." They would say that wouldn't be right, and I would ask why.

It's because that's how we think about it. We think about Stanley Cup series as winning games, and we now think about elections as

winning local contests. You win the most and you win. If we change the system, we're going to change how we think about elections, and what they are. We're going to go away from this most-games metaphor to something else. It won't be the total goals system, because that would be pure list PR on the national level à la Netherlands or Israel, but it would be something in between.

It's about how we think about what we're engaged in here. It's imagining a new way to think about it that you're charged with being involved in.

The Chair: As Canadians, it's only right and just that we end on hockey.

Some hon. members: Oh, oh!

• (1635)

[*Translation*]

The Chair: I would like to thank the witnesses and say how much we appreciate their appearing before our committee this last week of July.

Thank you for such a lively, pleasant, and frank discussion. I think I speak for all the committee members when I say it was very beneficial.

[*English*]

Thank you very much for a lively discussion. It really fleshed out the issues we have to consider. Again, thank you for being here in the last week of July.

I would just like to remind members that our meeting tomorrow starts at 9:30. It's not here, but at 1 Wellington Street.

Members of the steering committee, we'll be breaking for 15 minutes and will resume in camera.

Thank you again to members and witnesses. We'll see most of you tomorrow.

This meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 007 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, July 26, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, July 26, 2016

• (0930)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I would invite everyone to take their seats, please.

[Translation]

Welcome to the seventh meeting of the Special Committee on Electoral Reform.

In a way, today we are delving into the international aspect of our study as we welcome, by video conference, professors Michael Marsh and Michael Gallagher, both from Trinity College Dublin.

[English]

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Chair, I apologize, but before we get into this, I have a point of order. I was hoping I could deal with it before we actually create more of an interruption in the order of business.

The Chair: Sure, Mr. Reid.

Mr. Scott Reid: Thank you.

Mr. Chair, we're all aware that there's another well-regarded, credentialed academic who's been invited to appear as a witness at these proceedings. I am informed that he has declined that invitation.

Given that the committee, I am certain, would have accommodated his attendance at any time no matter when our personal schedules required, and that would have included an irregular meeting, I'm quite concerned with the fact that he will not be attending. While this committee doesn't have the power to compel the attendance of a member, and nor would we seek to, it's clear that the Honourable Stéphane Dion has deeply held and compelling views on the matter we're currently dealing with, which is electoral reform.

Mr. Chair, my question is this: Has Mr. Dion been impeded in his right to be heard at this committee, and if so, by what or by whom? I would suggest that the matter of his inability to attend and of the fact that he has refused an invitation on an issue he feels so strongly about be referred to the subcommittee for study, as befits an issue of this nature.

Thank you.

• (0935)

The Chair: I guess we would take a discussion on this.

Yes, Mrs. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Just to clarify, Mr. Chair, is that really a point of order?

The Chair: Well, it's a motion, I guess.... No? It's not a point of order?

Is it a motion?

Mr. Scott Reid: No, it's a point of order.

The Chair: I'm told by the clerk, and it makes sense to me, that it's not a point of order. It's not about the functioning of the committee, really, and how it functions during hearings. I would say it's not a point of order.

Mr. Scott Reid: In that case, Mr. Chair, if you rule it out of order, I'll withdraw it as a point of order. At a later time, when it won't mess up our witnesses, I'll reintroduce it as a motion.

The Chair: Sure. Absolutely. Then we can have a debate. I think that's the best way to go about it.

Professors Marsh and Gallagher, this is really a first for our committee in the context of this study. We're looking at the international experience, and we're very pleased that you were able to make time at the end of July. It's summer over there, as it is here. We're really grateful that you're here today to share with us your insights, your experience, and your wisdom on the issue.

Without further ado, I believe Professor Gallagher will be speaking first. Go ahead, please. We have 20 minutes, and then we will have our two rounds of questioning.

Prof. Michael Gallagher (Professor of Comparative Politics, Trinity College Dublin, As an Individual): I understand you have a copy of the PowerPoint already, so I'll go over that, if that makes sense to you, in about 20 minutes.

What we've put together here is a general overview of electoral systems and then some materials, specifically, on proportional representation by the single transferrable vote, which is what we use here in Ireland.

I'll start with general thoughts about electoral systems and proportional representation generally.

PR has positives and negatives, and these are probably quite familiar to the committee. The biggest positive, probably, is a much closer relationship between seat shares and vote shares, which I know has been a subject of much debate in Canada. It also means that the main parties will have members in their parliamentary parties from right across the country; so the largest parties, particularly, would have people from the west, the Prairies, the bigger provinces, and the maritime provinces as well, unlike the present situation.

In addition, fewer votes would be wasted. Fewer votes tend to be wasted on proportional representation; more votes count, more votes contribute towards the election of a member of Parliament. Although this is not quite so clear cut, certainly some people reckon that MPs as a whole will be more representative of the entire population with regard to factors such as gender, ethnic origin, and maybe social class too, although that's more contentious.

Nothing comes without problems, and there are two problems in particular that might be identifiable. One is that constituencies as we call them, ridings, would have to be much larger, both in geographical size and in population because proportional representation necessitates multi-member constituencies, so ridings would be much larger, and they already are huge in some cases. In addition, government formation becomes a much more complicated process because single party government would be very unlikely. It's very hard for any party under a really proportional system to win an overall majority. That's not necessarily a bad thing; there are pros and cons in coalition government, but it would become more complicated.

Going on to the second page, we have a look over the background, or the terms of reference for your committee. We can see that one hope about an electoral system change is that it might lead to things like greater civility and collaboration in politics; it might enhance social cohesion. I think we would flag a warning there that you mustn't expect too much from electoral system change. It would change some things, especially the relationship between seats and votes, as I mentioned before, but it's not going to transform the whole style of politics, either for better or for worse. A lot of things about Canadian politics—and I know Canadians are generally quite proud of their political system—would remain unaltered. To expect an electoral system change to transform the whole nature of politics and make it more civil and so on, I think, is probably unrealistic. Generally we shouldn't try to over-explain things through the electoral system. A lot of people do look at countries, including Ireland, and say that Irish politics works this way, and it's got that electoral system, so it must be cause and effect. Very often it's not.

I'm sure you've got other sessions where you're looking at proportional representation electoral systems generally, but just to give a brief overview, proportional representation is really a principle rather than a method. There are lots of different ways of implementing the principle—Ireland has one specific method, which I'll come to in a moment—but they vary on different factors. One is the amount of choice given to voters as to which individual candidate they want to be represented by. Typically, voters have a choice of party and sometimes that's all they've got—the party picks the MPs once it's known how many MPs the party is going to get—whereas, in other electoral systems, more commonly, in fact, the voters can also choose individual candidates. They're saying not just

that they like that party, but that they like that particular candidate within the party. So in designing any new proportional representation electoral system, that's one choice to be made.

● (0940)

In Europe, proportional representation is virtually universal. Britain and France are the only two countries that don't use proportional representation. But there is huge variation; it's difficult to find any two countries that have exactly the same system. That alone suggests that there is no one perfect, best system because if there were, presumably every country would have chosen it.

Electoral system designers have a lot of choice. One aspect concerns a trade-off between proportionality and other things. Some countries have electoral systems that go for broke on the proportionality dimension. They think it's very important to have as close a correspondence as possible between the votes cast and the seats cast.

South Africa is a good example. There's one big nationwide constituency and a very close relationship between the votes cast and the seats cast. The price paid for that is that there's a lack of any close connection between voters and MPs. Voters don't really have a local MP. All MPs in effect are national MPs. If you maximize that criterion, you lose out on other criteria. That's something to bear in mind when designing or choosing an electoral system. Maybe if you go overboard on one thing, you have to give up a little bit of some other criterion.

The other big choice is the thing I mentioned before, whether voters should be able to choose among candidates of their favourite party. Most voters might have a favourite party. Should they be able to choose among candidates of that party?

Also, is a territorial connection between MPs and constituents important? That's a factor that is important in a lot of countries. I know in Canada it's very important. Yet, in a lot of countries they think they're unusual in that. They think most countries don't do that, but actually, in most countries it is important. It's very important in Ireland, as I'll go on to say. I know it's very important in Canada that MPs represent their riding and their constituents. It's very important in most countries. Most countries do want an electoral system that guarantees the preservation of that link between MPs and constituents.

Looking over Europe as a whole before we get on to the Irish case specifically, the most common type of electoral system in Europe is what's called open list proportional representation. That's where, when voters go to vote, they see lists of candidates put forward by the various parties. They are open lists because the voters can express a preference for an individual candidate. In Denmark, for example, voters might be very loyal and supportive of the social democrats. But when they go to vote, they don't just vote for social democrat. There would be, say, eight social democratic candidates, and the voter actually puts an x by one individual candidate, saying that if the social democrats get three MPs in this constituency, they want that particular person to be one of those MPs. So voters are directly choosing who represents them.

There is variation on the detail around Europe, but in broad terms, that is the most common kind of electoral system. Voters choose a party and then they can choose a candidate within that party. The seats are awarded to the parties in proportion to the total votes they get, and then within each party, the seats go to those individual candidates who get the most votes. Candidates are competing against each other for votes. Social democrat candidates in Denmark are saying to the voters, "Please vote social democrat, and also, by the way, please vote for me". They're not explicitly badmouthing their party colleagues, but at the same time, they do want people to vote for them specifically rather than for another candidate.

I know that some people are concerned that it might make the parties internally divided because different candidates are making different appeals to the voters within the same party, but in practice, it doesn't. In practice, the parties all around Europe do operate very cohesively for the most part. Candidates typically don't form factions within parties. European parties are pretty cohesive, and they vote pretty solidly in Parliament on the main issues.

That's a general overview of Europe.

● (0945)

You might be particularly interested to know what we can tell you about Ireland. One type of partial representation is proportional representation by the single transferable vote. This aims to do a number of things simultaneously. First, it attempts to achieve a reasonable closeness between the share of votes cast and share of seats cast for each party. Second, it tries to give a maximum choice to voters—more choice than open-list systems. It avoids having voters waste their vote by casting it for someone who has no chance. Third, it aims to retain the close territorial connection between voters and MPs, or TDs, as deputies are known in Ireland. It aims to do all of those things.

There is a ballot paper. You might have seen this kind of thing somewhere else. When voters go to vote, they see a ballot paper with all the candidates in the constituency listed. In Ireland they're listed in alphabetical order. That's not necessary, but that's the way it's done in Ireland. Votes are cast for their favourite candidate, their second favourite, their third favourite, and so on. They don't have to vote for any more than the favourite. They might vote for the favourite and then quit and not give a second preference. Or they might go from their favourite right down to the bottom of the ballot paper and cast number 17 for their least favourite.

Voters can vote on the basis of any factor they want. They don't have to vote along party lines. A significant minority of people in Ireland don't vote along party lines. They might give their first preference to a candidate from one party, their second preference to a candidate from a different party. It's entirely up to the voter what motivates their vote, what drives their preference. For the voter, it's all pretty straightforward. You vote one, two, three, four, and so on.

As to the counting process, if we went over a detailed, stage-by-stage, blow-by-blow explanation, it would all sound rather more complicated than it really is. The principle is clear: if very popular candidates have a lot more votes than they actually need to get elected, their votes are not wasted. Their votes are surplus votes, as they're called, and they're transferred to another candidate in

accordance with the second-preference vote as marked on their ballot paper.

The surplus distribution is the most complex part of STV. What's more straightforward is that if a candidate fares very poorly, and gets only a few hundred votes, those votes are not wasted. The candidate is eliminated from the count and the votes are transferred to other candidates in accordance with the second preference marked. If that candidate in turn is later eliminated, the votes are transferred on in accordance to the third preference marked, and so on. The aim is that even if a voter votes for someone who doesn't do very well, this vote is not wasted as it is under the first past the post system. The lower preferences are taken into account and can still influence the outcome.

Counting proceeds until all the seats are filled. The counting is a multi-staged process. It takes much longer than a first past the post count. In Ireland we had an election earlier this year. It was on a Friday, and the counting of the votes didn't start until 9 o'clock on Saturday morning. Most of the seats were filled by midnight on Saturday, but some went into Sunday. There was one constituency in which the outcome was very close and there were a few recounts, so it didn't end until early on Wednesday morning. Counting is not an instantaneous process—it can be several days before the full result emerges.

What is the political impact of this? We can look at that under a number of headings.

● (0950)

Firstly, in terms of the accuracy of representation, it does give fairly accurate representation. It doesn't give extremely high proportionality like the South African system does, but it gives pretty average levels of proportionality by the standards of most European electoral systems. It's much more proportional than non-PR systems such as Canada uses or such as Britain or France use. On that criterion, it performs to the satisfaction of people here.

In terms of government stability, over the years there has not really been a problem there. Most governments these days are coalitions, but they can be just as stable as single-party governments. We've had 29 elections in the history of the state, so something like three years between elections. Having said that, the last election in February did not produce a very stable-looking government. We have a minority government, with only 58 seats out of 158. It took two months to put it together. Its lifespan is rather uncertain. At the moment we wouldn't rate highly on current government stability, but over the entire period this has not been a problem.

One of the strengths of PR-STV, as I mentioned before, for its proponents is that it gives voters a lot of choice. They can really say exactly what they feel. They're not compelled to vote just for, to name the Irish parties, Labour or just for Fianna Fáil or just for the Greens. They can vote number one for Green Party, and if the Green Party candidate is eliminated, then they can give a second preference to Labour, a third preference to Fine Gael and their vote isn't wasted, it still counts. They can choose on the basis of any criterion they want. They can vote on party lines or some people will vote on geographical lines. They want a candidate from this part of the constituency, a candidate whose home base is somewhere near here. For that reason they might give their first preference to a local candidate from one party and their second preference to a candidate from another party.

Do turnout levels engender high participation? Not particularly in Ireland. Turnout is not especially high. It was around 65% for the election earlier this year. But people who study turnout say that it is affected by lots of different factors. The electoral system might have only a minor role. The only other country in Europe to use PR-STV is Malta, and that has a very high turnout, over 90%.

In terms of the cohesion of parties, as I said before, this internal party competition doesn't really damage party cohesion. In this country the solidarity of parliamentary groups is very high. It's very rare for MPs to defy the party whip. For good or for bad, that's the way it is. MPs nearly always vote the party line, they just don't vote different ways. Whatever the local pressures might be, the parliamentary parties are very cohesive.

Next is links with constituents. It's quite interesting that this arises in the Canadian context because this is quite a controversial point in Ireland. Links with constituents are extremely strong in Ireland. Links between TDs-MPs and their constituents are very strong. MPs spend a lot of time dealing with their constituents, representing their constituents, meeting their constituents, taking cases to central civil service bureaucracy on behalf of constituents. Some people criticize that. There are critics in the commentariat; not so much academics but commentators think this is a bad thing. They say this TD-MP's focus on constituency work is not what MPs should be doing. MPs should be in parliament considering legislation, scrutinizing the government, it's wrong that they spend so much time on constituency links. Moreover, these commentators say the cause of MPs spending so much time on constituency work is PR-STV. In some ways, though, that's ironic because in many other countries, as I said earlier, and including Canada, including the U.K., for example, there also MPs spend a lot of time on constituency work. For the most part, as I understand it, it's not seen as a bad thing. In fact, it's seen as quite a good thing. It's seen as an important part of MPs' role. For sure, there doesn't seem to be any reason to be concerned that PR-STV would weaken constituency links, if anything quite the contrary. Academics, as I say, take that view. The main point about PR-STV in this regard is that MPs now have a strong electoral incentive to respond to constituents' demands.

● (0955)

Even if they wanted to ignore their constituents' wishes for representation—which I'm sure all the MPs on the committee wouldn't want to do anyway—under PR-STV they've got a strong electoral incentive not to, because they know if they did ignore

constituency work, then another candidate from their own party might be more active in the constituency and might take their seat at the next election. MPs therefore know that they're under threat, not just from other parties but also from within their own party. They might lose their seat to another candidate from their own party.

At the end of our presentation, we just put together a few thoughts on how PR-STV might work in Canada. At the moment you've got 338 MPs, so if Canada had PR-STV there might be around 70 to 90 multi-seat ridings, each returning anything from maybe three to seven MPs, or it could be more. Just looking at a few particular provinces, we see that Newfoundland and Labrador currently has seven single-seat ridings that might become one three-seat riding and one four-seat riding, for example. Prince Edward Island currently has four single-seat ridings that would become one four-seat riding. New Brunswick currently has 10 single-seat ridings that could become two five-seat ridings. It could be that really large geographical areas like Labrador, the Northwest Territories, Nunavut, and Yukon would remain as single-seat ridings. I see that Labrador is a single-seat riding. Labrador is about three times as big as the entire island of Ireland, so to us it's unbelievable that this would be just one—

The Chair: Professor Gallagher, your presentation has been exceptionally good and greatly appreciated. It's an extremely interesting topic, and I'd like to give members of the committee a chance to find out more through questions to you and Professor Marsh, if that's okay.

Mr. Michael Gallagher: Okay, I was almost finished. I was just going to say the very final point, that the drawing of riding boundaries is less contentious with multi-member constituencies because there are simply fewer boundaries to draw, as the Prince Edward Island example shows.

Finally, I'll just say thank you for listening to me. *Merci beaucoup.*

The Chair: Thank you for your presentation. It's succinct but rich in detail.

We'll do two five-minute rounds, as we normally do. I think that seems to be working well.

We'll start with Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Good morning, Professor Gallagher and Professor Marsh. Thank you so much for being here with us today.

I'm quite intrigued by your presentation. It was very succinct and detailed. It's I think a little bit hard for us as parliamentarians because we're used to a particular system—the only system we've known—to really open our minds to a new system and to figure out how it would work. This is really a great exercise for us to see how it's working in other countries.

How big are your electoral districts? This example that you have with all the ranking ballots, how big would a district like that be with all these members? How many members would you have in Ireland picked from each ballot?

•(1000)

Prof. Michael Marsh (Emeritus Professor, Trinity College Dublin, As an Individual): The typical number of votes you need to be elected is somewhere around 8,000 to 10,000, so a constituency would probably have about 60,000 electors, I think. They're actually set on the parameters of population. The constitution says it should be a certain ratio of MPs to population, so that's about the size of them. For each MP, there are relatively few voters. That's not necessarily a feature of the system; it's just how it works here.

Ms. Ruby Sahota: Okay, but there are no exact boundaries for those members, correct? The district is quite big, and you just select the five or whatever number of members from that district.

Professor Gallagher, you were talking a bit about how, in our Canadian system, you recognize that it's quite important for constituents to be able to identify their member because a lot of our work is constituency work. I represent a riding that has a very high immigrant population, as does most of Canada, really. I've gotten a lot of critique, compliments about how our system works and how approachable members of Parliament are in comparison to other countries where you don't even see your member of Parliament and you can't discuss things, policy issues or personal matters that you want to take to the central government. I think that's a part of our system that we wouldn't really want to lose, so how would constituents identify who their member is? Would we end up with a system where one member maybe would be getting all the constituency work and all the other members would end up doing the policy work they want to do on Parliament Hill?

Mr. Michael Gallagher: In practice what happens is that very often the MPs more or less compete for constituency work. If they get any hint of a problem, such as a water main burst or inadequate schools in some area, every TD from the constituency wants to get involved and wants to be seen as the person who fixed it.

Constituents don't face a problem of MPs shirking and saying "nothing to do with me". Quite the contrary; every MP wants the constituency work, because they all feel that this is a way to build personal support. Irish constituents certainly don't feel that their TDs neglect them. As I said before, commentators say they shouldn't be doing this, which is a sign, really, of how much they do.

So PR-STV certainly doesn't lead to constituents not having any TD to take a problem to.

Mr. Michael Marsh: However, in practice, where a party had two members, let's say, from a constituency, both in the campaigning and in the areas where they win support you would normally see that each candidate would win a lot more support around the area in which they lived than they would in other parts of the constituency. To some degree, proportional representation works in the constituency, because different areas get their own MP.

Of course, an MP isn't just an MP for a part of the constituency. An MP is an MP for the whole constituency. But typically there's one much closer to you than the others are.

Ms. Ruby Sahota: Would there be no requirement for them to spread their resources out amongst the districts? What if they all have their offices in that main big city, and are not spreading themselves out? I think that would be a concern.

Mr. Michael Marsh: It would be like putting all the shops on one side of town. There would be a big space for someone to set up a shop on the other side of town.

The Chair: Thank you very much.

Mr. Reid, five minutes, please.

Mr. Scott Reid: Thank you.

I'm looking at the sample ballot you sent to us. First, is that a real ballot, or was it designed for illustration purposes?

•(1005)

Mr. Michael Gallagher: That's a real ballot from the Wicklow constituency.

Mr. Scott Reid: Okay. So in Wicklow, this would be the exhaustive number of people running, I assume.

You may not know the answer to a Wicklow-specific question, so rather than asking how many members get elected from Wicklow, I'll ask about the range within Ireland. What are the smallest and largest seats that are either permitted by your law or have been adopted in practice?

Mr. Michael Gallagher: These days the minimum is three, as set by the constitution, and the maximum these days is five, though in the past we've had constituencies up to nine seats.

Mr. Scott Reid: So three is legally the minimum. You can't go below that. In theory, could you drift upwards? You've obviously drifted downwards to a maximum of five, for some reason, so maybe I should ask that question. What made you go down from nine, as your maximum end, to five? Obviously you become less proportional as you get smaller numbers.

Mr. Michael Gallagher: That's right, you do. That seems to have been a factor in that in the past, government parties' redistricting and redrawing of boundaries was done by the government of the day, in effect. Back in the 1940s the government of the day brought in a new system under which five seats was the largest constituency size. That seems to have been accepted as the norm, even though these days redistricting is done by an independent commission, and it's always given terms of reference under which five seats is the largest used.

Mr. Scott Reid: In Canada when we redistrict, and I've been around here long enough to have gone through two redistrictings, or what we call redistributions, the adjustment is made entirely by shifting boundaries in a search for populations that are as close to the median population for the province as possible. In Ireland would you find yourself in a situation where you would want to preserve the constituency boundaries in order to preserve whatever community of interest exists, and do that by adjusting the number of TDs up or down for that district, as opposed to adjusting the boundaries of the district?

Mr. Michael Gallagher: No, it's the latter, because the constitution specifies that the ratio of population to TDs must be the same, as far as is practicable, across the country. It is more or less the same in every constituency, which necessitates redrawing the boundaries after every census.

Mr. Scott Reid: All right. I had made the assumption that there was an effort to preserve existing boundaries as much as possible. I must be getting confused about that.

Mr. Michael Marsh: There is, inasmuch as efforts are made to base constituencies on counties, because counties are quite important to people. But it's usually necessary to tinker around at the edges of counties. It always causes upset when people find themselves put in a different county. But by and large, the constituencies outside the Dublin area have boundaries that are not dissimilar to the county boundaries.

Mr. Scott Reid: Right. I can relate to that problem, having dealt with my district that includes three counties. It is a constant source of upset for people when they learn they will be excluded from the district in which the rest of the county is included.

Is there a preference built into the system for causing the more rural, more lightly populated areas to have a smaller number of TDs in order to keep the districts within a reasonable geographic size, and then do the opposite when it comes to the urban districts? That tends to have been the discussion in Canada, when we've debated this kind of system, that we would have larger numbers of members per district in the urban areas and fewer in the rural areas. Is it the same thing there, or is there a different logic?

The Chair: Very briefly, please.

Mr. Michael Gallagher: No, not really. In a word, there isn't. That would create a potential unfairness. The parties that were stronger in the cities would kind of lose out because they might not get their fair share of seats in the smaller rural constituencies, whereas the big parties would do better in the rural ones and only get their fair share in the urban ones.

The Chair: Thank you.

We'll go to Mr. Cullen now.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you very much to you both for presenting today. I find this very interesting on a number of different levels.

One thing that was discussed—and I'm not sure how we get at this in terms of voter satisfaction—is that we're designing this system not for parties but for the constituents we serve, the citizens that we serve. How is it that you measure voter satisfaction?

Then I'll get on to some other questions about how governments form and the process of government-making after an election.

•(1010)

Mr. Michael Marsh: On voter satisfaction I think we've had two referendums to replace the current system with other systems. In both cases those referendums were lost. The voters said they wanted to keep the current system. There have been various opinion polls and research exercises carried out in which you question people about various reforms that might be made. Particularly in 2011, when we had a polling economic crisis and for the most part voters thought everything about the political system needed change and reform, the one thing they certainly did not want to change was the electoral system. I think that—

Mr. Nathan Cullen: Those referenda were taken after the fact. The system had been in place and the Irish—

Mr. Michael Marsh: The system had been in place for 30 or 40 years, yes.

Mr. Nathan Cullen: Before I get to coalition governments and how governments form, there's some concern raised about that if there's a system in which it's difficult to have an outright majority. The size of constituencies, as you've heard, is a concern. The riding I represent in British Columbia is four times the size of the entire country of Ireland. My people come from Longford and I looked it up and my riding is 330 times the size of Longford. The notion we're looking at is to create even larger constituencies in the rural communities. You're designated by the constitution in Ireland. We're not limited that way here in Canada, I don't believe. The notion of having even larger rural constituencies, as you can imagine, gives some pause. There's been a notion to have a hybrid in which we had an STV or some sort of proportionality within the more dense urban populations, yet leave the rural constituencies as they are. Has anyone mused about that in Ireland, or are you simply constrained by your constitutional requirements to keep it as is?

Mr. Michael Gallagher: We are constrained by the constitutional requirements. In fact, there was a referendum back in the 1960s on allowing for a higher level of representation in rural areas, thinly populated areas, than in urban ones. But that was politically motivated because, for the reason I mentioned before, the parties who do best in the rural areas know they would then be over-represented in the rural areas but still get their fair share in the urban areas, whereas the parties strongest in the urban areas would probably lose out in the rural areas.

I must say, from a European perspective, it seems to us that your ridings in Canada are already so huge that if you can cope with them as they are you could probably cope with them three or five times bigger.

Mr. Nathan Cullen: Thank you for that encouragement. It's something to look forward to.

Turning to the question about stability, this is important—not certainty about outcome, but predictability that a government can form and then be stable. What's been the experience in Ireland—I don't think any party in quite some time has been able to have an outright majority of seats—in terms of that predictability of forming something that is stable and able to govern? This would be obviously a concern to Canadians if we adopt a new system.

Mr. Michael Marsh: Majorities were never all that common, I suppose, but we've had plenty of majority governments, and then we've had plenty of governments that have had almost a majority, but not quite, but it didn't seem to matter because the opposition was sufficiently fragmented that the government could pick off a few more. Even in recent years, the main party has been extraordinarily close to a majority, so it was fairly easy to bring in another party, and we've got an extraordinarily stable government through that. The exception was the last election, where no party came remotely close to a majority. Of course had we had an electoral system that manufactured a majority for a party I don't know if that would have been satisfactory—a party only getting 26% of the vote having a majority of seats. I don't think it's a great idea.

•(1015)

[Translation]

The Chair: Thank you.

We will now go to Mr. Thériault.

Mr. Luc Thériault (Montcalm, BQ): Thank you very much for your presentation, gentlemen.

Political life in Canada is pretty complex. I myself am a separatist MP, but I am a member of the Canadian Parliament. In some Quebec ridings, we need three or four days to reach all the constituents. I am wondering how this kind of a system could also take into consideration the political reality. A voting process is not just a quantitative system; it must also take into account political components and issues.

For instance, how do you explain Ireland's current difficulties with establishing a government? Is that just a vote-related coincidence, or is the situation rather desired by the people?

In Canada's current system, the electorate can throw a government out. That's referred to as the alternance phenomenon. It's not written anywhere, but it is done. In other words, the government is thrown out naturally after eight years. In that case, the vote implies a change of government.

As things currently stand in Ireland, what is the people's will in terms of changing the government?

[English]

Mr. Michael Gallagher: The voters certainly do sometimes reject the government. The best example was the 2011 election, when the outgoing government dropped from 40% of the votes to 17% of the votes. The voters made their feelings very clear on that occasion. Now it is true that, with coalition governments, sometimes a government might not be thrown out in its entirety. Sometimes one bit of the government changes and another party stays in government but with a new partner. So it's not quite as clear cut as in Canada or the United Kingdom, for example, that one party is in and the other party is out. However, in practice Irish government, Irish politics, has seen a degree of alternation because we have two large parties traditionally that have alternated in government. Certainly it's true that, with proportional representation, coalition government almost certainly is the norm, and that does make a big difference—maybe for better, or maybe for worse—but it does change the rules of the game.

[Translation]

Mr. Luc Thériault: What is the value of electoral platforms in a context where that system dictates the implementation of a coalition government?

[English]

Mr. Michael Gallagher: Yes, it changes things a bit. Parties in their manifestos say what they would like to do, but after the election, if there is a coalition government, that's just their initial bargaining position. No party can expect to get everything of what it promised. In a way, that's part of the idea of proportional representation, that if a party gets only 20% of the votes, they can't really expect to implement their entire policy. They're going to have to make compromises with other parties and they put together something that every party in the government is compatible with.

[Translation]

Mr. Luc Thériault: However, that's not the people's will. Party apparatchiks conduct those negotiations. The people are not involved

in platform components and elements that will or won't be integrated by a coalition government.

[English]

Mr. Michael Marsh: One could argue exactly the same in a first past the post system, inasmuch as one party got a majority and implemented its program, but it might only have 30% of the vote, or 35% of the vote, or 38% of the vote. Is that the will of the people if it's implemented what 62% of the people don't want? I think the last Indian government was elected with an overall majority with less than one in three of all votes cast. Is that the will of the majority?

• (1020)

The Chair: That's an interesting point.

We'll go now to Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you and good afternoon in Ireland.

I hope some day I'll be seeing you on more than video; this has been very helpful.

Professor Gallagher, I've been reading a chapter from a book you wrote, *Ireland: The Discreet Charm of PR-STV*. I've always wondered how it is that STV can be proportional, given, as you say, that there's no proportionality that is privileged by the way the seats are organized; there's no separate set of seats to represent the imbalance that's created by voting at the constituency level. I was very taken with the table that was in this chapter and the results of the 2002 general election. The parties had remarkable consistency between the number of seats they had and the proportion of the votes they got even though there's nothing that requires that.

In the work you've done, how do you explain the consistency? The 2002 election results are in your chapter for purposes of example, but I take it that it's fairly typical in results that you get a fair coherence between the percentage of the vote for the party and the percentage of seats that are won. How do you explain that in STV?

Mr. Michael Gallagher: Within each constituency there's a reasonable degree of proportionality, especially in the larger ones, such as the five-seat constituencies. In three-seat ones, in particular, you might not get such proportional results, but what nearly always happens is that, simply on the law of averages, if a party loses out in one place they'll win out on another occasion. Our third party, for example, the Labour Party, might win 10% of the votes on average in most constituencies and sometimes that's enough for a seat, sometimes it's not enough for a seat. On the law of averages, they end up with something like 10% of the seats, generally. It would be very unlikely, statistically, that they would systematically lose out nearly everywhere. In practice, it does deliver quite proportional results, as you say.

Ms. Elizabeth May: I'll go on to another question I have about how this has affected the nature of national parties. It seems that the two largest parties in Ireland have remained the two largest parties over time quite consistently and remain dominant. We had a witness yesterday who was concerned that if we got rid of first past the post, the stability of large parties might be undermined. Not to take too long in asking my question, but I noted that you also mention in this chapter that the Irish Constitution makes no mention of parties—neither does the Canadian Constitution—and electoral law did not recognize them or put them on the ballot until 1963. In Canada it wasn't until about a decade later.

How have you found STV affects the stability of the larger dominant parties?

Mr. Michael Marsh: I think it's worked in different ways. In the early years what happened is when people voted for a party, they'd vote for, really, all the candidates of that party; they'd vote very much on party lines and wouldn't vote for the other big party.

Nowadays, it's much more mixed, so I think what we see in the results—and the electoral system facilitates that being translated into seats—is that people think rather less of those parties than they used to and even though they might vote for a candidate from one of those parties, they don't, to anything like the same degree, support all the candidates of those parties. They may be a little more candidate-centred than they used to be. If that's what the voter wants, then democracy said that's what the voter should get.

Ms. Elizabeth May: Did you want to add to that, Professor Gallagher?

Mr. Michael Gallagher: I'd just add the caveat I mentioned before, which was that we shouldn't use the electoral system to explain too much. As my colleague says, parties' fortunes wax and wane, and that probably doesn't have very much to do with the electoral system. It would have happened under any electoral system.

Mr. Michael Marsh: I think we're seeing the waning of large parties right across Europe, and the Irish ones are no different. We've seen it in Britain with first past the post.

Ms. Elizabeth May: I want to ask one last question. It's really helpful to have your sample ballot. It's interesting that you have the photograph of the candidate, the party logo next to the candidate, and you list the candidates alphabetically.

Would it be fair to say that single transferable vote systems are very easy for the voter to use, but perhaps more complicated for the electoral officials to count? In terms of what's simple and what's complicated, it's simple for the voter.

•(1025)

Mr. Michael Gallagher: I think that's absolutely right. Yes, for the voter it really is very straightforward to vote. The counting process, like a lot of counting processes, actually, with a lot of electoral systems, can sound complicated if you go through a stage-by-stage account, but for the voter, it's very straightforward.

Mr. Michael Marsh: Can I just add one caveat to that? In Malta, for instance, which uses the same system, the ballot is structured by party. That, I think, probably makes it even easier for the voters, because sometimes it can be quite hard to find all the candidates of your party on a long list.

Second, when it comes to counting, the system that's used in Scotland, for instance, in local elections, is electronic, so it's instant.

The Chair: Thank you very much.

We'll go to Mr. Aldag for five minutes.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you, Mr. Chair.

Our committee has been given several principles to work from. This isn't the full list, but we're looking at a few things: How do we increase the engagement of our citizens? How do we design a system that is accessible and inclusive? How do we maintain integrity? Two specific areas we've been asked to look at are online voting and mandatory voting.

I'd like to start with online voting and any thoughts or comments on research you've done or discussions you've had within the Irish context. Perhaps I could get your thoughts on that, just to start.

Mr. Michael Marsh: In simple terms, we don't have online voting. Postal voting is very difficult here, and I think online voting is a long way away.

Mr. John Aldag: From a research perspective, have either of you dabbled in that, or has it not been something you've spent time on?

Mr. Michael Marsh: There is research on postal voting. In some jurisdictions, I think Sweden, most people vote long before the election takes place. The hope was that postal voting would make it easier to vote, and therefore would raise turnout. Most of the research with which I am familiar says that what happens is that those people who would vote anyway find it easier to vote, and those people who wouldn't vote anyway don't vote just because they can vote by post. It facilitates the regular voter, not someone who's turned off from the system.

Mr. John Aldag: Okay. Thanks.

Do you have any thoughts on the question of mandatory voting?

Mr. Michael Marsh: I think mandatory voting probably addresses the symptom rather than the cause. If there's a lack of interest in politics, which manifests itself in people refusing to vote, forcing them to vote doesn't necessarily make them interested in politics. The phenomenon in Australia known as the “donkey” vote, in which people just fill in the ballot alphabetically because they don't know enough or they don't care enough to fill it in any other way, is very much a product of mandatory voting.

Mr. John Aldag: Great. Thank you.

The first slide of your PowerPoint presentation stated that possibly MPs could be more socio-demographically representative of the population as a whole. As we're looking at trying to reflect our ever-diversifying population, looking at such things as more women in politics, do you have any comments on that point? It's not a ringing endorsement saying that this will result in a greater socio-demographically representative group of MPs. Do you have any thoughts on the strengths or weaknesses of your system, and how it could enhance representation of the population?

Mr. Michael Gallagher: Generally speaking, countries with PR systems do have more women in Parliament than countries that don't. Being confident that this is cause and effect is a different matter. Maybe it's just that the countries are different, that their whole political culture is different.

Ireland, I must say, has always done very poorly on this criterion. At the last election, we introduced candidate gender quotas. That did have the effect of increasing the proportion of women to 22%, which is the highest for Ireland, but Ireland is not a great exemplar on this point. Again, I think it's one of those things that is not really determined centrally by the electoral system.

To go back to something I said before about open-list and closed-list PR systems, with a closed-list system the party in effect picks the MPs. The party can put a lot of women at the top of the list, or people from ethnic minorities, and in that way really engineer the composition of its parliamentary group. It can be used for that purpose, but at the cost of freezing the voter out of the decision-making process.

• (1030)

Mr. John Aldag: Here is a quick technical question. I've been reading about all these various systems, and in a lot of them when a certain threshold is reached, then the surplus votes go into a new pile and get redistributed. My assumption is that the first one gets locked in, and then come the ones that still need to be counted. I'm trying to figure out how that would work in our system, where we have a number of polls. How do you determine which are the first batch of votes, the votes that are locked in, and which ones get redistributed?

Mr. Michael Gallagher: There are lots of ways of doing that. In Australia it's done differently than it is in Ireland, and even within Ireland, when we elect the upper house, the Seanad, it's done in a different way. Essentially, it's seen as a random process in which the votes transferred are a cross-section of all of them with regard to their next preference. They're randomly selected, however, with regard to lower preferences.

That's the real nitty-gritty of PR-STV, which I probably shouldn't even be trying to explain, because it makes it all sound much more difficult than it really is.

The Chair: Thank you.

We'll go to Mr. Kenney now.

Hon. Jason Kenney (Calgary Midnapore, CPC): Thank you, Chair, and my thanks to both of you for taking the time to join us from Dublin.

Professor Gallagher, I understand you've written about referendums in Ireland. I understand there have been at least a couple of dozen, typically on proposed constitutional amendments. Is that more or less accurate?

Mr. Michael Gallagher: Yes, we've had more than 30 referendums. Every change to the constitution needs a referendum in Ireland.

Hon. Jason Kenney: As I understand it, the current constitution was approved by a referendum. Was it in 1932?

Mr. Michael Gallagher: It was 1937.

Hon. Jason Kenney: Is the election law enshrined in the constitution, or is it a normal statute adopted by the Dáil Éireann?

Mr. Michael Gallagher: PR by single transferable vote is in the constitution. The minimum number of MPs for a constituency is three, and that's in the constitution. Many of the other details, however, are laid out in law.

Hon. Jason Kenney: Am I correct that there have been a couple of referendums in Ireland on proposed constitutional amendments to modify the electoral system? I believe that in 1958 and 1968 there were failed referendums to move to a first past the post system, a Westminster system. Is that correct?

Mr. Michael Gallagher: That's right, yes. The first one was lost only very narrowly, but the second one lost pretty heavily.

Hon. Jason Kenney: So in the fifties and sixties there was some movement. Where did this come from? Did the idea of moving back to the Westminster system come from the Dáil or from the general public?

Mr. Michael Gallagher: It came, I'm afraid, almost entirely from political motivation. The biggest party in the country, Fianna Fáil, which had done pretty well and usually won a majority, saw its future as being a bit less rosy than its past had been and thought that in order to guarantee winning a majority in future elections, they would do better under a system of first past the post. It was an almost entirely politically motivated referendum on both sides.

Hon. Jason Kenney: In those two referendums in 1958 and 1968, the public voted to retain the single transferable vote system. Is that correct?

Mr. Michael Gallagher: That's right.

Hon. Jason Kenney: Broadly speaking, what has been the Irish experience with referendums? Canada has a limited experience. We've had only a couple, and they were of a plebiscitary nature, an advisory nature, technically speaking. Has the Irish experience generally been a positive one?

Mr. Michael Gallagher: I would say so. People are accustomed to referendums these days. We have four or five every decade, and it seems right and proper that big issues should be put to a referendum. We have a special commission set up to inform the public about the arguments on each side, and this commission gets a mixed reception as to how well it's doing its job.

Perhaps I should ask my colleague to comment on that, since he's studied referendum voting.

Mr. Michael Marsh: I'd probably disagree with my colleague that it's been a positive experience. I think most of the research we have on referendums—and there are some exceptions—suggests that people were unclear about what they were voting for and unclear about the consequences. I think the most recent British referendum was a classic case of that.

• (1035)

Hon. Jason Kenney: Just to be clear, if Ireland were to consider changing its electoral system today, it would require a constitutional amendment authorized by a majority of voters in a referendum.

Mr. Michael Marsh: Yes.

Mr. Michael Gallagher: Exactly.

Hon. Jason Kenney: Not only is that a constitutional requirement, but am I correct in inferring that there would be public expectation that it would be the case?

Mr. Michael Gallagher: Yes, I would say so.

Hon. Jason Kenney: Thank you.

The Chair: Thank you.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado: Thank you very much to both of you for being here with us today. It was very helpful for me to see the ballot, as my colleague said, and to get a better understanding of how things work.

To go back to what my colleague Ruby was talking a little bit about, do multi-member seats create a certain level of regional tension and volatility within parties? As I'm sure you're aware, often if constituents are not happy with one answer, they might go to another representative to see if they can get a better response. Could you elaborate a little on that and how it would work?

Mr. Michael Marsh: We see that here, and people will often contact more than one TD, one MP, to try to resolve their problems, and since a lot of that now takes place by email rather than by tramping along to a local constituency office, it's fairly easy to blind-copy all the TDs in the constituency into your request. I think TDs know that this request may have gone to another one, so they'd better deal with it.

There is competition both within and between parties to be seen as a good member of Parliament.

Mrs. Sherry Romanado: Would this not also decrease efficiencies in terms of duplication of efforts? For instance, if a constituent was not happy with respect to a case file and contacted multiple TDs, and multiple TDs started putting resources towards solving the issue, and, God forbid, there might be actually two different outcomes for the file, could you explain how this could be efficient?

Mr. Michael Marsh: I suppose it would be efficient if one person produced a satisfactory conclusion and the other one didn't. From the point of view of the voter, it's efficient if you get the best outcome. Maybe if all MPs were as efficient as the best one, then the voter wouldn't have needed to go to all of them.

Many, of course, still just go to their local person, the one they might have known, the one they vote for, the one in their area, but certainly there is duplication of effort.

I would say that judged against the general inefficiencies in our political, economic, and social system, those are pretty minor.

Mrs. Sherry Romanado: Okay.

In terms of coalition governments, Ireland is used to having minority governments that have to work closely together, and MP-shopping or TD-shopping for votes in each district adds to the tension. I'm trying to figure out how this could work in Canada, in terms of the transition from working on a majority government versus minority government versus coalition government. How would this impact the stability of Canada and our political system? It is a huge culture change to go fundamentally from a majority

government or minority government to having coalition governments all the time.

Mr. Michael Marsh: I think that's true, and it's only since the 1990s that we've had coalitions involving Fianna Fáil, our largest party. It used to say it didn't do coalitions, but at a certain point, it started to do coalitions, and then they were perfectly normal. We've had a lot of governments that weren't coalition, but everybody expects them to be now.

I have to say that in most of the world, coalition governments are normal, and in those areas of the world where they weren't normal, they're becoming more normal. Britain is a good case in point. I think it doesn't have a coalition government at the moment, but only by the skin of its teeth does it not have a coalition government.

As parties get further away from winning somewhere around 40-plus per cent of the vote, they don't win majorities anymore, and it's probably right that they don't get overall majorities, because not a lot of people support them.

Therefore in Canada, if people move away from the two largest parties, you ought to have coalition government. It would seem to me that rather than being concerned about it, you should be quite pleased.

● (1040)

Mrs. Sherry Romanado: Okay.

I just want to make sure I understand. From 1922 until about the 1990s, your largest party wasn't really looking to work on coalition governments and so on, so it took quite a few years to get there.

Mr. Michael Marsh: That's right.

Mr. Michael Gallagher: Yes, that's right, and they made an electoral virtue of it. They said they were a single-party government and if the others got in, there would be a coalition, and that would be bad. However, in 1989 they did so poorly that they could only stay in government by forming a coalition, so they had to adopt that approach, and now they're as open to coalition as anyone else.

Coalition governments typically have more votes behind them, more public votes, in that a government can't just have 40% of the votes. You need something like a majority of votes behind the parties that are in the government. There is a bit of a learning process, so if Canada shifted to that system, the first few coalitions might be a bit awkward as people learned the new rules, but the evidence is that most countries in the world have coalition governments and they can be just as stable as single-party governments.

The Chair: Thank you.

We'll go to Mr. Blaikie.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): One of the questions that interests me, or that I'm trying to wrap my head around, is the question of the surplus votes for candidates who have already met the threshold for being elected and how those are distributed.

Am I right that.... It may be that the second choices of people who voted for candidate *X*, who has met that threshold, are all very different, and it just so happens that whoever was counted first up to that threshold, their second choice won't be passed on, and then it's only the second choices of the ballots that happen to be counted after candidate *X* has met that threshold that then get moved to other candidates. Is that an accurate understanding of how that works?

Mr. Michael Gallagher: Not quite. If the quota is 10,000 and one candidate gets 12,000 first preferences, what happens is that all of those 12,000 votes are looked at, and if 50% of them have a second preference for candidate *X*, then half of the surplus—that's 1,000 votes—would go to candidate *X*. It's not only the last 2,000 that are seen as a surplus; every single vote is looked at.

Mr. Daniel Blaikie: Okay, and hence why it can take so long to complete the counting process.

Mr. Michael Gallagher: Exactly.

Mr. Michael Marsh: It can and is done electronically in other jurisdictions, so it doesn't have to take very long. When it's done electronically, it can typically be done in a rather more sophisticated way than when it's done by hand.

Mr. Daniel Blaikie: On the question of electronic counting, I'd be curious to hear your thoughts on one of my questions around that.

We often talk about how quickly things get counted. It seems to me that one of the advantages of counting paper ballots has to do with the legitimacy of the outcome. By that I don't mean only problems with the software that you use to count, but I mean having people there from the various parties who sign off on the outcome. One of the things that you have in that kind of physical process is that at the end of it you actually have people from different parties who have said they've looked at the ballots together and accept the count. It's my belief that this contributes to the legitimacy of a changing government because those who are on their way out have been part of that process and acknowledge what that count was. It helps with any transition that might occur following an election.

I'm wondering if you can speak to that aspect of counting, the legitimacy of personal—

Mr. Michael Marsh: Transparency is very important. One of the wonderful things about the by-hand counting in this country is that it's the one day of the year when everybody is interested in politics. They turn on their televisions because there is a live game show going on all day, if not two days, to find out who will win and who will lose. It's prime-time major television for 24 to 36 hours. Counting them electronically doesn't necessarily mean you can't validate the ballots by eyesight. As I understand the way it's done in Scotland, the ballot papers are scanned, and the scanned ballot papers can then be counted. If you think the result is dodgy, they can be counted by hand because you still have a ballot paper.

We had a brief experience with electronic voting machines, which were later abandoned because there was no paper ballot. There was no final place you could go to to make sure that what the voter thought they'd done they had actually done. I think that mixture—and I think New Zealand does the same—of the paper ballot and electronic counting is quite a good one if you want your count done quickly. There are reasons, maybe, to have the count done slowly.

●(1045)

Mr. Daniel Blaikie: I'm wondering if your colleague would like to weigh in on that issue.

Mr. Michael Gallagher: Yes, our experience with electronic voting was a very ill-fated one. It's seen as one of the great policy blunders in Ireland that these out-of-date machines were bought. They had out-of-date software and there was no paper validation, and electronic voting is always coupled with the word “fiasco” now. That really set back any possibility of any electronic involvement, so we are firmly wedded to paper ballots. When the votes are counted, it's open to the public, as is probably the case in Canada. Everyone can look over the railings to see the individual ballot papers go through, and it does really reassure people that the whole thing is being done in a very honest and legitimate way.

The Chair: Monsieur Deltell is next.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you very much, Mr. Chair.

Gentlemen, it is a great honour for us to be hearing from you in our committee. Welcoming high quality individuals like you helps us delve deeper into this important issue and benefit from your international experience. We can do that from here, in Ottawa, with you in Dublin, at little cost, and that is very good news for public administrators.

The quality of your testimony is important to us as members of Parliament. We are disappointed to learn that, unfortunately, a renowned academic will not be able to participate in this morning's debate on this critical issue. We would have liked to have Stéphane Dion with us, but he will unfortunately be unable to attend.

The Chair: I believe that Mr. Dion is in Sri Lanka right now.

Mr. Gérard Deltell: Is this the only day our committee is meeting?

The Chair: I understand, but he could not have been here this morning anyway. I just wanted to clarify.

Mr. Gérard Deltell: Okay.

They are in Dublin and could not be in Ottawa, but they are participating anyway. To my knowledge, this is not the only day our committee will be meeting.

[*English*]

Therefore, gentlemen, let's talk about the issue you're here today to discuss. I want to talk to you about proportional representation by single transferrable vote, or PR-STV. It is quite special for me to explain that.

I want to talk to you because this is the experience of Ireland and we wish to understand your experience in Ireland with it.

There are two issues, and the first is participation. I think we want to have the most people participating, most people voting, most people attending to the ballot, but in your documents I've learned that only 65% of people vote in that system. How come?

Mr. Michael Marsh: I think more people used to vote. Fewer people vote now. That's not because of the system, but because politics used to mobilize people and doesn't anymore. The same system in Malta gets something like 95% of voters to the ballot. They go because they think it makes a difference. Supporters of party A think that party B will destroy the country, whichever it is, so they go out and vote because it matters. Who got into government used to matter to Irish people, but it matters less now. I think they feel it doesn't make as much difference as it did, so fewer go out to vote. That has nothing to do with the electoral system at all; it's all to do with the nature of the parties and how different they are from one another and the way in which they mobilize votes.

Mr. Gérard Deltell: If I understand correctly, you're saying that whatever the system, it will not change the participation of the people. Is that what you're saying?

Mr. Michael Marsh: Yes.

Mr. Gérard Deltell: Thank you.

The other point with this PR-STV system is about the party line. I think it's quite important, because when we talk to people about the political system, they say that what they don't like about MPs is that when they are elected, they follow the party line instead of listening to the people. In your presentation, you said that in the electoral system the solidarity of the parliamentary bloc is very high, but on the other hand, you talk about the fact the constituents would like to see their MP defending their own interests.

At times in the four-year mandate—not on all issues, but once or twice—we will have some difficulties because personal or local issues do not conform well with party lines. Sometimes we have to make choices. No one is elected with 100% agreement on what they propose to do. It's impossible; we are human.

How do you reconcile the fact that there is a lot of solidarity in the party line—with parliamentarians in a political bloc—with the fact that MPs should represent the will of their own constituents?

● (1050)

Mr. Michael Gallagher: Certainly it is true that MPs nearly always do vote the party line. MPs respond to constituents' wishes in terms of making constituency representations, obtaining more resources for the constituency, taking up individual grievances of their constituents, but they don't take their votes in Parliament from constituents' wishes.

The previous government we had between 2011-2016 was in a time of great economic difficulty. There were increases in taxes and cuts in public spending. MPs knew perfectly well that their constituents didn't like those things, but the government felt it was necessary to do that to get the economy back on track, and the MPs went along with it. Many MPs would have said, "Well, if I do what my constituents want, I'll always be voting for lower taxes and higher spending", and for that reason they do stick with the party line. Constituents don't really expect their MPs to follow their views on policy stances; they expect their MPs, really, to be pretty loyal to the party line in government.

The Chair: Thank you very much.

[Translation]

To wrap up the question period, I give the floor to Mr. DeCoursey.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

[English]

Thank you both, professors, for being here and presenting this morning.

One of the principles that we've been asked to consider is how to engage Canadians more in the electoral process. We had three eminent scholars in yesterday who spoke about various citizen-led processes. Other research identified enhanced voter preference as a value that a lot of Canadians see as important in their electoral system. I wonder if vote preference is a value that you see as fundamental to the Irish system.

Mr. Michael Marsh: The nature of the single transferable vote is that the citizens' preference for an individual candidate is paramount and they're not forced to vote for a party. When they're asked if they would vote for that candidate even if the candidate stood for a different party, quite often they say they would. It's the candidate that attracts them. It is the nature of the single transferable vote that it can allow this.

Mr. Matt DeCoursey: To me, that would indicate the importance of the link between the elector and the elected and how that resonates in Ireland. It also seems that the electoral system is one of a number of factors that lead to an engaged electorate in Ireland. Is that more accurate than to say that the electoral system has no relevance in the way people engage in elections?

Mr. Michael Marsh: One can see it as a factor combining and interacting with a number of other factors. It's quite possible that if we had a different electoral system, if we had first past the post, turnout would be even lower. In my opinion, the electoral system is not responsible for a huge amount of turnout one way or another.

Mr. Matt DeCoursey: Do you have any evidence to demonstrate how much preference or choice voters exercise when they go to the ballot? Do they fill out the whole ballot? Do they rank one, two, three? Is there any impetus for candidates to suggest to voters to vote just for them and leave the rest blank?

● (1055)

Mr. Michael Marsh: About one voter in 10 fills the whole ballot in. It's a relatively small number. The typical number of preferences is about four. People usually vote for candidates of two parties. That's the average.

Mr. Michael Gallagher: For individual candidates, there's no incentive to say, "Vote number one for me and then stop", because a lower preference can only count if they don't need it anymore. Usually candidates would have some preference about where their voters give their lower preference.

Mr. Matt DeCoursey: I read with interest your take on how Atlantic Canada could be divided up under a PR-STV system. As a representative from Atlantic Canada, I was interested to know if there was any science or research that went into that, or if it was just based on looking at the map and drawing a line.

Mr. Michael Gallagher: It's a beautiful part of the world. Prince Edward Island would be a natural unit, and New Brunswick, which I believe is your own part of the world, divides neatly into ten ridings. That would fall neatly into two five-seat ridings.

Mr. Matt DeCoursey: I would love to entertain you in New Brunswick to see where we might draw that line should we go this route.

Mr. Michael Gallagher: We're delighted to be here, but we'd be even more delighted had you flown us over to Canada to do this.

Mr. Matt DeCoursey: Perhaps next time.

Mr. Michael Marsh: We would have been so much better.

Mr. Matt DeCoursey: Thanks very much for your humour.

The Chair: Go ahead, Ms. Sahota.

Ms. Ruby Sahota: I'd like to start with a Twitter question that's been posed. It's a question I'm interested in as well.

Nathaniel from the University of Saskatchewan asked how proportional the results are in Ireland under the PR-STV system. Are there still wasted votes? How does this work compared with single-vote PR, where there's no transferable vote?

Mr. Michael Gallagher: There are still wasted votes. In a five-seat constituency, for example, all the votes for the runner-up in effect are wasted, but that's roughly one in every six votes in a five-seat constituency, whereas in a single-seat constituency, as under first past the post, half the votes could be wasted. It might even be more than half if the winner has fewer than 50% of the votes. The number of wasted votes under any kind of PR is much lower than it is under first past the post.

In answer to the first part of the question about how proportional the results are, they're fairly proportional. They're as proportional as the European norm. They're not super-proportional as in South Africa, but they are much more proportional than they were in your current election or, say, a British election.

Ms. Ruby Sahota: We talked somewhat about the strengths of your system, and that's why we're quite interested in it, but what do you find are the weaknesses and what has been the debate in Ireland? Has there been any recent discourse about changes that your population would like to see in the electoral system?

Mr. Michael Marsh: I think there's very little evidence that the population wants to see any changes, but there are a lot of commentators in the media who would like to see changes. There are commentators in the media who think all the ills of politics in Ireland can be put at the foot of the electoral system and that this dreadful interest in constituents that TDs have shown could be got rid of with a first past the post system, not knowing that MPs in Britain are very interested in their constituents.

A voice: And Canada.

Mr. Michael Marsh: They feel that there must be a quick fix somewhere, and the electoral system is a quick fix, but the voters themselves would resist strongly any change, particularly if it was a change to remove them somewhat from their MPs.

If you had a list system of proportional representation, a fixed list that the voters couldn't alter, that would be very different from what we have at the moment. However, there's absolutely no chance at all

that a majority of voters in a referendum would agree to that, because they'd be losing power and influence over the composition of parliament, and that's what they want.

Ms. Ruby Sahota: Any comments, Mr. Gallagher?

Mr. Michael Gallagher: No, I think that deals pretty thoroughly with that aspect. It's basically not a political issue in this country.

• (1100)

Ms. Ruby Sahota: Do you find that having the multiple choices... I can't remember the number on your sample ballot here, but there are quite a lot. You said the average is only about four rankings. Is that because people are not able to well inform themselves about all of the candidates and all of the options that are presented to them?

Mr. Michael Gallagher: People just don't have strong feelings about many of the candidates.

The maximum number of candidates for a constituency at the last election was, I think, 24; that's the longest ballot paper. There was another with only five candidates chasing for three seats. Generally speaking, voters just wouldn't know a lot about all the candidates. They would be reasonably well informed about the ones who mattered to them, the ones from their favourite party, the ones from around their part of the constituency or anyone else with a high profile, but they wouldn't see any need to take the time and trouble to find out about all 24 and learn about them. Some voters do—about one in 10, as my colleague says—but for most voters that's not necessary.

Mr. Michael Marsh: When you sit down to fill in these ballots, it's usually easy enough to fill in the first few and it's easy enough to do the ones at the bottom. You know who you really don't like, so if there are 24, you might know who you want to rank 20 to 24 and who you want to rank one to four. It's the ones in the middle who are difficult.

Ms. Ruby Sahota: Is there any process of elimination previous to putting these people on the ballot? What's the system of getting on to the ballot? It appears that there are quite a lot of options from every party.

The Chair: Briefly, please.

Mr. Michael Gallagher: That's entirely up to the parties. The parties run as many candidates as they want, and independents can stand as well.

The Chair: Thank you.

Mr. Michael Gallagher: There's a thorough candidate selection process within each party.

The Chair: Thank you.

Go ahead, Mr. Reid, please.

Mr. Scott Reid: In a typical parliament, how many independent MPs or TDs would actually be elected?

Mr. Michael Gallagher: In a typical one, there'd be maybe five to 10. In the current parliament we've got more than ever, 21 or so, which is a record, and it's very unusual in a European context. There are a lot of independents in Ireland at the moment.

Mr. Scott Reid: I should have asked this question, too. What's the total number of TDs in Parliament?

Mr. Michael Gallagher: There are 158.

Mr. Scott Reid: Oh, my goodness! That's 15%, more or less, right now, and as an average about 7%.

Mr. Michael Gallagher: Yes, it's gone down to just one or so independents in some past elections, but at the moment we're in a very good time for independents, partly because parties are losing popularity, as we mentioned earlier.

Mr. Michael Marsh: Independents are in the current government. We have a number of independent ministers at the moment.

Mr. Scott Reid: Oh, really? I would not have guessed that. One normally draws in a prominent member of a party in order to bring along all the extra seats that come with that person. That's part of coalition-building, as we conceptualize it elsewhere, so that is a very interesting fact.

Mr. Michael Marsh: Independents have formed groupings. They are not parties, but they're groupings. One grouping is part of the current coalition.

Mr. Scott Reid: Okay. Do they caucus together? I don't know if you use that term there, but do they get together to meet privately to figure out what they'll do in the next few votes and that kind of thing?

Mr. Michael Marsh: Except that there is no requirement to vote in a particular way, because that would make them a party, and they're opposed to that.

This is Alice in Wonderland stuff, when parties are not parties and groupings of independents are not parties. They are groupings, but they are not parties.

A voice: That's like our Senate.

Mr. Scott Reid: Right. We have almost the exact parallel universe over here in our upper house, as a matter of fact. It's Alice in Wonderland versus Alice through the looking-glass, I guess. At any rate, that is interesting information.

One of the great fears I have had about being involved in electoral reform issues for over a decade is that many of the proposed systems have the effect of increasing the power of the parties over the individual members, which ultimately means that the connection between the members and those they represent is weakened. It sounds to me as though whatever flaws your system may have in Ireland, it does have the apparent advantage, at a number of levels, of actually doing the opposite. Whether that's considered a feature or a bug, I don't know, but it appears to have been the case.

• (1105)

Mr. Michael Gallagher: Yes. In fact, some independents are people who used to be in parties. Maybe they fell out of the party or the party threw them out or they tried to get picked as a party candidate and weren't successful, so instead of that they stood as an independent. "Independent" is a kind of neutral term. No one dislikes the idea of an independent. Independents tend to thrive at a time when parties are unpopular, and that's one reason the independent graph is steadily upward in recent years.

Mr. Scott Reid: Thank you very much.

I wanted to ask about one other thing. The candidates in this list are ranked alphabetically. I know in one Australian jurisdiction, Tasmania, where they also use a system very similar to yours, they

have developed a system for randomizing the placement of candidates on the theory that this removes what's called a "donkey vote", which is people voting for those at the top of the list or the bottom in alphabetical order. Is that an issue at all in Ireland?

Mr. Michael Gallagher: Well, it is a fact that to be elected in Ireland it does help if you have a name early in the alphabet. It's a striking phenomenon that academics have noticed. If your name begins with "A", "B", "C", or "D", that helps you. If it begins with "Z", actually, that's okay too. If it begins with "M" or "O", that's not so good; you're lost in the middle. It's something that people have noticed, but it still goes on. Personally, I think randomizing the order of names would be a good idea, but it's not mandatory.

Mr. Michael Marsh: The Supreme Court, I think, looked into this and said it wasn't for them to look into the mind of the voter. You could certainly randomize it, but that might make it even more difficult for voters to find the candidates they were looking for.

The Chair: Thank you very much.

We'll go to Mr. Cullen now.

Mr. Nathan Cullen: Thanks. I'm also getting some questions on Twitter that I would really want to put to you.

I'm not sure how familiar either of you is with the Australian system and some of the results they've had. I'll ask one specific question, and if you don't know the answer, we'll move on.

This question comes from Michael Bednarski, who said that under the Australian alternative vote, around 8% of the first-choice candidates lost to second-place candidates and no third-place candidates won. Can you explain that phenomenon and how that alternative vote system produced results in which first-place candidates, as much as 8% of the time, didn't win? If you can't, we'll move on to another question.

Mr. Michael Gallagher: It's perfectly likely that the first-place candidate might have been, for example, a Liberal candidate, the second one a Labour candidate, and then a Green candidate in third place, so when the Green candidate was eliminated, their preferences would have taken the Labour candidate ahead of the Liberal candidate.

Mr. Nathan Cullen: I see. The candidate initially seen as the most popular doesn't end up winning the riding, with Australia as a recent example, 8% of the time—

Mr. Michael Gallagher: That's right.

Mr. Nathan Cullen: —simply because they were popular within a constituency, but not popular with anybody else.

Mr. Michael Gallagher: Yes, but the logic would be that the person who eventually wins, the Labour candidate who was second, actually was more popular among the voters as a whole, even though he or she didn't have as many first-preference votes.

Mr. Nathan Cullen: Someone has raised this scenario, and I hadn't thought of this before. If we end up with a mandatory voting system, plus alternative vote, is there a potential to skew the distortions that alternative vote gives us even more?

Mr. Michael Gallagher: The alternative vote is not a kind of PR and the outcomes it produces are not that different from first past the post, really, so in some ways I think it would be a huge amount of effort to achieve very little if Canada had a really strong deliberative process and then simply moved to the alternative vote. It wouldn't make a great deal of difference.

Mandatory voting is a different thing entirely, but in Australia it means that voters, when they vote, have to give a preference to every candidate, because "mandatory" means not just that you vote but that you have to vote right down the ballot paper.

Mr. Nathan Cullen: Let me just walk back to the first part of that comment, and I'll get both of yours.

You said to go to an alternative vote would be a huge amount of effort without producing much or changing much of the results of what we have right now in first past the post.

Mr. Michael Gallagher: Yes, I think so, because the results of Australian elections tend to be just as disproportional as elections in Britain or Canada, for example. You don't get very close proportionality, and in particular the smaller parties really lose out systematically.

Mr. Nathan Cullen: That's interesting.

What have we done for diversity under proportional systems, including your open-list system in which voters get to choose who constitutes that proportionality? Have we seen greater diversity of under-represented groups in Ireland or other countries?

• (1110)

Mr. Michael Marsh: I think gender is the one looked at most often, and in general, proportional representation systems using lists have far more women elected than we see in first past the post... [*Technical difficulty—Editor*] Putting several people on the ballot is a different process from just putting one or two.

Obviously if the aim is for a particular characteristic, that can be done in other ways. As it's done here, all parties have to put forward a certain number of women candidates, because otherwise they would not get their election expenses back.

Mr. Nathan Cullen: I see. There's an incentive in Ireland to ensure that you have a certain proportion, particularly of women, on your list as a party. There's a similar law—

Mr. Michael Marsh: Women candidates.

Mr. Nathan Cullen: Right, candidates.

We have a similar law being proposed by Kennedy Stewart right now in our Parliament to create an incentive for diversity on the ballot. It's interesting.

I'm not sure how I'm doing for time, Chair.

The Chair: You have 45 seconds.

Mr. Nathan Cullen: I have one last question. I want to skip back to this independents notion.

What has been the public's reaction to having independents participate in government? Has there been any backlash or negative feeling toward the government for having incorporated independents or toward the role of independents in the Dail?

The Chair: Please answer briefly.

Mr. Michael Gallagher: We had an opinion poll just last week that showed that the support for independents had really gone down a lot since the election, so the public as a whole doesn't seem to like it a great deal, but these are early days and things may change.

The Chair: Thank you.

We'll go to Mr. Thériault.

[*Translation*]

Mr. Luc Thériault: In answer to my last question, concerning the relationship between the value of an election platform and the alternance phenomenon, you rightly said that the first-past-the-post system would not be any more or less legitimate than another proportional system. The situation would be the same if the Prime Minister, who was elected with 36% or 38% of the votes, did not take into consideration the official opposition as part of parliamentary dynamics when it comes to improving legislation.

We travelled across Quebec for an electoral reform project. Ministerial responsibility—accountability—was an issue that was raised many times in that context.

How is that accountability reflected in the context of electoral dynamics in a system like yours?

In Canada, the government submits its financial statements, which are then criticized. It has to assume full responsibility for its governance.

How does that manifest itself in a system with coalition governments?

Out of curiosity, I would like to know what happens to cabinet solidarity in an electoral environment. Since there are several different parties, I assume that, come election time, those parties disagree with one another and are not really solidary in terms of governance. Could you tell me how that works?

[*English*]

Mr. Michael Gallagher: When it comes to, say, manifesto promises, if you have a small left-wing party that people expect to get about 10% of the votes, their manifesto might say that if they form the government, they'll do all these things, but the voters know they're not going to form a government on their own. What it means to vote for them is that you want their influence on government. They won't be able to achieve everything they promised, but they will have some input into government. Voters understand the rules of coalition governments. Voters understand that voting for someone means to strengthen their voice, hopefully to strengthen their voice in government, not that they're going to do everything that's in their manifesto.

When it comes to ministerial accountability, the practice in this country is that a lot was inherited from the British practice, perhaps as in Canada. We're not experts on Canadian politics, but it means that government's collective responsibility is very strong. All ministers go out and defend the governmental line. You don't get ministers arguing with each other in public. They have their arguments in private, behind closed doors, but they all defend the government line.

Coalition governments in this country have been just as united as single-party governments; in fact, the most divided governments we've had in the past have been single-party governments, but that's not a problem anyway. There might be other problems, but government unity really isn't a problem.

• (1115)

[Translation]

Mr. Luc Thériault: There may be fewer campaign slogans that concern change. That's a joke.

You say that there is government solidarity. In fact, the minority government cannot criticize the mandate. That is why I asked about how it works.

How are election speeches or election platforms created when that desire to change is present? However, it should be noted that change is often an empty election slogan. I am trying to grasp the prevalent dynamics in Ireland when a coalition government is in power.

Can you answer that?

[English]

Mr. Michael Marsh: What we do have is typically called a "program for government". When there's a coalition, the coalition parties will get together and agree on a program for government. That tends to have to go back to the party conference of each party to approve going into coalition with that program from the members. In that way there is some external validation for it, but once they've gone in, that's the program they try to deliver.

The Chair: Ms. May is next.

Ms. Elizabeth May: Thank you very much.

I have question on Twitter.

I note, Mr. Chair, that we're not being broadcast live today on CPAC, so that accounts for fewer questions on Twitter. For our Irish academic colleagues, we're trying to make this committee process as inclusive as possible, so we are inviting live questions. This one reflects that we didn't cover the basics here with you today. For the benefit of Canadians, the Twitter question is from Andrea Oldham. She asks, "Why did Ireland pick STV as opposed to different systems, and what lessons can we draw for Canada from that decision?"

It's a historical question, but Canadians want to know.

Mr. Michael Gallagher: It's quite an interesting history, and it goes back a long time, nearly 100 years.

Ireland, as you know, was part of the United Kingdom, and in the U.K. there have always been electoral reformers who wanted to move to some kind of proportional representation. The model they wanted 100 years ago was STV. One of their people came to Dublin and spread the word, and that convinced the people who became the political leaders in an independent Ireland. In fact, there was surprisingly little debate. If we now look back on it, we see there was very little debate within Ireland in the 1920s, when the country became independent, as to what system should be chosen. The choice was to go for proportional representation, and people genuinely did not know that there were lots of different types of proportional representation out there to choose from. It was

assumed that proportional representation meant the single transferable vote, so that's the one we chose and that's the way it's been for the last 94 years.

Mr. Michael Marsh: From an academic's point of view, one of the interesting things in Ireland is that the system is known as PR rather than PR-STV. Irish people think we have proportional representation. At the time it was adopted and for some time afterward, people didn't know that there was another form of proportional representation, so I think the lesson for you is—and I'm sure that's the one you're following—if you want to adopt a new electoral system, find out more than the Irish and British did originally about what's on offer.

Ms. Elizabeth May: As I understand it—

Mr. Michael Marsh: It's easier now.

Ms. Elizabeth May: I understand that in 1921 the British were looking at how they would be able to protect minority rights in Ireland. Is that fair?

Mr. Michael Marsh: Yes, that's why proportional representation was seen as important. It was to protect the Protestant minority.

Ms. Elizabeth May: I don't know if you saw the testimony of Jean-Pierre Kingsley, who is our former chief electoral officer, but his proposal to this committee was remarkably similar to yours. It was to look at the map of Canada and maybe leave it alone for the huge remote areas, but for areas where you can cluster, try STV. I'm curious about this. Did you happen to see Jean-Pierre Kingsley's testimony, or is this just independent advice from Ireland that's rather consistent with his?

• (1120)

Mr. Michael Gallagher: We did have a chance to see it and read it, and it was very interesting.

Ms. Elizabeth May: Good. The question I wanted to ask is this: when you have a multi-member constituency, how does Ireland handle it if somebody resigns suddenly or, God forbid, dies? How to you do a by-election for one member in a multi-member riding?

Mr. Michael Gallagher: It simply is a by-election, so the entire riding votes to fill that one seat. That's what happens at general elections for the national parliament. We also fill seats for the European Parliament, and there it's done a bit differently. There at election times each candidate has a list of substitutes, and if they resign or die, their substitute takes over the seat.

There's probably no perfect way of doing this under PR-STV.

Ms. Elizabeth May: There is another question I want to put to you in terms of advice for Canadians, and I know it's a hard question to ask.

We see a lot of perverse results from first past the post, and you've hinted at them in terms of the minority of the popular vote creating a majority government. You're certainly familiar with it with your closest neighbour in the U.K.

When there have been these debates in Ireland on recent efforts to change your voting system to first past the post, how much are the Irish aware of the risks of what we call here “false majorities”, when a minority of the popular vote results in a majority government?

Mr. Michael Gallagher: I think that would be the overwhelming reason that even if there was any discussion on changing the electoral system in Ireland, no one would suggest changing to first past the post. It would be to change to some other kind of PR, although even that issue is not very live. The last referendum we had on the electoral system was in 1968, and no one has really ever proposed going to first past the post since then.

The Chair: We're out of time, but I've been told by the clerk that we're not live on CPAC, but we're live on ParlVu.

Ms. Elizabeth May: I realize that, Mr. Chair, and I'm hearing from lots of people on Twitter that they are not able to access ParlVu, not everyone. CPAC is much more accessible, so they're regretting it.

The Chair: Of course it is. Okay. Thank you.

Go ahead, Mr. Aldag.

Mr. John Aldag: Thank you.

I'd like to take a minute for this. We had started, through one of the other witnesses, talking about the issue of a referendum. I'd like to get into a bit of the strengths. Ireland obviously has some experience here, but I also was getting the sense from Professor Marsh that there may be some downsides from your perspective. I'd like to take a minute and just talk about the Irish experience on the question of referendum, if you could give us what you see as, perhaps, the strengths and then if there is the flip side as well, just to get some thoughts on this as a way of engaging citizens in an important issue.

Mr. Michael Marsh: Well, I suppose the strength is that it potentially engages the citizens and legitimizes a change in policy, a change in electoral system, or not, as the case may be. The difficulty with referendums is that quite often the thing that people are asked to vote on is not simple. Adopting a new electoral system, for instance, is not simple. Exactly what are the implications? You can find one expert to tell you one thing, and you can probably find another expert to tell you something else, so the voters have to decide between the points of view being put forward by those who say you should vote yes, and those who say you should vote no.

Some voters won't bother to sort out who they want to follow; they'll identify someone they don't like, like the government, and say, “Well, if the government says this, we won't do it”. And that's common in many referendums, and particularly those referendums that are lower in salience, that are not so important to people, and therefore they don't get to know the issue.

The referendum in Scotland on independence had a huge turnout and a very high level of engagement with the topic. I think referendums you've had in Quebec were fairly similar. We've had some referendums like that. We've also had referendums with relatively low engagement. We had two referendums on European treaties when the voters gave the wrong answer and said no, so we had the referendum again the following year with almost no change, and the voters then said yes. Turnout was higher, campaigning was more extensive, and people had time to think about it. If you do have

referendums, I think you need an awful lot of resources going in to inform people. You've also had a referendum, I think, in British Columbia on adopting the single transferrable vote, which was carried overwhelmingly, but not overwhelmingly enough, so you've got that experience to look at.

• (1125)

Mr. John Aldag: Could I just get clarification of, in the case of a referendum in Ireland, who controls the messaging? You mentioned in an earlier response something about a central body. There was a comment that they sometimes are criticized for not doing it. Is there a body that does the primary engagement piece, or is it a free-for-all where whoever can spend the most money can control the message? How does that work?

Mr. Michael Marsh: We've changed on those things over the last several referendums. We have a referendum commission charged with mobilizing voters and occasionally with disentangling truth from fiction. It doesn't campaign and it no longer puts out a booklet telling you exactly what the referendum is about in fine detail.

There was a time when it put forward the pro argument and it put forward the anti argument, which was rather confusing. Now we leave that to parties and civil society groups, and the one control over that is that no public money is spent. So even if the government puts forward a referendum, it can't spend government money on that.

Mr. John Aldag: Just to conclude this, are there other thoughts you have on ways of engaging our citizens, beyond simply a referendum? Are there other best practices you could point us toward?

Mr. Michael Gallagher: Surely you have to look at the New Zealand experience, if you haven't already. They've had two referendums on changing to PR from first past the post, and that certainly engaged the New Zealand public and created a well-informed debate.

The Chair: Thank you.

Mr. Kenney.

Hon. Jason Kenney: Thanks very much.

I gather that in the last two elections to the Dáil, Sinn Fein has done relatively well, much better than its historic levels. Sinn Fein currently has, if I'm not mistaken, about 19 seats in the Dáil. Is that right?

Mr. Michael Gallagher: It has twenty-three, in fact.

Hon. Jason Kenney: What was it in the last Dáil?

Mr. Michael Gallagher: It was fourteen, and before that, five.

Hon. Jason Kenney: So historically, into the last two elections, Sinn Fein had between zero and five seats. They were a marginal party. Is that correct?

Mr. Michael Gallagher: Yes. They never got beyond five seats until the last election, 2011, when they went up to 14.

Hon. Jason Kenney: What percentage of the final distributed vote did Sinn Fein candidates win in the last Dáil election?

Mr. Michael Gallagher: They won about 14% of the votes.

Mr. Michael Marsh: That's 14% of the first preferences, which is the figure we tend to look at.

Hon. Jason Kenney: So in a first past the post system, it would be reasonable to infer that they probably wouldn't win any seats. Is that right?

Mr. Michael Gallagher: Well, there are certain areas where they would be particularly strong. There is one near the border with Northern Ireland that's always been a strong Sinn Fein area. In a single-member constituency riding up there, Sinn Fein candidates might be the strongest. The result would be unpredictable, I would say.

Hon. Jason Kenney: Is it fair to say that in the PR-STV system, Sinn Fein does much better than it would in a first past the post system?

Mr. Michael Gallagher: It's unclear. We have a multi-party system now and how votes would be translated into seats under first past the post is unpredictable. You could get some parties getting a huge overrepresentation, while others might be very under-represented. It would be a bit random.

Mr. Michael Marsh: I think the party system we now have is completely incompatible with first past the post. First past the post is easy enough when you have two or three parties, but if you have six or seven, it's quite incompatible.

• (1130)

Hon. Jason Kenney: That sort of begs the question, does it not? The point is that the PR-STV system is an opportunity for smaller marginal parties to win more seats. Under that system, they grow and prosper as opposed to how they'd do in first past the post, which channels voters towards two or three major parties, typically, correct?

Mr. Michael Gallagher: Generally speaking, that's correct. The small parties don't do so well under PR, but sometimes it can work for them. A good example is the United Kingdom. In the last election, the Scottish nationalist party was hugely overrepresented. Even though their overall strength across the U.K. is not great, they're the dominant party in Scotland, so they won almost every seat there. So for some small parties with concentrated regional strength, first past the post can work to their advantage.

Hon. Jason Kenney: On that point, as a comparator, in the U.K., correct me if I'm wrong, UKIP has a plurality of seats from the United Kingdom in the European Parliament, which are elected according to proportional representation. But they have only one seat in the Westminster Parliament, which is elected according to first past the post.

Mr. Michael Gallagher: That's right.

Mr. Michael Marsh: They also get a lot more votes in the European election than they do in the Westminster election.

Hon. Jason Kenney: For the edification of my colleagues who are not familiar, or viewers, Sinn Fein is a party that is historically the political wing of the IRA. It now has 23 seats in the Irish Dáil, with 14% of the vote. UKIP, which many would describe as a marginal party here, prospers in the PR system in the European Union, but has difficulty winning a single seat in the Westminster system. I think this underscores the point that sometimes marginal parties that are outside the political Overton window profit from PR systems.

Mr. Michael Marsh: Far be it from me to stand up for Sinn Fein, but there have been times when they've got close to a quarter of support in the opinion polls. So whether you like them or whether you don't, there are an awful lot of people who support them. If you look at people under 35, they're probably the most popular party in the country.

The Chair: Thank you.

We'll go to Ms. Romanado, please.

Mrs. Sherry Romanado: Thank you so much.

I want to thank you again for talking a little bit about how we can increase engagement from women. You mentioned that only 22% of women make up your Parliament. Here in Canada we have 26%, so we still have a long way to go, and I want to thank you for identifying some of the solutions we can put into place to increase that.

One area we've wanted to increase participation in is our youth vote. At our last federal election we saw an increase of youth engaged, so what we've been doing on this committee is also inviting Canadians from coast to coast to coast to submit questions via Twitter. I have a Twitter question from Sebastian Muermann from British Columbia: Any studies on youth engagement in Irish elections? What kind of outreach is done in educational systems or in civic leadership?

Mr. Michael Marsh: Essentially, I think, very little. They're now beginning to teach about politics in schools for the first time, I understand, in the hope of engaging young people in politics rather more. We did have a referendum on same-sex marriage recently in which, on most accounts, engagement with younger voters was huge and they turned out in very large numbers. But there's no indication that those people then turned out at the next election. Again, I think I go back to, what's in it for them? Do they really see a value in voting? The feeling seems to be no, they don't. Who's to say they're wrong?

Mrs. Sherry Romanado: In terms of participation rates for youth, what is the current participation rate for general elections in Ireland?

Mr. Michael Marsh: Let's say voters under 24, something like that, it would probably be less than 40%.

Mrs. Sherry Romanado: Okay. Are there any outreach efforts on behalf of the government to increase this? I know you mentioned educational systems, but are there any initiatives you're taking to not only increase votership, but also increase interest in youth to actually run for office? I'd like to know if you have made any initiatives in that regard.

• (1135)

Mr. Michael Marsh: No, no initiatives, although several of the parties put forward relatively young candidates. At the end of the day, for all those young voters out there that nobody's mobilizing, you would expect parties to go out and start mobilizing. That's one of the things that Sinn Fein actually do, and they get far more support from the youngest group of voters than any other party. In a sense, there's a free market. There are votes out there. It's up to the parties to go and mobilize them, not up to the government.

Mrs. Sherry Romanado: Switching gears, in terms of recommendations you would have for Canada, we know there is no perfect voting system. We've heard that from multiple witnesses. If we had to ask you for your expert opinion on what Canada should be looking at, what would your recommendation be?

Mr. Michael Gallagher: I don't think we would dare make a recommendation. I think we would respect the sovereignty of the Canadian people on that.

Mrs. Sherry Romanado: Sorry to put you on the spot. When we have great witnesses in front of us, we like to be able to leverage that competency.

Do you have any final suggestions for us?

Mr. Michael Marsh: From a professional point of view, I'd love to see the single transferable vote work in some other system. A friend and colleague of mine in British Columbia devoted a great deal of time and effort trying to get the single transferable vote in Canada. I'd love to see him get it.

The Chair: Thank you very much.

We'll move on to Mr. Blaikie.

Mr. Daniel Blaikie: I want to follow up on the question of regionalism in Canadian politics and the voting system. In your presentation, you say that one of the positives of proportional representation is that parliamentary groups and main parties would have MPs from right across the country. I'm wondering if you could speak to the difference, if you think there is one, between what an STV-type system might mean for regionally based parties and regionally based politics within a country as large as Canada versus a different model of proportional representation, like a mixed member model.

Mr. Michael Gallagher: Well, probably nearly every kind of proportional representation would bring that about. The parliamentary groups would have members from nearly—

I apologize for the building work that's going on here, incidentally. I don't know whether it's audible to you. Ireland is building, and it's a hive of activity here.

The Chair: I thought you might be coming in from Montreal this morning.

Some hon. members: Oh, oh!

Mr. Michael Gallagher: We notice, for example, that typically... I think this time in Newfoundland and Labrador, the Liberal Party won all the seats there, so when the parliamentary groups of the Conservative Party and the New Democrats meet, there is no voice from Newfoundland and Labrador. Quite often another party will sweep all the seats in another province, whereas with more or less any kind of PR, whether it's PR-STV or any of the other methods, the parties will have representation from right across the country.

We see that in Britain as well where, as I mentioned earlier, the Scottish National Party won almost all the seats in Scotland, so when the Conservative parliamentary party meets in Britain, they have just one MP from Scotland. It is likewise for Labour and likewise for the Lib-Dems. The voice of Scotland really is just unrepresented within the parliamentary groups, and hence within the current government.

That's one consequence of PR, and I don't think it would matter that much which particular kind of PR was chosen.

Mr. Michael Marsh: The difference is that if you have the mixed member system, you might find that all the members elected for a constituency would be from the same party and all the rest would be from other parties, so all the people who might be called on to do the work would be from the same party and those who got elected from the list would be from all the other parties.

Mr. Daniel Blaikie: In light of the experience in Scotland with the SNP and in some elections with the Bloc Québécois here in Canada, how facetious do you think it is to suggest that somehow a PR system is going to be more advantageous for certain small regionally based or single-issue parties than a first past the post system, when we have seen that those kinds of smaller parties can monopolize the seats in a particular area under the first past the post system?

• (1140)

Mr. Michael Marsh: I guess the argument is that democracy is not just about majorities; it's about minorities. It's about blending minorities to make political decisions, and that's quite difficult if the minorities are not represented.

Mr. Daniel Blaikie: Can we just return, for the last little bit of time that I have, to the question of online voting?

We talked earlier about electronic voting and how you can have a hybrid model of electronic voting with a paper validation system, but how do you see that translating to online voting, which is different from electronic voting in person? Do you think it's possible to have some form of paper validation for an online voting process, or do you have to accept electronic voting and electronic counting whole hog, if you will, if you go to an online voting system?

Mr. Michael Gallagher: It's hard to envisage an online voting system that has a paper component to it. One concern about online voting here and in a lot of countries would be the secrecy of the ballot, which means in this country not just that you don't have to show anyone else how you voted, but you can't prove to anyone else how you voted even if you want to. The fear, then, is that if there were online voting, how do we know there isn't someone sitting and looking over your shoulder, making you vote in a particular way or bribing you to vote in a particular way? If there were a paper record of how you voted, then clearly the problems would be even greater, so there is really no demand here for online voting.

I realize that is one of the terms of reference of the committee, but it's not something that Ireland could really throw much light on.

Mr. Michael Marsh: Yes, I think that's it.

The Chair: We'll have to move on to Mr. Deltell.

[Translation]

Mr. Gérard Deltell: Thank you very much, Mr. Chair.

I would like to continue along the lines of my colleague's comments by asking you a question about electronic voting. I completely understand your position. When people vote from home, we don't know whether the vote is being cast by them or someone else, or whether they are being influenced by a third party.

Why not give people access to a paper ballot, but one that would go through a machine that would immediately tally the vote? That way, after the polls close, when the votes are being tallied, all the results could be known within 10 seconds. Has that procedure been tested? What do you think about it?

[English]

Mr. Michael Marsh: That's used in Scotland and in parts of New Zealand with their electoral system, but it wasn't known when we had our experience of electronic voting. I think such was that experience that no Irish government is going to explore the effectiveness or otherwise of the Scottish system.

In many ways it's a good way to do it because it's quick and you can carry out a rather more sophisticated count that's perfectly accurate, which is not possible when you are counting 30,000 or 40,000 ballots by hand. The big downside is that in this country, election count day is a day on which people engage with politics, and you'd reduce that from 24 hours to 15 seconds, which I don't think would go down so well. I don't think people want the count to be quick here.

Mr. Gérard Deltell: People appreciate the big show on TV. I'm a former TV journalist, so I know what I'm talking about. In Quebec City, in the municipal election 10 or 15 years ago, we had that kind of experiment: people having to vote on the paper but the paper going directly into the machine. It was a real mess. So, that is just for your knowledge.

I would like to get back to the philosophical aspect of the debate that we have now, talking about referenda. We know that you have a lot of experience in Ireland, more than we have in Quebec and Canada. But on the other hand, it's an obligation for you if you want to make any change in your constitution, if you want to change the electoral system, you shall pass by your referendum. As an academic, what do you think of the value of a referendum when you want to know the will of the people?

Mr. Michael Marsh: The problem with our referendums is that we have a referendum on any change in the constitution, however marginal. Some of those changes are not very interesting to the general public, so when we wanted to be able to cut judges' pay as part of dealing with the economic crisis, that had to go to a referendum because the government has no control over judges' pay in the former constitution, and people signed up to that. Well, there were two items up for referendum. Turnout was high, but that's because we had an election at the same time. We've had other referendums saying, for example, that bail might not always be given, and the turnout, I think, in that one was extremely low. We had a referendum on changing the rules for constituting our upper chamber, and again, turnout was extremely low. Sometimes it's up around 70%, and sometimes it's down around 20%. But in either case it's supposed to reflect the will of the people.

• (1145)

Mr. Gérard Deltell: So, when the government has to move on a very specific issue, a very major issue, the referendum is a good idea.

Mr. Michael Marsh: Well, you only have referendums on constitutional change. Some of the biggest and most important important things never went anywhere near a referendum. When we decided to repay bondholders in our bankrupt banks with public

money, to the tune of tens and tens and tens of billions, that didn't go to a referendum. Had it gone to a referendum, it wouldn't have happened.

Mr. Gérard Deltell: But changing the way of votes and elected people, is that—

Mr. Michael Gallagher: Generally speaking, the bigger the issue and the more clear-cut the issue, the more sense it makes to have a referendum. My colleague mentioned the referendum last year on same-sex marriage. That clearly meant a lot to a lot of people. It was very clear-cut. People could see the arguments and it really did engage society. But because our constitution is quite detailed, we do have to have referendums on things that logically shouldn't really go to a referendum.

The Chair: Thank you.

We'll end with Mr. DeCoursey.

Mr. Matt DeCoursey: Thanks once again, professors.

Taking note of your remarks in your presentation on the simplicity of ranking the ballot for voters in Ireland and your knowledge of comparative political systems, can you speak to the ease with which Irish voters see this process compared to other European voters and/or other voters around the world?

Mr. Michael Gallagher: Well, the truth is that nearly all PR electoral systems look pretty complicated from the outside, if you try to understand them in every detail, but for the voters they're all pretty straightforward. I really can't think of any electoral system where the reports have said the voters found this just too complicated. They're all fairly straightforward for the voter.

Now, under PR-STV, voters can say a bit more about what they really think. They don't have to just say, "Yes, I like that one and I don't like the rest". They can rank all of them. They can say, "This is the one I like the best and that's the one I like second best" and so on. They give a bit more information and because of that it's a bit more complicated, but really it's not in any way too complicated for voters to be able to do what they're meant to do.

Mr. Michael Marsh: I think there are systems that we might think are complicated. The Swiss system strikes me as very complicated, but the Swiss don't find it so. They did some tests in Scotland before adopting STV. People did lots of focus group studies, and there were many voters who said this sounded very complicated. But Irish voters don't think it's complicated and they do it perfectly easily. It's easy, I think, to exaggerate the complexity of voting under any electoral system.

Mr. Matt DeCoursey: What about changing electoral systems and going from one system to another? What value does your research suggest voters place on ease of understanding how to vote, comparing a new system and an old system?

Mr. Michael Marsh: To begin with, I'm sure voters are not quite clear what they have to do. I keep going back to the Scottish experience. The Scottish experience is a very good one, because they have different electoral systems in local government, in Scottish assembly elections, and in European elections, and in their Westminster elections. They seem to manage perfectly well; there are very few spoiled votes.

•(1150)

Mr. Matt DeCoursey: In your experience in the PR-STV system in Ireland, in the balloting, is there any culture, any prevalent instances where voters clearly demonstrate their disfavour with candidates or parties by spoiling ballots, or clearly demonstrating who they are not in favour of supporting? Does that happen with any regularity?

Mr. Michael Gallagher: Certainly, in situations of lower preferences when votes are transferred, we can see that some parties are very transfer attractive. They may not be that many people's first choice, but lots of people kind of like them. In this country, for example, the Green Party often has that status, or Labour Party at some elections. Sinn Féin, who were mentioned earlier, tend not to be very popular among other parties' voters. They've got their own base of support but they don't do very well in attracting second preferences from other parties and that plays into the final relationship between votes and seats.

Mr. Matt DeCoursey: In spoiled balloting, is that something that happens often, even with first choices?

Mr. Michael Gallagher: I wouldn't say spoiled voting happens very often, because if you write anything on a ballot paper it becomes a spoiled vote and it's invalid. There are some spoiled votes by people who feel so strongly they can't refrain from writing so and so is a such and such, but there are not too many of those.

Mr. Matt DeCoursey: Thanks very much.

That's all I have, Mr. Chair.

The Chair: Professor Marsh and Professor Gallagher, thank you for a very fascinating presentation. You enriched the discussion and our information base immeasurably.

Again, thank you for making yourselves available at this time of the year.

Mr. Reid.

Mr. Scott Reid: Thank you.

Earlier, I raised, on a point of order, something which ought to have been presented as a notice of motion. I'm now prepared to give notice of motion. I've prepared something here. I apologize for the fact that it's somewhat hand-held.

Given that the Honourable Stéphane Dion is a recognized and credentialed academic, who, in April 2012 expressed the view that "precedent makes holding a referendum necessary in Canada. Changing the voting system would require popular support."

Given that Mr. Dion was invited to appear as a witness at these proceedings and has formally declined that invitation.

Given that this committee is very likely to have accommodated Mr. Dion's attendance any time, including at an irregular meeting.

Given that Mr. Dion has deeply held and compelling views on these matters, we are currently engaged in studying, the public expression of which would have benefited this committee and those observing its proceedings.

Given that no member of the House of Commons may be impeded in his or her right to be reasonably heard in a proceeding of the House, including its duly constituted committees, therefore, I move that this committee refer to the subcommittee of whether the Honourable Stéphane Dion has been inappropriately or unjustifiably impeded in his right to be heard by this committee contrary to the rights and privileges of members and if so, by what or by whom?

The Chair: This is a notice of motion which you want debated at a future time?

Mr. Scott Reid: I guess it would have to be, unless we want to start debating it now, but I think I'd need unanimous consent of the committee to do that.

The Chair: Do we need unanimous consent to debate it now? I'll defer to the clerk on this.

Mr. John Aldag: Forty-eight hours' notice.

The Chair: I don't know if that was in the rules that we adopted. We'll just verify that.

We did create a rule or approve a rule at the very beginning on motions. I'm just going to refer to that.

It says here that 48 hours' notice be required—so you're right—for any substantive motion to be considered by the committee, unless the substantive motion relates directly to the business then under consideration, which is the case, so we don't need the 48 hours, and we don't need unanimous consent to debate it. In some ways it's up to you if you want to debate this now or if you want to do it at another time.

•(1155)

Mr. Scott Reid: Mr. Chair, I suppose the answer to this would be as follows. In the event we can resolve this quickly, then I'd be in favour of dealing with it now. It's not my intention to cause us to be still here after a length of time, but we did plan to be here until noon, so I'll just point out to members—this will be my way of addressing the motion—the intention is to refer this to the subcommittee.

The Chair: Right. It's not to have a big debate on it.

Mr. Scott Reid: It's not to have a lengthy debate on this, but members may not agree with that nevertheless, and I understand that.

The Chair: Okay. Mr. Reid would like to refer this matter to the subcommittee. I don't know if there are any comments or questions or if people want to just go to a vote on this.

Mr. Cullen.

Mr. Nathan Cullen: Just to clarify a couple of things, I think perhaps the subcommittee suggestion is helpful so it won't take all of our time up. I'm only struck by the fact that at another committee, I believe it was environment, my Conservative colleagues very much resisted the idea of having any of our MPs testify. It was on a proposed review of some environmental legislation there.

My only concern with the motion is that there's an inference that Mr. Dion is being denied access, or his access is being impeded. Whether an MP comes and testifies or not, we can't compel.

The Chair: No.

Mr. Nathan Cullen: I just resist the suggestion that somehow someone as independently minded as Mr. Dion is being impeded by some force from testifying here. I've known Stéphane for years on this issue and he has a great deal of interest. I'm sure if he wanted to come he would have made that known to us as a committee, but I think there are more politics than substance in this conversation.

The Chair: Are there any other comments, questions? Do we just call the vote?

Yes, Mr. Kenney.

Hon. Jason Kenney: I do think it is interesting because the position of the government, which ultimately will be making the final decision on what electoral system we have, is the decision will be made by one person named Justin Trudeau, and a senior member of his cabinet has repeatedly and publicly expressed himself as supporting referenda as being necessary for the legitimacy of any electoral reform. Insofar as all members believe in hearing a diversity of voices, I think it would be interesting to hear from a senior minister whose view is different from that of the government on the question of referenda. I think that's why it's in the public interest for Minister Dion to appear.

The Chair: Mr. DeCoursey.

Mr. Matt DeCoursey: Instead of descending into the politics of all of this, I'll just call for the question.

The Chair: Mr. Deltell.

[*Translation*]

Mr. Gérard Deltell: Thank you, Mr. Chair.

We're not talking about some random individual. We are talking about one of the most respected scholars in the area of constitutionality and constitutional debate in Quebec, if not in Canada. He is formally educated. He holds a doctorate in France. That's far from being nothing. Just a few years ago, in 2012, that man wrote, in a text published by L'Idée fédérale, that "precedent makes holding a referendum necessary in Canada". He did not say that during a discussion, a meal or something like that; he said it in a well thought-out text.

However, that contradicts his current government's position. We feel that he should explain himself duly. He has had dozens of opportunities to do so during question period, but he refused. For the sake of democracy, public debate and understanding in general, that renowned academic should be able to take the time he needs to explain his position on the matter clearly.

The Chair: Yes, but you say that he expressed it clearly, in black and white.

Mr. Gérard Deltell: He expressed it in two sentences. But I think that line of thought deserves more than two sentences.

The Chair: Are there any further comments?

[*English*]

Mrs. Sherry Romanado: My suggestion is to call for a recorded vote.

Ms. Elizabeth May: I just want to say that Monsieur Dion has also put a tremendous amount of effort into a system of electoral reform that he believes in, so I think the referendum question is a waste of our time, but I think Mr. Dion's testimony would be very useful on the substance of what he cares about, which is an electoral reform system that is proportional.

• (1200)

The Chair: In all sincerity, and in all neutrality, I've heard the minister say that they didn't want to pre-judge as a cabinet, because it is a cabinet decision. There will no doubt be a discussion in cabinet; I think that's the way it works in our system. And I remember hearing the minister say that they didn't want to pre-judge anything

on any issue. So there is a notion of cabinet decision-making after it receives our report. I'm just throwing that out as a thought, but it's obviously up to the committee to decide what it wants to do.

Mr. Nathan Cullen: If I may, Chair, I'm not sure what we're doing. I thought perhaps we were headed to a subcommittee; now I'm hearing from the government that—

The Chair: Well, we have to exhaust debate before we vote.

Mr. Nathan Cullen: But what are we voting on? Are we voting to send this to the subcommittee, or are we—?

The Chair: Yes, to send it to the subcommittee.

Mr. Nathan Cullen: Okay, that's fine.

The only suggestion I would put to the committee—and it comes back to our terms of reference—is more of a foundational thing for what we're doing here. It came up a little bit yesterday that perhaps the concerns that are being expressed by Mr. Kenney and Mr. Reid about the decision-making process and what we're engaged in here, that the committee stray itself more towards an explicit recommendation on voting systems that this committee comes up with, rather than another set of values. It assuages the fears that it is—as Mr. Kenney has suggested, which was, I think, corrected by you, Chair—only up to one person or the cabinet to make a decision on what comes out of all of this.

Our witness yesterday asked what it is that we're doing here and why we are not making explicit recommendations. That, I think, is something that the committee members should consider. I just want to be clear before we head to the vote what it is that we're voting on.

The Chair: Are we ready for a vote, or does anyone have anything else to say about this?

Go ahead, Ms. Sahota.

Ms. Ruby Sahota: I just basically want to say that this discussion is more appropriate at the subcommittee since it is about witnesses, and it should be discussed there. I don't know where the notion of impeding someone's ability to come...we've been a very open committee and have stated that several times. I think this discussion should be had at the subcommittee and we should go for a recorded vote on that matter.

Mr. Scott Reid: To be clear, just to respond to Ms. Sahota's point, first of all, the goal is to get this to the subcommittee. That's what the motion actually states.

The Chair: Right, yes.

Mr. Scott Reid: The second point, of course, is that there's no suggestion here that this is an issue of the committee having impeded Mr. Dion. I think I am right in saying—and the preamble to the motion does say this—that we will be willing to go to considerable lengths to accommodate Mr. Dion, including holding a meeting at an extraordinary time, adding a meeting into our schedule. It certainly is the case for members for my own party, and it sounds as if it's the case for Ms. May, and I'm just going to guess that it would be the case for any of the members here.

So that's just to clarify on those points.

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: Let's just be clear as to how this works and what the subcommittee does with witnesses, because typically, as was said, it's at that level that we seek the witness list from different MPs. We had a subcommittee meeting just yesterday to try to discern what comes next for the committee hearings. We're essentially working with three lists right now; I don't think this is in confidence or anything. We have witnesses who are suggested by the various parties; we have witnesses who have written to the committee asking to appear; and we also have witnesses from our analysts who have been collected over time.

What we're talking about with Mr. Reid's motion today is adding Mr. Dion to that process, right? I ask that through you to Mr. Reid, Chair.

The Chair: Could you give me a second?

He was invited; he just declined.

Mr. Nathan Cullen: So this motion is simply to suggest that we invite him again?

The Chair: No, my understanding is Mr. Reid wants to discuss it further in subcommittee.

Mr. Nathan Cullen: Okay. We can't compel—

The Chair: Ms. May.

Ms. Elizabeth May: With your permission, Chair, because it is a recorded vote that we'll be having and this is all in open session, I

want to make it clear that I want to discuss it in the subcommittee, but I don't want to associate myself with Mr. Reid's preamble about impeding.... I don't see any conspiracies. If there's a way to have Mr. Dion testify, I'm all for it. In private, in our subcommittee, in camera, the clerk can provide more details as to why he declined. He's entitled to decline. I don't want to create the notion that, in supporting Mr. Reid on this motion, I think there's anything nefarious going on.

● (1205)

The Chair: Understood.

Are there any more questions or comments, or should we just vote on the motion?

(Motion agreed to: yeas 7; nays 4)

The Chair: As I understand it, we'll be discussing it in the subcommittee at a later date.

Thank you.

We do have some housekeeping to discuss in camera. It'll take about five minutes at the most. If we could go in camera and get these other issues off the table, that would be appreciated.

[Proceedings continue in camera]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 008 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, July 26, 2016

—

Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, July 26, 2016

• (1405)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Welcome to meeting number eight of the Special Committee on Electoral Reform. Today we have Professor Peter Russell, professor emeritus at the University of Toronto, and Professor Patrice Dutil from Ryerson University.

We greatly look forward to what both of you have to say about electoral systems.

[Translation]

Thank you kindly for making yourselves available this last week of July. It's greatly appreciated. Your input this afternoon will help us immensely.

Without further ado, I will now turn the floor over to Professor Russell for 20 minutes.

[English]

Professor Peter Russell (Professor Emeritus, Department of Political Science, University of Toronto, As an Individual): Thank you, Mr. Chair.

I thank the members of the committee for giving me an opportunity to share my ideas with you on this very important topic you are working on. I congratulate all 12 of you for working on this committee and devoting some real time. I guess it's not just time; it's your head you have to really apply. There are some complicated questions when you get down to alternatives.

I'm here today making a kind of one-dimensional pitch to you. It's set out in my paper, which I'll just skim through, but my one-dimensional pitch is that the one thing, the top thing, the key thing that your committee's recommendations should point toward is creating a House of Commons that represents the political preferences of the people. Now that's quite an idea, isn't it? Imagine an elected assembly representing the people in their political choices.

There are many other values and concerns that go into an electoral system, and they've been set out in various documents to you: accessibility, simplicity, blah, blah, blah. However, members of Parliament on this committee, if your recommendations do not really address this fundamental concern about making our Parliament represent the people, and you might do very well in some of the other concerns, but you will be a failure. You will be a failure because your job is to really deliver recommendations that can make us a representative democracy. That's what we're supposed to be.

So that's what I'm all about and all over.

In my paper I try to explain briefly why the first past the post system, which Canada has had at the federal level from Confederation until today, no longer fits the political circumstances of the country and has not done so since 1921. Why 1921? Yes, I said 1921; that's when things changed. From 1921 on, we did not have a two-party system. Up until 1921 there were two parties. Do the math. One was going to have a majority and the other was not. You were going to get governments that pretty well represented the people—no problem and no issue. It was a natural for our founding fathers—there were no mothers.

Then in 1921, Conservatives under Arthur Meighen actually came third and the Progressives came second to Mackenzie King's Liberals. From that time on we've had a multi-party system, mostly four or five parties, and that kind of party system is really torpedoed, undermined, by the first past the post system. You can see that clearly when you look at the top of page 2 in my brief, where I give the results of federal elections since 1921. We've had 30 elections at the federal level since 1921. Fourteen produced false majority governments. I'm going to come back and defend my use of that term and explain it, but basically, it means governments with a majority of seats in the House of Commons but not supported by a majority of the people. We've had that. That's been the most frequent result, false majority governments.

Just behind it, 13 times, we've had minority governments. Only three times in 30 elections have we had what you could call a true majority government, a government led by a party that won 50% or more of the seats, but also, most significantly, 50% of the popular vote. It was always just over 50%: Diefenbaker's landslide in 1958, Mackenzie King during the war, 1940, and Brian Mulroney in 1984. But they're very exceptional. If you look at our so-called majority governments in the last period, since the late eighties, no government with a majority has had more than 43% of the popular vote, but they have had a majority of seats in the House of Commons and been in a position to control really what happens there and to control government. Indeed, today, 43%, my goodness, party leaders, Liberals and Conservatives, they salivate when they hear that number. They haven't got close to it in recent years. They haven't even hit the 40% mark in the last couple of elections that have produced majority governments.

As I say in paragraph seven, as a parliamentary democracy Canada surely can do better than being most often governed by politicians who were not the first choice of 60% of the people, but who have the power to control Parliament. Electoral reform should, above all, be directed at that situation. That's the number one target I think your committee should have.

I'll go on to talk about some of the concerns people have in a way about what I've just said. I hang out in South Rosedale with Liberals and Conservatives. They're not very interested in electoral reform. When I tell them it's almost guaranteed that no party will have a majority in Parliament, they gasp in horror. "Oh, my God. Oh, my God. Oh, we've got to have a majority in Parliament." I start the conversation by saying, "Wouldn't you like to have a House of Commons that represents the people, the political preferences of the people?" "Yes, of course, of course, of course. Oh, yeah, give me that. I mean that's what democracy is all about." Then it's, "Peter, do you mean to say that when they have this sort of system, some proportionality that makes the elected assembly reflect the political choice of the people, they don't have majority governments?"

I say, no, I'm afraid they don't. It's very rare. Why is that? We don't have any popular political parties anymore, not really popular. Popular parties are a rare breed. By "popular", I mean 50% or more of the population. This is in any of the western democracies. Not just here, everywhere. People have very different views. It's not just Tweedledum and Tweedledee, Tories and Liberals. They have many different ideas. If a country's electoral system and system of representative democracy doesn't respond to that reality—and we haven't for nearly a century—it's really not delivering the kind of representative democracy people need.

With my neighbours and my friends—and they're good people—who are alarmed, and say, "Parliaments with no majority?", and they shiver and if they have hair it stands on end, I say, "Now, look...", and then what they sometimes do right away is say, "Italy and Israel, we'd be like Italy and Israel." Actually, they haven't kept up with Italy. If they did, they'd know it's gone almost the reverse of proportional representation, and Israel has no threshold for its smallest parties. But what they don't know is that almost all of the parliamentary democracy world, that's the countries that practise parliamentary democracy, have some system of proportional representation that represents the political divisions in the country fairly accurately, and they rarely ever have a majority government. They have minority governments or coalitions.

• (1410)

Once you get that out, then you have to ask, what are those countries? Well, they're messy old countries like The Netherlands and Germany and New Zealand, and you can reel off—and I do in my paper and in my book, *Two Cheers for Minority Government*—a dozen or more countries that have governed themselves extremely well with no government having a majority of seats in their parliaments.

In my book I also look at how this has worked out in Canadian history. In my book, *Two Cheers for Minority Government*, I take the minority governments we had from 1921 up until publication in 2006, and I do a profile. Mackenzie King had three. I go on and I do Diefenbaker's and Pearson's and King's and Clark's—a disaster that one—and Stephen Harper's. What I hope I show, and there's lots of evidence in the book, is that these were pretty darned effective governments. They really did get things done. It wasn't a matter of being stalemated and crippled and feeble. They were some of the most dynamic governments we've had.

I take a look at some of the provincial situations where there's been no majority in a legislative assembly and how productive governments have often been in the provinces. My model is Davis' six years. Bill Davis' Conservatives had a minority situation through the 1970s right up to 1981. It was an era of tremendous reform and accomplishment for Ontario. Most of the time Mr. Davis' Conservatives reached out to Stephen Lewis' NDP and they put together a really interesting program of policy reform for the Province of Ontario.

My point here is to underline that those screams of horror at the prospect of no single party having a majority in Parliament, you should be able to deal with those with evidence. We have a very well-educated population, evidence-based thinking is, I hope, really on these days. Ask them to look at the evidence, not the little tidbits they've heard about Israel and Italy, but the evidence. They can start with my book. They don't have to start there but it's the only book on minority parliaments in the English-speaking world right now. Look at the evidence before they lose sleep over the possibility of a proportional representation system giving us no majority in Parliament.

I go on in the paper to say besides governments based on what I call minority parliaments, parliaments in which no party has a majority, Parliament itself works better—there's lots of evidence about that—when no party is in a position to really control it, when there's a real incentive to survive, to put together policies that accommodate more than the plurality party in the House. I think a textbook example, in my opinion, was the first year of Stephen Harper's first minority government. He didn't have a natural ally in the House of Commons, an opposition party that was close to his party, but he managed to reach out on policy after policy, foreign and domestic, to different parties to put together policies that were not an abandonment of Conservative positions but a modification and adjustment of them, and at the same time got through four of his five election priorities.

More often, minority parliaments have two parties that can be more natural allies. My point is that minority parliaments—parliaments in which no party has a majority—can produce strong and effective government but also, and this is so important, they can make Parliament really matter, really be significant from the time it meets until the next election. It's difficult to say that about parliaments in the past—not the present one—that have been dominated by a false majority government.

• (1415)

I promised to explain the falseness. The only reason I call a majority government false when it hasn't been supported by the majority of the people is that I've seen several times both Liberal and Conservative false majority leaders say, "We got a mandate from the people; the people voted us in". That is—excuse me, members of the public—BS. They did not. That leads to the arrogance that is just lethal in a parliamentary democracy.

I will give up calling them these false majority parliaments when their leaders give up saying, "We got a direct mandate from the people".

Now, I'll say just a word or two about minority governments versus coalition governments. I have a section on that. I prefer a minority government to a coalition, on the whole, and I think most Canadians do.

We have not had a coalition government, since 1921. We had one just before 1921—Robert Borden's Unionist coalition—but that was a wartime effort when the Liberals split.

I think the advantage of a minority government over a majority coalition...and let me pause to underline what you probably know. Coalitions can be minority coalitions. The one that Mr. Layton and Mr. Dion planned to put together in 2008 would have been a minority coalition.

The disadvantage of a coalition in terms of parliamentary life is that most of the give and take, the reaching out and making broader policies that are more inclusive, takes place in a coalition when the leaders negotiate a deal that brings the two parties together to share cabinet positions. After that, a majority coalition can be as dominating of Parliament as a false majority government. I think we saw that most recently with Cameron and Clegg in the United Kingdom.

On the whole, I prefer the minority government solution.

Let me acknowledge that the downside to minority parliaments is the danger of too many votes in the House of Commons because confidence votes, when you have them often, create a sort of crisis-to-crisis situation. If every vote becomes a matter of the government's survival, you get a crisis situation in the House of Commons—and some of you have experienced that—and you really don't get any interesting and collegial co-operation in making policy. I worry about that.

My answer is that, under an electoral system that's proportional, I think there is less likely to be a lot of votes of confidence. You get a lot of votes of confidence when there is a really good possibility that you can bring the government down, have an election, and get a majority. And oh boy, do party leaders love majorities. I'll be very blunt; I mean Liberal leaders and Conservative leaders. Life is a lot easier, but it's more than that. With Liberals and Conservatives, the gold standard of a leader's success is winning a majority, and that's the way the public and the media gauge them. "He hasn't got a majority yet; he's not really being a great Conservative or a great Liberal leader".

When you change your electoral system to suit a country in which no party is very popular, in which getting 40% is really as high as you'll get, I think that culture will change and the people, the media, and the political leaders will realize that just bringing down a government to force an election is not very smart because you really don't know what's going to happen with a system that really does accurately reflect the views of the people.

• (1420)

One reform that I urge you, as parliamentarians, to think about in this context is what some of the European parliamentary democracies with PR have developed, the constructive non-confidence vote, requiring that the mover of the non-confidence vote attach to that vote—and this would have to be in your parliamentary rules and the Speaker would have to enforce it—a choice of the next

government leader. They say, "Support my motion to bring the government down, and support this political leader." It's usually the leader of their own party. It would still be a minority party. Indeed, what happens is that if you bring the government down, you would have another government, another combination of political parties that can produce a minority government that can survive in the House of Commons.

European parliamentary democracies with proportional representation have found this to be a very good stabilizing device. That's entirely in your hands. It would be something that a House of Commons, having adopted a proportional representation system, would want to look at carefully.

• (1425)

The Chair: Professor Russell, these are fascinating and original ideas that we have not heard to this point. I'm sure there are going to be many questions for you to explore them further. Would it be okay if we went to—

Prof. Peter Russell: I'm just going to give you one more prayer.

I get down on my hands and knees because this is just a stabilizing reform—it's my last one, Mr. Chair—if you do change the electoral system.

I think most of the public here doesn't know what I'm going to say. We're virtually the only parliamentary democracy in the world that really has no rule about when Parliament should meet after an election. Think of that. Parliament must have a session once a year, but that means that after an election, when people ask when Parliament is going to meet, no one knows. That's particularly dangerous when no party has a majority, and the public, and indeed the international community, is asking, "Who is in charge in Canada?" Hell, we won't know until Parliament meets, because we must have a majority in Parliament. When is Parliament going to meet? "I don't know" is the response.

Ladies and gentlemen, that's the situation. Once, the country waited five months for a minority Prime Minister, Joe Clark, a wonderful Canadian. I'm not here to malign him.

This is the simplest thing. I've written about the reform in my book. It just requires an act of Parliament. There are models: New Zealand and Australia. One has a one-month rule; the other has an eight-week rule.

The Chair: As you know, the members of this committee are pretty keen on meeting. We're even meeting in the summer.

Prof. Peter Russell: Mr. Chair, it would be just terrible if you get a new electoral system, a proportional representation producing a true representation of the Canadian people, and you elect members of Parliament and don't know when it will meet.

The Chair: I think you're right, professor, in the sense that any change in the system would have to bring along with it many changes to the rules of the House.

Prof. Peter Russell: Yes. I'm sorry to have overstepped my time.

The Chair: No, it was fascinating what you had to say, but we will get to a round of questions. There will be many questions for you, I know for sure.

[Translation]

Professor Dutil, you may go ahead.

Prof. Patrice Dutil (Professor, Ryerson University, As an Individual): Thank you, Mr. Chair.

[English]

Members of the committee, thank you very much. I'm honoured and delighted to be invited to address this august committee and to discuss the merits and demerits of electoral reform. Your work is very important. It's extremely valuable and it comes at a good time in our history.

You're going to find that I'm quite at odds with my colleague. Where he sees vices, I see virtues. I want to say from the outset that I'm not against electoral reform. I had the opportunity of speaking to a committee of the Ontario legislature in May where I argued that the province's municipal election laws should be amended to allow parties to be funded and to operate freely within the parameters of provincial electoral laws.

Sometimes electoral reform is necessary in order to create a legislative assembly or a city council that will offer better government and better governance. However, I am against reforms that are poorly thought out, ideas borrowed from completely different jurisdictions that will bring Canadians to the edge of the precipice. Advocates of electoral reform urge Canadians not to look down, to take a leap. I'm positively shocked sometimes at how their predictions and conjectures about the consequences of the changes to our electoral system are vague. They have clearly forgotten the old dictum that doctors learn from their earliest studies: first, do no harm.

Electing members of Parliament is not just a question of getting the right kind of demographic representation or a perfect match of votes to results. The purpose of elections is also to give Parliament a good chance of supporting an effective, functioning cabinet that can get on with the work of managing a government, an effective one that can capture perhaps not all the votes or even a majority of the votes, but will capture the zeitgeist of the times and respond to it.

There are two tests for elections and they are not divorced from one another.

- (1430)

[Translation]

Before going further, I'd like to, if I may, Mr. Chair, share my answers to the questions that have been asked.

I haven't seen any evidence that any other voting system would do a better job than the current one of meeting those two criteria.

The current system will be 225 years old next year. It has stood the test of time. It has shown itself to be flexible by accommodating ideas and new dynamic movements. It has conveyed the will of generations of Canadians to Parliament. It has allowed for changing governments in power, as well as regular turnover within the ranks of the House of Commons. It is stable and accepted by the vast majority of Canadians.

[English]

Our national parties have done a good job collectively in keeping this country together. Collectively over time they have delivered good, stable government that was broadly representative of the people. Why get rid of something that has worked well in favour of a complicated system few understand, or of a system that would reward small regional or sectoral interests by giving them the balance of power or the opportunity to hold governments hostage at any given turn? This country is hard enough to govern as it is. Our national parties have been the crossroads of ideas in our country, and the system that has allowed them to flourish should be allowed to continue.

[Translation]

I am opposed to mandatory voting. I don't think that someone who hasn't considered the issues or who doesn't care enough about them should be forced to vote. What would be the point? Forcing people to do something they don't want to do isn't a good habit to get into in a liberal society.

[English]

We know who does not vote: people who are younger, who earn less, who are less educated in terms of schooling and in terms of democracy. A Statistics Canada study in 2011 asked people why they do not vote. We can talk about the solutions, but let me give you some of the figures.

There were 1.3% of respondents who said it was because of religious beliefs. There were 3.7% who said it was because they were not on the voters' list. That can be fixed. There were 3.8% who said they forgot to vote. That could be fixed a little bit, too.

There were 7.6% who said they didn't like the issues or the candidates. That's your fault. There were 8.5% who said they were ill or disabled. That's something that maybe can be fixed. Elections Canada has done a good job.

There were 10% who said they were out of town or away. That can be fixed. There were 11.4% who said "other". Maybe among those people, some did not think that their vote counted. Eleven per cent out of 40% gives you about 4% of the population.

There were 22.9% who said they were too busy. There were 28% who said they were not interested.

You have a real problem here that I think can be addressed with good programs. Many programs already exist. It's just a matter of doing a better job. Again, that's a 2011 survey. Changing the electoral system will not change these attitudes.

The third point is that I do support continued research on online voting and its eventual adoption once we are all assured that it is accurate and foolproof.

[Translation]

I'd like our parliamentary system to function better. Let me be clear. I want it to have better representation and greater legitimacy. It is incumbent upon parliamentarians to make that ideal a reality and to work within an electoral system that has allowed for the election of stable governments responsive to the issues facing Canadians.

Parties should put forward more female and minority candidates. But you don't need to change the system to make that happen.

[English]

If you want Parliament to be more representative of the people, I would invite you to consider the Senate. Remember, it was created to balance out the electoral distortions of the House of Commons. Mostly, we've allowed our governments to make a hash of this noble institution. I don't want it to be elected, and I don't want it to be equal. It has all the attributes to be effective without frustrating the will of the duly elected members of the House of Commons. Imagine an upper house that contains representatives of segments in our society that don't make it to the House of Commons. There should be members of the Green Party and the NDP in the Senate, recognized as such.

I'm delighted that this Parliament has a record number of people from the first nations. There are many other minorities that are represented now in the House of Commons, but there are so many who have no representation in Ottawa, yet the lever is right there and it could be pulled with the next vacancy. The age of retirement guarantees turnover. I urge you to consider this idea.

The problem is politics, not the system. All it takes is goodwill and enlightened politics. There is no need to change the system.

You've been asked to examine the issue of engagement. There is no evidence that alternative systems favour participation more than others, except in two cases. The first one is mandatory voting. The seven jurisdictions that have adopted it typically boast a participation rate of well over 80%. If you want that, consider forced voting. The second one is something you never hear about. It's voting on Sunday, which is a typical practice in Europe. Give people a day off to vote. Vote on a Sunday when most people are not at work, dealing with kids, dealing with school, taking them to lessons, doing all the things that a normal family does during the week. Give them a chance to go vote. Of course, advanced polls are to be encouraged.

I'm on public record already on the idea that any proposal coming out of the government should be put to a referendum. I want to address the issue of the referendum. I made the argument in the *Toronto Star* two days after the throne speech was read. Last month I published a study on the precedents of electoral reform in this country, and it was published by the Fraser Institute. My point was that there's a very rich history of electoral reform in this country, which has established a series of precedents. My argument is that the same principle has to be followed for any electoral reform this government proposes.

In 1981 the Supreme Court of Canada was faced with a particular problem: the federal government wanted to make massive changes to the Constitution, but there was no clear recipe for how to do it. The issue was referred to the Supreme Court, which affirmed the existence of constitutional conventions in Canada. A majority of the justices found that the Government of Canada's plan violated those conventions by trying to act unilaterally. The key point from the Supreme Court's statement was that precedents and constitutional conventions mattered. They are important because they capture a certain idea of political culture and practice.

In the context of the British system, which works without constitutional text and is therefore instructed only by past actions, the British expert Sir Ivor Jennings argued that constitutional conventions "provide the flesh which clothes the dry bones of the law; they make the legal constitution work; they keep it in touch with the growth of ideas". Jennings articulated a set of questions to test the validity of constitutional conventions. For him, three conditions had to be met in order to do so, and together they became known as the Jennings test. What were those three questions? Question one, were there precedents? Question two, did the actors in the precedents believe that they were bound by a rule? Question three, would there be a constitutional reason for the rule?

The Supreme Court applied the Jennings test, and it judged that there did exist a convention that Ottawa, the provinces, and even the British Parliament had lived up to in order to change the Constitution in the past. The court concluded that the government needed a substantial measure "of provincial consent", and the rest is history.

• (1435)

I put it to you that the Jennings test applies to this situation. The voting system in practice in Canada is not enshrined in the Constitution. The Constitution Act does specify that members of Parliament must be elected, but says nothing about what system is to be used to choose winners. There is, moreover, no constitutional amending formula that applies to any changes to the way Canadians vote. However, there are precedents and conventions about how elections are determined, and they have been part of the Canadian political culture for centuries. The Jennings test for conventions thus applies.

First, on the issue of precedents, over the past decades four provincial governments, P.E.I., Ontario, New Brunswick, and British Columbia, committed to put the question to the people. In New Brunswick in 2006, the PC government led by Premier Lord promised a plebiscite on electoral reform, but it was never held because the government was defeated. There will be a second referendum, again on electoral reform, in Prince Edward Island this fall.

On the second issue, all the key actors believed that they were bound by a rule, in Ontario, Premier Dalton McGuinty declared in 2004:

We're going to the citizens of Ontario. We believe the issue of electoral reform is so fundamental, so basic, that we're asking the people of Ontario for their judgment in this matter.

Kuldip Kular, the parliamentary assistant to the Attorney General, declared:

Ontario's electoral system belongs to Ontarians, not to elected officials or appointed commissions. So we are asking Ontarians to decide for themselves how our political system should work and how they want to elect MPPs here to Queen's Park.

In British Columbia, Premier Campbell even established a minimum level of support for the plebiscite—it was applied elsewhere—to be accepted. For reform to be enacted, at least 60% of the valid votes had to be cast in support of any proposal and a simple majority in favour in at least 60% of all electoral districts had to be achieved. Many people argued that the threshold was too demanding. Premier Campbell defended the decision with these words:

We believe this is a fundamental and significant change, and we therefore have placed a double approval process in place. There are some who have already suggested that that is too high an approval rating. Clearly, the government disagrees with that. We believe this is a significant change. It's a significant change that should require the kind of approval that says, indeed, a great majority of people in this province feel that they will benefit from this change....

The idea of public approval, and public approval with a supermajority, has been adopted by all other jurisdictions because it is that important. P.E.I.'s House Speaker, Gregory Deighan, put it most eloquently. "It stands to reason", he said, that Islanders "should have a strong voice in determining how these electoral systems work because they do have a significant bearing on the...results of an election".

Other Westminster jurisdictions over the past 25 years have also gone to the people. Australia, which has long made important changes to its electoral system without consulting the public, changed in 1992 when the Australian Capital Territory put the question to its people. It's a small jurisdiction of about 300,000 people. The 1992 referendum in the ACT, the Australian Capital Territory, was an advisory poll that was held simultaneously with the election. The question simply asked if voters preferred the traditional first past the post system or the single transferable vote system. The members of the ACT, the citizens of the ACT, voted in favour of that.

New Zealand went to the people three times, first in 1992, then in 1993, and then in 2011. In all three cases, the premier said, and I'm quoting the premier of 2008, Mr. John Key, "Finally, we'll open our ears to New Zealanders' views on their voting system". Now it has passed in New Zealand. They adopted change.

Following the 2010 general election in the United Kingdom, the Conservative Party led by David Cameron and the Liberal Democratic Party led by Nick Clegg agreed on a coalition government that committed the government to holding a referendum. Prime Minister Cameron emphasized the need for a clear public mandate. In January 2011, the Prime Minister said that a referendum was necessary in order to "allow the people to decide on voting reform and that a referendum was a democratic step".

A month later, the Prime Minister declared, "Far above our beliefs about how the voting system should work, we share a much more important belief—a belief in democracy and the voice of the people being heard".

It's clear that the other Westminster systems have also considered electoral change. What is remarkable is that in the last 25 years governments felt compelled to allow the voters to have a say. The Canadian practice at the provincial level was thus consistent with other systems that have operated under the principles of the United Kingdom, as we say in our Constitution.

● (1440)

The Jennings test on validity of the conventional rule can thus be applied to the necessity of seeking popular agreement on electoral reform. To the Jennings question of what the precedents are, the record is clear. To the question of whether the leaders understood that they were under a rule, the record is also clear.

[*Translation*]

Governments have been convinced that electoral reforms could not be introduced without the express consent of the majority, in some cases, a super majority, of the electorate. National governments, such as the United Kingdom's and New Zealand's, did so. The governments of major Canadian provinces such as Ontario and British Columbia did so, as have smaller provinces such as New Brunswick and Prince Edward Island.

Progressive Conservative-dominated governments felt compelled to consult the electorate, as Liberal and Labour governments did. Minority and coalition governments have used referendums, and so too have governments with total dominance. The referendum has traditionally been the instrument used to consult voters on changes to the way their representatives are elected.

Do I have another five minutes, Mr. Chair?

The Chair: You have less than four minutes.

Prof. Patrice Dutil: I'm getting to my last point.

The way we vote shapes our political culture. Canada is not perfect, and its democracy has its flaws. But we also have to recognize that the system has worked and that, because it has enjoyed the electorate's approval for generations, the electorate must be consulted. The Government of Canada cannot just assume that it can unilaterally change how Canadians vote. It does not have an exclusive claim to the electoral process, and it must respect conventions.

[*English*]

The fact that electoral reform has already been rejected four times by Canadians in plebiscites adds all the more urgency and morality to the matter. The past views that voters have expressed cannot be simply discarded. As is the case in any other jurisdiction, the federal government must conduct rigorous and comprehensive consultations but not simply driven by the self-appointed advocates of reform. Beyond that, the process must include a referendum, no matter how much it costs or how long it delays decisions. Regardless of the result, the government must abide by it. Without going to the people, it can expect no legitimacy to make any changes to the precious process of elections, the very essential tools of our democratic civilization. The way we vote is not a mere trifle. It is structural.

Now I will put my political historian's hat on and tell you more about how this has affected our political culture. There is a danger in wanting to make changes to the structures that correct flaws in our political parties. The Prime Minister indicated that first past the post is a voting system that generates disparities between votes gained and the number of seats secured. Since 1960 we have had 10 elections that resulted in majority governments but only in one case, in 1984, did the winning party receive more than 50% of the vote. They were obviously reading Professor Russell's book. I ask, what's wrong with this? Canadians seem perfectly at ease with the system. What's wrong with giving a group of parliamentarians the right to govern, knowing that most people voted against them?

This is where I come to the issue of political culture. The net effect is modesty. Governments know that they are few years or even months away from being turfed from power. It sharpens the mind. It means consultation. It means gradual change, but it does mean change. It means waiting for consensus to take shape in the population. That's political culture at work.

The other effect, of course, is that it creates genuine competition among parties to improve their results. Look at the progress this country has made since 1960, most with governments shaped with less than 50% of the vote. We are the envy of the world. People risk their lives to live in a system where a party that receives a minority of votes rules. It's not an accident. People in Parliament ignore it at their peril. Canadians favour a political culture that allows for a clear transfer of power from one party to another. We like turnover. It's painful for you, I know, but we want to be able to kick the "bums" out when they stop listening. Canadians favour this system.

Are there riots in the street when electoral results are delivered? No. Why? Because the system did its job. It elected a representative for the riding, not a representative for a political brand. Our political culture holds you to serve your constituents. There are regulations that govern your constituency offices. You're not allowed to show your colours. I know some of you do and you're not supposed to. You do it at your own peril. Our political culture is not harsh. We don't expect the parties to deliver on all of their commitments, only the important ones. A system that creates modesty, a system that does lead to arrogance, but the arrogant have discovered that they don't stay in power very long because our system allows people to remove governments.

In conclusion, Mr. Chair, my advice is fourfold.

Remember, first, that the key purpose of elections is to allow Parliament to form effective and efficient government.

● (1445)

[Translation]

Second, you should seriously consider holding voting on a Sunday or public holiday.

Third, you should use this as an opportunity to ask Canadians whether they think it should be mandatory to vote.

[English]

Finally, agitate to make the Senate more representative, starting now.

[Translation]

Thank you for giving me an opportunity to speak to you today.

The Chair: Thanks to both of you for making such passionate presentations and explaining your respective points of view. I think we are about to embark on a lively and thought-provoking discussion, which is what we want.

We will stick to what has become the committee's standard practice, in other words, two rounds of questions with each member allotted five minutes for questions and answers.

We'll start with Mr. Aldag.

[English]

Mr. John Aldag (Cloverdale—Langley City, Lib.): That's great, thank you.

I'm going to start by just noting that many of us are following feedback from Twitter. One of the early pieces I just wanted to pass on is that Jennifer Ross wanted to thank Professor Russell for posting his brief on the website so that others would be able to follow along. I just wanted to pass along that thank you. As well, I appreciated your light way of presenting very excellent content. I really thank you for that.

For the first question, I'm going to go to Professor Dutil. You've made your comments and your thoughts on referendums very clear, and I appreciate that. In a *Toronto Star* December 9 article—something that popped up when I Googled your name—you talked about this idea of electoral reform. You noted that our government “must conduct true consultations—rigorous and comprehensive consultations that are not simply driven by the self-appointed advocates of reform.”

Our government hasn't made a clear decision yet on whether or not a referendum will happen. We're in the information-gathering stage now. We're looking at the benefits, pros, and cons of that. I'd like your thoughts on what those other “true consultations”, from your perspective, would look like. What else can we do to make sure we're gathering a range of perspectives and true input from Canadians on this very important issue?

● (1450)

Prof. Patrice Dutil: Thank you for your question. I wrote this in December. I think that what has happened, what has transpired, is very good. I like the composition of this committee. I think you've set very high objectives. You have a good budget to get the job done. My only worry is that the kind of people who come to these meetings are likely to be convinced that electoral reform is necessary. People who don't think it's necessary are not likely to take the trouble to defend what they think is obvious. That's what I'm saying.

You have to make an effort. It's not easy, and I appreciate all the efforts being made. But you have to seek out as many voices as possible, not just the people who are in favour of electoral reform. Let's be blunt. The people who are in favour of massive electoral reform, of proportional representation or other systems, have been at this for a generation now, 25 years. The people who want to support the system are the silent majority—call them what they are—the people who think the system is actually functioning quite well and really doesn't need very much reform.

I think if you can come up with practical ideas, ideas that are realizable, that are possible, that could be done, you might actually come out of this exercise with something genuinely good. The issue of mandatory voting is an example. Use the opportunity to ask people if they think this is a good idea. I've told you I'm not in favour of it. I don't think it's consistent with our values, but maybe Canadians are in favour. There's a good reason, by the way, why you might want to consider that. The experience of western democracies is that mandatory voting will boost your participation rate by about 8% to 10%.

Canada has an average of about 70% participation rate going back to 1867. That's not bad. It's not great, but it's not bad. If you want to add mandatory voting to that, you can put an extra 8% to 10%. That would bring you up to 80%. Then if you want to vote on Sunday, there are studies that show that Sunday provides you another premium of about 6% or 7%. That's Sunday mostly, but also Saturday. The third most popular day is Monday. When do we vote? We vote on Tuesday, Wednesday, or Thursday. Try Sunday voting. Ask people; that is my point. Ask people if they would mind voting on a Sunday. It used to be an idea that was received with a great deal of hostility. I think times have changed. Again, with the combination of mandatory voting and Sunday voting, you might be looking at a premium of 10% to 15%. Who knows? All sorts of people have different reasons not to vote, and there are all sorts of variations on that.

Anyway, I think good, practical ideas can actually lead this committee to deliver something that's tangible and applicable quickly.

Mr. John Aldag: I'll leave it at that. Thank you.

The Chair: Thank you.

Go ahead, Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you.

Thanks to both of our witnesses.

I've read with great interest Professor Dutil's paper, "The Imperative of a Referendum", and also some years ago I read with great interest Professor Russell's book, *Two Cheers for Minority Government*. In fact, Professor Russell, you came and spoke about this book to a committee that I sat on a few years ago. I'm sure you don't remember me, but your presentation was very memorable, so I remember you.

I did want to start by going to Professor Dutil, and I have two questions for you. The first one is this. You said in your presentation today, "Regardless of the result [of a referendum], the government must abide by it." Those are your exact words. I just want to be clear that, when you say this, you do not mean that if there is a referendum and it rejects a new proposal, this ends the discussion, or alternatively, that if a new method is adopted, approved by the people, this eliminates the possibility for further reforms. That is to say, I assume you are not saying that the results of the second referendum in British Columbia, the proposed second referendum in P.E.I., or the 2011 referendum in New Zealand, all of which are different versions of looking at the same question again, are illegitimate.

• (1455)

Prof. Patrice Dutil: I could add a lot more subclauses to what I wrote. I would assume that the question will be clear. I would favour a supermajority on these issues, quite frankly, as the provincial governments did in Canada and as they did in Australia and New Zealand, because these matters are very important. It can't just be decided by 50% plus one.

I think if you meet all those conditions, if you have a fair vote, yes, I think governments have to abide by them. I'm a democrat. I

think governments should have to abide by them. Am I understanding your question?

Mr. Scott Reid: Yes, abide by the decision to either implement or not implement a system. I'm just saying that revisiting the question at a future date is not something you're actually precluding as a possibility, or am I wrong?

Prof. Patrice Dutil: Well, no. I would not want our system to be making a habit of turning to the people every few years and asking them if they're happy with the electoral system. No. I think that maybe once a generation, maybe once every two generations, or maybe once a century might be a good idea. Who knows what our democracy is going to look like with electronic voting in 15 to 20 years' time? I really can't speculate into the future. I wish I could.

Mr. Scott Reid: Let me ask you a different question regarding the Jennings test. My own teacher regarding constitutional conventions was the writings of Albert Venn Dicey, a generation or two before Sir Ivor Jennings, and I haven't read Jennings, so let me just ask this question. He lays out his three rules, one of which is whether the key actors in the precedents felt they were bound by a rule. This appears to assume that conventions grow over time and that they can't be eroded, so I have to ask this question.

We today face a Prime Minister who says, "I reject a convention that other provincial actors in Canada and other actors across the Commonwealth have accepted exist. I say that whatever they felt bound them, I am not bound to go to the people. I have my mandate from the 2015 election. I will proceed forward without a referendum." He then goes on to criticize referenda in various ways, but let me ask the question. How does all this work when you are faced with an actor who takes that point of view toward what appears to have been an established convention?

Prof. Patrice Dutil: I raised the Jennings test because, again, it was specifically applied by the Supreme Court of Canada in 1981. It's not something I just pulled out of a hat. The Supreme Court applied the Jennings test, and I think the Jennings test applies itself again in the situation where you are trying to change a fundamental aspect of our Constitution. It's an unwritten aspect, but we've been voting by the first past the post system since 1792. That predates everything. The first election in Lower Canada was in 1792. We've been using this kind of system ever since.

You're touching on a pillar of our system, and we don't have any constitutional amendment formula for pillars of our system. In a situation like that, you have to identify whether this is in fact a convention. The Jennings test gives you a test to determine whether it's a convention. I think it meets that test, but it's not going to be my decision. I suspect that what should happen is that either you or the government refer it to the Supreme Court and let the Supreme Court decide: does this Jennings test apply in this case? We're all going to have to live by that kind of decision.

[Translation]

The Chair: Thank you.

It is now Mr. Cullen's turn.

[English]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Chair.

Mr. Dutil, are you making the contestation that minority parliaments are not effective?

Prof. Patrice Dutil: Oh, no. I would never say that.

Mr. Nathan Cullen: But you raised the four horsemen of the Apocalypse, if we go to a minority situation out of some sort of proportional representation. You described people as willing to die for the right to have minority parliaments and—

Prof. Patrice Dutil: False majorities.

Mr. Nathan Cullen: —yes, false majorities, as Professor Russell.... Yet minority parliaments are a likely outcome of proportional-type systems, would you agree?

• (1500)

Prof. Patrice Dutil: Yes. I just don't like proportional systems. I'm afraid that proportional systems focus—

Mr. Nathan Cullen: Please, allow me this. If the committee were to adopt a recommendation for Canada to have a proportional system, one of the outcomes...because I like this conversation, where we're talking about outcomes to the voters, to the policies that may come out of Parliament.... You like this committee.

Prof. Patrice Dutil: I like this committee a lot.

Mr. Nathan Cullen: It's interesting that this committee is made up of the voice of Canadians in the last election, mostly. The representation you see here is the outcome of the way Canadians voted in the last election.

Why we wouldn't want that to manifest in Parliament writ large is an interesting question. Minority parliaments have been far more productive over time, in terms of what Canadians want and cherish. Let me run through a quick list that I'm sure you're familiar with: public pensions, employment insurance, the flag, the Accountability Act, post-secondary funding, bilingualism, health care. These are all things that I think Canadians cherish quite a bit and are all the result of minority parliaments, which again would be much more likely out of systems that are called proportional.

Why be so opposed to an electoral system that would produce, often, governments that have, in Canadian history, produced better results for Canadians?

Prof. Patrice Dutil: The answer is simple. These were minority governments that were formed out of national parties, not out of small sectoral parties, regional parties that can somehow put together a coalition and each divide up the spoils in terms of what they want out of government policy. We have, in those minority governments —

Mr. Nathan Cullen: Hold on; allow me this.

We just saw, in the last British election, a regional party, the SNP, take virtually every seat in Scotland. We've had the experience in this country of the Bloc Québécois forming the official opposition. We've had this under first past the post. We all recognize, I think, and all of our witnesses have, that there's no perfect system out there. It's about what you prioritize and what things you think are more valuable.

We think that systems that reflect the will of the voter, as this committee does from the last election, are inherently driven towards more co-operation. We've had testimony from other esteemed witnesses from countries that have operated under these that the

regionalism you talk about is actually the opposite result of more proportional systems.

I want to turn to Dr. Russell for a second. It was suggested earlier that all we need is goodwill and enlightened politics. We wish for such things all the time. The effectiveness of connecting voters geographically, so that there's local representation, so that you know who your representatives are, along with what's called fairness in the voting system....

You talked about making Parliament more relevant in people's lives, giving it more connection, under the proportional systems that you've advocated. Can you elaborate on that?

Prof. Peter Russell: Yes. I've been thinking a lot about that. In my own little odyssey, I was pretty stuck on mixed member proportional—I think this committee is getting to know all this technical talk—whereby you have lists to top up the first past the post members. As I read more and look more at other countries in the world, I'm becoming pretty interested in a multi-member constituency model, the STV model. I notice that some of the more creative Canadian political scientists—you're going to hear from them—are coming up with more STV models in which you have larger districts or constituencies, with maybe as many as five members, but you retain that geographic connection.

You haven't heard yet from Jean-Pierre Kingsley—

Mr. Nathan Cullen: We have.

Prof. Peter Russell: I'm not up-to-date on what you've heard.

He combines what is a very interesting idea: having single-member constituencies in more rural parts of Canada and multi-member constituencies in the cities.

Mr. Nathan Cullen: Again, back to the second piece of my question, which was—

The Chair: We're out of time. Sorry.

Mr. Nathan Cullen: I'll ask it in another round.

The Chair: Absolutely.

Monsieur Thériault.

[*Translation*]

Mr. Luc Thériault (Montcalm, BQ): Good afternoon, gentlemen.

I'm going to take advantage of your conflicting views to ask two short questions.

How do you explain the emergence of voter cynicism towards politics?

What do you make of the unwritten parliamentary rule of party lines?

• (1505)

[*English*]

Prof. Peter Russell: I'm afraid I didn't catch the question.

[Translation]

Mr. Luc Thériault: How do you explain the emergence of public cynicism towards politics?

What do you make of the unwritten rule of party lines?

[English]

Prof. Peter Russell: There's a lot of it, but I don't have any data. My guess is that we're a less cynical citizenry in Canada, less cynical about democracy, than in most other countries. But I don't see excessive cynicism out there, do you, sir? Do you think a lot of people are cynical? Maybe I mix with a very optimistic group of people.

[Translation]

Prof. Patrice Dutil: We don't have any data on cynicism. It's important to recognize that.

As a trained historian, I tend to put things into context historically.

Having read what politicians experienced in the past, I don't have the sense that people are more cynical today than they used to be. There were times in history when prime ministers lost in their own ridings. It hasn't happened in Canada in a long time, but it occasionally happens at the provincial level, mainly in Quebec.

I don't have the sense that a particular brand of cynicism is plaguing the system. I admit that, in the 1980s, a drop in voter turnout was noted among Canadians, but keep in mind the entire western world experienced that trend. The statistics on that are very clear. Whether you're talking about France, England, Canada, Belgium, or the United States, all of them have seen a decline in voter turnout since the early 1980s, but it's starting to improve.

As Professor Russell mentioned, we may be seeing a rebound. Cynicism is less prevalent than it used to be. But that's just my impression.

Mr. Luc Thériault: Contrary to the argument some are trying to make, there's no relationship between the voting system, in other words, the mechanism, and a high degree of cynicism that needs to be tackled. Some people are claiming that changing the voting system would inevitably influence people's cynicism and their confidence in the political system.

You are proposing two voting, or political, systems. What is your take on the issue of party lines?

[English]

Prof. Peter Russell: Part of my presentation mentioned the danger in minority parliaments, parliaments with no majority party, of a very strict discipline coming into play, because on every vote the government stands or falls and it's do or die. My suggestion is that if we had a system that more accurately represented the people of Canada, I think that would go away because you wouldn't have crises, one confidence vote after another. Parties would be less inclined to move them. The party leaders on the government side would be more inclined to make more issues free votes, and I think the constructive vote of non-confidence, which has come into play in some of the European parliamentary democracies, is well worth looking at to make for a parliament that doesn't just reel from crisis to crisis. That, you don't want. That, you do not want.

We know from comparative studies—and I hope you're talking to political scientists who know about these other countries—that they don't reel from crisis in the countries that have a proportional system.

• (1510)

The Chair: We will go to Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you.

I have to say it's an enormous honour to be in the position of being a member of Parliament at this table and putting questions to one of my heroes of academia, and of political science, Dr. Russell. It's extraordinary and I'm grateful to you for being here in person and answering questions.

I also think that it's wonderful to have someone—and no offence—but you're sort of an *éminence grise* in the field and there is no “grise” about you at all. You've made us laugh, you've entertained us, but you've made it really clear what you think.

In the written submission you touched on something that you didn't mention verbally and I find it intriguing. To put it to you, I take it that there is an additional risk in what you term “a false majority” when, as you point out in your paper, Canada has “the world's most centralized parliamentary democracy” and you go on to say “in a minority parliament there is likely to be a diminution of its officials' capacity to interfere with parliamentary activities”—by which I suspect you mean the executive of the Prime Minister's Office.

I wonder if you want to comment on whether there is a benefit in constraining excesses of power.

Prof. Peter Russell: We developed, really from Pierre Trudeau's time—and he really began the process—a very large and very powerful Prime Minister's Office.

Most Canadians are unaware that it's much bigger and more powerful than in London, England, than in Canberra, than in Wellington and other Westminster democracies. It became, I think, the elephant in our democratic room when unelected people, whose main purpose is the re-election of the government, have so much power over policy and even begin to interfere with cabinet government and parliamentary government, telling cabinet ministers what they can say and when they can speak, “helping”—that's a nice word for it—MPs during question time to give the right answers.

An international study of the centralization of power in parliamentary democracies done 10 years ago—it's quoted in my book and it was very carefully done—found Canada was much the most centralized. I should add, all that research was done before 2006. I mention that because some say that was just a characteristic of Mr. Harper's way of governing. But no, it had come in under the Liberals and had been carried on by Conservatives and intensified.

I say to my friend, Patrice, Canadians don't go out in the streets saying, “Damn it, let's bring down.... Let's throw stones. We've got unelected people telling cabinet ministers and MPs what to do”. We are a quiet people. We put up with awful situations.

I'll just give you one example. It almost made me weep. The book, *Tragedy in the Commons*, is of interviews with members of Parliament of all parties and their experience over 10 years, not quite the last 10 years but 10 years in this century. They were miserable years.

I say to Patrice, sure, we can live with that. We can still be a great country and we are a terrific country, but I just think, democratically, we can do better. We can do a lot better and we should try to do better.

Ms. Elizabeth May: Thank you, Professor Russell.

I want to also ask you.... You haven't touched on this question and I haven't even asked you because I think it's not really something we should waste our time talking about a great deal. However, since referendums keeps coming up, I wonder if you have a view on whether there is a constitutional requirement that we hold a referendum.

Prof. Peter Russell: I've written a lot about constitutional conventions and have spent a good deal of my life with them, and I certainly like the Jennings test, but as Sir Ivor Jennings would be the first to acknowledge, they're really identified in the political process. If a prime minister says, "I'm not doing that anymore", unlike the case with a legal rule in statute or in the Constitution itself, that's the end of the convention. In other words, conventions live or die in the political arena.

My own sense of where we are with this question of having a referendum is that if this committee brings forward such a recommendation—I think it has to be a recommendation with a fair consensus behind it—the answer is yes. This is not for any sophisticated constitutional reason, but I'll predict that if you didn't do that, the issue won't be the merits of your recommendation; the issue will be Patrice's point, that you're not doing it democratically enough.

● (1515)

The Chair: Thank you.

We'll go to Ms. Romanado now.

[*Translation*]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Professors Dutil and Russell, thank you kindly for being here today and giving us your valuable insight.

[*English*]

I always like to have some direct and frank conversations.

My question is for Professor Russell.

With your suggestion of proportional representation, would you suggest that minority governments would be formed, or would a new precedent of coalition governments be the expected result?

Prof. Peter Russell: I think coalition has become a bad brand. It got branded "bad" in 2008 by leaders of the Conservative Party. I thought that was very misleading. I've already said that I prefer a minority government arrangement to a coalition, but it's not "bad".

The one thing to be sure about, even though there was a lot of criticism of the Liberal-NDP proposed coalition, is that there was not a convention established that to have a coalition you have to

announce it before the election. That was the argument that some of the Conservative leaders made: if you're going to have a coalition, you have to say beforehand to the people that you are going to have a coalition, and then you can have one. I don't know a single country that has such a rule. Certainly we never have had one. You're free to have a coalition even though you didn't advertise it during the election.

I like the play in Parliament in minority government situations a little better than that in coalitions. New Zealand has a very interesting combination of both. It usually has minority coalitions, and the Green Party usually stays out. Because the minority coalition is a minority, there is a lot of interplay between the Greens and some others. There is now a separate Maori party, besides Maori seats. There's a lot of interplay even between parts of that coalition.

I like to see give and take in Parliament so that the outcome of parliamentary debates is not preordained. Everybody knows that, even if they talk all night, such and such is going to be the policy. I think that in a real Parliament, to be deliberative means they're really going to deliver.

I remember what I call the textbook example, Harper's first minority government. On foreign policy, we were divided about Afghanistan. We had a terrific parliamentary debate. It split the Liberals, but it created a modified Conservative policy. Then I think on the budget, the NDP negotiated some changes in child welfare policy with a Conservative government and got, at least for a while, a better policy out of it. It was the give and take in the House. I like to see that happening in the House of Commons.

● (1520)

Mrs. Sherry Romanado: One area that is really important to me because of my background is youth engagement. We did see an increase in youth participation in the last federal election, and I'd like your recommendations on how we can maintain that engagement both in terms of voter participation but also in engaging that next generation of folks who want to run, which I'm concerned we're not doing enough about. I'd like your suggestions on how we can increase not only youth voter participation but also their willingness or interest in running for office.

Prof. Peter Russell: That's a really important question. We're getting to know a lot more about youth in politics. We know the bad news that the youngest cohort of voters, aged 18 to 25, has the lowest turnout.

Nonetheless, we have some very resourceful colleagues—Paul Howe of the University of New Brunswick and Henry Milner at the Université de Montréal—who have been looking worldwide at the same phenomenon, particularly in western Europe. I suppose what they are really coming up with is improving how schools handle the teaching of politics. If you read their books, it isn't just a matter of teaching; it's the type of teaching. It should be interactive and not just having the teacher saying, here's what Parliament does. It should be very creative and interactive, having mock parliaments and so on.

We don't do enough of that in Canada. We don't have enough push to do that. The teachers institute, which some of you know, is part of that. They bring high school students here every November, but only about 110 of them. I've helped raise money for that. It's a wonderful initiative but we have to really help the schoolteachers. Something that I found out to my horror is that Ontario, my province, is the only province in which a civics course is mandatory in high school

The Chair: Thank you very much.

We'll go to Mr. Kenney now.

Prof. Peter Russell: That's not good news.

Hon. Jason Kenney (Calgary Midnapore, CPC): Thank you, Mr. Chair.

Thank you, Professors Russell and Dutil, for your compelling testimony before us today, and in the case of Professor Russell, your lifetime of work on these and other issues in particular.

I have a couple of perhaps editorial notes to make, which you're free to respond to, Professor Russell. You mentioned the 2008 NDP-Liberal coalition. I would submit that one of the reasons polling indicated that 70% to 80% of Canadians rejected that proposed coalition was in part that it was not advertised as a possibility prior to the election and in part because it involved the Bloc Québécois. You will recall Mr. Duceppe signing that accord. Just as you have suggested there is a political requirement for a referendum in order to grant the process democratic legitimacy, I would submit that parties who prospectively will create a coalition must at least admit the possibility of that, given our long-standing history of not having formal coalitions.

More specifically, on one other point of information, I gather that Israel does have a floor in their PR system of 3.25%—so the most marginal part. That's part of the reforms that Israel made I think about 15 years ago.

I wonder if both of you could comment on the following. Professor Dutil has outlined the Jennings test as it may apply to the question of a constitutional convention for a referendum on electoral reform. He also suggested that perhaps the government may want to refer the question of whether or not there is a convention to the Supreme Court.

Would either of you care to comment on this as it relates to the Supreme Court decision on the Senate reference case two years ago, in which the Supreme Court suddenly seemed to adopt a very strict originalist jurisprudence with respect to the original intention of the founders vis-à-vis the Canadian Senate. Essentially to paraphrase it, the court said that the founders had a particular idea of what the Senate ought to be, which would be violated by elections to the Senate.

Do you not think it's also possible that, following the same kind of jurisprudential line, the court would say that the founders had a particular idea that the House of Commons would be based on first past the post?

• (1525)

Prof. Peter Russell: I think an MP would run the risk there, because it produces two kinds of members of Parliament. That phrase in the Senate reference about the architecture of the

constitution, you would agree with me, is not a precise phrase, and creating two kinds of members might be found to be a deviation from the architecture. However, having multi-member ridings in various versions of the STV system, I think, would be okay. We've actually had that in Canadian history. That's another reason why I've moved from MMP to STV, because I think there's less of a constitutional doubt about the latter.

Prof. Patrice Dutil: Depending on what is being proposed, the Supreme Court would have to make a decision and determine whether it applies or not. I think it's very hard to predict at this point what they would finally decide. I find this Supreme Court particularly difficult to decipher anyway. But I think the Jennings test does compel the government to make its case to the people, because we would be moving away from precedence and we'd be moving away from an established practice in this country that has lasted far longer than this country.

I'm not really sure I've answered your question very well.

Hon. Jason Kenney: Yesterday we had other political scientists on the panel, and when I posed the question: "Is there not a convention for referenda on electoral reform?", they simply answered no, but they never presented any reasons. What arguments against the convention would exist? I haven't heard anybody actually offer any arguments.

Prof. Patrice Dutil: There is no argument against the convention. When the Supreme Court of Canada was asked in 1981, they said these conventions matter and the Government of Canada has to abide by those conventions, the government has to work to build substantial agreement among the provinces. The government, therefore, had to abide by that rule. It's not something you can simply dismiss. Conventions matter a great deal.

Let me quote Peter Hogg.

[Translation]

Do I have enough time to read the quote, Mr. Chair?

The Chair: Not really.

Prof. Patrice Dutil: All right, I'll come back to it.

[English]

Hon. Jason Kenney: Can he just finish the sentence? I'll give up my next—

The Chair: Okay, go ahead. But we are going over five minutes for each one.

Go ahead.

Prof. Patrice Dutil: Peter Hogg said, in his *Constitutional Law of Canada*, "there is a stronger moral obligation to follow a convention than a usage, and that departure from convention may be criticized more severely than departure from usage."

Convention matters.

The Chair: Okay, thanks.

Mr. DeCoursey.

[Translation]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I'd also like to thank the witnesses.

[English]

My question is for Professor Russell.

In the very first sentence of your brief, you talked about the goal or the value or the result of any change to the electoral system producing “a House of Commons that represents the political preferences of the people”. I wonder what weight or value you think voters place on their political preference around electing someone from a local constituency, someone they would have a link to, maintaining the value of local representation in any form of electoral system.

Prof. Peter Russell: We have quite a bit of data on that. Not from me. I don't do that kind of research. There are those who do psephology, which is the study of voters and why they vote one way or the other. My colleagues who do that in Canada for some time have shown that the party for most people is more important than the individual candidate in their riding, and that hasn't changed for a very long time. Often an outstanding candidate, or a really lousy candidate, can make a big difference and blow an election or win it. But the majority of Canadians are thinking in party terms when they walk into the booth.

Part of that is also the media campaign. The majority of citizens, for maybe unfortunate reasons, don't go to all-candidates meetings. I'm crazy about all-candidates meetings. I think, like the little town halls, they're exciting. I always see the same people from my neighbourhood there. Most people's experience in an election campaign is on television, and now the Internet, not even reading the papers, and they don't talk about the local candidates. In fact, they even don't talk about people who might be in the cabinet very much. They talk about party leaders and the party, and that's the conversation.

I knocked on doors in the last election and I didn't hear much about candidates. I just heard about Mr. Harper and Mr. Trudeau, Liberals and Conservatives. I tried to say a little bit about the Green Party, but they weren't very interested. So there you go.

• (1530)

Mr. Matt DeCoursey: I guess I asked because we had presentations yesterday from professors citing citizens' assemblies and law commission work and others who cited the value expressed by citizens in those processes around fair representation, around more choice and more preference in balloting, and the need to maintain a link between elector and elected.

I guess I want to follow up on my colleague Mr. Aldag's question that Professor Dutil was able to answer. Professor Russell, do you see any means that we, as a committee, should consider to ensure that we broadly consult with people in going forward with this committee process?

Prof. Peter Russell: Oh boy, you have a tough assignment. I know there's been talk that you should do a citizens' assembly, and I know that's not going to happen.

On the other hand, they're well written up. What's interesting about the B.C. citizens' assembly and the Ontario one is that they really were genuine efforts to get a cross-section of people in their respective provinces, most of whom had never even thought about

electoral reform, to apply their minds to it for a month or so and to just keep on and think about it, and they came out very much for a proportional representation change: STV in B.C. and MMP in Ontario.

You haven't had one of these assemblies, but to me these are very impressive. All you can do, though, when people come before you and proclaim that this or that will happen, is to keep asking them for evidence. I think the more evidence-driven you are, the stronger evidence you'll have for a recommendation.

[Translation]

The Chair: Thank you.

We now move on to Mr. Blaikie.

[English]

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Thank you very much.

I want you to maybe speak a little more to the question of what has been one of the themes of Canadian politics over the last number of decades, the concentration of power in the PMO. I think having a system that produces what you've called “false majorities” certainly contributes to that.

What are some ways in which you could see a different electoral system help mitigate the centralization of power in the PMO?

Prof. Peter Russell: Well, the PMO is not going to shrivel and go away. We have—Patrice has used a useful phrase—a “political culture”. We have really as a country, of all the Westminster parliamentary countries, built it into our culture, as we have with political staffers for ministers. We've changed the political culture of our parliamentary democracy, and a lot of it has been fairly beneficial. I'm particularly supportive of political staffers helping ministers, and I think the PMO has lots of good work to do.

But there are a couple of things we can do. First of all, if the government is in a minority position, the tendency to push government members to do what, as they call them, boys—and might I say “boys and girls”—in short pants are telling them to do.... I think some of that will come off; I really do.

I'm not naive: there's still going to be a strong PMO, but I found it very distasteful. I watched some question time, and I again come back to that fine book *Tragedy in the Commons* and what experienced MPs told the Canadian public through it about their subservience to young people who had never run in politics. Their counsels weren't coming directly from the Prime Minister: the Prime Minister is too busy. They figured out what they thought would be the right answer at question time or the right thing for a cabinet minister to do if he were going to have a press scrum. I think there will be some relaxation of that.

The one legislative change, however, is to overcome a Supreme Court decision. The Supreme Court of Canada, in 2011 on a quiet June day when everybody was asleep, decided by eight judges to one that the Prime Minister's Office is not an institution of government and therefore is not under the Access to Information Act. Now, if ever an office was an office of government, it's the PMO. One judge, LeBel, a wonderful Quebec judge, wrote a ringing dissent.

This is a governmental institution; it should be open to access to information on such things as budget, the structure, the job descriptions of the people in it, the use of polling—what polling they do, and what is done with that polling.... We're not going to have private conversations, which must go on between the Prime Minister and his staff or her staff, but we should grow up and acknowledge, as the Supreme Court did not, that this is a public institution, and we should know as much about it as about any other institution of government. I've written much about that, but I'm afraid the rest of the country thinks that, like my idea of having a time by which Parliament must meet after an election, this is an academic idea that just goes floating away like a leaf on the river. I hope, however, that you've heard it.

• (1535)

Mr. Daniel Blaikie: I just wanted to ask this very quickly, Professor Dutil. Correct me if I misunderstood, but you had said that one of the principal goals of an electoral system is to produce a stable government that essentially doesn't have to worry much about being defeated in Parliament. What is the effective distinction between the legislative branch and the executive branch of government if the electoral system is really just meant to produce a legislature that is going to be uncritically, often, in the case of false majority, supporting the executive branch?

Prof. Patrice Dutil: What I meant was that we want a Parliament that will support a government, where the government is responsible and where it can get the support of a majority in Parliament. Whether it comes from one party or a variety of parties doesn't really matter. You want to have a system that is as stable as possible. That's all I'm saying. In theory, we elect people to Parliament so that they get together and form parties, form a unity of opinion that will in turn support an executive. They can come from one party. With time, we've created parties to facilitate that understanding, but they are very separate.

The Chair: We're going to have to go to Mr. Deltell, please.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Thank you, professors, and welcome to your Parliament. As my colleagues pointed out earlier, it's fascinating to hear two respected academics with such opposing views debate the merits of the issue alongside one another. It's a wonderful example of democracy in action, and we are very fortunate to have you.

I believe the two of you bring the tally of academics who have appeared before the committee to eight. I would like everyone to carefully consider hearing from the academic who said, and I quote, "Precedent makes holding a referendum necessary in Canada: changing the voting system would require popular support." That great scholar is none other than the Honourable Stéphane Dion. I encourage all of my fellow members to seriously consider that possibility.

Before going any further, I'd like to pick up on what my NDP colleague Mr. Cullen said a few moments ago about the makeup of this committee reflecting the will of voters during the last election. From a numbers standpoint, I don't agree with that statement.

The Green Party received 600,000 votes, corresponding to one committee member. The NDP has two. Does that mean the NDP garnered 1.2 million votes? No. It received 3.6 million votes, six times as many as the Green Party. Now, in our case, it was nine times as many. We have three members on the committee, and they have one. The committee's makeup is indeed different from that of the House of Commons, but it does not at all reflect the will of Canadians in the last election.

I have many questions for you.

• (1540)

[*English*]

First of all, I will start with you, Mr. Russell. You said earlier that it's very tough times, if we listen to you, that during the last 150 years, and especially in the last 100 years, only three times did we have majority governments. Two of them were Conservative—Diefenbaker and Mulroney, the good old days.

Prof. Peter Russell: That's since 1921.

Mr. Gérard Deltell: Mr. Russell, what I want to say to you is that, sure, it's not perfect; it's not crystal clear; there are no perfect systems.

Prof. Peter Russell: I agree.

Mr. Gérard Deltell: Don't you recognize that at least the majority of the vote belonged to the government, except under Joe Clark's government in 1979 when we got fewer votes than Mr. Trudeau? All the time, in the last 100 years, at least, the majority of the people were in power.

Prof. Peter Russell: You mean you had a plurality of the vote.

Mr. Gérard Deltell: Yes, I'm talking about the majority.

Prof. Peter Russell: Yes, but that's only a plurality, around 40%. I just don't think government should be controlled tightly by an administration that only 40% of the people think is what they want.

Mr. Gérard Deltell: What was the wrong result of that for the Canadian economy and for Canadian democracy? What went wrong in the last 100 years with this system?

Prof. Peter Russell: Well, there are several things. You'd have to go back to the false majority times. We just had a false majority before this government, and I think we're seeing that Canadians, for instance, supported parties that take global warming very seriously. Yet, they were under a government that did not seem to do that. The students I interact with—I'm still teaching at the University of Toronto—and even my neighbours in Rosedale were alarmed that our government was not reflecting their concerns about that issue. I think the majority of Canadians were alarmed.

Mr. Gérard Deltell: Sir, we're talking about policies now.

Prof. Peter Russell: I give that as one example.

Mr. Gérard Deltell: If you want to go in that field, I can go in that field, too. It's not the case here. It's not the place for that.

What I'm asking you is, what went wrong in this country for the last 100 years because of this political system? What were the decisions with terrific effects on our democracy because of the system that we had in the last 100 years?

Prof. Peter Russell: I think my colleague would like to answer that.

The Chair: We have 30 seconds to go through the history.

[Translation]

Prof. Patrice Dutil: Mr. Deltell, I'll give you a single example: the riding creation, in 1917, and the electoral system distortions at the hands of the Conservative government and the Unionist government. Otherwise, in most cases, there is justification for the policies that were chosen by governments and supported.

When people grew angry with the Conservative government—that's the example Mr. Russell would like to use—it had chosen to ignore Canadians' wishes regarding the environment, and the government partly suffered the consequences.

The Chair: Thank you.

Ms. Sahota, you may go ahead.

[English]

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

Professor Russell, you were speaking about elections earlier, that we don't vote or place emphasis on the candidate but, rather, the party when we are electing our members of Parliament. I would agree to that to some extent. I saw that in my election as well. But I also feel that post-election the emphasis is different. Post-election, people tend to place a lot of emphasis on their members of Parliament and they want to hold somebody accountable and they want to be able to have a connection with somebody and they want to be able to go and see somebody.

It's self-proclaimed, but I think my constituency office is probably one of the busiest constituency offices in the country. I know that my constituents think it's very important to be able to reach out to me. They definitely point out, "We voted for you, not necessarily the Prime Minister but for you, so we hold you accountable to hear us out, whether it's on Canada Post or the environment or whatever it may be." What are your thoughts on that, having that local connection to a member of Parliament?

● (1545)

Prof. Peter Russell: It's a very important dimension of parliamentary government and you people experience it every day, particularly when you're not in Ottawa. One of the things I like about the STV system is that it retains that and broadens it. Let me give an example from my own part of Canada, the middle of Toronto. We've hardly ever had in recent years a Conservative member of Parliament. My area of downtown Toronto is full of Conservatives, and under an STV system the Conservatives would have a member of Parliament—I'm just convinced of it—and maybe even two, and not always a Liberal or an NDP.

I could reverse that in other parts of the country, in Redmonton, as I love to call it, where for a long time...it's a little bit easier now for a Liberal to get elected, not very easy, but there are a lot of Liberals in Edmonton and they have not had a member of Parliament.

I think also of aboriginal people who rarely have the numbers in any given riding, a single riding of the size of our ridings now. But under an STV system, it's likely that there could be scope and opportunity for an aboriginal candidate, much more than under our

one member simple plurality system. I think it would even strengthen the ties between elections between the member of Parliament and the people.

Ms. Ruby Sahota: What system do you think allows for the most accountability for members of Parliament, to be able to hold them accountable? Not for one member, but like in a district where you would have five or so members that you were speaking of earlier, what if one member shrugs off some of their responsibilities and the other...? How do you hold them all accountable?

Prof. Peter Russell: If I understand your question, and I'll use the technical word, I'm a Burkean when it comes to the role of the MP. I don't see the MP as simply a representative of the people in his or her riding. You elect a member of Parliament because you think that person has good judgment on the issues of the day. The people in any constituency, any of them in Canada, are divided. They don't have a single view, and I don't believe in the accountability of the member of Parliament to the electorate in his or her riding.

I think it's important to spend lots of time in the riding and meet the people. And again, with STV there is likely to be not only one flavour of political MP in the area, but several. But I don't believe in the accountability of the member of Parliament to the people in the riding. I say that publicly.

At election time, of course, if you've done a lousy job, they may throw you out, to the extent that is an issue in the election.

The Chair: Thank you.

We'll start the second round now with Mr. Aldag, for five minutes.

Mr. John Aldag: Thank you.

Professor Russell, one of the things I've heard from previous witnesses is that we're going to need to narrow things down at some point. Don't consult on 18 different models, choose three or four. So as I try to understand what those three or four models might best be suited to our system, I'm looking for whatever wisdom I can get.

In your submission you indicated looking at MMP or an STV system, with a preference for STV.

If I understood your opening comments, you made some sort of reference to a possible constitutional issue. I don't know if I misunderstood that or if there is something there related to MMP.

There is a Twitter question I'll get to, but first of all I just want to know if you want to expand on why you're saying that STV is perhaps best suited to Canada, given our unique...whatever those values and attributes are. Could you take a minute on that?

● (1550)

Prof. Peter Russell: STV retains the one kind of member of Parliament. It means at the local level there are multi-party MPs to represent the distribution of political preferences in the neighbourhoods. So it's not just the plurality, there is not just the political preference that more people like than any other single preference.

In my part of Toronto we have lots on the left, we have lots on the right, we have lots of Greens, and I like the idea of a number of MPs representing districts of Toronto rather than single ridings with only one MP. I like that idea very much.

Mr. John Aldag: Okay. Actually, when you were giving that explanation I think it was in the context of having two different types of MPs that you might have alluded to that there might be some sort of issue.

Prof. Peter Russell: Oh, on the constitutional issue.

Mr. John Aldag: Yes, the question on that one comes on Twitter from James Crown. He says that your brief states preference for STV but he wants to know if an MMP system with regional open lists would fit the bill and avoid that constitutional issue.

Prof. Peter Russell: Yes. Again, we have this cloud hanging over us. The Supreme Court created a new kind of concept—Mr. Kenney alluded to it—of the architecture of the Constitution.

It's a little hard for those of us who parse every word of Supreme Court decisions to tell you, "Well, here is what 'architecture' means". But my guess would be that if someone said that having two kinds of MPs changes the architecture, they might get a case up, and it would be embarrassing to have a new electoral system under a constitutional cloud.

I don't think you'd have that problem with STV, but I think there would be an argument about constitutionality with MMP. That's all, and that worries me.

Mr. John Aldag: Thank you for that.

Professor Dutil, do you have any thoughts on systems that would—and maybe others, if you would be so bold—go beyond first past the post? Are there any other systems that we could be looking at?

Prof. Patrice Dutil: I always see complications with the other systems. At the end of the day, I'm not sure what they bring to the table that's fundamentally different, if you have a larger riding and have three members of Parliament for it and all three of them from different affiliations, rather than one riding that has a member of Parliament for it who is directly accountable.

I believe that for many people, the MP's presence is important; I think it's one of the things Canadians hold to most dearly. They may not support you personally; they may like the fact that they voted Liberal, voted Conservative, voted NDP, or voted Green; but they like the fact that you're there.

At Ryerson I started a program a few years ago that actually puts our fourth-year students in politics in your office. You may not be a part of it, but it's offered to all members in the GTA. To answer your neighbour's question—how do we educate our students?—that's one of the ways we do it.

Anyway, I'm out of time.

The Chair: Thanks.

Mr. Reid.

Mr. Scott Reid: Thank you, Mr. Chair.

I want to return to the question of political conventions and their strength in directing or mandating a prime minister who has

indicated a willingness to override them. To do this, I want to state what I believe the greatest danger to be, first of all, and then I'll turn to Albert Venn Dicey, who discusses a particularly interesting parallel.

As you know, in the 2015 election the Liberal party won 39% of the vote but 54% of the seats, which gave it 100% of the power. Specifically, it won 184 seats.

A calculation done based on that data and upon exit poll information as to the second and third and fourth preferences of voters indicates that, had they used a preferential ballot in single-member districts, Liberals would have won 224 seats. That means, of course, that they would have had 70% of the seats.

But you can play this the other way. The question is how low their percentage of the vote could drop and still allow them to get more than 50% of the seats and 100% of the power, given that this particular system predictably causes the party of the centre to do best. That's the fundamental, underlying issue, if that is the direction in which the Prime Minister steers, and he has indicated that so far that is the direction in which he plans to steer.

Turning to conventions, Albert Venn Dicey writes in the *Introduction to the Study of the Law of the Constitution* about the Septennial Act. This was an act passed in 1716 by the British Parliament, which at that time was elected for three-year terms. The law changed the term of Parliament so that it could now continue to govern for an additional four years—it passed this when it had a year left to go—and there was no court remedy against that act. Some members of the House of Lords protested and wrote or said at the time:

...the House of Commons must be chosen by the people, and when so chosen, they are truly the representatives of the people, which they cannot be so properly said to be, when continued for a longer time than that for which they were chosen; for after that time they are chosen by the Parliament, and not the people, who are thereby deprived of the only remedy which they have against those ...[members of Parliament]

You can see what I'm getting at. Effectively, Parliament rewrote the terms of its own contract unilaterally, gave itself extra power, and the people had no remedy. Likewise, if Mr. Trudeau rewrites the election law so that the next election is conducted under rules under which he can lose a significant number of votes, then the classic test of a convention, which is whether it will cost you the next election, is subverted.

I thus submit that question to you: what do we do with a situation in which the issues of legitimacy are so clearly separated from the direction in which a government is trying to go?

● (1555)

Prof. Patrice Dutil: I'll say this about what would likely happen in that kind of scenario. If the government unilaterally changes the rules by which Canadians elect their Parliament, and if this is accepted, you are going to be setting a precedent whereby the next government can change the rules also—it's as simple as that—and we're going to wind up in a situation in which potentially any government that is not happy with the result may roll the dice, change the system again, and may win big or may win less big.

I'd be concerned about that kind of situation. Again, in terms of providing what Canadians want—good, stable government that is flexible and that can be turfed out—this would raise cynicism. To come back to Mr. Thériault's question, it would raise cynicism a great deal more than anything else. That would be my worry.

Prof. Peter Russell: I think it's a matter of legitimacy. Looking for a convention may sound very erudite and intellectual. I just think it would be a bad idea to change the electoral system and not have a referendum. It could go down very badly with the Canadian people.

But I think what you have to think about—and I'm sure you have—is the referendum legislation. The Referendum Act we have now will not work. It was designed for the Constitution; it didn't apply to Quebec.

You have to look very carefully at spending rules. You should look at the New Zealand referendum of 1993. Spending rules are absolutely crucial—and whether you're going to have yes and no teams.

A lot of thought has to go into the referendum. If you look at the 1993 referendum in New Zealand—the second one they had, after the 1992 referendum—corporate New Zealand poured millions of dollars into hair-raising ads saying that it would be the end of civilization as you know it, if MMP went through. In the earlier election, the popularity of MMP was 86%, and it fell to 53% with unlimited spending by corporate New Zealand.

• (1600)

The Chair: We'll have to go to Mr. Cullen now, for five minutes, please.

Mr. Nathan Cullen: Thank you, Chair.

I want to talk about the role of women in politics.

There was a dramatic change in the last election in Canada, but no dramatic change in terms of women's representation in Parliament. The Parliament only changed, in fact, by 1% of the total, net. I'm looking through the list of countries in the world at women's representation in the legislature, and Canada sits at 62nd. I suppose we congratulate ourselves by not being 96th, as the United States is, but 62nd is nothing to brag about.

I look through even the top 10, and there is one country that doesn't have a proportional representation system that is in the top 10 for women's representation, but that's Cuba. I'm not sure we're going to cite that example.

There's a question about women's participation in proportional systems. The vast majority of countries that do well in terms of women participating are elected through proportional systems.

You asked for evidence earlier, so I'm trying to use it in this discussion today.

Mr. Dutil, do you have any comment on that?

Prof. Patrice Dutil: Yes. There's absolutely nothing that prevents you in this system from running more women as candidates.

Mr. Nathan Cullen: There seems to be, because even—

Prof. Patrice Dutil: There isn't; it's a choice you've made.

Mr. Nathan Cullen: Certainly within the parties, the NDP is coming through with 42%, but we have seen a barrier to women being successful in politics. Is that not fair? Unless you agree that 26% representation is a good result, obviously the system is failing us to this point. The political parties.... You can blame whoever you'd like. Blame the voters, if you will—

Prof. Patrice Dutil: No, I'm going to blame the parties.

Mr. Nathan Cullen: —but to suggest that the DNA, the actual mechanism by which people run as candidates and by which they are elected to office, is not a factor would be false, isn't that correct?

Prof. Patrice Dutil: I think it's actually wrong to blame the system for political failures.

Mr. Nathan Cullen: I'm not blaming the system.

Prof. Patrice Dutil: You're blaming the system. You're saying—

Mr. Nathan Cullen: Not at all. I'm asking, is there not a correlation—?

Prof. Patrice Dutil: —that another system yields naturally more women. It doesn't, and I'll point you to another example.

The Chair: I can't even follow now. Why don't we let Mr. Dutil answer, and then you can have a supplementary?

Prof. Patrice Dutil: Thank you, Mr. Chair.

I'll simply say that in Ontario there has been a dramatic increase in the number of female MPs, and that's been done under a first past the post system. If the parties are serious about making sure that women are well represented, then they should run more women as candidates.

Mr. Nathan Cullen: I cited evidence that there's a correlation, it seems, at least on the surface; that under proportional systems women do better. You agreed with that statement, is that not true?

Prof. Patrice Dutil: It's coincidence; it's not causal.

Mr. Nathan Cullen: It's coincidence? It's only coincidence that the vast majority of countries that succeed in having better women representation also are countries that have proportional systems? That's just coincidence; that's not evidence?

Prof. Patrice Dutil: It's coincidence.

Mr. Nathan Cullen: Right.

Prof. Patrice Dutil: Run more women as candidates.

Mr. Nathan Cullen: There was a question earlier about representing the will of voters.

This is a question to you, Professor Russell. This one comes from Twitter, from Jennifer Ross, who asks, “do you think a referendum could be held after the voters have tried... out” and understand what the new system is? You've talked about not so much a convention as validating the process that we are engaged in right now, by hearing the democratic voice of Canadians through a referendum.

Prof. Peter Russell: I would not go for a trial run. I really would go into town halls and other places for simulations. I think one of the best ways of getting people who haven't really thought much about these alternatives to do so is to have simulations. It's the best way of teaching.

I've experienced this. When you stand up and tell people, even though you have very clear language, what STV or some other system is, it goes in one ear and out the other.

Mr. Nathan Cullen: Sure.

Prof. Peter Russell: If you take a Saturday afternoon off and have a couple of votes, one under one system and one under the other, not only do they learn something, but they have a lot of fun. Do that; have simulations.

Mr. Nathan Cullen: What we're trying to overcome is that barrier of fear of the unknown, or the fear of change—

Prof. Peter Russell: Sure.

Mr. Nathan Cullen: —which is a natural precept.

It was something about the outcomes again. I think we need to return to this, because all we talk about here in terms of the mechanism, and I think in terms of understandability for Canadians, is what kind of results they are going to see.

My Conservative colleague earlier was attempting again to make a vice out of cooperation and coalitions and whatnot, which is strange, because Mr. Harper in 2004 attempted to make what he didn't call a coalition government but a “co-opposition” government. He used that different term when he sat down with Mr. Duceppe and Mr. Layton to try to oust the minority Liberal government. I remember it well. I was here.

What's valid when it's introduced by one party becomes invalid. I think we need to make a virtue out of the idea of parties sharing ideas and sharing power.

Is this not something that we should encourage?

• (1605)

The Chair: Unfortunately, our five minutes is up. Perhaps we could save the answer for another questioner.

We'll go to Mr. Thériault.

[*Translation*]

Mr. Luc Thériault: So much to say! You're quite inspiring, gentlemen.

A number of people have raised the issue of regional voting or regionalism. I wonder a lot about that. Some claim that the current system leads to regional aberrations such as what happened in 1993 and that a proportional representation system is necessary because of that. I can come back to that. Others argue that a mixed member proportional system, or compensatory mixed system, would promote regional voting.

What do you think?

Since we have only five minutes and I have another element I'd like to discuss, I'd appreciate a short answer.

Prof. Patrice Dutil: Experience shows us that, under a proportional representation system, a growing number of parties will represent narrower and narrower interests. It's as simple as that, and the math backs it up.

Mr. Luc Thériault: Where do you stand, Professor Russell?

[*English*]

Prof. Peter Russell: I don't think it will; I think the opposite. I think it will encourage parties to be national.

Right now it's tempting for parties that run consistently second or third and don't get any representation in the House of Commons to focus just on the region in which they have strength. That has always been a temptation. Fortunately, the Conservatives have resisted that temptation and have worked hard—in Quebec, for instance—to make themselves a national party. It's the same with the Liberals, who almost got locked out of the west for a while.

I think a PR system would really encourage national parties. The threshold level is very important. When you're taking your evidence in on other systems—we talked about the low threshold in the Israeli PR system—you should consider that, and you should look at the evidence of the proliferation of parties: it's not there. It should be evidence-driven.

There are not big proliferations of regional parties in the countries that have adopted PR, and first past the post countries have even more. That point has been made.

[*Translation*]

Mr. Luc Thériault: My apologies for interrupting, but that wasn't the point I wanted to discuss.

[*English*]

Prof. Peter Russell: So, let's be evidence-driven.

[*Translation*]

Mr. Luc Thériault: Earlier, you quoted Judge LeBel in the Figueroa decision. He said, “Perhaps the most significant manifestation of the importance of political representation of regional interests in Canada is our federalist system.” He went on to quote the Fathers of Confederation, specifically John A. Macdonald, whom you are familiar with, Mr. Dutil. During the Confederation debates, John A. Macdonald said that “any proposition which involved the absorption of the individuality of Lower Canada...would not be received with favor by her people” and that “there was as great a disinclination...to lose their individuality, as separate political organizations”.

Wasn't the outcome of the 1993 election simply the manifestation of the disinclination to lose that individuality as separate political organizations? Would you call that narrow interests?

Prof. Patrice Dutil: The historical context in 1993 is similar to that in 1917, when Quebec voted almost unanimously for Wilfrid Laurier. In both cases, the outcome reflected people's outrage over an extraordinary political situation.

They are narrow interests in the sense that voters were delivering a scathing condemnation of a situation that obviously required a near-unanimous response, one that would ensure a Quebec-centric voice in Parliament.

With proportional representation, I guarantee you there would be a regional party in every single region of the country. In Ontario, I guarantee you there would be sub-regional parties, including a Toronto-centric party. A Vancouver-centric party would emerge.

• (1610)

The Chair: Thank you.

It is now over to Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

[English]

I want to pick up on something for Professor Russell. In testimony here yesterday, Professor Nelson Wiseman, whom I assume you know, said there's really nothing new to learn about this; that we should go back and look at the law reform commission and look at the citizens' assemblies; and that if the government were serious about electoral reform, this committee wouldn't exist; that they would have just announced what they wanted to do and would be doing it.

Since you were an expert in the 2004 law commission report *Voting Counts: Electoral Reform for Canada*, would you be willing to reflect upon what you think we can learn that's new from 2004 to 2016, or do you agree with Professor Wiseman that we should just go back and look at what other bodies have done?

Prof. Peter Russell: Several things have happened since 2004. I mentioned the citizens' assemblies. I know they weren't all the Canadian citizens, but they were cross-sections. They were extraordinary efforts to involve ordinary Canadians from all walks of life. You should look at their work. You should look at their report. They worked on it hard and thought it through. That's new since the law reform commission.

I think we have further evidence about the effectiveness of governments in countries with PR in dealing with the fiscal crisis. The year 2008 posed a tremendous challenge to the democracies. If governments based on PR with minority parliaments—no party with a majority, according to the old bias—can't do anything, then how do you account for the very effective performance of minority governments and coalitions during the years of fiscal crisis, every bit as good as in countries with false majority governments?

I'd say the same on what I think is the biggest issue of our time: environmental issues and global warming. Again I think the record of countries based on PR is very impressive.

We've mentioned, as Mr. Cullen did, that the participation of women in elected legislatures has built up since 2004. That argument, by the way, was put forward as well as anyone by the founder of Fair Vote Canada, the late Doris Anderson, to explain why it was not a coincidence. It's still in my mind a tremendous bit of work, and it got Fair Vote Canada going.

Prof. Patrice Dutil: I would only say that there's been an explosion of studies over the last 10 years on voting behaviour. Most of it is showing that there is less and less of an obvious link between voting methods and the turnout rate: the turnout rate has gone up and down independent of the electoral systems that have been chosen.

More and more work has been done over the last 10 years on this. They were looking at other factors. The two factors that do seem to be making a difference, as I said in my opening presentation, are mandatory voting and voting on Sunday.

Ms. Elizabeth May: I think the statistics still show an uptick of at least 6% to 7% in those countries that have PR.

I want to ask you a different question, Professor Dutil. In your article that appeared—I didn't see the thing in the Fraser Institute, but

I did see the *Toronto Star*—you said that our electoral system has forced politicians to compromise.

One of my beefs with first past the post, and particularly under false majorities, is that it does no such thing. I find that what parliamentarians seem to want to do in recent years is find an issue that could be solved and deliberately not solve it.

I'll give you the example of the long-gun registry. The late Jack Layton had a proposal for solving the long-gun registry through compromise. The governing Conservatives under Mr. Harper had no interest in that whatsoever, because they saw in the long-gun registry the classic wedge issue by which they could defeat decent MPs in their ridings, if they made it a single-issue campaign that this MP or that MP hadn't stood up to kill the long-gun registry, instead of fixing it wherein it was flawed.

I wonder if you'd comment on that.

•(1615)

The Chair: Unfortunately—

Ms. Elizabeth May: Doesn't first past the post encourage wedge issues?

The Chair: —we've hit the five-minute mark, but you have made your point.

Go ahead for 10 seconds, please.

Prof. Patrice Dutil: There are wedge issues in every jurisdiction, and I really regret that, and it should have been fixed better. I'm certainly not in agreement with the way things happened.

But what is the political solution? Should there have been an anti-gun party in a proportional system, which would hold the balance of power and would have fixed the issue right away? You get into all sorts of scenarios.

The Chair: We have to go to Ms. Romanado, please.

Thank you.

Mrs. Sherry Romanado: Thank you very much.

Thank you, gentlemen.

We've heard a lot over the last couple of meetings about our current system and the fact that the reality is it doesn't work; that millions of Canadians feel that their vote doesn't count, which adds to voter cynicism, low voter turnout, and so on and so forth. When I myself ran—my first time running—there were seven candidates, and I won with 35% of the vote.

The reality is that 65% of the population of Longueuil—Charles-LeMoyne did not vote for me. Now, post-election, I represent all 103,000 of them, regardless whether they voted for me or not.

How in good conscience, however, do we say to the millions of Canadians who feel that their voices don't count under the current system that we should maintain the status quo because we've always done it that way? We've been tasked to make sure that it is equitable, that folks feel when they go to the ballot box that their vote counts. I'd like you to elaborate a little bit on how we can as a committee make sure that those folks who are listening feel that we are in fact going to make sure that their vote counts.

Prof. Patrice Dutil: I have to be blunt. I think this is a wrong image. Every vote counts—every vote. Everybody's vote was counted. You came out first, and you know full well that it illustrates the point I made at the beginning. You know full well that most people voted against you, which makes you, I would expect, a much better member of Parliament, because you are open to hearing what other people have said to you. It makes you more sensitive to the needs of the population. It makes you more sensitive to their difficulties with government. It makes you more aware of how your office back home can be helpful to them regardless of whether they voted for you.

I think this is what Canadians want. This is a fiction that their votes don't count, or every other system is going to have a system in which their votes don't count. It can be PR: If you're going to raise the level to 15%, you're practically where we are now. If you're going to lower it to 3%, then you're going to run a huge risk of having all sorts of regional and sectoral parties emerging.

I don't think there's something wrong with your getting 35%. It may sound ugly, but at the end of the day you're a good member of Parliament, you're going to do a great job during the four years that you're there, and maybe you'll be defeated and it's going to hurt and I'm really sorry.

I had a former MP who came to my class. I wanted to talk about budgets, and she talked for an hour about how she was heartbroken by the fact that the voters turned her away and did not vote for her party or for her. It wasn't personal. Thank goodness, she's been re-elected to Parliament and she's one of your colleagues, who will remain nameless.

Some hon. members: Oh, oh!

Prof. Patrice Dutil: It's a hard thing, but Canadians want good, responsive government. They know your name; they know you're the MP; they know that no matter how they voted—because you don't know how they voted—you will serve them, and I'm sure you do and I'm sure all of you do.

That makes for good government. It makes for good governance. I think our system has demonstrated that it can deliver on that. To take a chance on another kind of system in which you have a number of MPs for the local region and nobody really knows who's accountable to what.... People know exactly: if they have a problem with government, you're the one who's accountable and you're the one who's going to have to fix it for them. You'll do the best you can, and if you can't, you can explain why.

I wish you continued good luck.

• (1620)

Mrs. Sherry Romanado: Thank you.

Professor Russell, do you have any comments?

Prof. Peter Russell: With great respect to Fair Vote Canada, this expression of “every vote counts” I don't think is a good slogan. You've just heard how it can be turned around. Every vote is counted, and in a system of proportional representation, lots of votes in a different sense aren't counted. They're not represented, in part. There have to be thresholds.

So I don't rest my case for a proportional representation system on making every vote count. I don't think it's a good slogan.

The Chair: You have very little time left, Mrs. Romanado. You have time for a 20-second statement, if you like, but I don't think we have time for an answer.

Mrs. Sherry Romanado: I just wanted to say, in terms of coalition or minority governments, do you feel that possibly having that collaborative approach would help diminish some cynicism?

The Chair: I think we have to go on to the next questioner. To finish more or less on time—we're going over as it is—is it okay if we just leave that one out there for now?

Mrs. Sherry Romanado: Sure.

The Chair: Thank you. You did break some new ground on that “every vote counts” question, I found. It's something we hadn't really talked about.

Mr. Kenney.

Hon. Jason Kenney: Thank you, Mr. Chair.

First I have a question on process, then on substance.

On process, Professor Dutil, you testified about the process followed by three provincial governments, and in addition the commitment by a former New Brunswick government to hold a referendum. In the cases of British Columbia and Ontario, the process involved citizens' assemblies that studied the issue and then framed a question that was referred to voters, which I think is analogous to the approach taken by New Zealand.

In this case we have eliminated the intermediate step of a citizens' assembly. Now we have politicians discussing how politicians should be elected, and the government is seeking to eliminate the second step, which is a referendum to ensure democratic legitimacy, or political legitimacy, for the outcome.

To both witnesses, don't you think that at the very least we should have one of those two intermediate steps? Don't you think that many Canadians, regardless of their substantive views on electoral reform, would find that politicians deciding...?

I mean, let's face it; in the context, as Professor Russell has testified, of the power of the Prime Minister's Office, the ultimate decision at cabinet will reflect the Prime Minister's preference. Would it not be preferable, at least in terms of democratic legitimacy, to have either a citizens' assembly or a referendum, or both?

Prof. Patrice Dutil: How do you get cynicism? You get cynicism when politicians look after their own interests purely. That's the answer. People will turn cynical against politicians when they see that you're only defending yourself and your own personal interests or your own collective interests. It has to go to a referendum; whether you do it with a committee or with some sort of electoral college or whatever, the people have to have the last word. If you want to defeat cynicism, then you have to show that it's not just about the incumbents protecting themselves. It's about opening up the system so that Canadians can voice their opinions on it. So I think you have to do it.

I need to address the idea, because it's been a subject of my research, that the Prime Minister's Office suddenly got stronger under Mr. Trudeau. I have a book coming out next year that demonstrates vividly that this goes back to John A. Macdonald in 1867. The times have modernized, but the Prime Minister in this country has been very powerful from the get-go. It's nothing new. It's adapted to modern times, undeniably. John A. Macdonald did it one way, Laurier did it one way, Borden did it one way, Mackenzie King did it one way. It's nothing new.

Parliament's not going to change that. There are other ways that can perhaps contain the Office of the Prime Minister. I think the Australians are teaching you guys a really good lesson, that when you have strong ministers, strong members of Parliament who can defeat their Prime Minister—

Hon. Jason Kenney: Thank you. I have to get my second question in after.

Prof. Peter Russell: Just on your referendum question, I hope the proposal is not the Prime Minister's. I hope it's a recommendation from this committee with a strong cross-bench consensus behind you. That's what the people of Canada want from you. They don't want just Justin Trudeau's preference. They want this committee's preference. You have a real obligation to take something to them that you've really thought through and have a consensus on. They don't want a voting system that's favourable to just one party or two parties. They want one that's good for all Canadians. I just can't emphasize that too much. Then you can have a decent referendum. But do look at the referendum rules.

• (1625)

Hon. Jason Kenney: In the past, I have been open to different kinds of electoral systems as being preferable to first past the post. I've never had a doctrine or view about this, but I must confess to a certain degree of cynicism in this process, because the governing party has made no secret about the fact that it has a preferred outcome, which is a transferable vote. We're obviating a citizens' assembly. We're obviating a referendum.

If the objective is for every vote to count, then we move in the wrong direction with a strict STV system, because under an STV system, it's estimated that the Liberal Party would have won 66% of the seats in the last election, as opposed to the 54% that it did.

Could you comment on a single riding STV system, because the centrist party tends to win the second-choice vote?

Prof. Peter Russell: Are you sure you're talking about STVs? That's not a single member system. You're talking about alternative

voting, preferential voting. That's different. That has nothing to do with STVs.

Hon. Jason Kenney: Does not the alternative vote system end up meaning that actually fewer votes count than with the status quo?

The Chair: Quickly please, because we're over time.

Prof. Patrice Dutil: That is a possibility. The other possibility is that some people are going to have more votes than others. If you vote for one of the candidates who reaches second or third position, your vote is counted, but if you vote for somebody who falls lower on the calculations, you get to vote twice: you have your vote, and then you have your second vote counted.

The Chair: Thank you.

Mr. DeCoursey.

Mr. Matt DeCoursey: Thank you, Mr. Chair.

I'm just looking for some clarity and to perhaps build a bridge between this idea of causality and coincidence and the way the electoral system precipitates the look of Parliament.

All the other witnesses who have come before us have said in one way or another that the current electoral system is one of a number of factors tied into a larger political culture, including the way Parliament operates, certain policies available to members in Parliament, and a number of other things that factor into the way Parliament looks and feels to Canadians. Would you agree that the system is one of a number of factors that lead to the Parliament we get?

Prof. Patrice Dutil: Of course. The system is pivotal, and it's certainly one of the factors. But if you're looking for representation, I think you have to dig a little deeper. If you're looking for representation, you have to ask yourselves, as a party, if you are running enough women, if you are running enough people who represent the country.

This Parliament has made tremendous inroads. We have much greater representation of the Canadian population in this Parliament than ever. There are not enough women, I grant you. You're absolutely right. At the provincial level, we're doing a lot better, and at the municipal level, not so much. I think it's a question of your own culture as a party. You have to work towards that.

In terms of representation, if you're going to run a list, and you put a whole bunch of women on the list, you're dealing with a different kind of system. You could also have that kind of system and have a lot of men on it. It's a choice you make as politicians. It's really a political choice. And I think political enlightenment.... People might think of it as kind of idealistic. I still believe in political enlightenment: you represent this for me.

Mr. Matt DeCoursey: Professor Russell, what is your view as to whether the system is one factor among a number of other factors?

Prof. Peter Russell: With MMP, it is clearly easier for many women who have, particularly, domestic responsibilities, to be list candidates than to do the very heavy-duty door knocking, which you people all know you have to do to be an MP elected in a constituency. You've all done that. In STV, where you have, say, five for an urban district of Toronto or Montreal, the major parties pick five candidates for each of those seats. That gives women a much better chance, because very likely, all the parties will want to have women evident on their list. That's also seen in the Finnish system of STV, and so on. So it's not just a coincidence. These systems seem to bring out more women, even in parties that are trying their darndest to get more women candidates.

• (1630)

Mr. Matt DeCoursey: Professor Russell, can I dig a bit further there, because I've heard other witnesses and members talk about the list in a potential MMP system still being drawn from candidates who have also run and done the door knocking and that that can lead to more legitimacy in the process.

Would you share that view, or would you share the view that it's all right to just be on a list and receive—

Prof. Peter Russell: You know what you should do? You should look at some of these lists.

Don't take it from me. Look at some of the lists that the German parties and the New Zealand parties have. You will see that they've put terrific people on there. They put stars on there—outstanding people—in the arts, in business, even in sport. The geographic constituency is not the only constituency. Take aboriginal people. That's a constituency in itself. One of the advantages of lists is that you broaden the kind of representation you can have in Parliament. It doesn't all come down to geography.

However, take a look at the lists. Don't just have a vague idea. You have research from the parliamentary library, and they'll give you some samples.

Prof. Patrice Dutil: If I can I add one more thing, I urge you to take a look at the Senate.

Why not use the Senate as a House that would compensate for the distortions inside the House of Commons? Why not have more women in the Senate dictate to the Prime Minister—

The Chair: You've made that point before, and it's a good one.

Mr. Blaikie.

Mr. Daniel Blaikie: I think because it's a committee on democratic reform, making recommendations about the Senate is just out of scope.

That might be one reason why we wouldn't do it.

Prof. Patrice Dutil: The Senate is a house of Parliament.

Mr. Daniel Blaikie: We talk about political enlightenment being the way to get more women in politics, despite what I think is an obvious correlation, at least, which doesn't imply causality or coincidence between PR systems and the participation of women in politics. However, then we switch to talking about a PR system and how we would have a proliferation of small parties and it would be unworkable.

I wonder where the call to political enlightenment is there. If political enlightenment is an efficient way of delivering more women into politics, I don't see why, if we're capable of being politically enlightened in that sense under a first past the post system, the same kind of goodwill and political enlightenment wouldn't mitigate toward less regional politics within a proportional representational system.

I've been struggling with the presentation of your concepts that are meant to do work, on the one hand, which is to get women into politics. We don't need any particular systems or rules about that. We're going to do it because we're great politicians and we care about the country and this is important, so let's get it done. However, under a PR system, all that political enlightenment and goodwill would evaporate. We wouldn't have it anymore, and we would revert to petty regional politics.

I'm finding it hard to square your optimism about our capability as politicians with your pessimism about a proportional representation system.

Prof. Patrice Dutil: Thank you for the question.

I think that under the system now, where you are elected with most people voting against you, it is incumbent on you to work hard and be mindful of what people are thinking and to do the best job you can, knowing that most people have voted against you.

A PR system, a proportional representation system, is fundamentally different. Parties are going to form because they represent a rather narrower perspective. This is not just conjecture. Look at every jurisdiction that has used proportional representation and you will see it. You will see it in the Netherlands, in Belgium, in Spain, and in Greece. Everywhere that has used proportional representation, parties will emerge that will cater to a particular—

• (1635)

Mr. Daniel Blaikie: Yes, so you have regional parties.

I mean you have regional parties under the first past the post system. You had the Reform Party, which I think quite arguably was a regional party—

Prof. Patrice Dutil: Indeed.

Mr. Daniel Blaikie: That's why it had to engage in.... You know, the right had to come back together. You have the Bloc Québécois, which is a regional party.

The idea that somehow we would be introducing regional parties to Canada because we adopted a proportional representation system is just wrong.

Prof. Patrice Dutil: Here's my point. They're no longer there.

Mr. Daniel Blaikie: Well, I'm sitting beside someone from the Bloc Québécois, so they are indeed here.

Prof. Patrice Dutil: He's practically no longer there.

Mr. Daniel Blaikie: I submit to you that there may be some Reformers who are—

The Chair: Excuse me, Mr. Blaikie, I really enjoy the back and forth, but can we keep it a little more linear?

Go ahead.

Who was speaking? Was it Mr. Dutil?

[*Translation*]

Prof. Patrice Dutil: My apologies.

[*English*]

Again, I'm simply pointing to the reality.

In jurisdictions with PR, you're going to naturally have more people emerging to represent particular interests. They're not interested in looking after other people's interests because they're guaranteed a certain percentage of the votes, and they're going to cater to that goal and it will be reinforced.

The great merit of the first past the post system is that that kind of behaviour is not encouraged. You are encouraged to open—

Mr. Daniel Blaikie: I'll claim my piece of the linear pie here and say that it may well be true under a pure proportional system, but it's important not to.... I mean, part of what we've been doing is hearing about the various kinds of proportional systems that you can bring in. For instance, a mixed member system would include individual MPs, potentially, in individual ridings.

Now, that's not the case for an STV system, but the idea that by adopting some kind of proportional system at all you would have to abandon the idea that you will have local MPs who are held to that kind of account, and maybe even elected with a plurality within their riding, isn't incompatible with the idea that you would have a system that overall, when you look at the Parliament, would be balanced out so that the views of Canadians are represented adequately and proportionally in their legislature. It's not a one-or-the-other.

So when you say “a proportional system”, part of the work of this committee is figuring out the extent to which you can't make that kind of general claim. I'm sure, given your profession and your area of study, you know that kind of general claim is impossible. I just don't see—

Prof. Patrice Dutil: I wish you good luck in trying to sell that to the Canadian people.

Mr. Daniel Blaikie: I think the argument is too general.

Prof. Patrice Dutil: The idea of having two classes of MPs I don't think will jive with our political culture, where you have one class of MPs who will cater to the needs of the constituents and another class of MPs who are always on the list and who are always going to be there. I think Canadians like to have their members of Parliament accountable. When it's time for the party to go, when it's time to defeat the government, Canadians know exactly what lever to pull, and they pull it.

Mr. Daniel Blaikie: But for demographic representation—

The Chair: I think we had a really good exchange, Mr. Blaikie—

Mr. Daniel Blaikie: —you like the idea of using senators, who aren't accountable to anyone.

The Chair: —and I'm sure Mr. Deltell will also regale us with a very good exchange.

Mr. Gérard Deltell: Thank you so much, Mr. Chairman.

Yes, I'm very happy to be here.

I can assure this committee that the Bloc Québécois is still there. I can assure you of that.

For our part, yes, maybe we have different roots. I'm very proud to show in this House my 1981 member card from the Progressive Conservative Party of Canada when I was 17 years old. I'm very proud of my roots.

I'm very proud to be Conservative, too, as I'm sure you're proud to be NDP, and proud to be Green, and proud to be Bloc Québécois, and proud to be Liberal.

Professor Russell, you said it's your wish that this committee will make a recommendation and the government will follow this recommendation. This is what you said. Well, sorry for you, pal, but this will not be the case, because a few weeks ago, in exactly the same place, in the same room, the minister—she was sitting in your chair—said that she is not attached to the decision of this committee.

Prof. Peter Russell: Oh. I didn't know that.

Mr. Gérard Deltell: At the end of the day, the shot will be called by one guy, the Prime Minister, who controls the cabinet and who controls the majority of the House. Don't you think it will be a necessity to have a referendum to let the people decide instead of the call of one guy?

Prof. Peter Russell: Yes, there's even more necessity to have a referendum in that situation.

I'll have to look into what Minister Monsef said. I will do that and see if it's as crystal clear as you suggest. If it is, I'd be extremely disappointed.

I have to catch a plane to get to a boat. I don't want to be rude, but I think I must make my departure. Please forgive me for leaving before the end.

● (1640)

The Chair: We understand. We really appreciate your testimony here today.

Prof. Peter Russell: Okay. Thank you very much.

The Chair: We're almost done, and Professor Dutil will answer the remaining questions. Thanks again for coming, Professor Russell.

Mr. Gérard Deltell: I'm very pleased I made the statement before Mr. Russell left. I'm very surprised to see the Green leader with him. I'm very surprised.

[*Translation*]

Mr. Dutil, I'd like to talk to you about the importance of citizen engagement.

The current government would like us to hold town halls to consult the public. Do you think those kinds of meetings are an effective way to take the public pulse, as compared with a referendum, which all Canadians can participate in?

Prof. Patrice Dutil: The answer is no, because it's not representative. Typically, the people who will attend those meetings are in favour of the change. Those who are satisfied with the current system—the vast majority of people—won't go to the trouble of taking part in that kind of exercise, or at least very few of them will.

For confirmation that the public is truly in favour of change, a referendum has to be held. As I see it, there's no way around it.

Mr. Gérard Deltell: How would you respond to those who argue against a referendum because they might lose?

Prof. Patrice Dutil: It's up to them to defend their views, their position, against the backdrop of a referendum, and to prove to Canadians that the system they are advocating is better than the one that has been in place for 225 years. It's up to them to convince us, to convince Canadians, and I wish them luck.

The referendum conditions must be fair and must give people the opportunity to make a choice, as was the case in New Zealand, Australia, and Great Britain. People have to be given the opportunity to express their support for the current system. The question must be crystal clear and must give Canadians the option to choose the status quo.

If all of those conditions were met, I think the result would be a healthy referendum and an outcome worthy of respect.

The Chair: Forty or so seconds left.

Mr. Gérard Deltell: I'd like to come back to a point I've raised a number of times.

Members of the general public didn't mention this issue to me during the last election campaign, they haven't mentioned it to me since the start of the mandate, and they haven't uttered a peep about it to me since the committee began sitting. The only time people mention it is when I tell them that I'm going to Ottawa for a week in July to discuss electoral reform. They ask me what I'm talking about, and once I explain it, their response is "really".

Apart from political activists, who certainly have their place in our democracy, people aren't concerned about this. If we are going to make a major change, the least we should do is hold a referendum.

The Chair: Very good.

We'll wrap things up with Ms. Sahota.

[English]

Ms. Ruby Sahota: Thank you.

I didn't know I'd actually get the opportunity. My question was framed more in terms of Professor Russell's work, but perhaps you can also comment, Mr. Dutil. I wanted to learn a little bit more about the Jenkins Commission, and the process they undertook. Is that something you're familiar with? If not then I can rephrase it.

Prof. Patrice Dutil: The Jenkins?

Ms. Ruby Sahota: The U.K. commission. I know that Mr. Russell had looked into that a little bit as well. They also went through the process of looking into reforming the electoral system. Could you comment on their outcome? They had looked a lot into AV+. That's a system we haven't really talked a lot about; we've been looking at STV.

Prof. Patrice Dutil: Quite frankly, I didn't follow the results of that commission closely. What I followed was the referendum that was held afterwards, and that's what mattered to me. I think the British did it correctly. They organized a committee, they put the question to the people, and they got the result.

Can I respond to the question you asked Professor Russell? I didn't get a chance to talk.

Ms. Ruby Sahota: Absolutely.

Prof. Patrice Dutil: I think you asked the question about, what can we do, or it might have been your neighbour, to better connect MPs to their constituents.

● (1645)

Ms. Ruby Sahota: That was my question.

Prof. Patrice Dutil: There are two things that I have been aware of because I spearheaded them. One of them was the Parliament to campus program that was run by the Canadian Association of Former Parliamentarians. Unfortunately, that program was cut off because of lack of funding a few years ago, but I ran it as a director for three years, and my job was to bring former members of Parliament to university campuses and to share with students in politics the life of the MP. One of the motivations there was to get people to understand the role of the local MP, and what they do, and to entice younger people to consider a career in politics. That's one thing.

The second thing, as I mentioned earlier, was at Ryerson I started a program where we placed students in members of Parliament's offices for a credit. They work with you for a day a week during 10 weeks and they write a paper about it, and they get a credit for it. It's unique in Canada, but again if you want to build awareness of the very important role you play it sometimes has to be done one by one, but these kids are fantastic, and it's a great way of motivating people.

A third thing I want to bring out a little bit if I have a second is Samara Canada. We talked about Samara earlier. It has put together a pilot project where they get together with recent arrivals to Canada and they teach them about our political system. We know that recent immigrants once they become citizens do not tend to participate in elections. It's one of the reasons why the rate is a bit lower. This is, again, a great project that could be continued with the proper funding to help those new arrivals, new Canadian citizens, learn more about our system. There are a lot of things that can be done, without changing the system, to better educate Canadians about their political life and political institutions.

Ms. Ruby Sahota: I think those are great ways to engage our population. I definitely participated in similar programs at the high school and university levels. We've heard from other witnesses that teaching this in school, and Mr. Russell was talking about it, and having these types of programs at a young age, tends to engage them at that age, and they become lifetime voters.

Prof. Patrice Dutil: It's absolutely fundamental. Again, Professor Russell indicates that Ontario is one of the few provinces that has a civics course required in high school. Ontario is one of only four provinces that teaches history in high school. We have a lot of work to do to educate our population about the institutions that govern us, and I think, again, that it is something that needs to be addressed. Now, from a federal perspective, it's obviously difficult, but you can also make an argument that this needs to happen.

Ms. Ruby Sahota: Absolutely. Thank you.

I just want to thank you for all your testimony here today. It was quite enlightening.

[*Translation*]

The Chair: Indeed.

Thank you very much for being with us today, gentlemen. It was quite a lively discussion, and we certainly learned a lot.

I want to remind the committee members that we will be meeting this evening at seven o'clock in room C-110 of the building located

at 1 Wellington Street. We'll be hearing from representatives of New Zealand's and Australia's electoral commissions by video conference.

Thank you for your co-operation. See you shortly.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 009 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, July 26, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, July 26, 2016

• (1905)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I call the meeting to order. We'll begin.

I don't know what time it is in Australia and New Zealand. It's 7 p. m. here in Ottawa. Thank you so much for joining us for this ninth meeting of the committee. Earlier today we heard about the international experience and specifically how things are done in Ireland, and we'll be very interested to better understand how your electoral systems work in Australia and New Zealand.

We'll start with Australia.

Mr. Rogers was appointed as the Australian Electoral Commissioner in December 2014 for a five-year term. The commission is responsible for conducting federal elections and referenda; maintaining the electoral roll, or what might otherwise be known as the registry; and engaging in a range of education programs and activities about the country's electoral system. The Senate uses the single transferable vote, while the House of Representatives uses the alternative vote.

Am I correct, Mr. Rogers, in my understanding of how things work in Australia?

Mr. Tom Rogers (Electoral Commissioner, Australian Electoral Commission, As an Individual): That's correct, Chair.

The Chair: Okay.

The floor is yours for 20 minutes. As I said, we'll be very interested to learn what you will be discussing.

Mr. Tom Rogers: Thank you very much, Chair, members, and the New Zealand electoral commissioner. Good morning from Canberra. Thanks for the invitation to appear today.

As members of the committee may be aware and as you just said, I am the commissioner of the Australian Electoral Commission, also known as the AEC, which is how I will refer to it today. I'm responsible for federal elections and referendums in Australia. In Australia we also have seven other electoral commissions at the state and territory level. I'm also responsible for certain industrial elections, but I won't be talking about that aspect today.

I understand that your mandate is to examine viable alternative voting systems, mandatory voting, and electronic voting. In my opening statement today, I'll touch on all of those in some way, but first I might just explore the Australian electoral system a little further.

As you mentioned, at the federal level we have a bicameral system, with a lower house that we call the House of Representatives and an upper house that we call the Senate. Both houses are elected by the people, but they are elected through two different systems of voting.

In the House of Representatives, we have a full preferential voting system. It requires voters to individually number and rank all candidates according to their preferences. A candidate is elected if he or she gains more than 50% of the formal vote. If a candidate doesn't gain 50% of the vote based on first preferences, the candidate with the least number of votes is excluded, and the candidate's preferences are then distributed. The process of preference distribution continues until a candidate achieves more than 50% of the vote.

Under this system, a voter must complete all boxes on the ballot paper for the vote to be formal and included in the count. Of course, some voters don't include all the boxes, and we refer to these as informal votes. There are savings provisions in the legislation that can save certain votes in certain circumstances. However, some ballot papers do remain informal.

The rate of informality is relatively low and consistent at about 5% for federal elections for the House of Representatives. For the 2016 election, which we're still in the process of conducting, the informality rate hasn't been determined, but I'm expecting it to be around the same, if not slightly lower in some cases. In some individual seats, the rate of informality remains high, and there are various factors impacting on that informality. I'm happy to expand on that later on if members are interested.

In the Senate, we use a system of proportional representation to elect candidates. Essentially, this system elects a number of candidates to represent one constituency after they receive a set proportion of the vote. For over three decades, group voting tickets were used to support a system whereby a voter's preferences would continue until all vacant positions were filled. However, in March of this year, new legislation introduced a partial preferential system that enabled voters to determine where their preferences flowed and finished. In my view, it was one of the largest changes to the Australian electoral system since 1994, and we had four months to implement it in time for a July 2 election this year.

There are various elements to this reform, including the introduction of ballot paper scanning for the first time at the federal level in Australia and the implementation of a very large national education campaign. Again, I'm happy to discuss that later if the committee is interested.

In recent weeks there's been some commentary—within Australia, at least—about the perception that the AEC is not making sufficient progress in the count of results for the federal election. I want to clarify that the speed of the AEC's count is driven by the electoral act itself and is not a result of the type of preferential and proportional voting system we have. Yes, conducting a count under a preferential system can take longer than a count under the first-past-the-post system. However, the period of time it takes to finalize the result is more due to other aspects of our legislation, most notably that voters can pretty much vote from anywhere in Australia or around the world for their home electorate. To facilitate this, the AEC undertakes a complex exchange of votes after the election.

Votes can also be received up to 13 days after election day, and the AEC is responsible for sending these votes to the correct division, where the voter's entitlement to vote is confirmed. That means you can vote on one side of Australia, but for that vote can be physically counted, I have to send the vote physically over to the other side of Australia to its home division to be counted.

• (1910)

All of that must occur before the counting of those votes can even commence. In addition, the number of early votes now being cast continues to rise, and this has significant logistical impacts. All of those envelopes need to go back to their home division, and this requirement creates difficulties for us.

I'll now move to the subject of mandatory voting. In Australia we refer to that as compulsory voting.

In Australia it is compulsory to enrol and to vote in federal elections. Compulsory enrolment at the federal level for Australian citizens was introduced in 1918, followed by compulsory voting in 1924.

At the last election we estimate that about 95% of all eligible electors were enrolled. That's 15.6 million people. That is the largest number of electors we've ever had enrolled and probably the most complete electoral roll we've ever had in Australia's history. It's the responsibility of every individual to update their own enrolment details; however, we also have a system of federal direct enrolment and update, and that assists the process. We use trusted third party data, such as driver's licence information, to enrol or update an elector's details.

Under current legislation there is no avenue, really, for successful prosecution of eligible electors who are not enrolled. The reason I say this is that enrolment is an absolute defence for any charge of not enrolling, so if we go down the process of taking someone to court, quite often they'll essentially enrol on the courthouse steps, which is then an absolute defence for non-enrolment.

Compulsory voting and enrolment is seen as a normal part of Australian political culture. There is lots of evidence to suggest continued support for compulsory voting: in 2013, the last time we did surveys, about 70% or thereabouts of the population indicated

support for compulsory voting. At the most recent federal election, which we've just had, turnout was around 90%, but we'll have to confirm that over the coming weeks as we finish the processes with that election.

Under our system of compulsory voting, those enrolled electors who did not vote are sent a non-voter letter. It requires the electors to either respond and provide a valid excuse for not voting or pay a very small \$20 fine. A small number of those voters who don't pay the fine are then prosecuted, and I think we went through a full prosecution of about 3,000 people at the last election.

In Australia our electoral matters committee has considered the issue of voluntary voting a number of times; however, the issue has never been pursued by our federal Parliament.

I might move now to electronic voting.

Electronic voting is a matter for the Australian Parliament, not for the AEC, and it would require a change to our legislation. At the federal level we do not use electronic voting, nor do we use Internet voting. In 2014 our electoral matters committee inquired into the topic of electronic voting, and I will just quote from that for one moment. It found that “irrespective of one's philosophical view about electronic voting, ...there can be no widespread introduction of electronic voting in the near term without massive costs and unacceptable security risks.”

However, in recent weeks our Prime Minister and the leader of the opposition have both pledged their support for examining some form of electronic voting, again following perceptions about the length of time it takes for us to return the result. I cannot speculate as to what model would be introduced, how it would be introduced or when, as this is a matter for Parliament.

At the state and territory level, some commissions have trialed electronic voting. In the Australian Capital Territory, where Canberra is located, electronic voting has been used in early voting centres since 2001. They use a system of personal computers. In New South Wales, Internet voting was trialed in 2011 and 2015 for particular categories of voters, those who have a disability and those who are more than 20 kilometres from a polling place. My understanding is that well over 250,000 voters availed themselves of Internet voting at the last New South Wales state election. I am aware of significant media commentary surrounding security aspects of this system, but I'm unable to comment further. I don't own that system.

We don't have electronic voting, but many aspects of our electoral process are already electronic. We've enabled voters to enrol online for a number of years, and voters can also apply for a postal vote online. The increased use of the electronic forms by the Australian community has simplified the process of these transactions without diminishing the controls in place.

•(1915)

We also introduced the scanning of Senate ballot papers for the first time in the 2016 election. As I'm speaking to you, we are still running very large scanning centres in each of the states, scanning Senate ballot papers for the 2016 election.

We've also deployed electronic certified lists at the last two elections. These are an electronic version of the electoral roll, and they contain a list of electors entitled to vote. I think it's a great initiative. It provides the ability to search for and mark off an elector's name, provides a real-time update to a central copy of the certified list, and, where we can, enables the printing of House of Representatives ballot papers on demand. At the recent election, we had about 1,500 devices. It is expensive but worthwhile.

There are two other aspects of our electoral system that I might touch on to provide a flavour for what we do.

Under the electoral act, the Electoral Commission is wholly responsible for undertaking the redistribution of electoral boundaries. It's an apolitical process and has no involvement from political parties or politicians. In particular, changes to divisional boundaries do not require the approval of Parliament. Submissions and objections to boundaries are invited for consideration; however, the ultimate decision rests with the Electoral Commission, a three-person commission chaired by a judge.

Another aspect of our work is managing the funding and disclosure regime of our electoral legislation. It includes registration of parties and party logos and a disclosure of expenditures and returns for an electoral campaign and ongoing expenses during the year. The scheme is designed to inform the public about financial dealings of political parties, candidates, and others involved in the process. We are responsible for managing and running this independent apolitical process. As with other areas of our electoral system, any changes to the funding and disclosure system are also a matter for Parliament.

Thank you very much for the opportunity to appear today. I'm happy to take any questions or provide any other information that the committee may find helpful.

The Chair: Thank you so much, Mr. Rogers.

We'll now go to Mr. Peden, chief electoral officer in New Zealand with the New Zealand Electoral Commission, which is an independent body responsible for administering Parliamentary elections and referenda and providing advice. It also engages in public education programs and publishes reports on electoral matters. New Zealand's House of Representatives uses mixed member proportional representation. The first election under MMP was in 1996, prior to which elections had been held under first past the post.

The floor is yours, Mr. Peden.

Mr. Robert Peden (Chief Electoral Officer, New Zealand Electoral Commission): Thank you, Mr. President.

[*Translation*]

Good afternoon.

[*English*]

Tena koutou katoa. Greetings from New Zealand.

Hello to Tom.

I propose to speak to some of the slides in the New Zealand Electoral Commission's presentation, specifically slide 5, which deals with the electoral reform process that saw New Zealand adopt the MMP electoral system in 1993. Then I will speak to slides 8 to 12, which outline the features of New Zealand's particular form of MMP; then slide 14, on New Zealanders' understanding of MMP; and then finally slide 16, on the impact that MMP has had on the diversity of the New Zealand Parliament.

In the interests of time, I do not propose in these opening remarks to speak to slides 17 to 23 about the 2011 referendum on the voting system and the 2012 review of MMP that occurred as a consequence of that referendum, or to slides 24 and 25, which deal with the issues of compulsory attendance and electronic voting in the New Zealand context.

Obviously I'll be happy to take questions on these and any other things later. I hope that what I propose will meet the needs of the committee.

Shall I proceed on that basis?

The Chair: Yes, absolutely.

Mr. Robert Peden: Please, then, turn to slide 5, which deals with the electoral reform process that saw New Zealand adopt the MMP electoral system in 1993.

The process began with growing public dissatisfaction in the 1970s and early 1980s with the perceived fairness of our first-past-the-post system and its tendency to deliver Parliaments that did not reflect the nationwide vote.

The Royal Commission on the Electoral System was established in 1985. It met for 18 months, consulted widely with the public, considered a wide range of reform options, and reported in 1986. It recommended that a system of MMP be adopted and that a binding referendum be held with the 1987 general election to give the voters a choice between first past the post and MMP.

A referendum was not held with the 1987 election, but there followed a period of ongoing public and political debate, which included an inquiry by a Parliamentary select committee into reform of the electoral system in 1988.

Then, in 1991, legislation was introduced providing for a two-step reform process.

The first step was an indicative stand-alone referendum, held in September 1992, in which New Zealanders were asked two questions. The first question was on whether they wanted to change the electoral system. The second question, irrespective of whether or not they wanted to change the electoral system, was that if there were to be a change, which of four systems—MMP, a supplementary member system, a preferential voting system, or the single transferable voting system—would they support?

The referendum was preceded by a comprehensive public education campaign undertaken by an independent electoral referendum panel headed by the Chief Ombudsman.

Turnout at the referendum was 55.2%, and of those who voted, 84.7% voted for change in question 1 and 70.5% voted for MMP in question 2.

The second step in the process was a binding referendum held with the 1993 general election. Voters were asked to choose between first past the post and MMP. Again the referendum was preceded by a comprehensive public education campaign.

Turnout was 85.2%, and 54% voted for MMP. As a result, the Electoral Act 1993 provided for an MMP electoral system. It had already been enacted by the New Zealand Parliament in anticipation of this possible outcome and came into force by operation of law.

Preparations then began to deliver New Zealand's first MMP election in 1996. A substantial amount of work was required. Not only did the move to MMP require comprehensive revision of the systems and processes for the delivery of elections, but Parliament found the need to revisit the 1993 electoral legislation, and after select committee consideration and public consultations, amendments to the legislation were enacted in 1995.

Electoral boundaries had to be redrawn to meet the requirements of the new system. With regard to the mechanics of government formation, cabinet processes, and Parliamentary processes, consideration had to be given to the implications of coalition governments and the increase in the number of parliamentary parties that were likely likely under the new system, .

Political parties also needed time to adjust to the different requirements of the new system, including fewer electorates, new nomination processes, and the implications of the party vote for electioneering. Again a comprehensive public education campaign was required to prepare voters for the new system.

● (1920)

I now propose to move to slides 8 to 12 and to outline the features of New Zealand's system of MMP.

New Zealand's system of MMP is a moderate form of proportional representation that seeks to balance two important objectives. One is the principle of proportionality, the principle that a party's share of seats should reflect its share of the nationwide vote. The other is the need to ensure that elections deliver effective Parliaments and stable governments by avoiding the undue proliferation of very small parties in Parliament. A further objective, and one that is fundamental to the mixed member system, is to continue to have local electorate MPs. Therefore, the defining characteristics of MMP are a mix of MPs elected from single-member electorates and those

elected from a party list as well as a Parliament in which parties' shares of seats roughly mirror their share of the nationwide vote.

New Zealand has now had seven MMP elections. Each election has resulted in between six and eight parties represented in Parliament. Each election has resulted in some form of coalition government or arrangement between political parties, as is to be expected under a proportional system. Each government has retained the confidence of the Parliament throughout the parliamentary term.

Moving to slide 9, please, we see that under MMP each voter has two votes. On the left-hand side of the ballot paper, they vote for the party they most want to represent them in Parliament. Only registered political parties can contest the party vote. On the right-hand side of the ballot paper, they vote for the candidate they most want to represent them in their electorate. Candidates of unregistered parties and independents can contest the electorate vote.

Let's go to slide 10, please. New Zealand is currently divided into 71 electorates. Electorate boundaries are reviewed after every five-year population census by an independent representation commission. The decisions of the representation commission on boundaries are final. Electorate seats are won, on an electorate-by-electorate basis, on a first-past-the-post basis.

Moving to slide 11, please, we see that the party vote is counted on a nationwide basis. To be eligible for an allocation of the seats, a party must win either one electorate seat or 5% or more of the party vote. These are known as the thresholds, and they are intended to avoid the undue proliferation of very small parties in Parliament. If a party wins 40% of the party vote in an election, for example, the party is entitled to 48 seats in a 120-seat Parliament. If that party's candidates won 30 electorate seats, the party would be topped up with 18 seats from its party list to bring its number of seats in Parliament up to 48. Thirty electorate seats plus 18 list seats equals the 48 seats its share of the party vote entitles it to. If another party wins 10% of the party vote and no electorate seats, it is entitled to 12 seats in a 120-seat Parliament. All those seats come from its party list.

● (1925)

A party's list seats are allocated to its candidates in the order they appear on the party's list, excluding those who win an electorate seat. We have included in the background papers provided for members an example of the party list provided to all voters at the 2014 election.

Moving to slide 12, we see there are a number of mathematical formulas available for the allocation of seats in proportional systems, and the particular formula adopted by New Zealand is the Sainte-Laguë formula. We have included an explanation of the method in the background papers provided for members. The explanation uses the 2014 elections results, an example that I think nicely illustrates the process.

One thing to note is that the New Zealand system does not prescribe a 120-seat Parliament. The current New Zealand Parliament, for example, has 121 members. This happens when a party wins more electorate seats than it is entitled to under the party vote. When this happens, the party keeps all its electorate seats and the number of list seats allocated to other parties is increased by the number of what we call overhang seats. Hence, the current government has 121 members.

Turning to slide 14, New Zealanders have, since the adoption of MMP in 1996, demonstrated a practical understanding of how MMP works. We can see this through low levels of informal voting and relatively high levels of split voting or strategic voting—that is, a voter casts a valid party vote and then casts a valid electorate vote for a candidate from a different party. We can see this also through the fact that the overwhelming majority of voters consider the ballot paper layout to be clear, concise, and easy to use.

As illustrated on slide 16, one of the benefits advanced for proportional systems like MMP is that it leads to a more diverse Parliament than tends to result from first past the post and from majoritarian systems. Certainly, as this graph shows, the New Zealand experience is that MMP has resulted in more women and more Maori elected to Parliament, the majority of them elected as list MPs.

For example, of all members of Parliament elected to Parliament from party lists, 43% have been women; by contrast, only 24% of MPs elected from electorates have been women. Also, 21% of all list MPs have identified as Maori, compared with 14% of all electorate MPs.

Representation of Pacific and Asian peoples in the New Zealand Parliament has also improved.

By way of conclusion, I would suggest that the key lessons from the New Zealand experience are that it is possible to successfully introduce a new electoral system, but at least in the New Zealand context, the process of reform is very important to public trust and confidence in the outcome, and the process needs to involve plenty of opportunity for public input, public consultation, and public education.

Our experience is that the design and development of different electoral systems raises many points of principle and many points of detail. These points are all important to people.

Again, at least in the New Zealand tradition, final decisions are confirmed by the voters at a referendum in which they have access to all the details necessary to make an informed decision, and this all takes time.

● (1930)

Finally, our experience is that once a decision is made, the time needed for careful planning and implementation to transition to the new electoral system is not to be underestimated, not just for electoral officials but also for those involved in the administration of executive and parliamentary processes and in the administration of political parties.

Mr. Chairman, that concludes the introductory comments I wanted to make. I also am very happy to take questions on any of that or any other matter.

Thank you.

● (1935)

The Chair: Thank you so much for that very interesting description of how the electoral system works in New Zealand. It's the first time, actually, I think we've had a witness from a jurisdiction that uses mixed member proportional, so it's very enlightening.

The way we proceed is through two rounds of questioning wherein each member of the committee gets five minutes per round for questions, but that five minutes includes the answer. It's a five-minute Q and A per member, and there are two rounds, each round covering all members.

We'll start with Ms. Romanado, please.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoynes, Lib.): Thank you.

I'd like to thank you both for joining us from far away. After spending the day listening to talk about many different types of electoral reform, I think I've just received a crash course on quite a few of them.

My first question is for Mr. Rogers.

You mentioned that for your upper house, your Senate, you moved from a proportional representation to a partial representation, and you had four months to implement that. You also implemented ballot paper scanning and had to conduct a very large education campaign.

Can you elaborate a little bit on why you decided to move from proportional representation to partial representation, and can you elaborate on the decision for the ballot paper and the large education campaign that was required?

Mr. Tom Rogers: Certainly.

I should put on the record that this was a legislative change that was mandated for the Electoral Commission by the Australian Parliament, not a desire for us to do that ourselves. I'm not making a judgment either pro or anti; it was just a requirement.

There was debate in Australia about the Senate voting system at the last election. Again, I'm just reflecting. There was a concern that some members of the Senate were elected with quite a small amount of the primary vote, so a system was implemented to change the way Australians vote.

The Senate paper is very long. I think it's over a metre long. There is a line, and above that line are party names and boxes, and below the party boxes are the individual candidates for each of those parties. Previously Australians could cast a valid vote just by voting "1" above the line, and then their vote was allocated according to a pre-lodged ticket by the party. We did a very complex preference allocation according to the party's wishes.

It changed at this election. For a valid vote, a citizen had to number at least six boxes above the line or 12 boxes below the line.

In the 2013 election, 97% of Australians chose the option of just putting a number "1" in their preferred party box above the line, and only 3% of Australians voted below the line. That made the count for us significantly simpler. The count is done by state. The Senate is a states House. In New South Wales, our largest state, it meant that only 100,000 people voted below the line, but each of those 100,000 votes then had to be taken to a place we call Central Senate Scrutiny in each state and individually double-data-entered to make sure that there were no errors. It was very complex. For 100,000 ballot papers, it took a lot of time.

This time, just in New South Wales, it meant that every Senate ballot paper had to go to Central Senate Scrutiny, so it meant that we had to physically count 5,000,000 ballot papers in the one spot, just in New South Wales, with a very complex series of preferences.

I had two options. We did a big project for this. Our assessment was that for me to be able to enter the data in time to return the writ to the Governor-General, we would have to have 900 data entry operators working virtually 24-hour shifts to come close to making it—just in New South Wales—or we could implement a semi-automated solution involving scanning, but still with human involvement. It has meant that right now, as I'm speaking to you, we have, just in New South Wales, 19 scanning pods with custom-made scanners and some 300 data entry operators, who at times have been working 24-hour shifts, to enable us to double-data-enter, for integrity reasons, the Senate ballot paper.

Given that there was a change to the voting system, we ran a very large public education campaign to educate the public about how to cast a formal vote. That took TV, radio, Internet, and a whole range of other forms. It was very extensive. I would have to tell you that it was very expensive. I have not yet provided a public costing for it, so I can't provide that to you today, but it was in the many, many millions of dollars. It was to educate the public to ensure that the rate of informality remained low.

The other change, for us at least, was that for the first time ever it was a requirement for us to register party logos and for party logos to appear on the ballot paper. Again, all of this, the entire project, had to be done within four months. The figures I gave you were for one state, for New South Wales. You need to multiply that around Australia, which means that we needed to scan essentially 15 million ballot papers or thereabouts, and be able to produce an outcome from that.

● (1940)

The Chair: Thank you very much.

We'll go to Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much. Thank you to both presenters for being here today.

My questions are going to be for Mr. Peden. Just before I do that, I want to say to Mr. Rogers that I'm a former resident of New South Wales myself. I was there during one election and also at the time of the constitutional convention. I actually went to Canberra and sat in on—I think I'm right in saying this—more of the plenary session than any other non-Australian. Some would regard that as a disturbing sign of obsessive-compulsiveness.

Voices: Oh, oh!

Mr. Scott Reid: At any rate, I very much enjoyed the time I spent in your remarkable country.

Turning to Mr. Peden, I wanted to ask a few questions regarding MMP. First, just to make sure I understand this, I got the impression from your comments that it is possible for the same individual to be a candidate both in an individual electorate and on the party list under your system. Is that correct?

Mr. Robert Peden: That is correct. In fact, 70% of candidates are dual candidates, standing in an electorate and also on a party list.

Mr. Scott Reid: If you are on both, and you are high enough on the list to have been chosen, do you nonetheless get pulled off the list and wind up becoming an electorate MP? Is that how it's done?

Mr. Robert Peden: That's right.

In the background material, we provided a description of the process we use for allocating the party seats and electorate seats. It follows the Sainte-Laguë formula. Essentially we determine the total number of seats a party is entitled to in the Parliament on the basis of the share of the party vote. We then take the party list and we work through it. In the New Zealand National Party, the current main party in the government, number one on the party list is the Prime Minister, who won an electorate seat. That person does not get a list seat; he won an electorate seat. We go to the next person on the list, the Deputy Prime Minister. He also won an electorate seat. He does not get a list seat. The next person didn't contest an electorate seat and was elected from the list. This goes on until they get their fair share of the seats in Parliament.

● (1945)

Mr. Scott Reid: You say in your presentation that "MMP is a proportional system - the party vote largely decides the total number of seats a party gets in parliament".

I got the impression from your remarks that the party vote, on the left side of the ballot paper, determines entirely the number of seats that the party will be given. That is, if you get 15% of the votes on that list, you get 15% of the seats regardless of how you do in the electorates. Is that correct, or have I misunderstood?

Mr. Robert Peden: That is correct. We describe MMP as a moderate form of proportional representation. It's unlike such systems as the Israeli system. We have quite high thresholds for parties to pass before they become eligible for allocation of the seats. You have to win at least one electorate seat or 5% or more of the party vote. If you don't win an electorate seat and you win only 4% of the party vote, you don't get any seats in Parliament. If you get 5% or more, you are eligible for an allocation of list seats. If you don't win an electorate seat but you win 10% of the party vote, you're entitled to 12 seats in Parliament.

Mr. Scott Reid: Thank you. That's fine.

The Chair: Thank you, Mr. Reid.

Mr. Cullen is next.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Chair, and my thanks to both of our guests. I think this is very interesting.

We talked a little earlier with some of our expert witnesses about representation and diversity in parliament. I noticed that this was mentioned in the case of New Zealand, Mr. Peden.

Mr. Rogers, the two houses are an interesting example for us here in Canada, because you have one country and two electoral systems being used at the same time. I was sent a graph earlier today through Twitter suggesting that the representation of women in the House chosen by proportionality versus the alternative vote system is almost double. First of all, is that correct? Second, is that a more or less consistent result over time?

Mr. Tom Rogers: I would have to take that one on notice. I'm sorry; I don't have those statistics with me.

I also noticed what Mr. Peden said about the increase in diversity as a result of the voting system. I'd have to say, from the Electoral Commission's perspective, it's not something that figures in the electoral act. I know that the major political parties have each set themselves targets for diversity in various categories and report occasionally on how they're going with that, but I'm afraid I don't have those statistics for you.

Mr. Nathan Cullen: Mr. Peden, can you give us the New Zealand example? Is it mandated at all under the elections act, or is it something that parties voluntarily put forward to increase that level of diversity? I'm noticing that change over time as well with what goes on in New Zealand.

Mr. Robert Peden: One of the benefits that was advanced for MMP by the royal commission was that it was likely to result in a more representative parliament, because of the feature of the party list, and for whatever reason, it seems to be the case that it's more difficult for candidates who are women or candidates who are Maori to win in an electorate. It seems to be easier for parties to be able to put women candidates or candidates who are Maori or Pacific or Asian in winnable positions through the list. Therefore what we see in the New Zealand experience is that MMP has had the effect of increasing the diversity of the New Zealand Parliament because parties are able to put a wider range of candidates in winnable positions on the list.

One thing I would emphasize is that in our legislation there are no quotas, no requirements. This is something that is driven by political parties.

Mr. Nathan Cullen: You mentioned the incorporation of logos on the ballot. I believe this was happening in the Australian example as well. Out of curiosity, was there a particular reason? We don't do that. We have the party name alongside the candidate's name. Was the logo included for any particular reason?

Let's start with Australia and then go to New Zealand afterwards.

• (1950)

Mr. Tom Rogers: For a whole range of reasons, that's a political question, but it was to aid voter identification of the political parties. I'll leave it at that.

Mr. Nathan Cullen: In New Zealand's case, my suggestion was that it was to overcome literacy barriers or any other issue that voters faced by providing a more recognizable symbol for anyone who was struggling with literacy issues.

Was this the reason, or was there something else?

Mr. Robert Peden: It was introduced first in 1995 in the first MMP election. One of the things about MMP is that it recognizes as a system the importance of parties, so Parliament's intention was to make the ballot paper easier for voters to use by identifying more recognizably the party and also the candidate who represented that party.

Mr. Nathan Cullen: I have a last question. Is there a distinction made in the functioning of Parliament in New Zealand between so-called list MPs and MPs who are elected directly? Second, is there any distinction made—this is perhaps more a cultural question within the New Zealand community—so that list MPs and direct MPs are ranked differently or viewed differently?

The Chair: Answer very briefly, please.

Mr. Robert Peden: Formally, no: a parliamentarian elected from the list has exactly the same entitlements and responsibilities as a member elected from an electorate.

The Chair: Thank you. Thank you very much.

We'll go to Mr. Thériault.

[*Translation*]

Mr. Thériault, go ahead.

Mr. Luc Thériault (Montcalm, BQ): Thank you very much.

What strikes me in your presentations is the keen interest in education, in awareness-raising. You are ensuring that citizens are involved in those reforms. New Zealand, in particular, has an 18-month time frame between the beginning of the committee's deliberations and the submission of its report.

Yesterday, experts told us that representative democracy was a legitimate way to take action without holding a referendum. But I see that two referendums have been held in New Zealand, and they were supported through information campaigns. I assume the idea was to ensure that the people can be involved in those reforms.

Some individuals have told us today that a referendum is certainly necessary given how important the change is.

Our term will be up on December 1. I feel like we are in 1985, at the planning stage. After everyone has decided to change something, a committee is struck that will have to issue a report. But the committee will have to submit that report by December 1. It will have to consult the entire Canadian population in a few weeks.

As we know, it is not in the practice of the Chief Electoral Officer and his staff to either take sides or criticize other countries. That said, in light of your experience, would you not say that our approach is a bit reckless?

[English]

Mr. Tom Rogers: I think my friend from New Zealand should take that question.

Voices: Oh, oh!

Mr. Robert Peden: Thank you, Mr. Rogers.

I am able to speak with authority on the New Zealand context and tradition. I'm not at all in a position to comment on what might be appropriate for Canada. That is very much something for the Canadian Parliament and people.

In the New Zealand context and tradition, when a fundamental reform of the electoral system has been proposed, it has been supported by comprehensive debate and education campaigns and has been confirmed by way of a referendum.

● (1955)

Mr. Tom Rogers: I'd simply say that the Australian Electoral Commission is funded for three main functions. One is to maintain the roll, the second is to conduct elections, and the third is to ensure there's an educated electorate. We go out of our way on the third area to make sure that Australians have as much information as they possibly can have to make informed choices.

[Translation]

Mr. Luc Thériault: Thank you.

[English]

The Chair: We'll move on now to Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you.

I want to thank our colleagues from New Zealand and Australia for joining us.

In addition to being the member of Parliament here for Saanich—Gulf Islands, I'm also the leader of the Green Party of Canada, so I want you to know that I've been delighted to work very closely with New Zealand Greens such as Kennedy Graham, James Shaw, and Metiria Turei, and in Australia with Bob Brown, Christine Milne, and now Richard Di Natale. I have a rough familiarity with the voting systems from them.

That leads me to ask a question of Mr. Rogers from Australia. I mentioned the Australian parliamentarians with whom I work. As you know, they're all senators and they're elected under a system that is different from the one we spent most time on this evening. They're elected under single transferable vote. Do you have any comments on why Australia went to an elected senate with a single transferable vote system while leaving the lower house with a majoritarian winner-take-all system?

Mr. Tom Rogers: I think there were some historical artifacts there. With the Senate, I'm not sure about the way the process works in Canada, but theoretically the Senate in Australia is known as the states' house, as you may be aware, and was originally established to be a house of review for the states, so a different electoral system was developed.

Each state has a constitutionally guaranteed minimum number of senators. A quota system was developed to help fill that number. The only difference is that each of the six states has 12 senators who complete a full term of six years, and the two territories—the Australian Capital Territory, where Canberra is, and the Northern Territory—have two senators who complete a three-year term. It's just a different process that emerged, and people seem broadly comfortable with it, as noted in the comments I made previously about the recent changes to the Senate electoral system.

Ms. Elizabeth May: Thank you, Mr. Rogers.

I'll turn to Mr. Peden. One of the unique characteristics of the New Zealand system is having specific seats and districts designated for indigenous peoples, for the Maori people. How does that work? How do you determine them? Is it a geographical Maori district? Is it seats reserved across the country for Maori people? I know, of course, that Maori candidates are electable under the other seats as well. Could you shed some light on how Maori representation works?

Mr. Robert Peden: There have been separate Maori seats since 1867 in New Zealand. People who identify themselves as being of Maori descent are eligible to enrol either on the general roll or on the Maori roll. Depending upon the exercise of that choice, when it comes to defining the boundaries, we have a Maori electoral population and a general electoral population. New Zealand is divided into 64 general electorates and seven Maori electorates. The number of Maori electorates will increase depending upon the choices exercised by people of Maori descent as to whether they want to go on the general roll or the Maori roll. All electorates represent the same number of people, so there are seven Maori electorates because, if you divide the Maori electoral population by the electoral quota, you get seven.

Does that answer your question?

● (2000)

Ms. Elizabeth May: It's very, very helpful to have the historical understanding that it dates back to 1867.

I also wonder this. You mentioned that you've done a lot to educate the New Zealand population about the electoral system. I'm wondering what you regard as the most effective methods of education that New Zealand undertook to change from our current system of first past the post, which we want to remove, and move into proportional representation. What were the most effective ways in which this transition was made in terms of public education?

The Chair: Answer briefly, please.

Mr. Robert Peden: In relation to the decisions made in 1992 and 1993, they were in the context of ongoing debate that had been under way since the mid-eighties. This was an issue of much public discussion.

The Chair: Thank you very much.

Go ahead, Mr. DeCoursey.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much.

Thanks to you both for joining us from afar.

I'll direct my first question to Mr. Peden. My colleague Mr. Cullen asked about the differences in theory and perhaps in practice in the role that MPs from an electorate may play versus the role of MPs from a list. Adding on to that, is there any evidence to suggest that the public perceives a difference in their roles or that they interact differently with the two different types of MPs?

Mr. Robert Peden: List MPs often attach themselves to particular areas or particular constituencies, but in terms of public perceptions, I think it's fair to say that there is evidence that the New Zealand public regards electorate MPs, the people they can go to, as having a higher status than list MPs. However, this is an evolving situation.

The other thing that's been found in research is that when people are asked about particular MPs, whether they're list or whether they're electorate, if they know them and they deal with them, questions of whether they're a list MP or electorate MP are less important.

Mr. Matt DeCoursey: What sort of evidence do you have on how complete or partial ballots are filled out under the MMP system? What percentage of voters check both sides, check one side, check the other side, or spoil the whole thing?

Mr. Robert Peden: We have very comprehensive data on that because we report on the level of informal votes.

Somebody can cast a party vote and not mark a candidate, so that's a valid party vote and an informal candidate vote. They can also—although this happens less—mark their candidate vote but not the party vote.

On average, about 0.45% of party votes are informal and just over 1% of candidate votes are informal, so the level of informal voting is very low. The level of candidate informal voting is higher because often people will find a party they want to vote for but don't have a candidate standing in the electorate for the party that they want to vote for. As a result, often you will find that the party vote side of the ballot has been marked but the candidate vote side has not.

At the 2014 election, 31% of New Zealanders voted strategically; in other words, in the party vote they voted for a certain party and in the candidate vote they voted for someone from a different party.

Mr. Matt DeCoursey: Is there any perception of a difference in legitimacy of candidates who appear on a list but don't run in an electorate, versus those who appear on a list and do run in an electorate, whether they win or lose the electorate and are then given a seat on the list?

• (2005)

Mr. Robert Peden: There have been very high-profile politicians who were list only—for example, the current Deputy Prime Minister is list only, and a previous Deputy Prime Minister and Attorney General was a list MP—so I don't think so. Often if a member of Parliament has aspirations of being a Speaker, they will seek a list-only role.

Mr. Matt DeCoursey: Okay. Thanks very much.

Perhaps I'll turn to Mr. Rogers in the brief time I have left and I can follow up again later.

What level of exercise do voters provide for preference one through four, one through five, one through six, or whatever it might be, in the alternative vote for the lower house?

Mr. Tom Rogers: If you're talking about the overall level of informality, I think it's about 5% nationally. We, like the New Zealanders, do a very comprehensive survey after each election to work out whether those votes were deliberately informal or accidental. Our research shows that the vast majority are accidental. It's very clear when people deliberately leave all the boxes blank or write special messages for either the Electoral Commission or members of Parliament on the ballot paper, but that's a different thing.

The Chair: Thank you very much.

Go ahead, Mr. Kenney.

Hon. Jason Kenney (Calgary Midnapore, CPC): Thanks to both of our expert witnesses from the Antipodes. Thanks for your time.

The first question I have, for Mr. Peden, is with respect to the development of the current system in New Zealand. Please correct me if I'm wrong, but I understand that in 1992 there was a referendum on the general question about whether or not to pursue a different electoral system, and then options were given in a subsequent referendum in 1993, after which the current system was adopted, which was then further tested by a subsequent referendum in 2011. Is that correct?

Mr. Robert Peden: Not quite.

The referendum in 1992 was a two-part question. The first question that was posed in 1992 was whether they wanted to retain the current system of first past the post or change it. The second part of that 1992 referendum asked them to indicate which of four options they would prefer if there were to be a change.

Then, at the next general election in 1993, because the majority of people who participated in the 1992 referendum voted for change, there was a binding referendum in the 1993 general election.

The 2011 referendum was an opportunity for New Zealanders to, in the words of the Prime Minister—"check the tires" and decide whether or not, after six MMP elections, they continued to be happy with MMP or they wanted to consider a change. That was also an indicative referendum.

Hon. Jason Kenney: Is the New Zealand electoral system entrenched in statutory or in constitutional law?

Mr. Robert Peden: There is a provision in the Electoral Act 1993 that provides, for some parts of the Electoral Act, a requirement that for amendment to be made, it requires either a 75% majority of Parliament or a majority of voters in a referendum. You can find that at section 268 of the New Zealand Electoral Act.

The things that are covered are the term of Parliament, the makeup of the Representation Commission, the process for determining boundaries, the voting age, and the method of voting. Those are some of the things that are prescribed as requiring a special majority before they can be amended.

Hon. Jason Kenney: So it's statutory, but insofar as amending these provisions requires a super-majority, they might be referred to as quasi-constitutional.

• (2010)

Mr. Robert Peden: Well, I think we would regard the Electoral Act as a constitutional document. Unlike Canada, what we have in New Zealand is a Bill of Rights Act, but it is not a supreme law in the way that your Constitution is.

Hon. Jason Kenney: Right; it forms part of the unwritten constitution.

Mr. Robert Peden: Yes, it does.

Hon. Jason Kenney: Thank you.

Mr. Rogers, could you answer the same sort of question about whether electoral law in Australia is of a constitutional or an ordinary statutory status?

Mr. Tom Rogers: Essentially, it's an ordinary statutory process. In fact, the recent major change to the Senate legislation was passed with a majority from both houses of Parliament.

Hon. Jason Kenney: I understand from a witness we had earlier today that in recent years the ACT, the Australian Capital Territory, held a referendum on a change to its electoral system. Is that correct?

Mr. Tom Rogers: I'm sorry. States and territories have their own electoral commissions and we love each other like brothers and sisters, but I am not particularly aware of what they may or may not have done in the ACT.

Hon. Jason Kenney: The commonwealth system was effectively adopted nearly a hundred years ago. Is that right?

Mr. Tom Rogers: That's correct. It was upon federation.

Hon. Jason Kenney: Right.

While I gather there's no law requiring a referendum for amendments to the electoral system, would it be fair to say that there would be a widespread public and political expectation that any significant change to the electoral system would require approval through a referendum or perhaps through something like a super-majority, as is the case in New Zealand?

The Chair: Give a brief answer, please.

Mr. Tom Rogers: Again I'm not trying to be unhelpful, but I think that's more of a political question. I relate back to the recent changes to the legislation that occurred only some three months ago. That was a simple majority in Parliament and a major change to the legislation.

The Chair: Thank you.

Go ahead, Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

I'd like to start with Mr. Rogers from Australia. The first question that comes to my mind is why there are different systems for the Senate and the House of Representatives. Also, has there in your opinion been a lot of debate about moving towards one system for both? What's the reasoning for this, and what are the pros and cons?

Mr. Tom Rogers: If we go back in history with the Senate system, one of the reasons that the current Senate system has developed is that at various times there has been quite a high level of

informality in the Senate vote. I'm looking here at some dates. I think we went to what we would recognize as the modern Senate voting system in about 1948, with some changes in 1984, and it was in response to the complexity of the Senate ballot paper. It's still a complex ballot paper with many candidates and each state paper is different, so I can't give you the statistics for this in any meaningful way.

That's why we went to that system. There has been no overarching public debate about bringing both of these systems into line, and it would be very difficult to do. People broadly accept where we are. The level of informality still remains an issue in both houses, as far as I'm concerned. We've just completed, or are in the process of completing, a recount for one seat in the House of Representatives for the election we've just run, and I think the level of informality was close to 7% in that particular election. It was quite high. We try to work to bring it down as low as possible.

There is, then, no great public clamour for those two systems to be the same, but there were changes recently to try to make the Senate system clearer for the public.

Ms. Ruby Sahota: Clearer? How so? Has there been confusion?

I know you have mandatory voting and everyone has to go out, so how can you tell that there's been confusion?

Mr. Tom Rogers: Part of the debate that occurred in Parliament here was on the fact that previously we had the ability for citizens to vote "1" above the line in the Senate and their vote would then to be transferred according to a very complex preferential system with each party. This system was linked to what some people perceive to be odd results, with some senators being elected with a very small primary vote.

Parliament mandated the changes to the Senate voting system to give people more control over where their preferences went. That's probably a better way of describing it.

• (2015)

Ms. Ruby Sahota: Okay.

We talked to academics from Ireland and other academics throughout the day, and there was a lot of talk about mandatory voting and that it could lead to...no offence, but "donkey voting" is what they were calling it. The idea was that we shouldn't be forcing people to vote if they choose not to vote. If they're not educated on the matter, then what good is their vote?

What is the perception of that? From your perspective, how do you feel about your mandatory voting system and the results you receive?

Mr. Tom Rogers: I think I mentioned previously that our consistent data shows that over 70% of Australians support compulsory voting. I think we had about 90% turnout in 2016, the election just past. It does have an impact. I don't have statistics about donkey voting.

From time to time, some people say they don't like compulsory voting. There are some members of Parliament who don't like it. There is a debate that's fairly low level; however, broadly, there is large-scale support among the populace for the current system of voting.

Ms. Ruby Sahota: How much more time do I have?

The Chair: You have about 35 seconds.

Ms. Ruby Sahota: Okay.

Mr. Peden, I want to follow up on my colleague's question about the electorate system and then the list system. A candidate who loses in the electorate system could then possibly be chosen in the list system.

You spoke a little about legitimacy. I think that's the one scenario that plays in my mind that may question the legitimacy of that particular candidate. Overall, the party, of course, has received that percentage of votes, so you would want that many members representing them under your system. However, for that particular candidate, since he has lost, there has been some will to not elect him and see him serving as a member of Parliament.

Is there illegitimacy when you see that happen?

The Chair: Briefly, please.

Mr. Robert Peden: Indeed, the royal commission saw the capacity of people to stay on a list as well as be an electorate candidate to be one of the real strengths of mixed member proportional representation. It enables parties to have strong candidates contesting an unwinnable electorate but being able to be elected through the list, thereby improving the overall quality of the electoral contest.

The Chair: Thank you.

Mr. Blaikie is next.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): Thank you very much for joining us for what is our evening and for talking about your various electoral systems.

One of the witnesses we heard today, who is not an advocate for any form of proportional representation, said that one of the real dangers—and he seemed quite worried about this—was that under a proportional representation system of any kind, you would get a serious fracturing of the political landscape. He went so far as to suggest that every major municipality in Canada would develop its own political party that simply put the interests of that municipality first.

In New Zealand under the MMP system, or in Australia for the upper chamber, I'm wondering, is it the case that every major municipality in your country has its own political party that simply puts the interests of the municipality first? Was that a consequence of adopting the new system?

Mr. Robert Peden: Well, the MMP system relates only to Parliament and the New Zealand Electoral Commission is responsible only for parliamentary elections. We don't govern local body elections.

As I said in my opening remarks, there have been seven Parliamentary elections using MMP, and there have been six to eight

parties represented in each of those Parliaments. Each of those Parliaments has been able to form a stable government and to retain the confidence of the House throughout the parliamentary term.

● (2020)

Mr. Tom Rogers: I think the party system in Australia is quite strong, with four major parties and a number of minor parties. Even the Senate, which is a states house, is essentially run along party lines, and the party system is strong. What you refer to has not been the experience in Australia. I would say it's probably the same at the state level and less so in local or municipal government.

Mr. Daniel Blaikie: So even in the New Zealand case, switching to a proportional system didn't mean the end of national parties. National parties continue to be relatively strong and haven't been usurped by regionally interested parties.

Mr. Robert Peden: No.

Mr. Daniel Blaikie: I'm curious about the Australian case because the two houses are elected by different methods. Is there a sense in Australia that the verdict of the house that's elected by the alternative vote system is more legitimate? Do Australians relate differently to the two houses based on the way that those seats are elected?

Mr. Tom Rogers: Australians are conscious of the role of the two houses, but Australians respect both of them. I'm giving you an answer that I gave before my joint select committee, which has both senators and members in it.

Mr. Daniel Blaikie: In Canada it's usually thought that the Senate, because it's not elected, should not impede the will of the lower house in any significant way. There's no corresponding priority rule in Australia, given the different way they're elected. Is that right?

Mr. Tom Rogers: Government is formed in the House. The upper house is an elected house, and it's a requirement for legislation to have a majority in both houses. Government has to work with that.

Mr. Daniel Blaikie: How does the government relate to that second house? The government is formed in the lower house, presumably on a majority or as a result of a coalition or as a minority government supported by other parties. How does it represent itself in the other house? Is it often the case that the governing party in the lower house will have something near a majority in the upper house?

Mr. Tom Rogers: Actually, in the last few years there was the reverse of that. The government may have a majority in the lower house or a coalition to deal with, and the upper house will have to rely on some pretty strong negotiations with a range of parties to get its legislation through.

There are ministers in both houses. You can be a senator and still be a minister. I can't remember the last time a government had a majority in both the House and the Senate, but it would have been quite a few years ago.

[Translation]

The Chair: Thank you.

It's now Mr. Deltell's turn.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you very much, Mr. Chair.

Gentlemen, I'm very honoured to be speaking to you. We are here, in Ottawa, and you are in Australia and New Zealand. This shows how strong the Commonwealth is.

[English]

Mr. Peden, it's a real pleasure to talk to you in the first round. In the second round, I will have the privilege of speaking to Mr. Rogers.

Mr. Peden, your country has undertaken a long journey to achieve what you have done in the last two decades, which all began with the royal commission in 1986. We're talking three decades. I would like to know why you took 18 months to complete your work on this royal commission. Why was it 18 months?

Mr. Robert Peden: The terms of reference of the royal commission were broad. They included consideration of the electoral system and many other matters of democracy, and the report was broad-ranging. It began by identifying 10 criteria by which they would judge electoral systems. In the material we have provided to the committee, we included the report that the electoral commission undertook in this review of MMP in 2012.

We reported to the New Zealand Parliament. We attached as an appendix to that report the 10 criteria that the royal commission used in judging different electoral systems. I would recommend it to the committee. Notwithstanding that this report was undertaken 30 years ago, it remains a very relevant and helpful piece of work. The report in general would reward your consideration.

It took 18 months because it's a comprehensive and thorough piece of work that included considerable public consultation together with visits to international jurisdictions.

● (2025)

Mr. Gérard Deltell: You achieved a lot in 18 months. You were very busy, but you were very effective.

What surprises me is that it took almost 15 years to put the question to the people before a decision. Why so long?

Mr. Robert Peden: From 1985 to 1993 the two major parties that were then in Parliament supported first past the post, and as I said in my introductory comments, there was considerable public and political debate between the royal commission report in 1986 and the decision in 1991 to introduce legislation to provide for a referendum in 1992, which initiated the process that saw the adoption of MMP in 1993 following a binding referendum, and then the first MMP election in 1996.

One other thing I would say, sir, is that after the decision to move to MMP in 1993, it was a very busy three years preparing for the first MMP election in 1996. A lot of work had to be done.

Mr. Gérard Deltell: Just before going to the three full years for preparation, let's get back to the two referenda, not referendums. In French we say *référendums*, even if we are talking about two referenda, but I learned that in English it's like Latin, and it's "referenda". It reminds me of 1976, when I had some Latin lessons in high school.

You had two referenda. Why two?

Mr. Robert Peden: The first referendum was to provide New Zealanders with the opportunity to indicate whether they wanted change, and if they did want change, which alternative system they would prefer.

Mr. Gérard Deltell: I recognize again that you took your time because it's a very interesting and very important issue in democracy.

Then you took three full years before—

The Chair: We're almost done, Mr. Deltell.

Mr. Gérard Deltell: Okay, so I'll come back in the final minutes. Thank you.

Thank you so much, sir.

The Chair: Go ahead, Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

I'm going to pose one quick question for each of you, but they're different questions. Then I have something that I'm hoping will take a bit more time.

I'll go to Mr. Rogers for the first one. The issue I want to look at is mandatory voting.

When I was out door-knocking during our election campaign, I came across two religious groups that do not vote. I wonder, in your case, if you have any sort of allowance for circumstances in which people, for religious reasons or others, do not support voting. How do you deal with that?

Mr. Tom Rogers: There is no blanket exclusion from mandatory voting, but the electoral act is clear that you may be able to provide what is referred to as a "valid and sufficient reason" for not voting, and generally a religious conviction would be one of those valid and sufficient reasons.

Mr. John Aldag: What else would fall into that kind of category related to mandatory voting? Sorry; I'm going into a second question, which I wasn't going to do, but I'm interested.

Mr. Tom Rogers: No problems.

It's written in a way that the valid and sufficient reason is at the discretion of the local divisional returning officer, but essentially the reasons are that you were not able to be released from work that day, you were ill, or you were genuinely travelling. A whole range of things may be valid and sufficient reason for not voting.

The way that's uncovered is we write to every non-voter after the election and they write back to us and explain why they may not have voted.

Mr. John Aldag: Could physical or mental incapacity be reasons?

● (2030)

Mr. Tom Rogers: That is correct.

Mr. John Aldag: Okay. Thank you.

Moving to Mr. Peden, I want to pick up on Ms. May's question on the Maori seats. You've indicated that the specific seats have been in existence since 1867. Has it always been seven Maori seats, or is it based on percentage of population? Do they grow over time or change over time?

Mr. Robert Peden: They grow over time.

In 1867, four seats were established. There continued to be four seats up until 1993. That was the first occasion when the number of seats would grow according to population. Since then the number of Maori seats has grown to seven.

Mr. John Aldag: Along with that, you indicated that there is not a constitution in the way that we have one, but those seats and that growth would be protected in some sort of legislation or a constitutional equivalent. Is that where those come from?

Mr. Robert Peden: No. There is an entrenching provision in the Electoral Act, section 268. It only entrenches a limited number of provisions, and the number of Maori seats and the distribution of Maori seats is not one of those entrenched provisions.

Mr. John Aldag: Thank you.

Here's a question I'd like to throw to both of you. You seem to have, in the case of New Zealand, a new system that you brought on board, and in Australia, it seems a bit of a complex system to somebody coming into it. Building on Ms. May's earlier questions about education, how do you build voter awareness and support?

I'd like to hear from both of you briefly about what sort of education campaigns are used, or perhaps what role the state plays in helping people shift to understand these kinds of changes as they take place over time.

Mr. Tom Rogers: I'll start off, if that's helpful. Briefly, we do a number of different things. First, we run a national electoral education centre in Canberra, and more than 100,000 school kids a year come through that centre. We reach out to schools and run elections in schools—not all schools, but the schools that want us to do that—and there are a range of other factors focused on youth.

At each election, we run a significant electoral education campaign based both on awareness of the election and on how to complete a valid vote. We use a range of media: social media, advertising, TV, radio, etc. For the recent change to the Senate, we did a separate campaign to alert the public to those changes. Again, it was a very comprehensive, targeted campaign.

We do those sorts of campaigns at every election. We also provide other services at election time, including language-appropriate voter information officers in polling places where there may be a heavy element of people with English as a second language, etc.

Mr. John Aldag: Thank you.

Mr. Tom Rogers: All significant materials are translated into about 28 different languages.

The Chair: We're out of time, unfortunately, on this one, but we'll jump now to our second round, beginning once again with Ms. Romanado.

Mrs. Sherry Romanado: Thank you so much, all.

Actually I'll ask Mr. Peden from New Zealand if he could respond to my colleague's question regarding educational outreach. I know that Ms. May also asked this specific question.

You didn't have a chance to answer, so if you could elaborate on that aspect, that would be great.

Mr. Robert Peden: Sure. In relation to the previous question, before every referendum on the electoral system, there were

comprehensive campaigns delivered by independent panels. For the referendums in 1992 and 1993—remember, this was before the Internet was really a thing—public education campaigns focused on radio, TV, newspaper, and brochures. There was a brochure delivered to every household.

For the education campaign delivered before the 2011 indicative referendum on the voting system, the electoral commission was responsible for delivering the education campaign there. We recognized that different people would have different interests and information needs, so we used a variety of channels and a variety of levels of detail of information to cater to the variety of needs we knew would be out there.

Mrs. Sherry Romanado: That's great.

I have one question for Mr. Rogers. You mentioned that at the federal level folks can send in their votes 13 days after election day and there are millions of ballots to be counted and so on.

How long does it take from the day after an election to get the results? We heard from Ireland that they love the 24 to 36 hours of intense election day results, but if we're talking about two weeks, I think my nerves would be shot, so I'm curious about the turnaround time to get an election result.

● (2035)

Mr. Tom Rogers: Certainly the 2016 election is the gift that keeps on giving in that regard.

In most elections in which the result is clear, the result of the primary vote on the night of the election makes it clear as to who will form government. It only takes longer when the election is very close, when it comes down to a couple of seats, and this election is one of those. The government has already been formed and has been formed for a couple of weeks, but it's down.... The seat that we're now recounting is a very critical seat. Government has a one-seat majority, so every seat is important.

However, in most elections, people will go to bed at some point knowing the result.

Mrs. Sherry Romanado: I have one last question.

You also mentioned that in your compulsory voting, you get some data through a third party. For instance, you use driver's licence information. Here in Canada we have various jurisdictions, and driver's licence information would be under provincial jurisdiction, so there would be some issues in that respect.

If we were to do something like compulsory voting, how would we capture this information while respecting the jurisdiction of the provinces?

Mr. Tom Rogers: Driver's licences in Australia are one of those things for which there is a common database. This one is called NEVDIS, the National Exchange of Vehicle and Driver Information System. For other sources of data, sometimes we have to have individual agreements with the states. This is for births, deaths, and marriages data. However, we use—I don't know what the equivalent is in Canada—Centrelink data, the data on our unemployment benefits and those sorts of issues. We get that data federally. Passport data we get federally. We use all of that data to help us work out who's entitled to be on the roll. When that data provides the information, we then contact those individuals.

Mrs. Sherry Romanado: Do I have any more time?

The Chair: Yes, you have about 45 seconds.

Mrs. Sherry Romanado: Okay. You know what? I'll leave it for another.

The Chair: Okay, we'll throw it into the pot.

Go ahead, Mr. Reid.

Mr. Scott Reid: Thank you very much.

I thought this time I might start with a question for Mr. Rogers.

I'll start with this. In the most recent election, votes for senators were done using an optional preferential system, in which I gather the key change from past practice is that you do not have to fill out every single name if you're voting below the line. Is it still the case that for House of Representatives seats, there is still a full preferential system, and you must fill out every name or your ballot will be rejected as informal?

Mr. Tom Rogers: Essentially that is correct.

Mr. Scott Reid: Okay.

You mentioned that there's a 7% informal vote in the Division of Herbert, where currently there's a recount under way in order to determine the winner. Is it possible for you to tell what share of that 7% is the result of voters not having filled out all of the ballot, as opposed to other causes? You mentioned other information being added to the ballot and that sort of thing, but can you tell?

Mr. Tom Rogers: Yes, we will. Once we've finished the entire process, we'll go back and do a survey of those ballot papers. We'll be able to tell what's deliberate and what's not, and we'll make an estimation about what that is.

Mr. Scott Reid: All right. Thank you.

I wanted to ask Mr. Peden a question on the subject of overhangs.

I think I'm correct in saying that of the various alternatives to Canada's first-past-the-post system, the one that has the most organizational momentum, if that's the right way of putting it, is a mixed member proportional system. Your country is frequently cited as an example that Canada ought to follow. As a practical matter, however, we are a federal system, and the number of seats that is assigned or allocated to each province is constitutionally laid out. It doesn't mean you couldn't have MMP operating at the federal level; it's just that you'd have to treat each province as a little New Zealand.

The number of seats per province is absolutely critical. For example, it actually says in our Constitution that there are 78 seats for the province of Quebec, and some of the other provinces have

similarly constitutionally entrenched numbers. I raise all of this because it means that the issue of overhang seats becomes constitutionally problematic for Canada, and this question therefore arises: are there examples of mixed member proportional systems that do not involve overhang seats?

If such a creature exists, then that solves our problem. I realize you don't have that in New Zealand, but are you aware of that existing?

• (2040)

Mr. Robert Peden: I'm not aware of it. I know that the German system is federal system, and they have a provision of overhang seats. In the New Zealand context, one of the recommendations that the Electoral Commission made in 2012 to the New Zealand Parliament was that the one-seat threshold, which currently exists, should be abolished. If that recommendation were to be adopted, one of the consequences would be that the number of overhang seats might increase to an unacceptable level. We therefore recommended that provision for overhangs be removed. Our advice, on the analysis that we did, was that the impact on proportionality would be minor.

Mr. Scott Reid: It would be minor?

Mr. Robert Peden: It would be minor. The short answer is that it would be possible to have any of these systems that don't provide for overhangs and you'd be able to do the analysis, which can give you insight as to what impact it would have upon proportionality.

Remember that MMP is a moderate form of proportionality. It's not an absolutely pure system. There will be levels of disproportionality, and the question will always be how acceptable that is and where it would fit in the balance between proportionality and the desire for stable, effective parliaments and stable governments.

The Chair: We'll move on to Mr. Cullen.

Mr. Nathan Cullen: Thank you, Chair.

Mr. Rogers, earlier today we heard from some Irish experts that when looking at another country's electoral systems, it's often commented that understanding how the ballot works from the outside appears very complicated and difficult. There's often a fear expressed by those who seek not to have electoral reform take place that any new system brought in will be so complicated that people won't understand it and in a sense might be disenfranchised because they don't know how to perform their enfranchisement the way they want.

You've made changes. Has there been any evidence, perhaps not in this past election—it may be too soon to tell—but in previous elections, that the complexity of the system has led to lower voter turnout or to more of these ballots that we've talked about not being able to be registered? Has there been any evidence? Have you looked for any? Does anyone do any research to find out whether the complexity of the system has led to any negative consequences?

Mr. Tom Rogers: It hasn't affected turnout, because we have mandatory voting and mandatory enrolment.

Our research shows that there are three factors that impact upon informality. One is those electorates in which there is a high level of English as a second language. The second of those factors is simply having a large number of candidates on the paper. Specifically for Australia, the third factor is having our electoral event occur close to a state electoral event that may use a different voting system.

There are, then, three factors that impact upon informality, but with the recent change to the Senate we really have done a very extensive education campaign. The initial results show that people were well aware of what the requirement was, but we'll have to do a wash-up at the end of it to see whether the informality rate for voting for the Senate increased at this election.

Mr. Nathan Cullen: That entire campaign from start to finish was, education-wise, a process of more than four months, so people were able to pick it up in time and exercise their rights.

I want to turn to online voting for a moment. I don't know whether it was in the beginning presentation or in response to a question, but you commented that there were massive costs and unacceptable security risks.

Where does that comment come from? Is that a personal observation? Is it something Australia has looked at in any specificity? It is one of the things this committee is charged with doing here in Canada.

• (2045)

Mr. Tom Rogers: No, that certainly wasn't personal; it was from a 2014 report of the Australian Parliament's Joint Standing Committee on Electoral Matters, which is our parliamentary oversight committee. They did a comprehensive hearing into this topic and have written a comprehensive report on it. That quote came from that report, in which at that point in 2014 they acknowledged that whilst it may be inevitable at some point, they pointed out the significant risks that might accrue from electronic voting or Internet voting if it weren't done properly.

Mr. Nathan Cullen: The question around this is a risks-versus-rewards question. Those who have promoted or proposed online voting have suggested what rewards there may be—ease, younger demographics becoming more engaged, higher turnout potentially—versus the risks that are in place. These may involve a lack of confidence on the part of the electorate as to what the results actually are, and we've heard a number of times already about counting physical paper ballots and whether, if the ballots are scanned, there's some physical back-up mechanism to give people confidence. Another risk is that the system might be hacked. The risk of an electoral system actually being hacked and the consequences of that would be difficult to ever know, and you could have in effect illegitimate government.

Is that what the committee struggled with or addressed in their report?

Mr. Tom Rogers: I think you summarized the two camps. One of the quotes from the report was that younger people allegedly would prefer to be online rather than in line and queuing up at a polling place, but there are also those risks and rewards that you pointed out.

Mr. Nathan Cullen: Here is a question to Mr. Peden regarding the lists.

One opposition to the idea of having party lists concerns the party's control, the idea that effectively, in some backroom somewhere, each of the parties is constructing this list. There is a certain feeling that people are being undemocratically placed, very much as our Senate is right now.

Has New Zealand looked at other ways for this list to be constructed? We've had the suggestion of regional nomination meetings that would be done through a democratic party process. Has New Zealand looked at any of those other approaches, or is it simply done party by party by their own preference?

The Chair: Briefly, please.

Mr. Robert Peden: The question of an open or closed list is something that has been considered throughout, from the 1985 commission throughout. Currently party lists in New Zealand are closed. When we looked at it, our conclusion was that any benefit to be gained in voter choice through open or semi-open lists was outweighed by the resulting complexity. However, there is a provision in the New Zealand legislation that requires parties to have democratic processes in the selection of party lists.

The Chair: Thank you.

[*Translation*]

Mr. Thériault, you have the floor.

Mr. Luc Thériault: I have a few quick questions.

Mr. Rogers, there are two voting methods for forming the Senate and the House. Does that affect the percentage of independent candidates, be they senators or MPs?

[*English*]

Mr. Tom Rogers: It's hard for me to answer that question other than to say that the number of candidates who are standing for the Senate vacancies continues to increase. The Senate ballot paper is becoming very complex. I think at the election we just had, the font size for the New South Wales Senate ballot paper was either six or seven, which is very difficult to see, to the extent that we had to provide plastic magnifying sheets in the polling place to cope with the size of the ballot paper.

[*Translation*]

Mr. Luc Thériault: This may have already been mentioned, but if so I missed it. Can you tell me what the voter to member ratio is?

• (2050)

[*English*]

Mr. Tom Rogers: The size of the electoral roll is at this stage 15.6 million people. There are 150 members of the House of Representatives and 76 senators.

[*Translation*]

Mr. Luc Thériault: Okay.

I will tell you about a situation I am familiar with. In Quebec, an attempt was made to reform the voting system between 2003 and 2007. One of the criticisms of the first-past-the-post system was that the party line was rigid.

Mr. Peden, did you hear the same criticisms during the debates that yielded the voting system reform? If so, was the rigidity of the party line behind them?

Could the same difficulty arise with coalition governments?

[English]

Mr. Robert Peden: I think the question you asked, sir, would really be better directed at a political scientist or a political commentator rather than an electoral administrator.

[Translation]

Mr. Luc Thériault: I wanted to know whether the population expressed the same sentiment with regard to the rigidity of party lines during the deliberations that led to the voting system reform. I assume that is recorded in your documents.

That is the first part of my question.

[English]

Mr. Robert Peden: It was the case that the impetus for electoral reform, beginning in the 1970s and early 1980s, was around dissatisfaction with the way in which first past the post was operating in New Zealand. Neither of the two main parties, which continue to be in existence and now are operating very successfully under the mixed member proportional system, advocated moving to a proportional system. Notwithstanding that, we went through a process that saw the New Zealand public have a say, and they exercised a choice to move to MMP. That was the New Zealand experience.

The Chair: Thank you. We're more or less out of time.

[Translation]

We will now go to Ms. May.

[English]

Ms. Elizabeth May: Thank you.

Thanks to Mr. Thériault, I have a segue into the question I want to ask Mr. Peden.

In the deck that you've provided to us, page 5 starts with this issue of voter dissatisfaction with first past the post in New Zealand, saying it had intensified after the 1978 and 1981 general elections. I wonder if you could tell us how first past the post operated in 1978 and 1981 and the nature of perverse results that led to the voter dissatisfaction.

Mr. Robert Peden: Well, in the 1978 election at least, at a national level the nationwide vote was in support of the party that didn't form government. In other words, you had the wrong-winner scenario, which sometimes occurs under majoritarian systems.

Ms. Elizabeth May: On another of your charts, the one at page 15, we see the diversity in Parliament over the years 1990 to 2014 and the spike in diversity of Asian, Pasifika, Maori, and women representation. What would you say the chances are that the increase was pure coincidence after adopting MMP?

Mr. Robert Peden: I think the chance would be very low, and I direct you to slide 16, which shows the same information but takes account of the impact of the list and where people are elected from. What you can see when you look at that slide is that women are predominately elected from the lists. Of all MPs elected to Parliament, 43% were elected from the party lists and only 24% were elected from electorates, and so—

• (2055)

Ms. Elizabeth May: That's terribly helpful—oh, sorry, continue; I didn't mean to cut you off.

Mr. Robert Peden: I was just going to conclude that I think that demonstrates the impact of party lists enabling parties to put women, Maori, Asian, and Pacific people in electable positions into Parliament.

Ms. Elizabeth May: Thank you.

I don't think any of the questions this evening—and forgive me if I've missed one—dealt with the issue of voter turnout. Has New Zealand experienced any change in voter participation since adopting mixed member proportional?

Mr. Robert Peden: New Zealand has been experiencing a significant decline in voter participation since the early eighties. There was a spike in participation in 1996 and 1999, but since then the overall trend of declining participation continues, which is of concern to the commission, to the New Zealand Parliament, and to the government.

There has been research on the impact of the change in participation by Professor Jack Vowles; it indicates that the change to MMP has had a neutral effect on participation.

Ms. Elizabeth May: Was the initial spike viewed as associated with voter interest in MMP, or was it seen as not connected?

Mr. Robert Peden: I think it was interest in the MMP. We survey voters and non-voters after every election, and the reasons given for not voting are that people don't believe their vote is important or they aren't interested in politics. It amounts to people not valuing democracy and not valuing their vote.

The New Zealand Electoral Commission has done a significant amount of work around voter participation in New Zealand and what's driving it and what we might do about it. It's information that we can provide to the committee, if it's of interest.

Ms. Elizabeth May: Yes, I think that might be of interest, if it was possible to have further information come to us. We've heard a lot of witnesses say that regardless of the voting system, there's going to be a small increase in voting, if anything, under mixed member proportional or STV proportional systems, and that in western democracies generally, interest in politics per se is on the decline, which I think is very troubling.

Is that your experience? I ask that of both Australia and New Zealand, if there's any time left to say anything.

The Chair: Very briefly.

Mr. Robert Peden: I think the point you make is right. It's an issue of concern generally to western democracies.

Mr. Tom Rogers: Clearly we're in a different position with mandatory voting. We've taken a slightly different perspective. In the last election, we prosecuted more people for non-voting than we've ever done previously. We are dealing with it slightly differently.

The Chair: Thank you.

Go ahead, Mr. DeCoursey.

Mr. Matt DeCoursey: Thanks very much again. I'll start with Mr. Peden again this time.

We've heard from some witnesses of the need for reform to be delivered in a "made in Canada" style should we go that route here, and that we should be considering certain values that underpin any system that we may propose. Given the differences in the geographic reality here, Canada being upwards of nine million kilometres square and New Zealand 270,000 square kilometres; the differences in population, 35 million to just under five million; and the differences in divisions of power, the constitutional differences, what values underpin the system in New Zealand and where are some of the compatibilities to Canada?

• (2100)

Mr. Robert Peden: Again, what I would do is commend to the committee the 10 criteria that were identified by the royal commission in 1985 for judging electoral systems. When the New Zealand Electoral Commission came to reviewing MMP in 2012, we referred to those, and we found them to continue to be relevant. They are available as appendix B in the 2012 report that has been provided to the committee.

They include things like fairness between political parties, recognizing the fact that political parties are an important feature of modern politics, although the first-past-the-post system, for example, operates as though they don't exist. Another is effective representation of minority and special interest groups. In the New Zealand context, that means effective Maori representation.

Another is political integration, the extent to which the system brings together diverse opinions. Others include effective representation of constituents, effective voter participation, effective government, effective Parliament, effective parties, and the legitimacy of the system.

Those are just briefly the 10 criteria that the New Zealand Royal Commission used to judge the systems that it considered, and it judged that for the New Zealand context and tradition, MMP was an appropriate and preferable alternative to what we then had.

Mr. Matt DeCoursey: Great. Thanks very much. Lots of that content will be helpful.

I'll finish with Mr. Rogers.

Delving more into the relationship between the elected member of the lower house and the electors that person represents, what is the general role played by that person vis-à-vis their local constituency, and is it your sense that there's general satisfaction amongst members of a constituency with the person who gets elected under an alternative vote system?

Mr. Tom Rogers: Again I'm projecting a bit here because everyone is going to have their own view.

I think the system itself is broadly accepted by the community, and there hasn't been a huge clamour, as far as I'm aware, to change that system that you're discussing there. It's a very traditional system. It's a local member who is very much the local member and represents the local community.

Mr. Matt DeCoursey: Great. That's all I have. Thanks very much. It's been an enlightening day.

The Chair: Thank you.

Mr. Kenney is next.

Hon. Jason Kenney: Mr. Chair, I was so transfixed by Mr. Reid's questions about overhanging ballots that I'd like to cede my time to him.

Mr. Scott Reid: By a happy coincidence, I have a further question regarding overhang seats.

Actually, my question is pretty simple. Mr. Peden, you were just saying in response to my final question to you that you had given advice discussing how it would be possible to adjust the system so that there would be no overhangs. I was going to ask if that information is publicly available. If you could direct us to where we could find it, it would be enormously helpful to us. You can understand that our level of expertise on this matter would be a good deal less than yours.

Mr. Robert Peden: As a consequence of the 2011 referendum, where New Zealand voted to retain MMP, the electoral commission had a responsibility to review MMP and to recommend to Parliament any ways in which it thought, after public consultation, how the system of MMP might be improved. Our findings are contained in our commission report on the review of the MMP voting system, which was tabled in the New Zealand Parliament in October 2012. We've provided a copy to the committee, so it should be available to you. We discuss the question of overhang seats on page 20 of that report.

Mr. Scott Reid: Thank you for that. We'll consult with our analysts, who probably have it in their hands or in their offices right now.

Mr. Rogers, when I lived in New South Wales, there was a distinction made between the giant ballots in New South Wales, the largest state with the largest population, and those in other states. I think the problems you had in that state were worse than the problems in other states. I'm assuming that's still true. Can you tell me how many names are on the New South Wales ballot?

• (2105)

Mr. Tom Rogers: It's essentially true, but unfortunately, at least from an administration perspective, some of the other states have now caught up. I mentioned earlier the need to have magnifying sheets. I think we also had to have them for the Victoria Senate ballot paper and for Queensland. The eastern seaboard states, the most populous states, have large ballot papers, over a metre long. I think in 2013 there were 180 candidates on the Senate ballot paper for New South Wales. It's a lot of choice.

Mr. Scott Reid: One of my impressions was that the barriers to entry, to getting your name on the ballot, are relatively low, and this leads to what I would think of as prank candidates. I remember a candidate called Pauline Pantsdown when I lived there. It was a person who had actually changed his name in order to mimic the name of another politician. I think the real purpose that Pauline Pantsdown had for getting on the ballot was to promote a song that was currently playing on Triple J, one of your radio stations.

Am I correct that higher barriers to entry—a larger deposit, for example—might push some of these candidates off the ballot and help to resolve that problem?

Mr. Tom Rogers: This matter has been examined in detail by the Joint Standing Committee on Electoral Matters. Everyone has a view on this. It depends on where you sit. There are some who say the barrier should be very low to encourage participation, and there are others who say the barrier should be quite high to make sure we have serious candidates. No matter how you look at it, we have a system that gives us some very interesting candidates at every election in Australia.

Mr. Scott Reid: There's no doubt about the interesting candidates. It sounds as if people recognize that low barriers to entry create a problem, but that people feel that's better than raising those barriers and potentially freezing out legitimate candidates. Would that be a fair assessment?

The Chair: Please be brief.

Mr. Tom Rogers: I think you summed it up pretty well. That's probably the prevailing opinion.

The Chair: Go ahead, Ms. Sahota.

Ms. Ruby Sahota: Thank you.

I'd like to move to a Twitter question that I got a little while ago. This is to Mr. Rogers: Can you explain the difference between elections in the lower and upper house in terms of number of women, in terms of aboriginals, minorities, and those with disabilities. What are the differences you see between the two houses?

Mr. Tom Rogers: I couldn't tell you off the top of my head the proportion of female, indigenous, or other candidates, but I would tell you that indigenous Australians are under-represented on the electoral roll. We are separately funded to try to assist indigenous Australians to participate in the electoral process. We have mobile teams that go around remote parts of Australia trying to encourage indigenous Australians to get on the roll and remain on the roll and vote.

However, a lot of this is subjective. We don't ask Australians on their enrolment form to identify their ethnicity. We do a lot of surveys to work that out. Young people are also under-represented on the roll, but we probably have the greatest level of youth enrolment that we've ever had at the moment, so we've had some success in that regard.

As for the differences in the two houses, I'm afraid I don't have that for you, but I know the parties have targets that they're aiming for, and they report on those targets occasionally.

Ms. Ruby Sahota: I forgot to give credit to the person who asked that question. It was Jennifer Ross.

Moving on, Mr. Peden, I'd like to ask you about the period after the change that took place in 1996. When you moved to the MMP system, were there any unintended or unanticipated consequences that you saw after the change?

• (2110)

Mr. Robert Peden: From an electoral administrative perspective, no. From the perspective of the formation of government, it took something like two months to form the first government in 1996. There was a lengthy coalition negotiation to establish the first MMP government. Since then governments have formed very quickly.

In relation to the way the New Zealand system works, I should just say that by 10:30 on election night, parties and the public are usually in a position to know the result of the election, and government formation negotiations can begin at that point.

Ms. Ruby Sahota: Do you find that having more coalition governments causes instability in your country, or more frequent elections? I'm not quite sure how often you have an election there. How long is your term?

Mr. Robert Peden: It's a three-year term in New Zealand.

We've had seven MMP elections, and to date each government elected under MMP has been a coalition government or has had arrangements with other parties, and each government has retained the confidence of the Parliament for the duration of the parliamentary term.

Ms. Ruby Sahota: Really? That's quite interesting.

How much more time do I have?

The Chair: A little more than a minute.

Ms. Ruby Sahota: Another question or thought that has come to my mind is that we've talked a little bit about having integrity in our system. We have a lot of confidence in the Canadian system currently as it is.

Mr. Rogers, this question is for you. Has the length of time it's taking to come to an election result and the issue that happened in 2013 caused people to lose trust in the system? That's something we hold as very important, and I'm sure you do as well. We wouldn't want to come across those types of problems in the future.

Mr. Tom Rogers: I think it would be fair to say, and I have said it publicly, that the issue in 2013 with 1,370 lost ballot papers in the state of Western Australia created great difficulty for us and did impact on our public reputation, but we still have a broad degree of public support. We're a trusted institution and we've worked hard to overcome that difficulty.

The longer the results take, though, and every time there's increased scrutiny, as there was following the incident in 2013—and I'm sure it's the same in Canada—the more some of the media commentary strays from the reasonable, nuanced, calm, and informed level of public debate we would like to have. We have to deal with that as well.

The Chair: Thank you.

Go ahead, Mr. Blaikie.

Mr. Daniel Blaikie: Keeping with the tradition of the committee, I'm going to take a question off Twitter from Julien Lamarche, who asked what I think is an interesting question. In the MMP system in New Zealand, the question is essentially what happens if a list MP decides to leave the party. Do they take the seat with them, or are they really just resigning from the legislature at that point, and the seat gets reassigned?

Mr. Robert Peden: The short answer to your question is that if a member chooses to leave the party after having been elected from the list—or from the electorate, for that matter—they remain a member of Parliament. There's no legal consequence, but, of course, there are political consequences. The New Zealand experience is that the electorate takes a very dim view of people leaving their party without good reason. Those members who do tend to be punished at the next election.

Mr. Daniel Blaikie: It's kind of reminiscent of a question we dealt with a little earlier with some other witnesses on the STV system. What happens in the event of the death or resignation of a member? How do you proceed with a by-election under the STV system if a member who was elected in the general election is no longer there?

• (2115)

Mr. Robert Peden: In relation to a list member, it's simply a case of electing the next person from the list. Obviously, if it's an electoral member, there's a by-election.

Mr. Daniel Blaikie: Right.

In the Australian upper house, where it's an STV system, how do by-elections work?

Mr. Tom Rogers: There's an appointment by the state to the house.

Mr. Daniel Blaikie: Is it the state government, then, that determines who would fill that seat?

Mr. Tom Rogers: Essentially, yes, and there are a whole range of conventions around that based on a very long history in Australia, as you can imagine. It has occurred over many years with various things that have occurred, but there is a convention, and the state nominates a member.

Mr. Daniel Blaikie: In Australia, for the lower house that's elected by the alternative vote system, do you get the data on how the ultimate results, in terms of the percentage of seats, compare to people's first choice?

Mr. Tom Rogers: Yes, we do.

Mr. Daniel Blaikie: One of the themes we've been discussing a lot is false majorities. Some of our witnesses have suggested that an alternative vote system may not only not alleviate that but might actually exacerbate the problem of false majorities. Is that something you guys watch, and if so, what has tended to be the effect in the lower house in Australia?

Mr. Tom Rogers: We do a full distribution of preferences, and all of that data, both current and historical, is available through our virtual tally room. Each state is different. There's an absolute majority in some, depending on where the seats are located, while in others there's a hugely complex preference flow to end up with the final result. We do that at every election, and it's very transparent, and everyone's able to see it.

Mr. Daniel Blaikie: How often would you say parties tend to form a majority in the lower house without having a majority of the popular vote on the first-choice round?

Mr. Tom Rogers: I would say that would be rare. I'd have to examine that.

There are two major parties. If the Conservative Party is in coalition with another partner.... It's very difficult for me to answer that question in any statistically meaningful way. I can take it on notice and maybe give some thought to it and provide you with an answer later on, if you like.

Mr. Daniel Blaikie: Sure. Thank you very much.

The Chair: Okay. We'll go now to Mr. Deltell.

[Translation]

Mr. Gérard Deltell: Thank you very much, Mr. Chair.

[English]

I would like to get back to the very interesting conversation I had with Mr. Peden.

In our journey, we were just past the referenda. In New Zealand, we had three full years of political debate or more as political preparation to set the table for the first election. Why did it take you three years to prepare people for the new way of electing members?

Mr. Robert Peden: The decision to move to a new electoral system was made in 1993. The first MMP election was meant to be in 1996, and there was a great deal of work to be done between 1993 and 1996 to prepare for that election. Electoral boundaries had to be redrawn. There was a complete revision of the chief electoral officer's processes and procedures, and the systems necessary to deliver it had to be designed and developed. There was a comprehensive electoral information campaign that needed to be developed.

The public officials who supported the cabinet processes, the executive processes, and the parliamentary processes also needed to review what difference coalition governments and a greater number of parties would make to the way cabinets worked and the way parliamentary processes worked. For example, there were amendments to standing orders of Parliament to make allowances for the new system.

Political parties also needed to adjust. There was a new nomination process that political parties needed to get their heads around. A new campaigning style was required, because the party vote became a very important feature of election campaigns. It was a new thing for political parties to understand.

All of those things required time.

• (2120)

Mr. Gérard Deltell: We all recognize that you didn't lose time. You had a lot of aspects to face, to address, in order to achieve the confidence of the people before going to a new electoral voting system. Is that correct?

Mr. Robert Peden: That is correct, yes.

Mr. Gérard Deltell: I have a quick question for Mr. Rogers from Australia. You said that you spent a lot of money and a lot of time on education to educate people before the election. Why?

Mr. Tom Rogers: It's one of our three roles. We need to have an educated electorate, so before every election, we have a campaign that we run in a number of different phases to make sure people are informed about where to vote and how to vote. Those are two very important things.

Mr. Gérard Deltell: Thank you so much, Mr. Rogers.

Thank you for much, Mr. Peden.

[*Translation*]

Mr. Chair, what we just heard is extremely insightful, but it most importantly benefits our own work.

The New Zealand representative told us that they needed 11 years to make the required electoral reform: 18 months for the royal commission, four years of political debates, two years for the referendums and three years to prepare and inform the population. From 1985 to 1996, 11 years went into painstaking work, political debates and informing the public before an electoral reform was made.

Mr. Chair, I think that the current government should learn from New Zealand's experience before it makes any changes whatsoever.

The Chair: Okay, it's duly noted.

Are you done, Mr. Deltell?

Mr. Gérard Deltell: I think so.

The Chair: You actually had another 45 seconds left.

This was a long day filled with very insightful testimony.

We will close our meeting with Mr. Aldag.

Go ahead, Mr. Aldag.

[*English*]

Mr. John Aldag: Mr. Peden, I'll start with you.

You might have touched on this. In the referendums done in New Zealand, what threshold was used? Were the thresholds all the same, or did they change?

Today we've heard that if we're doing a referendum, we should look at a 60% threshold, yet I don't think I've seen that. Did you use 50%, 50% plus one?

Mr. Robert Peden: Our threshold is 50%, the same basis for the elections of members of Parliament. That's our democratic tradition. A simple majority is sufficient to carry a referendum result. No special majority is required.

Mr. John Aldag: I also had a note that any changes going forward, such as the introduction of online voting, would also require a majority support and referendum. Would that again be 50%, a simple majority?

Mr. Robert Peden: No, I'm sorry. That wouldn't be right. Referenda are required for fundamental changes. When I say they are required, if it's an entrenched provision, one of those provisions contained in section 268—for example, the method of voting—that would require either a 75% majority of members in the House or a referendum to confirm. Any other amendment to the Electoral Act can be made by way of a simple majority, but the tradition in New Zealand is that if it is a fundamental change either to the overall

electoral system or to some feature of it, such as a term of Parliament, then that needs to be confirmed by a referendum of voters.

Mr. John Aldag: Okay.

Thank you to both of you for all of the information you've shared with us today.

I'm going to conclude with a chance for you to reinvent your systems. The scenario is simply this: if you could change your electoral system, what would be the one element you would keep, and what would be the one element you would part with? Perhaps you could give a quick reason as well.

That may help us look at the elements to keep and lose as we move forward. Maybe you could finish with those thoughts.

Mr. Tom Rogers: I'll focus on administration rather than anything else.

For us, the big issue that kills the Australian voting system is the vast number of envelopes that we have to deal with at election time without the access for people voting everywhere. If there were a better system for us to deal with that, it would lead to much swifter results, much greater certainty of results, and a better system overall.

I'm focusing purely on the administration of the act rather than a more philosophical approach to elections.

• (2125)

Mr. Robert Peden: As far as the New Zealand Electoral Commission is concerned, our role is as administrator of the system that has been adopted by the New Zealand Parliament in consultation with the people of New Zealand. The commission is not an advocate of any particular system. We are here to explain the system that we have.

However, to provide the kind of guidance that you're seeking, again I would simply commend to you the report of the 1985 royal commission, as well as the report that we did on the review of MMP in 2012. We made a number of recommendations in relation to the particular system of MMP that we have and how we saw that it might be improved.

Mr. John Aldag: If the 1985 report comes through the committee, I guess we would deal with translation. With regard to entering it into evidence to be able to draw from, how can we do that?

To both of you, if you have material that you would like us to draw from, you can submit written material. This report is one that's been mentioned a few times, and it seems that it might be useful for us to look at it.

I will throw it out to the chair and the clerk: how can we legitimately have a look at that document without taking years of translation time?

The Chair: The best approach would be to receive it first. We'll look at it and make some kind of determination.

Are you able to send the 1985 report to us? There is a link, obviously.

Mr. Robert Peden: We can send you a link to that, sir.

The Chair: Yes, that would be wonderful.

Are you finished with your line of questioning?

[*Translation*]

Mr. John Aldag: Yes.

The Chair: Thank you so much, Mr. Rogers and Mr. Peden.

I think I speak for all members of the committee when I say that I've learned so much, not only about your electoral system but about your political culture, and obviously that means about your country as a whole. It's been very informative. You've made a very significant contribution to our study, and, as I said, it's been a pleasure to learn about your systems and your countries.

Thank you for joining us.

We will meet at 9:30 a.m. tomorrow. We will be hearing from three witnesses: Henry Milner, Alex Himelfarb and Professor André Blais.

I want to point out to the committee members that the green shuttle bus that services the Hill will be available tonight from 9:30 p.m. to 10 p.m. So you don't have to worry about transportation.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 010 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, July 27, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, July 27, 2016

• (0935)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I call the meeting to order.

We have three witnesses with us this morning: Professor Henry Milner, from Université de Montréal; Alex Himelfarb, former clerk of the Privy Council; and André Blais, a professor at Université de Montréal.

I'll say a few words about each witness.

[English]

Mr. Milner is a research fellow at the University of Montreal, where he holds the research chair in electoral studies, and is co-publisher of *Inroads Journal*. He has also served as professor of political science at Vanier College in Montreal, at the Université Laval in Quebec City, and at Umeå University in Sweden. He has written extensively on the topics of citizen engagement in democracy and on Quebec nationalism. He is the author of *Civic Literacy: How Informed Citizens Make Democracy Work*, and *The Internet Generation: Engaged Citizens or Political Dropouts*.

Mr. Himelfarb, as you all know, started in the Canadian public service in 1981, when he joined the Department of the Solicitor General of Canada. In 1999, he became Deputy Minister of Canadian Heritage. In 2002, he was appointed to the dual role of Clerk of the Privy Council and Secretary to the Cabinet. In June 2006, he was appointed ambassador to Italy and high commissioner in the Republic of Malta, and as a permanent representative to the Food and Agriculture Organization, the World Food Programme, and the International Fund for Agricultural Development in Rome.

[Translation]

Professor Blais is from Université de Montréal. He was on Parliament Hill in February or March to give a presentation on the various electoral systems.

[English]

He is the leader of the Making Electoral Democracy Work project, and the chair of the planning committee of the Comparative Study of Electoral Systems program. He is a fellow of the Royal Society of Canada, a research fellow with the Centre for the Study of Democratic Citizenship,

[Translation]

the Centre interuniversitaire de recherche en économie quantitative,

[English]

and the Center for Interuniversity Research and Analysis of Organizations. He is also the past president of the Canadian Political Science Association.

[Translation]

Now, without further ado, I'll turn the floor over to you, gentlemen.

We'll start with you, Mr. Milner.

Prof. Henry Milner (Senior Researcher, Chair in Electoral Studies, Université de Montréal, As an Individual): Thank you, Mr. Chair.

I'm going to give my presentation in English, but I'd be happy to answer any questions you have in French.

[English]

I'm really happy to be here. I've been working on this dossier in one way or another for much of my adult life, looking both at Canadian efforts to change the system as well as the way the system works in various European countries, Australia, and New Zealand. I've been an observer at elections in many of these countries, especially Germany and Sweden, and I'd like to share some of my experience with you.

I did prepare a brief, a memoire. In the 10 minutes accorded to me, I can only give highlights from that, but I'll certainly be happy to answer more detailed questions afterwards.

I've had the privilege of testifying before committees of this House, the Senate, and the House of Lords in Britain on fixed election dates and other subjects related to elections. I'm happy that you've all found time during this nice summer to discuss what some people think is a rather dull subject—or so I've been told. I'll try to make it as interesting as possible.

My general position—and it's not new—is that moving toward proportional representation would be an improvement for a country like Canada and most countries, but not necessarily all. We'd have to be very careful, however, about the form of proportional representation we choose and learn from the experience of other countries. Based on that, I've come to favour the position we call MMP, the mixed member proportional or the compensatory system, with the technical details that would be most appropriate for Canada, which I hope to discuss in the question and answer period. It's been discussed and considered in several of our provinces. It came up from the Law Commission.

We now have a lot of experience from different countries about how it works. I'd like to talk more about the concrete experience and less about the theoretical advantages or disadvantages—though clearly, I have some strong views.

I think a proportional system is better for two fundamental reasons. First of all, it's proportional, so the outcome is more fair, given people's views. Second, from the point of view of individuals, compared with our existing system, it gives everybody a greater incentive to participate. Your vote counts as much as everybody else's. Right now, about half of our Canadian districts are generally won by the same party. Very often the polls show that one party is way ahead, so that people in those districts have no good reason to think their vote is going to count. We have long-term data on that. It's more complex and so on, but basically you're more likely to get higher participation rates in a proportional system. Those are the two basic, simple, logical reasons why it's better.

The only possibly negative effect of a proportional representation system is that we will have far more minority or coalition governments, but as I argue in my brief, in a system where people expect such governments, rather than seeing them as exceptional, they actually are more positive. In the brief, I try to show that based on the five criteria that have formed part of the mandate of this commission, proportional representation, specifically the MMP form of it, best conforms to all five criteria.

At the end, I'll explain how MMP works in about 30 seconds, if there's still anybody who doesn't understand it, because it seems so very complicated. But the fundamental, concrete reality of MMP that can't be ignored is that Canadians can say they have an acquired right to having one person represent them in the legislature, and all other proportional systems don't do that.

I don't say it's necessary in principle. We have wonderful different kinds of proportional systems working all over Europe, but in a country where people are used to having one person represent them, and where that form of representation has come to be seen as an acquired right, I'd be reluctant to take it away. I would be prepared to do it if there were no possible system that would give us more proportional results without taking away that particular relationship. However, MMP does that. It's the only one that assures everyone, just like the existing system, that there will be one person in the House of Commons who represents them.

• (0940)

I don't know how much time I have, so I'm just going to take—

The Chair: You have about five minutes.

Prof. Henry Milner: Well, that's very nice.

I'll come back to some of the other aspects that I'll now have time to raise, but let me just tell you that if I were talking to someone who didn't know anything about electoral systems except our existing system—in which they know that if they vote for somebody and that person gets more votes than anybody else in the district where they live, that person will be elected—they may think that means that the overall result is proportional to the party support, which it isn't. Very often it is quite distant from that relationship. I think this is televised; I imagine there are many people listening to me who think that.

Let us think of the alternatives. The simplest proportional system, as you know, is to take the whole country, and each party provides a list. If 40% vote for a party, 40% of the seats go to that party. That's the way they do it in the Netherlands. Most countries that use a proportional system use lists, but they're based on regions.

MMP works as follows. As I said, the crucial principle of MMP is that you still have one person in the legislature who represents you. I'll give you a concrete case; I think that's the best way to describe it.

Let's imagine that here we are in Ottawa and let's say that in greater Ottawa there are ten seats in this Parliament. When the election comes, everybody in greater Ottawa has two votes: one for their local representative and one for the party that they prefer. For these 10 seats, the district is divided into six districts—Ottawa West, Ottawa Centre, Ottawa South, Ottawa East, Vanier, and so on.

There are six districts, which would be bigger than the existing districts—perhaps about one-and-a-half times as large, in terms of the number of voters. Those six seats would then be allocated to the person who wins them. Let's say that four of those seats were won by the Liberal candidate, one was won by the Conservative candidate, and one was won by the NDP candidate. We now know where the six seats are.

Now, there are four more, and the four more come from lists submitted by each party. The percentage overall was 40% for the Liberals, 30% for the Conservatives, 20% for the NDP, and 10% for the Greens. The Liberals have won four seats: 40% of ten is four seats, and so the Liberals have the right number of seats. The Conservatives have 30% and have won one seat, and 30% of ten is three, so two from the list go to the Conservatives. The NDP has 20% and it has one seat, so it gets one seat from the list. The Greens, who have no seats but have 10%, also get one seat from the list.

The overall result is proportional. I've made it nice, with rounded numbers. It's never quite so neat, but the basic principle is the same: each party has an exact number of representatives proportional to the support that it has in this district, and everybody has their own MP. Everybody has one person of whom they can say: "I voted for that person. If I have a problem that I need my local representative to deal with, there is that one person who can't say no."

On the other hand, let's say that there may be some local Greens who basically would like to have had somebody to represent them, but there was nobody elected from their party. Now they do have somebody, and instead of going to their local MP, who might be a Liberal or a Conservative or an NDP, they can go to the Green member from greater Ottawa to bring up their particular concerns.

That's how the system works. There are many aspects to it that I'll be happy to talk to you about. We have the experience from New Zealand, from Scotland, from Germany, and from other countries. We can learn from that experience and apply it to Canada, and that's what I suggest we should do.

Thank you.

• (0945)

[*Translation*]

The Chair: Thank you, Professor Milner.

We'll continue with Mr. Himelfarb for 10 minutes.

[*English*]

Mr. Alex Himelfarb (Clerk of the Privy Council, 2002-2006, As an Individual): Thank you, Mr. Chairman.

I thank the committee for the opportunity to appear on this important issue.

While I don't have the credentials of my colleagues to the right and left of me, I have been a long-time proponent of electoral reform as a key element of democratic renewal. I recognize that design matters, whatever system one opts for, but I propose to talk more in my introductory remarks at least about the general merits of moving to a more proportional system.

While no electoral system is perfect, I believe the comparative evidence is strong that a more proportional system increases democratic participation and knowledge and trust in our political institutions. Since most democracies have now adopted some form of proportional representation, there is no shortage of evidence, although admittedly some of the evidence is ambiguous, such as that on turnout.

The choice between a winner-take-all system such as ours and a proportional system is often characterized as a choice between local accountability and better representativeness. In fact, however, we can and should choose a system that provides both. Of the many commissions in Canada that have examined electoral reform—and there have been many—all have recommended greater proportionality, and all have proposed systems that at the same time maintain local representation.

In a federation such as Canada, it is inconceivable that our electoral system not include local representation. From where I sit, that means some version of either single transferable vote or mixed member proportionality. Indeed, either approach not only ensures that the outcome of elections more closely reflects how people voted, but arguably, also strengthens local representation. In either system, every citizen has more than one representative and is far more likely to find one who shares his or her values and interests. And because every vote matters to the outcome, no riding can be taken for granted because it is safe or be ignored because it is out of reach. Because every vote matters, in that sense, every riding matters. There would be no more undue focus on swing ridings; no more so-called strategic voting where voters feel forced to choose the least bad option because their preferred candidate could never win in our current system; no more staying home because we think our vote cannot make a difference to the outcome.

With either system, no longer would we risk entire regions being shut out of government, as has happened on a number of occasions under our current approach. That means better representation, better and more regionally sensitive government, and stronger national cohesion and unity.

Yes, single party majorities, though not impossible, would be more difficult. But majorities would have greater legitimacy because

they would actually represent a majority of voters, and from every part of the country. Caucuses would be stronger because they would be more diverse. Parliamentary co-operation would be the norm. Who knows, that might even mean less polarized and adversarial politics. And coalition governments can, the evidence shows, provide good stable government without the policy lurches that our current system too often leads to.

The evidence suggests that concerns about the proliferation of small parties in Parliament are exaggerated. And depending on design, it can be quite hard for so-called fringe parties to get in. In any case, one of the main benefits of a more proportional system is that it does indeed capture a greater diversity of views. And most important, in our current context in particular, PR makes it virtually impossible for a party that the majority sees as extreme ever to take majority control of the government.

I know, too, that some worry about versions of PR in which some members of Parliament would be selected by the party rather than the electorate—that is, selected from a party-constructed list. This need not be the case. Indeed, although I don't propose to opt for one system or another, I think it's important that whatever system is adopted, voters rather than parties alone determine the ordering of candidates. In the lexicon, I think that means a preference to open lists, if there are lists. Of course, how candidates are selected in the first place is an issue in our current system. These are questions independent of the electoral system we adopt. How open is the process for selecting candidates? How much is it controlled locally or centrally?

• (0950)

Clearly the choice of an electoral system will not address all the issues we may have. The electoral system is the beginning of democratic reform, and surely is not the end of democratic reform. However, a more proportional system would be a major step towards a stronger, more engaged, and trusted democracy. In a representative democracy, representativeness ought to count, especially in a diverse country like Canada.

Thank you.

The Chair: Thank you very much, Mr. Himelfarb.

We'll continue with Professor Blais.

Professor André Blais (Professor, Department of Political Science, Université de Montréal, As an Individual): Thank you. As I know I have very little time, I'll try to be very quick and to the point.

In your deliberation about whether to reform the existing electoral system, you will have to address two questions: the first, what will be the likely consequences of a new system, and, second, are these consequences good or bad for the country?

As a scientist, I can address the first question, and this is what I will do in the next few minutes. I have personal views about the consequences, which ones are good and bad, but I believe that my main contribution should be to tell you what empirical research tells us about the consequences of voting systems.

I will tell you about four empirical studies that I have conducted with other colleagues, each dealing with potential consequences of voting systems. My challenge is to present four of my studies, which are all very complex, and rich, and so on, in 10 minutes. That is two minutes per study. I'll be sweet and short.

The studies about the consequences of proportional representation consist in a comparison of what we have observed in places with PR, proportional representation, and in places under non-proportional systems, which are sometimes called majoritarian. The differences that we observe can result from causes other than the voting system, and these studies attempt to take into account these other factors, and to control for them. However, we are never sure that we have taken into account all of the significant factors, and thus we are never absolutely certain about our conclusions. This will be taken into account.

Furthermore, these studies do not tell us about the specific consequences of specific forms of PR. Still, I would argue that the most important decision you have to make is whether to adopt some form of PR or not. It is thus important to look at what the international comparative evidence tells us, so hopefully you will find these studies helpful.

The research I present deals with the first two principles for electoral reform that have been established by the committee: one, effectiveness and legitimacy; and second, engagement.

The first study is about whether turnout tends to be higher under PR. A study published with Agnieszka Dobrzynska in the *European Journal of Political Research* deals with turnout in lower house elections, a total of 324 elections in 91 countries.

The dependent variable, what one can explain, is turnout. We consider about a dozen factors that could effect turnout: GDP per capita, illiteracy, population size, and so on. For the voting system, we compare PR with non-PR elections, and we also look at the degree of disproportionality of the voting system, the difference in vote and seat shares for the parties.

We estimate the independent impact of each factor, controlling for all the others. Our finding for PR turnout, everything else being equal, is that it is three percentage points higher under PR. This study suggests that the adoption of PR might slightly increase turnout.

The second study is about whether there is less strategic voting under PR. The study was conducted with Thomas Gschwend from the University of Mannheim, and it deals with strategic desertion, which is defined as not voting for one's preferred party or leader.

The data is from the Comparative Study of Electoral Systems, a series of academic election surveys conducted in 25 democracies. All of these studies include questions about how much each respondent likes or dislikes each of the parties and leaders and which party they voted for. In each survey, we determined how many

respondents voted for a party or leader that is not their preferred one. The mean in all of these 25 elections is 22%.

We then compare the proportion of strategic defection in PR and non-PR elections—22% versus 21%—there was no difference. The correlation between defection and the degree of disproportionality is nil. Multivariate analysis confirmed the same result: there is no relationship between PR and strategic defection.

Our conclusion to this study indicates that the adoption of PR is unlikely to reduce strategic voting.

The third study is about whether citizens have more positive evaluations of democracy under PR. This was a study with Peter Loewen, who was a student in Montreal and is now a member at University of Toronto, published in a book by Oxford University Press. The data again is from CSES, a group of academic studies and surveys conducted by academics in 20 different elections across the world.

●(0955)

Again, the dependent variable to explain is basically attitudes about democracy. We have three kinds of attitudes. First is satisfaction with democracy. How satisfied are you with the way democracy works in your country? The second is perceptions of fairness. How fairly or unfairly was the election conducted? The third is perceptions of responsiveness, with a battery of three questions. How much do MPs know about ordinary people in your country; how much do parties care about ordinary people; and how much difference does it make who is in power?

The independent variables, the explanatory factors, include the degree of disproportionality, the degree of democracy, and human development.

The findings are that more proportional systems are clearly perceived to be fairer; they are perceived to be just a little bit more responsive; and people are not more satisfied overall under PR. This study suggests that if PR is adopted, elections are likely to be perceived to be fairer, but it is unlikely that people will be more satisfied overall.

The fourth study is about whether PR produces governments that better represent citizens' ideological orientations. It is a study by Marc André Bodet, a student at UDM at the time, and now at Laval University.

The variable to be explained is what we call “ideological congruence”, which is basically the absence of distance between citizens and government on a left-right ideological self-placement. The respondents have to locate themselves on a scale of 0 to 10, where zero is far left and 10 is far right. They can locate themselves wherever they want, and then they also locate each of the parties on that same scale. So we have an ideological placement for each of the respondents, and also the median perception of each of the parties, meaning where the parties are on that left-right scale.

We look at the distance between each citizen and the government. Of course, if you want representation, we hope that the distance will be as small as possible. The distance is what we try to explain. The explanatory factors are the degree of disproportionality, plus whether it's a new or old democracy.

The finding is that there is no more or less congruence overall under PR. PR does not produce greater or weaker correspondence between the voter and government ideological orientation. PR does not reduce the mean distance between citizens and government, but it does produce a parliament that better represents the diversity of ideological orientations. Similar results have been reported by a few other studies.

I have five conclusions from these four studies. First, the introduction of PR might slightly increase turnout; second, it would almost certainly enhance the correspondence between the distribution of ideological orientations in the electorate and in the House of Commons; third, it would almost certainly enhance voters' evaluations of the fairness of elections; fourth, it would almost certainly not reduce strategic voting; and fifth, it is very unlikely to make Canadians more satisfied overall.

Thank you.

● (1000)

[*Translation*]

The Chair: Thank you, Professor Blais, for sharing the findings of those four studies with us.

I'd like to remind committee members that Professor Blais is hosting a talk on electoral systems at McGill University, the evening of October 20.

Is that correct?

Prof. André Blais: It's at 7:30 p.m., and everyone is strongly encouraged to take part.

The Chair: Very good. Thank you.

Before getting to the questions, I want to let committee members know that, at one o'clock, we'll have a chance to trial a draft electronic survey in camera. For those interested in taking part, we'll be meeting here and the committee secretariat will be assisting us.

I'd like to let the witnesses know that the question period will be split into two rounds, during which each member will have five minutes to ask their questions and hear the witnesses' answers.

We'll get things started with Mr. DeCoursey for five minutes.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Thank you, as well, to the three witnesses, whose presentations I quite enjoyed.

Professor Blais, since I missed them the first time, would you mind going over the four or five conclusions of your studies again?

[*English*]

Prof. André Blais: The conclusions at the very end?

Mr. Matt DeCoursey: Can you repeat the conclusions you just mentioned?

Prof. André Blais: Yes, with great pleasure.

The introduction of PR, first, might slightly increase turnout, and, second, would almost certainly enhance the correspondence between the distribution of ideological orientations in the electorate and in the House of Commons. Third, it would almost certainly enhance voters' evaluation of the fairness of elections. Fourth, it would almost certainly not reduce strategic voting. And fifth, it's very unlikely to make Canadians more satisfied overall.

● (1005)

Mr. Matt DeCoursey: Thank you very much. The ambiguity around voter turnout is a theme that we've been listening to over the last couple of days, and I know, Mr. Himelfarb, you mentioned that as well, that at best it's an ambiguous link.

You mentioned not proposing to opt for a certain system or another. Could I dig a bit further and ask where you may see the best opportunity to move towards a different system, if we were to do so in Canada, and why, and what some of the complexities and challenges would be in moving there?

Mr. Alex Himelfarb: You're trying to out me—is my understanding correct?

Thank you, Mr. Chair.

Mr. Matt DeCoursey: We've been advised to dig here at this committee, so I'm doing just that.

Mr. Alex Himelfarb: The bottom line is that I think that whatever consensus the committee could achieve towards greater proportionality would be better than our current system. I would be truly open to either MMP or a single transferable vote, if that were the consensus of the committee, because I think losing this opportunity to move to a more proportional system would be a sad thing.

That said, there are constitutional limits to how we should approach this. It should be regionally based. It should reflect the proportion of elected officials that our Constitution requires. So there are certain built-in constitutional constraints. I also believe that if we truly want to enhance democracy, we should avoid lists that are entirely structured by parties. This should be about voters more than about parties, so either open lists or no lists would be preferable, but I am convinced that moving to a more proportional system is the key—and yes, of course, design matters.

Mr. Matt DeCoursey: Absolutely, and we had excellent witness testimony last evening from New Zealand's electoral commissioner.

Drawing on that experience—and Professor Milner, you mentioned the New Zealand experience—how might that system potentially operate in Canada, given our population and geographical differences, and our federal system? I'm thinking of Atlantic Canada's division of seats in an MMP system. Certainly being from New Brunswick, I'd be very concerned about how that would be divided, and what P.E.I. would look like with four enshrined constitutional seats.

I wonder if you can maybe explain what complexities that experience would deliver in Canada.

Prof. Henry Milner: That's a long question, but let me just get to the central aspect, which I think is what sort of regions it's based on.

In Germany, they started with the basic principle that each province, each *land*, would be a region. Therefore, if you had 75 seats in the Bundestag from a particular *land*, there would be 75 representatives in the Bundestag from that district, and half would be from districts and the other half would be from a list of the entire *land*.

The New Zealanders basically accepted this principle and applied it to the whole country, which is smaller than most of the German provinces. The Scots decided that there should be regions, even though Scotland is not very big. So there are, I don't remember how many regions, but each one has 16 members, nine elected from the district, and seven from lists.

So I think there has been a bit of a progression in that. What we would do in Canada, given that we're much bigger and the density of the population can vary significantly, is that we should take the Scottish idea. We should base it on regions, but there's no reason that each region has to have the same number of total seats.

The Chair: We'll go to Mr. Reid now.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you to our witnesses.

One of the problems we are faced with is a practical matter. We get five minutes, and I feel the same frustration from my end, Mr. Milner, that you felt from yours when you learned you had three minutes left to wrap everything up.

I'm going to be directing my one question to you specifically on the theory that it's better to get a full answer from one person than to try to parcel it out between you.

Professor Milner, in your presentation you specifically make reference to one of the five criteria set out for this committee's report. It's specifically that we are to look for systems that “foster greater civility and collaboration among parties”. That is a quote from your brief, and that is actually part of our mandate.

I'll just point out that the Prime Minister has stated, I think inaccurately, that proportional representation—I think here his target was MMP, given that nobody is actually suggesting pure proportionality for Canada—actually causes division and confrontation. He says that “The problem with proportional representation is that every different model of proportional representation actually increases partisanship, not reduces it.” He goes on to say that “Too many people don't understand the polarization and the micro issues that come through proportional representation.”

Everything you say indicates that you would disagree with that. I wonder if you could elaborate on whether he has it right and, if he has it wrong, what it is that makes PR, and particularly the MMP model, resolve or deal with the problem he is raising.

•(1010)

Prof. Henry Milner: Well, there are really two aspects, and I'm not sure which one the Prime Minister was focusing on.

One is disagreement over issues, or we might even call it polarization. I suspect that, when you have proportional systems with more views entering the Parliament rather than being excluded because they don't get enough votes in any particular district to get elected, then there will be more disagreement.

What I'm focusing on is the second aspect, which is how that disagreement finds its way into discussion and ultimately into some kind of compromise or legislation.

The experience of proportional countries that I've been looking at for many years is basically that you don't have the kind of very confrontational attitudes, or you have far less of it, than you have, for example, in the British House of Commons or the Canadian House of Commons. So yes, there may be more disagreement, but I think the system basically says, “Okay, you express your disagreement, but since there is no majority government that could impose its will any time it feels it can, you're going to have to find some kind of compromise and some way of working out your disagreements.”

I don't know where Mr. Trudeau stands on that, but for me, the experience is very clear.

Mr. Scott Reid: Okay.

Well, seeing that you've given that response in less time than I thought, maybe I'll just ask Mr. Blais the following. You've done research on a number of different systems. What would your sense be?

Prof. André Blais: On exactly the same question...?

Mr. Scott Reid: On the same question, yes.

Prof. André Blais: On polarization first, I guess?

Mr. Scott Reid: Yes, polarization, confrontation; that's right.

Prof. André Blais: I don't think the evidence is that clear on exactly what the consequence would be. Well, there would be a consequence in that there would be a wider array of viewpoints, and some of them would probably be more extremist than they are now, so there will be more diversity but also perhaps a little bit more polarization at the beginning in the House of Commons.

And then, as Professor Milner has mentioned, of course a coalition government would probably have to be formed and then there would have to be compromise between these positions. Some people think this instills a spirit of compromise among politicians. I'm not that convinced about that.

Certainly, I think people recognize the necessity of compromise, but each of the parties in a coalition government still has its own interests, and they will of course learn to make bargains, and so on. I am not convinced that there would be a lot more spirit of compromise, but there would be more practice of compromise.

The Chair: We are basically at 15 seconds.

Mr. Scott Reid: Maybe I'll wait and ask Mr. Himelfarb at a different time.

The Chair: Yes.

Go ahead, Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Milner, we've heard testimony from some witnesses arguing this question of phrasing about whether votes count or not. I think some of our witnesses who are opposed to electoral reform have said that every vote is counted, but I suggest that not every vote counts.

Is that a fair comment under first past the post?

•(1015)

Prof. Henry Milner: Well, I'm not quite sure what you're getting at.

Mr. Nathan Cullen: It's the impact. Is every vote treated equally? Is the impact of every vote cast in first past the post elections, as we have here in Canada, equal in its weight on the outcome?

Prof. Henry Milner: Again, it all depends on what you mean by the words. What I said, I think, is pretty clear. The more proportional the system is, the more equal every vote is in terms of its ability to get somebody elected. So the less proportional a system is, the less equal each vote is in terms of its effect on getting somebody elected.

Mr. Nathan Cullen: Right. So that equality of vote question.... I'll put this to you and Mr. Himelfarb. Another witness talked about what happens with regionalization. We've had regionalization in this country recently and all through our history. We've had examples, such as the Reform Party, which was highly regionalized, coming out of the west, and the Bloc Québécois for obvious reasons, regionalized within Quebec. The suggestion has been that to go to a proportional system would diminish that regionalization, which is important in a country like Canada. As big and diverse as we are, in government and opposition, you'd have representation from all regions as much as possible. Is there something that we can hope for and expect under proportional systems?

Prof. Henry Milner: I'd like André as well to address this.

I saw that mentioned in the evidence of earlier meetings here, and it was the first time I'd heard that suggestion. I don't know where it comes from. It certainly never happened in New Zealand or Scotland. I don't quite understand why. It does seem to me that our experience in Canada under the current system is that if we have a region where one party is strong, the system exaggerates that, while a proportional system would give each party exactly what it deserves in each region.

Mr. Nathan Cullen: Let's take this in the reverse example—and I do want to hear from Mr. Blais and Mr. Himelfarb on this.

I can remember a recent Conservative government essentially being shut out of a region of Montreal entirely. They did a workaround. Mr. Harper appointed somebody to the Senate and then to the cabinet, from Montreal, to have some Montreal representation. Under a proportional system, would such an undemocratic workaround even be necessary? Would not the Conservatives likely elect somebody from places like Montreal or Toronto, major cities that should be represented in the government?

Prof. Henry Milner: As I said, I've never understood where that argument was coming from.

Mr. Nathan Cullen: Okay.

Mr. Blais, did you have a comment on this?

Mr. Himelfarb as well?

Prof. André Blais: I guess so. The existing system under-represents very small regional parties and overrepresents big regional parties. That's why the Bloc at times were overrepresented and at other times under-represented. The existing system is not biased in any way, I think, in general for or against regional parties. PR would not change that.

What would change that, I think, as you mentioned, is that the Liberals, for instance, would much more easily elect some MPs under PR in Alberta. So the differences in representation of different regions within parties would be smaller.

Mr. Nathan Cullen: We need to always reverse this away from the perspective of the parties to the perspective of the voter, to the Conservative voter in downtown Toronto, to the Liberal voter on Vancouver Island, to the New Democrat on the east coast. Having their views, their values, represented in both government and opposition is a valued thing, which proportionality allows you.

Mr. Himelfarb.

Mr. Alex Himelfarb: I'll take a practical perspective. Concretely, when, for example, the national energy policy was passed by a Liberal majority government, there were no Alberta voices in that government—zero.

Mr. Nathan Cullen: There was no voice out of Alberta when an energy question surrounding the question of oil and gas was being debated, discussed, and then passed?

Mr. Alex Himelfarb: In any proportional system you would imagine, that would not have been the case. Whatever you think of the policy, one could well speculate it might have been different, with strong voices from other regions.

Mr. Nathan Cullen: Right.

Mr. Alex Himelfarb: That's not the only region that has been shut out or limited to very few voices that would be enhanced in a proportional system. I'm not talking about regional parties versus national parties; I'm talking about actual voices representing regions at the table.

Mr. Nathan Cullen: Okay.

The Chair: We'll go to Monsieur Thériault now.

[Translation]

Mr. Thériault, it's now your turn.

Mr. Luc Thériault (Montcalm, BQ): What happened in 1993 is a hot topic. It could also be argued that the outcome was a super-representation given that the 54 MPs had been elected by an average of 55% of the vote. Only three didn't receive a clear majority. Does that reflect some sort of regionalism, or does it have some other political explanation? I believe there is another political explanation.

In the documentation provided to us by the researchers, I read this short excerpt from a text written by Mr. Himelfarb on May 12, 2016:

Whatever system we opt for must be designed for Canada; it must, in particular, respect and reflect our federal structure and regional, social and cultural diversity.

Political diversity should perhaps be added to that list, bearing in mind my previous comment.

What does that mean to you? Which Canada are you talking about? Are you talking about the Canada of 1982 that obliterated the nation of Quebec? Are you instead referring to a Canada where the reality reflects the fact that premiers, federalists and sovereignists alike, did not sign the repatriated Constitution of 1982?

• (1020)

Prof. Henry Milner: Is that question for me?

Mr. Luc Thériault: It's for Mr. Himelfarb.

[English]

Mr. Alex Himelfarb: I'm talking about the constitutional Canada, the Canada that requires a certain proportion in every province or region. I also recognize that Canada is a country of common purpose. We have a federal government of diversity and with the French fact, and my Canada includes all of those.

[Translation]

Mr. Luc Thériault: Mr. Milner, when Quebec's special committee was studying the province's election legislation, you submitted a brief indicating that the proposed model was distorted because the size of the regions did not allow for the emergence of small parties. Simply saying you're in favour of proportional representation isn't going to make the merits of such a system materialize with the wave of a magic wand.

In fact, the devil is in the details. Have you done any exercises to simulate what that might look like in large regions? You mentioned Prince Edward Island. But Quebec has 75 ridings. Keep in mind the stumbling block Quebec ran into. We went from 125 members to 75. It's important to take into account the close nature of the relationship between voters and members in Quebec, especially in the regions.

What would that look like for a geopolitical region as large as Quebec?

Prof. Henry Milner: I'd rather not discuss Quebec, since the purpose of our meeting today is to discuss Canada. Nevertheless, the same issues come up, and regional size does indeed become an important consideration.

We need to look at the 15- to 20-year period in Quebec when the Bloc Québécois was very powerful, or fairly powerful, on the federal stage. In my view, Quebec's regions would have been better served under another system, even those where the Bloc won all the seats with half the votes or those where the Liberals won all the seats with 60% of the votes. Had the regions not been represented by a single party, they would have been better served. When the Bloc members were in the House of Commons, their positions were more partisan than regional. At least, the partisan aspect was more visible than the regional one.

As I see it, fiercely nationalist regions would have been better represented in the House of Commons if, instead of having seven Bloc Québécois MPs, they had had five plus one Conservative MP

and one Liberal MP. By the same token, the province's fiercely federalist regions would have been better served if, rather than having only Liberal MPs, they had had a few representatives of other political stripes. As far as Quebec is concerned, that would have been better.

My preference is a system that reduces partisanship at the regional level. I'm not talking about the provincial level. I'm referring to large provinces with smaller regions. That plays an important role. Since Quebec is in a different boat, the outcome would be unique to the province.

• (1025)

The Chair: Thank you.

Thank you, Mr. Thériault.

It is now Ms. May's turn.

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): I want to ask Professor Blais some questions relating to strategic voting. I'll probably go to Mr. Himelfarb next, because you raised this in your presentation as well.

I have a different sense about it, having talked to a lot of my friends in Green Parties around the world, and I'm not doubting your research for a moment. "Wait a minute", my friends from New Zealand say, "it's not like we get rid of strategic voting altogether. We have people trying to calculate if I vote this way on this list, and I vote that way locally, then I'll get...".

Are the distortions caused by strategic voting far less in a proportional system than the great lurches we get in our system, such as no representatives from anything but the Liberal Party for all of Atlantic Canada in this election, from strategic voting? As I said, when I pursue this with my friends in other countries, I say, sure, people are voting strategically, but the impact is altogether different.

Prof. André Blais: You're absolutely right. The impact is different, and you could argue that the distortions are smaller in the sense that in our system, strategic voting is always at the expense of small parties to the benefit of larger parties. Under PR or MMP and so on, sometimes it goes the other way around. For instance, in Germany, if you are supportive of the Social Democrats, and you see that a potential ally, the Greens, might not meet the 5% threshold, you have voters who strategically defect towards the small party to make sure that the Greens have the 5% in order to form a coalition. You are absolutely right.

The main point is that they have at least as much strategic voting under PR, and perhaps even more. But the consequences in terms of bias against small parties are not the same.

Ms. Elizabeth May: I think it may be a health issue. I feel that if you have to hold your nose while you're voting, it can't be good for you. Perhaps these people who are voting strategically in PR systems feel good about what they're doing, as opposed to feeling ill. That may be too much of a hypothesis.

Mr. Himelfarb, can you jump in on this one?

Mr. Alex Himelfarb: I was going to go where you went. No question: voters will be tactical. Voters will make tactical decisions. When they have more than one vote or more than one party or a party and a candidate, all of which are possible under the system, they will make some tactical decisions.

When I talked about less strategic voting in my introductory remarks, I meant it in a very specific way, which is less the sense of feeling forced to vote for your least worst option, which means it opens you up to making tactical decisions without holding your nose.

Ms. Elizabeth May: Professor Milner, you're nodding. Did you want to add to that?

Prof. Henry Milner: No, I agree. The kind of study André does, because it's so big and takes all these different contexts and puts them all in the same barrel, by definition misses this aspect. When we look at the effect it might have on Canada, we can be more contextual and say, well, that's likely to happen in the Canadian context.

Prof. André Blais: If I can add, if you are supportive of the Pirate Party in Germany, you know that your party will not get 5%, and you will be induced to vote strategically as well. There is that in all systems. In all systems there will be small parties that will not be represented, whatever the system.

Ms. Elizabeth May: Professor Milner, I want to go to you, because you're so strongly in favour of mixed member proportional, and I understand your rationale. I'm not promoting one or the other.

We've had a lot of presentations on single transferable votes as an option, and the argument is that you still have your local representative, you have a cluster of local representatives, and you can even create healthy competition to provide better service to constituents between and among the representatives. Or people may say, "That's my MP; that's the one I voted for", as opposed to, "That's the one from my town". Have you looked at that aspect of single transferable votes?

Prof. Henry Milner: You know, in a sense, it's a theoretical question. My feeling is that if we were starting from scratch, if Canada was being invented and we were adopting an electoral system with no experience, with everybody sort of coming with a tabula rasa, then that kind of argument could win and could be better, and I'd have no problem with it. In fact, you might even argue for some kind of regional list system.

I just think that when people are used to having one person, not five people competing, but one person representing them, they feel more comfortable. I think they would be reluctant to give it up. In some of the discussions I remember in Ontario and so on, that was a factor. I didn't follow the British Columbia discussion. I know that your province disagreed with all the other provinces that discussed this.

• (1030)

Ms. Elizabeth May: That happens in B.C.

Some hon. members: Oh, oh!

Prof. Henry Milner: Yes, I guess that's right. It's the winds of California, and so on.

The Chair: Thank you very much.

We'll have to go Ms. Sahota now, please.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, everybody, for being here today.

My question is directed towards Dr. Himelfarb.

You argued in an op-ed on May 10, 2016, that ranked ballots can be instituted either in the current system or in a proportional system, but that on their own they don't solve any problems.

Would you mind explaining to the committee how ranked ballots would function in a proportional system?

Mr. Alex Himelfarb: Sure. In either model that we have talked about, you could allow people to rank parties or rank candidates. In the single transferable vote, ranking parties or ranking candidates is usual, so in PR, ranking is often built in.

When you build it in to first past the post or winner takes all system, you actually exaggerate some of the difficulties in the system. If what you're looking for is greater representativeness and a greater ability to capture the diversity of views in Canada, the use of ranked ballots, when attached to first past the post, doesn't do that.

Ranked ballots is a kind of subset. There really are two big choices: a winner-take-all approach and a proportional approach, and either of them can have ranked ballots. The fundamental decision is which of those objectives you are pursuing. Are you pursuing single-party majorities as the norm, or are you pursuing greater representativeness as the goal?

Ms. Ruby Sahota: Okay.

Yesterday I didn't get an opportunity to ask this question, but I now put it out to all of you. There was a Jenkins commission in the U.K. I wonder whether any of you are familiar with it and with their recommendations of an 80%-plus system, what your thoughts on that would be, and how it could possibly function in Canada.

Prof. André Blais: This is a question about the alternative vote as an option—

Ms. Ruby Sahota: Yes.

Prof. André Blais: —which I understand is perhaps the preferred option of some people in Ottawa.

Ms. Ruby Sahota: We haven't really discussed it at all; it's been rather put aside. I want to explore what the pros or cons to it really are, so that we have it as a part of our dialogue here.

Prof. André Blais: In fact, there are two questions: AV versus first past the post, and then AV versus PR. The question of whether it is proportional.... It's not a proportional system, so I'll just address the first question, which is AV versus first past the post.

It's a single-member district, so it's very similar. The differences are not big. The only difference is, of course, that you rank-order your preferences, and a candidate has to receive a majority of support in their first vote or second vote or third vote. The major difference is that a party or candidate that is the second choice of many people gets more support and is more likely to win.

There have been some simulations. Basically, the system is not too different from first past the post, but a party that is the second choice of many would get more seats. That would be the biggest difference. It's up to you to decide which is the party that is the second choice in a given context, and then you'll see which party is most likely to be favoured at a given point in time.

That's the main difference. It's more legitimate, in the sense that every candidate who is elected gets at least 50% of the vote. In my view, that's more legitimate. It is still not proportional and so on in many different aspects, but it is, in my view, more acceptable.

Ms. Ruby Sahota: Do you know what happened in the U.K.? Oftentimes we talk about the way many western countries are moving towards a proportional representation system, but the U.K.—the Westminster system that we're modelled after—has not chosen to do that yet.

What happened with their commission and the recommendations that were made? Why did they adopt them or why not?

Prof. Henry Milner: You're talking about Britain, are you?

Ms. Ruby Sahota: Yes.

Prof. Henry Milner: Well, Britain was a case in which, first of all, what they proposed was a kind of mixed bag. It was not proportional but was a bit more proportional than the existing system.

The other problem was that the two main parties were against it. The Liberal Democrats had to try to defend it. It was a sort of agreement to please the Liberal Democrats, but basically the major parties opposed it. There was no real discussion, because it was essentially one-sided. It wasn't a particularly clear system to begin with, because it was based on compromise. The turnout was very low. Nobody was surprised at the result.

One thing about places that didn't do this well, I think, is that we can learn from them. We can learn how to discuss this, how to come up with a proposal that best fits our need and is not just some kind of partisan compromise, and we can get Canadians involved. I think we're on the right track.

•(1035)

The Chair: Thank you.

Go ahead, Mr. Kenney.

Hon. Jason Kenney (Calgary Midnapore, CPC): I'm going to defer to Mr. Deltell.

[*Translation*]

The Chair: Mr. Deltell, you may go ahead.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

I'd also like to thank my colleague Mr. Kenney.

Welcome to your Parliament, gentlemen.

The good thing about this week's exercise is that it gives us the opportunity to hear a range of views. We get to hear everyone's opinion. The views expressed by the bevy of distinguished witnesses

here this morning all seem to converge, which is fascinating. It also speaks to the democratic nature of the debate going on here.

You all had very positive things to say about the proportional system, which would help prevent some of the discrepancies that can occur in some regions, and that makes sense.

Now I'd like you to comment on the role MPs play vis-à-vis their constituents.

I have been active in politics for eight years. I was directly elected in a single riding four times. I'd like to thank the people in the provincial riding of Chauveau and those in the federal riding of Louis-Saint-Laurent, for that matter. I can say from experience that a relationship develops between an elected representative and their constituents, perhaps not quite a fondness but, rather, a trust.

I can't speak for everyone, but I think all would agree. We represent all of our constituents, even those who didn't vote for us. In fact, that may be even truer for those who didn't vote for us, so that they have a better understanding of our plans the next time around.

I'll never forget the first constituent I met in December 2008, in my constituency office on Racine Street. I'll call him Mr. Smith. He told me he hadn't voted for me—what a great way to start off my career. I told him he wasn't the only one but that we were going to work together, and that's what we did.

That's the beauty of the direct representation our current system offers. I'm not saying it's perfect, far from it. But no system is perfect. No matter what, a representative who is directly elected in a riding represents all the constituents in that riding. Weekends and evenings, we meet people at social and charitable events, and we support them. Regardless of political stripe, we have a close relationship with the people in our riding.

In 2012, the provincial electoral boundaries changed, and I lost two towns in my riding, Shannon and Valcartier, which had not voted for me, by the way. I was extremely saddened, not because I was losing people who hadn't supported me, but because, like it or not, I had formed an attachment to the people after four years. Those discussions—those interactions—play a role in how we think about policy, even though we are bound by party lines and have to stand up for the platforms we were elected on.

I'd like to know where all three of you stand on this.

In a proportional system, when the list is long, how can the elected member maintain that same closeness with their constituents? Let's flip the question. How can a constituent have that same close relationship with their elected representative, when that representative is swallowed up by the whole, as opposed to that constituent having voted directly for a single candidate in a riding?

Prof. Henry Milner: To answer that, I'd have to take a close look at the various experiences in that regard.

The compensatory model I favour offers a major benefit: between 60% and two-thirds of candidates would come directly from the ridings, just like you. What makes that model appealing is that those candidates would have greater legitimacy in terms of representing the entire population in their riding than under the current system. Why? Under the current system, the people who vote for you, for example, have to be Conservatives; otherwise they would be voting for a party they don't support. So the people who vote for you, and not those who work with you, are Conservatives.

In a compensatory system, all the constituents could vote for you if they felt you were the best person for the job, because it wouldn't influence the regional outcome, which would be proportional. In that case, you would go to Ottawa not simply as the person representing the Conservatives in your region, but as someone with the support of many constituents who voted for you despite choosing another party in the second vote. That would be perfectly legitimate because that's how the system would work.

• (1040)

Mr. Gérard Deltell: Under the system you're proposing, then, two-thirds of MPs would be elected directly, and the other third would be elected on a compensatory basis. That's really what you call second-class MPs.

Prof. Henry Milner: No. I talked about first-class MPs.

The Chair: Perhaps you can discuss that during Mr. Deltell's next turn.

Prof. Henry Milner: Very well.

We can discuss the third of list-based MPs later.

The Chair: Great.

It is now Mr. Aldag's turn.

[*English*]

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thanks for the excellent information you've given us so far today.

None of you has touched on two areas we've been asked to look at, one being mandatory voting. If anyone has thoughts on that, maybe we will start with that if you have comments on it.

Mr. Alex Himelfarb: I don't think it would mean the end of civilization, but I'm not generally in favour of it. I would prefer a system that makes it valuable to vote rather than compulsory to vote. The notion of making people vote who don't want to could lead to unanticipated consequences. Some studies have shown what's called, for some reason, the "donkey effect", where people just tick off the top choice. The accident of where you sit on a ballot matters. I would rather make voting attractive than compulsory.

Prof. Henry Milner: My research currently is about political knowledge, but my last book was about what I call civic literacy. Australia, where you have compulsory voting, showed that there was some relationship between that and more informed voters. In other words, since you're required to vote, you go out and get more information.

So far, as far as I know, the research hasn't found that. Therefore, I'm not particularly in favour of simply getting more people to vote without at the same time getting people more informed about politics. If our turnout went way down and we ended up with a

possibility of less than 50% turning out, I would look for more radical solutions such as compulsory voting. Fortunately, I think we have other alternatives at this point.

Prof. André Blais: I also lean towards non-mandatory voting, but I'm more ambivalent. I'm intrigued by mandatory voting. I'm doing a study with a colleague in Brazil where it's voluntary to vote from 16 to 18, compulsory from 18 to 70, and then voluntary again after 70. I find this very interesting.

I think there are good reasons to tell people they have a duty to vote. There's a good book, *Full Participation* by Sarah Birch, about the virtues of mandatory voting. I'm still on the side that believes we should just try to make it as attractive as possible. I would be in favour of Elections Canada's mounting campaigns to try to convince people to vote, but I'm still a liberal.

Mr. John Aldag: The other thing I'd like to hear about is online voting.

Prof. Henry Milner: This is not an area I've looked at, so I can't talk about research. I'm uncomfortable with it because maybe I'm just an old fogey, but I think too much is happening online for people and not enough is happening in their communities. As long as we can find ways of getting people to actually vote with their neighbours, I would prefer that. I haven't been persuaded that online helps us much.

Mr. Alex Himelfarb: In the spirit of old fogeys, I too quite like the idea of elections as a collective experience. I think that's hugely valuable. On the other hand, I would prefer electronic voting—if it increased access and participation—to mandatory voting. To the extent that it might actually increase the voting of young Canadians, I find it somewhat attractive despite my basic fogeyness.

• (1045)

Prof. André Blais: I have young children—not that young but not too old. They are students who spend most of their lives online. For them, voting online would be the natural thing. I'm certainly open to the idea. The concern, as Mr. Mayrand has mentioned, is whether we can really make sure that the system cannot be hacked. I think we should move very cautiously in that direction.

Mr. John Aldag: Do you see a role in increasing engagement by youth as a specific demographic? There could be other populations that may be disenfranchised—the homebound, the poor, the physically or mentally disabled. Is there a possibility that the benefits might outweigh the drawbacks in certain cases?

The Chair: Yes, maybe we'll have to get the answer in another round, but we'll go to Mr. Blaikie now.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): If we did decide to go to some kind of mixed member proportional system, for example, it's seems to me that one of the really important questions would be the composition of the lists and how exactly you institute some kind of open list. So maybe you've got the most closed model where it would be the party leadership that decides who's on the list; or you've maybe got a model where voters can interject because they can kind of vote within that list for candidates.

I just wonder, Professor Milner and Mr. Himelfarb, if you want to talk a little more about what you imagine might be a good model for list choice in Canada.

Prof. Henry Milner: That's the one area where I have not actually come down on a clear position. I know that people who are in favour of reform toward an MMP style tend to favour open lists, and I can understand why. It basically says this. Why should you be required to do what the party wants you to do? Why not do what you want to do?

On the other hand, we should also know that parties in their choice of whom to place on a list tend to be bringing in certain priorities—for example, under-represented groups, women, and so on—and those are not irrelevant. In addition, we should also not—and I want to say this carefully—assume that voters really want to be given so much choice. In some cases it will probably discourage them.

Many voters have limited choice. They know which party they like and they can probably also either vote for the local candidate who is from that party or perhaps they have some reason to support a different local candidate. But to assume that they are capable of choosing within a list of people who may not be very local, who may be in part of their region, but the region could be somewhat larger, and to expect them to make that choice, I'm not sure that's entirely desirable.

I don't have a problem with what we call closed lists. That's what they do in the countries that use MMP. Remember, the maximum list size we're talking about now is five or six, because I don't think we want any regional districts with greater than a dozen or 13 total seats. So the number of names coming from the list will never be more than five or six, and we have to remember that. That's the secondary part of the system.

People who've gone to these countries, like Germany, say the real emphasis is on the local MP. That's the one the emphasis is on. Typically, people who are elected from the list, if there's a vacancy in their local districts, will try to get elected in the local district. That's where the emphasis should be. So I do not insist that voters should be able to choose from the names of a regional list, but this is a relatively secondary discussion on which there are good arguments on both sides.

Mr. Daniel Blaikie: Go ahead, Mr. Himelfarb.

Mr. Alex Himelfarb: I'm strongly inclined to open lists, to making sure voters have the opportunity to determine priorities, rather than parties. If one of our objectives is to increase trust and legitimacy in the system, I think it's going to be very important to say to Canadians that this is about voters and not about parties.

By the way, with some of the challenges of whether a party imposes a candidate on a riding or a riding makes the decision, those

decisions have to be made whatever electoral system we have. Those are important decisions, but they are secondary to this issue. What isn't secondary is whether voters get to vote and determine the priority of any list, should it exist, and I think that's hugely important.

It's also important because it says to the candidates that if they don't link to the voter, if they don't make a concerted attempt to win the hearts and minds of voters, they will pay a price. It gets back to a question earlier on, that one of the advantages of PR is that, where candidates have built trust and where candidates have shown they represent all of the constituents, they have an advantage. Even within parties, there's competition in PR; that healthy competition rewards those who care most about their constituents.

• (1050)

Mr. Daniel Blaikie: You say in a system where we have open lists, in the sense that voters are able to discriminate between candidates for a particular party in their vote, the law should be silent on how candidates get on that list, or do you think it would be good to prescribe in the law a system so that each party is—

The Chair: A brief answer to that.

Mr. Alex Himelfarb: My own bias is that parties ought to be looking at that, but I wouldn't make a proposal on it.

[*Translation*]

The Chair: Mr. Kenney, the floor is yours.

Hon. Jason Kenney: Thank you, Mr. Chair.

I want to thank the witnesses for joining us today.

I have a question about the decisions Canadians made regarding electoral reform. As you know, four provinces put forward electoral reforms. In three of those provinces—British Columbia, Ontario, and Prince Edward Island—voters flatly rejected those changes.

As mentioned yesterday, in 1959 and in 1968, Irish governments proposed changes to the electoral system that would have benefited the parties in power, but the electorate rejected those changes in referendums.

Yesterday, experts from New Zealand told us they held two referendums before adopting their current system. A third was held to give voters an opportunity to reconsider their decision.

A witness also told us yesterday that was a constitutional convention, according to the Jennings test. Peter Russell said we shouldn't talk about constitutional conventions or such abstract notions because of the obligation to ensure democratic legitimacy by giving voters the opportunity to judge their electoral system. That's not up to politicians but, rather, voters.

My question is for all three witnesses.

What is your take on Professor Russell's view and on this convention that exists in Canada?

[*English*]

Mr. Alex Himelfarb: Nobody wants to answer that.

[Translation]

Mr. André Blais: Your question clearly surprises me. I wasn't expecting a question like that.

Seriously, though, I would say it's a normative issue. As a researcher, I don't have an answer to that question. The issue is whether it is up to citizens to decide on the voting system at the end of the day. As a researcher, I don't have an answer to that normative question. But, as a citizen, I do have an opinion. It is indeed up to citizens. They should have the final say on an alternative voting system. That said, I'm paying close attention to what's happening in New Brunswick, which is holding a preference-based referendum with five options.

Prof. Henry Milner: That's in Prince Edward Island.

• (1055)

Mr. André Blais: My apologies, I meant Prince Edward Island.

That's one approach I would encourage the committee to consider. Instead of selecting one option, it could select five and propose a preference-based referendum. As a citizen, not as a researcher, that's something I would be in favour of.

[English]

Mr. Alex Himelfarb: I'm not surprised at the question either and haven't decided how I'm going to answer that. I was asked the same question, Mr. Chair, at a conference and I answered a referendum if necessary, but not necessarily a referendum, and the entire crowd groaned at me, but it is more or less my position. Clearly there are reasons for all of us to want public legitimacy and credibility for whatever decision is made. I think the composition and openness of this committee goes a long way toward doing that. The opportunities for people to participate and contribute would go a long way toward doing that. Whether that's enough or not will depend a lot on what kind of consensus the committee's able to develop. I think that matters and that over time one might change one's mind.

Having said that, I understand the democratic impulse of asking constituents. On the question of asking constituents what they would prefer, a system they know well or a system they don't really know anything about and don't get, I'm not sure what the value of the result would be. In New Zealand, for example, where they did hold a referendum, they invested hugely in public education and information. They took it really seriously, because without that, I don't know what you have. I know there are ideas floating about holding a referendum after people have experienced the new system. I must say that has some attractive appeal to me because they are voting then between systems they know something about. I understand the impulse.

The Chair: Thanks very much.

We'll go to Ms. Romanado.

[Translation]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Thank you to all three witnesses for being here today and giving us their input.

[English]

We touched a little bit on the youth vote, which is something near and dear to me that I've asked other witnesses about previously. We

had a large youth turnout in the last federal election, which we're delighted about, and it's something that we want to continue. We want to engage the youth not only in terms of voter participation, but also in terms of thinking about a career in public service. So I'd like to get a sense from the three of you what your thoughts are on how we can maintain what we have established or made headway on in getting youth involved in the political process, but also how to increase that. There are some issues that you talked about—online voting perhaps with the youth vote, and in terms of a mandatory voting—but I'd like to get your perspective on what I asked. I then have a second question for another stakeholder group.

Prof. Henry Milner: Another area of my research is voting at age 16, on which political scientists have done a pretty good analysis because we have cases of countries, or regions within countries or municipalities, where the voting age has been reduced to 16. What we basically found is that young people, on the whole, if they begin voting at 16, other things being equal, generally are more likely to vote than if they began voting at 18 simply because they're more likely to be in their own family, still living with the rest of their family where their parents are more likely to be voting and they'll join them, or in a community of people who are participating in one way or another. Once they get to be 18—and by their first election, they could be 19 or 20—they are likely to have left their parents' home. They might be in a different city and will certainly be thinking about other things—relationships and so on—and in fact tend to vote less. That is pretty pretty clear in all of the cases we've looked at.

The question is to what extent does that creates a habit that will continue through life. There is some disagreement on how much of an effect it has.

Then other question is, if they vote at 16, are they likely to be less knowledgeable than if they started at 18? Are they actually not voting? Basically, the fact is they're no more knowledgeable necessarily, but they're not less knowledgeable either.

So my basic feeling, to answer your question directly, is that this would be something we should think about seriously, combining it with more serious efforts of political civic education at the ages of 14, 15, 16 particularly. Unfortunately—I shouldn't say unfortunately, as it's in the nature of our federal system—education is a provincial matter and I would like to see provinces take the initiative on something like this, combining greater effort to civic education with voting at 16, and then moving toward doing that federally. That's where I would put the emphasis in answering your question.

• (1100)

Mrs. Sherry Romanado: Thank you.

Mr. Himelfarb.

Mr. Alex Himelfarb: Yes, I too like the idea of an earlier voting age as a way of promoting youth participation. And I am open, as I said, despite my fogeyness, to online voting if that would make a big difference not only for youth but for others whom we should be targeting.

So I think those are two things.

I would be very curious—I don't know the data on this—as to whether André Blais has any data on whether PR actually increases the turnout for young voters, because my understanding is that young voters actually prefer greater proportionality. But in the end, it's a reminder that electoral reform itself isn't enough for democracy and that a whole lot of what we have to do will be besides electoral reform, including targeting, educating, and civil literacy, and, of course, the substantive elements of our policy options.

Mrs. Sherry Romanado: Mr. Blais.

Prof. André Blais: I hate to admit it but I fully agree with my colleagues. This is very rare in my life, but it's unfortunately the case this time.

Mrs. Sherry Romanado: Okay.

Do I have some time?

The Chair: About 35 seconds.

Mrs. Sherry Romanado: Would a PR system increase the participation of women in office?

Prof. Henry Milner: The statistics certainly show that. There's no question that women get elected much more significantly in PR systems than in non-PR systems. That's unquestionable. You could ask, where is the causality? Is it because these countries are more open to women's involvement that they choose proportional elections, so that the causality tends not to go from the electoral system but from the political culture? But the relationship is very strong.

The Chair: We'll start our second round with Mr. DeCoursey.

[Translation]

Mr. Matt DeCoursey: Thank you, Mr. Chair.

Professor Blais, I'd like you to elaborate on the conclusions and findings of your studies.

[English]

One of your conclusions—and please correct me, if necessary, because I was scribbling as quickly as I could—is that PR potentially enhances perception of fairness, or does enhance perception of fairness, but that it is unlikely to increase voter satisfaction. What were you measuring in each of those particular conclusions, which seem a bit incompatible? Was it the result in Parliament and what Parliament looks like versus the functioning of government? Just some clarity around those two conclusions would be helpful for me.

Prof. André Blais: The exact questions that were asked in those surveys were the following, almost exactly.

The question about satisfaction with democracy is this. How satisfied are you with the way democracy works in your country? And the choices of answer are the following: very satisfied; fairly satisfied; fairly dissatisfied; or very dissatisfied.

The fairness question was something like this—and this was after the election. How fairly or unfairly was the election conducted? I think the answers were these: very unfairly; somewhat unfairly; somewhat fairly; or very fairly.

These two questions are correlated, but imperfectly, and we observed differences only with respect to perceptions of fairness

between PR and non-PR—only with respect to perceptions of fairness, and not with respect to overall satisfaction with democracy.

There is a correlation, but it's not overly strong. The only difference that is really clear is the difference with perceptions of fairness. In terms of satisfaction, there doesn't seem to be any significant difference.

Mr. Matt DeCoursey: If we were drawing conclusions from those conclusions, what lesson would you leave us with to keep top of mind in the Canadian experience?

Prof. André Blais: All of these results are not absolutely certain. This is the best evidence we have, and it's still not.... More work could be done. But unsurprisingly, I guess, when you ask specifically about perceptions of fairness, then PR clearly performs better. But when you ask for a very general evaluation of how democracy works, then it doesn't make a difference. PR helps in affecting specific perceptions of fairness, but if you think about overall evaluations of how democracy works, it's not enough. There are many other things that are taken into account, and in the end it doesn't have a significant effect, it seems.

●(1105)

[Translation]

Mr. Matt DeCoursey: Professor Milner and Mr. Himelfarb talked about the system they prefer, telling us about some of the studies and research conducted.

As a researcher, or a Canadian citizen, which system would be your preference?

[English]

Prof. André Blais: I will not directly answer the question, but I might, after we have been grilled many times. We'll see. I will be giving a class on electoral reform this fall for 35 students, and we'll discuss all the studies that have been done. In the last five weeks, the students will deliberate, discuss, and propose the best reform for Canada. I tend to support that proposal, so that's my view at this point.

Mr. Matt DeCoursey: I have one last question for each witness. Given the competing values that we should consider as elected representatives in putting together a report to government on potential alternative electoral systems, what is the highest priority or the top value we should keep in mind?

I'll ask each of the three of you to briefly reply.

Prof. Henry Milner: I think it's fairness. I don't think it's an accident that André's report clearly shows that people consider which electoral system is fair, the proportional systems win out. It's not an accident. Does it necessarily make you more satisfied with the workings of democracy? No, not necessarily, because you may be paying more attention and there are things that you are more critical of, which you might not have been doing in our kind of system, because there's a government that is running things, and so on. That, to me, is less important than the crucial sense of whether you think the system works fairly.

By the way, I should add that André is on record, so if you want to know where André stood in the past, you can look at the Quebec discussion in which he participated, but we're going to re-create his virginity on this question.

The Chair: I can see right now everyone going to Google to see what that position was, but we'll have to move on now to Mr. Reid.

Mr. Scott Reid: Speaking of things that individuals have written in the past, Professor Milner, I have a paper you wrote in 2004, and I want to go through some of the details you were discussing in that paper with regard to some aspects of multi-member proportional that have not thus far been discussed in this committee, either at this meeting or previous meetings.

I want to dwell upon two subjects you raised. I'll start with the first, and we'll see whether we have enough time for the second.

You describe a situation in Scotland in which the greater strength of the SNP in the individual electorates or ridings resulted in their having virtually no list members. Other parties had many list members and very few elected in the ridings.

This seems to have been a problem at that time, enough that you identified it. Is it still the case that this is a problem? Has it resolved itself? Is it inherent in the system, or was it just an accident of the first election that took place under MMP in Scotland?

Prof. Henry Milner: The SNP, as you probably know, was able to take power after that. Clearly, in order to do that they had to win a good part of the individual districts as well. This was, I guess, a way to break through the system originally. Depending on how you feel about Scottish independence, you may say it was a good thing or a bad thing, but putting that aside, I think the system worked as it should.

For a party to represent an important tendency that has been under-represented by the existing system, to enter because the new system represents the parties much more proportionally is a good thing. They are then in a position to present their ideas, reflecting their strength within the population. There were clearly other things happening at the same time, but that certainly helps to explain why they were able to do better in the subsequent elections.

• (1110)

Mr. Scott Reid: You talked about this being a “two classes of MPs” issue: some are from the list, and some are from electorates. This seemed to be a problem back then. I'm asking whether it is a problem.

Prof. Henry Milner: In a temporary sense, you could say that when one party gets mainly one kind of seat and the other party gets mainly another kind of seat, if they're big parties that could be

somewhat problematic, but the problem tends over time to resolve itself. It's the very small parties, such as the Greens in Germany, for example, that rely on the list seats in order to maintain a proportional presence in Parliament. When it comes to big parties, it's a temporary situation.

I was writing in 2004. I think if I went back to Scotland today I wouldn't raise that as an issue.

Mr. Scott Reid: Okay, that actually does answer the question. It appears to be an accident of that election rather than a feature of the system.

The other question I want to ask relates to something that happened in New Zealand. A number of people elected under Winston Peters' New Zealand First party proceeded to bail out of that party and go to other parties. Mr. Peters, who held the balance of power, then demanded that an anti-party-hopping bill or anti-ratting bill or anti-floor-crossing bill be passed. It was, and it then had disastrous results in which another party unexpectedly was effectively destroyed because it couldn't split into two factions.

How did that situation resolve itself? What is the status quo in New Zealand? Is anti-party-hopping done anywhere else, or is it simply ruled out in most MMP jurisdictions, to the extent that you have any knowledge?

Prof. Henry Milner: I'm trying to remember the details. Maybe André knows.

I know that in recent elections in New Zealand, this hasn't come up as a real problem. so they did resolve it. It was a very particular case. New Zealand First is a very special kind of party that, really, you pretty much cannot compare with a party anywhere else, because it was a personal party; it was the party of Winston Peters, who was a particular character, and he's gone from the scene now. Maybe that explains the situation, but it meant that they had to deal with a particular case.

I don't know exactly how it was resolved, but it seems to have been resolved.

The Chair: You only have 10 seconds, so we'll go to Mr. Cullen, if that's okay.

Mr. Nathan Cullen: The process that we're engaged in right now is the first stage of what this committee is endeavouring to do. The next stage involves cross-Canada consultation with Canadians.

Some witnesses have suggested that when we get to that stage, that the committee, that Parliament, should start to present more concrete proposals to Canadians that they can then comment on, rather than just the broad topic of electoral reform writ large—every issue under the sun.

For the benefit and the efficacy of that public engagement, would you have any recommendations that the committee start to formulate ideas that Canadians can then comment upon, or are you more in favour of the idea of our remaining in the 50,000-foot level, all issues on the table at the time?

Mr. Blais.

Prof. André Blais: I am clearly in favour of more concrete proposals.

I think that if the committee could come up with, let's say, five concrete proposals, that would help a lot. That would not be the end of it. There is always the possibility of other options coming out later, but focusing the attention on concrete proposals, I think would help a lot.

Mr. Nathan Cullen: I wonder if any of our other panellists have comments as well.

Mr. Himelfarb.

Mr. Alex Himelfarb: Yes, I think narrowing down the proposals is really important, for example, taking some things off the table like national lists, which would never work for Canada. It's really important to narrow it down to things that are likely to be implemented in Canada. I would do that.

Ideally, though it's going to be hard to do, it's about having a set of principles—and not just the government's principles, but a consensus set of principles—against which you assess each of these proposals and ask how well you are meeting them, and then which of the principles are most important to people.

Mr. Nathan Cullen: I want to get back to a question that I think was put to you, Mr. Milner, about participation of women and that there are different political cultures.

We were talking with the Electoral Commission of Australia last night. There we actually have a working example in which the lower House and the upper House are elected by different systems. One is the alternative vote, which sits in the winner-take-all category and elects less than 25% women. The other House runs on proportionality and elects approximately 40% women. It's the same political culture, the same country.

• (1115)

Prof. Henry Milner: I would agree with that, and I guess I should have added this. I think that in the cases where there has been change toward more proportional systems, we've seen an increase in them.

I should have checked my New Zealand statistics, for example, because that's a country that is similar to Canada. It's much smaller, but otherwise the country was proposing going from single member districts to a proportional system. As far as I know, the proportion of women who have been elected—and maybe André has more data—I think has gone up. It's maybe not gone up as fast and as high as people—

Mr. Nathan Cullen: Perhaps.

Prof. Henry Milner: I think it's gone up significantly.

Mr. Nathan Cullen: Well, we can only do better, as I think Canada ranks 62nd in the world.

In the other winner-take-all models—France, U.K., the United States—the United States is quite poor, but we all sit around the sixties or high fifties. When you look through the list of the top 20 to 25 countries in the world, all of them, with one or two exceptions, use proportional systems.

One witness argued that it was just coincidence and there is no causality, no connection between proportional systems and electing women. From an empirical scientific basis, I find that argument extraordinarily weak.

Prof. Henry Milner: Look, whenever you have lists, you do better.

If we use an MMP system, where lists would be only 35% to 40%, you won't do as well as you do in Sweden where you basically have regional list systems topped up nationally, which basically means you get 45% women.

Mr. Nathan Cullen: It depends on how much you value proportionality and representation.

Prof. Henry Milner: Yes, on how much you value proportionality, but there is no question that proportional systems elect more women.

Mr. Nathan Cullen: I want to talk about outcomes for the voters because, we want to see what kind of policies come out of this as well. We don't have this example in Canada of a proportionally run election because we haven't had them, yet some of our greatest policy outcomes for Canadians have come from minority parliaments. That is somewhat equivalent, in that under proportional systems—which all the evidence says we're much more likely to get, as you and others said, Mr. Himelfarb—or more minority, coalition, or those types of governments, that power is shared.

Is this not something that should be highlighted for the committee in terms of outcomes, in terms of what voters can expect, which is this form of government? These governments, at least in our past, have produced things like medicare, the flag, bilingualism, and other things that we value.

Is this a fair connection to make, Mr. Himelfarb, or am I stretching it?

Mr. Alex Himelfarb: It's interesting that comparative research on the substantive outcomes of electoral reforms do show that not only are policies more progressive as a result, in the sense of pursuing collective advance, and being more in the public interest, because, in fact, you have to find common ground with other parties so that the public interest prevails, but they're also more enduring.

It's interesting, just as a sidelight, that despite concerns to the contrary, countries with more proportionality also have more sound fiscal situations.

Mr. Nathan Cullen: Sound—

Mr. Alex Himelfarb: Fiscal situations.

The Chair: Thank you.

Mr. Alex Himelfarb: There are a lot of substantial benefits.

The Chair: Okay.

We'll go to Mr. Thériault.

[*Translation*]

Mr. Luc Thériault: Thank you, Mr. Chair.

Mr. Milner, earlier I talked about Quebec's geopolitical situation, being very familiar with it. I said that the devil was in the details and that agreement on the need for a compensatory mixed member proportional voting system simply wasn't enough to settle the issue.

Asking questions about the process strikes me as fundamentally necessary. I'm glad to see that, unlike some of the witnesses we've heard from, Mr. Blais believes a referendum has to be held.

When our mandate got under way, those in favour of a referendum were painted as people who wanted to stand in the way of change, but I think that was a mistake.

The process matters. In Quebec, we had a draft bill, a very concrete proposal. We travelled all over the province, and that gave us an opportunity to see the real problems in every region of the province. It didn't lead to a transformation because the government of the day wasn't interested in letting the public decide the issue.

Some witnesses claim that people aren't familiar with the issue, that it doesn't interest them. Therefore, they argue that, as agents of a representative democracy, we have all the legitimacy needed to push ahead. The executive branch says last fall's federal election was the last to be conducted under the current voting system. The minister says that the system has to change but that holding a referendum is out of the question. In a nutshell, we are off to a bad start when it comes to doing things the right way.

We have just a few weeks to consult the entire population of a country as vast as Canada. Wouldn't it be much less reckless and more realistic to, instead, come up with a draft legislative proposal, open it up to consultation, and then ask Canadians to decide in a referendum during the next election? That would prevent this current exercise from ending in failure, would it not?

•(1120)

Prof. Henry Milner: I managed to avoid that question the last time it was asked. Unfortunately, I don't seem to be as lucky this time.

Some countries have changed their voting system without holding a referendum. France did it twice. To my mind, this has less to do with what I think and much more to do with what the public expects.

If a compensatory model were proposed with the underlying principle that voters in a given region would have their own member, personally, I would find that acceptable. If the public decided a referendum was needed for such a change to have public legitimacy, I would support that as well. I wouldn't say, from the outset, that a referendum was, by definition, necessary. If a logical proposal based on the principle of individual representation were put forward, I think it would be legitimate to go ahead without a referendum.

Mr. André Blais: Obviously, I'm more than happy to disagree with my tennis partner over here.

It's my belief that a referendum is necessary. But, if a referendum were held, I would want to see a commitment by all the parties to

accept the outcome. If a change were made, if the Conservatives won the next election, all the parties would have to accept the change.

Mr. Luc Thériault: How much time do I have left, Mr. Chair?

The Chair: You have 15 seconds left.

Mr. Luc Thériault: Fine.

Thank you very much, gentlemen.

The Chair: Thank you.

It's now over to Ms. May.

[*English*]

Ms. Elizabeth May: I want to pursue something that we haven't gotten to so far today. It's in your testimony, Professor Milner, and it's related to one of the aspects of MMP that Professor Tanguay mentioned when he spoke to us a couple of days ago. He said there were two features of MMP from the Ontario Citizens' Assembly that attracted negative commentary. One we've already talked about a lot, the question of lists controlled by political parties.

The other had to do with expanding the size of the legislature to accommodate the MPs in redistributing for proportionality. In your paper, you suggest that unless we add MPs—and this is your only reference to this question—the size of the average single-member district will increase by roughly 40%.

Are we to infer from that that you think we shouldn't look at increasing the size of the House of Commons to adopt MMP? Do you have a sense of whether it would be acceptable to add to the number of MPs in the House?

Prof. Henry Milner: I don't have a problem with that, but I suspect many Canadians would. If we said the cost of changing the electoral system would be having more politicians it would too easily lend itself to a caricature. I think this is too important an issue to invite that kind of situation. I would say that it would be best to propose a mechanism that would allow the House to stay fundamentally the same, with maybe a few more seats but not significant growth. Remember, it is growing already. As our population grows, so do the number of seats. I don't think it would be acceptable to expand too much.

•(1125)

Ms. Elizabeth May: I understand that concern. I was opposed to adding 30 new MPs, and I voted against the legislation. We didn't have a referendum on adding 30 new MPs, but I imagine that, if we had a referendum on adding 30 new MPs, it would have been shot down. Many citizens might object strongly to having the budget go up.

Professor Blais, one quick thing: when do your students decide? Don't keep us on the edge of our seats. Our report is due on December 1.

Prof. André Blais: It will be just after that.

Ms. Elizabeth May: After?

Prof. André Blais: I think it's around December 5.

Ms. Elizabeth May: You couldn't speed them up? We have a report to write.

I have a question from Twitter for you, Professor Blais. It's from Laurel Russwurm. Earlier, she asked how we felt about dropping the voting age to 16, but now she's got a new one. She requests that I ask you, Professor Blais, whether it would be adequate to hold a referendum after an election or two, when the new system has been used, as Professor Himelfarb suggested. That's her question.

Prof. André Blais: This is a normative judgment as a citizen. I think it would be preferable to no referendum at all, but I think that before making a substantial change there should be a referendum to make sure that Canadians agree with the principles of trying a new system. I think it would be a second-best approach.

Ms. Elizabeth May: On the same general topic, but perhaps at a higher level of abstraction, I want to ask Dr. Himelfarb about a shared op-ed in *The Globe and Mail* by Mel Cappe, a Clerk of the Privy Council who followed him, and Janice Gross Stein. Are you familiar with it?

The argument they put forward was that as a representative democracy it's really a rather large change to decide that we want to move to a more direct democracy where lots of issues are put forward in referendums. I wondered if you had any thoughts on that? They were writing not just on this topic, but were were responding to Brexit.

Mr. Alex Himelfarb: I read the article, and actually retweeted it. I think there's a lot of merit in that view. In a representative democracy, the legislators are expected to represent their constituents and do some hard work. This is not constitutional, and so it's not required. It then becomes a political and normative judgment.

Their article was important in suggesting how complex issues can be easily hijacked in systems that appear more democratic but in the end are actually not. Asking people to leave or remain when there's so much misinformation is highly problematic. The investment in public education ought to be pretty rigorous.

I'm very comfortable with their general conclusion that direct democracy doesn't necessarily mean greater democracy. There is a place for referendums, but equating referendums with the quality of democracy is probably a mistake.

The Chair: Thank you very much.

Ms. Sahota.

Ms. Ruby Sahota: I'd like to follow up on that.

Doctor, you've been quoted as saying that whether a referendum is deemed essential or not, what's most essential is what comes before that referendum. Of course, this is a part of what could possibly come before.

We have another leg of this committee's work that will involve engaging people across the country. One of the values that we were talking about that we hold dear is fairness. One of the mandates of this committee is also to engage those who have been disengaged for some time. Inclusivity and accessibility are what we are trying to achieve.

Do you have any ideas—and this can go out to all of you—about how we can enhance the work of this committee and really reach out to those people?

Regardless of what we do, we want to make sure we have complete engagement in the voter turnout. Also, as my colleague was saying, we have representatives who represent this country. I come from a minority group and I'm also a woman, but some of these things could start becoming one-offs. I heard a statistic on the news yesterday after watching the Democratic Party convention in the United States that something like 80 countries have elected women as the leaders of their country, but those were all one-offs. Only under five of those countries have ever done it again.

How can we improve the system so that we're not just having a couple of years here and there where we have great representation, but make it something that we hold as a value going forward? Engagement is definitely important for this committee. How do we improve on that?

• (1130)

Mr. Alex Himelfarb: I think that's a multi-barrelled question. To some extent, you're asking something that goes beyond electoral reform, about how we keep disengaged communities more engaged, about how we bring them into the system. I think electoral reform is part of it, but I think it's much bigger than that.

It has to be a deliberate, committed strategy to reach those who are most disengaged. There are a number of ways to do it. I thought it was interesting that one of the committee members asked a question from Twitter. I think that's a great thing. I would probably be doing that a whole lot more. I would probably be linking to the large community in the social media through this committee. I'd probably be doing it intensely through various local organizations when you go into your next stage. I thought it was really interesting and reassuring how much time the government and the opposition parties spent in getting this process right. That's pretty reassuring. The debates are understandable, but the notion that people were listening to each other was pretty reassuring.

The extent to which this committee is deliberate in its outreach will be reassuring. The extent to which it's open and transparent is reassuring.

In the last decades, we have lost institutions that people trust to provide information that's not partisan. It's interesting that in New Zealand when they were talking about electoral reform, they created an institution for public education that could be trusted, that was non-partisan, that provided information. To have that kind of institutional capacity would also be useful, given how much distrust there is now in our democratic institutions.

Ms. Ruby Sahota: That's excellent. Yesterday we heard from a witness that education should just be done by political parties and the media, and not government. I was shocked to hear that type of testimony. I agree with you. I believe we should be getting out and engaging people and educating them. You have some unique ideas.

Does anybody else want to add to that?

Dr. Milner, I know you have done some work in this area.

Prof. Henry Milner: We've had different ways of doing it. In British Columbia we had a large citizens' commission. In Quebec we had a mixed commission of politicians and citizens. There is no right way. As was said, the crucial point is that efforts must be made to present objective, non-partisan, easily accessible material in every way possible and to allow for and invite input, using the latest technologies for that. It's never going to be perfect; we're not going to have a completely informed population. Many people have other priorities than the way we do elections. To the extent that the resources are used effectively, as I said before, I think this committee is on the right track.

The Chair: Thank you.

We'll go to Mr. Kenney.

Hon. Jason Kenney: Following on the same line of questioning and on the theme of legitimacy, I wondered if the witnesses would comment on whether they think a citizens' assembly would be a preferable form of non-political, non-partisan consultation with the electorate to study these complex issues. I ask in part because the norm, certainly in Canada in the case of Ontario and British Columbia, was to have citizens' assemblies to remove from the process those of us who have an obvious stake in the electoral system. Would the witnesses support a recommendation from this committee that a citizens' assembly be constituted to review options on electoral reform?

Prof. André Blais: Can I address this question?

This is a very interesting question because I've closely examined the citizen assemblies in British Columbia, in Ontario, and in the Netherlands, and we have a book, *When Citizens Decide*, about this. I was so impressed by the quality of discussion and debate in these three instances—the Netherlands, British Columbia, and Ontario—and I think this is a very good example, with one problem. The problem is that politicians were not involved, so all these citizens were discussing the issues and all the parties were absent from the discussions, so they had to develop ideas without taking due account of the real, concrete constraints that politicians face.

I would advocate a model that is closer to the Irish model. The Irish just had a citizens' assembly in which there was a lottery, and most of the participants were ordinary citizens, but with a fraction of members of Parliament in the citizens' assembly. This is, I think, a very, very interesting idea.

• (1135)

Hon. Jason Kenney: In Ireland, you said that TDs are involved in the assembly. The members of the Dail are involved in the assembly in Ireland. Is that correct?

Prof. André Blais: You interviewed two of them yesterday, but there was a third person, David Farrell, who was basically the chair of that commission. As I recall it, I think it was three-fourths

ordinary citizen members, and one-fourth members of Parliament, and also members from the various parties. They had constitutional assemblies on about six or seven different topics, and they came up with proposals on each of these topics.

Hon. Jason Kenney: Some members of the current government, including the Prime Minister, have expressed a preference for the alternative vote system, which some argue actually magnifies or increases the problem of false majorities. For centrist parties, it can do so. If one looked at polling data from the 2015 election and allocated second choices based on an AV system, the current governing party would have ended up with a disproportionately even larger percentage of seats.

I wonder if any of the panellists would care to comment on whether they see a problem of false majorities in a strict, single-member seat AV system.

Prof. Henry Milner: I've never understood the advantage of preferential systems per se. It seems to me that we know the disadvantages, which are that these systems make it difficult for parties that are not within the mainstream—even harder than it is under our system—to get elected, so you have less diversity. Where it's been brought in, it's usually been done pretty much to either keep out so-called extremists or to allow two parties who are close together, but can't agree, to keep out a third party, let's say. In the case of Australia, you had the National Party and the Liberal Party getting together to keep out Labor. In other words, the actual principled advantage of a preferential ballot to my mind.... I mean, you can say in theory that the local candidate who is elected is less disliked than he or she might be under our system, where you could have 40% in favour and 60% despising that person. But that's really unusual, and certainly it doesn't seem to me that you'd want to build your electoral system based on that kind of idea. To me, it's essentially a red herring that has been brought in, and I'm not quite sure why. If we had extremist parties that were threatening to become very significant and undermine.... When I say "extremist", I mean parties that don't believe in democracy.

The Chair: Thanks very much.

Mr. Aldag.

Mr. John Aldag: I'm going to go to present a couple of comments from Twitter. The first one is from Sebastian Muermann, who says, "Going forward, process of elimination for what is NOT going to work in Canada will be a good tool for [our group and] will allow us to move forward". Indeed, we've heard that we may need to find a smaller number of items to take to Canadians instead of this huge shopping list. Another person, Ken S., has posted on Twitter, "#redherring", and noted there are some that we shouldn't be looking at.

In my mind, I'm not quite ready to start throwing out options. I'm still a bit higher up. I came across a quote from Professor Milner, from an article in late January, that indicated that we need to be identifying principles to move forward, that this ought to be paramount. From Mr. DeCoursey we had started to talk about values, and we heard that fairness is one of those values. In response to Mr. Cullen's questioning, Mr. Himelfarb said that we need to have principles.

I'd like to hear your thoughts on what these principles should be. Ultimately, who should help us define them? Canadians are going to have to buy into this, the principles that will guide us moving forward, which from there will help inform this handful of systems that we take forward and the ones that we throw out.

I put to each of the panellists: what principles would you give to us, and how else do we get those from Canadians? We've heard that we need to have a system that's designed in Canada to meet our unique needs, and to me, the principles are a key part of that.

I'll throw it out to each of you: what are those principles? Who else should be identifying those principles? Your thoughts would be appreciated.

• (1140)

Prof. Henry Milner: My feeling is that abstractions are good in seminars for graduate students. To really have a discussion even around principles, I think you need to present concrete proposals and then invite interventions in which people are asked to express an opinion on either side, drawing upon principles. But asking for the principles as such is an abstraction, and I would say that most people don't think that way. If they do, it's because it's imposed on them by the situation. It's not the way they naturally operate.

Yes, I think the principles are important, but I do think that what I mentioned is the best way to get at them: to say here's the system, and here are the alternative systems that, based on our discussions, best reflect our views and those of the people who've presented their positions to us. Now we take it to the people in our districts and we ask them. When they choose, when they express a preference for one or the other system, we ask them to explain their preference in terms of these values—not the other way around.

Mr. Alex Himelfarb: I agree with that, although I think it's important to have principles. Linking them to actual proposals is going to be the key, because what really matters is the tension among principles. To take an example, there are two principles that I think we would all nod about. One of them is accountability to the electorate and the other is representativeness. We are a representative democracy. Now, the question is: are you committed to both and the tensions between them, and what systems best capture both? If you start looking at some of these principles, you'll find that some of them are in tension with each other, and then the question becomes, what systems reconcile those tensions best?

Prof. André Blais: My response would be that I oppose going from principles to choices and only then coming up with concrete questions. In my class, I've basically designed about 20 questions about the potential consequences of electoral systems. By the way, you're all invited anytime to come to my classes on Thursday morning. Just email me and I'll invite you and you'll see how students think about it.

You need to discuss the impact on the number of parties, on government duration, on links between MPs and citizens, on the representation of women, all of these specific questions, and then at the end you have to discuss values. But let's talk about the concrete consequences of electoral systems. That would be my argument.

I remind you as well that you're all invited to this public forum that was organized on October 20. There will be four political scientists, each one arguing for one system, who will present all the evidence in favour of these four different systems.

The Chair: Thank you.

We'll go to Mr. Blaikie now.

[*Translation*]

Mr. Daniel Blaikie: Thank you.

I'd like to pick up on the matter of the process. As I see it, there are two considerations. First, we have to look at how we go about reaching a decision on a concrete proposal at the end of the process. Mr. Kenney talked about that. Second, Mr. Cullen touched on how we come up with a concrete proposal that is regarded as legitimate.

The consensus, I believe, was that it would be preferable to present Canadians with concrete ideas and questions when the committee engages in public consultations across the country.

The makeup of our committee makes it rather unique. In that sense, do you think that, at the end of this whole process, we should put forward the system we believe the government should adopt and lay out its attributes?

• (1145)

Prof. Henry Milner: If you're able to do that, it would certainly be the best solution, even though it might not make everyone happy. To my mind, it would be much better to propose something concrete, if that's possible. That would keep things moving along. All the details wouldn't need to be ironed out, just the broad strokes and some of the core elements. I imagine some decision-makers will want to keep the current system. The discussion would keep moving forward, and Canadians would really have their say.

I imagine that would make things easier for journalists, in terms of writing articles or presenting the issues at stake to TV viewers. That would benefit Canadians. I think it's important to help those who are going to debate the merits of the issue by giving them as much clear and concrete information as possible. I encourage you to go that route.

Mr. André Blais: The website of P.E.I.'s chief electoral officer is a great example. It presents the five options, along with a brief, informative and concise description of each of the five proposals being considered. That would be a good starting point.

[English]

Mr. Alex Himelfarb: I agree with what both my colleagues have said. Ideally, you have a process that's open, credible, and engaged enough that you don't need a referendum—which would be my goal—and that you actually end up with a proposal. However difficult that is, it would represent at least some degree of consensus, because I expect that reaching unanimity is difficult.

Mr. Daniel Blaikie: [*Inaudible—Editor*]...possible for this committee to come up with the nuts and bolts, at least, of a basic proposal for change.

From a process point of view, do you think it's legitimate, then, just to have cabinet come down with its own ideas: “You guys didn't come up with a proposal, so here's cabinet's proposal, and this is what we're going ahead with”?

If those are the alternative branches of the process tree, if you will, are they anywhere near equal in terms of having a legitimate outcome?

Mr. Alex Himelfarb: If there is no committee consensus, then I think you have a credibility challenge, and then I would find some mechanism to deal with that credibility challenge before I made a final decision.

Prof. André Blais: Well, why not amend the P.E.I. approach—five options, a plebiscite, preferential voting, and there was a decision at the end made by citizens in a referendum?

Mr. Alex Himelfarb: If I might, Mr. Chairman, it goes back to what I said: not necessarily a referendum, but a referendum if necessary.

Prof. Henry Milner: I must say that is where I disagree with André. P.E.I. has far fewer people than the City of Ottawa. If the City of Ottawa were going to change its electoral system, I could imagine that kind of discussion, whereby several options would be put on the table and so on. Even then, I think most people would not get caught up in it.

I don't think, for Canada as a whole, that the idea of coming up with four or five different systems in which the differences are quite technical and asking Canadians to choose.... I think you're just going to lose most people. I don't see the value of that.

The Chair: Thank you.

Mr. Deltell.

[Translation]

Mr. Gérard Deltell: Thank you, Mr. Chair.

I'd like to pick up on the question Mr. Blais asked us earlier, but in a bit of a roundabout way. I'm glad to give my answer.

Before that, though, I want to come back to the discussion I started with Mr. Milner earlier.

Mr. Milner, we were saying that, under a proportional system, some MPs would be directly elected by voters and others would be

elected differently but still have a seat in the House. That would result in a two-tier system, one with two speeds or two grades, if you will.

Where is the legitimacy in having two classes of MPs in the House?

• (1150)

Prof. Henry Milner: Our former colleague, Louis Massicotte, who is now at Université Laval, worked with Quebec's committee. He's well-versed in Germany's system, having visited a number of times. He consulted with members of Germany's parliament and found that the system worked very well.

The responsibilities are divvied up. Voters can seek out the member for their own constituency or one of the list candidates from the party they support. Candidates prefer to be elected in a constituency, but if they aren't, they can be elected by being on the list. What they do, then, is try to make themselves known to people by working for them, so that, if one of the constituencies has an opening the next time around, they can run.

Mr. Massicotte didn't find any contradictory elements or problems with having the two types of MPs.

Mr. Gérard Deltell: Thank you, Mr. Milner.

Professor Massicotte focused on Germany, where the same system has been in place for some 70 years. That means Germans have enjoyed that democratic tradition for some 70 years. Clearly, prior to that, the situation was anything but democratic. But that's not really the case in Canada.

We'll have a chance to come back to that.

Prof. Henry Milner: Any change requires some adjustment, but there's no reason to think we wouldn't be able to adjust.

Mr. Gérard Deltell: I know, but with all due respect, I would point out that neither you nor Mr. Massicotte has ever been elected as a representative for a riding, worked on a daily basis directly with the people in that riding, or served as a liaison between the municipal authority and the federal government. A duly elected member for a riding, someone who serves as a direct liaison between their constituents, their institutions, and the federal government, has a lot more authority than a member elected in a region from some list. My experience speaks for itself.

Prof. Henry Milner: When a municipality is henceforth considered a region, it's possible to represent a constituency that is part of that municipality, but not the entire municipality. If you're part of a team of elected representatives, I think the municipality would be much better served.

Of course, there are always trade-offs. But I can't see any reason why a compensatory system would hinder representation.

We could continue that discussion.

Mr. Gérard Deltell: No, you expressed your view, and I gave you the time to do so. The practitioner in me expressed his view as well. I feel I have some moral authority in this area given that I was duly elected four times by voters. So I know what it means to work directly with the people.

Often, I have people from other ridings coming to see me, or I refer them to colleagues because they have certain things in common. Fundamentally, we, the 338 members of the House of Commons, are the representatives of our ridings and, above all, the people in those ridings.

Mr. Blais, you said earlier that you would like all the parties to support a referendum and to come to an agreement if it led to change. In fact, you mentioned my party by name, the Conservative Party.

Mr. Blais, I can assure you and all Canadians following us right now of one thing. If, by chance, a referendum is held—something we strongly support—and the outcome is in favour of change, we will accept it. Our democracy does not work on a sliding scale. We can't be in favour of a decision and hold a referendum or, like some, claim it's not worth holding a referendum because the proposal won't be accepted. That's what I call democracy on a sliding scale.

In a democracy, we must consult the people and trust the will of the people. Who are we to say we won't bother holding a referendum because the public won't be on our side? That's a rather high-handed attitude.

In the short time we have left, Mr. Blais, I'd like you to speak to us about alternative, or preferential, voting.

The Chair: We don't really have the time to get into a topic so—

Mr. Gérard Deltell: Are you for or against it?

Mr. André Blais: It depends on what you're comparing it with. I think voters would be better off with preferential voting than the current system because it gives them the opportunity to articulate more than one preference. It would also mean that elected candidates had the support of the majority of voters, so the advantages are twofold.

•(1155)

The Chair: Very good. Thank you.

Ms. Romanado, it's now over to you.

[*English*]

Mrs. Sherry Romanado: I've been accused sometimes of being very direct, so I'll apologize in advance.

We've been listening to testimony now over the course of the last few weeks, and I think we can all agree that there is no perfect electoral system. We all have heard this multiple times.

We have been given a mandate with specific guiding principles, including effectiveness and legitimacy, engagement, accessibility and inclusiveness, integrity, and local representation. These are the guiding principles that this committee has been tasked with. We've been tasked to identify tactics that will address all of these guiding principles, as well as an alternative voting system. I don't think an alternative voting system will address all of these issues. In a perfect world, it would. It does not.

We've heard today that there may be a 3% increase in turnout should we move to a PR system. We've heard that it would not significantly change voter satisfaction. We've heard pros and cons for various voting systems, and today we heard a lot about the positive aspects of PR.

I'd like to flip it on its head and ask if you could give us some of the challenges, some of the negative aspects, of PR, given these guiding principles, which I believe were sent to you. If you could elaborate a little on these, it would be helpful.

We're trying to identify what won't work for Canada, and I'd like to hear both sides of that story.

Thank you.

Prof. Henry Milner: I'm the one—well, I shouldn't say I'm the one, but Alex as well—who said that we have a system that's better than the other systems. No system is perfect, but given the realities, I think we do have a proposal that would be better, and if we applied it to Canadians conditions, we could do something very interesting.

Let me just make the following argument. In other words, just look at the world as it is. Try to find working parliamentary systems outside of Canada that are a pure single member plurality systems. You practically won't find any. Britain, where we got all of our institutions from, and Northern Ireland, Scotland, Wales, and the City of London, all have systems of proportional representation.

Canada really is the country that has made the least definite efforts to bring its electoral system up to date.

Mrs. Sherry Romanado: Professor Milner, I'm going to stop you because I have a very limited amount of time.

I know that the first past the post system has its negatives. What negative aspects of PR would happen if we were to adopt this here in Canada?

Prof. Henry Milner: Let me just finish what I had to say.

We have experience from some countries and could say that in some, you have coalitions that tend to be repeated, with the same parties tending to be in government. You have grand coalitions, which some people think is a good idea, like in Finland where the parties generally work together. In Germany, it often happens. You could say, well, that's unfortunate because we really need a strong opposition and so on.

There are a whole number of things we can look at in countries with proportional representation and ask whether these things are what we want. My answer would be that if we don't want them, we can probably build into the system certain ways of their not likely happening.

I want to add one other point, since this is going to be my last chance. Looking to the experts who were consulted on this, some 169 electoral experts in different countries—I have the numbers in front of me—basically 75% to 80% of them prefer a proportional system, and of that number, more than half prefer MMP. These are the experts.

Now you may say that we're biased and so on, but that is the factor to keep in mind. Countries, given the choice, have taken proportional systems, and experts, given the choice, have preferred proportional systems, and within that have preferred MMP.

Mrs. Sherry Romanado: Mr. Himelfarb, quickly.

Mr. Alex Himelfarb: I think it's a fair question.

I must confess that I'm with Henry on this. I think greater proportionality is so much better that it would be more than sad if we didn't move in that direction.

That's not to say that you're incorrect that any choice involves trade-offs. It depends a bit on how you design the system. One of the challenges that we will have to deal with is the size of ridings, for example, or the size of districts, especially with respect to dispersed population areas. I think we're going to have to be creative in the design of this to accommodate the diversity of the country, including urban and rural differences.

For what it's worth, I know that Jean-Pierre Kingsley has speculated about some possibilities. I also know that Fair Vote Canada is working on models that ensure greater proportionality but respect the differences between urban and rural areas.

• (1200)

The Chair: Thank you very much.

We ended at noon, right on the dot, so thank you, colleagues and witnesses, for your co-operation.

We haven't finished the meeting. You're rock stars, obviously.

Before we close the meeting and the gavel comes down to permit photos, I would just remind members, those who are interested and who will be here—and I assume that's pretty much everyone—that at 1 o'clock we'll be here to—

The Clerk of the Committee (Ms. Christine Lafrance): Bring your iPads.

The Chair: Bring your iPads if you can. We're going to go through a trial run of the electronic questionnaire.

Yes, Mr. Reid.

Mr. Scott Reid: Mr. Chair, this is kind of a point of order.

I just want to ask the—

Hon. Jason Kenney: It's kind of a point?

Mr. Scott Reid: A generous chair would see it as a point of order and I know how generous you are.

During the course of our conversation I cited one paper by Professor Milner, and Professor Blais cited several papers. I just wonder if we could ask them—

The Chair: Of course, yes.

Mr. Scott Reid: —to submit these to our analysts so that we can add them to our information.

The Chair: Yes, if you could submit those, it would be greatly appreciated.

Without further ado, we'll put an end to the meeting and will see some of you back at 1 p.m.

Thank you.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 011 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, July 27, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, July 27, 2016

• (1400)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):
Good afternoon to all committee members.

Welcome to all the witnesses here this afternoon.

We welcome Leslie Seidle, Research Director, Canada's Changing Federal Community. We welcome, as individuals, Larry LeDuc, Professor Emeritus at the University of Toronto, and Hugo Cyr, Dean, Faculty of Political Science and Law at the Université du Québec à Montréal.

I will briefly touch on the witnesses' credentials.

[English]

Professor Leslie Seidle is research director for the Canada's changing federal community program at the Institute for Research on Public Policy, and a public policy consultant. He was also senior research coordinator for the Royal Commission on Electoral Reform and Party Financing, and is author of *Rethinking the Delivery of Public Services to Citizens* and numerous articles on immigration issues, electoral and constitutional reform, public management, and political finance.

Professor Larry LeDuc, as I mentioned, is professor emeritus at the University of Toronto. His publications include *Comparing Democracies*, *Dynasties and Interludes*, *The Politics of Direct Democracy*, *Absent Mandate*, *How Voters Change*, and *Political Choice in Canada*, as well as numerous book chapters and articles in journals such as *Electoral Studies*, *Party Politics*, *Political Science*, and *Canadian Journal of Political Science*.

Dean Hugo Cyr is a member of the centre of interdisciplinary research on diversity and democracy, of the Quebec association of constitutional law, and of the UNESCO chair for the study of the philosophical foundations of justice in democratic society. He was a visiting scholar at the European Academy of Legal Theory in Brussels and has served as legal aid with the Honourable Justice Ian Binnie of the Supreme Court of Canada.

So I think we're going to have a very interesting, stimulating, and rich discussion this afternoon. I believe our witnesses have 10 minutes each, and then what we typically do is have two rounds of questions in which every member around the table gets to ask a question and you get to answer for five minutes. So the Q and A for each member is five minutes, and then we do a second round in the same format.

Without further ado, we'll start with Mr. Seidle.

[Translation]

Dr. Leslie Seidle (Research Director, Canada's Changing Federal Community, Institute for Research on Public Policy):
Thank you, Mr. Chair.

I would like to thank the committee for their kind invitation to contribute to their important work. I can see that you are working hard this summer.

I will start by saying a few words about the Institute for Research on Public Policy.

Founded in 1972, the Institute is a national independent, bilingual, nonprofit organization. Although it publishes studies recommending changes to public policy, it does not issue opinions on such issues.

In that respect, the comments I will be making today are mine alone and do not constitute a position taken by the IRPP.

[English]

Before I address some of this committee's mandate, I want to express a concern about a broad question that is not addressed in the mandate, namely, what is the overall objective that a new federal voting system would serve? What is the problem that is meant to be rectified? Put another way, how would Canada's democratic life be changed, one assumes for the better, by replacing the present voting system with another? To me this question hasn't been answered and I think it's front and centre in the work you have in front of you.

If you look a little further for an answer, you find in the Liberal Party platform from last year three sentences on electoral reform, one of which is the commitment that the next election will be the last one under the present electoral system. There's a heading before that sentence and it says "We will make every vote count". This doesn't take us very far.

The Minister of Democratic Institutions has referred to the present voting system as "antiquated". By this I assume she means it is no longer suitable for the purpose, rather like a piece of furniture that no longer goes with new decor in a room. But what is the purpose that the word "antiquated" is being linked to? Although political institutions need to be adapted to changing circumstances and we have done this in Canada in many ways, including through our federal arrangements, I believe they should be assessed on criteria other than age. After all, continuity and stability are important virtues in democratic arrangements.

Now turning to your terms of reference, you are asked to study viable alternate voting systems to replace the present system and “to assess the extent to which the options identified could advance” the principles for electoral reform that are enumerated in the terms of reference. When I read them over, it seemed to me—and I concluded this quite quickly—a logical impossibility for your committee to identify one alternative system that would serve all the principles equally well.

But maybe you're not working to that end. After all, your terms of reference referred to options with an “s”, not a single option. This leads me to my first main point today, that there's a need to prioritize the principles that alternative electoral systems are meant to serve. If you present one alternative, you should know what that alternative is meaning to do. If you present more than one, the same argument follows for the other systems.

I'm not going to prioritize those principles for you, I don't have time to do that. I'm going to engage in a more modest exercise today that begins by choosing—and rewording slightly—two of them that, in my view, should be given high priority. The first one is strengthening the representation and inclusion of Canada's diversity. The second is encouraging voter choice and participation.

The first one concerns in part representation of various groups within Canadian society. I'm not talking about party representation here, because I know that my colleague will be covering that and you've heard from, or will be hearing from, various people like Henry Milner and Dennis Pilon. But the representation of groups is not a mere counting exercise. We look and we see how many visible minorities have been elected in comparison to the population: that's valid. Why do we do that? We do it because as the composition of a decision-making body changes, so do the decisions. If we value responsiveness in decision-making, we should be concerned when certain groups are not well represented in our legislatures.

Let's start with women and see how well they fare in this House and other legislatures elected under different systems. You have two tables that have been handed out and if you look at the first one, I'll make a few points.

● (1405)

The first table is about gender representation. We see that in the four countries with majoritarian systems—Canada, the United Kingdom, the U.S., and Australia—there is no example in which women represent even one-third of the members of the lower house, so they're not doing very well there.

In proportional and mixed systems, only a few of which I've included here, women are often better represented, sometimes significantly so, as in Sweden where 44% of the national Parliament are female. However, this is not always the case.

I've put in Hungary. Hungary is a democracy. It's having some problems at the moment, but nevertheless it's part of the European Union, and it was once a vigorous democracy before it was part of the Communist bloc, and so on. In Hungary only 10% of the members are women, and there's a proportional system in Hungary as well.

Taking the single transferable vote, there is only one major country that uses that for its lower house, Ireland, and women count

for 22% there, a bit lower than the rate in Canada and a bit higher than in the U.S.

Now, turning to the second table that I handed out, but still on the principle of representation and inclusion, here I've provided data on racial and indigenous minorities in the four oldest Westminster-type democracies and the U.S. We can't look at PR systems in the same kind of detail, mostly because either we don't have data, as in the case of France, or there are no indigenous peoples, or they're almost not significant, or they're not measured, so I have taken countries mostly like ours.

In Canada, visible minorities are now quite well represented, with 14% of MPS compared with 19% of the population. That's from the 2011 National Household Survey.

This is considerably better than the case in the U.K. where non-whites are 13% of the population but have only 6% of House seats. In Australia the contrast is even sharper, although the measure is a little different. Some 28% of the population was born outside of the country. Now, a large share of these people are non-white, because of the source countries for Australian immigration. Following the 2013 election—we don't yet have data for the last one—only 9% of MPs were born outside Australia, so there is an almost 1:3 ratio there.

Looking at indigenous peoples, we have three examples. In New Zealand we have the Maori, who are now 14% of the population but have 18% of the seats in the House of Representatives. This is partly because there are designated seats in New Zealand for the Maori. There are at the moment seven of those seats.

In Australia there is only one indigenous member, and that member was elected in 2013. In fact, this was the first aboriginal ever elected as a member of the Australian House of Representatives.

In Canada, with which I'm sure you're familiar, we're doing relatively well, though still not comparably with the population, which is 4.3% indigenous, and 3% of the House are now indigenous members. There has been progress, as there has with visible minorities. There was significant progress between the 2011 election and the very latest one.

What does what I've just run through tell us?

First of all, and this is the first of the two additional main points I want to leave with you, voting systems are not determinist. They are not a set of gears that turn one way, and they are not always going to give you the same result when you put in the same kinds of input as you would in a factory. Just to take one example, we see that PR is often associated with better representation of women, but this is not automatic. I'll have a word about that when I conclude.

Secondly—and this one I really want to emphasize—political parties' rules and commitments, particularly at the candidate nomination stage, have an important influence on the representation of diversity, including representation of women. In Sweden, parties have for a long time placed a premium on nominating women. Some of them have voluntary quotas, and they place them relatively high on their lists, and therefore they are represented almost in parity in the Swedish Parliament.

This is a better result than happens in some other countries, because in those other countries often women are not placed as high on the list, and the result is not as favourable, all other things being equal.

• (1410)

Turning to the racial and indigenous minorities, we don't have as large a sample to draw on, but there's a point about our own system that needs to be remembered there, which is that we have moved in Canada, under a system which is antiquated, according to one person, and maybe some other people, to a stage where racial and indigenous minorities, visible minorities, are represented almost in relation to their share of the population. Our system doesn't do that badly. We don't do as well on women. One of the main reasons that this happened is that the parties, particularly the Liberal Party, and the NDP also, put up greater numbers of candidates from visible minorities and from indigenous backgrounds.

I'm going to conclude with just a short comment on the other principle that I mentioned, encouraging voter choice and participation. This is a huge area, but I'll just make a few points.

The alternative vote, as in Australia—I assume you know what these are all about, so I won't explain them—allows voters to rank candidates, but there's only one candidate per party. In some ways you have a little more choice because you're doing a ranking as opposed to just putting one “x”, so it gets a few points on choice.

The Chair: Mr. Seidle, if you could wrap up in the next 20 seconds, that would be appreciated. There'll be questions after and there will be lots of time to explore.

Dr. Leslie Seidle: I just have three bullet points otherwise the logic will be lost.

The Chair: Sure.

Dr. Leslie Seidle: The single transferable vote allows ranking, but it also allows people to go within the party lists, so their choice is greater there. Closed proportional representation has a limited choice because people vote only for the list. It's a bit like ours: you vote for one candidate, they vote for one list, and the order on the list determines who gets elected according to the support for the parties. In PR systems with open lists, you can go within the lists, and in some systems you can actually go within the lists of other parties, so you have greater choice there. Then in mixed systems you have that similar choice, depending on how the proportional side is organized, but you also have the vote for the single member MP.

I'll just conclude with the point that if you were to assess on the basis of choice, the alternative vote wouldn't give you much of an advantage over where we are right now. I don't use that as a way of saying where we are right now is totally broken, because we are making some interesting forms of progress.

PR with closed lists, also, to my mind, should be rejected. If we are going to change our system, why would we move to a system where you have only one vote for the closed party list?

• (1415)

[*Translation*]

Thank you very much for your time and attention.

[*English*]

The Chair: Thank you very much, Mr. Seidle.

We'll continue with Professor LeDuc, for 10 minutes, please.

Professor Larry LeDuc (Professor Emeritus, University of Toronto, As an Individual): Thank you, Mr. Chair.

Thank you to members of the committee for inviting me here today.

I was trying to decide how to start, particularly in a 10-minute beginning. I was going to start by saying that I think it's very unlikely that electoral reform will happen in Canada. And then I thought that was too pessimistic a note to begin on, given all your hard work on this topic, and also because I'm a reformer. I would like to see it happen, but I'm very pessimistic about the prospects.

I thought instead that I'll be slightly more cheerful and simply emphasize that it is really difficult to accomplish, in almost any jurisdiction. It isn't a Canadian problem. It's the problem that you run into when you're trying to change an institution like an electoral system that people have grown up with and are accustomed to.

Whenever I make this argument to students or to others in the course of the various debates in Canada, someone always brings up New Zealand. They say that New Zealand did it, why can't we? I'm always happy when they bring up New Zealand because usually they know a bit about New Zealand, but not very much.

In New Zealand, it's important for us to know what they did and how they did it. It is a case study on electoral reform because they actually accomplished it. It took them nine years. It began with a government that came to power. The new prime minister boldly announced the end of “first past the post”. Then nine years later, after three elections, a royal commission, a parliamentary committee, and two referendums on the topic, they accomplished it. If you guys are in for the long haul, then it's possible that you might be able to follow the New Zealand track, as long as you can identify its various twists and turns along the way. But New Zealand doesn't show us how easy it is to reform a first past the post system that's been well established; it shows us how hard it is.

I'll come back to New Zealand later maybe in the Q and A because there are a couple of lessons we can take from New Zealand besides the sheer pessimism. Those lessons are about the process. Someone is sure to ask me about a referendum, for example. We can look at how the referendums fit into the New Zealand process and what they accomplished or didn't accomplish.

We can also look at Japan, but I don't have the time today to talk a lot about Japan. Japan is the other major democracy that did accomplish electoral reform. It took them 20 years, not just only nine years. The debate in Japan began in 1973, and 20 years later in 1993 they got it done. The process was very different from New Zealand. It took place solely within the parliament and solely via bargaining among the various political parties. A watershed election broke the grip of the LDP on Japanese politics in the early 1990s. The LDP government was succeeded by a seven-party coalition. That seven-party coalition essentially became the vehicle for accomplishing electoral reform, but only after they were able to secure the agreement of all seven parties. It was a long, difficult, complicated drive to consensus. They also got it done using a different process.

I could also talk about some of the provincial cases in Canada. Those are cases of failure, by and large, where they started out on an optimistic note and then ended up not being able to accomplish the reforms. Just mentioning these cases leads me to one of the major points that I want to make in my presentation and discussion today, which is to emphasize process over substance, especially at the stage that this committee is at in its deliberations.

There's a tendency in electoral reform debates—and I've seen this many times—for people to start with the system that they like or think they like. They say, "Oh, STV, that's pretty good" or "Maybe we should have PR" or "What about MMP? It works nicely in Germany." They're attracted to a model because they know something about that model and its virtues, and then they try to develop a process that would get you there, and the preference drives the process. So people will say, "Well, this one might sell" or "We might be able to get there by doing X and Y."

I think it should be the other way around. I think if you start with process and don't get trapped into discussing too much the virtues and vices of various models, particularly models in other countries, you have a better chance of success.

• (1420)

I think this committee, to its credit, has already to some degree started that way, first because of the representation on the committee and second because of the enunciation of the principles on which your discussion is based. I suspect, however, that lurking in the background is a preference among many people for a particular system and a tendency to gravitate toward that discussion or at least to gravitate there too quickly. You're going to end up there eventually, of course, but that's not where we need to be. If we could get consensus on a process, then we could use that process to build consensus on reform. It's much harder to do it the other way around. I think that's one of the things the Japanese case tells us.

That brings me to the point on which I want to conclude, which is simply a restatement of what my colleague Peter Russell said to the committee yesterday, and that is that the basic principle of an electoral system should be to reflect the voices of the voters as expressed in the election. That's the core principle. It's also the core principle of democracy, and I thought he stated that principle very well.

We're often looking for electoral systems to do a lot more than that: we're trying to second-guess what the voters want or think they want or what their votes mean. But if the election gives you a

reading on what the voters have chosen or what their thinking is at the time of the election and a system can then efficiently translate those voices into representation in the Parliament, an election then is not just a one-day affair that chooses a government; it is a continuing process by which the voices of those voters continue to be reflected in the representative process.

That's the principle I would stress the most, and it's partly why I will try to make a case, which I do in my brief—and I'm not going to talk about the brief in this opening presentation, but I will be happy to talk about it later—for list PR: I believe that list PR is the system that most efficiently performs that core task of an electoral system; also because it is the most widely used electoral system in the world and therefore we ought to take a look at it. Why start with hybrid models or models that are not used in very many places?

Every time I get involved in one of these debates, I hear a lot about STV, for example. It seems to be a fascination of certain of my academic colleagues in particular, especially the ones from British Columbia. There's nothing wrong with STV. STV is a very interesting model, but it's a largely theoretical model, and it's only used in Ireland and Malta. I probably couldn't pick out two cases that are much more different from Canada than those two. Consequently, the problem with STV that I often have is that we don't have enough empirical evidence on it and the way it might work in a geographically large, multicultural society like Canada.

We have plenty of evidence on PR systems of other kinds, because they're used in all kinds of different countries, large and small, east and west. As the most widely used and also most adaptable electoral system, adapting list PR is not just choosing someone else's electoral system; it is choosing a model that can then be adapted to the Canadian environment and made to work in the Canadian environment to accomplish many of the objectives that this committee has felt are the objectives an electoral system in Canada in 2016 should strive to accomplish.

I'm sure my friend and colleague Henry Milner already made the case for PR this morning, because he's been making it for years, and I cite him many times in footnotes to things that I've written. I won't restate what he has said, but I would certainly reinforce what I suspect he probably said. I think we have paid too little attention to the principles of list PR in the Canadian debates and too much attention to hybrid models that are theoretically interesting but not as proven in practice as many of the PR systems of Europe and elsewhere.

I'll stop there. Thank you, Mr. Chair.

• (1425)

The Chair: Thank you very much, Professor LeDuc, for that very interesting approach to the issue, which is, I think, one that we haven't really seen yet. Thank you for contributing to broadening our perspective.

We will now go to Professor Cyr, *s'il vous plaît*.

[*Translation*]

Professor Hugo Cyr (Dean, Faculty of Political Science and Law, Université du Québec à Montréal, As an Individual): Thank you very much for your invitation. You are certainly keeping busy in the middle of a very hot summer, which is greatly appreciated. You are working for all Canadians.

This special committee is mandated to study electoral reforms in order to replace the current first-past-the-post system with another that would increase public confidence among Canadians in that their democratic will, as expressed by their votes, will be fairly translated.

The new electoral system that will emerge from this reform process could result in more frequent minority or even coalition governments. A number of individuals have expressed the concern that this could encourage more frequent general elections and lead to political instability.

However, recent events in Scotland and Wales show that it is possible to modernize and streamline our parliamentary system while maintaining its intrinsic traditions and political stability. The parliaments of Scotland and Wales both elect their respective members through a form of mixed-member proportional representation known as the additional member system. While they have had minority and coalition governments, these two parliaments have not had to hold elections more often than every four or five years since they were created, namely in 1999, 2003, 2007, 2011 and 2016.

The parliamentary system possesses a number of simple and proven legal measures to stabilize minority and coalition governments. Drawing from measures implemented by the United Kingdom and several other countries, I would like to suggest some minor modifications that could be made to our procedures to ensure the stability and political legitimacy of the governments formed following the anticipated electoral reforms.

These changes will also have advantage of bringing more clarity and transparency to our procedures. They will serve an educational purpose because it will be important to ensure that any changes made to our electoral system are accompanied by the public's better understanding of our political system. They might incidentally enhance the role and significance of a member of Parliament.

I will list four proposed changes that were all inspired by concrete examples drawn from other countries. Please refer to the appendix of my report for a list of the legislative and constitutional provisions on which they are based.

First, I propose to amend the Standing Orders of the House of Commons to provide for the nomination of the Prime Minister by a vote in the House of Commons, to be held between the election of the Speaker of the House and the Speech from the Throne—with the appointment of the Prime Minister remaining the prerogative of the Crown, of course.

This proposal is based on the examples of Scotland, Wales, Germany and Spain, where, when there is no clear majority government, they make sure to have a clear decision on who should form the government and who should be its leader—who will have to appear before the Governor General to form government.

Second, I propose to establish the requirements for voting on non-confidence motions through legislation or amendments to the Standing Orders of the House of Commons and restrict these motions to what are known as “constructive” non-confidence motions or, at a minimum, explicitly provide for the possibility of a successor government following a non-confidence vote.

Let's start with the requirement for a constructive non-confidence motion. This type of confidence motion is required in Belgium, Spain, and Germany, for example. I would specifically refer you to the Spanish example, where the use of the non-confidence motion has been clearly regulated. Non-confidence motions may be moved a limited number of times and only during a certain period.

● (1430)

What is a constructive non-confidence motion? When a motion is passed to indicate that the House has lost confidence in the government, the motion must simultaneously provide for a successor government. Should the motion pass, this successor government automatically receives the confidence of the House. This is a mechanism to prevent the opposition parties from joining forces to overthrow a government and from taking advantage of an early election to increase their number of seats.

With regard to the possibility of a successor government should the House of Commons pass a non-confidence motion, I relied on the United Kingdom legislation. The Fixed-term Parliaments Act provides that where the government is defeated on a vote of confidence, an election will not be called until 14 days later, if there is no subsequent resolution to restore confidence in that same government or in the successor government that would have been formed in the meantime.

Third, I propose to amend section 56.1 of the Canada Elections Act to allow for the early dissolution of Parliament with the approval of two-thirds of the members of the House of Commons. This enhances the role of members of Parliament. Once again, this proposal is based on an example of the British Fixed-term Parliaments Act. This is intended to give more weight to members of Parliament.

My fourth proposal builds on the third; in other words, if it can be done for the dissolution of Parliament, it can be done for prorogation as well. We can also make this requirement mandatory.

Therefore my fourth proposal is to amend the Standing Orders of the House of Commons so that asking for Parliament to be prorogued or dissolved without first obtaining the approval of the House of Commons automatically results in a loss of confidence in the Prime Minister. Consequently, the Governor General would not be bound by a prime minister's advice requesting the early dissolution or prorogation of Parliament without first obtaining the approval of the House of Commons.

I emphasize that the current Standing Orders of the House of Commons stipulate that the election of the Speaker of the House does not constitute a question of confidence. The current Standing Orders already allow for some say about confidence.

The Standing Orders of the National Assembly of Quebec explicitly stipulate what are the issues that may be subject to a vote of confidence. There is a precedent in one of the provinces. In British law there is a clear provision on the conditions under which the vote of confidence can be exercised.

We would have the opportunity to provide for the specific conditions under which a government, which would be a minority government, could request the dissolution or prorogation of Parliament, to help stabilize the whole situation.

In closing, to ensure that this reform is successful, and while we are engaged in a major change, we have to consider an important public educational issue. A study showed that most Canadians think that they vote directly to elect a prime minister. Therefore there is a need for an education component to clarify how our system works.

Following the example of the United Kingdom and New Zealand, I propose that we capitalize on this electoral reform to clarify, in some sort of Cabinet manual drafted by consensus, all the expectations associated with forming a government and proroguing Parliament.

• (1435)

The British experience showed us how effective and useful such a manual can be when in 2010 none of the parties won a majority of seats. That evening, there were no rushed media calls of the type, “If the trend holds, the next government will be formed by...”. The political parties were given the time they needed to negotiate among themselves who would form the next government, rather than allowing the media to decide that very evening who would be the next prime minister. This is a step forward for democracy.

The Chair: Thank you.

We will start the two rounds of questions with Ms. Sahota.

[English]

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Mr. Cyr, Dr. Seidle, and Dr. LeDuc for being here today. You all have excellent credentials, and they're quite diverse, so I think we'll get some interesting discussion going.

This question is for you, Dr. LeDuc. You have suggested in your previous work that a referendum may not be the best way to engage citizens. Could you suggest some other ways in which we can properly engage people in this process?

Prof. Larry LeDuc: I don't think I've said anything particularly negative about referendums per se. It depends on what you want out of a referendum. One of the lessons I wanted to try to draw out of the New Zealand case is that the referendums—and they actually had two of them—were part of a larger process. They came at different times, so the debate in New Zealand went on for a long time.

Now whether it would have been different with or without referendums is hard to say; it's a counterfactual we can't really test. However, a referendum could fit in somewhere.

I think the model that's been proven not to work—and not just on this issue, but on other kinds of constitutional or quasi-constitutional issues as well—is where a small group behind closed doors comes up with a proposal then tosses it out there for the people to vote on,

and in a three- or four-week campaign it's usually possible to pretty much put an end to it.

Ms. Ruby Sahota: You published a paper, have you not, on 12 different shortcomings or deficiencies that referendums have had or can have?

Prof. Larry LeDuc: Yes, have had or can have, but that doesn't mean that they have to.

Ms. Ruby Sahota: Can you list some of those shortcomings?

Prof. Larry LeDuc: My negative example...I wrote that paper right around the time of the British referendum on the alternative vote. You have to understand, first of all, the government's purpose—or at least the Conservative half of the government's purpose—in that referendum was to basically defeat the proposal. That was its agenda. Second, the campaign was almost as chaotic as the Brexit campaign: loaded with disinformation. I'll give you a little example. This is more of an anecdote, I guess, but it says what I mean.

They won. They tried to have some controls on the British campaign in 2011—spending controls as well as advertising controls and so on. The campaign started on a particular date, when the rules came into effect. On day one of the campaign, the leader of the “no” campaign held a press conference, and she announced that they were against AV because it would cost three billion pounds to implement it. People had no idea what they were talking about. But the signal beginning of the campaign was not whether this was a good system or a bad system or desirable or an improvement or anything; rather, it was this out-of-left-field assertion that it was going to be very expensive.

Then, they tried to figure this out over the next few days. It turned out that what she was saying was that they would need voting machines to implement it, and the purchase of voting machines for the whole country would be very, very expensive. Well, it took three weeks, basically, to get rid of that assertion, but the damage had already been done.

I wrote a piece on a blog at that time, before I wrote the paper that you've referenced, which referred to that as the disinformation campaign. The main tactic that was used to defeat the proposal was simply disinformation. You can put out this nonsense, in many cases, and it sticks. It sticks, and you don't have enough time to recover from it in a short campaign.

That's the kind of risk of a referendum. In the piece I wrote that you quoted—and thank you for citing it—the point I wanted to make is that referendums, to be effective as a democratic device, have to be more deliberative. You have to really engage citizens and get them to seriously think about or deliberate an issue. That takes time, it takes information, and it often takes a very extensive publicly funded information campaign. But referendums are contests to win. When you get involved in a short referendum campaign, one side or the other is trying to win, and we saw that again with Brexit.

Disinformation is the main vehicle. We're used to negative campaigning in elections. There's plenty of negative campaigning in referendums as well. It's a very, very effective tactic. If you're setting out to defeat a proposal, disinformation is one of your best tools. So I tried to think about how to limit that, or prevent it, if possible.

•(1440)

The Chair: Thank you very much.

We'll go to Mr. Kenney.

Hon. Jason Kenney (Calgary Midnapore, CPC): Thank you, Mr. Chair.

And thank you to all three of our witnesses for being with us on this humid Ottawa day and for the wisdom you're shedding on this very important subject.

I was very pleased, particularly, Professor LeDuc, with your exhortation for us to focus on the process at the beginning and not rush into becoming partisans of our own preferred models. You've given us historic precedent where that's gone wrong.

As I read it, in most comparable jurisdictions, some of which you've cited, such as New Zealand, but also British Columbia and Ontario and, to some extent, Prince Edward Island, there was a more gradual and indirect process to arrive at a decision than what is being proposed here. As far as I understand it, what's being proposed is a parliamentary committee making a recommendation, which may or may not be accepted by the cabinet, which will then put forward legislation. That seems to me rather pre-emptory as compared to the experience of other jurisdictions and runs the risk of bypassing the kind of democratic consent and legitimacy that I think is broadly understood is necessary to pursue electoral reform.

Yesterday, we had one witness testify that he felt, according to the Jennings test, that there is now a constitutional convention in Canada requiring a referendum in order to endorse electoral reform. Professor Peter Russell said whether or not there's a constitutional convention is an abstract question, but it's a requirement in terms of political legitimacy. Could all three of the witnesses comment on those remarks that we heard yesterday?

Prof. Larry LeDuc: I'm not sure I would use the word "requirement". If it's a constitutional question, the constitutional lawyers are better qualified to comment on that than I am. I've heard the words "constitutional architecture" tossed around more recently and that goes in circles, and no one is quite sure what that means, including me. Whether the court would pick up a concept like that and use it to express an opinion, I'm just not sure.

We've only had three referendums in our entire history: two of them have been on public policy questions, and one of them has been on a constitutional proposal—

•(1445)

Hon. Jason Kenney: You mean nationally.

Prof. Larry LeDuc: National referendums, yes.

Constructing an argument that it is a requirement somehow of a major change is a bit of a stretch for me. Whether it's a good idea along the line you were suggesting to build legitimacy, that's a normative question. We could probably kick that back and forth. I think building legitimacy is certainly one of the criteria that's been

mentioned in the committee documents, and a referendum could be a tool to build legitimacy, but you have to think about how to use it, how to make it do that, because there's nothing in referendums inherently that automatically makes them do that.

Citizens' assemblies, of course, have been the tool chosen in a couple of the provinces. I was very close to the Ontario citizens' assembly. I thought it did a terrific job in terms of deliberating the issue. It was really inspiring for a student of democracy like me to see 102 people in a room, who came in knowing almost nothing about this topic, often with some preconceptions or misconceptions about it, and watch them build consensus.

Hon. Jason Kenney: I just want to make sure the other witnesses get a chance to....

Prof. Larry LeDuc: Yes, okay.

Dr. Leslie Seidle: I lean towards a referendum for an eventual model. I realize that's answering in the abstract and without any consideration of what might happen between today and some point later on in the process. I do so for a couple of reasons, one is a question of democratic legitimacy.

The New Zealanders did it in a country that is smaller and much less complex than Canada. They did it twice, in fact, as my colleague has said. Three provinces did it, and New Brunswick would have done it if there hadn't been a change in government. Premier Lord had committed to putting the model recommended by the commission to a vote, but that didn't ever occur.

I want to respond just very quickly to the view that a referendum is an automatic way of killing reform. First of all, I find it's rather cynical. I think it sets aside the democratic legitimacy arguments and reduces everything to a question of political tactics, but more importantly, there are important counter-examples. In British Columbia, 57% voted in favour of reform. It didn't happen, because the government had said it had to have a 60% majority. It would have happened in a simple majority system.

In New Zealand in the first referendum, 85% of voters rejected first past the post. Then they had a second question. They had to choose from four options, and 70% chose mixed member proportional, which was the system that was eventually implemented in New Zealand.

The Chair: Thank you.

Dr. Leslie Seidle: Just to finish up, I reiterate Professor LeDuc's comment that you cannot divorce a referendum from a public education campaign. In B.C. they did quite well in that regard, in some other jurisdictions not so well, including in Ontario.

The Chair: Okay, we're going to Mr. Cullen now.

Thank you.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you very much to our witnesses.

Professor Seidle, it wasn't just the minister who suggested first past the post was antiquated. I'll read you a quote. "...Canada is now the only complex multiparty democracy in the developed world which still relies on a 15th century voting system designed for medieval England" said the slightly younger Jason Kenney at one point.

We agree in terms of the design being somewhat antiquated. It doesn't fit the updated House that we hope to design here in Canada with that radical notion that I think you've all since supported that the House of Commons should reflect the voices of the voters. It's been put forward as almost a radical notion, so we seek out that system and a process that can validate it.

To Professor LeDuc, Japan and others did take a long road. I think the first House of Commons committee met in 1921 here in Canada talking about electoral reform. So we're coming on to nearly a century, which proves your point that it isn't easy to get done, yet shouldn't dissuade us from trying if we are to approach that radical concept of actually reflecting what voters want.

Mr. Seidle, at the very end of your testimony you talked about one of the models. I may have gotten this wrong, so I want to clarify it. You said that AV, the alternative vote, the listing, doesn't give you an advantage over the current system. Can you expand on that a little?

• (1450)

Dr. Leslie Seidle: Okay. I said it doesn't give you "much" advantage—

Mr. Nathan Cullen: I understand. Excuse me.

Dr. Leslie Seidle: —because you rank one candidate per party, whereby it doesn't give you any advantages to go within the party. Open party lists and STV in a sense incorporate some of the principles of the primary into the electoral system. You get to express preferences among parties' candidates.

On the point about its being antiquated, I didn't throw that out to be frivolous; I threw it out to make a point, which is that first of all, we don't know why you're looking at this. Is it only because it's old? If it's not for that reason, we should be told. The flaw in this is not at your table; the flaw starts in the program of the Liberal Party, because it has not explained what the public good is here. That's my purpose.

Mr. Nathan Cullen: I would be loath to defend the Liberal platform in its vagueness, which somehow worked, but it is what it is and we're here where we are. This building is old, and we're going to keep it, but we're going to take the asbestos out of it over the next couple of years, because that seems like a good idea, since, having built it, we've learned that it kills people. There is not something so extreme in our voting system, but updating is not a bad idea.

Mr. Cyr, you've approached the question of stability. I would suggest that in your comments and your recommendations you're also talking about accountability. You've made very explicit suggestions that we should make it more difficult for the government of the day to game the system. By gaming the system, I mean using tactics such as prorogation to avoid a confidence motion, as a previous Conservative government did.

Is this to build confidence in any electoral system that would lead to more sharing of power, lead to more minority parliaments? Is that your effort?

Prof. Hugo Cyr: The reason I mentioned these elements is that when there are criticisms or fears dealing with reforming electoral systems, oftentimes there are fears that there will be minority governments or coalition governments that will make things less stable. All the suggestions that I'm putting in this brief are meant to find ways for the elected officials to maintain and ensure a stability of the institutions.

[Translation]

If there is a mechanism in place to make sure that a majority or two-thirds are needed to dissolve Parliament, we can ensure stability. The goal here is to carefully examine the mechanisms that will ensure, regardless of the electoral system, the stability of a government, whether it is a minority, majority, or coalition government.

[English]

Mr. Nathan Cullen: In approaching this question, we recognize and have heard testimony that there's a general resistance to change amongst people: this is not a uniquely Canadian event. Yet we've also heard testimony that the productivity of governments that we have had even under our system has been quite good, under minority situations. The policies that come forward, the institutions that have been enduring, have come out of these.

Is there anything to fear out of any system that leads to a greater chance of these similar minority parliaments in which power is not the exclusivity of one party?

The Chair: I think we'll have to defer the answer to another opportunity.

We'll go to Mr. Thériault.

[Translation]

Mr. Luc Thériault (Montcalm, BQ): I have said many times to witnesses that I found these panels very inspiring. I have many questions but too little time.

Mr. LeDuc, about a possible referendum, you claimed being concerned about spurious arguments. However, that is how we can lose elections. During the 2007 Quebec election, Mario Dumont said, on the subject of the Caisse de dépôt et placement du Québec, that \$40 billion was about to "go up in smoke", which went against the "economy first" Liberal slogan. He was absolutely right, but nobody believed him and he was called a clown. However, he was right: \$40 billion was about to burn to nothing. The outcome was that he lost his election.

It might be possible to ensure a process for conducting an education campaign independently from political parties. It would certainly be much more legitimate. Indeed, why do we do this? We don't do it for political parties, or for insiders, or for academics. We certainly don't do it for ourselves. We do it to ensure that when the rules of democracy are changed, the people can feel they are an integral part of this change process. This could have a positive impact on the outcomes and on stability.

I would like to hear your thoughts not only on legitimacy, but also on the need to have the public give us answers on this debate, so that we can really accomplish something, and to take the time required to get it done.

What's the rush? Considering that we have been following this procedure for about 200 years, we might as well take the time we need for this process. I have the feeling that we are being told to hurry because we have been talking about this for 21 years. Let's stop for a moment. I wouldn't be able to find anyone on the street who could tell me the difference between the proposed models or indeed anyone interested in the subject. In short, we should take all the time we need.

I would like to hear your thoughts on this.

• (1455)

[English]

Prof. Larry LeDuc: I agree with almost everything you have just said. I think it reinforces Leslie Seidle's point about the importance of public education, which he made in response to the earlier question. On an issue like this, you can't really expect people to know a lot about different electoral systems. First of all, most voters think about elections only at election time. They aren't people like me who are talking about them and writing about them all the time, or people like you who are living the life of politics. They're interested in elections. They think about some of these questions, but only on election day, not over the whole electoral cycle.

Also, one of the things I've learned, looking at some of the other referendums on these topics that have taken place in other countries particularly, is that voters are not comparativists. I am a comparative political scientist. In addition to studying Canada, I study Europe. Most of the structures we use for students are comparative, to understand the similarities and differences between different countries, different political environments, different political processes, and so on.

Voters don't think that way. They're not sitting around thinking about first past the post versus list PR or STV. If you want to engage them, you have to give them the materials to work with. I think that's the point you have made, which I completely agree with.

[Translation]

Mr. Luc Thériault: Witnesses told us that, because people were not interested in this issue and they weren't aware of all the relevant differences, it would be appropriate for a committee like this to take action and propose something.

However, I think that by doing that we would be setting ourselves up for failure. No one can do things this quickly. In Quebec, a draft bill proposed a specific model. In this case, we want to consult Canadians across the country, but we have no specific model for them to consider.

There are steps to follow. The process followed by New Zealand is interesting, but there is an inherent resistance to change in every political system. This may well explain why the change process takes a long time in general, as was the case in New Zealand.

We have to recognize this and do things properly.

The Chair: Okay.

We now go to Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Once again, I am totally engrossed in Mr. Thériault's questions.

[English]

I'm drawn to the points that Professor Seidle made, but I see an answer to the question of why we are now engaged in this in the testimony of Professor LeDuc.

I want to draw you to something that I don't think you said out loud and ask whether you think that now is such a moment. Near the closing of your written testimony, you say:

The first-past-the-post, single member plurality, electoral system, which we inherited from Britain rather than choosing for ourselves, has produced a dismal record of misrepresentation, distortion and impaired governance....

The fact of the matter is that not only the Liberal platform, but the NDP platform and the Green platform together—the three parties, obviously us the least—attracted 63% of the votes in the last election. People will say they didn't care about first past the post when they were voting for your parties, but I actually found it, on the hustings, quite a significant, salient issue.

Do you think, having studied it and being someone who calls for electoral reform, that we need to start actually with explaining first past the post and why it is an unacceptable system in a modern democracy?

• (1500)

Prof. Larry LeDuc: I think we certainly need to do that.

Some of the polling evidence, which perhaps others have cited in testimony before the committee—I know André Blais was here this morning, but I did not hear his testimony, so whether he was able to cite some of this or not, I'm not sure.... I think some of the reservations that people have about elections in Canada and the way they are conducted touch on that point: people's feelings, especially if you live in a constituency that is considered a safe seat where the levels of competition are low from election to election and where you're told how important the election is, but you start to realize that your vote is not going to make much difference or the choices you're being presented with are not the choices you would like to see.

Now, those things don't come out explicitly in polling, but they're there. You can see that people have that feeling that they're being told the election is really important and that they should go out and vote, but yet their vote is not going to do anything; it's not going to accomplish anything in the place where they live and given the choices they're presented with.

You're trying to some extent to counteract that.

Also, in the line that you quoted from my brief I was citing Alan Cairns, who wrote in 1968, so these arguments have been around for a long time. I could have cited other things, but I cited the Cairns article because it is the single most widely cited article in the *Canadian Journal of Political Science*.

A student did a tally of this some time ago, a listing of how often articles are cited, and Alan Cairns' article on the electoral system and the party system, written in 1968, was the most-cited piece in Canadian political science. My colleague Peter Russell yesterday stressed the idea that this argument, as Mr. Thériault has also just mentioned, goes back to 1921. So these arguments have been around for a long time.

Now, we know why we have first past the post in Canada: the British gave it to us. And they didn't just give it to us; they gave it to every other British colony and dominion in the world in the 19th century. It is an electoral system that has worked okay in some places and not so well in others. It's probably not a good system for India, for example. The reason India has first past the post is simply its British colonial heritage.

But the British didn't differentiate; they didn't do studies of their colonies and conclude that in colony *X* or colony *Y* STV might be a better model, or maybe PR. They just thought that the British system was the best system and gave it to everybody, no matter when this happened or what the venue was.

Well, then societies change, as Professor Russell pointed out yesterday. Canada became a multi-party system in 1921, and it has been ever since. This system doesn't work as well in that environment. First past the post doesn't work very well anymore in Britain. Look at the cleavage with Scotland.

The idea that there's this glorious 19th-century British model that should be our first preference.... It has never been chosen in Canada and doesn't even work very well in the place that is its ancestral home.

Ms. Elizabeth May: Professor Seidle, I hope I have time to get the question out. In a paper you wrote in 2002, you said that the opportunity for reforming our electoral system in Canada was unlikely to come.

We may need to get to an answer in the next round for me, or another MP could pick it up, but you cited John Courtney's criteria or conditions, in his book *Reforming Representational Building Blocks*, saying that in order to change our electoral system in Canada, which you didn't think would happen, we need an opportunity, the opening of a policy window, which I suggest we have; an agreed-upon alternative, which I think is the job of this committee; and political will, which is the big question.

I think, looking at the chair, that we're going to have to hope that somebody else will ask this, or I'll come back to it in my next round.

The Chair: Great. Thank you, Ms. May.

Dr. Leslie Seidle: Was that a question to me?

The Chair: Yes, but we have run out of time.

Dr. Leslie Seidle: I thought we were having a panel here.

The Chair: We are having a panel.

Dr. Leslie Seidle: Normally on a panel the presenters are allowed to come in, here and there—

The Chair: Well, no—

Dr. Leslie Seidle: —instead of this very rigid back and forth, as if we were in a court, as expert witnesses.

The Chair: This is the model we've been using throughout, and it's the typical model that committees use on the Hill. There will be opportunities. Ms. May will have another round, so we'll be able to address the issues.

Right now we'll have to go to Mr. Aldag.

• (1505)

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

In case you're not aware, many of us have been following feedback coming in on Twitter, just as an opportunity for Canadians.

Professor LeDuc, there has been a bit of interest in the list PR system that you put forward, so I have some questions and comments I'd like to get your thoughts on. In no particular order, here is some of the feedback that's come in. Why do you feel this is appropriate? This seems to work well in Denmark, but would it apply in Canada?

Another comment is that this seems to be the system used in Spain, and yet six months after their first election—they've had two elections, I think—there's still no government. So what are the strengths or shortcomings of the system, and how would that work in Canada?

The other one was whether you are talking about an open or a closed list.

There are a bunch of things there, and you may want to tackle any of those in the limited time we have.

Prof. Larry LeDuc: Yes, in making the case for list PR, I tried to make the case in terms of principles and not in terms of any particular country. Because it is the most widely used electoral system in the world today, we know a lot about it. There is plenty of empirical evidence in different countries, different societies.

We don't just have to look at Denmark. Now, Denmark has one of the highest voting turnouts in the world, so if you are looking at turnout, you could say that Denmark has been pretty successful with it, but we don't have to look at just Denmark or Spain or any other country.

What I tend to like about list PR is not only that there is a mountain of evidence for it, drawn from different places, but that it is a very flexible and adaptable system. In other words, you can construct a Canadian model of list PR that might be quite unlike the exact model used in any other country, but it would be designed for the Canadian environment. I don't try to do that in a 2,500-word brief, but I could do it.

I taught a course at U of T a few years ago on electoral systems. This was a graduate course, and I had three really bright graduate students. I had them each design an electoral system for Ontario. One was list PR, one was STV, and one was MMP. They worked at that for the semester and wrote a nice paper on it. I'd be glad to send any of you the paper, if you're interested. It was titled, "Three Options for Electoral Reform in Ontario".

The point was not that we were adopting the Swedish system or the Spanish system. The point was that we can take the principles based on the evidence from a number of different places, and not just one country, and apply them to a Canadian environment and get the kind of representation in Canada that we think we should have, and the kind of responsiveness to voters that we think a parliamentary system should provide on an ongoing basis, and not just on election day.

Mr. Hugo Cyr: If I may step in, you express a fear that government formation can last for some time. That's exactly why I suggested the investiture vote that has been adopted in Wales and Scotland, because they set a time limit for that vote to occur.

It really creates the incentives for parties to come together and come up with an agreement out in the public. Because it is a vote and people can enter into the House and give speeches and explain why they're going to support this or that coalition or this or that party to form the government, it makes things transparent for everyone. You have a set time limit so you're not afraid of waiting for extra months, and the people understand that it's the House that actually gives confidence to the government, and not the government that has to give confidence to the House, which is quite something.

The Chair: You have about a minute.

Mr. John Aldag: Okay.

Well, within that minute I will say that, on the point about the work that your students had done—and if anybody has any additional information—you are allowed and invited, in fact, to send that information to us through the clerk's office.

With that I'll move on to the next person.

The Chair: Thank you, Mr. Aldag.

Mr. Deltell.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you very much, Mr. Chair.

Gentlemen, welcome to Canada's Parliament.

Mr. Seidle, we can understand that it would be far more interesting for everyone to talk directly to each other, but there you have it, there are too many of us and we have to meet with dozens and dozens of experts. We have to proceed in an orderly manner.

Mr. Chair, I have to commend you on the way you are chairing this meeting. You are doing a really good job in rather difficult circumstances.

Mr. Seidle, rest assured that you will have all the time you need to express your views to the leader of the Green Party.

The quality of our discussions here today is evident. Once again, we have excellent people here, namely three university professors. I will remind you that the committee would greatly benefit from listening to a great academic.

• (1510)

[*English*]

who has a lot of things to say about a new way of doing electoral reform, the Honourable Stéphane Dion. I wish everybody would understand that everybody would win if Monsieur Dion could be a witness at this committee.

[*Translation*]

Earlier, my Bloc Québécois colleague, Mr. Thériault, referred to an event that happened about ten years ago in provincial politics. I agree in part with what he said. Indeed, sometimes people vote for an election platform and the elected party ends up not implementing it. A number of very recent examples come to mind, but I will not address that today, because this is neither time nor the place. I will have the opportunity to do so at another time.

I will, however, mention a specific detail. The event that Mr. Thériault described earlier did not occur in 2007 but in 2008. I remember it very well, because I was a candidate at the time.

Let's now turn to the issues.

Mr. Cyr, earlier you mentioned four changes that could be implemented, including the nomination of the Prime Minister by Parliament, the vote on constructive non-confidence motions and the requirement for the agreement of two-thirds of MPs to dissolve the House. From what I understand, that does not directly pertain to the electoral system.

Can the changes you are proposing to give even more power to MPs be made in the current first-past-the-post system?

Prof. Hugo Cyr: These changes could be made in the current system. A series of witnesses spoke specifically about the electoral system. As I teach my students, the electoral system is not considered purely in the abstract and cannot be taken on its own. It is part of a much larger ecosystem that includes the process of forming the government and the relationship between the executive and the legislature.

Given my area of expertise, my particular contribution deals with the consequences and how to stabilize the situation, should the electoral system we end up choosing lead to minority or majority governments more often than before. I have kept to my field of expertise.

Your colleague asked you whether a referendum is a constitutional requirement. According to constitutional law and in light of the secession reference, I highly doubt it. This reference states that policy initiatives or constitutional amendments are the government's purview, and that the government is not bound by a referendum decision.

Is there a constitutional convention requiring a referendum? I doubt it, since there are three components to a constitutional convention: a practice, a purpose, and the actors' recognition that they are bound by this practice.

Mr. Gérard Deltell: Precisely. The third factor involves an acceptance by the actors that they are bound to the practice. That could not be any clearer. The people who are bound by the practice of the electoral vote are the voters themselves. Therefore they are directly affected by this change. The conclusion is that they must be consulted through a referendum.

Prof. Hugo Cyr: I raised that point to emphasize that there is no requirement under constitutional law. It is not a requirement in terms of a constitutional convention, but my expertise does not pertain to what is politically expedient, fair, or appropriate under the circumstances. That is where my expertise ends. It's your job to figure it out.

Mr. Gérard Deltell: I applaud your great discretion, Mr. Cyr.

The Chair: Thank you, Mr. Deltell.

Thank you, Mr. Cyr.

We now turn to Ms. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Thank you very much, Mr. Chair.

My thanks to all the witnesses for joining us and making their presentations.

• (1515)

[English]

I want to get a little bit into a comment that we don't know what the problem is. I'm just going to throw it out there.

There's a reason this committee was struck: Canadians feel that their vote doesn't count. I'm just going to clarify this, because yesterday a witness told me, yes, votes are counted. That's not what I'm saying. Their voice doesn't count. What they were intending to do at the polls is not reflective of who actually represents them. That's the problem.

There are other issues that we're facing. We're facing issues of low voter turnout. We had an increase in the past election, which we're delighted about, but we still have that issue to address. Now, electoral reform doesn't just talk about the actual voting system, but other issues as well, as you have highlighted. You said there are other problems that we need to address, and that's what we're looking at. Would mandatory voting be an issue? Would online voting be an issue, and so on and so forth?

My question relates what Professor Seidle said. You mentioned in your documentation that regardless of the voting system, the system chosen doesn't seem to address the under-representation of women and/or visible minorities, indigenous people, in office. I appreciate your saying this because we have received other testimony that there is a correlation between the voting system selected and the number of people in these under-represented groups actually sitting in Parliament. So I want to thank you for that.

We've heard about list PR. We've heard about the current first past the post system. What I do want to know is what voting system, in your opinion, would address the problem that I just asked about, that Canadians are not feeling that their vote counts?

Would all three of you give me your opinion which system you feel would address that specific problem?

Thank you.

Dr. Leslie Seidle: The question of whether your voice doesn't count or counts is broader than the translation of the results of the election into seats in the House of Commons. You also need to look at the whole question of governance. One of the advantages of a proportional or a mixed system, particularly in the Canadian context, is that we would be in a perpetual minority government. Now, whether we could learn to live in a culture of coalition governments is an open question.

Our history shows that we might, under most systems of PR, often end up with Liberal and minority coalition possibilities. As for whether or not they could work it out in that way, we had an example in 1972 and 1974, where without a coalition, but with agreements between the Liberal and the NDP parties, some important things were done, including limiting expenses in elections.

However, the issue is broader than just whether 40% of the vote ends up as 40% of the seats in the House of Commons. I think any system should bring us fairly close to that. We shouldn't have huge discrepancies. For example, in 1980 the Liberals had about 22% of the vote in western Canada, and they elected two MPs. That's not a good result, and at that time there was a lot of discussion.

There is another thing we need to remember, and that was why I put the statistics on the table. When we're talking about representation in 2016 in Canada, we need to be attentive to the representation of groups within society: to gender, ethno-cultural groups and visible minorities, and indigenous peoples. I didn't say that there was no relation between systems and these groups. I said that you can find counter-examples. In our present system, the result for aboriginal people and for visible minorities is not a bad result, and that should be taken into account. That's because of what parties do, and because of their candidate nominations and the increasing numbers over time. It doesn't have anything to do with the system as such, because it's been stable.

The Chair: We're out of time, unfortunately. I know it goes quickly.

Mr. Blaikie.

Mr. Daniel Blaikie (Elmwood—Transcona, NDP): I want to talk a little bit more about process. We've heard—I think my colleague here was saying it earlier—the question, what's the rush? I agree that a deadline shouldn't make for bad process. At the same time, I think we've heard from a number of witnesses that Canada actually has been talking about electoral reform for a very long time. As professors, I'm sure you'll appreciate the power of a deadline to get things done and will know that either you or your students, without a deadline, may.... You know: there's always one more book to read or one more chapter to write, and having some sense of urgency can help get something done—in this case, something that many people have been talking about for a long time.

Even if it's not always foremost on the mind of voters, I think there has been a long-standing sense that somehow our elections are not always producing fair results when it comes to the Parliament. Maybe people don't have a well-defined conception of how to produce fairer results or what tweaking would be necessary or how exactly it works out, but I think there is a sense—and some elections produce that more than others—that we don't have a system that is always conducive towards a particularly fair representation of where voters are at.

I would like to see action on this. We heard one of our witnesses before say that there's been a lot of talk and not a lot of action. It's something that I would like to see action on. I feel that this committee has an important role to play not only in going out and talking to Canadians, although that is important, and not just talking to experts, but in getting something done.

Can you share some thoughts with us on what you think needs to come out of this committee in order to have something that Canadians can see as a legitimate outcome for this stage of the process and that can actually launch us into further action rather than further talk? Do you have some thoughts about what we can do as a committee to precipitate change?

• (1520)

Prof. Larry LeDuc: Yes. I'll mention two things that come to mind that I think could be done. They may not be realistic, but we could at least talk about them.

One is based on what I said earlier about Japan. If this committee could serve as a vehicle for developing any consensus proposal whereby all of you had a proposed reform that you could sign off on and present as an all-party recommendation to the people of Canada, I think you could put it to a referendum and have a reasonable chance of bringing it across.

Now, the campaign would also have to be structured in such a way that people could understand it, had enough information about it, and had proper fora in which to debate and discuss it. But I could envision a process like that.

I don't know your committee well enough to know whether that is even conceivable, but if you could produce a report with a recommendation and say this is what we believe should be done and we all agree, I think it would be very powerful.

The second model that I like is based on the Ontario experience. I thought the citizens' assembly was a brilliant idea—borrowed from British Columbia, so I should give credit there. The citizens' assembly was a relatively new idea at the time that both British Columbia and Ontario adopted it. I thought it worked brilliantly, but then they didn't carry it through.

It got closer in British Columbia than in Ontario. In Ontario, the government basically changed its mind and undercut the assembly at the final stage. It didn't fund the education campaign properly; it allowed the assembly to be demonized in the press; it didn't provide any spending arrangements.

But I could imagine a process like the Ontario process that was extended, or maybe more like an improved B.C. process, and if you were to recommend something like that and then give that body

enough time to work and to develop its proposal, which might then later be put to the people, I think this is a model that would have a reasonable chance of succeeding.

How much time it would take, I'm not sure. I doubt that you could do it between now and December.

There are two fundamental principles, which are quite different. The first one is cross-party consensus, and probably a parliament is a better milieu in which to build that consensus, or a forum like this.

The other is the argument that politicians shouldn't be trusted to tinker with institutions and that therefore you need to set up some kind of extraordinary body, such as a citizens' assembly or a convention that operates at arm's length from the political process as it normally takes place day to day.

The Chair: We'll have to go to Madame Boucher.

Prof. Larry LeDuc: Either of those is workable.

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Good afternoon, everyone. I'm here today as a replacement member.

What I am hearing here today is very interesting to me. I have to honestly say that this is one of the rare times that I agree with a Bloc Québécois member. I completely agree on the referendum issue. I also fully agree that this potential change in the way we vote is a very important issue and that we must take the time needed to study it and determine how to proceed.

As legislators, we often have to act hastily, but this issue should not be rushed. I think we need a comprehensive vision.

I would like to ask Mr. Seidle a question.

Considering that this is a very important subject for all of us, I would like you to tell us more about the need to hold a referendum on changing our electoral system.

In January, you wrote an article in *Policy Options*. I would like to quote two excerpts. I'm quoting loosely—I'm not necessarily very skilled at this—but you wrote that such a fundamental change to how we elect the country's most important legislative institution should require majority support through a national vote. In addition, you wrote that the desirability, or not, of holding a referendum on a proposed new electoral system should be assessed on the basis of the principle of democratic consent, not on attempts to guess the eventual result based on a partial number of cases.

Could you elaborate on these two statements? I would like to share your perspective on this issue.

• (1525)

Dr. Leslie Seidle: I don't really have much to add to what I wrote. I stand by my words. I haven't changed my mind since I wrote that article.

We held a referendum on constitutional reform in 1992. It might be argued that this was much more ambitious than the reform of the electoral system. It is true. Three provinces held a referendum. Why? The reasons had to do with democracy and participation. The results were not favourable to the people who wanted reform. The results in British Columbia were quite respectable, and it is unfortunate, in a way, that the government set the bar at 60%.

I would like to get back to the previous question, namely what this committee should do to move this process forward.

According to your terms of reference, you are not being asked to reach a consensus, to recommend one single option. I do not quite agree with my colleague. Based on what I know about the positions of the parties, I would say in fact that the objective of establishing a consensus, one model and mechanisms, is not very feasible. I do not want to appear cynical, but I have to be realistic.

You can still submit a report with the three options you find most promising. The government could then develop an initiative focusing on public education and debate to help Canadians learn more about the process. All this, however, would be predicated on the condition that the government abandon the idea of holding the next election under a new system.

Mr. Mayrand said that he would need two years to implement a new system. If we add a referendum and then calculate the time left before the next election, we can see that it does not work. It would be possible to develop a process that would provide for more debates and a referendum to be held at the next election. This would not increase costs.

• (1530)

The Chair: Excellent.

Dr. Leslie Seidle: It's an option you can look into.

The Chair: Thank you.

Mr. DeCoursey, you have five minutes.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much, Mr. Chair.

I thank all three witnesses for their presentations this afternoon.

[*English*]

I'd like to start with you, Professor LeDuc.

One of the principles that we've been asked to consider as part of our mandate is local representation and how it may work in the preferred system that you've mentioned, or one of the other possibilities under consideration. As a member of Parliament from Atlantic Canada, if you'll allow me to editorialize for a moment, I would say we're very fond of what our part of the country has to add to the public policy conversation in Canada. I wouldn't want, nor do I think people from that region of the country would want, to lose the representativeness that is sent to Ottawa on their behalf. How would local representation potentially work, and what value should we place on that in our deliberations?

Prof. Larry LeDuc: We have to come up with the definition of the word "local", and that's very tricky. I think all list PR systems have districts, except for the small handful that have one single national constituency—and there are only a few of those. They're

mostly smaller countries. The Netherlands, for example, has a single national constituency.

Some of them have larger districts than others. Some of them have districts of different sizes. That's why I said that if I were designing a party-list PR system for Canada, I would consider district size to be one of the major considerations to look at. I would also want to entrust that actual task to boundary commissions, as we do now, rather than to try to make it an inherent part of the system design. There are a lot of difficult technical issues related to geography that arise in Canada that you need to pay attention to.

I think as Canadians we want a system that provides effective local representation. How small your districts have to be for us to effectively do that is a more technical issue that needs to be worked out. In Spain, which I use as an example in my brief, but it's only an example—I don't argue that we should emulate the Spanish system here—the districts range in size from the smallest one of two members to urban ones that go up to 12 or 13 members. I think Professor Russell made the point yesterday, although he was talking about the STV system, that he thought that in Toronto you could have districts with larger numbers of members, whereas in other parts of Canada you might not want to have districts so large.

I think those are issues that could be addressed by a Canadian-designed, party-list PR system. One of the attractions of that is that it's very flexible. It's a very flexible system in terms of the number of seats, the number of districts, and so on.

One of the problems with MMP that we discovered in Ontario with the citizens' assembly, or an issue they got hung up on and could never figure out a way to resolve, was the size of the legislature. This was coming in just after the Harris government had reduced the size of the legislature and persuaded people that they needed fewer politicians. But to design an MMP system, you need a bigger parliament. Typically, the people in Canada who advocate for MMP say, "Well, we'll keep the present districts and just add some seats." Well, how many do you need to add to make it truly proportional? Quite a lot. It's not coincidental that Germany has a 600-member parliament, because a half of the seats are district seats and a half of the seats are list seats.

In party-list PR, you can keep a parliament of about the same size as it is now, and then vary the district magnitude as necessary across the country, depending on which province we're talking about or which geographic area. There would still be some large districts, and some people might not like that, but I think that's an area where you have a lot of flexibility in the design. You have much less flexibility under some other models.

• (1535)

Mr. Matt DeCoursey: Maybe with the time remaining—

The Chair: You have 30 seconds.

Mr. Matt DeCoursey:—our other two panellists could quickly address the value that our political culture places on local representation, and how we should move forward keeping that in mind.

Prof. Hugo Cyr: That's precisely why I referred to the examples of Wales and Scotland. They wanted to maintain that tradition of having local people elected there, but as well have a portion of the seats given according to the proportion of the votes the parties get. That's why they have a mixed proportional representation system in both cases, and because of the size of those populations.

The Chair: We'll start the second round with Ms. Sahota.

Ms. Ruby Sahota: I'm going to go back to my original question. A portion of it about engagement has been answered in pieces with other questions. I know we've talked about the citizens' assemblies, which is a great idea.

Coincidentally, about a month ago, I had the privilege of sitting next to somebody who was among the 102 people in the Ontario Citizens' Assembly. We started talking and it was very interesting to hear his perspective, although he doesn't remember a whole lot anymore of what happened at that time.

What other ways can this committee engage people in the process we are currently undertaking? The process is very important to us, and you've recognized it as being an important process before. If we were to end up with a referendum or not, or if we were to implement a system and then go into a referendum two years later, whatever we do, what do we do now to make sure that the people are engaged before we change our system eventually?

Prof. Larry LeDuc: It's a very difficult question.

I'll go back to the original point you made, which was about deliberation. We need to find a process to do this that is more deliberative. Polling doesn't generally do it, because you're asking a question that people often don't understand or in which the question wording shapes the answers. The citizens' assembly was a mechanism for creating a deliberative body that could discuss this and had some legitimacy, even though it wasn't an elected body, in what it represented because it was a microcosm of the larger electorate.

Ms. Ruby Sahota: Can you give examples?

Prof. Larry LeDuc: There is a mechanism called deliberative polling that I was going to mention. It hasn't been used all that much in Canada, but it's more feasible now with the increasing use of the Internet in polling. If you were to draw samples, the way you do for ordinary public opinion polls, and then extend them by having people deliberate the issue online and exchange thoughts about it, the technology is there to do that.

There are several good books in the U.S. written on deliberative polling, and it has been used in various places, but it has been on a model a little different from an Internet-based model. I could, however, see some of its principles being extended, because polls have some credibility, if the sampling is done right. If you could get a sample that was not just an instant snapshot of answers to a question but was based on some kind of built-in deliberative process

that took place over a period of time, I think that's a possibility we might look at.

Someone closer to the polling industry than I am might have better advice on this than I.

Dr. Leslie Seidle: Although the budget that has been allocated to this process wouldn't allow for it, I don't think—but budgets can be increased—the committee could develop agreements with relatively neutral outside organizations, such as research institutes. I'm not making a call for our own, but...

There's a precedent from the winter of 1991-92 leading to the inter-governmental agreements that led to the Charlottetown accord. There were I think five conferences across the country, and they were on a thematic basis. They were organized by research institutes, they lasted for two days, and there were expert presenters, but there were a lot of workshops. It was more participatory.

I commend the work of this committee, even if you may think I'm a bad witness, but there are limits to this kind of forum. It doesn't allow the kind of iterative and participatory development of ideas and proposals that a citizens' assembly does, but it is, in a way, a little too late for a citizens' assembly. If the government had decided to do it, that would have been the first step, rather than a parliamentary committee.

So if you're thinking about suggestions, either for the shorter term or for following up, I think they should lean towards activities that bring in ordinary Canadians who have some expertise available and that allow for participation and debate, which itself is a process of education.

That's the story of the citizens' assembly in B.C. It went on for about six months, and then, when the conclusions were reached, those members went out and most of them were promoting the results they had come to agree on. That's part of the reason the vote was 57% in favour, in my view.

● (1540)

Ms. Ruby Sahota: We will be travelling across Canada, and we will be doing town halls with regular citizens. There are last minute decisions we have to make about exactly where we're going to go, but we have a rough outline—

The Chair: I have to go to Mr. Kenney now.

Hon. Jason Kenney: Picking up on that, Chair, I think Ms. Sahota misses the point, which is that a citizens' assembly is a deliberative process. It's not where parliamentarians stay in a hotel in a city for a day and listen to 10-minute presentations and passively ask a few questions. It's a deliberative process that moves this beyond politicians who have a stake in and, therefore, I would argue, a conflict in choosing the system by which they are elected. I think it's unfortunate that we seem to be operating under an artificial timeline.

Professor LeDuc, you pointed out that in New Zealand, this was about a 12-year process, with a royal commission, a parliamentary committee, two referenda, legislation, parliamentary debate, adoption, and then ten years later, a third referendum. In Japan, I think you said it was 23 years, which ultimately was resolved through classic Japanese parliamentary horse-trading. It seems to me unfortunate that we've leapt past what is normal in other democracies on such a sensitive issue, where democratic legitimacy is at stake, with an artificial timeline, without inviting the....

I just met a fellow here who was in the gallery just to watch. He participated in the Ontario citizens' assembly and was wondering why there was not a similar process to engage in here.

I hope that all colleagues here listen to your exhortation, Professor LeDuc, to not allow the substance to drive the process but to allow the process to come up with a consensual system.

Having said that, and I've made my points about process, I have a substantive question. One option about which preference has been expressed by members of the government is alternative voting, also known as single member preferential voting, also known as the single member instant transferable vote. You know what I'm talking about. This seems to me deeply problematic in that it actually exaggerates the problem with false majorities. Do you think that's a reasonable concern?

Prof. Larry LeDuc: Yes, that's precisely what it would probably do. One problem with all of these lines of argument is that you don't know exactly if voting behaviour is going to change with any change in rules.

We tend to talk about all systems, including that one, as if voting stays constant, and then we see what the outcome is. But voting doesn't always stay constant. One of the things we learned from Germany—this is getting off track—is that the Germans made some assumptions about voting when they invented MMP, and then about 20 years later, the parties discovered a different way to use it and began to pitch their campaigns differently, and voting behaviour began to change accordingly. So if you change the rules over some period of time, you might change behaviour.

If you gave Canadians second preferences, I think we could predict in the very short-term what would happen, because we can see what voting behaviour has been like recently. Maybe over a longer period it would produce some different outcomes. It's hard to know. But certainly, keep the party system constant, have voting behaviour and turnout much like the last election, and I think you can guess what would probably happen under AV.

[*Translation*]

Prof. Hugo Cyr: The way I see it, there is also another factor to consider. We want to make sure that the system is legitimate and well received by the people. This means that it must be sufficiently and easily understandable, to ensure that voters clearly understand how the votes are counted. If the system becomes too complex, there could be questions about its legitimacy.

I agree that there must be education components, but we must ensure that the chosen system will be understandable to everyone. I want to say that I particularly appreciate the comments you made at

the beginning of our meeting, namely that political parties obviously have an interest in this whole affair.

That is why I do not agree with my colleague on the idea of holding a referendum in conjunction with a general election. This would become the most significant election issue, and political parties would likely present a reform process catering to their own interests, rather than responding to the interests of the whole population. This would divert attention from the real issues.

In my view, if we must have a referendum, it should be separate and not held at the same time as a general election.

● (1545)

The Chair: Over to you, Mr. Cullen.

[*English*]

Mr. Nathan Cullen: He just cut you off, Professor Seidle. I'm sorry. You're on the short end of the stick.

The Chair: Well, there's the time—

Dr. Leslie Seidle: It's okay. I'm saving it for my next time in front of the mike.

The Chair: There you go. There are always ways around the rules to achieve what we want.

Mr. Cullen.

Mr. Nathan Cullen: Yes, to Mr. Kenney's point, we had actually suggested a form of a citizens' assembly back in February when this process was being discussed. Indeed, the question of legitimacy, I think, has been raised by all of our witnesses and others. It's not just the system that we present or this committee recommends, but also whether it is both legitimate and seen as legitimate in the eyes of the voters—otherwise, resistance will be high.

One small thing I want to pick up on is your comment, Mr. LeDuc, when asked about polling. It's one of those things where the question matters. I would assume this is also true of any process that involves a referendum. The carefulness in which we would approach voters with the question, the tendencies in referendums to misspeak the truth by those who wish to push against....The leading Google question in England the day after Brexit, I believe, was, what is the EU? One assumes complete voter awareness when talking about a referendum, which is a dangerous thing when talking about vested interests in a political question.

I want to talk about both productivity and stability because I'm trying to get to outcomes. I'm trying to get to the voters' position on this. If we put forward a system, it has to satisfy what the voters are looking for, not just that their votes are reflected in Parliament, that they cast their ballots, and it's this way, but also that this Parliament and those parliaments are able to function well.

This is where I got cut off last time, so I'll put my question now. We've had experience in Canada of minority parliaments producing, enduring national policies: bilingualism, the social safety net, medicare, the flag. The list is long.

Is it fair to say that while we certainly don't have a culture of coalition governments—we've only had one—our culture around the sharing of power in minority parliaments, just by results, forget partisanship, has worked for Canadians? Is that an exaggeration of the facts, given our history? Let me throw in the Federal Accountability Act too, as part of that, as something that did come out of a Conservative minority.

Dr. Leslie Seidle: I think it's an exaggeration if you refer to the Harper period. One of Stephen Harper's great achievement, or I should say perhaps the most notable achievement, was to be able to govern in a minority as if he had a majority.

Mr. Nathan Cullen: It was by his threatening to hold a confidence vote on every bill, which I think Mr. Cyr has some suggestions on how to reduce that threat... I was there. It was intoned to us that if transportation bills and fisheries bills, etc., fell, so would the government.

Dr. Leslie Seidle: His isn't the only party that did that—

Mr. Nathan Cullen: Oh, I'm not saying—

Dr. Leslie Seidle: Jean Chrétien did that all the time, and with a majority—

Mr. Nathan Cullen: Mr. Harper learned well from perhaps some bad examples.

We have a study in front of us, and some experts have spoken to this, that looking back over the last 50 years, countries that have chosen winner take all systems have had on average 16.7 elections in that 50 years. Countries that have chosen proportional systems have had 16 elections on average over that same half century. Is there not a myth associated with proportional systems that they are somehow more unstable? Everyone trots out the example of Italy every five minutes—

Prof. Larry LeDuc: John Ibbotson did it just the other day—

• (1550)

Mr. Nathan Cullen: John did it the other day. We should actually update what Italy's system is right now, because it's anything but proportional. They've concocted some completely unstable, not-proportional, system, so to even equate it...

Mr. Cyr, you wanted to comment on this.

[*Translation*]

Prof. Hugo Cyr: It is precisely because Italy and Israel are always cited as the classic cases. Historically, it has been claimed that there is no stability in these countries. In the literature, there are studies on what is known as rationalized parliamentarism. That's why I wanted to tell you about certain rules or mechanisms that have been developed. There is some experience and expertise out there. There are many cases where the system put in place often results in minority or coalition governments. We know how it works.

We should not restrict ourselves to just our experience in Canada or in our province. There are mechanisms to ensure stability. If we look at all the countries that often have minority or coalition governments, we cannot say that their system is not as good as ours.

[*English*]

Mr. Nathan Cullen: I have one final question, and you can help us on this. We don't have a lot of examples in the world where one

political culture uses two voting systems at the same time, except in Australia. We've heard testimony that under that system, women's participation is almost double under the Australian House that uses proportional representation versus the one that uses first past the post. They have two houses. They vote them in different ways, and women are 40% in one and 25% in the other.

Do we have other examples around the world? That just seems like the one striking example to me that we should perhaps pay some attention to in terms of women being more able to participate and get elected.

The Chair: Very quickly, please, does anyone have another example?

Prof. Larry LeDuc: Yes. List PR has proven to be more favourable to women, but it's only a tool, because it depends on the parties. An example that Leslie Seidle gave earlier comparing Sweden and Hungary is telling, because they're both list PR systems. But in the Scandinavian countries they tend to use lists, the parties have quotas, and they make sure that there are sufficient numbers of women on their list to meet the quota. The lists are often “zippered”, as they call it, alternating male and female.

The Chair: The question was, are there other examples? Was that your question?

Okay, so it's other Scandinavians countries, I guess.

[*Translation*]

Prof. Hugo Cyr: The United Kingdom, if we look at—

The Chair: Mr. Cyr, we've run out of time.

Mr. Thériault, over to you.

Mr. Luc Thériault: Thank you, Mr. Chair.

Mr. Cyr, your work is very important. As you mentioned, the foundation of democracy is the legislature. There are 338 elections, not just one. Directly, they determine who will represent the people, who will be the holders of parliamentary democracy.

In our discussions, we talk very little about the fact that it is necessary and imperative that the new voting system restore a lot more power to elected officials, in terms of both procedure and the putative change of culture. I would hope that this will to change the culture is not just evidenced by my participation in this so-called special committee. It should also be reflected in the day to day of the other House committees.

How do you think we can improve the rules and parliamentary democracy if we do not examine the Standing Orders of the House at the same time we do this study? We claim we want to increase the plurality of voices and ideologies contributed by the small parties, but this requires a fundamental change of culture in the House, and we need to review the rules.

I put this question to the Chief Electoral Officer, but surely you have an opinion on it. We would also need to restore government funding for political parties. It's fine to have a system that promotes ideological plurality, but if the ruling party and the official opposition are the only ones with the money to make their voices heard, we will not get very far.

Prof. Hugo Cyr: As a law professor, I would tell you that every rule has a specific function. A rule is adopted to respond to an existing need when it is created.

The rules governing how Parliament works have been developed over time according to the type of elected officials, customs, and traditions. If we change the way members are selected, we must conduct an appropriate study to determine whether all the current rules are suited to this new procedure. We will have to review the rules one by one to see if they need to be updated.

With regard to government funding for political parties, I have a lot to say about that. Beyond the political financing, I've heard it said many times that in this or that election, despite the percentage of votes, a party obtained only one seat. We always talk about anecdotal situations, but we forget that, systemically, in other words, not just in any one election, some votes have no impact on the number of seats, depending on the region or the location. We always bring up anecdotal cases, but in the current system, there is a systemic imbalance between the provinces that is much more long term. The issue of political party funding comes on top of this imbalance, which exacerbates the lack of representation in a systemic way.

• (1555)

Mr. Luc Thériault: At least the vote is associated with a government contribution, which benefited the Green Party at that time. This makes it possible, minimally, for a party to make its voice heard between elections and during the election debates. Otherwise, the party's continued existence would be rather difficult.

Dr. Leslie Seidle: Actually, you still have tax credits and refunds after the election. It is not fair to say that the government funding was eliminated. Only part of it was.

The Chair: Yes, that's true. You are correct.

Mr. Luc Thériault: Yes, quite right, but just try to ask people on the street if they know there is a tax refund.

The Chair: Speaking of the Green Party, we now turn to Ms. May.

Ms. Elizabeth May: Thank you.

My question is for Professor Cyr.

I think that the recommendations made here are very important. Yesterday, Professor Russell said that we should consider the idea of only allowing non-confidence motions that are constructive. It was the first time I heard such a suggestion, but I think it's really strong. He also said we should make a recommendation to impose a maximum time that can elapse between elections and the start of parliamentary proceedings.

In your brief, I believe you say that more than half of Canadians think that they vote directly for a prime minister. You also describe what we have to do to educate Canadians about the current system before changing it.

How can we explain our current system if we are getting that kind of response in a poll?

Prof. Hugo Cyr: I've been working on that question for many years. In one of my publications, I identified all the articles that dealt with federal and provincial elections and had appeared in newspapers the day after the election. I also noted the time at which the media announced who would form the next government. Time after time, the media reported that the election pertained to the prime minister or premier and identified who was appointed prime minister or premier that night.

I will give you an example. When the Parti Québécois won a plurality of seats in the Quebec National Assembly and Pauline Marois was the party leader, the next day we read in some newspapers that she was the "first woman Premier of Quebec". However, she had not been sworn in yet and no party had obtained a majority. In such a situation, the premier in office is in principle still premier and even has the right to return to the House to try to regain its confidence.

There is a problem with people's understanding of the rules. That is why I talked about the manual. This is a problem at all levels. It's not just a problem for the public. It also affects the media and how they report information. Those who contributed to preparing the British manual included not only academics, senior government officials, and political parties, but also the media. A lot of hard work went into educating the media to minimize the use of this kind of information, which is an intellectual shortcut and flows faster, but distorts the true nature of our political system.

• (1600)

[English]

Ms. Elizabeth May: That media point now actually feeds into something I noted in one of your earlier papers, Professor LeDuc. In 2008 you published "The Quiet Referendum: Why Electoral Reform Failed in Ontario". I was struck by the graph there—perhaps you recall it—on the aggregate of newspaper reporting on the subject of referenda and of the referendum in Ontario. Perhaps you could comment on it.

We have a lot of media reporting on this hearing and on this committee's work, and it's terribly important that we reach Canadians through the media. But what accounts for the fact, or do you have any theories as to why, the preponderance of newspaper reporting was against accepting mixed member proportional in Ontario?

Prof. Larry LeDuc: When we were writing that paper, we tried to explore that question a bit further and didn't get very far with it. I was stunned by the negativity of the press throughout the entire campaign.

It started back with the citizens' assembly. During some of the sessions of the citizens' assembly, I sat next to the *Toronto Star* reporter who wrote some of the negative articles. He had made up his mind very early on that the citizens' assembly was a disaster. He had no use for it. We became convinced that there was a reason why he was assigned to that—so it wasn't just his personal view—and that the *Star* had staked out its ground early on and sent him out there to basically trash it.

The negativity of the press I think fed into the distaste of the business community for the proposed reform, but it was not possible for us to really connect those dots. We kept staring at them. We couldn't really put the finger on it. But the negativity of the press was very strong.

The Chair: Thank you.

Dr. Leslie Seidle: Wasn't the Conservative leader also against it, and wouldn't that have been reported?

Prof. Larry LeDuc: Yes.

The Chair: Mr. Aldag.

Mr. John Aldag: Picking up on that report, "The Quiet Referendum: Why Electoral Reform Failed in Ontario", I've actually been thumbing through it as we sit here. I haven't quite made it to the conclusion, but it has made me think. We've heard today and over the course of these hearings so far that electoral reform is not new. It has been talked about for a number of years in Canada, and in fact a number of provinces have gone down this path.

Professor LeDuc, we've gone around this a bit, but I'd like to spend a bit of my five minutes talking about lessons learned. Why have these previous attempts failed? I think there is some great material in this article, but could you give us some of your observations on why we've been unable to move in Canada?

Prof. Larry LeDuc: I will go right to the heart of it. It reflects what's in that paper, but also the experience with electoral reform in other countries as well.

Electoral reform proposals are generally put forward by parties when they are in opposition, but they can only act on them when they are in government. Now, it would not surprise any of you people to know that there is a little bit of a change in thinking in the way you look at the world when you're in opposition as compared with the way you look at it when you're in government. In Ontario the Liberals were in opposition when they made that proposal. They then came to government. It took them three years to decide whether they were going to go forward with it or not. I phoned up one of my students who worked at Queen's Park the day after they announced the citizens' assembly. I asked why they were doing this now, three years into the mandate, only a year before the next election. He said it was a campaign promise. They were ticking a box. They promised action on this. They were going to have a citizens' assembly. But the citizens' assembly was not necessarily designed to bring in electoral reform. It was designed to debate electoral reform.

Then the government, over the course of it, when it saw the way it was going, changed its mind. It's no mystery why it changed its mind. The Liberal caucus was split on this. I don't have a measure, but probably the majority opposed it. A few Liberals in the McGuinty cabinet supported it. The premier himself was back and forth on it, but eventually came down on the side of being opposed to it, even though he publicly remained neutral. You moved from a position where one party was supporting reform to where it no longer was.

Something similar happened in B.C. between the two referendums. The government was rather enthusiastic about the citizens' assembly at the time of the first referendum, which is why it did

better. They changed their mind at the time of the second referendum, and not so much opposed it as just lost interest in it.

I mentioned that New Zealand took so long, but it's in the context of two governments of two different parties, both of which changed their position on electoral reform over the course of their mandate. It was Labour in opposition that put forward the reform and then appointed the royal commission, but it was also Labour that tried to undercut it. When National came to power, they had criticized the Labour government for its inaction, and therefore they decided to act. When they changed their mind, they tried to basically defeat it in the second referendum and failed.

That's not an unusual story in politics. I'm a student of politics as well as a student of electoral systems, and when you look at it through that lens, why would anyone be surprised?

• (1605)

Mr. John Aldag: If I could, though, this is perhaps a slightly different situation. For sure we had a position as a party in opposition. We're now the governing party. We're not into year three and trying to go for the check mark. We're in our first year. We're trying, I would say fairly aggressively, to move this along. We've been criticized for taking six months or seven months or eight months. I can tell you that is the second special committee I've been on. We've dealt with medical assistance in dying. We're dealing with some very large issues.

I think we are as a government demonstrating a will to move forward. If we can learn from lessons of the past so that we don't repeat the same mistakes, it will be very useful to help us move forward.

Prof. Larry LeDuc: I would imagine there is a division of views within your party.

Mr. John Aldag: No, we're united here.

Voices: Oh, oh!

Mr. John Aldag: Am I out of time now?

The Chair: Almost. We could go to Mr. Deltell, if you like.

Mr. John Aldag: Sure.

The Chair: Okay.

Mr. Deltell.

[Translation]

Mr. Gérard Deltell: Thank you Mr. Chair.

Mr. Cyr, a few short minutes ago, you referred to the election of the Parti Québécois minority government on September 4, 2012. I was a candidate in that election. You talked about the media. I was a journalist for 20 years, so please allow me to provide some context to your narrative.

Technically, you are correct. The day after the election all the media talked about the first woman premier being elected, when in reality we had a minority government and absolutely nothing was official. However, the night before, the outgoing Premier, Mr. Charest, had publicly announced that he recognized his opponent's victory. After that, it could be surmised that things were pretty much settled.

I also want to point out that we have some very nice electoral traditions in Canada. This happens in Quebec, but I am sure that it has also been done for years at the federal level. The loser always calls the winner, and this a wonderful practice that we must preserve. It can sometimes be a bit surprising, but it commands respect. This was beautifully illustrated in the documentary *À hauteur d'homme*, which shows Mr. Landry, after his defeat in 2003, taking the time to call the premier-elect.

I have American and French friends who watched this documentary. They were very surprised to see that our politicians and party leaders talked to each other on election night. I will not name him, but one of my friends said it was unthinkable to imagine that happening in his democracy. So much the better if we are fortunate enough to live in a democracy that allows our leaders to talk to each other in a civilized manner and respect the very foundation of our democracy, namely, the choice of the people.

Prof. Hugo Cyr: There are indeed such exchanges. Usually the leader calls. I will, however, give you the opposite example.

In 2010, in the United Kingdom, the outgoing government did not have a plurality of seats. The Conservatives had the plurality of seats but not a majority. There were negotiations with the Liberal Democrats over who would form the government.

Given the adoption of the manual and the discussions that took place, the media held back. None of the British media that evening announced who would form the next government, although there were good reasons to believe that it would be the Conservatives, since they had obtained the most seats, although not the majority. The media gave the parties the time they needed to discuss things among themselves. There were negotiations between the Labour Party and the Liberal Democrats on the one hand, and between the Liberal Democrats and the Conservative Party on the other.

Keep in mind that during the election the Conservatives and the Liberal Democrats had said they would not form a coalition. However, given the results that night, all the parties concluded that it would be in everyone's best interests to form an official coalition rather than having a minority Conservative government.

This was possible in part because, to some extent, the media let the political parties handle the situation and talk amongst themselves. If that night the media had rushed to announce that Party *x* was going to form government if the trend held, any other party that tried to form government would automatically be accused of fraud or of attempting a political coup.

That is why it would be useful to have such mechanisms in a context where there are more minority governments, to allow elected politicians to decide among them who will form the next government.

• (1610)

Mr. Gérard Deltell: I will make a comment and talk about three historical events that are quite relevant to what you just said.

Legally, everything stays the same. It is not necessary to introduce additional mechanisms. Legally, Mr. Charest was premier until the day Ms. Marois was sworn in. Therefore absolutely nothing changed.

I would like to refer to three historical events that are relevant here.

First, in 1979, during the federal election, the Liberal Party won more votes than the Conservative Party, but Mr. Trudeau Sr. announced that even though he had more votes, he was ceding power to the Conservative Party because more Conservative MPs had been elected to the House of Commons at the time.

I see that I'm running out of time, but this is worth saying.

Second, in 1966, at the provincial level, Jean Lesage's Liberal Party obtained 46% of the votes while the Union Nationale Party of Daniel Johnson Sr. obtained 40%; however, more Union Nationale members were elected. Mr. Lesage chose to ignore the whole thing. In a live interview conducted by Pierre Nadeau, Daniel Johnson Sr. made a colourful statement. He said: "Mr. Lesage might not know that he lost, but we certainly know that we won."

To conclude, it's not the plurality of votes, but rather the total number of elected members that determines who forms government.

Prof. Hugo Cyr: On that topic, I would invite you to read—this is a bit of self-promotion—my article on forming government, which won the Germain-Brière award. In this article I examine all the cases where this happened. In Canada there was the King-Byng case, for example. King had obtained fewer seats than the Conservatives and he remained in power. When there is no majority, the party that forms government is not necessarily the one that gets the most seats.

The Chair: We understand that quite well. That was an interesting discussion and a good history lesson. I really liked those stories.

Ms. Romanado, over to you.

Mrs. Sherry Romanado: It's my turn now.

[English]

Thank you so much.

There's a question I've been asking a lot of our experts, and I think it's incredibly important. My background is in post-secondary education—even our Prime Minister named himself minister of youth—so I'm going to ask you a question regarding our younger voters.

We've heard expert testimony on how we can increase the engagement of our youth in both the voting on election day and the electoral process, including even contemplating running for office later on. We've heard some suggestions, for instance, about lowering the voting age to 16, strengthening civics education, with MPs visiting schools, and so on and so forth. We've heard about online voting and, of course, social media and engagement.

I'd like to get a sense from you if there's anything else you could suggest that would help in terms of increasing youth engagement in the voting process, but also in their quest to possibly run for office as well.

Thank you.

Dr. Leslie Seidle: I'm going to give you a very simple one: restore the public education mandate of the Chief Electoral Officer. It was trimmed under the previous government, and his office is basically confined to supporting groups that promote learning about voting in schools. They are excluded now, for example, from reaching out to young aboriginal electors, young electors of any background, and so on.

I was at Elections Canada for two years, and part of my work as policy and research director was to develop some of the early programs, including what used to be called "student vote". There were a lot of interesting things that were being developed and that have grown up and so on, but now the opportunity that Elections Canada has to support those are limited by the law that they must respect.

It would be very easy to restore the law to the way it was. It had been like that for about 20 years and was not creating any huge issues, so far as I could tell.

•(1615)

Prof. Larry LeDuc: I would agree with Leslie.

I think that some of the things Elections Canada has been doing over the years in this direction have been very helpful, including making voting easier, and establishing voting places on campus and things like that.

I would also caution that the steady decline in voting among young people is part of a larger demographic trend. Demographic trends are very hard to reverse. You just don't reverse them with an administrative fix here and there. I think they do eventually reverse. The significant increase in youth voting in the last election is a very hopeful sign, because it starts to develop the habit of voting. If people do begin to vote early, they will slowly continue, but it takes years for that to be noticed in statistics.

[Translation]

Prof. Hugo Cyr: I would just like to make a comment on online voting. We haven't said much about it. Personally, I would advise you to be cautious about this. We know that ballot secrecy protects the voter, but, above all, it also protects the system against fraud. When the ballot is secret, it cannot be sold easily, because buyers have no way of knowing whether the people trying to sell their vote are telling the truth about how they actually voted.

Online voting, which is done remotely over the Internet, basically makes it possible to disclose the information required to vote and makes the vote much more susceptible to horse trading. There is therefore a risk, which is not trivial since we now use social networks a lot more, and so on. I do have reservations about this, and I don't think that simply making it possible to vote online will dramatically increase turnout among younger voters.

[English]

Mrs. Sherry Romanado: Do I have some time?

The Chair: For a statement, perhaps.

[Translation]

Mrs. Sherry Romanado: Thank you for joining us.

[English]

The Chair: Mr. Blaikie.

Mr. Daniel Blaikie: I want to go back to the issue of process. I'll maybe start by thanking Mr. Deltell. By raising some examples of where parties have received a higher percentage of the popular vote and nevertheless may have felt they needed to cede power to another party, he made an excellent case for proportional representation. So I'll thank him for that.

I want to get back to the issue of process and give Professor Cyr the opportunity to weigh in on my earlier question, which Mr. Seidle had an opportunity to answer in his response to another question. There's a commitment by the government to make the 2015 election the last one under the first past the post system. To the extent that we want to help the government keep that commitment, what can this committee do within that timeline to move this process forward and come up with an alternative that would be seen as legitimate in the eyes of Canadians, and something that we could act on? If we don't do something here, it seems to me, barring our heading out into some kind of citizens' assembly process, which poses a challenge, given the particular timeline promised by the government, the alternative seems to be to have cabinet come out with its own suggestion. What do you think needs to happen here to avoid that possibility, which I think has some problems of...

[Translation]

Prof. Hugo Cyr: I'll be brief to allow my colleague to speak afterward.

As was previously mentioned, this is not the first time that the issue of electoral reform has come up for debate in Canada. The Law Commission of Canada already released a report on the issue, and Elections Canada prepared several proposals.

With regard to the type of consultation that should take place, I will not go into details, but I would say that at a minimum you should be able to lay out some models or consensual principles, if there is no consensus on one model. There should be very concrete consultations with the public, addressing very tangible issues. If there is an extensive consultation, you have to ensure that it isn't abstract or solely focused on the need to increase proportionality. The model must be concrete, so that people can debate the issues facing them.

•(1620)

Mr. Daniel Blaikie: Do you think that the committee members should at least have an idea of the kind of system they prefer before they start traveling across the country, and that consultations should focus specifically on this model? If not, how do you see this process?

Prof. Hugo Cyr: Much like my colleague, Mr. LeDuc, I think that a consensus would be ideal. However, as the old saying goes, "if wishes were horses, beggars would ride". Therefore, I suggest that you opt for something realistic. If you have two or three models, use them to start the consultation and then see what people think about those.

[English]

Dr. Leslie Seidle: My colleague makes an interesting suggestion, which is that whether or not one or more models is agreed to here, it is very important that the committee agree on principles.

The principle that you have in front of you in your mandate are numbered from one to five, but there are way more than five principles listed there, and some of them are not really realistic. A system that is supposed to “enhance social cohesion”, I mean, really, isn't that a bit of a stretch for electoral reform? I don't know who wrote these terms of reference. I assume there was more than one person involved. That's fair as far as it goes, but it's not limpid.

You can draw three main principles out of them that you could rally Canadians around for a debate on one or more proposals. That's why I made my point about prioritizing principles. What are the good things that could come out of changing the electoral system?

The Chair: You have about 30 seconds.

Mr. Daniel Blaikie: I'll just throw it back to Professor LeDuc. If we are going to move towards change for the next election, do you think the ultimate proposal for that system ought to come out of this committee, or can it come out of cabinet and have Parliament vote on that? It's going to come down to a vote in Parliament. Is it cabinet's proposal or this committee's proposal that needs to...?

The Chair: Briefly please.

Prof. Larry LeDuc: It's hard for me to imagine that a cabinet proposal would acquire the kind of legitimacy within that timeframe that you were talking about.

The Chair: Thank you.

[*Translation*]

Ms. Boucher, over to you.

Mrs. Sylvie Boucher: Good afternoon.

This is very interesting. I'm very happy to be here today. Democracy is a very important issue to me. In 2006 I had the opportunity to be an election observer in Haiti. When we look at our democracy we can really see how lucky we are.

You talked about consensus. For me, this is not just a matter of consensus. What really matters is what the people tell me. As an MP, I represent a riding and I talk to my constituents. The people of Charlevoix, Beauport or Île d'Orléans do not all think alike. In a democracy there must be choices. We must be able to hear yes or no. First and foremost, we have to be able to explain to people what we want to do. That's what I think.

You said earlier that, to start with, people do not really understand what is involved. In Canada, we fight for not voting, while in countries like Haiti people fight to vote because they want a democracy. Our democracy is not perfect, but we have one, and we can talk to each other. When we leave the House, we can walk together and talk without bashing each other.

I want to understand. You spoke about consensus. How can we make ordinary Canadians, those we meet at Tim Hortons and everywhere, properly understand this issue? It's not just a matter of educating them, but also of knowing what they, themselves, want. I think that requires more than just a small committee of politicians or academics. You have done a great job, but if we want to change democracy, we must listen to the people.

What are your thoughts on that?

•(1625)

Dr. Leslie Seidle: I totally agree. The committee is trying to find out what Canadians think with town hall meetings. However, the members or organizations must still take the initiative to use these tools. I read them and I looked at all of that. It's quite well done, but people still have to take the lead.

Other models have been used, such as citizens' assemblies and special panels. Their aim is to seek out people's views, discuss them and provide opportunities for debate. You tried to adapt this formula with other tools, including the Internet, but that has its limits. I will say no more about it.

You may still suggest, in your recommendations, what should be done after your report is tabled. I agree with my colleague that taking this directly to cabinet without further public discussion or debate is probably not acceptable or a good thing to do, strategically. If the government wants its proposal to be adopted but the process of real public debate is cut short, it is not very likely the proposal will be accepted.

Prof. Hugo Cyr: I would like to clarify something about the consensus.

I did not mean to say that everything would necessarily be finished once consensus was reached here. The idea is simply to have a consensus on a specific subject of discussion, rather than discussing in the abstract, and so much the better if it was more proportional. It would be good to agree on something tangible that could then be discussed. That is a necessary step for moving forward.

The Chair: Thank you, Mr. Cyr.

We will close this very interesting discussion with Mr. DeCoursey.

Mr. Matt DeCoursey: In the first round of questions I asked what value our committee should give to local representation in its deliberations, but Mr. Seidle was not able to answer my question. I would like to give him the opportunity to do so. This has to do with the political culture in Canada.

In your opinion what value do Canadians put on local representation?

Dr. Leslie Seidle: Group representation?

I didn't quite understand.

Mr. Matt DeCoursey: I'm talking about local representation.

[*English*]

What value should we put on it?

Dr. Leslie Seidle: I think the answer to that question is maybe that it's not entirely about what Canadians think about that. I think Canadians do value having a contact with local representatives and so on. As someone who always tries to use realism—and I'm a former public servant, so I haven't always sat in an office in Montreal—you also have to think about the degree to which a proposal might get through this House. That's one of the reasons that so many of the provinces and New Zealand have proposed the mixed system, because it retains a certain proportion—usually at least a majority—of the local districts, and it adds on the proportionally allocated seats.

That can be done in two ways. Let's say you've got 100 seats to be allocated proportionally. They can be allocated to bring the parties up to where they should, in a sense, be by their vote, or they can be just added on a proportional basis. So if the count for each party was 30-30-40 as far as the popular vote went, then it would be 30-30-40 for those additional seats. That's not used in as many countries because it doesn't give you as proportional a result, but it does help to correct some of the gaps in representation that we've seen over our history.

Personally I think that the mixed member model has a lot going for it because it can be structured to allow quite a bit of voter choice. The results for gender representation in the different countries are quite good under mixed systems. They are slightly better under full party lists, but it also preserves those local seats.

I think you and people who study these things have to consider, is it going to fly in the end? Is it going to achieve the principles that we believe in, and is it going to fly?

•(1630)

Mr. Matt DeCoursey: One of the principles you mentioned that should be a priority for us is the idea of inclusion and diversity within the system. In this regard, I note the statistics that demonstrate that while we still have a way to go, we're not doing that badly in terms of the percentage of visible minorities and indigenous Canadians who represent us in Parliament.

Do you have any statistics or research indications that demonstrate how persons of visible minority, or indigenous Canadians, turn out to vote and are involved in the democratic process, aside from those who offer and are eventually elected as representatives? What weight should we place on ensuring enhanced engagement for those Canadians?

Dr. Leslie Seidle: When I cited those statistics, it was partly for the purpose of demonstrating that there's no exact result from any system. You can't say, this will lead to that, because we have this antiquated system—sorry, I shouldn't keep repeating that, as I'll believe it after awhile—or long-standing system that has adapted to our changing demography.

Why do we have more indigenous MPs in Parliament now? We have them for three reasons. One, it's because the parties nominated more candidates this time. They nominated them in places where they could win, and above all it's because indigenous Canadians got out to vote in much greater numbers than they did before. The biggest increase in turnout in the last election was that of young electors—I think it was those under the age of 25—in Nunavut. Nunavut is 90% Inuit.

That gives you two good results, youth and indigenous voters, but there's no magic. People decided to move. There were signals from leaders. The Grand Chief of the AFN voted for the first time in a federal election. That's a pretty important signal. All of that was happening. I'm not suggesting we shouldn't be talking about change, but I also think that we should be fair about what can be achieved under the present system and give credit to the political leadership behind the kinds of change we have seen.

The debate in 2016 is not just about parties and the mathematics of party representation; it's about that social, and racial, and ethnocultural diversity that is within Parliament. That's an important lens to use in whatever you look at as alternatives.

[*Translation*]

The Chair: Thank you very much. I think this was a very instructive discussion. I thank my colleagues, who were able to bring out and discuss the witnesses' ideas. I would also like to thank the witnesses.

We are in the last week of July, but you still took the time to come here, which was not necessarily to be expected.

[*English*]

Thank you very much.

I would remind members that we're meeting tomorrow morning at 8:30. We have a one-hour in camera meeting on committee business and then we have a hearing, and then we're done for the week.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 012 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, July 28, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Thursday, July 28, 2016

• (1000)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Order, please.

Colleagues, please take your places.

We appreciate all the witnesses being here today.

We have Professor Dennis Pilon, Department of Political Science, York University. We have Professor Jonathan Rose, associate professor, Department of Political Studies, Queen's University. From the Institut sur la gouvernance, we have Maryantonett Flumian, president.

We're sorry we're a bit late. We had some housekeeping matters we had to take care of, but we're very anxious to hear what you have to say.

The way it works is that you will each, as you know, be presenting for 10 minutes. Then we typically have two rounds of questioning, and in each round, every member gets a chance to ask questions. We'll figure out the timing of each round, but typically it's five minutes. The first round will be five minutes, I think. We'll figure out the math.

We're going to end at 12:15. We've extended our meeting by 15 minutes because we started late.

I would just like to mention one thing. The five minutes each member has covers questions and answers, so it's something everyone should keep in mind, the members and the witnesses. If there is a long preamble to a question, it leaves less time for answers. If you are not able to answer and there is a question hanging out there when somebody has asked a question and the five minutes are up, you can still address the issue the next time you have a chance to speak. It doesn't mean you can't follow up on the question, but it has to be at another opportunity, maybe when you're answering another question.

We'll start with Professor Pilon, for 10 minutes, please.

Professor Dennis Pilon (Associate Professor, Department of Political Science, York University, As an Individual): Thanks for inviting me to come, and I want to begin by applauding the government for bringing this issue forward and by applauding the parties that are supporting it.

This is a little bit about me.

I've worked on this topic for almost three decades. I've written two books and many research papers on the topic. My research is focused

on real-world experience and results with different voting systems, and the historical and contemporary processes of reforming political institutions such as voting systems. I've also researched related topics on voter registration, voter turnout, youth participation, and the representation of social diversity and Canadian democratization more broadly.

I also have some practical experience in organizing elections as a former deputy district electoral officer in British Columbia. I was second in charge of organizing a riding for the purposes of a provincial election, hiring 300 people and training them to do the election day stuff, so I have a bit of practical insight as well as academic insight into voting systems.

We've heard from many people that there is no perfect voting system, but that doesn't mean there aren't imperfect ones, like first past the post, particularly from a democratic point of view. We call our system a representative democracy, but first past the post fails to represent effectively. It misrepresents the popular support for parties. It leaves over half of the voters contributing to the election of no one. It typically results in a minority of voters dominating majorities. It limits political competition. I mean, with such lousy representation, how democratic can the system be?

The reason is that the system was not designed to be democratic. Its origins are in the pre-democratic era, and it has been kept in place for electoral self-interest. Canadians have struggled to make their system democratic despite these institutional barriers. Proportional representation systems, by contrast, were designed to represent voters effectively, even if the motives of reformers were not always democratic.

My brief, which I've submitted to the committee, argues that the way we talk about reform tends to structure the debate that follows, and we've seen three views emerge since this process started. One of them frames the question as an issue of the Constitution and the need for a referendum. Another one argues that voting systems are just a matter of taste: it depends what you like, what you prefer. The last one argues that voting systems are quintessentially a matter of democratic reform, and I argue that only the last view is really credible.

Now, I'm not going to go into all the details of the brief. I want to sketch out the broad themes, and I can certainly expand on any of these issues in the question-and-answer period.

With regard to the constitutional arguments, there is no merit to them. We have seen a range of views, from the uninformed to the ridiculous, and the rapidity with which they are appearing in the media signals a kind of desperation from the right-wing think tanks that are sponsoring them. The referendum arguments are often clothed in a veneer of democratic rhetoric, but they are also weak and contradictory. Normatively, referendums should be restricted to situations in which voters can become reasonably informed to be able to participate in the discussions. Canadian provincial referendums on voting systems have shown this not to be possible.

Referendum advocates would have us believe that referendums will lead to reasoned debates and decisions on this question, but evidence suggests otherwise. The research on referendums, both Canadian and comparative, shows that the way that voters deal with issue complexity is to reject the process entirely. When people have rejected different options, it's often because they have no clue as to what they're being asked. In many cases, they didn't even know a referendum was going on.

The referendum arguments are themselves internally inconsistent. We are led to believe we must have at least a majority to change our voting system, but a government that represents 39% of the population is okay to make all of the decisions in the interim. Why is there a majority for one question but not the other? It seems to me that if a majority is the ultimate test of decision-making, then it should be applied in all democratic situations.

Finally, as I will spell out in a moment, I think this issue is one of voter equality, and you don't put equality rights to a vote.

Now let us go on to the idea that voting systems are a matter of competing values and outcome preferences—a matter of taste.

There are two key problems with this argument. First of all, voters are not well informed about any of our political institutions and thus do not really have tastes about them. For instance, in two different surveys done 10 years apart, voters were asked if a majority government reflected a majority of the Canadian population, and they argued that it did. A majority of them said it does, when in fact I think everybody here knows that they almost never do.

Voters cope with political complexity through proxies, the parties that they support. When a party complains about something, then the public usually wants answers. If a party is fine with things, then the voters are usually fine. I think it's foolish to pretend otherwise. Voters have fairly informed views about the broad themes of politics that they prefer, but the details and the institutions are unavoidably an elite process.

●(1005)

The other problem with voting systems as a matter of taste is that it flattens out the values and makes them all equal, when in fact I think we should privilege democratic choices and disallow undemocratic ones. The problem with making a choice for majority governments as a value is that it suggests that's okay. It's okay for a minority of people to impose their views on the majority. I just don't see how you can make that a democratic argument. There are lots of arguments in favour of our system; they're just not democratic ones.

Therefore, instead of looking at voting systems as a matter of choice where all choices are equal, we need to judge our voting

systems against what Canadians are trying to do with their voting system. In this case, I think the evidence suggests that they are trying to get their political views represented, so we need a system that will do that most effectively.

Voting systems as democratic reform start from a realistic sense of what voters are trying to do when they vote, and here we know from a mountain of evidence that voters vote party, as opposed to, say, voting for a local representative. Even when voters say they're voting for a local representative, we discover they're actually voting for the party, yet in trying to get those party results, our current voting system privileges geography, though geography is not the basis informing that vote. Thus proximate voters—voters who live close to each other—are privileged by our system, while dispersed voters are discriminated against.

This violates the voters' rights to have their votes count equally. This issue actually affects all parties. Voters of all parties find themselves marooned in different parts of the country, unable to make common cause with voters who agree with the kinds of things they would like to see represented. This leads to wasted votes, distorted representation of parties, and typically a legislative majority government that a majority of Canadians do not actually support.

This is wrong, because it's undemocratic, it's unrepresentative, and it violates some basic democratic notions of majority rule. Again, we do it this way not because of preferences or the Constitution, but because historically self-interested parties have kept it that way. Attempts to defend it involve contorted and convoluted arguments that frankly are unsupported by facts.

Let me conclude. I would argue that this committee's job is to move forward and just recommend that the government change our voting system to a proportional system. The only real barrier is political will. The government has a majority, and we have parties that represent a majority of Canadians whose parties supported this issue. I think there are plenty of reasons for the government to move forward, and here I would argue that the government shouldn't really worry about critics, because I think the critics' arguments are mostly politically self-interested. We've had a number of commentators suggest that there will be public outrage if there's not a referendum, but frankly, the only people who are outraged are the ones who are writing such editorials.

In moving forward, I think the government's voting system choice should be informed by facts, not speculation. This is key, because most discussion today is focused on myth, distortion, and outright speculative made-up nonsense. There is plenty of real-world experience with proportional representation to draw from for us to understand how this would affect Canadian politics, but comparisons should be with countries that are comparable to Canada—in other words, western Europe and New Zealand, not Italy and Israel, which are countries that have very distinct political histories and political situations that are very different from Canada's.

If we do that, if we take seriously an evidence-based approach, then just about every complaint about proportional representation can be shown to be without support. Whether we're talking about complexity, instability, too much stability, lack of local influence, etc., all these things can be shown to be without foundation.

Also, we could spend some time talking about the many good things that change would bring in moving to a proportional system. We could highlight how a change to any proportional system would immediately increase political competition. It would lead to changes in voter turnout. It would lead to improvements in the representation of our diversity, and it would end the policy lurch that we see presently with our alternation in government.

I'm happy to expand on all these things in the question-and-answer period.

Thank you.

• (1010)

The Chair: Thank you very much, Professor Pilon.

We'll go now to Professor Rose for 10 minutes, please.

Professor Jonathan Rose (Associate Professor, Department of Political Studies, Queen's University, As an Individual): Thank you, Mr. Chair.

Thank you very much for inviting me to this committee. Like many Canadians, I've been following your crash course on electoral systems with great interest. As a political scientist who finds the topic as fascinating as it is complex, I've been really impressed with the facility with which the committee has understood the nuances of electoral systems as well as methods of representation. As you're quickly realizing, it's complex, and a bit like doing a Rubik's cube, in that if you change one thing, the other things change as well. However, unlike a Rubik's cube, there is no right answer. This is important, because if I were to summarize electoral systems in one word, I would say "contingency".

Your steep learning curve in some ways makes sense, because you've heard from many of the experts on the subject. Therein lies an important conundrum. While I have no doubt you will master the details of electoral systems, I wonder about the Canadian public. How will they learn, and what is it they need to learn? I want to discuss the public learning component of electoral reform from my experience as academic director of the Ontario Citizens' Assembly on Electoral Reform. I want to stress the importance of that in the overall strategy of engagement.

The other thing I want to do is briefly talk about the large electoral signposts and hope you keep that in mind so you're not distracted by the red herrings along the way.

Public learning is really the flip side of democratic engagement. This reform exercise has created an ideal opportunity for a national conversation. We all want citizens to be engaged, but true engagement cannot occur without a solid foundation of knowledge. We know that among citizens the variation is very high, and as Professor Pilon just mentioned, the average is very low. Discussions should be about rational reason-giving, not emotional position-taking, and the former requires knowledge. Rational reason-giving was the basis of both the Ontario and the B.C. citizens' assemblies. That's how they worked. They understood that you could not choose an appropriate system without first understanding what principles were important to them.

Canadians are not being asked to design a new electoral system, so I would humbly say there's no reason for them to argue for one or another. In my mind, that's the work of this committee. Where Canadians have an important role to play is to tell this committee and members of Parliament what values and principles are important to them and how these are evident in various systems.

Your committee has been given five guiding principles, which I think are instructive but not as clear as they might be. I might suggest refinement about what they mean, or at least to make sure you're using the language in the same way as others.

For example, some of the principles your committee is working under are about outcomes, things like "integrity" and "legitimacy". These are not created by a system but are a product of them. Others are goals that a system should embody, such as "effectiveness" and "inclusiveness", whereas others relate to the mechanics of the system, to how it works, such as "local representation". Your principle of "accessibility" suggests the principle of simplicity with its language that "the proposed measure would avoid undue complexity". Simplicity, I might add, was one of the principles chosen by the Ontario citizens' assembly. If I can paraphrase Albert Einstein, a good electoral system should be as simple as possible, but not simpler.

There are other principles not listed that have been used by other studies. Voter choice, chosen by both the Ontario and B.C. citizens' assembly, was an important one for citizens, but curiously does not appear as frequently in the academic literature as the others. This suggests that citizens think about electoral systems differently from experts. That's worth remembering as you hear from experts about their opinions on what's important.

Other studies have also refined what "effectiveness" really means. Does it mean effective parties, as British Columbia and Ontario defined it? Does it mean effective Parliament, as the Ontario assembly refined it? Or does it mean effective government, as defined by both the Law Reform Commission and the New Brunswick commission?

I would suggest that it will be really important for you to clarify these terms so that both MPs and citizens are clear on what it is they value and whether they're talking about the same thing.

In the Ontario citizens' assembly process, \$6 million was devoted to educating voters. A strong, robust educational campaign is more than advertising, of course. This government has taken the useful first step of producing a consultation guide. I would take exception to one of your previous witnesses, who characterized your process as an "elite pleasure industry".

● (1015)

I actually think this matters. If so, surely more is needed, both to persuade the public and provide basic education about how these principles resonate and to inform citizens once this committee reports in December. Frankly, this will be even more significant if and when a referendum occurs.

Let me shift gears quickly and talk about electoral systems. You've heard a lot about them. I think one way to think about them is the big debate in which they occur. Scholars like to talk about whether they are causes—they create greater participation, they create more parties, they create different kinds of parties—or whether they are effects—they're a product of a political culture or a product of regionalism or perhaps an institutional context.

In reality, they are both. Electoral systems both illuminate and reflect.

In the literature, we classify electoral systems using these two large categories that might help in your deliberations: output and mechanics. For output, we're thinking about proportional versus non-proportional systems, the big categories. To determine what serves our needs best, we need to go back to our principles. Do we want a system that increases the chance of a strong majority government? Do we want increased diversity in Parliament? Do we want an increased number of political parties? Those are all questions that force us to go back to those principles.

The second approach is to think about mechanics. How does the electoral system work, and what is its relationship to the output? When scholars discuss mechanics, they're usually talking about three things.

The first is how voters would mark their preferences. Do they rank them or do they make a choice? Ranking offers greater choice, but it might surprise you that sometimes ranking doesn't affect the outcome of the choice. A categorical choice is simple but may not reflect preferences accurately.

The second issue you're facing in mechanics is how many representatives you want per district. One allows for simple accountability, but it can't be proportional. As you increase the number in each district, you increase, perhaps, proportionality, but you perhaps may sacrifice the connection between the representatives and constituents. Moreover, you may sacrifice local representation. These are trade-offs that need to be carefully weighed.

The third element of the mechanics is the formula, and you've talked about this in the last few days. The formula is basically how you decide who won. The plurality formula is simple, as you know. A majority formula ensures that there's legitimacy. A proportional

system ensures that vote share equals seat share, but may sacrifice local representation. A mixed system offers what some might say is the best of both worlds, but it does create two classes of MPs.

I want to reinforce the model of the Ontario and B.C. citizens' assemblies. They were based on deliberation, not consultation. It's not enough to ask people for their opinions when doing so may only reinforce their existing beliefs. There needs to be an honest and robust public learning campaign that establishes connections between these principles and others and how they correspond to the kind of representation you want.

The conversation here and in the public has put, I would argue, the electoral cart before the horse. It has emphasized the product of those values, the electoral system, and not their trade-offs.

Let me leave you with a final thought. While Professor Pilon and others have argued that there is no one perfect system, I want to quote Richard Katz, who argued that there is a perfect system. He argued that the best electoral system, depends on "who you are, where you are, and where you want to go."

At this stage, rather than focusing on systems, I hope you give these three some significant thought.

Thank you.

● (1020)

The Chair: Thank you, Professor Rose.

We'll now go to Ms. Maryantonett Flumian.

Ms. Maryantonett Flumian (President, Institute on Governance): Thank you very much.

Good morning, distinguished Chair, Vice-Chairs, and members of the committee. I'd like to begin by saying a few words about the Institute on Governance and our work in advancing better governance in Canada and abroad.

The IOG, as we call ourselves, is an independent, not-for-profit, public interest institution that advances a better understanding of the practices of good governance in Canada at the federal, provincial, and municipal levels. We also work with indigenous governments and not-for-profit organizations, and over the last 26 years we've worked in 35 countries around the world.

For us, governance is concerned with the governance ecosystem: with the frameworks, the strategy, with how decisions important to a society, a community, and an organization are taken, and, fundamentally, how accountability is rendered. Our work is guided by five principles that mirror the ones that are guiding the work of this group.

We deal with legitimacy and voice, direction, performance, accountability, and fairness, and as I said, these are mirrored in the work that you are doing.

This committee has been asked to identify and conduct a study of viable alternative voting systems to replace the first-past-the-post system, as well as to examine mandatory voting and online voting. To assist you in addressing these areas, my remarks will address three broad domains: why voting matters, how votes are counted, and how citizens vote.

I'll discuss the governance considerations I believe this committee should assess as they move forward and I will talk about the first and the third domains—that is, why voting matters and how citizens vote in conjunction.

For the second part, I'd like to clarify that my comments will not be on the merits of a particular electoral system, as I will leave that to the experts in the field whom you have already invited to speak and who are speaking this morning.

[Translation]

To begin with the last point,

[English]

I would like to start with the issue of encouraging voter participation, specifically through such measures as mandatory voting and online voting. I propose this order because I think voter engagement is as big an issue for democratic legitimacy as the selection of a specific electoral process.

[Translation]

While in principle I am not opposed to mandatory voting, I think that such use of public authority should be considered only as a last resort to address low voter participation.

On political principle, relatively few people support mandatory voting. The electoral franchise implies an absolute civic duty to vote, which we must uphold to the full extent of the law.

In fact only twenty or so countries have mandatory voting, and of those only half strictly enforce this requirement by imposing penalties.

• (1025)

[English]

The public purpose pursued by many who advocate for mandatory voting is principally to raise voting participation and thereby improve the legitimacy of elected representatives, and a broadened legitimacy of elected representatives ensures a broadened legitimacy of government, which is a most laudable public objective.

There are also a number of other measures that could be implemented prior to mandatory voting in order to improve voter turnout over time. Taking the prescriptive that the administration of voting is simply another element of government service delivery to the citizen would, in my view, go a long way in bringing this design within a modern philosophy of citizen-centred government service.

Simply put, if voting is more user-friendly and highly accessible, more people may be likely to vote. Everything possible should be done to facilitate voting, from registration to the actual act of voting. With modern information technologies, many impediments to voting or things that make voting more difficult could be lifted or greatly reduced. For example, we have a permanent electronic national voters list; if only it were available at all polling stations across the country in real time. This is a no-brainer in this day and age.

We might have a vote-anywhere policy that would facilitate the exercise of the franchise, notably by students who leave their permanent place of residence to attend college or university just around election time, if we stick to the current cycle. People could

vote wherever they were on polling day, rather than having to return to their place of registration or having to change their registration to their new residence in order to be able to vote on polling day.

The lifting of such administrative burdens might give a particular boost to voting in marginalized groups in Canada, who may benefit from an increase in accessibility to voting, and among youth, since it's critical to retain the large increase in first-time young voters in the last federal election so that they continue over their lives to perform their civic duty. I say this while well understanding that in rural and remote areas of this country, we do not yet have the standard of connectivity to be found in the rest of the country, but perfection should not be the enemy of the good. We can start to work at modern-day solutions in full recognition of this reality and hope that we can implement something in rural and remote Canada as well.

Another example is limiting vouching to one per person. This has brought an undue restriction on the administrative flexibility of the voting process that may have had an impact, in particular for elderly voters in seniors' residences, where it was customary for staff to vouch for several residents who lacked identification, as well as in indigenous communities. Stopping this practice may have been a remedy to a non-problem.

However, I would suggest more importantly that the ability to vote online would make a difference as well. We manage polling pretty much as we did 100 years ago. Except for the permanent voters list that is composed and updated electronically with data input from Canada Revenue Agency, our voting process is entirely paper-based and very similar to what is was in the early 20th century. Polling stations do not have electronic access to existing voters lists and have only a printed list of voters for their poll, on which they cross off names as people come in and vote. Voters are given a ballot.... You know the process; I don't need to go into it.

It's extremely slow, and with the new additions that have been added to the administrative process, it is slow and clumsy for our day and age. To paraphrase another Canadian, after all, this is 2016.

Many service providers at all levels of government and in the private sector—even banks, for heaven's sake—don't let their customers or their citizens wait in line, because they know that often this causes them to lose their patronage. They've taken the turn to modernity. The electoral process has not. People line up and wait to exercise their franchise at polling stations.

A survey commissioned by us at the Institute on Governance—not yet published, but I will make it available to the committee after my appearance—shows that Canadians widely endorse online voting. I believe that technology that could and must ensure both the confidentiality and the integrity of an online voting process must be aggressively explored now, while we still have a few years to go.

Citizens live their lives online through their mobile devices, and few remember life without Google. Google is just a decade old, yet antiquated paper-based electoral processes already feel like an aberration in this world. People live their lives online, do their banking online, and pay their taxes online, but they can't vote online. A younger generation does not understand this, and frankly neither do I. I say let Canada be at the vanguard of piloting, experimenting, and implementing online voting as quickly as possible.

By the way, under the the Fair Elections Act, this would require the authorization of Parliament, and I quote section 18.1 of the Canada Elections Act:

The Chief Electoral Officer may carry out studies on voting, including studies respecting alternative voting processes, and may devise and test an alternative voting process for future use in a general election or a by-election. Such a process may not be used for an official vote without the prior approval of the committees of the Senate and of the House of Commons that normally consider electoral matters or, in the case of an alternative electronic voting process, without the prior approval of the Senate and the House of Commons.

This is a very, very high bar, which I have no doubt discourages the serious examination and investigation of these modern administrative matters that affect the democratic franchise.

Most importantly, because an increase in voter turnout can equate to government's legitimacy, methods to improve accessibility are but one of the viable alternatives. I'm talking specifically about civic education. Parliament has a duty to ensure that its citizens understand the importance of their participation in strengthening the principles of sound public governance. With a civic education strategy that starts by targeting grade schools and high schools, we can ensure that there are more first-time voters, regardless of the voting system we choose, and that many more will become voters for a lifetime, continuing to support the ongoing foundation of democratic governance. I believe that Elections Canada should be institutionally positioned to play a leadership role in this strategy.

In other countries, such as Australia, electoral commissions or agencies have the responsibility to not only administer elections but to objectively inform citizens of their civic duty by providing accessible tools and resources. Thus, I believe that this committee should consider recommending expansion of the mandate for Elections Canada to include providing foundational and objective education and awareness programs to young Canadians, marginalized Canadians, and new Canadians.

Now I come to the voting system, first past the post.

Some feel that this element of our electoral process would be the single most important reason for the long-term trend of voter apathy identified by scholars and experts. A major feature in our democratic system is the election of majority governments, with examples of minority governments being a more common feature in more recent times.

• (1030)

The Chair: Excuse me, Ms. Flumian; how much time would you have left in your—?

Ms. Maryantonett Flumian: Could I take another two or three minutes?

The Chair: Not really. Maybe another 30 or 45 seconds. I can stretch it to a minute.

There will be time for questions.

Ms. Maryantonett Flumian: I can do that, by all means.

The Chair: Thank you so much for your co-operation.

We will have five minutes per member in the first round for both questions and answers, and four minutes in the second round. We'll end at 12:15.

We'll start with Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): I would like to hear what you were about to get into. I thought you were about to talk some about first past the post.

Ms. Maryantonett Flumian: I was going to talk about it, but I'm not going to come to a conclusion. I'll only tell you that in the same poll I was talking about earlier, there was interest in exploring other options. When you see the results, you can have a look at what you think of their interest. It's a broader study on governance.

My final comments were going to be all about constitutional conventions, which are also affected by our voting system. Our voting system is only one dimension of the way we manage our constitutional arrangements. It was about the implications of changes to the voting system, or the implications that you should have in mind as you propose changes to the voting system.

Mr. John Aldag: Maybe I'll leave that aspect for somebody else and move into something different.

Professor Rose, you were talking about trade-offs, and I've made a note that trade-offs need to be looked at. I'm finding that we've had excellent testimony so far, and all three of you have contributed strongly again this morning. We're getting a lot of the benefits. We've heard that proportional representation can do certain things, such as resulting in minority or coalition governments, but we're not talking about the trade-offs.

I believe that sometimes majority governments can do great things. We've heard from Mr. Cullen that some of these minority governments have also done great things. Majority Liberal governments have done great things and majority Conservative governments have done great things, but mostly Liberal governments have done great things.

Voices: Oh, oh!

Mr. John Aldag: I'd like to know if you have any thoughts on some of the trade-offs we're seeing with minority and majority governments. I'd like to explore that a bit.

I'd like to start with you, Professor Rose.

• (1035)

Prof. Jonathan Rose: When we talk about trade-offs in Parliament, we're talking about what kind of parliament we want. Electoral systems produce a Parliament, and a Parliament looks a certain way based on the electoral system.

Imagine the electoral system as an engine. Depending on how you tune that engine or what kind of engine you have, you're going to get different results. It's really about the principles that guide you. Effectiveness is a great concept, but when we talk about effectiveness, we can talk about effectiveness being a large majority government. One would not disagree that a large majority government is very effective in getting legislation passed, but it sacrifices the effectiveness of Parliament, which is after all a talking place, and the ability of members on all sides to engage in discussion and to deliberate.

When we talk about effective parties, we can talk about large brokerage parties that command wide swaths of ideology as they do in Canada, or we can talk about effective parties as being small, regional, or specifics-based parties. The trade-offs are really around the kind of Parliament you want and the kind of government you want.

Mr. John Aldag: In Canada, we have a clear division of power. The provinces have their responsibilities and the federal government has theirs. If we moved into a system of more minority or coalition governments, would we be sacrificing anything in being able to deal with national issues? If we were move away from the kinds of majority systems we've had, would we be sacrificing strong national leadership and weakening federal jurisdiction?

Prof. Jonathan Rose: I think it's really about how we think of our party system. Our party system is a brokerage party system, which is a big tent. Arguably, we are one of the few countries that has had such a broad group of people under one political party. If you think of it that way, political parties are coalitions now. We have coalitions, except that they're created within a party before the election. Brokering of interests between parties would occur after the election. It's the same thing.

The Chair: Thank you. Okay, we're good.

Mr. Reid is next.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): I think he's good, too.

Some hon. members: Oh, oh!

Mr. Scott Reid: I want to thank all the panellists for being here.

I wanted to start by asking Jonathan Rose a couple of questions, and this may take up all the time I have in the first round.

You are, of course, one of Canada's two or three leading experts on citizens' assemblies, and you've spoken very favourably of them based on your experience. I'm just quoting you here: "A citizens' assembly—where real learning, deliberation and consultation takes place—is actually a higher threshold for legitimacy than a referendum".

As someone who takes referendums very seriously, I'm impressed by that.

I wanted to ask this question. A year ago, you said, "I think it shouldn't be a blue-ribbon panel deciding this," meaning electoral reform, "or politicians. Whatever decision is reached, it should be put to a national referendum for approval."

Is it still the case that you would regard the gold standard for changing the electoral system and ensuring that it's legitimate as a citizens' assembly followed by a referendum on the decision arrived at through the assembly?

Prof. Jonathan Rose: Thanks for the question.

I think the quote you're referring to is actually part of a quote in which I said that some would argue that a referendum would be a good thing. I think there are great reasons to have a referendum, the primary one being legitimacy, but I still maintain that the gold standard, as you say, is a citizens' assembly, in part because, unlike a referendum, a citizens' assembly has an opportunity for the public to learn. There is an opportunity for the public to deliberate, and there is an opportunity for the public to engage in the issue in ways that don't occur in a referendum.

I also would point out, after looking at and thinking about the referendum in the U.K. recently, that it has given me pause, I must confess. That referendum was hijacked by dominant personalities. It was hijacked by mudslinging and by improper characterization of the issues. More importantly, participation was around 72%. If 52% of people voted to leave the EU, 52% of 72% is about 38%. I don't understand how that's a mandate. On the legitimacy front, it seems to fail.

I acknowledge that the idea of having the public have input in a meaningful way is hugely significant. The question is how to achieve that.

● (1040)

Mr. Scott Reid: That's an interesting way of looking at things. In the case of the referendum in Ontario, I know that they had a 60% approval rate. Let's assume it was 52% and we had the same participation rate we actually had, which was lower than 72%, I believe. Would that have meant that the majority vote in favour of the MMP system that you and the citizens' assembly had worked on would have been illegitimate? Your own words indicate that you believe that it would have been an illegitimate mandate.

Prof. Jonathan Rose: No, I think a citizens' assembly is similar to a jury. What does a jury do? A jury looks at evidence, deliberates, comes to a decision, and then makes a recommendation to a judge. A judge doesn't second-guess a jury. A judge doesn't second-guess a jury, because the task has been given to the assembly to deliberate and to weigh the evidence before it.

Mr. Scott Reid: I have the quote from Reddit in which you said virtually the same thing:

I used to think that a referendum was important. It is, after all, a way for the public to support an elite driven (citizen or political) initiative. But then again, we don't ask a judge to approve or comment on a jury's decision so maybe we need not ask the public to approve a citizens' assembly process.

May I take it, then, that your position is now that we should have a citizens' assembly, and its decision should effectively be binding upon the government, without the need to go to a referendum?

Prof. Jonathan Rose: I don't think you need an either/or, but I do think a citizens' assembly or some kind of deep deliberative exercise would be useful. I'm happy to sketch out, if we have time later, how that might look, but you are absolutely the elected representative, and in some sense the buck stops with you. I recognize that, but I think there is an opportunity not to replace but to supplement the work you are doing with citizen engagement in a meaningful way.

Mr. Scott Reid: Thank you.

I think I'm out of time. I'll probably come back in the next round. Thank you.

Prof. Jonathan Rose: Okay, thanks.

The Chair: Thank you, Mr. Reid.

Mr. Cullen is next.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Chair.

It's really an honour to have you folks with us here today.

I'll start off with Professor Rose, and then I want to move to Mr. Pilon and maybe in the second round to Ms. Flumian.

You talked about deliberative versus consultative. Earlier the NDP had suggested to the government a form of citizens' assembly to work in parallel with what we're doing here, but it seems that with the timeline, that idea was not accepted by the government, and with the timeline we have now, it's hard for me to imagine. Maybe someone can make a suggestion on how we could incorporate more of a citizen engagement than we have.

You talked about being deliberative versus just consultative. In September-October this committee will get out on the road to talk to people. To be deliberative with Canadians, how would you recommend the committee present the question that we're asking of Canadians? What are we asking them to comment on?

You talked about the cart before the horse and about not putting a bunch of systems up. Is it about asking them what priorities matter most, such as direct geographic connection or more women in politics? Is it what they value most? Are those the types of questions and the answers we should be receiving back from Canadians, because it will then inform the system we suggest?

Prof. Jonathan Rose: Exactly.

Mr. Nathan Cullen: Is that the process you would imagine?

Prof. Jonathan Rose: I think that's exactly the process.

Mr. Nathan Cullen: Okay.

Prof. Jonathan Rose: But I think there is an opportunity for a citizens' assembly to provide a broad-based, evidence-based opinion about what values are important and how that informs your work.

Mr. Nathan Cullen: Even with the timeline and the commitments we have to change the system prior to 2019?

Prof. Jonathan Rose: I think so.

Mr. Nathan Cullen: Perhaps not today, but with your expertise and the people you know, if you were able to provide the committee with some recommendations on what that would potentially look like under the time constraints we have, I think it could be something

we should consider. The question of legitimacy is important to all of us.

Prof. Jonathan Rose: Absolutely.

● (1045)

Mr. Nathan Cullen: To Mr. Pilon, it's very disheartening, to all of us as elected people, that people vote for parties and not for our brilliance. I'm sure my colleagues and I are all dispirited today by that comment.

Voices: Oh, oh!

Mr. Nathan Cullen: I'll read you a quote. It's a little lengthy, but I'd like your comment on it. This is from *Hansard* a number of years ago, from one of the MPs:

Does he care at all that Canada is now the only complex multiparty democracy in the developed world which still relies on a 15th century voting system designed for medieval England? Does he care at all that 60% of Canadians in the last election voted against his government's program and yet the government holds 100% of the political power?

Does he have the capacity for one moment to transcend partisanship and his government's defence of the status quo to suggest that yes, perhaps this place, the voice of the people, the place where we speak, parliament, should consider an electoral system which allows the plurality and diversity of political views to be properly reflected in this, the people's House?

Would you agree with the general sentiment of that statement?

Prof. Dennis Pilon: It sounds like me talking.

Mr. Nathan Cullen: It sounds like you talking?

Prof. Dennis Pilon: It sounds like me talking, yes. I wasn't there, but...

Mr. Nathan Cullen: Well, someone has to tweet our friend Jason Kenney, because that's Jason Kenney talking.

It's a view I also support—well, the view he held at that time—because there are a couple of notions in there. One is that when parties get in, they like the system that got them in. There is this barrier we have to overcome to consider another system. The second is just the basic unfairness to Canadians, to voters, of the system we currently have.

Prof. Dennis Pilon: You know, I tell my students, "Don't knock politicians. It's a hard job." It's a thankless job, in many ways. Weekends and evenings are spent talking to people and doing stuff. It's hard, hard work.

That doesn't mean your vote is a reflection of all that hard, hard work. In fact, it's just sort of an expected part of the job. You may not know this, but it was really only in the 1970s, fairly recently, that Parliament gave the funds to MPs to actually set up local offices and do the kind of work that we seem to think now is a historical legacy. There's all kinds of evidence, really clear evidence, that you are not the centre of the voter's universe.

Mr. Nathan Cullen: Chair, I'd move to strike that testimony from the record, if I could.

Voices: Oh, oh!

Prof. Dennis Pilon: Ultimately voters are not ideological in the sense that they wave left and right banners, but they are able to locate parties in terms of the values they hold—which party is the abortion party, which party is the party on law and order—and they make their choices on the basis of that. That is the most important thing we're talking about here.

Mr. Nathan Cullen: Allow me this: is it not sometimes a mix, though? I'm not saying this to aggrandize politicians, yet we all door-knock. We all have constituencies and connections with voters. I prefer a voting system in which that connection is maintained.

Prof. Dennis Pilon: I'm not against having local representation, but your job is to try to work out the balance. Right now we have an overbalanced sense of the local. People use it to basically try to block every attempt at reform with these overblown ideas of the importance of the local.

You had André Blais here the other day. He did a great study in which he asked people what influences their vote and if they vote on the basis of a local member. Of the responses, 40% said that, yes, local is very important. When he asked a follow-up question on what if that local member wasn't a member of the party they supported, only 4% were now prepared to support that local member.

The Chair: We'll have to move on, but we get the point.

Mr. Thériault is next.

[Translation]

Mr. Luc Thériault (Montcalm, BQ): I welcome the witnesses. Thank you for your very interesting presentations.

I would like to continue with this discussion, Mr. Pilon. In Quebec, studies showed that politicians, such as the member for Hochelaga-Maisonneuve, Louise Harel, made a difference of 3% to 5% during an election, even after thirty years or so in Parliament. In other words, if voters voted 50-50 for the parties, the Louise Harels and François Gendrons in the election would bring in an extra 3% to 5%.

Therefore, this means that the individual members themselves may not contribute too much, but their role is important. In other words, voters do not care all that much about the individuals themselves, but rather they value their connection with whoever will be the member representing them. In Quebec, this is a major problem. We came up against it when we tried to reduce the number of ridings from 125 to 75 to establish a mixed system. In Quebec, the services that the Quebec government provides to the public, in a state of public emergency, go through the constituency office. That is less true at the federal level, because there is a narrower range of files.

I would like to ask you how you see the role of political parties in a democracy.

• (1050)

[English]

Prof. Dennis Pilon: Well, your question of the role of a political party in a democracy is a very broad question, whereas the lead-up was all about the role of the individual member. I think that the results that you describe are perfectly in line with the research, in that someone who's been in the job for a very long time has been able to build up a public profile.

The studies of voter knowledge about individuals tend to flow from the prime minister to cabinet ministers in the press to people who have been in office for more than 25 or 30 years. That is clearly an important part of it. We have a high turnover of MPs, as you know, in our Parliament, but when we look at the average, the situations that you describe are not as common as we might see in the British Parliament, where people sit for a very long time.

I think the research suggests that the ability of a local member to do local work.... Again, I'm not against having a local member who does local work, but let's not overvalue the role that being local plays in a voter's choice. The bump that someone gets, the research suggests, is maybe 3% or 4% above or below the swing towards the party. The key thing is the swing towards the party.

[Translation]

Mr. Luc Thériault: In fact, despite the weight of the party, a member who doesn't do a good job in his or her riding can be turfed out. We are aware we only have a very short time.

I will clarify my point. Because I was elected, I have a deep respect for the common sense and judgment of voters. Witnesses told us that citizens did not understand much about our current debates, that they didn't care about these issues, and that they felt political parties were too partisan.

Are the experts the ones who should decide on our voting system? If not, we need the means to do so, and that includes taking the time required to achieve our objectives.

Everyone is talking about civic education initiatives, but that is not feasible in eight weeks or even within a parliamentary session. That may not even be feasible within a single term in office.

I would like to hear your thoughts on this.

[English]

Prof. Dennis Pilon: I do think it's wrong-headed to look at this from a point of view of public education. What do people need to know about voting systems? I often tell people that selling a voting system is like selling a car. People need to know about the performance; they don't need to look under the hood. Very few people look under the hood when they buy a car.

We seem to have this idea that somehow voters need to be electoral officers who can explain the mechanics of a system. Certainly our media is obsessed about that, so I would say, yes, the evidence from previous referendums suggests that if you go the referendum route, you will basically be setting up a situation for it to fail because the evidence that we have from previous referendums is that voters will say, "I don't understand what you're asking me. I'm not an expert in this. I'm just going to say no because I haven't really a clue what's going on." That's what the results are.

The research shows that people didn't reject the other voting system reforms because they didn't like the options: they rejected them because they said they didn't even know a referendum was going on and they didn't really understand what the issues were.

I do think there is a role for expertise. I think that the combination of partisanship.... I don't have a problem with partisanship, frankly, because I think that in a democracy people are allowed to disagree, and that's a good thing, and parties play a crucial role in mobilizing the public around different issues. However, as I say, the public uses parties as a proxy for their own intimate knowledge. We can't expect them to be expert in all these things. They're busy. They have lives. What they do is they say, "Yes, I trust that party. They seem to be upset about this, so maybe I want some more answers." By contrast, if the parties are fine with the change, then the voters will be fine with the change too.

The Chair: Go ahead, Ms. May, please.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thanks.

I want to start with Professor Rose and I also want to start by thanking all three of you for being with us this morning. This panel will have heard from 20 witnesses by noon, and Madam Flumian is our first female witness since Maryam Monsef.

This is nobody's fault. I was on the steering committee; I helped pick the witnesses. It is what it is, but we're looking at a field in which apparently the experts are dominated by the Y chromosome.

Moving on, Professor Rose, what I wanted to ask is about citizens' assemblies. I'm not taking a knock at citizens' assemblies; I think the one in British Columbia and the one in Ontario have been fantastic. However, what I began to realize, as people didn't understand what the members of the citizens' assembly had learned, was that as a gold standard for public education, it was almost as though you had a group of randomly selected great Canadians who threw themselves into this and cared deeply—as your article suggested, meeting through the summer in closed rooms in beautiful hot parts of Ontario because they care about democracy—and I almost felt as if these wonderful citizens emerged to say, "We have the answer", and the rest of the public said, "What was the question?"

As a matter for public education, are there drawbacks to a citizens' assembly?

•(1055)

Prof. Jonathan Rose: I think you've put your finger on the fundamental tension, the relationship between the assembly and the work they do afterwards. We can, I think, learn a lot from what was done 15 years ago. We can use technology and media to ensure that there is a conversation happening at the same time as the assembly is learning. There are all sorts of technological tools we can use to encourage citizens to learn along with the assembly.

I don't think we did that well enough in Ontario. In British Columbia, of course, they had a reporter who was dedicated to covering the assembly, and it was no surprise that British Columbians knew more about their assembly than Ontarians did about theirs.

In Ontario we had a very difficult time getting attention in the provincial press, for a number of reasons. There's a real tension, because it is independent of government, so it doesn't get the kind of coverage that government does, but the work it's doing is significant to the work of government.

So is there a tension? Yes. Is it remediable? I think it is. I think the remedy is to make sure that the process has a public educational component at the same time.

Ms. Elizabeth May: I want to put this question to each of you, and I'll start with Professor Pilon.

This committee has been struck, with other parallel processes under way for public education. Each member of Parliament across Canada has been asked to hold town halls; the minister and the parliamentary secretary have said they are planning a tour across the country to listen to people, particularly from marginalized groups and groups that don't usually participate with adequate media coverage. This should encourage public education, I would think, even perhaps as much as or more than a citizens' assembly, depending on how much news coverage a citizens' assembly gets.

My question is this: can this committee become, and what could this committee do to become, a tool of legitimacy that could be a proxy for either such a citizens' assembly or some other method of engaging the Canadian public across the board?

We have only a minute and a half for all three of you to answer my question, starting with Professor Pilon.

Prof. Dennis Pilon: You already are a tool of legitimacy: you were elected, there were platforms, people broadly understood the different things that were being discussed. I think it is time now to act. There's a higher-order principle at stake.

It's lovely that you all want to chat and have a group hug with the public on this issue, despite the fact that you hardly do it on almost any other issue, but the higher-order principle here is democratic equality. Do you think every vote should count? Do you believe majority governments really should reflect a majority of Canadians? Those are basic democratic values, to my mind, and that is the business you should be focusing on.

Prof. Jonathan Rose: I might gently disagree with Professor Pilon and say that I think the public do need to be involved in a substantial way. Your question, I think, is what that looks like, and it is not focused on systems and is not focused, as Professor Pilon mentioned, on the engine, but on the broad principles.

My fear is that as you tour and hear from Canadians, you're going to be hearing from stakeholders, not average Canadians. The challenge of this committee will be to ensure that average Canadians who don't have a vested interest are at those meetings.

Ms. Maryantonett Flumian: You shouldn't do anything that delegitimizes your role as individual members of Parliament. You are a very legitimate tool for having these conversations with Canadians.

In whatever you do, I would be careful, if some of the solutions that are being proposed actually add to fragmentation, that you do not create a bigger problem by adding more fragmentation. You have to get to the question of what the basic issues are and then deal with those, because it is a governance ecosystem. Changing one thing may or may not have an effect on other things. You need the broader perspective before you can home in on some of the individual aspects.

For example, we've heard some testimony, but I would say, from all the information I have, that Canadians strongly support attachment to their local MPs and to their constituencies. I would hazard a guess that if we checked your files, which I once did in another life, we would find that you have more than four percent of Canadians in your constituency phoning you about problems that they expect you to help them address. I would bet that for a fact. That is a better connection of the roles you play in that function.

By all means—

• (1100)

The Chair: Thank you. We'll have to go. We're way over time, but those are good points. Thank you.

Ms. Romanado is next.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): I think women should have equal time at the—

Voices: Oh, oh!

Ms. Maryantonett Flumian: I'll share some with—

The Chair: The steering committee will examine this for sure.

Mrs. Sherry Romanado: I have to say this has been one of the most exciting panels we've had so far, and I want to thank you for your frank comments and excellent testimony today.

Professor Rose, we heard a little bit about the guiding principles, but more focused on a voter-centric approach rather than looking at it from the eyes of parliamentarians. I think, as committee members, that we need to be mindful of that when we're talking to Canadians, when we're talking about what those guiding principles are—for instance, effectiveness. Effectiveness from whose perspective? From our perspective or from their perspective? Is it simplicity from our perspective or from their perspective? I think there are going to be conflicting responses depending on who the audience is.

I liked to see if you could elaborate a little bit more on that, because I think that's one part we haven't actually touched on. We have conflicting ideas: parliamentarians versus voters. I'd like to get a little more understanding from your part on that, and then I have another question. Could you elaborate, please?

Prof. Jonathan Rose: Sure. Thank you for the question.

I think that the guiding principles of the committee, and presumably the guiding principles that will help you in your cross-country tour, are very broad, and in some cases, as I mentioned, they are really about products of a system. You can't have a discussion about those because they're a consequence. In thinking about what citizens want, I'm trying to encourage you to think beyond those five principles that were given to the committee. Other studies have taken a broader approach to that. Things like simplicity, which is reflected in your accessibility principle, are important. Things like voter choice, which experts don't highly value, are important among citizens.

There was a great study by David Farrell and his colleagues that asked experts around the world to relate what principles are important and to link them to systems. They found that experts actually are not as good as the two assemblies in Canada at linking the principles to the systems. In other words, experts can tell you

what is important in terms of the final system, but they're not clear in relating those to those foundational things. I think if you want a system that does what you think it should do, then you need to have a good idea of what those fundamental values are.

Mrs. Sherry Romanado: Perfect. Thank you.

I'll go to my next question. We have Madam Flumian, who's talked a little bit about the importance of civic education, and then we have Professor Pilon, who said that Canadians don't want to see what's under the hood, so it's a little bit of conflict. We've heard from other testimony that we're not doing a good enough job in terms of educating Canadians about the importance of the civic process. Since we've been hearing testimony to the contrary, could you elaborate a little bit more on why you feel that Canadians don't need to know more?

Prof. Dennis Pilon: Because they don't know anything anywhere, right? Do you think that the Irish voters know the weighted inclusive Gregory method? Do you think they can explain how STV allocates its representation? No, they can't. Neither can our voters explain to you how 39% of the vote turned into 60% of the seats. Just go out in the street and ask them. They're not going to be able to tell you. That's the simple system. We know they mistake actual legislative majority governments for other majority governments. The public's knowledge is low, and that's because they're busy. Your job is to be the experts and call in the experts as you need them.

The important thing is that the Irish, as an example, know how to use their system. How do we know that? Ballot spoilage in Ireland is actually lower than in our system. We could intuit that if they didn't understand the system or if it was too complicated, as the critics allege, then we would expect to see lots of spoiled ballots, but we don't. Therefore, they understand how the system works and they understand what to use it for, and that is the important thing. You're wasting people's time if you go into all the details, because they glaze over. You have to connect with them on why this issue matters. That's the broader question behind how a democracy should function.

I say majority rule and effective representation. Those are two pretty key values that I think any democratic theorist would get behind.

The Chair: Okay.

Go ahead. You have 45 seconds.

Ms. Maryantonett Flumian: I don't get to rebut?

Mrs. Sherry Romanado: Yes, absolutely.

The Chair: Yes. Go ahead, Ms. Flumian.

Ms. Maryantonett Flumian: Thank you.

Then I would say that the measure is not what the voting system is, it's what the effectiveness of the governance model is? The question is too narrowly asked when you're asking about this system or that system, because it's not a duelling battle about experts. If this committee can agree to a solution, the country will probably support you. That's the way our parliamentary system of governance works. It's imperfect at the best of times, but that's the way it's intended to work. It's as legitimate as my and your role, and there's nothing more important than the sanctity of this House for all of us. If you're an elite, it's because we chose to make you an elite. We accept that role in our system. It's a better use, a more legitimate use, of the respective roles that we all play in a governance cycle system. It is much broader than just the one aspect of how you cast that actual vote. It legitimizes all your roles—the role of governance, the role of the importance of Parliament, the role of our democratic institutions—and it also understands, as Westminster models of governance have over the many years we've been around, how you will help—and your daily work here is to help evolve that system for modern times. Therefore, your question about effectiveness has to be broader.

• (1105)

The Chair: Thank you very much.

Mr. Richards is next.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I want to reinforce something Ms. Romanado said in the very beginning of her question. I thought it was really important and I am simply summarizing what she said but, certainly the point was made very clearly that this needs to be about the interests of Canadians, the voters and the people, when this decision is being made, and not about the interests of politicians. I really wanted to congratulate her for raising that very important point, because I think it is an important one and it is the reason I believe it's so important for us to have a referendum prior to any changes being made.

Ms. Flumian, I have a couple of questions for you. You had written an article for iPolitics, I believe, or had made some comments in iPolitics about the Broadbent Institute survey, indicating the five identified goals for a voting system. Obviously those five goals were simplicity, strong and stable governments, allowing voters to directly elect an MP who represents their communities, ensuring that government has MPs from every region, and having a system that ensures a party's number of seats matches its level of support.

You indicated in your comments that it seems that only the existing single-member plurality system satisfies four of the five criteria, one through four, and that this situation shouldn't make reform impossible but it won't be easy either, especially with the tight timelines that will have to be met if everything is to be up and running at Elections Canada in time for 2019.

That brings a couple of questions to mind for me. First, could you elaborate for the committee on why the other models don't live up to those five standards?

Ms. Maryantonett Flumian: I think there's hardly enough time here, but I could always provide you with an answer in writing for your deliberations.

Mr. Blake Richards: Sure, but if you could try to be as brief—

Ms. Maryantonett Flumian: I would come to the conclusion that there's enough pressure for some form of reform. It's your responsibility here to determine how much reform the system requires and how much it can tolerate over what period of time. I think that if I had to rest my case on any of those things as being the most important today, for the deliberations of the discussion today, it's maintaining that thing that is really important to Canadians, which I argue is the connection with the constituency. That isn't to say that we shouldn't be experimenting or looking at experimenting with some form of proportional representation on top of that, but I do think that's a very important connection.

Mr. Blake Richards: I certainly appreciate that and I would certainly share the view that it is a very important point as well.

I might come back to this if we have a bit of time at the end, but I wanted to ask you a second question that came to mind from your comments there as well.

With reference to the timelines necessary, do you think that the fixed hard deadline is unreasonable if we want to be able to do electoral reform properly? In other words, do you think the very tight timeline makes this process difficult and would make it unreasonable?

Ms. Maryantonett Flumian: I think reasonable men and women can come to reasonable conclusions, so I think the first test of that will be how as a committee you work together and what you will present as a report—hopefully not a series of reports—to the rest of the Parliament of Canada, to the government, since they're only a proxy for the people of Canada. I think that's the first test.

How much unanimity or how much consideration will you give, what's the balance of your consideration, and what are you going to propose as a group? As I said, the purpose of this, I think, is to put you in the driver's seat, legitimize the role of parliamentarians who are our representatives in this holy House, and have you work in the fashion that our system currently requires you to work, which is to mediate those differences and try to come as close as possible to fashioning solutions that represent all Canadians' interests in this matter.

The Chair: You have 35 seconds.

• (1110)

Mr. Blake Richards: I wanted to try to return to that first question I had but I don't think we have much time, so maybe I'll thank you in the hope we can come back to it on the second round.

Ms. Maryantonett Flumian: If you come back early enough.

The Chair: Thank you, Mr. Richards. I appreciate the cooperation.

Mr. DeCoursey is next.

[*Translation*]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much, Mr. Chair.

I would like to thank all three witnesses for joining us today.

[*English*]

Ce matin, I will ask questions in English.

Professor Rose, I appreciated your channelling Dr. Seuss to tell us in what areas we should be thinking in passing perhaps a new system or electoral change for Canada, thinking about who we are, where we are, and where we want to go. I would submit that perhaps this is a potential title for our report, when the time comes. I also appreciated the focus on values and principles and the suggestion that those should guide the discussions we have with Canadians. Inevitably there will be tension there.

Ms. Flumian, you also highlighted another tension, which is whether we are valuing our conversation on the way we experience voting or on what type of Parliament we want reflected back toward Canadians.

I'd like to ask you both to expand a little bit on those conversations.

Prof. Jonathan Rose: Thank you.

I think that in the discussions around electoral reform, many issues are being conflated, and if I leave you with any one idea, it is to try to disentangle these various threads. The threads are these: what we want out of Parliament, what we want Parliament to do, and then, relatedly, what role citizens should play.

I think that in an exercise that involves a fundamental thing—arguably a constitutional thing—such as a voting system, citizens need to be involved. We can have a reasonable discussion about what that involvement looks like, but I think they do need to be involved. If they are involved, I think the involvement needs to be based on education.

I'm not suggesting that citizens learn the mechanics of electoral systems, but my experience has demonstrated and shown me time after time that citizens, if asked, will rise to the task. We don't ask them enough. All citizens have opinions and ideas about what is important in elected representatives, and to me it's the goal of this committee to tap into that and to relate it to the work they do.

I'll leave it there.

Ms. Maryantonett Flumian: Thank you.

I'll touch briefly on this, and you can see it in my written submission after this presentation.

I would think that, yes, citizens make the greatest connection with what all of this means to them in terms of outcomes. What is our parliamentary form of democracy, based on democratic principles that we hold dear in this country, meant to do? That's their litmus test for how this works: How well do we work together? What compromises do we come to? The mechanisms and modalities are important only insofar as they help us to achieve those outcomes. Here, I think, you have to step back a bit from the very particular questions and ask about those outcomes.

If you ask about those outcomes, I would also ask the committee to look at a few other things. If we change the way we elect parliamentarians and therefore the balances you are trying to create within the system, also give some thought to the implication this has, because Parliament in and of itself, without the functioning of government, does not end up in outcomes. Isn't that right? It's the combination of the two.

We have some parliamentary conventions you should look at. What does loss of confidence mean in a house that functions in a very different fashion? Explore that, because that may give you insights in the reverse order into what you're trying to achieve. Explore the issues of what dissolution means in a world in which loss of confidence may be explored in a very different fashion.

What does it mean? We know that historically, in our current system—and this doesn't mean we shouldn't change it—loss of confidence leads to dissolution. Is that what's going to happen in a world in which we may put other mechanisms in place? This is an important part of our governance fabric, which leads or doesn't lead to outcomes being achieved by the way we manage things.

We have a few of those conventions in place that we should be paying some attention to. If we make these changes, then let's not repeat some of our past behaviours. If we vote to make these changes, how do we put these things out, in terms of conventions and how they're to behave, in a most transparent fashion? Does an incumbent prime minister publish for the House and for all Canadians an understanding of what those things mean, so that the Governor General is instructed as to what the presumed wisdom is and so that Parliament knows how to behave, and also the various constituent components of cabinet?

What happens if we propose a system—and I could live with any of these systems, and God bless democracy—in which we have multi-party members of cabinet? The issues of cabinet solidarity have been fundamental to the way we function. How would we explore those? I'm not saying we shouldn't look at them.

• (1115)

The Chair: These are definitely interesting questions, but we'll go now to Ms. Benson. Welcome to the committee.

Ms. Sheri Benson (Saskatoon West, NDP): Thank you very much, Mr. Chair.

I'm going to direct my questions to Mr. Pilon and Mr. Rose. First, though, I'm going to give you a scenario. My background is in the non-profit sector. I worked in the community and spent a lot of time on committees and consultations. Actually, just last week I was part of a round table in Saskatoon on changing a government program.

Often when we're trying to generate information to help some group make a decision, the potential impact of our discussions is unclear. This group wanted to know more about the question we'd asked them to answer. We went back to what had happened before. We looked at what wasn't working and what we wanted to change. I'm interested in your comments about our need to hear from people in order to roll up this information into coherent data that can inform a decision.

I think there's a technical exercise here that we can use experts for, but what I want to know is how we, in the process we have now, can get citizens' input into this so that they feel they've had a say in improving the present system.

Prof. Dennis Pilon: It's very challenging. The democracy exercises we've had have been excellent. They've shown that the public, given a chance to become informed, can make good decisions. I'm not against that idea, but that is not the situation we face now. If you go out and ask people what they think, they're going to tell you stuff they already know, which privileges the status quo. You are privileging the status quo in your process if that's what you do.

What do people know? They know what they've experienced. They don't have any experience of other methods of doing things. That's why I hear from this committee an overvaluing of how much you're going to get out of the public in the feedback that they might give you. They don't know anything about our institutions. I don't say that as a criticism. I think people are busy and they look to you to lead. They have a sense of which side they're on, of the kind of politics they want to see. That is what determines these decisions more than any of the things you're talking about.

Let me give you one quick example. Vancouver uses an at-large voting system for its city elections, which was adopted in the 1930s. There have been six referendums on whether or not to get rid of that system. They've all failed. The public, which you claim is so focused on local matters, has chosen to keep an at-large system, and it is divided strictly on partisan lines. Supporters of the right-wing party have seen that this at-large system works for them, so they want to keep it. The left-wingers think it's really bad and want to move to a ward system, but because the right-wing voters are more likely to come out and vote, they win. The less privileged voters, who are less likely to come out and vote, lose.

Ms. Sheri Benson: Mr. Rose, would you comment?

Prof. Jonathan Rose: It is a challenging question. I appreciate where you're coming from and how it informs what interests you. I think you said it nicely when you asked what it is we want in an electoral system. To me, that's something that every Canadian has an opinion about. I agree with you that there's also a technical exercise that comes later. For me, the role of the public at this stage is to help assess what Canadians want in a system. We have good ideas from public opinion surveys and other forms, but we haven't heard directly from Canadians.

I think the reason these exercises have not been successful is that they're merely consultation. When I say "merely", I mean they are letting people vent about what they already know. It's important to precede that with deliberation. It's important to educate people so they can assess what they think they know and change their opinions in light of what they've learned.

● (1120)

Ms. Sheri Benson: Mr. Pilon and Mr. Rose have commented on what we need to talk to Canadians about. Where do the people come into the conversation? You both talked about how not knowing how your car works doesn't stop you from driving it. Could you say a bit more about how we can frame the conversation to make it more deliberative than consultative?

The Chair: Perhaps this could enter into another answer. Our time is up.

We'll go to Mr. Deltell now.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you very much, Mr. Chair.

I welcome the witnesses to their provincial Parliament, or rather the federal Parliament. I apologize, it's an old habit of six years.

Ms. Flumian, I will start with you. I have been listening to you for a while and find your comments very interesting, of course. I understand from what you said that you truly value the work we do here. That's great and we appreciate it, but ultimately, the decision is not ours to make.

About a month ago, in this very room, at this table, on that chair by your side, the minister responsible came to testify. She was specifically asked whether her government would be bound to follow the committee's recommendation, if there happens to be one. As you know, this committee will be travelling across Canada to hear from experts and citizens like you.

This is a serious effort undertaken by all political parties in the House and normally it would lead to a recommendation. However, the minister told us that she would not be bound by it.

What does that mean, Ms. Flumian? Ultimately one person will make the decision, and that is the Prime Minister. He controls the executive, that is, the cabinet. He also controls the majority in the House. Therefore, it's not the entire population who will decide on our new electoral system, but rather one single person: the Prime Minister.

What are your thoughts on that?

[*English*]

Ms. Maryantonett Flumian: I think that your work is fundamentally important here. I think the greater amount of hard work in the public domain that will lead to discussions that may or may not result in unanimity will condition the discussion and the conditions that are made going forward. I think there's no escaping that. The only way you can escape that is if you shirk your responsibilities and place the consultation and the duty for the crucial questions on this issue elsewhere.

I think that's how you legitimize the role of parliamentarians and the role of Parliament. This is how you link the role of Parliament to the role of government. I think part of the bargain that's actually broken here, which is why we're having these conversations, is that historically parties have run on their party platforms, convincing their base and convincing a large enough number of Canadians to form government. Once they pivoted into government—because pivot is the word of the day these days—they then understood that they were here to represent all Canadians. They stayed in government as long as they understood that. The moment they forgot that, out they went.

Now we've gone through a period of time where Canadians have expressed great dissatisfaction at the way we were governed. That's the fundamental question here, and what are you going to do to affect that?

I think you have the primary role to play on this issue, in having that conversation with the minister and with her colleagues in cabinet, who are your colleagues in Parliament, and the function is supposed to be that Parliament is supreme in our system.

[*Translation*]

Mr. Gérard Deltell: I really appreciate that you value our work. We will be meeting with a lot of Canadians, but the minister said that she was not at all bound by the work of this committee. In the end, only one person will make the decision, and that is the Prime Minister.

What do you think would be the best way to ensure the legitimacy of the process, other than through a referendum?

[*English*]

Ms. Maryantonett Flumian: I'm glad someone asked me about a referendum.

The best way to ensure legitimacy is for you to home in on recommendations that will demonstrate how the narrow focus of your question improves the broader governance question. Put that to the Canadians you're consulting with and discussing these matters with, make that open and transparent—which, of course, by virtue of these committee meetings it is—and that will draw everybody in the country to conclusions about where this should be heading. If it takes more than one round of these committee meetings over the course of a life of any Parliament, so be it. That is the hard work of governing.

On the issue of referenda, if I have a moment...or will I pick it up in another question?

• (1125)

The Chair: You have about 45 seconds, so go ahead.

Ms. Maryantonett Flumian: I don't know if I have 45 seconds, but here I go.

It's a very blunt instrument that leads to binary choices on very complicated matters when we haven't even figured out what the questions are yet in a governance ecosystem.

When I look around the room, I look at the age of this committee and at my own age. I am the generation, as you are the generation, of people who are the recipients of national referenda and referenda recovery in a world where our national referenda have tended to be extremely divisive, not leading to goodwill and greater understanding on the importance of the issue. This is why it's so important that all of you, as parliamentarians, take this role seriously in what you're going to be doing. There's nothing more important.

I have to say that for our whole governance ecosystem, as a former public servant—that's how I spent 30 years of my life—we have spent an entire time reflecting on the outcome of those referenda. However, here's the good news: we have evolved our models of government. In 1981, when I started working in the Department of Finance, it was a very different model of government than it is today. We have made it a far more decentralized system in every aspect of what we do.

The Chair: Thank you so much.

Ms. Maryantonett Flumian: That's been your job. Thank you for it.

The Chair: Ms. Sahota is next.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

I'm so delighted to have all of you here today. It's been a very enlightening panel. You guys have been very diverse in your views, which is nice to see.

We've been hearing a lot about what voters really know. What I'm hearing is that they don't know the system.

Mr. Rose, you were saying what they do know is what they value. From your experience with Ontario citizens' assemblies, you said that simplicity was one of the things that they highly valued.

Ms. Flumian, you said that the most important value is the connection between a parliamentarian and his or her constituency. We were talking a little about perspective. Is it our perspective? Is it the voters' perspective on what system we need to move forward with?

What I do know and what this committee knows is we need to make progress. You stated a little earlier, Mr. Pilon, that we haven't always had constituency offices. This is a new phenomenon, and now all of a sudden we're so caught up on that being important. Let me tell you, I do door-knocking. I do talk to constituents who walk into my office. I think that is part of the progress we have made in Canada. That is how we progress. I think it's been for the better, not for the worse.

My question to you is on that connection between constituents. I have constituents who don't just come from that Canadian perspective but who have immigrated from all over the world. They come from different systems and different perspectives. The one thing they pretty much unanimously tell me is they love Canada because they cannot connect with their member of Parliament in any other country the way they can here.

Not just for me do I value that connection with them, but for them. That's what I hear day after day. At the door during the election, I heard, "You're here now. What makes us think you'll be here later?" That connection and that availability are so important to them.

Whatever progress we make, would you say that's something we cannot risk losing at this point, now that we've made that progress?

Prof. Dennis Pilon: Anything that connects voters to the political system in a cohesive way is a good thing, and I support it.

I realize I'm fighting an uphill battle perhaps with my audience in attempting to suggest that we just temper your enthusiasm for your local representative role. I've overstated the case, only because of course I think it's overstated generally in the other direction. In no way am I trying to suggest that I want a system where there is no connection. There should be a connection. In fact, I don't agree with my colleague's comment that PR would represent a trade-off on the local representation front.

As you heard from our Irish experts, the Irish have very strong opinions about the connection they should have, and local members who do not do their service are rapidly punished by their electorate. The beauty of the Irish system is that voters can punish a local representative who is slacking off and not doing the local job without sacrificing the support that they want to give to their party. That is a very sophisticated way to balance out these different interests. That's what I'm asking you to consider as you move forward: we can have our cake and eat it too on the local representation and effective representation for parties. I say that because I really do think the parties are so crucial.

When we take away parties, what happens? We have local representation. Voter turnout plummets, because without parties, voters find it very difficult to participate. What happens when you leave your party and you run as an independent? You lose, because that party label is a crucial part of the way that people participate in politics.

Please do not misunderstand me. I am in no way discrediting the hard work you're doing on the doorstep or the appreciation felt by that small group of people who come to see you. That is really meaningful to them, absolutely, but I say that we can have that and that the claims we hear about PR systems somehow wrecking it are false and unsubstantiated.

• (1130)

Ms. Ruby Sahota: Do you have any comments, Mr. Rose?

Prof. Jonathan Rose: I began by saying that the key word in this discussion was “contingency”. I would say that in response to your question.

Local representation is important. As was just described, the Irish case is a great example of local representation. Because the geographical constituencies are reasonably small, they sacrifice proportionality. Most experts would suggest that in order to have true proportionality, you need about five representatives per district. If you have fewer than that, you give up some proportionality. In Ireland they clearly say, “We like the fact that there's local representation and we're willing to give up some of the proportionality.” That's what I was referring to when I meant trade-offs.

When the Ontario citizens' assembly members mocked up an STV model for Ontario, they realized quickly that if they wanted proportionality, which is something they desired, either the ridings would have to be enormous or the legislature would have to be increased significantly. Those trade-offs were the things they played with. I'm not suggesting that's the domain of this conversation. I said to myself I didn't want to get into the mechanics here today, but in answer to your question, that's the way it sits.

The Chair: Okay. Thank you.

We'll start the second round with Mr. Aldag.

Mr. John Aldag: Ms. Flumian, you were talking about referenda. Had you finished your thoughts on that? I wanted to make sure you had time to—

Ms. Maryantonett Flumian: I think you got the gist of my message.

Mr. John Aldag: I did, but in case there was anything further—

Ms. Maryantonett Flumian: I could go on, but it's wasting time.

Mr. John Aldag: Okay, perfect.

There's something I'd like to put to all three of you. We've seen attempts at electoral reform at the provincial level. We've talked about that. We've heard that citizen engagement was done in great ways in Ontario and B.C., yet it failed.

As we embark on this, you've given us some thoughts, but could each of you share with us your thoughts on what we need to do differently to come to a different result in the end than what we saw happen in the provinces?

Ms. Flumian, maybe you want to start on this one.

Ms. Maryantonett Flumian: Thank you. It would be a pleasure.

This my fundamental message: whatever recommendations your deliberations take you to, rest them on our entire governance ecosystem. People want some change. People want evolution. Our system has to evolve in order to maintain that primordial connection directly with citizens, which I think is fundamental to our democratic system of governance, but understand the whole system.

In Ontario, when the work of the constituent assembly was done, the government essentially took a pass. That may have had an impact on the results of that reform. That's why I'm saying to look at the entire ecosystem and understand the role of all these folks, because you were challenging the status quo at all levels. You're not simply challenging your relationship or whose perception it is, citizen perception or parliamentary perception—quite frankly, those should overlap as often as possible—but look at the entire system in which you're going to nest your recommendations.

There is no magic bullet. The answer is not first past the post or proportional representation or some combination, because fundamental to all of this is reforming and evolving your roles as well. Whatever system we have, you're getting elected by some mechanism to help govern Canada.

In today's day and age, the more connection you have, whether it's through constituent assemblies, whether it's through other mechanisms.... The value of a constituent assembly is highly deliberative. The problem with the constituent assembly is that it is deliberative for the people who are in the room; the rest of us think they've drunk the Kool-Aid. They didn't go through the same process and they don't understand it.

I put much more value on your deliberative discussions—because that's what you're here to do every day—than I put on the value of others externally to it, especially when I'm a public administration expert myself, a governance expert myself.

The answer is to connect as much as possible, but connect on the questions that are going to matter, and nest the questions you're going to be asking Canadians in the aspects of the system, of which voting is only one dimension.

As I said earlier, the reason there's a malaise in the country is that there is a strong view that there was a big disconnection between those who governed us and the way we're governed and what we tried to say to those who are governing us, and that is Parliament. It's the government, and Parliament definitely is not composed of some amorphous...it's all of you individually and the roles you play.

What is the importance of the not-for-profit sector? Where does it find its voice? Does it find its voice through...? Those are fundamental questions that the way we exercise the vote are supposed to address. Therefore, nest your recommendations, your deliberations, within that broader governance ecosystem. If you change one, you'll change another.

I was a public administrator for 30 years. If we change minority government models—which I'm not arguing we shouldn't—and if the cabinet is composed of multiple types of parties, it changes the role of public service. Good. Good on us. Let's explore what that means. Let's not get into unintended consequences that are bigger than what we're trying to correct by not understanding the implications of this aspect of your questions and the implications they have on the broader democratic governance system.

Thank you.

• (1135)

The Chair: You have half a minute.

Mr. John Aldag: Okay. Does either of the others want to...?

Prof. Dennis Pilon: Again, I think what you're going to see in your consultations is partisan types and a lot of advocacy groups, and they're going to reflect back some of the opinions that are already here in this room. In that sense, it's a bit of an echo chamber. However, some stragglers might come in who aren't committed, and for them I think you really have to get at what's at stake.

Okay, you like the local presentation. That's great, but there are these other things, and you have to recognize that having it will affect the other things you also say you want. It can't just be a freebie.

The Chair: Understood.

Mr. Reid is next, please.

Mr. Scott Reid: Thank you. We have four-minute rounds now, correct?

The Chair: Yes, they are four-minute rounds.

Mr. Scott Reid: Okay.

I want to go back to you, Jonathan Rose, but not with the question I was going to ask earlier. You said something that made me want to inquire further. You discussed the Irish model.

I don't know if you heard the testimony from the two professors from Trinity University who appeared earlier. They noted—and this connects to your observation about proportionality in STV—that in that country, the fact that the government gets to control the law as to how their system is designed from one election to the next has resulted in the size of districts being decreased, the number of members. There's a three-person minimum, and the country has been drifting closer and closer to three. Regardless of whether it's Fianna Fáil or Fine Gael in power, because both of those two parties have a

communal interest in restricting proportionality, they're both likely, in a three-person electorate, to get one MP, whereas they can freeze out some of the smaller parties.

I guess I'm asking this question because you also raised the problem of the size of ridings. With this particular model, is there a fundamental problem in Canada that your riding either becomes too large in terms of geography or becomes too small in terms of members to be significantly proportional?

Prof. Jonathan Rose: Yes, I think those are the trade-offs. If you look at the Australian system, where there is better proportionality in the STV model—

Mr. Scott Reid: This is the Australian upper house?

Prof. Jonathan Rose: Yes, the Senate. The number of people per district is much larger, so you can achieve proportionality if you have at least five.

If you try to think about having at least five or more representatives per district, and you look at the country, and you try to maintain the principle of representation by population, something has to give. What has to give is either the size of the district or the proportionality.

Mr. Scott Reid: Right. In Australia, I know it's 12 senators per state, but it's six per election typically, unless you have a double dissolution. Six achieves that goal at the cost of having, in the case of Western Australia, a single electorate or riding that is the size of Ontario and Quebec combined.

• (1140)

Prof. Jonathan Rose: That's right. That's the riding of Kalgoorlie.

Mr. Scott Reid: That's the lower house, but the state of Western Australia is a single district for the purpose of Senate elections. You're right that Kalgoorlie is about 80% of that. I've seen the riding map.

At any rate, those are the trade-offs. The model that came out of the citizens' assembly that you were involved in was a different model. It was the MMP model. In your opinion, does that achieve a better result? I think in your case, you actually advocated adding some seats as well. Is that correct?

Prof. Jonathan Rose: That's right. With MMP, there are a number of different design variations. The big ones are the ratio between local representatives and the tier. The assembly members thought 70:30 was about right, with 25% on the tier about what you need. They wanted to return the legislature to pre-Mike Harris days, so it would have increased it from 103 to 129.

A number of other design decisions that the assembly members raised affect both proportionality and the values they wanted, including open and closed lists and the ballot structure. In Germany, in Saxony, you have an opportunity to rank your candidates in the local district. There's whether you want to have a threshold, and what the threshold would be. While the assembly members recognized that more parties might be better, they didn't want smaller obstreperous parties, shall we say, so they raised the floor at 5%.

[Translation]

The Chair: Thank you very much.

We will continue with Mr. Cullen.

[*English*]

Mr. Nathan Cullen: I have two questions coming off Twitter from Lea Westlake.

I'll put this to you, I think, Mr. Pilon. Do mixed-member proportional systems maintain local representation?

Prof. Dennis Pilon: Yes.

Mr. Nathan Cullen: Second, she asks if we could try proportional voting for a couple of elections and have a referendum; that way, the public would know.

Prof. Dennis Pilon: Well, I guess some people have floated that idea. I think my views have come through fairly clearly. I don't accept that the current system meets the democratic standard of the 21st century. It's a pre-democratic holdover. It's been kept in place because it served the partisan interests of the parties that could change it, and it's time to change it. That's my view.

I would say that putting something like the equality of our voting rights to a referendum is fundamentally unsound in democratic terms. We don't do that. Switzerland had a vote on women's franchise; they didn't get the vote until 1972. We didn't do that because we believe women should have the vote as a matter of principle.

Mr. Nathan Cullen: That's a profound example.

Ms. Maryantonett Flumian: We still only have one out of 22.

Mr. Nathan Cullen: Ah...yes.

You mentioned earlier about privileging the status quo in a referendum, that there's a certain natural momentum for voters to maintain what we have, particularly if the question is complex. The analogy I'm thinking of is, if this were a race, a 100-metre dash—the Olympics are coming—and the status quo was competing against a reform, the status quo starts at the 50-metre mark and everyone says it's fair. Ms. Flumian, do you get a similar impression when questions are put in referenda?

Ms. Maryantonett Flumian: Probably true. Probably true.

Mr. Nathan Cullen: Okay.

Mr. Pilon, would you comment?

Prof. Dennis Pilon: We want the result to reflect the reasoned opinions, the informed opinions. I don't think anyone would disagree with the idea that a legitimate outcome would be one in which we were confident the voters had the information and the capacity to participate, but I'm telling you that the evidence does not support that.

You can go forward, but it won't be an evidence-based decision. The evidence, I think, is quite clear. In Ontario, surveys that were done at the same time discovered that voters said a majority preferred a system that had a local member and proportionality in results. Those same voters then turned out and voted down a model that would have given them that. That is a perverse result, and it's perverse because, clearly, the referendum process was not one that the public could engage with effectively.

Mr. Nathan Cullen: That's particularly so if a government or parties then work against the passing of the referendum, as was the case with the Liberals in Ontario.

Prof. Dennis Pilon: That was fairly clear in all cases, in P.E.I., Ontario, and British Columbia. The governments were fairly hostile to the process and put a host of barriers in the way of the systems working.

Mr. Nathan Cullen: We talk about the tension between local representation and people voting for parties, platforms, leaders. Under mixed systems, are voters enabled with a choice if they want to fire their local MP but still believe in the platform of the party they happen to represent, or is it the reverse?

Prof. Dennis Pilon: Exactly, exactly. Both STV and MMP, the two models that are chosen most broadly around the world as alternatives, increase the power of the elector to see that their vote counts. In these cases 95% of the votes actually contribute to the election of someone, unlike our system, under which only 50% do. Also, voters are not forced into an either/or situation in which if they're unhappy with Party Left, they have to vote for Party Right.

Mr. Nathan Cullen: Does AV allow that to happen, alternative voting?

Prof. Dennis Pilon: The alternative vote does not. The alternative vote has many of the same problems that first past the post has.

● (1145)

Mr. Nathan Cullen: Okay.

How am I doing for time, Chair?

The Chair: You have 35 seconds.

Mr. Nathan Cullen: Ms. Flumian, I have a question on conventions. You raised this point.

Hugo Cyr was in front of us yesterday talking about shifting some of the conventions around government shutting Parliament down through prorogation, dissolution, and all of those things. Could we imagine reforming those as well—updating them, making them more democratic—so that one party in power couldn't simply pull the fire alarm and get out of Dodge if they're threatened?

Ms. Maryantonett Flumian: I think you have to. I think part of what you're commenting on here would also be about which ones in particular should be the subject of study immediately. By the way, it would also go a long way, I think, if the government were encouraged to put them up publicly in plain language so that all parliamentarians, who may not be constitutional experts on the subject of conventions, would understand them. They'd understand the rationale for them and the constraints they place, but also the possibilities that they offer.

[*Translation*]

The Chair: Thank you.

Mr. Thériault has the floor.

Mr. Luc Thériault: I will try to be as brief as possible and then I would like to hear your comments.

Quebec history has shown us that ordinary citizens, beyond the insiders in political parties and elsewhere, believe in justice. They understand that value and it matters to them. The principle of fairness is what should guide deliberations in every way and in all areas of the country.

We hear a lot about deciding on governance but very little about a fundamental institution in a parliamentary democracy, specifically the legislative branch. In the Quebec experience there are two points that keep coming up in discussions, other than the mechanics of the electoral system: criticism of the way of doing things in politics and party lines.

In a democracy, the legislature is the cornerstone of parliamentary democracy. What clearly frustrates people is seeing their government members stay in their seats when they should be rising and defending the electoral platform on which they were elected. I do not mean my colleagues, here; this goes beyond your terms. We will agree that a government represents the entire population. The government was elected with 38% of votes. Therefore it should listen to the official opposition and amend its legislation. Moreover, the government was still elected on the premise that it would implement its platform.

There is very little mention of the fact that no system prevents people from voting for the representative of their choice. Under the current system, we would agree that the Green Party could form government if people voted for it. The problem would arise after that, specifically at the step of forming the executive, not at the time of election.

Beyond the executive, I would like you to comment on the legislative. Things need to change at that level as well.

[English]

Prof. Dennis Pilon: Who are you directing the question to?

[Translation]

Mr. Luc Thériault: I would like to hear your thoughts on what I just said.

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

[English]

Ms. Maryanone Flumian: Quickly, I think there are a couple of elements in what you said that need to be highlighted.

As I've said earlier, I think it's an ecosystem; therefore, conventions, which are constitutional in our world and evolve over time, play an important role, and people need to understand them. Legislation is important. The role of the three orders of government is important.

However, behaviour is equally important. That's what's driving Canadians nuts. A party system that controls and is almost oppressive, it seems, to those on the outside looking in, in forcing how people must vote is part of what people are trying to fix. If we think that the answer to that question is the electoral voting mechanism, then by all means address it. However, if you're asking me how you might structure a conversation with Canadians, and therefore a report, I'd go to here. I'd start with values.

You have to start with values because then you can have a conversation about whether they are or are not reflected in the system that we currently have. You have to deal somehow with the bias of incumbency of the system we currently have.

If you paint a picture of the fact that we should evolve, then your next question is going to be whether you evolve at warp speed or incrementally.

I think everybody agrees that there is something about this ecosystem that's not working, but I don't think the conversation with Canadians should be about the specific technicalities. It should be about what outcomes you want. If we all come to the conclusion that we want to increase voter turnout but we change a system in a way that confuses them overly much, it will drive down voter turnout and create greater apathy in the system. How do you combat that?

• (1150)

The Chair: Thank you.

We'll go to Ms. May now.

Ms. Elizabeth May: Thank you.

Again I thank all the panellists. As a committee, we won't be back together again for hearing witnesses until August 22, so I'd say that the three of you are taking us out with a bang of really good discussion.

I want to go back to something that's in your paper, Professor Pilon. We're talking about constitutional conventions, and we're talking about the actual Constitution. I'm grateful every day that I went to law school, which helps me.

I read the paragraph here about the British North America Act and the instruction we had from the mother ship that we were to use the voting system from Westminster, parliamentary democracy, and that the power was conveyed to Parliament to change our voting system. Then you say that because the matters in sections 40 and 41 of the original BNA Act have been superseded by other acts, they are therefore spent. Could you just explain that?

We no longer have it in our Constitution, but what I understand you're saying is that when we got the British North America Act, Great Britain told us, "You are to have Parliament fix your voting system."

Prof. Dennis Pilon: I think that's a misreading of sections 40 and 41. I don't think that one aspect is spent.

For the parts of sections 40 and 41 that detail specific things that have been superseded, of course, those aspects are spent, but the intention of it clearly says that electoral matters are in the hands of Parliament, and that still stands, in my view, constitutionally.

You have to understand that Great Britain imposed various voting systems on different countries. Ireland is a good example. They imposed STV because they wanted to keep the different Irish groups apart, and then they would be weaker in resisting British rule. You see all those kinds of choices around the world. Now, it just turned out that it worked for the Irish and they liked it, so they kept it. It's one of those things that didn't work out.

However, in the Canadian context, Britain didn't do that. Probably the biggest influence on our voting system was the pre-Canadian voting systems that we'd already used in the united Province of Canada and the various colonies, so in that sense the politicians were just carrying on with what they did before.

Where people go wrong is in saying that our Constitution says that we should have a constitution similar to Britain's, so that means first past the post. Of course it doesn't, because while Britain used first past the post in 1867, they certainly weren't set on single-member ridings. There were multi-member ridings. They used the cumulative vote and the limited vote for different elections. They used STV for university elections, and all of this to the House of Commons.

If we're using the mother ship as our influence, then there are plenty of examples of their experimenting with different voting systems.

Ms. Elizabeth May: I sense that Maryantonett Flumian wants to join in this discussion, and I want to give you that.

Ms. Maryantonett Flumian: I would support that description. Our model of governance has evolved from the model of responsible government that we evolved to before the BNA Act, and that system has evolved continuously. There are some provisions in the Constitution that speak to it. The rest is convention and how we choose to legislate—and behaviours.

Ms. Elizabeth May: Professor Rose, please feel free to jump in and disagree if you do, but it seems that the consensus of the three panellists is that the instructions we have in the Constitution of Canada are that it's for Parliament to choose a voting system, and that the one we were initially bequeathed is not cast in stone.

Prof. Jonathan Rose: You're going to hear from constitutional experts later, so I'll, in part, defer to them, but we do have evidence about the answer to that question, and that's the Senate reference case.

It said that section 44 of the Constitution, which allowed Parliament to make exclusive laws about the Senate and the House of Commons, was not sufficient to make a change, because it altered two things: it affected the fundamental nature and role of the Senate and it affected the constitutional architecture.

To answer your question, we need to know about whatever hypothetical voting system would change those two things.

The Chair: Thank you.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado: Thank you very much.

Madam Flumian, could you suggest the best way to implement a new voting system? You've mentioned that we are in an ecosystem, and if we change the voting system, it will affect other elements, whether it's online voting or increasing voter turnout. Could you walk us through how we might implement this?

• (1155)

Ms. Maryantonett Flumian: It's hard to tell you how to implement something before you tell me what you're proposing to implement, but if I look at it as a conversation with Canadians that ends in implementation, I've given you some of the elements already. If one of the things we're trying to do is draw more people into the

act of democratic governance, and to use this drawing them in to make our democratic institutions more robust and resilient as they're evolving, then you have to come up with something about how you're going to position those trade-offs within a new voting system.

We would need to have one or two options to look at. Sometimes it's in playing out the options that you see what the effects, wanted or unappreciated, are going to be. I think that's a second conversation. We'd be happy to come back once you have that, but just to pick something out of the air would be hard to do. Understanding that, you also have to understand how quickly that could be turned into an administrative regime that could actually be implemented.

The Chair: Go ahead, Professor Pilon.

Prof. Dennis Pilon: We've had 10 successful voting system reforms at the provincial level. We have a lot of experience introducing different voting systems, and we've had experimentation at the local level. My book looks at 18 countries across 150 years, citing every instance of voting system reform in western industrialized countries, so we don't lack for models of implementation.

There definitely are some dos and don'ts. On the positive side, you have to recognize that there will be a bumpy road to implementation. There will be a learning curve. As a former election administrator, I can tell you to swamp the polls with people who can actually help voters. That's where you run into the problems. As people adjust to a new system, they are going to need help. To have bodies on the ground, ramp up the budget for the first couple of elections and hire people to help. This way, you will not have serious problems.

Ms. Maryantonett Flumian: Let's not forget that we want to get them to the polls first.

Mrs. Sherry Romanado: Based on what you've been talking to us about today, I've started to map out two sections, outputs and mechanics, from a citizen's perspective.

We will be going on the road—we like to call it “The Road Show”—and when we're talking to Canadians, we want to come up with a framework of questions from a voter's perspective. I've separated them into outputs and the mechanics, thinking about choice. I've referred to all of the five principles in our mandate letter. Should we be asking them how much they currently know about the electoral system, and whether they want to know more?

I'm throwing this out there because I don't know if Canadians really want to look under the hood. Now you're making me wonder. Do they really want this, or are they just happy to have the status quo?

Prof. Dennis Pilon: The difficulty with that question is that people don't know what they don't know. What you get is a very "classed" response. Middle-class people often don't know anything more than poorer working-class people, but they have a stronger sense of entitlement. They think that you should want to listen to their uninformed opinions.

Poor people and working-class people tend to shy away from situations where their ignorance will be exposed. They self-select themselves out. When we look at the voter turnout problem, that is a big part of the equation. It's not an undifferentiated group that aren't showing up. They are very "classed" in their level of privilege. They realize they don't really know what's going on and they don't feel informed, and still less do they feel privileged, so they don't come. That's going to be one of your challenges in trying to gauge them.

I would recommend asking them some factual questions. That is where you will find out. Some of them will tell you they know everything, but when you ask them some factual questions, you'll find out what they really know.

The Chair: We'll go to Mr. Richards.

Mr. Blake Richards: Thanks, Mr. Chair.

Ms. Flumian, I come back to you here again. I think in relation to our previous conversation, you had offered to give a written response to why the other systems don't maybe match those top five goals of a voting system.

Ms. Maryantonett Flumian: I could give you a response on the degree to which they might match so that you can make the deliberation of where you want to go.

Mr. Blake Richards: Because you had indicated they don't match, I would ask if you could explain why you feel they wouldn't match.

Ms. Maryantonett Flumian: I would be happy to do so. I'll do it for you in writing.

Mr. Blake Richards: Thank you. I appreciate that.

I wanted to come to another topic from another article that you wrote for iPolitics, and I think you've commented on it a little bit in your comments today as well. You certainly talked about the idea that you believe that somehow referenda don't lend themselves to deciding complex decisions.

In the iPolitics article you specifically wrote, and this is a quote: "The harder it is to reduce an issue to a single value judgment, the less apt a candidate it is for a referendum."

I'm wondering if you would agree with me that an election in fact is a type of referendum. It's a referendum on who should govern the country. Would you say that's a fair statement?

• (1200)

Ms. Maryantonett Flumian: I don't think there's a relationship. That's because of the nature of the complexity and the issues, and the multi-parties, and all of the issues that are associated with actually casting your franchise, so I'm not going to go there.

Mr. Blake Richards: Okay, that's fine, because I would agree with that statement. Elections are not a vote on a single question but

a vote on multiple and complex questions, much as you were indicating a referendum would be.

I guess what I want to sort of ask in relation to that.... I guess I find it hard, based on that logic, to see....

The question would be this. You're saying that the issues at play in an election are broad and multi-faceted and complex, which is sort of the same argument that you're making about a referendum. If elections are valid even though they're based on complex and multi-faceted issues, I guess I'm trying to understand why referenda are not then valid based on the same...?

Ms. Maryantonett Flumian: I think I've made that clear, but I think the system works something like the following, Mr. Chair, through you to Mr. Richards.

We elect individuals who compose Parliament and we ask them the most complex questions for deliberation on our behalf. Your job is then to go out and ask all those constituents, to come back and check with all of your other colleagues in the party system that you belong to, and then in Parliament more broadly, and to then recommend to Canadians the best solution. That's the way our system works.

Mr. Blake Richards: I would say that the next step would then be to give Canadians the ultimate and final say on whether what we've come up with is something they believe is valid and acceptable to them, and I certainly—

Ms. Maryantonett Flumian: In my judgment, you are a great proxy for that, as are the legislative and executive arms of government, and should the three of you be doing something wacko, the courts will be there to observe the view, and Canadians too.

Mr. Blake Richards: I appreciate your viewpoint, and I certainly have more faith in the voters than that.

The other question I would ask—

The Chair: You have 30 seconds.

Mr. Blake Richards: Very quickly, then, I'll ask you this, Ms. Flumian, since there isn't time for the others. Do you not see some kind of inherent conflict of interest in a process whereby politicians are deciding how politicians should be elected or re-elected?

The Chair: Give a brief response, please.

Mr. Blake Richards: Mr. Rose, it looks like you might have a comment on that as well.

The Chair: We don't have time. We're already up to the four minutes, so please answer briefly, Ms. Flumian.

Mr. Blake Richards: I just saw Mr. Rose shaking his head "yes".

Ms. Maryantonett Flumian: I would say we place a fundamental trust in our elected officials that they will rise above that and make the best call for all Canadians.

The Chair: Thank you for that succinct—

Mr. Blake Richards: Mr. Rose indicated he wanted to make a point.

The Chair: You have 10 seconds, Mr. Rose.

Prof. Jonathan Rose: The line I use for that question is that it's like turkeys voting for Thanksgiving. You're absolutely right in saying there's a huge conflict of interest, and that's why I don't think politicians should be making that decision. In a perfect world, citizens would be making that decision.

The Chair: Got it. Okay, thanks.

Go ahead, Mr. DeCoursey.

Mr. Matt DeCoursey: Thanks, Ms. Flumian, for that eloquent lesson in how elections provide us with a representative democracy in which we deliberate and pronounce on complex decisions in a way that I think leads all Canadians to understand the value of that system. I note as well, in reading your bio, that this view is based on decades of diverse experience at some of the highest levels of governance in the country.

I want to get back to the idea of values. Ken Carty spoke to us on Monday about the values that citizens reflected, I believe in the assembly in B.C., about fair representation, more preference in balloting, and the link between the elected and the electors, the issue of local representation in political culture.

We've talked about hoping that increasing voter turnout can help strengthen ideas around fair representation. Also, I think it could strengthen the link between elected and elector.

Dr. Pilon, you mentioned that inevitably PR will increase voter turnout. All the witness testimony we've received so far had led us to believe that there is at best an ambiguous link, and that was the word —

Prof. Dennis Pilon: I think what I said was that it would change voter turnout.

You're right that no voting system is going to change the problem of voter turnout, because the key thing to increase voter turnout is to increase direct contact between the political class and the individual. We know from studying voter turnout that if you have someone who is not already committed to vote, the key predictor of their turning out to vote is some sort of personal contact.

The old enumeration system was very good for putting people on the road and knocking on doors and alerting people that an election was coming. What I said about proportional systems was that there's evidence they will change voter turnout. In New Zealand, for instance, they discovered that the composition of the electorate changed, even though the rate didn't. People who were only motivated by "the ship is sinking; we could lose by one vote" weren't as motivated under PR, but those who felt under-represented—the less privileged voters, those who had traditionally been left out of our political system and by extension their political system—were more likely to turn out under PR.

From the point of view of equity—and I think this committee is very interested in that—there is evidence that a PR system would move significantly towards addressing some of those equity concerns about who is influencing what happens in our Parliament.

•(1205)

Mr. Matt DeCoursey: Thank you for the clarification. Maybe we can consider the electoral system as one of a number of elements that could potentially help enhance voter turnout, thus strengthening the

link between elected and elector within a larger ecosystem. Are we characterizing it properly?

Maybe we could have your views, Dr. Rose and Ms. Flumian.

Prof. Jonathan Rose: I think absolutely. I think you've put it really well in saying that the electoral system is only one component of a larger thing. If you're looking for the electoral system to be a panacea for all your political woes, you ain't gonna find it.

Ms. Maryantonett Flumian: I agree.

Mr. Matt DeCoursey: Thank you, Mr. Chair. I am happy.

The Chair: Thank you, Mr. DeCoursey.

Go ahead, Ms. Benson.

Ms. Sheri Benson: Thank you.

To follow up on the point brought up, I would like all three of you to quickly comment, because I have another question.

When you have an ecosystem, you can start somewhere, and I guess what I feel from this last election is that people have asked us to start somewhere. We are starting on the electoral system. You can sit around and talk about all the different pieces of the puzzle, and then people will just throw up their arms and say, well...

I'm just throwing that out for a comment. You have to start somewhere, so is this a good place to start?

How about that: a very simple question.

Mr. Pilon, Mr. Rose—

Prof. Dennis Pilon: I think you know my answer: yes.

Yes, it's absolutely the place to start, because the place to start is to rebuild the trust with the electorate, and one of the ways we do that is by registering their preferences accurately. By registering their preferences accurately, you will rebuild that trust. People will feel heard.

To me, a democratic process is a two-part thing. It starts with representation. Get people to the table. Let's not leave people out; let's get everybody to the table; let's hear the different views. Then we have to make decisions. Okay; then the majority rules.

There's lots of evidence to show that when people are missing from the table, so are their issues. To me it's crucial that we start with the voting system and that we get better at bringing people into the room so that we can hear what they have to say. We won't necessarily do everything they want, but they will be heard, and they have a much greater chance of influencing the events if they're here.

Prof. Jonathan Rose: Quickly, I agree that it's a great place to start, but it doesn't tell you where you want to go, and that to me is the more important question.

Ms. Maryantonett Flumian: I have to agree fundamentally with that as well. It is an ecosystem. I'm not suggesting that you throw up your arms because it's complicated, because we know what its component pieces are.

Do we need some kind of change? Yes. Canadians are telling us that they want change. I would start with the changes to the administration of how we manage voting now. I signalled that strongly in my comments. Are we exploring every aspect around the e-dimension? Are we reaching out through educational components to marginalized groups? Are we making sure that we're doing as much as we can to squeeze all of the juice out of that lemon?

Then what you recommend as further changes is going to be important. However, I would be careful. When you recommend those changes, remind people that they're nested in a broader system and that they're not a panacea for all the other things that have to change: the role of parliamentarians, the importance we place on the role of individual members who come to Parliament, the role of the executive and how respectful it is of Parliament, and all of those issues.

That's all I would say.

Ms. Sheri Benson: I would like to pose my next question to the three of you.

This question came up during the election. Many people in my riding talked about the fact that all politicians just want to get re-elected and therefore the issues they deal with are four-year issues. In my riding, people said they wanted to talk about homelessness. They wanted me to work with other people and they wanted to get to a solution.

I would ask you to reflect on the value of a different system, a different way of governing, so that if we affected the voter system, those kinds of issues could actually be addressed and we'd get to solutions.

• (1210)

The Chair: We have about 10 seconds each, so please be concise.

Prof. Dennis Pilon: It's rooted in the frustration that people have that parties get elected and then they don't do the things they promised. Part of that is the accountability issue: that people have difficulty making Party Right accountable to Party Left, or vice versa.

Again, I think a move to a proportional system would allow for a different kind of accountability to occur.

Prof. Jonathan Rose: I think what you're talking about is stability, and again it depends on what you mean by stability. Policy lurches that occur in a first-past-the-post system would not occur, or are less likely to occur, in PR systems. PR systems, if they are more centrist and govern for a longer period of time, are more likely to have that same kind of longer-term stability.

Ms. Maryantonett Flumian: I would say that the issue is about behaviours, in addition to everything else we've talked about.

No complex issue, whether it's homelessness or any of the others you can point to, can be fixed by one minister, one ministry, one department, one anything. They're complex issues by their nature. It takes a collaborative approach to how we work together. That is the

heart of how our Parliament should work when it works at its best. That's why we have minority governments working in exceptional ways, because the premium is on behaviour that requires us to work together.

The Chair: Thank you.

Ms. Maryantonett Flumian: Whatever voting system does that, fill your boots.

[*Translation*]

The Chair: Thank you.

Mr. Deltell, over to you.

[*English*]

Mr. Gérard Deltell: Thank you, Mr. Chairman.

What we are talking about today is the heart of our democracy and one of the most important things we have to decide, because the way we elect people is the heart of everything. All of the rest belongs to the choices that we make to elect our members. Everything—budget, taxes, policies, international affairs, defence—belongs to those who have been elected. It is the heart of our country.

This is the heart of our democracy. As far as I'm concerned, the method we use to elect people is the most important institution. It is more important than the Governor General and the Prime Minister and anything else. This is why it's very touchy. When we talk about institutions, we must be sure of what we're doing when we make any move.

We think that the best way to be sure we are making the right choice is to ask the people what they think. I'm not the only one who thinks like that. Let me quote a famous senior minister of the Liberal cabinet, the Honourable Stéphane Dion, former Liberal leader, academic for 20 years, well recognized from coast to coast, who said:

[*Translation*]

Precedent makes holding a referendum necessary in Canada: changing the voting system would require popular support.

[*English*]

It was not a Conservative who said that. It was a senior Liberal cabinet minister, the backbone of the government, who said that. I disagree with him on many issues, but I do respect the fact that he's an intellectual, an academic, well recognized, a Ph.D. On that issue, I can assure you that he's in the right place. In politics in a democracy, we are always in the right place when we ask people what they think about what is best for the future.

We all recognize, too, Mr. Chair, that our present electoral system is not perfect.

[*Translation*]

It certainly isn't, and woe to anyone who thinks otherwise. There is no perfect system. That is why you must be very sure of what you are doing if you want to change anything. Keep in mind that it took 11 years for New Zealand to complete its process.

Mr. Pilon, we do not agree on the referendum. You are quite right to think as you do. You're not the only one with this view. The same applies to us, as we are not alone in wanting a referendum. People from all walks of life do, including sovereignists in the Bloc Québécois, renowned great federalists like Stéphane Dion, and us, Conservatives. We believe that, if we have to change the electoral system, which is the most important institution in our democracy, we must do it by consulting Canadians.

Mr. Pilon, you do not think so. Do you think we should not hold a referendum? On what authority could you claim to know what is good for people if you don't ask them?

The Chair: You have 45 seconds to answer, Mr. Pilon.

[English]

Prof. Dennis Pilon: As I've suggested, the higher normative principle that votes should count is what authorizes me to make the claim I do. The fact is that votes should be equal. That is a fundamental democratic idea.

We use the voting system we do not because it was authorized by the people. Elections precede the democratic era by many centuries. Our challenge is how we change the original political institutions to embody the democratic values Canadians have. In 1867, we were not a democracy, right? Very few people could vote. There was open voting. There was violence at the polls. There followed a very long process of attempting to impose some democratic values on our political system.

I have to say, with all respect to Stéphane Dion, who is a brilliant man, that he's wrong about the precedent. We've had 10 voting system reforms that were successful and that were passed by simple majorities of their legislatures. Almost no voting systems in western countries have been introduced by referendum. This is a very recent phenomenon.

More to the point, the normative rationale behind the referendums was not any kind of belief or embrace that the people should be the authors of this; it was cynical political posturing by parties that were trying to avoid their commitments. That is as true in New Zealand as it was in Italy as it was in the three provinces that had referendums here, so—

• (1215)

The Chair: We'll go to Ms. Sahota now to end the round.

Ms. Ruby Sahota: Thank you.

I just want to go back to something that was touched on in the last question round about involving and engaging more young Canadians, marginalized Canadians, and new Canadians.

We heard some interesting testimony yesterday about perhaps lowering the voting age to get young Canadians at the age when they're probably more likely to come out to the polls because they live with their families or they're not in a time in their lives when they're away and maybe not thinking about elections.

What are your thoughts on that? I thought it was a very interesting idea.

Prof. Dennis Pilon: The youth voter issue is a complex one. The research on voter turnout has shown that actually the problem isn't

with university students—we've actually increased the voter turnout of university students—but with non-university students. We've seen a decline in youth voter turnout, but at the same time, we've seen an increase in university students coming out. The problem is that the gains have been erased by poor and working-class youth not participating. I think that is a very, very serious question from the point of view of equity. Why are these groups no longer participating? There are all kinds of complex reasons, which I go into in some of my research.

I think there are lots of things we could do in a kind of Captain Canada sort of way to involve our young people in politics more directly.

Norway—and Henry Milner has done work on this—has a mini-version of the Storting across the street, and all Norwegian students come there and participate in mock parliaments, where they try to get their stuff passed. They have people come over from the Storting. We could ramp that up and roll that out in this country. I think that would be a really major way of trying to help young people build their capacity to participate.

Ms. Maryantonett Flumian: I would ramp that up with a civics education program that restores civics in our educational systems, because the ignorance about the way our system works is amazing, probably even for some of you until you get here. That's why we're mixing models. Maybe we want to mix models, but we have to be conscious of the fact that as children of Westminster, if we end up with "Washminster," we do it by design.

Government by referendum is not my kind of government.

Prof. Jonathan Rose: I think lowering the voting age is a good thing, but I think it misses the symptom for the cause. Younger people aren't voting for a reason, and lowering the voting age to 16 encourages that habit at the heart. That's very important. We know that once people vote, they continue to vote, so that certainly would have a beneficial effect.

The other two things I would mention are things that have just been mentioned: increased civics education and empowering organizations like Student Vote, which does civics education in high schools at the grassroots level, to facilitate and encourage that conversation about youth engagement.

Ms. Ruby Sahota: I find that fascinating. You're saying lowering the voting age may not necessarily be the only option and that there are a lot of other things we should be doing. I think civic engagement is most important.

Thank you.

Do I have more time?

The Chair: Yes, you have about one minute.

Ms. Ruby Sahota: How about new Canadians? Civics isn't necessarily going to answer that, though I think that is important. How do we deal with educating new Canadians?

Ms. Maryantonett Flumian: I think it's partially the same answer. Civic education for new Canadians is their opportunity. They even may have come to us because of our model of governance. We don't know that.

I was born in Italy, and when my parents emigrated from Italy, I was steeped in what the Canadian model would look like, but if you're not in search of it, you're not going to find it. Therefore, the state's desire to inform people as much as possible on these matters means that we need special civic outreach programs for people who come to us later in life, already at voting age, and become Canadian citizens and then are part of the fabric of what Canada becomes.

There's an educational and a civic component there. Again, it's not only about voting: it's how you participate in our democratic institutions. It is more than exercising the franchise, so we need a special outreach to those communities as well.

• (1220)

The Chair: Thank you very much.

If I may add at this time, I'd like to do a shout-out to two high schools in my riding, St. Thomas High School and Lindsay Place High School, which hold model United Nations every year. It's really fascinating to see how keen the students are and how much they learn about world issues.

I also think that when MPs are invited into the classrooms to talk about their work, I've always found the students are extremely interested. They are riveted, in many cases.

I also believe it's very important for schools to come to Parliament and witness question period. They find it interesting, even exciting, and I think that dovetails with what you're all saying about the need for more civic education.

Thank you to the panellists. We had a great panel, a great debate. It clarified many points of view. Thank you for being here in the last week of July when you could be somewhere else, obviously.

[*Translation*]

Thank you very much.

Mr. Reid, you have the floor.

[*English*]

Mr. Scott Reid: On a point of order, Mr. Chair, we had passed a motion that our subcommittee would be discussing Minister Dion's

refusal of our invitation to come to this committee. When is that subcommittee scheduled to meet?

The Chair: I don't have a specific date, but we could set something up for when we come back on August 22.

Mr. Scott Reid: I'd have to make reference to something that happened in camera. Is there not a possibility of doing it earlier than that?

The Chair: Well, it's only that we don't meet again until August 22 as a committee, so members won't be here physically until the 22nd. I think that might be the best time, but....

Mr. Scott Reid: Could I make the request that you, as our chair, approach the minister between now and when the committee meets to inquire—

Mrs. Sherry Romanado: Mr. Chair, on a point of order, that is not a point of order but a point of information.

The Chair: That's true. I think the first point was a point of order, but....

Mr. Scott Reid: Procedurally, I'm not sure what this is. I'm not sure if Ms. Romanado is trying to prevent me from saying something. If that's the case, she could articulate it that way.

What I wanted to say is that I wonder if you could write a letter on behalf of the committee asking Minister Dion if he could express to us what reasons have kept him from appearing. In particular, if a scheduling issue is the problem, then at our subcommittee meeting we could address the issue of trying to provide or recommend to the main committee an additional meeting at which he could be accommodated.

The Chair: I don't think it's a point of order, but I'll consider your request. We did invite the minister and he didn't provide a response, but I will consider your point and, as I say, we'll try to schedule a subcommittee meeting for August 22.

I think we'll also have to hold an in camera meeting of the whole committee to discuss another motion around August 22. Is that correct?

A Voice: Yes.

The Chair: Yes, so we'll start planning those meetings.

Thank you, everybody. Thank you to the committee members and witnesses. We'll see you soon.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 013 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Monday, August 22, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Monday, August 22, 2016

• (1400)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good afternoon, colleagues, and welcome. May I ask you to take your seats.

It is a pleasure to see you again after our approximately two-week break. As you know, we are starting a phase in our work that will be a little more intense. We are going to have four sessions this week. Next week, we will continue with four sessions with witnesses present. Thereafter, around the middle of September, we will travel across the country for three weeks so that we can consult with Canadians where they live.

I would like to welcome Mr. Dubé, who joins us for the first time, and Mr. Ste-Marie, with whom, I believe, Mr. Thériault will be sharing his time in the period set aside for questions.

[English]

Today we have two esteemed witnesses: Professor Arend Lijphart, who is joining us from San Diego via video conference; and Professor Benoît Pelletier,

[Translation]

who, of course is well known both in Canada and in Quebec.

We will start with Professor Lijphart, but first, let me give you some details about himself, his work, and his interests in the context of his university work.

[English]

Professor Lijphart is a political scientist specializing in comparative politics, elections and voting systems, democratic institutions, and ethnicity in politics. He holds a Ph.D. in political science from Yale University and is currently research professor emeritus of political science at the University of California, San Diego.

Dr. Lijphart served as president of the American Political Science Association from 1993 to 1996, and in 1999 published his well-known book, *Patterns of Democracy*. Dr. Lijphart has won many notable awards in the field of political science and holds honorary doctorates from a number of universities, including Leiden University, Queen's University Belfast, and Ghent University, in addition to being an honorary fellow of Coventry University.

Professor, as a witness, you will have 20 minutes to present to us, and then we'll go to Professor Pelletier for 20 minutes. We'll then have two rounds of questions. Each member gets to ask one question in each round, and the question and answer period for each member

lasts five minutes, including the answer. The question and answer have to fit into five minutes.

Without further ado, the floor is yours, professor. Thank you for being here via video conference.

• (1405)

Professor Arend Lijphart (Research Professor Emeritus of Political Science, University of California, San Diego, As an Individual): Thank you very much, Mr. Chairman. I appreciate being here.

I am speaking from San Francisco rather than San Diego, but I don't think that makes any difference to you. It is far away from Ottawa, and I very much appreciate, Mr. Chairman, being able to speak by teleconference to your committee. It is a great honour for me to be invited to speak to your committee.

I am happy to share with you my findings and conclusions about the advantages of proportional representation, or PR, and the kind of democracy it creates. On a personal note, I have to confess that when I was a graduate student and young instructor in the 1960s, many decades ago, I was an admirer of the British system of government and its electoral system of first past the post, or FPTP. I think that's also what that electoral system is called in Canada, and I will keep referring to it as FPTP.

I've gradually come to the conclusion that proportional representation, or PR, is the better option. This has also been the trend among political scientists generally. The empirical evidence is now overwhelmingly strong in support of this conclusion. PR is a crucial ingredient in what I have called "consensus democracy", especially in combination with a parliamentary system of government. It tends to lead to a multi-party system, which in turn tends to lead to coalition cabinets, and also leads to parliaments that are stronger and cabinets that are less dominant than in majoritarian systems. In addition, it tends to be associated with a more co-operative system of interest groups.

Typical examples of consensus democracies are Switzerland, Germany, Finland, and also New Zealand after the introduction of PR in 1996. These characteristics are in contrast to those of majoritarian democracies like Great Britain and also New Zealand before it shifted to PR in 1996. These characteristics of majoritarianism include FPTP, two-party systems, one-party majority cabinets, cabinets that are dominant vis-à-vis their parliaments, and a more competitive interest group system. Consensus democracies aim to rule by broad consensus instead of narrow majorities.

Democracies do not all fit the two perfect models of majoritarian and consensus democracy. They fit on a continuum between the pure types. For instance, Canada is on the majoritarian side, but not in an extreme position. One reason is that Canada has occasionally had minority cabinets that deviated from the one-party majority ideal of majoritarian democracy.

I need to add three footnotes at this point.

One is that there is a second dimension of the difference between different types of democracy. The main contrast here is between unitary and centralized versus federal and decentralized systems. Canada is obviously an example of the latter. I don't need to say more on this subject because it is not related to the electoral system and, hence, not relevant to your discussions. In any case, I assume that Canada is not about to change its federal system.

Second, as I have already indicated, the advantages of PR depend a great deal on its combination with a parliamentary system of government. Canada is fortunate in already having a parliamentary system. Political scientists are virtually unanimous in their dislike of presidential government, which has many serious weaknesses. I assume that few Canadians favour the adoption of a federal system, and it is great that we do not have to worry about this particular issue.

Third is a quick comment on the term "consensus democracy". It should not be interpreted to imply that it is a kind of democracy in countries that are highly consensual and homogeneous. Rather, PR and consensus democracy are suitable for any country, but especially for countries with religious, linguistic, and ethnic divisions in which consensus needs to be created. It is significant that PR was first adopted in the 1890s in countries like Belgium, with its deep religious and linguistic differences. Some of my political science colleagues have also called consensus democracy "negotiation democracy", "compromise democracy", "pacification democracy", and "proportional democracy". This last term is especially appropriate because it emphasizes the crucial role of PR.

• (1410)

For a long time the prevailing view was that PR might have slight advantages in terms of having more accurate political representation and more accurate and faithful minority representation, and that FPTP and one-party cabinets had a much greater advantage in terms of effective governments. One-party cabinets were said to be more decisive and capable of making both quicker decisions and more coherent policies than coalition cabinets. This looks like a logical argument, but it overlooks some logical counter-arguments. For one thing, as we all know, fast decisions are not necessarily wise decisions. Also, a great deal of coherence in policy is lost in the alternation between governments of the right and governments of the left, and then back again to governments of the right. This was the main reason why the famous British political scientist Samuel Finer, who had been a strong supporter of FPTP, changed his mind and advocated PR in an influential book published as early as 1975. Finally, policies supported by a broad consensus are more likely to be successful and to remain on course than policies made by a so-called decisive government against the wishes of important sectors of society.

Fortunately, we now have very good methods to settle these competing arguments, especially since reams of excellent data on effective government and the quality of democracy have become available since about the year 2000. I have relied on official government sources, international organizations like the United Nations and the Inter-Parliamentary Union; The Economist Intelligence Unit; and the Worldwide Governance Indicators project, led by experts at the World Bank and the Brookings Institution. The evidence shows that consensus democracy is superior to majoritarian democracy in terms of effective government and policy-making, and that it is vastly superior in terms of equality of democracy.

In order to emphasize how strong this evidence is, I'd like to make several points about the findings in my book, *Patterns of Democracy*, which was first published in 1999, and a second and updated edition that I published in 2012. It is the evidence from that 2012 edition of my book that I present here.

First, the 36 democracies that I compared in my book are not just a sample of democracies, but all of the democracies that satisfy the definition of continuous democracy for a period of at least 20 years, from 1990 to 2010, according to the widely used criteria of Freedom House.

Second, I test both effective government and democratic quality in terms of not just a few indicators, but a wide variety of indicators. For effective government, I look at performance with regard to such basic and obvious measures as economic growth, inflation, unemployment, and budget balance, and also the Worldwide Governance Indicator measures of government effectiveness, regulatory quality, the rule of law, and control of corruption. For measuring the quality of democracy, I look at voter turnout, women's representation in parliaments and cabinets, gender inequality, economic inequality, and survey responses with regard to satisfaction with democracy. I also look at the overall Democracy Index by the Economist Intelligence Unit, in addition to the separate categories that make up this index, like the quality of the electoral process, political participation, and civil liberties.

• (1415)

Third, I find positive correlations between consensus democracy and effective government with regard to 16 of my 17 indicators. They are so strong as to be statistically significant for nine of the measures. For democratic quality, I have 19 indicators, and without exception all of these show that consensus democracy works better. Moreover, all 19 correlations are very strong and statistically significant.

Fourth, a legitimate question is, could this good performance of consensus democracy be caused by other factors instead of by consensus democracy? There are in fact two such factors that affect both effective government and democratic quality. These are the level of economic development and population size. Richer countries tend to do better than less well-to-do countries, and small countries, that is, less populous countries, tend to do better than large countries. But these factors can be controlled for in the statistical analysis, and the results that I have reported already control for them. This means that the positive correlations remain strong even after the effects of economic development and population size have been taken into consideration.

Let me turn to three specific issues with regard to the possible introduction of PR in Canada. First, it is important that supporters of PR agree on the kind of PR they want to introduce. One sure way of wrecking the chance of PR is for its advocates to split into hostile camps with regard to which form of PR they prefer.

Second, which form of PR would be best? I am basically an agnostic on this subject. My native country of the Netherlands uses list PR, and I think it has worked quite well there for now almost a whole century. Most continental European countries also use list PR. But for Canada, it is probably best to follow the example of other mainly or partly English-speaking countries. That means either the MMP system or mixed-member proportional system introduced in New Zealand in the 1990s and also adopted by the legislative assemblies of Scotland and Wales; or as a second alternative, STV, a single transferrable vote, used in Ireland for, I guess, almost a whole century now, in Malta, and in Australia for its senate elections since 1949.

Third, make sure that the system is actually reasonably proportional and that it avoids too high a barrier for small parties. For MMP in New Zealand, the minimum threshold is 4%, which I consider reasonable. For STV, no formal threshold is needed because it uses relatively small election districts. In Ireland, the districts elect between three and five representatives each. In Malta, each district elects five members. In Australia, the six states serve as the principle election districts, and each elects six senators. Occasionally, when there is a so-called double dissolution, as happened recently, this number is increased to 12, but six is a reasonable number. Five five or six is indeed a reasonable number to adopt if one has STV.

Finally, let me address the question of whether PR is suitable for a country like Canada that is geographically very large and has a linguistically, ethnically, and religiously diverse population. The answer is certainly yes. In fact, as I have already emphasized, PR is especially appropriate for heterogeneous countries. How about Canada's large geographical size? Canada is unusual in this respect, but not unique. Australia is comparable, and Australia has used PR and senate elections since 1949. I do not see any logical reason either to believe that PR could not work well in a large country like Canada. Perhaps the most important fact to consider is that PR is the rule and FPTP the exception among contemporary democracies.

• (1420)

Of the 36 democracies in my book, there are four that are neither pure PR nor pure FPTP. The breakdown for the others is 10 FPTP versus 22 PR. This still exaggerates the use of FPTP, because six of

the countries with FPTP are very small ones like the Bahamas, Barbados, and Botswana. There are some very small countries with PR too, of course, like Iceland, Luxembourg, and Malta. Excluding all of these tiny countries, the breakdown becomes four countries with FPTP, namely Canada, United States, United Kingdom, and India, versus 19 with PR. The breakdown is four with FPTP and 19 with PR.

However one counts it, PR has the clear majority. In addition, and finally, I think it is significant that in these four FPTP countries, there are important organizations that strongly advocate a shift to PR. In sharp contrast, there are no similar organizations advocating FPTP in any of the PR countries.

I thank you for your kind attention.

The Chair: Thank you very much, Professor Lijphart. Thank you so much for adapting your framework to the Canadian experience.

We'll now proceed to

[*Translation*]

Professor Benoît Pelletier. Professor Pelletier is a lawyer, an academic and a politician. He was a member of the National Assembly in Quebec from 1998 to 2008 and served as minister of intergovernmental affairs, minister for la Francophonie, minister of aboriginal affairs and minister of democratic reform in the Jean Charest government.

Professor Pelletier is presently teaching law at the University of Ottawa. He recently received the medal of the Ordre du mérite de la Fédération des commissions scolaires du Québec and has been elected as a member of the Royal Society of Canada.

With that said, Professor Pelletier, you have 20 minutes, just like Professor Lijphart. We will follow up with two rounds of questions.

Professor Benoît Pelletier (Full Professor, Faculty of Law, University of Ottawa, As an Individual): Thank you, Mr. Chair. My thanks to the members of the committee for inviting me to appear today.

[*English*]

I'll be speaking mainly in French today, but my first words will be in English.

I would like to point out the fact that I'm not an expert on electoral reform, although I have examined electoral reform from a constitutional perspective. What I have done is to try to see how far Parliament could go without a constitutional amendment with regards to electoral reform in Canada. My perspective is that of a constitutional expert on electoral reform, not that of an expert on electoral reform per se.

This said, I was minister for the reform of democratic institutions in Quebec from 2005 to 2008, and in particular from 2005 and 2007, when electoral reform was the most debated in Quebec.

I would like to mention the contribution at the time of one of your MPs—also a member of this committee—Luc Thériault, who was then the critic for the official opposition when I was on the other side of the National Assembly.

I have prepared a synopsis of my presentation, which I think has been distributed to you. I hope it has. I did it in both official languages. I will be making my presentation in French, but the English-speaking members of this committee will be able to follow most of my presentation through the English version of my synopsis.

Let me start the formal presentation.

• (1425)

[Translation]

Mr. Chair, for my analysis, I examined various constitutional provisions. I mention them here because those I am going to discuss are probably, in my opinion, the most significant constitutional provisions in determining the extent to which Canada can move to reform a method of voting without a constitutional amendment.

In the Constitution Act, 1867, the sections I examined include section 37, dealing with the constitution of the House of Commons, section 40, dealing with electoral districts, section 41, on the continuance of existing election laws, section 51, on electoral readjustment, section 51A, on the right of a province to have a number of members in the House of Commons that is not less than the number of senators it has, and section 52, dealing with the increase of the number of members of the House of Commons.

In the Constitution Act, 1982, I specifically examined section 3, dealing with the right to vote, and with subsection 52(2), which provides a definition of the Constitution of Canada. This is not an exhaustive definition that—and this should be specified right now—makes no mention of the Canada Elections Act. I will be coming back to this. I also examined the entire part V of the Constitution Act, 1982, which contains the procedure for amending the Constitution of Canada.

I also examined paragraph 41(a) of the Constitution Act, 1982, which deals with the office of the Queen and the Governor General. This office cannot be changed except by the unanimous consent of federal and provincial levels. I also examined paragraph 41(b), dealing with the right of a province to a number of members in the House of Commons not less than the number of senators it has. Unanimous consent is also required to make amendments to that. I also examined paragraph 42(1)(a), dealing with the principle of proportionate representation of the provinces in the House of Commons. That is subject to the 7/50 procedure, meaning the consent of the House of Commons and the Senate, subject to the Senate having only one suspensive veto of 180 days, and at least seven provinces representing at least 50% of the population of all the provinces.

Of course, I also examined section 44, which attributes a power to Parliament to exclusively make constitutional amendments. However, these amendments must be in relation to the executive government of Canada, the Senate or the House of Commons. There are, however, some important exceptions that apply in the case of section 44. What is interesting in this section is that Parliament alone can amend the Constitution of Canada. As I just mentioned, it can also make amendments in relation to the executive government of Canada, the Senate or the House of Commons, subject, of course, to sections 41 and 42 that I mentioned previously, among others. They require unanimity and the 7/50 procedure respectively.

As I examined the jurisprudence, the cases that seemed to me to be the most relevant are the following: *Figueroa v. Canada*; the *Reference re Senate Reform*; *Ottawa (Attorney General) v. OPSEU*; the decision of the Judicial Committee of the Privy Council in *In re Initiative and Referendum Act*; and the *Reference re Secession of Quebec*.

In the light of all that I have read, my analysis leads me to say that, in the eyes of the Supreme Court of Canada, the single member simple plurality system, the “first past the post system”, is constitutional, despite its weaknesses.

• (1430)

[English]

It's good to know that the current system is in conformity with the Canadian Constitution, although it has weaknesses, as we all know.

[Translation]

Second, and what I am saying here is still essentially from the perspective of the Supreme Court of Canada, the Constitution does not require any democratic electoral system in particular and does not view the system as immutable. In other words, the Supreme Court has shown itself to be open to a change in the way we vote and has mentioned that our Constitution does not require any particular voting method.

[English]

So, the first past the post system conforms with the Constitution, but it's not the only system that could conform with the Canadian Constitution and with Canadian values.

[Translation]

Canadians are committed to a democratic form of government. Democratic principles therefore must be observed. The Supreme Court has said that Canadians are politically and constitutionally committed to a democratic form of government. In other words, maintaining a democratic form of government is constitutionally protected in Canada without the Court specifying what form of government that might be.

The Supreme Court also seems to mean that the choice of one method of voting over another is a matter of choice between competing political values. The government has a fairly wide latitude in the matter and it is not for the Court to intervene when it comes to reforming the method of voting, or at least, it is not for the Court to intervene too much.

[English]

This is, in my view, something that is fundamental. What the Supreme Court says is that electoral reform is something that belongs to elected representatives, to Parliament, to the government. It's not something that the Supreme Court of Canada would like to intervene in.

Maybe, if the court ever had to, if ever some of the main principles that I will be speaking about in a couple of minutes are affected, it would, but the first desire of the Supreme Court of Canada is not to intervene. Its first reflex is not to intervene. And the Supreme Court, in fact, confirmed that all of this is mainly a question of political decisions instead of judicial decisions.

[Translation]

So what are the main conditions that Parliament must fulfill in terms of reforming the method of voting? As I list those conditions, I am saying that Parliament can act alone to reform the method of voting, providing that it does not affect any of the principles that I will mention in a moment.

The first principle is well established in jurisprudence. This is the concept of effective representation. The Supreme Court mentions a relative equality between voters. This is not therefore total or perfect equality. But there must be relative equality in terms of the weight of each vote in Canada's overall political system. If the principle of effective representation were overstepped, it would probably lead the Supreme Court to intervene.

[English]

But as long as the principle of relative equality is respected, the Supreme Court of Canada is not interested in intervening.

[Translation]

Here is the second principle. Reform must not change the office of the Queen or the Governor General. As I said before, the office of the Queen and the Governor General are subject to the rule of unanimity, the procedure that requires amendment by unanimous consent.

• (1435)

[English]

Is it possible to have an electoral reform that does not affect the office of the Queen, or that of the Governor General? The answer is yes. The main functions of the Governor General and the Queen have to be respected if there ever is electoral reform, whatever it is, in Canada.

[Translation]

Parliament cannot infringe on the right of the provinces to have a number of members of the House of Commons that is at least equal to the number of senators.

[English]

This is a very interesting limit. At this moment it only applies to very small provinces that don't have many MPs and that have more senators than MPs. It allows them to have as many MPs as the number of senators they have. But if ever there is a change in the number of seats in Canada, we have to make sure there is no change that goes below the number of senators attributed to each province at this moment under the Canadian Constitution.

[Translation]

Of course, Parliament cannot affect the principle of proportionate representation of the provinces in the House of Commons because that is covered by the 7/50 formula. But here we come up against something much more delicate, probably as a result of the jurisprudence. I believe that the preamble to the Constitution Act, 1867 protects a British type of parliamentary system and the principle of responsible government.

[English]

There is jurisprudence from the Supreme Court of Canada that says that the preamble to the act of 1867 entrenches or protects the Westminster model of government and entrenches and protects the principle of responsible government.

Here the question is, how far does that go, first of all? How far does that protection go? I cannot say, to be frank, and no one could say. It would be for the Supreme Court of Canada itself to specify what it really means eventually, if ever there were litigation, a problem, or a reference, on this subject.

[Translation]

The first question therefore is to find out how far that protection goes. It comes from the preamble of the Constitution Act, 1867, but not explicitly so. It is implicit.

[English]

because the preamble says that we want a constitution that is based on the same principles as the constitution of the United Kingdom. The jurisprudence took that affirmation and found in it some kind of protection for the Westminster model of government and responsible government.

[Translation]

The first question therefore is to find out how far that statement of the courts goes and the second question is to find out what is the content of—

[English]

Westminster model of government. What's the content of that concept?

[Translation]

There is a risk in wishing to define a concept like that, but it seems to me that the Westminster type of government involves a certain number of principles.

The first principle is that executive powers are officially and theoretically conferred on the head of state and that they are concentrated under his purview.

Under the second principle, those executive powers are exercised in practice by the prime minister and the ministers.

Under the third principle, executive power is part of the legislative assembly. In other words, not only does the executive contribute to the exercise of legislative power, but it is also an integral part of the legislative assembly.

According to the fourth principle, executive power must be accountable to the legislative assembly. It must answer for government policies before the legislative assembly.

The next principle says that the democratic legitimacy of the executive power depends on, and is granted by, the legislative assembly.

Under the final principle, which goes back to the principle of responsible government, the prime minister must tender the resignation of his government to the governor general or must ask for the House to be dissolved if he does not enjoy the confidence of those the people have elected.

In my view, this is the definition of British parliamentary democracy that I give. Clearly, of course, other experts may wish to refine or add to this definition.

One final constraint on the Parliament of Canada results from a 1919 decision of the Judicial Committee of the Privy Council. This is *In re Initiative and Referendum Act*. It was referred to in 1987 by the Supreme Court of Canada in *Ontario (Attorney General) v. OPSEU*. The Judicial Committee of the Privy Council was referring to the provinces and the same principle probably applies to the Parliament of Canada. Parliament cannot bring about profound upheaval by introducing political institutions that are foreign to and incompatible with the Canadian system. In English, we would say that—

• (1440)

[English]

Parliament could not introduce political institutions foreign to and incompatible with the Canadian system.

[Translation]

You are going to ask me what that exactly means. Now, it is worth redefining it through jurisprudence. What we know is that Parliament could not, for example, entrust the people with all the legislative powers. Referenda could not become the only way in which laws are passed. The fact is that, beyond that, we do not know what the expression means.

I repeat that the Judicial Committee of the Privy Council was talking about provincial legislatures and referred back to subsection 92(1) of the 1867 act. The parallel also holds true for former subsection 91(1) of the 1867 act and the Parliament of Canada.

[English]

Finally, I would say that maybe there will be some experts saying that Parliament cannot affect the fact there are electoral districts in Canada. Section 40 of the Constitution Act, 1867, refers to electoral districts. Some experts may say that electoral districts are entrenched and cannot be affected by Parliament unilaterally, but I don't share that point of view. I think that Parliament can abolish or diminish the number of electoral districts unilaterally by virtue of section 44 of the act of 1982.

[Translation]

The Chair: Thank you very much, Professor Pelletier.

We have heard two testimonies that were extremely helpful, interesting and clearly expressed. Thank you for that.

Now we start our first series of questions. I remind members that that their five minutes also includes the answers. On occasion, I have noticed very complex questions being asked, leaving only 30 seconds. If that happens, the answer will unfortunately have to come in the form of a question from another member.

We will start with Mr. DeCoursey, for five minutes.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you very much, Mr. Chair.

It is good to be back in school with all my colleagues. My thanks to our witnesses for the presentations they have given us today.

I would first like to turn to Professor Lijphart.

• (1445)

[English]

Dr. Lijphart, in your submission you talked about the need not to consider aspects of our federal system of government. That struck me as a bit of a unique view given a lot of the testimony we've heard from other academics and experts, who have said that we must certainly consider the electoral system within the context of the greater system of government and political culture, that they're all tied together.

I wonder if you can just expand on why, in a country as large and unique as Canada, with constitutional considerations such as were just presented to us today, you think it's okay for us to just consider the electoral system without considering the larger effect it has on the system of government and our political culture.

Prof. Arend Lijphart: I think that is an excellent question.

Certainly the federal system in Canada and in several other federal countries is an important aspect to take into consideration. But I think that proportional representation is compatible with both federal systems like Canada and unitary systems like Sweden, Norway, Denmark, and the Netherlands. I think the main thing to consider is to look at other federal countries that do use proportional representation. Germany is, of course, a federal system; it's not as large geographically as Canada, but it has a much larger population than Canada, and it uses proportional representation. Switzerland is a federal country and uses proportional representation. Austria is a federal country and uses proportional representation. And I've mentioned Australia already as an example of a country that's both vast and does not have a very large population—it's much less than Canada. It uses proportional representations for senate elections.

So I think these two factors really can be considered separately and I see no reason why a federal country cannot do well with PR.

[Translation]

Mr. Matt DeCoursey: Thank you very much.

Mr. Pelletier, do you believe that we can discuss the electoral system without talking about constitutional considerations? We know that smaller provinces, like New Brunswick, Prince Edward Island and Nova Scotia, have guarantees providing a certain number of seats. Do those considerations present challenges in terms of proportionate representation?

Prof. Benoît Pelletier: The principle of proportionate representation implies that provinces have a right to representation that is equivalent to the weight of their population overall in Canada. That can be done by various electoral systems. It can be done by electing people directly in the constituencies. It can also be done by designating representatives in other ways. I am thinking, for example, of members of Parliament who, in a mixed proportional voting system, would come from lists.

In my opinion, to the degree that each province has the right to a number of representatives in the House of Commons that is more or less equivalent to its demographic weight, the principle of proportionate representation is safeguarded. It is quite interesting that the section I mentioned a little earlier talks about the principle of proportionate representation and does not deal with the question of the modalities of that representation.

That said, I am convinced that another voting method—mixed proportional voting, for example—would also be compatible with the federal system. Federalism is a Canadian characteristic, just as the constitutional monarchy is. The British type of parliamentary system is one, just like our voting method. There can be a combination of those various characteristics, or a change in those characteristics, without affecting the federal nature of the Canadian state.

The Chair: Thank you.

Now we move to Mr. Deltell.

• (1450)

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Chair, my friends, it is always a pleasure to see you again.

Perhaps Mr. DeCoursey was referring to school because we have two eminent professors with us, but it is a good analogy, I find.

I would also like to welcome the professor from California.

Welcome to our committee.

Of course, I have to extend a more personal greeting to Mr. Pelletier, a former colleague at the National Assembly. I was a reporter when he was an MNA and a minister. A few months later, I sat in the same place as he did.

I have to point out that at present there are 13 members around the table and seven of them are from Quebec. So Quebec has the majority today. That should make my Bloc Québécois friends happy. All the same, I must remind us that we are not here to play for Canada—to paraphrase a commercial we have seen a lot recently—but to work for it. I assume that my Bloc Québécois friends will be making some comments later. It will be interesting to hear what they have to say.

Mr. Pelletier, I would like to talk about your experience. You have studied these matters a lot and you are now a constitutional lawyer. You are one of those rare political scientists who have worked as a politician. You have been a witness to and an observer of political life, as well as a participant in it. That allows you to form judgments on the two roles. There are not many like you. We know another one well, the current Minister of Foreign Affairs, the Hon. Stéphane Dion. I may have the opportunity to refer to that later today.

Mr. Pelletier, the government is inviting us to consider an important change. In your view, must this kind of change be supported by Canadians? Must Canadians be consulted about it? Do we have to hold a referendum if we are to change the method of voting?

Prof. Benoît Pelletier: Mr. Chair, I have to tell you that I am very much in favour of holding a referendum on the matter like this. One of the main reasons is that, if we want to reform the method of

voting, it is for the benefit of Canadians themselves so that they have more confidence in their democratic institutions. In that sense, I have a hard time seeing how we could carry out a reform in the method of voting worthy of the name, in other words something significant and substantial, without asking Canadians for their opinion.

In Quebec, we had some draft legislation. It was examined from all angles between 2003 and 2007. Even when I was a minister, I personally would have supported holding a referendum on the matter in Quebec if the process had gone any further, which was not the case.

That said, I am only expressing my personal opinion here. I had no mandate on the subject in cabinet. In addition, we did not discuss the question because it was never raised. The attempt to reform the method of voting essentially failed in 2006. That did not change the fact that I always kept in mind the possibility, the importance, of holding a referendum on the matter. It could have been held at the same time as a Quebec election, or at another time.

We also have to remember that the reform we had in mind in Quebec was a significant one. I am talking about mixed-member proportional voting, implying two kinds of elected members, those from constituencies and those from a list. That was a major change in political culture. In that context, I was in favour of holding a referendum.

Mr. Gérard Deltell: We share that point of view, of course. In our institutions, nothing is more important than the electoral system. That is what determines who is in a position to make decisions. Nothing is more vital. Everything stems from the way in which people are elected, whether it is foreign policy, budgets, taxes or anything else. We take to heart your remarks that the people absolutely must have the final word on that.

• (1455)

The Chair: Thank you.

We now move to Mr. Boulerice.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

Good afternoon, everyone. I am delighted to see you again in this magnificent August. My thanks to our witnesses. Two eminent professors have taken the time to join us today. First, I would like to turn to Professor Lijphart in California.

As I am sure you know, in Canada, we have only had one voting method in 149 years. We use the term first-past-the-post to describe the system. Personally, I am inclined to use the expression “winner takes all”.

This method of voting distorts the picture in very important ways. As we have seen here, the two most recent governments have been elected with fewer than 40% of the votes but they have obtained more than 50% of the seats. In the last election in the United Kingdom, Scotland voted 50% for the National Party, but it obtained 95% of the seats. For Scottish Labour, Conservative or Liberal Democratic voters, that caused a little problem with representation. Representation is also a problem for us here. My talking about Conservative voters in the centre of Toronto or even in Montreal will surprise people.

In your opinion, how could a proportional voting method correct the distortion that suppresses the will expressed by the voters? How could we make sure that we have fairer and more equitable representation?

[English]

Prof. Arend Lijphart: The main aim of proportional representation is to get proportional outcomes so that parties, or groups of representatives, are representing roughly equal representations of the voters. PR systems differ in terms of how proportional they are. They may use systems that are not completely proportional and that raise barriers for smaller parties, and so on. When you look at outcomes of PR systems, there is not one that is completely 100% proportional. In fact, proportional representation systems do a great deal better than FPTP systems. FPTP causes extreme distortions between the vote and the number of seats that parties get.

Several years ago I wrote an article that was titled *Who Really Practices Majority Rule?* I looked at FPTP countries and PR countries in terms of the amount of support that cabinets, governments, and executives have. Proportional representation systems tend to have governments that are supported by the majority of the voters, or close to a majority. In the examples that you mentioned, in FPTP countries, the winning party often wins with only between 30% and 40% of the vote, and that is not the majoritarian outcome.

[Translation]

Mr. Alexandre Boulerice: Thank you, Mr. Lijphart.

Sometimes, the opponents of proportional or mixed-member proportional voting make the argument that those schemes, those types of democracy and those electoral methods would lead to a lot of political instability, to endless elections, and to some inefficiency in government. Then they throw out a very loaded word, a word they drop like a bomb. That word is “Italy”.

How would you respond to those people?

[English]

Prof. Arend Lijphart: I think that is a good question because it's an argument that is used frequently. It is true that governments in majoritarian countries, or FPTP countries, tend to be more stable in the sense that they last longer than those in PR countries. The assumption is that these longer-lasting, more stable cabinets perform better in terms of policy. What I have found—and I should say that I was a supporter of that argument for a long time—is that now we can look at outcomes. We can see that those governments, which don't last as long as some of the FPTP governments, perform better in terms of policy. While it is a reasonable thought that more stable, or less unstable, governments perform better, when we look at the facts, this is not the case.

• (1500)

[Translation]

The Chair: Thank you very much.

I am now going to give the floor to Mr. Thériault.

Mr. Luc Thériault (Montcalm, BQ): Thank you, Mr. Chair. My thanks to Professor Lijphart and Professor Pelletier for their presentations.

I would like to talk to Professor Lijphart first. Then I will turn to Professor Pelletier.

I would like to talk about the question of consensus democracy.

When all the regions of Quebec were consulted, the main question that people brought up was not so much the mechanics of election—with the exception of some insiders and experts—but the way of doing politics. That came up constantly.

People are very irritated about the “party line”, as we call it. How can a system of mixed-member proportional representation lead to more consensus democracy? Could it be done structurally? How is it that our current system would not, or could not, contain that form of consensus democracy?

[English]

Prof. Arend Lijphart: I think that proportional representation and coalition governments and these aspects of consensus democracy work better because there is more negotiation and compromise. Therefore, it builds stronger consensus. If you have a majoritarian government, let's say a one-party government, that is based on between just 30% and 40% of the voters, this government actually struggles constantly with the fact of being a kind of illegitimate majority government, because it is not a majority government. It is a government supported by a minority.

In the long run, I think it is better that the principle of majority rule works in democracies. It may seem ironic or paradoxical the fact that with proportional representation, you have better majority rule than in so-called majoritarian governments with FPTP, where the governments really represent only a large minority.

[Translation]

Mr. Luc Thériault: Thank you.

In principle, people vote on the basis of election platforms, but what happens to them in a system where establishing executive authority depends on the deals that are made after the elections? Is that not a political distortion of the will of the people?

The current system in Canada includes a phenomenon that is called “political alternation”. The people can throw a government out. We saw that in the last election.

With a coalition government, what is the value of election platforms after 20 years? After 20 or 25 years, do we not tend to want to form a coalition in order to take power, which in a way is turning our back on ideological pluralism?

[English]

Prof. Arend Lijphart: I think it is a legitimate complaint that in proportional representation systems, where you have several parties and need a coalition of two or more parties to form a government, in the negotiations the different parties have to compromise and may not be able to stick to the promises they've made in their platforms. I think the people who negotiate are elected by the people. They try to be as faithful as possible to the promises they've made, but as minority parties, they are of course aware that they may not be able to have their way entirely.

What should also be pointed out is that in mature multi-party systems—and I'm thinking of, for instance, Germany—it is often clear prior to the election which parties are going to work together in a government. In the last election, there was clarity for the voters, that if they voted for one party, they were in fact voting for its coalition with other parties.

• (1505)

The Chair: Thank you.

We'll go to Ms. May now.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you.

Professor Lijphart, everyone around this table knows how enormously I respect your work. I've been talking about it for months and I'm so grateful that you're here, so *dank je vel*.

I want to ask you very specific questions that have come to me from Twitter, but before I do that, it occurs to me that my colleagues from the Conservative Party generally ask every witness about what they think about referenda. To save them the trouble, I wonder if you have any thoughts on that. This tends to come up quite a lot in our committee discussions.

Prof. Arend Lijphart: I live in the state of California in the United States, which is a hot bed of referendums. We are going to have, at the beginning of November, I don't know how many state referendums and local referendums, but I think it's something like 20 or 25. I've become quite skeptical about referendums.

With regard to the specific issue of proportional representation, one thing I would point out is that 150 years ago there was not a single country that had PR. It has been adopted by many countries since then and, obviously today, proportional representation is now the most widely used system. It was adopted without a referendum by almost all of these countries. There are a few exceptions. I think Switzerland is one, but Switzerland is a referendum addicted country, and almost everything is done by referendum in Switzerland.

I've observed a lot of referendums on many different issues, especially since I've lived in California for many decades now. I am skeptical because outcomes of referendums are often highly volatile and unpredictable. They often involve a lot of emotion, demagoguery, and outright lies, and I'm especially appalled at outcomes of referendums like the recent Brexit referendum in Britain, which shows how much damage a referendum can do. I think Brexit has been a disaster for Britain. It has been a disaster for Europe, and it has been a disaster for the whole world.

My opinion is that if one can avoid a referendum, please avoid it.

Ms. Elizabeth May: *Dank je wel* even more. Okay.

I want to a question from a Twitter user. I'm sure you know Twitter in California. We're being watched by live streaming. Canadians are watching you from coast to coast. Matt Riser from Halifax asks, "What in your view, professor, is the most beneficial statistically significant outcome you have found that correlates with proportional representation?"

Prof. Arend Lijphart: I think the most significant and strongest correlations are with the quality of democracy. As I've said, I use a whole series of indicators of democratic quality. On all of those,

proportional representations works not only slightly better, but a whole lot better. There is simply no comparison between PR and FPTP in that respect.

What is also important is that it works better for effective government, which has long been the argument against PR. Many advocates of FPTP would say, "Yes, of course, PR is the more democratic option, but we should worry about other things than just the quality of democracy. We have to worry about effective government." The evidence is now in and it's clear that for effective government, PR also works better. PR systems and consensus democracies have a better record with regard to effective policy-making.

• (1510)

Ms. Elizabeth May: Professor Lijphart, having read your book and looked at your research, I'm struck by how much work goes into being able to make a summary statement such as the one you just made. You must have had large team studying empirically the results of 36 democracies over as long a time span as you looked at, from the end of the Second World War until now.

This is just a pragmatic question that occurs to me. How does one have the confidence to say, "This isn't an opinion, this is the fact"?

The Chair: We'll have to save that answer for another opportunity. We're at five minutes, but we look forward to the answer.

We'll go to Ms. Romanado now.

[*Translation*]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you, Mr. Chair. My thanks to the witnesses for joining us today.

[*English*]

I'll start with Professor Lijphart. You've written that the United States House of Representatives is insufficiently representative in three specific areas. The first one is election by plurality, or first past the post. The second one is the timing of the elections, specifically mid-term elections, and the third one is the size of the lower house, with 435 congressional districts. In your opinion, does Canada suffer the same insufficiencies other than our election timing?

Prof. Arend Lijphart: Thank you for your question.

Certainly, the election timing is important. The United States would be much better off if it had four-year terms for the House of Representatives rather than two-year terms. In fact, two-year terms are very exceptional. Almost all countries have four or five-year terms—although, of course, that may be cut short if the parliament is dissolved.

The weaknesses of the FPTP system in the United States have to do with the usual weakness, that it's not representative. In fact, in several of the last elections Democrats won a larger percentage of the vote than Republicans, but because of intentional gerrymandering and the way that populations are distributed, these Republican victories have occurred. Especially if a party actually wins the majority of the vote, it seems to me quite wrong that that party does not have a majority of the seats.

In the United States the further problem is with primary elections on the whole, which of course were meant to make the system more democratic. But these tend to give special strength to extremes in both parties—in the case of the Republicans, the so-called Tea Party especially.

Mrs. Sherry Romanado: I was actually referring to the Canadian system, comparing the two.

I'll move on to another question.

In your brief you recommended that perhaps mixed-member proportional be considered for Canada. Given that Canadians are very close to their members of Parliament, or would like to be very close to them, can you elaborate on what you think would be the outcomes in terms of citizen satisfaction of having that dual or two-tiered system of members of Parliament here in Canada?

Prof. Arend Lijphart: I think that question has been raised with regard to the German and New Zealand systems. You do obviously have two classes of members of parliament, ones who are elected in a particular district and ones who are elected from a list, but who obviously also live in a particular district. I think that is well-known to the voters. Obviously there are differences between these two different categories. But I think in the case of both Germany and New Zealand, this has not given rise to the kinds of problems where people would start saying they should change the system or to go back to the old system. If the feeling is that with MMP, the districts become too large, one possibility is to increase the number of members of Parliament, which may be unpopular in an age when politicians are not very popular. That is an obvious solution. I should have in my mind how many members you have in the House of Commons, but I don't think it's excessive now.

• (1515)

Mrs. Sherry Romanado: We have 338, after adding 30 in the last Parliament due to changes to the EDAs and ridings based on the last census. There was some pushback from Canadians saying that we're already top-heavy. I'm not sure, quite honestly, how Canadians would feel about the idea of having a mixed-member proportional system that might actually increase the number of MPs.

I'll save my 10 seconds for next time.

Thank you.

The Chair: We'll go to Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): My questions will be for Professor Lijphart.

Professor, in your presentation you observed that the breakdown of 10 first past the post versus 22 proportional representation systems exaggerates the use of first past the post, because, as you say, six of the first past the post countries are very small ones like the Bahamas, Barbados, and Botswana.

I would respectfully submit to you that, given that two of the countries are the United States and India, we have the second and third most populous states in the world using first past the post. While I am no particular defender of first past the post, I think your breakdown of the types of systems makes first past the post seem a more marginal system than in fact is the case when the largest and second largest democracies in the world both use it.

I want, however, to turn to the question of referenda. You were quite dismissive of referendums. You pointed out that you live in California and you don't like the way referenda are conducted in California. Of course, in Canada we are not proposing the idea of having referenda on multiple questions in parallel with every election, but rather on having, potentially, our fourth referendum in a little over a century on the issue of changing our system, so it's a bit different. I must say, however, I lived in Washington State for a period of time and I found that voters approached referenda quite intelligently, much more so than they did the parallel elections that were occurring at the same time.

Let me ask you this question regarding the referendum that was conducted in Switzerland in 1919, in which that country adopted proportional representation. Would it have been a more legitimate exercise if the parliament had enacted that change without consulting the people in a referendum?

Prof. Arend Lijphart: I think that certainly when a referendum is held and there is a clear majority, it adds a kind of imprimatur to the decision. On the whole, though, countries that have PR have adopted it without a referendum and I don't know of any kind of popular dissatisfaction with that decision.

Mr. Scott Reid: Right. In the case of Germany, for example, the much admired multi-member proportional system in that country was adopted because of the fact that the Allied countries at the end of World War II imposed it on the country. There was no input at all from the German people, either by referendum or other means. In the case of Ireland, their system of STV was imposed from the outside by the British when they were leaving. In the case of Scotland and Wales, it was similarly imposed through a process that cannot be said to have involved the representative bodies of those two jurisdictions, which didn't exist at the time.

May I take it, then, that a referendum is in fact at least as legitimate a means of adopting proportional representation or considering it as any other method?

Prof. Arend Lijphart: In the case of Canada, you're talking about a parliamentary decision, followed by a referendum, so it becomes a two-stage process. I certainly would not consider a referendum illegitimate in itself and I think a case can be made that a change in the electoral system is indeed a very important decision. I think the problem with referendums is that other issues often come to the fore. In Australia, for instance, referendums generally tend to fail because they just mean that the people can express dissatisfaction in general without reference to the specific issue of the referendum. I think, actually, that happened in the case of Brexit, too; that people did not always realize they were talking about this specific issue, but expressed general dissatisfaction.

• (1520)

Mr. Scott Reid: Thank you very much, Professor.

The Chair: We'll go to Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Over the past three weeks when I've been back in my constituency, I've had a bit of time to review some of the testimony that we've heard, and it dawned on me that we've actually heard a lot of people speak quite favourably about proportional representation.

Over the three weeks I was able to meet with a number of constituents. I did a town hall and a couple of dinner meetings. I've been door knocking and then out at community events asking people about their thoughts on electoral reform, and we're getting into some discussions about the values that people hold.

I'm trying to reconcile in my mind some of the things I'm hearing and how they fit with a PR system, a proportional representation system.

Professor Lijphart, I'll start with you to get your thoughts on a couple of these. We've heard many positive things in testimony from experts and I'm trying to see if there's any sort of dark side to proportional representation. One of them comes down to this. When people look at the model—this idea of five to six MPs for a larger constituency—one of the values coming out of my discussions with people is the clear connection between a constituency and its member of Parliament. I've had people on the doorstep say to me, “John, I like it that if your government is doing something good, I can go to you and tell you; but, also, if you're messing up, I have somebody to go to, clearly, and to hold to account.”

I'd like your thoughts on examples that you've studied. How does that work? How do constituents actually hold their members of Parliament to account within these larger ridings with five to six members?

Prof. Arend Lijphart: That is a good proportion. In some proportional representation systems, as in my native country of the Netherlands, the entire country is one district. While that has worked well, I would not recommend it for other countries. I would not recommend it for Canada.

I think the advantage for voters of having more than a single representative elected in a district, and members of different parties being elected, is that they can still go to a representative with questions or comments on what the government has been doing. If those voters in the past have not voted for the representative who won the election, now they have the advantage of going not only to a representative of their district, but to a representative whom they actually feel comfortable with and they have voted for.

Mr. John Aldag: I guess where I am going with my question is, do you find there is, or have you seen, clear accountability between this group of members of Parliament and their constituents? Are constituents generally satisfied? I ask because this will be new. Proportional representation is probably the most extreme change that we could go to, and that's the thing people are having the most concerns with. It's the biggest leap for them to make.

What kind of accountability have you seen that gives people that confidence that it works for them?

Prof. Arend Lijphart: Of course, the shift to proportional representation in those countries that now have PR was generally from single-member district systems, so it was a big leap for all of those countries.

On the direct contact with the representative, I think it works as well when you have several members representing the same district, as I've mentioned before. Perhaps there's one fact that is especially important. In opinion and survey questions, when people in different countries were asked how satisfied they were with the system of

government, with the democratic system of government they had, on the whole people in the countries with proportional representation had higher satisfaction with the government than in the FPTP countries.

• (1525)

Mr. John Aldag: Okay.

Do I still have a minute?

The Chair: You have 30 seconds.

Mr. John Aldag: If we run out of time, I can come back.

Another one that's come up gets into the unique geography of Canada. I look at our northern three territories representing over one-third of Canada's land mass—it's probably more than that. We currently have three members of Parliament from the north, so to get into this five-to-six range, we'd probably have to take a half of the northern portion of our western provinces as well. We get into these very massive pieces of land.

In my riding, a southern riding....

I'll come back to this one. I'm getting the eye here.

The Chair: You made your point.

Mr. Dubé.

[*Translation*]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Chair, thank you for your welcome and for that of your committee. I'm very happy to be taking part in your work.

Professor Lijphart and Professor Pelletier, I was delighted to hear your testimony. My questions will go to you, Professor Pelletier.

I was very interested in the answer you gave to a question a colleague asked a little earlier. You talked about a reform worthy of the name. As a former minister, you are certainly aware of how important it is for the work of a committee like ours to end up with a concrete result.

Personally, I feel that all the work potentially to be done here and in Parliament runs the risk of coming up only with changes that I would venture to call cosmetic. I don't believe that they will be enough. Do you share that opinion?

Second, in your opinion, what will have to be the result of the committee's work in order for us to be able to say that the government has fulfilled its commitment to reform our electoral system and that we have come up with a reform that would be, as you said, worthy of the name?

Prof. Benoît Pelletier: I do not know the exact purpose of your question, but, at the risk of disappointing you, it is not for me to judge the content of the recommendations that this committee will eventually make, or what the Government of Canada might propose. Will it be enough or not? Will it be a major reform or not? It's still too early to fully answer those questions.

That being said, when you change the method of voting in a significant way—what we normally understand by the word “reform”—you are changing the political culture of a country. It's as simple as that. It is not just a matter of modalities or technicalities, but it's also a matter of culture. It really is a question of values—

[*English*]

because choosing an electoral system is choosing the values that we as a country want to emphasize. What are the values that we value the most? This is one of—

[*Translation*]

Mr. Matthew Dubé: Forgive me for interrupting you but I only have a little time. I would like to be able to deal with all my topics.

You mention values. That is a good point. You briefly listed the criteria of the parliamentary system inherent in the Westminster tradition. One of the important elements is the responsibility that the executive power has to the legislative power. Given that our method of voting dates from a very long time ago—when there were only two parties, when women did not have the right to vote, and so on—do you believe, for example, that a proportional system would allow us to better respond to the need to have the executive power as part of the legislative power, responsible to it and to the parliamentarians who make it up?

Prof. Benoît Pelletier: Let me lay things out differently.

I feel that we could have a mixed-member proportional system at the same time as we have a government that takes part in the legislative activity, that is accountable to the legislative power and whose political legitimacy comes from the assembly. We can have a system in which members are, at the same time, chosen by the direct vote of electors in the constituency and also chosen from lists. You could have such a system while still having an executive power responsible to the legislative assembly. There is nothing incompatible in all that.

Mr. Matthew Dubé: Of course.

Let us look at the issue of Quebec.

We recognize that it is important that the regions are represented, which is why we call it a “mixed-member proportional system”. Have you been able to draw any lessons from that process, specifically on the way in which members of this committee could better ensure that we keep this important feature even while tending towards a system that is more representative in the way citizens vote in an election?

Prof. Benoît Pelletier: I do not know how long I have to answer you, but I could keep a part of my answer for other comments.

The regions were actually one of the factors that caused the reform to fail. At some stage, they expressed their opposition to the reform of the method of voting in the belief that it was to going to create some distance between the elector and the elected, which would have put them at a disadvantage.

Mr. Matthew Dubé: However, if you consider the fact that people in some constituencies believe that they can vote for the Prime Minister, do you believe that the distance already exists and that the fact that the system is a little more stable rather the responsibility of the elected—

• (1530)

The Chair: That is a good question, but I have to interrupt you.

Mr. Matthew Dubé: That's fine, Mr. Chair. No problem.

The Chair: The question is going to require an in-depth response. An opportunity may arise at another time.

Let's move to Mr. Richards now.

[*English*]

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

Mr. Pelletier, I want to ask a couple of questions of you. As has already been mentioned, you have that unique perspective of academic expertise and experience, but you also have that practical experience and expertise, having participated in the political process as an MNA and a minister in Quebec. You've had lots of opportunity to use your academic expertise and experience, and in your opening remarks you gave us a good overview.

I want to focus a bit on your practical experience from your time as a minister, when your government looked at the possibility of changing the voting system to an MMP type of system. I think even in the platform in one election there was some indication that the province might move toward a more proportional type of system. Looking at it again, it was determined that Quebec should not proceed that way, and ultimately no change was made.

I wonder if you could elaborate for me on why that was considered and why it ended up not proceeding. Was it simply that there wasn't enough public support to proceed with that type of change? Why was it not adopted?

Prof. Benoît Pelletier: Yes, different factors came into play.

[*Translation*]

First, the will of the people has been overturned three times in Quebec's history. In 1944, the Quebec Liberal Party won more votes than the Union nationale, but the latter won more seats. In 1966, the same thing happened. Finally, in 1998, the Quebec Liberal Party won more votes than the Parti Québécois, but the latter won more seats. Those three reversals of the will of the people brought about a serious questioning of the single member simple plurality system.

That is basically what led our government, after being elected in 2003, to consider reforming the method of voting and suggesting a dual-member proportional system.

The dual candidacy implies that people can be both candidates in a constituency and have their names on a party's list at the same time. At that point, I started to explain, both to voters and parliamentarians, that it meant there would be two different classes of MNAs.

[*English*]

I think that people said, “Well, we didn't know that it would go that far, and we're not sure about what that would mean, and we're not sure that we are in favour of that.”

I think that most people were in favour of a reform, but when I gave details about that reform, it then began to fail. The interest groups that were particularly in favour of a reform, at the end, did not support the government because the formula that we advanced, or the type of reform we proposed, was not their formula or the formula they had in mind.

Since they didn't have the type of reform they had in mind, they decided that instead of supporting the government for another formula, they would not support the reform and instead wait for a reform adapting their formula in the future.

● (1535)

Mr. Blake Richards: Yes, it sounds as though it was an effort made, but the support wasn't there for the decision. There are different ways that can be determined. We've argued that it's important to have a referendum to try to determine whether there is support to move ahead. Your government made the decision not to proceed, knowing that the support wasn't there. That was something you determined at that time.

Would you say that the feelings in Quebec toward that type of system would still be of that nature? What would your sense be of the support in Quebec for a reform of that type at this point?

The Chair: Perhaps we could come back to that. You'll have another opportunity to ask a question in the second round, and we could hear the answer to that then.

Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, professors, for being here today.

As I'm sitting here and contemplating all of the meetings that we've been having, it's been quite fascinating. I'm thinking about what this committee has been mandated to look at, the factors of fairness and inclusiveness. My colleagues and I have been talking about voter turnout, the link between an electoral system and satisfaction. Some experts have said that it's hard to decipher what voter satisfaction is.

I was looking at a list online a little while ago when my colleague across the aisle had pointed out India as being a large democracy. I was looking at India's voter turnout, which seems to have been quite a lot higher in some of their recent elections than here, and then I noticed that Kenya is a country that has about 85% voter turnout. As I was looking at that I was thinking that these countries have first past the post systems, yet their voter turnout is quite high. So can we really say that's the reason we don't have high voter turnout and that changing our electoral system will necessarily solve that problem?

Prof. Benoît Pelletier: May I say something, Mr. Chairman?

The Chair: Yes.

Prof. Benoît Pelletier: I can tell you that in the case of Quebec, when we started we had different studies showing that electoral reform would not change turnout at elections. That was not something we could take for granted. In other words, the turnout would almost be the same. If we had to change our electoral system, it would be to promote other values, such as the participation of small parties, the expression of diversity in the House, and so on. But the studies, at least, indicated that there would not be a major change in turnout.

The Chair: Professor Lijphart, would you like to address that question as well?

Prof. Arend Lijphart: Yes, I would be happy to.

In my study I found that turnout is positively correlated with consensus democracy and proportionality. If you look at a large number of countries, obviously you can find individual instances of high turnout in FPTP countries, and perhaps relatively low turnout in consensus democracies, but when you look at countries overall, the correlation is very clear that PR countries have higher turnouts than FPTP countries.

There are two reasons for this—logical reasons that you would expect. One is that PR gives the voters more of a choice, so if a voter likes a small party, they are more likely to come out and vote for that small party, and they will perhaps not vote when, in fact, the candidate of that small party simply has no chance at all. The second reason is that if you have FPTP, you have a number of districts that are safe for one party or another party, and in that case the party that is disadvantaged in that particular district is not likely to make much of an effort in that district.

● (1540)

Ms. Ruby Sahota: May I ask whether the Netherlands has compulsory voting? I can't remember off the top of my head at this point if it does. I know that Australia does.

Prof. Arend Lijphart: Yes.

Compulsory voting is also correlated with higher turnout, and I have written quite a bit about the use of compulsory voting. I think it's a good thing. Relatively few countries use it. Interestingly, both an English-speaking country—namely Australia—and a non-English-speaking country, Belgium, do. But they're in a minority, so I'm not going to make a strong case in favour of compulsory voting. The only thing I would want to say about it is that the English term “compulsory voting” is very—

Ms. Ruby Sahota: So for those countries that follow a form of PR and do not have compulsory voting, can you give me an example of a couple of countries and their voter turnout percentage, approximately?

Prof. Arend Lijphart: I think that in proportional representation countries, the voter turnout tends to be between 70 and 80%, and in FPTP countries—I don't know the figures for Canada—it's more like 60%. The normative aspect of compulsory voting is, of course, that one cannot impose any compulsion to vote even when voters have to, quote-unquote, “vote”—

[*Translation*]

The Chair: Thank you.

[*English*]

Prof. Arend Lijphart: —they can obviously vote a blank ballot or make their ballot invalid.

[*Translation*]

The Chair: Thank you.

[English]

Prof. Arend Lijphart: People can be told they have to come out and vote, but they don't have to vote.

The Chair: We'll have to go to Mr. DeCoursey now to start the second round.

Mr. Matt DeCoursey: Thanks again, Mr. Chair.

[Translation]

I would like to go back to something we talked about earlier.

If we change our electoral system, we are possibly, definitely, changing the political culture. I would like to explore that a little more deeply.

Professor Pelletier, in your opinion, how should that reality be presented to Canadians during our trip to the regions of the country and to the various meetings we are going to have with them? Should we ask them which system they would like or should we present all the systems to them and ask them to choose the one they prefer? Should we ask them about the values they would like to see reflected in the electoral system or in the system of governance?

Prof. Benoît Pelletier: I feel that the main question should deal with the values that people want to embrace. The choice of those values can then lead to different voting methods that might perhaps interest them. This committee must be very open, but, in my opinion, the government itself will have to opt for one system in particular. What was probably lacking in British Columbia and Ontario is the fact that—

[English]

the government was not behind the proposal. If a government is behind something, and tries to explain something, it may convince more people to go ahead with such a reform.

[Translation]

In my opinion, the values are important. In the situation we are dealing with, there must be a very honest explanation of the different systems, given that each of them has its strengths and its weaknesses.

At the same time, in my opinion, the government will have a choice to make. One minister will probably be taking the lead in this. Having one minister carrying the ball and a government standing up for one point of view is quite a strength in our democratic system, in my opinion.

[English]

Mr. Matt DeCoursey: After asking Canadians what value they want to see reflected in this system and in their style of governance, and after choosing a system that best tries to reflect those values, there will still be challenges to overcome when putting into effect the system and educating Canadians about that system. You mentioned some of the constitutional considerations involved. What might be the two or three challenges you think we should most be prepared to work on to overcome, and to educate Canadians about, as we examine and deliver an alternative system?

• (1545)

[Translation]

Prof. Benoît Pelletier: I can tell you that, in Quebec's case, the size of the electoral constituencies was a factor that came into play

for many people. In fact, the idea of increasing the size of the already existing constituencies displeased a lot of people who feared that they would have less direct and less frequent contact with their MNAs. The positive side of all that is that it demonstrated the attachment that Quebecers had to their MNAs. That was an extremely important factor.

In addition, when you are talking about a mixed-member proportional voting system, there is a choice to be made. Will it be compensated for regionally or nationally? That has to be clearly explained to people. People also have to know that having two classes of members is something that exists in other countries and that the members there have found ways in which to work together in harmony. I was talking about that to my own colleagues.

[English]

I was saying to one of my colleagues, for example, an MNA, a member of Quebec's National Assembly,

[Translation]

there would be the dual candidacy.

[English]

Does that mean the person I would defeat in the riding would become an MNA through the list? I guess.

It's not acceptable.

[Translation]

The Chair: That is interesting.

[English]

Prof. Benoît Pelletier: If I defeat someone, the electorate has spoken. I don't want the idea that person becomes an MNA—or an MP in your case—through another way.

[Translation]

The Chair: Thank you.

We now go back to Mr. Deltell.

Mr. Gérard Deltell: Thank you, Mr. Chair.

Professor Pelletier, your comments are really interesting. I am going to come back to you in a few moments, but I would now like to ask Professor Lijphart a question.

[English]

Professor, you said earlier that we in Canada will be inspired by the New Zealand experience, because we are from the same process. We were born under the British government, under the Commonwealth, and they have made a change. However, we should also recognize that in New Zealand it took them more than 10 years before they moved to a new system: it took three elections, 18 months of a crown commission, and three referenda. Don't you think we should be inspired by the experience of New Zealand in terms of the process, and not only the result?

Prof. Arend Lijphart: I think the New Zealand experience is an extremely interesting one. In the case of New Zealand, it happened in spite of the opposition of the two main parties that had been the beneficiary of the previous FPTP system. In some ways you can say that in New Zealand it happened by accident. In fact, the two major parties tried to scuttle the change to PR, and it only happened because there was a strong popular movement that demanded a referendum. Reluctantly the governing party allowed that referendum, but it still tried to structure it in such a way that the outcome might be the defeat of PR. As you said, there were three referendums, one on which of the alternative methods should be chosen. The winner of that was placed against the FPTP system.

I think the reason it took such a long time in New Zealand was that the political establishment was against it. I think a better way to do this is for the representatives of the people in parliaments, as in your House of Commons, to discuss it and not have to push it through against the wishes of the major traditional players.

• (1550)

Mr. Gérard Deltell: It's interesting what you're saying, professor. You're saying that it's not the political elite who have the last word, but the population. Is that the way we should follow?

Prof. Arend Lijphart: In the case of New Zealand, the political elite tried to stop the change that I considered desirable. I'm hoping that in Canada the political elite are more broad-minded, will allow serious discussion, and will conclude that PR is the better option.

Mr. Gérard Deltell: The best way to know what the people want is to have a referendum, isn't it?

Prof. Arend Lijphart: As I understand it, in the case of Canada, in the last election a change in the electoral system was part of the campaign. I think the party that favoured it won a majority. I think Mr. Trudeau, of course—

Mr. Gérard Deltell: Oh, yes, sure, sir. This here is the program of the government party that I am showing you. Of its 97 pages, there are only three sentences on that issue. Don't you think that is important?

Prof. Arend Lijphart: Oh, I cannot—

Mr. Gérard Deltell: I think so, don't you?

Prof. Arend Lijphart: —it's too important, but thank you.

[Translation]

Mr. Gérard Deltell: Thank you.

Mr. Pelletier, we only have a few moments left.

I want to come back to the experience in New Zealand. That country needed 11 years, two referendums, and then a third to confirm everything. It took three elections. As Professor Lijphart so rightly said, the political elite did not want anything to do with it, but the people had the final word. That took more than 10 years.

The current Chief Electoral Officer and his predecessor have told us here that we will need a minimum of two years to put in place any change at all. Do you feel that it is reasonable and realistic to want to bring about a major electoral change by the next election, given that, in the months that remain, we will have to make a decision, hold a public debate on it and announce the change?

The Chair: You only have 15 seconds.

Prof. Benoît Pelletier: I don't know, Mr. Deltell. I can't tell you whether the proposal is realistic or not.

The Chair: Thank you.

We now come back to Mr. Boulerice.

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

I would like to ask Professor Lijphart a question before I turn to Professor Pelletier.

I feel that it is increasingly clear that proportional systems are more representative, more stable and more effective. They encourage dialogue between political parties, given that parties have to work together. In addition, they provide better public policy than governments that evolve in a "winner takes all" kind of system.

However, some people seem to have some hesitation, some doubt, about the two types of members, the ones elected locally and the ones elected from the lists.

Could you explain to us how things are done in the many countries that have operated in this way for decades, and tell us how voters perceive those two kinds of members, who are elected in slightly different ways?

[English]

Prof. Arend Lijphart: I think the fact that with MMP... Of course, if you have STV you do not have that, and I think STV is a reasonable option for Canada, or any country as well.

With MMP you do have the fact, and I would not consider it a problem, that you have two different sets of legislators. In practice, in both Germany and for a shorter time in New Zealand, this has not caused a big problem. A party still tries to put people on the list so that the list is geographically dispersed, and so in many cases in a particular district or a riding, as you call it in Canada, you will in fact have two representatives from that district, one elected from that district and one elected from a list. They may well be representatives from two different parties, so that the people can feel comfortable with at least one of these representatives. This depends, of course, on how the parties manage the process of putting together the list, but I think that, on the whole, is the way that parties have tried to do it in Germany and New Zealand.

• (1555)

[Translation]

Mr. Alexandre Boulerice: Thank you, Professor Lijphart.

Professor Pelletier, in the process that went on in Quebec and in the National Assembly, the proposal basically was for a mixed-member proportional system. If I recall correctly, we were talking about 77 members who would be elected by the system we know currently, and a compensation of 50 members. There was no need to add a large number of members for the system to function. We only needed two.

But some people were afraid that candidates could practically guarantee success in the election by being part of both systems. Could you tell me the reason why the mixed-member proportional system was chosen and whether we could have avoided significant problems by preventing candidates from throwing their hats into both rings?

Prof. Benoît Pelletier: The Government of Quebec wanted to reconcile various factors. One of them was regional representation. That led the government to choose regional compensation over provincial compensation.

The second factor that the government considered is that it wanted a relatively simple system. So voters voted only once but, in a way, the vote was transferred onto the list according to a system that calculated the total number of votes for a political party in an electoral district. That was divided by the number of seats won, plus one. Each time, the remaining seats were distributed. Actually, the calculation was that there would be about three constituency members and two members from the list in the same electoral district. The seats from the list were distributed according to the calculation I have just described.

From the outset, the dual candidacy seemed to be the rule everywhere. In 2006, if I am not mistaken, I made a ministerial statement putting a time limit on the process. However, I had asked Quebec's chief electoral officer to produce a report, which he did in 2007. At that point, I opened the door to the possibility of two votes, meaning one for the constituency member and one for the list. I felt that that procedure was fairer for small parties.

The Chair: Thank you.

Prof. Benoît Pelletier: In addition, we would be less open to the accusation that we had developed an electoral system to favour ourselves.

The Chair: We have reached the end of the time Mr. Boulerice had for questions.

We now move to Mr. Thériault.

Mr. Luc Thériault: Mr. Chair, I am going to share my time with Mr. Ste-Marie. He can have the floor.

The Chair: You told me that at the beginning.

Mr. Ste-Marie, the floor is yours.

Mr. Gabriel Ste-Marie (Joliette, BQ): Good afternoon, professors and colleagues.

My question is for you, Mr. Pelletier. It deals with the principle of federalism that you briefly explained earlier.

If I understood correctly, constitutionally, the principle of the proportionate representation of provinces is in order to protect minorities. If we adopted a mixed-member proportional voting system that involved lists, do you believe that that system could not operate Canada-wide and should operate by province to remain constitutional?

Prof. Benoît Pelletier: I have not thought about the modalities that a national list system would involve, but there could be a national list, redistributed regionally. That means that, in the case we are dealing with, there would be a provincial redistribution that would observe the principle of proportionate representation.

What I am saying is that the United States has a political system that is completely different from ours, but it is still a federation. The same goes for Russia. The fact of being a federation does not pose an obstacle to the reform of the method of voting. The obstacles are those that I spoke about during my presentation. They are limits or

parameters rather than obstacles to the reform of the method of voting.

Mr. Luc Thériault: I am going to continue my comments along that line.

Professor Pelletier, I would like to thank you for this remarkable analysis.

We will talk a little later about the decision in the Figueroa case. I am going to try and ask questions in quick succession if I possibly can. My colleagues know how difficult that is for me.

The decision in the Figueroa case rests on the value of equity, especially in terms of the funding of political parties. Equity also drives this desire to reform. Do you not feel that, at the same time as we are reforming the law, and if it is necessary to hold an election with a different method of voting, we will have to re-establish state funding for political parties in order to allow for ideological plurality on the start line during that election?

• (1600)

Prof. Benoît Pelletier: Yes.

In Quebec, we had a plan to reform the method of voting and we also wanted to change the elections act. I have always believed that substantial state funding was something to be valued in a society. However, it must perhaps not be full state funding because the people's participation seems to me to be an important principle.

But you previously mentioned the decision in Figueroa. In paragraphs 167 and 168 of that case, Justice Lebel wrote at length about regionalism and regional representation. Some might believe that the principle of regional representation becomes an obstacle to electoral reform. In my opinion, that is not the case as long as each province is well represented and the principle of proportionate representation is maintained.

Let me draw your attention to this. The Supreme Court of Canada said, in its reference in relation to the Upper House in 1979 and in its reference in relation to the Senate in 2014, that the Senate's function is to be the voice of the regions. Now, senators are not elected. That means that it is perfectly possible to have a chamber made up of non-elected people and still maintain the idea of a regional voice and the principle of regionalism. The same principle would apply for a reform of the method of voting.

Mr. Luc Thériault: We could talk about that again. I wanted to ask you that question, but you answered it yourself.

We have lived through the pitfalls of the process. I am commenting here because of the experience we went through when we did not deal with the pitfalls. In terms of the current process, some experts have told us that representative democracy has allowed us to move forward. We have been told that, because it is a complex matter, we could forgo the will of the people in order to set up the advantages and the various voting methods.

Do you not feel that the work of this committee should not be rushed and that it should perhaps culminate in a draft bill that would involve much more specific consultation in order to seek the agreement of the citizens of Quebec specifically—

The Chair: That is a huge question. Mr. Pelletier, I don't know if you can provide a yes or no answer.

Prof. Benoît Pelletier: No.

The Chair: Thank you.

Ms. May, the floor is yours.

[*English*]

Ms. Elizabeth May: I am going to return to exactly where I left off with Professor Lijphart, because I think, as my colleagues around the table have mentioned, we are hearing opinions from a lot of experts, and this is a 36-country study in which I understand you are saying that these are facts, that this is empirically known. How many researchers have concluded, and how confident are you, that there's a pattern to democracy such that by changing its electoral system, Canada would join those countries that have more stable governments, a better quality of democracy, better macroeconomic performance, and better environmental protection? Those are some of the indicators in your studies.

Prof. Arend Lijphart: Obviously, I cannot make any specific prediction of what would happen to Canada if it were to move to proportional representation. But my conclusions are based on very clear facts that are indisputable. Nobody can be 100% confident, but I am quite confident that for Canada, it would be a good move to change the electoral system to some form of proportional representation. As I've said, I have no strong preference for a particular kind. There are some systems that I think are more likely to be adopted in Canada, but I'm quite confident that this would be a good thing for Canada.

• (1605)

Ms. Elizabeth May: I'm going to ask you a question now that came to us from Twitter. It's from one of the more well-known, non-governmental organizations in Canada that promotes proportional representation, so I suspect that Fair Vote Canada may already know the answer to this tweeted question, but they want to know from you, how do women fare in PR countries? I think they mean by that, how many women get elected?

Prof. Arend Lijphart: We obviously have very good figures on that. The degree to which countries are proportional, have a consensus democracy, correlates in significant ways with the number of women elected to Parliament, with the number of women in cabinet, and also with general measures that the United Nations has developed of gender inequality. Basically, the rights of women tend to be better on the whole in the consensus democracies.

Ms. Elizabeth May: Thank you.

Do you have any view on the following? I'm throwing you a question that you've had no time to consider, but our former Chief Electoral Officer, Jean-Pierre Kingsley, wondered at committee if we could do single transferable vote by clustering ridings in those parts of Canada where the populations were more dense and lent themselves to that, and leave things as they are in our larger ridings, such as those of our territories. That would be a hybrid system, though I don't like the idea of leaving anyone with first past the post.

Have you seen countries adopt a bit of PR and a bit of not-PR in order to accommodate regional differences of that kind?

Prof. Arend Lijphart: I think Ireland is probably an example, where the number of representatives per district ranges between three and five, so that there are some districts that are in fact closer to being a one-member district. I don't have this at my fingertips and would have to look it up, but I also think that in Switzerland most of the cantons elect representatives by proportional representation, but a few smaller, very small, cantons have just a single representative. If you have a single representative, you necessarily need a majoritarian system, but not necessarily FPTP. You could use the alternative vote system, which also works with voter preferences. That would be my recommendation if it becomes impossible to have multi-member districts and you need a few single-member districts, that is, if you're going to use STV, which is a preferential system, to also use the preferential system for that single-member district, which would be the alternative vote.

The Chair: We'll go to Ms. Romanado now.

Mrs. Sherry Romanado: Thank you very much.

[*Translation*]

My next question goes to Professor Pelletier.

Earlier, you mentioned the importance of providing people with information. In the exercise that was conducted in Quebec, as soon as people found out that there would be two kinds of MNAs, they said that they were not in agreement. We have heard other witnesses stress the importance of informing Canadians about our current system and about the ones we are going to consider.

But other witnesses have told us that Canadians—

[*English*]

don't want to “look under the hood”.

[*Translation*]

In your specific opinion, what is the importance of informing people about the positive aspects of all the electoral systems, as well as about the ideas that do not seem to be very good, like having two types of members?

Prof. Benoît Pelletier: Yes, indeed, openness is the major challenge. At the same time, outlooks change a lot.

A little earlier, I was asked if Quebecers would react in the same way today to the proposal for mixed-member proportional voting that the Government of Quebec made in 2006. Today, ten years later, I feel that people would be more open to it. In an exercise like this, you have to trust the people. If they are not ready, they will say so. They may be ready later.

The government has a major role to play here. A little earlier, I said that I believed that the government had to take a position, but that it should also explain that position frankly.

• (1610)

Mrs. Sherry Romanado: Some have said that a change in the electoral system would not affect the turnout rate in the elections. In the last election, there was a significant increase in the participation rate by young Canadians.

After hearing suggestions from other witnesses, what in your opinion would be the best way to encourage young Canadians to become more involved in democracy, not only by going to vote, but also to stand as candidates?

Prof. Benoît Pelletier: First, I was telling you that studies we had access to in government indicated that there would be no real change in participation in elections. However, we all heard from Professor Lijphart that, in his opinion, it would influence the vote. Basically, two different opinions have been expressed. Personally, I am talking about the studies that were available to us in the Government of Quebec.

It is very clear to me that the people must be invited to be part of the debate. The progressive idea of holding town hall meetings is excellent. People have to have their say. Ideally, they would come to them to talk about it amongst themselves. That would be the best way to encourage people to take a greater part in the whole democratic process.

In addition, as a government, we also looked at requiring the lists prepared by the political parties to be half made up of women. We also thought about mechanisms to encourage political parties to get more women and people from cultural communities elected, such as by reimbursing election expenses and additional funding.

It must be said in passing that all that could be done, even within the current system, except when it comes to the people high on the lists. In fact, even under the single member simple plurality system, there could be incentives for political parties to get more women and people from cultural minorities elected.

[English]

The Chair: Thank you.

[Translation]

Prof. Benoît Pelletier: A government that truly wants to encourage the public to start off a new debate and to participate in it has all the public space it needs to do so right now.

[English]

The Chair: *Merci.*

We'll go to Mr. Reid.

Mr. Scott Reid: My questions once again will be for Professor Lijphart.

Professor, I can confirm what you were saying in your response to Ms. May vis-à-vis the way in which proportionality or *Proporzdemokratie*, as it's called in Switzerland, is applied from one canton to the next. The largest canton, of course, is Zurich. It has a large number of deputies who are elected through pure proportionality. I had the chance to be in the smallest canton, Appenzell Innerrhoden, a half-canton, in the early 2000s when an election was under way. The way they do things there is that they elect their single representative by means of what is called a *Landsgemeinde*, the same citizens' assembly that votes on their laws.

I wanted to ask you, however, if you think, upon reflection, it is wise, as you initially had suggested, to consider in a country with a large geography like Canada mixing preferential and proportional representation. The question has arisen here whether we can get away with having multi-member districts in very large rural parts of

the country, and you suggested that we could have single-member districts with preferential balloting in those parts of the country, and then multi-member districts in the cities.

There's an organization in Canada that recently proposed dealing with this problem by having single-member districts in the rural and remote areas; multi-member districts in the cities; and then adopting essentially a model of top-up MPs, a list system, effectively, for the rural parts of the country to compensate, effectively thereby achieving, as they put it, the advantages of the mixed-member proportional system. By the way, that's proposed by Fair Vote Canada.

I'm wondering what you think of that way of handling the issue of rural and remote areas that seems to require single-member districts.

• (1615)

Prof. Arend Lijphart: If I understand you correctly, you're still talking about a mixed-member proportional system also for the rural districts because the top-up would be done by the list vote.

Mr. Scott Reid: That's correct.

Prof. Arend Lijphart: It seems to me that could work quite well. Basically, then, you would choose an MMP system. I think it would be desirable for the whole country, basically, to have the same system, not to have MMP for parts and STV, for instance, for another part of the country.

With MMP, of course, you will still always have the single-member districts. Both in the case of Germany and New Zealand, and I guess Wales and Scotland as well, they use FPTP in that single-member district and then proportional representation, which is a top-up, to make sure that the outcome is proportional. It seems to me that could work well.

Perhaps I could add a quick comment about the problem with MMP that many people have argued, the problem of having two classes of representatives. I think when one talks about electoral reform, it is important to realize that there is no perfect system; there's always a compromise that is necessary. The compromise with MMP is that people still want single-member districts. If you want that and you also want proportional representation, then MMP is the answer; then a consequence is that you have two different members of Parliament.

Compromises always involve things that may not be ideal, but in this case it may be a compromise that comes as close to the ideal as possible.

Mr. Scott Reid: How much time do I have left?

The Chair: You have 45 seconds. It's enough for a good comment or brief.... It's up to you.

Mr. Scott Reid: Well, perhaps it's just enough to say thank you very much, Professor.

The Chair: Thank you, Mr. Reid.

Mr. Aldag.

Mr. John Aldag: Professor Lijphart, on this idea of two types of MPs, I'd like your thoughts on a question from Twitter. The question is simply: are voters better served by two types of MPs?

What are your thoughts?

Prof. Arend Lijphart: I don't see any difference between that and having a single class of MPs. It may, in fact, be an advantage to have one MP who represents the specific interests of the district and an MP who represents a wider interest. So basically I think that when people talk about this as a fact, and it is a fact that there are two different kinds of MPs, it's a fact but it's not a problem.

Mr. John Aldag: Okay.

I have another Twitter-inspired question, although I'm going to take it and flip it on its head. The question is: from your research, what are the most detrimental outcomes correlated with PR?

Prof. Arend Lijphart: What are the most detrimental aspects?

Mr. John Aldag: Yes. You've spoken to the positive side. What is the flip side? There must be something from your research that has been shown to be a negative outcome, that could even be statistically significant.

• (1620)

Prof. Arend Lijphart: There are not very many negative outcomes for democracies. There tend to be negative outcomes for the bigger parties because big parties are the beneficiaries of FPTP, as they get overrepresented. That of course was the reason that the big parties in New Zealand were opposed to a change to proportional representation.

One fact that I think has already come up in previous questions and comments is that cabinets or governments may not last as long, may not be as stable under proportional representation as under FPTP, and that it also takes longer often to form a cabinet because negotiations have to take place. These are usually connected with the thought that these facts in proportional representation are bad for policy-making, but in fact when you look generally—again as I've said—between majoritarian systems and consensus proportional systems, the consensus proportional systems do just as well or in fact usually better than the majoritarian FPTP systems.

Mr. John Aldag: Do I still have a second?

The Chair: Go ahead. You still have a couple of minutes.

Mr. John Aldag: Professor Pelletier, I don't think you had a chance to comment on mandatory voting. We have question from Twitter on this. So could you take a moment to give your thoughts on mandatory voting and specifically if you have any thoughts on if it's compliant with the charter or if it could be in violation of any aspect of the charter.

Prof. Benoît Pelletier: We referred to that mandatory voting or "compulsory voting", as we called it a few minutes ago.

Mr. John Aldag: Right.

Prof. Benoît Pelletier: I don't think it would go against the charter because what the charter does recognize is the right to vote, and as long as the right to vote is respected, I think the charter is respected. Then it becomes more a question of what kinds of values do we as Canadians want to cherish or to promote. Is it in our political culture to impose a duty on citizens to participate in the democratic process? I think that our culture is more one in which we want to invite people, we want to make things more accommodating for people. Imposing duties, I don't think, is very much in our culture. At least it's not something that we at the time as a government had considered.

Mr. John Aldag: Thank you.

The Chair: You have about 30 seconds.

We'll go to Mr. Dubé.

[*Translation*]

Mr. Matthew Dubé: Thank you, Mr. Chair.

[*English*]

It's interesting hearing about young people, because I have to imagine that if it helps having more women represented in politics, it certainly would have the same effect for young people.

Moreover, it's would probably be interesting, Chair, if I may, to imagine the impact on young students as well. They're on university campuses, perhaps far from home, and in a proportional system they might actually be able to vote more for a party as opposed to a local representative given the interests they have. I certainly saw that in my time at McGill when I was politically involved on campus. But that's not my question; it's just a point I wanted to make.

My question, Professor Lijphart, is for you. A lot of hay is made about the instability that proportional representation could bring. I don't think that's quite true, especially when you look at the German example, which I think is a good one, and perhaps a more apropos one to bring up compared to some of the other ones we hear.

My question is about policy-making, which is the poor forgotten stepchild in this discussion. I think that a lot of Canadians feel that we're already in a perpetual election cycle, with 24-hour media, social media, and so forth. Therefore, I don't think we're necessarily getting the biggest bang for our buck. Instead of calling it "instability", would you agree with me when I say that proportional representation, rather than making the government unstable, might actually just force a certain party to work a little bit harder to get some better policy ideas and more broadly reached policy goals?

Prof. Arend Lijphart: The way you have expressed it is also the way I would answer it. I agree completely with you.

Mr. Matthew Dubé: Thanks very much. I appreciate that.

[*Translation*]

Mr. Pelletier, I would like to come back to an issue that is often discussed and that was raised on a number of occasions today: the two classes of members and local representation. So let's turn to the question you did not have a chance to answer earlier.

Many people vote for a party or for a prime minister whereas others like the work that their member of Parliament does.

Do you think that mixed-member proportional representation would provide the best of both worlds to those citizens who, in my opinion, form the majority? When we go door to door, we often hear people say that we are doing a great job, but that they might prefer another leader or party. They could have the best of all that with mixed-member proportional representation. We would have a system that truly represents the values of Canadians.

• (1625)

Prof. Benoît Pelletier: Yes.

Ultimately, the mixed-member proportional representation makes it possible to achieve two great objectives. The first is to reduce the discrepancy between the votes cast for, and the number of seats obtained by, a political party. The second is, if you will, to encourage smaller parties and diversity to emerge within an elected house.

That said, the first-past-the-post system has not served Canada badly throughout its history. We must not forget that Canada is the country that it is today largely because of its political institutions. The first-past-the-post system has likely contributed to the emergence of rather centrist parties. This has fostered the emergence of a strong centre, rather than the rise of divisions or factions in Canada. So it is not a bad system either.

Mr. Matthew Dubé: If I may, I would say that things have also changed. I mentioned this earlier. The news cycle is 24 hours a day and social networks are everywhere. This changes the perception of citizens who can follow the party leaders, the parties and the local work of their members of Parliament.

My question has to do with how to reconcile these two needs. Canadians want a prime minister who looks after not only local interests but also national or federal interests. We also have local members to look after local issues. Do you think it is possible to meet those two needs that, in my view, are still relatively new considering Canada's age?

Prof. Benoît Pelletier: I think the experience of countries that adopted the mixed-member proportional method of voting is telling. The two classes of members have learned to live in harmony. They have found a way to work together. I suspect that the same thing would happen in Canada.

Furthermore, the issue of political stability that you raised a moment ago is very interesting because political stability must be actually defined. In our current system, some complain that the prime minister has too much power. The fact that he would have to hold discussions before bringing forward some of his policies might not be a bad thing.

[English]

The Chair: *Merci.*

We'll go to Mr. Richards.

Mr. Blake Richards: Mr. Pelletier, in response to a question from one of the government representatives across the way, you made the comment in regard to electoral reform that if Canadians aren't ready, then they'll let you know. I think what I'd like to do is to follow up on that, because it's a point we've made quite clearly here as the official opposition, that it's important that Canadians have a say. Canadians need to determine whether they want to change their system, and if so, how. They need to have that say. We believe that firmly. It sounded to me that in your comments you were saying that you're favourable to the idea of a referendum. Would you agree that it's important that Canadians have a say? We think a referendum is obviously the best way to do that.

I wanted to get some sense from you if this is something that's absolutely critical. Must the government have the consent of the people to make this change, and if it doesn't have that consent, can it proceed?

Prof. Benoît Pelletier: Legally speaking, the government could proceed through Parliament.

Mr. Blake Richards: Of course.

Prof. Benoît Pelletier: There might be a qualified vote in Parliament with two thirds of MPs, for example, instead of a referendum. Let me tell you this, if the reform is "substantial"—and I used that word earlier—then there is a question of legitimacy related to the fact the population expresses its opinion on what the government proposes. The idea that a referendum is volatile, with all due respect, is not an argument in my view, because everything that is democratic is volatile. If we want to emphasize more democracy, then we have to deal with these volatile situations.

• (1630)

Mr. Blake Richards: Thank you. I appreciate that.

I want to ask about your perspective from having been a provincial legislator. When we're looking at changes like this, and we're looking at systems in different countries, Canada is a country with few good, direct comparisons. We're a large country, we're sparsely populated, and we have a great diversity amongst our different regions and amongst our different provinces. Any system that was looked at would have to be looked at through the lens of that Canadian reality, which is different from any other country.

One of things that's important in Canada is being able to make sure we have the different perspectives of the different regions and the different provinces as a part of anything that's done. I want to get your sense as a former provincial legislator, how important do you feel it is for the federal government to be consulting with provinces before introducing and passing any kind of reform in this regard?

Prof. Benoît Pelletier: To be frank, this is not something I would insist on, because the reform we're talking about would be at the federal level. In my view, there is no necessity to have the provinces on board, since it's at the federal level.

I usually insist very much on federal and provincial co-operation, so I cannot be suspected of anything on this question. To be frank, this is something that is going to exist at the federal level and in the federal order of government.

Mr. Blake Richards: Okay, fair enough. I appreciate that.

Obviously your perspective is that it's important for it to be legitimate, and it's important that the Canadian people have a say. The provinces, although it's maybe different from what your usual viewpoint, are maybe not as important on this one.

I also want to follow up on a comment you made. At the end of someone's time slot, you had a chance to comment on something but not to finish your remarks, so I'll give you that opportunity now. It was essentially about one of the ways these top-ups can be done, that someone who has finished second in a riding where they have the highest number of second place votes could be one of those top-ups. You said that was absolutely not acceptable. I want to give you a chance to elaborate on why that might be.

I know that on my part, I think I would be concerned—

The Chair: We're already at five minutes, so we're back to the same problem we had when Mr. Pelletier was asked to elaborate before, but I'll be flexible if you'd like to take 25 to 30 seconds.

Prof. Benoît Pelletier: Thank you.

What was not acceptable to some people was the idea that someone would be a candidate in the riding and at the same time would be at the top of a list. When that person was defeated in the riding, it was the result of a democratic expression of the population that "We don't want that person" or that "We prefer another person." The idea that the person could be an MP or an MNA through a list was not something that pleased parliamentarians, in particular, first, and some parts of the population second.

If I may, when I added the point that the person who was chosen from the list could become a minister, and theoretically could be the Prime Minister, that certainly did not please a lot of people.

The Chair: That's interesting.

We'll close now with Ms. Sahota.

Ms. Ruby Sahota: You were talking about town halls a little while ago as a good consultation method. I had my town hall on electoral reform yesterday, and I was thinking back to the comments that were made. There were some who had come prepared with an idea already in mind, because they had really looked into it. There were others who came out just to hear what this was all about. From those who didn't know much about the different systems that we're talking about, such as MMP and STV, it was a difficult concept to grasp right off the bat. For some newer Canadians, of whom I have quite a lot in my riding, they mentioned that simplicity is something that they were looking for in an electoral system.

With MMP or these systems where you have large districts and multiple members being elected, how long do the lists of candidates get? I imagine that parties are running multiple candidates in these districts, since they are able to get five, six, seven seats in these districts. How long do the lists possibly get up to?

•(1635)

Prof. Benoît Pelletier: I don't have the answer to your question. It all depends on how big the electoral district is.

What I may say, though, about the town halls that we talked about earlier is that it's very important to have people debating the issue and participating in it. The voice of a government, like the Canadian government, on any issue, is so strong. I would say that the government has to deal with this issue very frankly, very openly, and then we will see what the reaction of the public will be. The voice of the Canadian government is, as you know, extremely strong all across the country. It is also strong on this issue, and it will be.... So there is a necessity for participation in this. I'm sure it's something that no one will oppose. The government has to deal extremely frankly with this issue and to tell the population about the advantages and the disadvantages of any system that it would propose.

Ms. Ruby Sahota: Well, you've been through the process, so we're definitely working on doing that ourselves as well.

Mr. Lijphart, do you have an idea of how long these ballot lists, or number of candidates on them, can get?

Prof. Arend Lijphart: When you're talking about STV, the most important reason that STV is used mainly in relatively small districts is not to have too long lists of candidates that may be confusing to the voter. Of course, for the voters it's still not terribly complicated, because as long as they find at least one candidate they like among all of the candidates, they can vote for that person. They can also have a second preference, third preference, and so on. But in any case, when you have a five-member district, for instance, it's likely that several parties will nominate several candidates, so I don't think the list would have more than, say, 10 or 15 candidates. With MMP, there are not likely very many candidates in a single-member district, so that's not a problem. Then for the party-list candidates, it's the parties that present lists, and you vote for a party rather than individual candidates, and I think that's still not all that complicated.

Mrs. Sherry Romanado: Do I have any more time left?

The Chair: Thirty seconds.

Mrs. Sherry Romanado: Do you feel that people are able to educate themselves about 15 candidates?

Prof. Arend Lijphart: I think they may not know everything about all of the candidates, but they're likely to know the more prominent candidates. This is a theoretical problem. When you look at the practice, for instance in Ireland, it is not a problem that voters really have to struggle with.

The Chair: Thank you very much.

Thank you to the witnesses.

•(1640)

[*Translation*]

Your remarks were very interesting and enriching, from both intellectual and empirical perspectives. We are especially grateful that you came to meet with us during the summer, in mid-August. Thank you very much for your time and for sharing your experience and ideas with us. You are now free to carry on with your daily activities.

However, I invite the members to stay for about two minutes to study a very simple motion.

[*English*]

Thank you, Mr. Lijphart, for being with us from San Francisco today. It has been interesting to hear what you have to say.

[*Translation*]

Thank you, Mr. Pelletier. It was a pleasure to meet you after coming to know you through the media and on the political stage.

[English]

Colleagues, we have to deal with a housekeeping matter. As you know, the committee has an electronic survey on its website for the purpose of e-consultation around this question. We'd like to publish a press release, and we can only do that with your approval. The press release will give the public until October 7 to complete the survey if they wish to do so. The beauty of October 7 is that it is consistent with other deadlines we've set. For example, we've set October 7 as a deadline for submitting requests to appear and for submitting briefs, and so it will all be consistent.

Do you agree to our going ahead with a press release with this date?

Some hon. members: Agreed.

The Chair: Thank you very much.

The subcommittee will meet next door in room C-120 in about 15 minutes, and then we'll be back here at 6 o'clock for another set of hearings.

Thank you very much.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 014 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Monday, August 22, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Monday, August 22, 2016

• (1805)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):

We're now at meeting number 14 of our special committee's study of electoral reform.

We have three witnesses this evening. Thank you so much for making the time to be here not only in the summertime, but also the evening.

I would like to take a moment to briefly introduce our three witnesses. Professor Nathalie Des Rosiers is currently the dean of the Faculty of Law at the University of Ottawa, and former general counsel for the Canadian Civil Liberties Association. She is also former president of the Law Commission of Canada and a member of Fair Vote Canada's national advisory board. Professor Des Rosiers has been awarded the Order of Canada for her work on advancing civil liberties and has received numerous other accolades, including being named one of Canada's 10 nation-builders in 2010 by *The Globe and Mail*.

[Translation]

Christian Dufour is a lawyer, political scientist, writer and commentator. A columnist for *Journal de Montréal* and *Journal de Québec*, Mr. Dufour is also a researcher and a professor at the École nationale d'administration publique in Montreal. His areas of research include democratic institutions and electoral reform.

Through his work in the Quebec public service, Mr. Dufour acquired considerable experience in intergovernmental affairs. He has published numerous works on Quebec's identity, and on linguistic and political issues.

[English]

Harold Jansen is an associate professor of political science at the University of Lethbridge. Dr. Jansen has focused part of his research on electoral systems and electoral reform, as well as on the impact of the Internet on political communication and democratic citizenship. He has also researched the use of preferential voting, namely the single transferable vote, and alternative vote systems in Canada.

Welcome to all three of you. We're greatly looking forward to the insight you will be providing to us.

We'll start with Ms. Des Rosiers, if that's okay.

[Translation]

Prof. Nathalie Des Rosiers (Dean, Faculty of Law, Civil Law, Ottawa University, As an Individual): Good afternoon and thank you, Mr. Chair. I want to thank the committee for inviting me to

appear today. I will speak in English and in French. Copies of my presentation have already been distributed.

Today, I am speaking as a former president of the Law Commission of Canada, which produced a report titled "Voting Counts: Electoral Reform for Canada" in 2004. I thought the committee may benefit from understanding the reasoning behind the report and our view of the issues Canada was facing then.

[English]

In general, I will make three points on this. First of all, certainly I think the commission was quite clear, based on its consultation and its work, that our current electoral system must be modernized. The first past the post system has too many disadvantages to support Canadians' present and future democratic aspirations. I will talk a little bit about the philosophical roots of the system and how it's a bit 19th century-ish in trying to respond to a 21st century society.

[Translation]

Our vision at the time was that the system must be reformed. We came to the conclusion that it was necessary to add an element of proportionality and curb the system's negative effects.

[English]

In a way, we were trying to maintain the good parts of the first past the post system while remedying the bad parts. It was a moderate report that was aimed at helping Canadians and Parliament grapple with this issue of electoral reform at that time. The moderate but resolute language was about engaging with this, stressing that modernization is essential. It was a progressive language of evolution of our electoral system.

The second point I want to make is important. Some electoral systems may exacerbate some of the distortions we see in our system, in particular the difficulty of our current system adequately reflecting the diversity of the Canadian population. Here I will talk a lot about gender equity. We should be mindful of this now and in the future, and my recommendation would be that if the committee is poised to recommend something other than what we had recommended, we would urge it to take into consideration the impact of its proposal on gender representation. I think that would be essential.

The third point I want to make is that the process of electoral reform is ongoing. We must look at the changes now, but we must also increase the institutional capacity to continue to monitor the effectiveness of change. In our report we recommended that after three elections there be a thorough evaluation of what's going on. We also recommended that there should be an institutional mechanism to have an ongoing ability to monitor what's going on and to make the institutional adaptations necessary.

• (1810)

[Translation]

We should not have to wait for a legitimacy crisis to make changes to the voting system. In a way, I will ask your committee to consider the commission's recommendations. I am talking about all the recommendations; not only those on the system recommended by the commission, but also other recommendations, which had to do with the institutional capacity to properly assess what is happening in the system and to carefully examine gender representation issues.

[English]

I'll say a few words about the commission.

[Translation]

The commission was set up in 1997. Its mandate was to ensure that the law would remain relevant in Canada. It was a legislative body that reported to Parliament through the Minister of Justice.

The report on electoral reform was produced as part of a study on governance relationships in Canada. In particular, we were concerned that innovation, which seemed to be occurring around the world, was not reflected in Canada. Many new democratic practices implemented in other countries appeared to be struggling to emerge in Canada. The commission was independent and well placed to study the issue of electoral reform and begin the conversation on the topic.

Many issues came up in our consultations, including lowering the voting age and election financing. The commission followed its usual process. It created expert panels, held public consultations and developed web tools. A three-year process led to our report, in a way.

The reasoning behind the conclusions of our report was based on the following. Reform of the electoral system—that is, the method by which votes are translated into seats—is not a panacea. It does not resolve all political malaise or failures. In fact, the electoral system must be changed if it does not adequately reflect the values of a society or produces distortions that undermine the system's legitimacy. From a legal perspective, it is important for the parliamentary system to be viewed as legitimate. That is actually what gives the laws that are passed moral authority.

No electoral system is perfect. No system can perfectly address all values that a society may want to see addressed. However, systems can be assessed in terms of the preferences they assign to our values or the balance they establish among those values. The preferences of some systems come at too high a price. That was our conclusion regarding the first-past-the-post system. Its preference for stability was too costly, as it deprived us of a more adequate representativeness in terms of ideas and people.

[English]

We propose 13 criteria for the evaluation of the system, which are in the report and reflect some of the ones that you've identified already. I could talk about that and the report later. I'm still going to focus on why we chose MMP in the end.

We evaluated different families of systems in light of our criteria. One of them was certainly geographical and territorial representation. Another was fairness. Demographic representation came up over and over again in our consultation. There was also meaningfulness: voters do not want wasted votes, but want to have the impression that what they're doing is being translated adequately. There was also one person, one vote; an effective legislature; consensus-building; accountability; effective government; effective opposition; ease of administration; and ease of transition. The closer the new system is to the current system, the easier it will be.

We considered, though, that the political culture would evolve and that it's dangerous to try to predict how actors will act and who will be the winner and who will be the loser. Our view was that we indeed had a robust democratic culture in Canada and that actors would adapt to the new system and make it work, so there was a certain way in which it was dangerous to assume that there would be failures.

We did consider and look in-depth at the question of gender and minority representation. We did many consultations and many studies on that. We concluded that electoral reform alone could not ensure gender equality.

• (1815)

[Translation]

That was a necessary but not sufficient condition. In our report,

[English]

we suggested that parties adopt additional measures, obviously to enlist women and minorities, and be accountable to Parliament for the measures they do or don't take. We made similar recommendations for indigenous representation.

We also made very specific recommendations for the type of MMP that could be implemented with closed-list thresholds.

Certainly, I think in terms of implementation, we did not recommend that a referendum be held but that the possibility be studied. Our view was that it was very difficult to determine, on a principled basis, why electoral reform as opposed to other legislative reforms—age of voting, party financing, symbolic requirements like citizenship—would require a referendum. For us it was more a question of

[Translation]

justifying why it would not be done in other contexts if this approach was used. As legal experts, we were concerned about ensuring the system's consistency.

In conclusion, electoral reform

[English]

is not a panacea, but is quite necessary at this time. It's normal to be reticent, but we should embrace the possibility of change and be confident that it's a vital step to improving public governance in Canada.

[Translation]

Thank you very much.

The Chair: Thank you.

We will now go to Mr. Jansen.

Mr. Jansen, go ahead.

[English]

Prof. Harold Jansen (Professor of Political Science, University of Lethbridge, As an Individual): Thank you for inviting me to appear before this committee.

The way we translate citizen preferences into votes, and then those votes into seats, is fundamental to how democracy works in Canada. A serious discussion about the way we have been and could be doing this is long overdue. I can't think of a better way to spend an evening in August than to sit and talk about electoral systems.

As the chair pointed out, my research lies in two areas that might be of interest to the committee. First, in what seems like the increasingly distant past, I wrote my doctoral thesis on the use of the alternative vote and single transferable vote systems in Alberta and Manitoba between 1920 and 1955. I've read some of the testimony you've heard, so you've heard this already. These provinces used STV in the big cities and the alternative vote in the rural areas. These cases, along with British Columbia in 1952 and 1953, which used AV, represent the only uses of electoral systems other than the first past the post electoral system in provincial and federal elections. The use of STV, I think, is particularly interesting because it represents the only use of proportional electoral system in a context with political parties in Canada. I think we can, should, and do learn a lot from things around the world, but these examples provide some important domestic cases to help us understand how these systems might work.

I'm sure you're all going to be running out to read my doctoral thesis when this is done, but to save you the joys of reading 300 pages of turgid graduate student prose, I'll give you my major conclusions.

The second area where I do research that might be of interest to the committee is around Canadians' online political activity. My colleagues at four other Canadian universities and I have been surveying Canadians for the last two and a half years about their online political activities. In our surveys, we've asked a few questions about Canadians' attitudes toward online voting. This research was funded by the Social Sciences and Humanities

Research Council of Canada, and part of what they asked us to do was to try to come up with knowledge that would be useful and inform public debates. We've only begun to start analyzing some of that data, so I'm going to give you some preliminary findings quite briefly at the end.

My research into the uses of preferential balloting in Canadian provincial elections has led me to conclude that the alternative vote is probably not the best option for Canada. The historical experience with AV suggests that it results in election outcomes that differ little from those we would encounter under the first past the post system, and it wouldn't do anything to address the most serious shortcoming of first past the post: the failure to produce a legislature that accurately reflects the preferences of Canadians. In Alberta and Manitoba, the system had no impact on proportionality, which is how political scientists measure the correspondence between seats and votes. It had no impact whatsoever.

Even if we look at the district level, the alternative vote produces results that differ little from first past the post. In the entire experience of Alberta, with over 30 years of using the alternative vote, fewer than 3% of all the seats contested would have turned out differently under AV than first past the post. In Manitoba, the number is less than 2%. In other words, in 97% to 98% of the cases, the person ahead on the first count ends up winning, and that person would have won under the first past the post system.

A big reason for that is that over half of Manitoba's voters, and nearly half of Alberta's voters, in the AV districts only bothered to indicate a first preference. Even though they can rank all the candidates, what we find is that many voters—and in Manitoba's case most voters—only indicate a first preference. They don't even bother with a second preference, let alone a third or subsequent preferences.

When we imagine how the alternative vote might work in Canada, we often cast our eyes toward Australia, but one of the things we often overlook in the Australian case, especially nationally, is that in Australia voters are legally compelled to rank each and every candidate. That's a big difference. In Canada, we didn't do that. There are, I would argue, some moral issues around that. Would we want to compel people to perhaps contribute to the election of a candidate or party that they fundamentally oppose? It might be their third choice out of four candidates. In Canada, we didn't do that, and when we leave voters to their own devices, many voters don't seem to want to indicate more than one preference. We tend to imagine a greater use of preferences than might be the case.

Another finding was that the alternative vote resulted in a significant increase in rejected ballots in all three provinces where it was used. In some of the cases, this was the result of various stringent ballot marking rules. In the case of Manitoba, they didn't have those stringent ballot marking rules, and we saw a tripling in the rate of rejected ballots. We might think it doesn't ask a lot of voters to write one, two, and three rather than an X, but there is some circumstantial evidence—and we don't have access to the ballots to know exactly what the problems were—that there were problems for voters, at least at that time.

•(1820)

By contrast, I'd argue the STV system used in Edmonton, Calgary, and Winnipeg performed much better. It much more accurately reflected the wishes of voters in legislative representation.

We tend to focus on the fact that a move to a proportional electoral system would likely mean the end of majority governments, and I know this has been pointed out to the committee several times by now. But one of the things we often overlook is that such a system can ensure that we end up with an opposition that's sizable enough to do the job. I come from Alberta where provincially that's been a problem for much of its history. We don't tend to have large oppositions. The use of STV in Edmonton and Calgary during the Social Credit years actually was instrumental in ensuring that there was some opposition in the legislature. While Social Credit swept nearly all the rural seats, after they got rid of STV and AV after the 1955 election, Social Credit swept nearly all the seats in Edmonton and Calgary.

One of the purported benefits of STV is that voters can jump between candidates of different parties. But to what extent did they actually do this? Theoretically, you're right: they could pick, and I'll use the current federal context. They really like the Liberal candidate, then a Conservative, then a New Democrat, then a Green, then a Liberal, then a Conservative. They could go in whatever order they want to. But what I found, when we looked at how voters actually used it in Alberta and Manitoba, is that they tended to vote along party lines. If there was another candidate from that party available, 60% to 90% of transferred ballots stayed within the party. Once the last candidate from a party was eliminated, 35% to 40% of the votes were just by people who wouldn't indicate any more preferences after that. This suggests to me that pure voters take advantage of that freedom to jump between parties more than we might anticipate. This is one of the arguments made to support STV over other PR alternatives.

There are some costs with STV, which is that the ballots tend to be longer and more complex. We may not actually see as many voters taking advantage of the benefits as we might expect.

I'll just quickly say there was no impact on voter turnout in either system. Often this is cast as a potential benefit. I could find no evidence that it made any difference. There was also concern expressed that proportional representation could lead to a proliferation of parties, and I also found no evidence of that.

To me, the big take-away, looking at these cases, is to echo something that André Blais told you last month, that claims about other impacts of electoral systems on things like party formation and voter turnout should be taken with a bit of caution, as those kinds of things tend to have multiple causes. The electoral system can play a role, but it's not the only role.

The one thing that the electoral system does is alter the math of the translation of votes into seats. PR systems like STV or MMP or list PR do that much more accurately than first past the post, or the alternative vote. I'd argue that this is really the fundamental basis on which a decision about electoral reform should be made.

Quickly, when it comes to online voting, we find some interesting things. Our survey of the research shows that a significant proportion

of Canadians have concerns about its safety, but they still are very interested in doing it. In our survey, 36% of Canadians thought that Internet voting was risky; 42% thought it was safe; and the rest weren't sure one way or the other. What I found very interesting, though, is that a third of the people who said it was risky still said they were very likely to vote online if it were available to them. I think it's because the risk doesn't accrue to them personally; it's a risk to the system, not to them personally.

That said, those who think it's safe are considerably more likely to vote online if they can. I think that if there were to be any move towards that, there would need to be some work done to reassure voters of the safety and security of it.

If it were an option, 55% of our respondents said they were very likely to vote online; 22% said they were somewhat likely. That's pretty staggering.

One caution: our survey was done through an online panel.

Voices: Oh, oh!

Prof. Harold Jansen: These are people who are very comfortable with online technology. I will absolutely tell you that it overstates the extent of the comfort. I can't tell you by how much, so bear that in mind.

The other thing we find—indeed, any political science research that does surveys—is that the kind of people who are willing to sit in front of their computer for 20 minutes answering questions about politics are very politically interested, so we get a very high voter response. This is just a problem we all face.

Among the small number of people who said they didn't vote, 48% said they would have very likely done so had online voting been available.

The last point I want to make about online voting is that I looked at some of the demographic predictors. Are there certain groups that could be left behind? Two stood out. Very high income people were most likely to say they would very likely vote online. And this isn't going to surprise you: it's people who are very comfortable with digital technology. This has been an emerging theme.

•(1825)

As more and more political activity moves online, our team is increasingly getting concerned about people who lack confidence in their digital skills. This suggests to me that any move to online voting should be pursued with some caution. It should be supplementary to what we have. It shouldn't replace the kinds of things Elections Canada always does, because there is a divide in digital skills that could end up disenfranchising voters.

Thank you, and I look forward to your questions.

The Chair: Thank you very much.

[*Translation*]

I now invite Professor Dufour to take the floor.

You have 10 minutes for your presentation.

I would like to point out that, following the presentations, we will have two rounds of questioning, when each member will have five minutes to ask questions and get answers. In other words, the five minutes should cover both the questions and the answers. If someone puts a question to a witness, and there isn't enough time for the answer, they can always come back to it in the next round.

The floor is yours, Professor Dufour.

Mr. Christian Dufour (Political scientist, Analyst and Writer, As an Individual): Thank you, Mr. Chair.

I am honoured to be appearing before a House of Commons committee. At my venerable age, this is my first such appearance. Thank you for the invitation.

On Friday, I had a summary text titled “Two Deeply Different Dynamics” distributed to the committee members, since 10 minutes will not suffice for me to cover all the aspects.

During the question period following my presentation, I may have an opportunity to answer questions about the voting age, Internet voting or mandatory voting—topics I have not discussed in my text. In this presentation, I will stick to two of my most important points.

The first is about the reform process and the way to ensure its legitimacy, should the reform come to fruition—and that's no easy task. In the text, I tried to emphasize the deep difference between the dynamic of the current voting system, on the one hand, and that of proportional voting systems, on the other hand.

We are faced not only with technical or procedural differences, but also with structural changes. I do not have a lot of faith in adding small elements of proportionality. The dynamic is not the same. The political experience is different. It may change the way democracy and governance work in Canada.

I think it is clear that these are constitutional changes. That may not be the case in law, but in reality, I feel that it redefines how our democracy works. In addition, the voting system is an institution that has been in place in Canada for 150 years. We have had the same voting system since 1867. In fact, if the reform is implemented, it would arguably be the most significant reform made by the Trudeau government. That is why it is important for there to be true consensus in order to adopt this reform and ensure its legitimacy.

I am quite the francophone, but somewhere in my head, I am a British Conservative and am attached to the Westminster-style parliamentary system. Normally, the support of the official opposition is needed to achieve consensus because it is official and an attempt is being made to change an institution. The issue is in fact constitutional in nature, but at the very least, the institution is an old one that has been around for 150 years. I am not saying this because I support the Conservatives. That has nothing to do with it. It rather has to do with the institutional aspect.

If the official opposition does not agree, the government has no choice but to invite Canadians to participate in a referendum and choose between the existing voting system and a proportional voting system that this committee could recommend. It is important to keep that in mind, as I fear that we may be faced with a very dangerous precedent concerning a reform that affects an old institution belonging to Canadians.

The voting system does not belong to experts. It belongs to Canadians. Most experts are actually against the current voting system. I am one of the few who see some positive aspects in the existing voting system. To change it, things have to be done right. If the government was to create a precedent of a reform without the opposition's agreement and without a referendum, it would mean that another government could do the same four or five years down the line.

We should not turn into the French, who spend their time considering a change to their voting system and their Constitution. Therefore, the way to proceed is very important. It is also a way to convince people who are resistant to this change. Experts do not represent Canadians. With all due respect for experts, they do not see many redeeming qualities in the current voting system. I personally see many such qualities, and that is my second point.

In my text, I tried to talk about the advantages and disadvantages of the existing voting system, on the one hand, and proportional voting systems, on the other hand, as the current system is heavily criticized by elites, experts and intellectual communities. I think that is unfair, given that, for 150 years, the existing voting system has been assuring Canadians of what is at the heart of any functional democracy—regular peaceful replacement of partisan teams in power, through processes such as electoral sweeps.

● (1830)

We know that is a unique feature of our system, which rewards the winning party, and as a result, that party often has the majority. That is not something that originated in the 19th century or the 18th century. A year ago, a federal election was held. Most experts felt that the Conservative government, although worn out and unpopular, would be hard to defeat with the opposition being divided between the NDP and the Liberals.

What happened? At some point, Canadians hesitated between the NDP and the Liberal Party and finally focused on the Liberals, whom they elected with a majority to the people's satisfaction, I think. The surveys were clear on that.

I don't think a single Canadian expert had predicted a majority government. At best, people were saying that the NDP or the Liberal Party would perhaps manage to defeat the Conservatives, but that the result would be a minority government. The existing voting system is stronger than experts had thought because not so long ago—just a year ago—it produced the results Canadians wanted. That's the pragmatic side of politics, as it's not entirely rational or consistent.

We have a majority Liberal government. It may become unpopular, but at first, it was delivering the goods. I think this system deserves the chance to be kept in place if Canadians want to hold onto it. It may need to be modernized, but I think proof must be established to that effect.

I may be too much of a British Conservative, but it's wrong to say that it does not hold up. It has its strengths and its weaknesses, but it delivers the most important elements. It delivers governments that are strong, but that can also be voted out, and that's not nothing. In the context of globalization, which is dangerous, the powerlessness of democracies is something to be avoided. Our system ensures that governments often enjoy a majority. Without the current voting system, the Trudeau government would not have a majority. It does, but we can get rid of it eventually. We can vote it out and clean house. In Quebec, we say that a penny can be cleaned regularly.

Italy is another example. In that country, after the Second World War ended in 1945, the Christian Democratic Party dominated for several decades. It was rotting away for decades. A proportional voting system was in place and, after every election, the party would adopt a new approach by forming alliances with smaller parties. However, the same group always remained in power.

The voting system should perhaps be changed if things get to that point. It is easy to criticize the existing system because we are familiar with it. The problem with proportional voting systems is the fact that there are many of them. On July 27, André Blais said that it was practically impossible to predict what exactly the outcome may be.

To say the least, a precautionary principle ought to apply. If Canadians decide that it is time to change our system—I am a democrat, and I would lend my support, as it would not be the end of the world—it is important for the reform to be legitimate. I don't think the government can impose such a change. I am not an expert on this, but I think the decision belongs to Canadians. You are politicians, members of Parliament. You should beware of experts, as they will only criticize the current voting system. They are only in favour of proportional systems and discuss the differences between various types of proportional voting systems. They cannot see the forest for the trees, but the forest represents an old Canadian political dynamic, which is not perfect.

I think the proof is in the pudding, and tests have been done recently. That is why, if a reform is implemented, it should really be legitimate. That is how I feel about the issue. It would be absurd to carry out a reform to increase the system's legitimacy while the reform itself was illegitimate and viewed by Canadians as a power grab. I know that the expression “coup de force” was translated as “show of force”, but an English-Canadian journalist friend told me that it should rather be “power grab”.

●(1835)

Basically, Canadians would see this as a power grab by the elite, the majority of whom are opposed to the existing system. Elites are more intellectual. I underscored this in the text. Both systems have their advantages and disadvantages. It is clear that a proportional system is viewed as more fair, but to be honest, I would say that a purely proportional system is absurd. Look at Israel....

The Chair: I don't want to stop your criticism of elites....

Mr. Christian Dufour: We're there. It's time.

The Chair: It's very interesting....

Mr. Christian Dufour: Do I have any time left, Mr. Chair?

The Chair: You will have an opportunity to continue your presentation by answering questions later on.

Mr. Christian Dufour: Thank you.

The Chair: Thank you.

We will now begin the first round of questioning.

Mrs. Romanado, the floor is yours for five minutes.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Mr. Chair.

I want to thank the witnesses for joining us this evening.

[*English*]

As you said, not everyone wants to sit in a dark committee room on an evening such as tonight, so thank you so much for being here.

There are three different presentations and a lot of topics. I wish we had three or four hours to get through a lot of these items.

I'll start with Professor Des Rosiers.

I didn't read it all, but I have read most of the report, and thank you for it. You talked in your 23 recommendations and your presentation about the importance of increasing diversity and gender representation among our elected officials and so on. We've also heard from other witnesses that a change to the voting system will not impact diversity and gender representation. In fact, a different tactic that could be used would be quota systems, and so on, and so forth. While we can't look at electoral reform as simply changing a voting system, it would not be the be all that ends all. In terms of engagement and participation, we heard a bit of your views on online voting, and I would love to hear more, Professor Jansen.

In terms of some of the recommendations you made in your report from a few years back, what would you tweak? Things have changed since the time you wrote that report. What would you recommend be tweaked in those recommendations you gave us?

●(1840)

Prof. Nathalie Des Rosiers: The one I continue to be absolutely confident in is the assessment of the first past the post system. We may be happy at some point, but we have to look *dans la longue durée*. I think there have been too many instances of distortions. I continue to be confident about that.

One thing we did not do in 2004 is look at or simulate made-in-Canada solutions. Our process was to look at the family of systems that existed around the world and assess them on the basis of the criteria we had selected. I continue to think that the criteria we had selected remained valid, as well as the issue of the meaningfulness of voting, the issue of fairness, of ensuring

[*Translation*]

that it is a mirror of the nation. We talk about

[*English*]

—the idea of representation. I'm quite committed to that.

I also think that the recommendations we made on ongoing attention being paid to this issue are important and should be part of your report.

I continue to think that what we said on gender... And there's no doubt, *ce n'est pas garantie*. The only advantage of creating more openness in the system and new ways for people to access elected office was to diversify *la classe politique*.

I have to say that in the context of our report, we had the occasion of a visit from the New Zealand Speaker of the House who had experienced the transition. Certainly his view was that there were new people who got elected, new types of people who got elected, and that at the beginning he was angry because they didn't know the rules. They were not behaving the way he liked. He looked a little like Winston Churchill. Then he turned around and said, but that was the right thing. It didn't take very long for some rules to change, for some new voices to be heard.

I continue to think that in whatever system we choose, there should be an added element of proportionality in some fashion. We must continue to pay attention to that. Otherwise, it's missing the mark, and we'll continue to have big swings. I think false majorities don't help us in the long run. A new government comes in and changes everything; the next one comes in and undercuts it. I think there's some cost to that. There was an expert who testified to the cost of big policy swings in terms of taxpayers' dollars. We didn't include that in our report, but I'm concerned about that.

• (1845)

The Chair: Thank you.

We'll go to Mr. Deltell.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Ladies and gentlemen, welcome to your Parliament.

Had we known, we may have invited you to appear before today, but it's never too late to do the right thing. That said, it is a pleasure to hear from you in this parliamentary committee.

I think that everyone agrees that our current system is far from perfect. Even those who believe in it recognize that it has some major shortcomings. Be that as it may, there is no ideal system. We have been operating in the existing system for nearly 100 years. The system has been in place for 150 years, but there have been more than two dominant parties in Canada only over the last 100 years. There is a third, a fourth, and sometimes even a fifth party.

The fact that a third party would emerge with great strength at the right time is actually one of our current system's strong points. We saw this in 1994 with the Bloc Québécois, as well as with the emergence of the Reform Party. Later on, parties merged, became less popular or, conversely, more popular, but democracy was being exercised. The wheel turns and, at the end of the day, Canadians are deciding, in good conscience, what happens.

The wheel has turned 29 times over the past 100 years. We have held an election 29 times. Only once were conditions breached, so to speak, when it comes to democracy. Only once in 100 years of

parliamentary democracy has the government been formed by a party that did not receive a majority of the votes. That happened in 1979.

It has happened in Quebec more often—three times. The fact remains that, in 1944 and 1966, it was caused by the distortion stemming from protected constituencies that existed in Quebec. As a result, one constituency may have had 10,000 residents, while a neighbouring constituency may have had 50,000.

So the batting average is not so bad. I agree with Mr. Dufour that the current system is far from perfect. However, it is not so bad and any changes to be made to it should be justified.

Mr. Dufour, it goes without saying that we have read the document you sent to us over the weekend. But this morning, your show of force has turned into a real bang on the table with a fist. Your essay does contain some strong words. You first use the term “show of force”. Then, you talk about dangerous precedent.

What is it that worries you so much about the fact that the government is preparing to change the voting system without consulting Canadians? Why are your concerns so strong?

Mr. Christian Dufour: Frankly, I am not that worried. In fact, it is very difficult to change the voting system. A certain inertia weighs in favour of things staying as they are. It's an old institution that has been ingrained for 150 years. Those who are criticizing it have a louder voice. Intellectuals—and I apologize for talking about elites again—have access to the media and are highly organized. Nevertheless, to make changes in a system like ours, I think legitimacy is needed. It's an institution. So I am not that worried.

I must say I was still disappointed that the government has preliminarily rejected the idea of holding a referendum, given that a democratic rationale underlies the government's project. In fact, a referendum is not guaranteed, and neither is the official opposition. I repeat that I am a traditionalist when it comes to this. Our parliamentary system is based on the tradition of Westminster. For there to be true consensus, it's not enough for members to hold meetings around the kitchen table—I mean no disrespect—and it is not enough to consult people on the Internet. An institution is affected, so institutional consensus must be reached.

I think this is an opportunity to change the system. That much is clear. This is a government project. It may be time to change things, but don't take it for granted that Canadians have become committed to a proportional system. I must admit that my concern mainly comes from the fact that we do not know what we are getting into.

We know the current system well. André Blais said so. He is not a hothead, and you probably saw that when he appeared. He said it was very difficult to anticipate what would happen.

I am worried about a number of things. To be honest, and with all due respect for the House of Commons, I must say that political correctness was extremely strong in the wording of the House of Commons motion drafted by your committee. Of course, the motion talks about Canadians, our society, diversity, women, aboriginal peoples, young people, Canadians with a disability, new Canadians, and residents of rural and remote communities. We are clearly in 2016, but there is no mention of either regionalism in Canada or the profound regional differences that have characterized the country since 1867. The motion does not talk about linguistic differences. Not one word is said about that.

I read the entire transcript of the July 27 meeting, when Mr. Blais, Mr. Milner and Mr. Himelfarb appeared. I have gathered from it that a proportional voting system would reduce the representation of regional phenomena in the House as far as we can tell, as we do not know what kind of a system will be established.

• (1850)

The Chair: I apologize.

Mr. Christian Dufour: In fact, Mr. Milner...

The Chair: We have to move on to another member.

Mr. Christian Dufour: Sorry.

The Chair: I will let you finish what you were saying.

Mr. Christian Dufour: I was saying that Mr. Milner said that it will prevent the regional sweeps that helped the Bloc Québécois and the Reform Party, as we do not have a functional Senate to express Canada's regional diversity. We must never forget that. The Senate does not play its role. It plays another role.

In other words, we are leaping into the unknown, and we have to be careful.

The Chair: Thank you, Mr. Dufour.

Mr. Boulerice, go ahead.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

Ladies and gentlemen, thank you once again for joining us today. On behalf of the NDP, I am glad to have your participation in this important study.

Of course, for the New Democrats, the case of the first-past-the-post system—which I refer to as “first takes it all”—is pretty well established. We are familiar with its ability to create distortions.

Mr. Deltell doesn't seem to be overly angry that we had an election where the party that finished second in terms of the popular vote won the most seats.

Mr. Pelletier, who is here this afternoon, told us that this has happened three times in Quebec. It's not only a distortion of democracy; it's a reversal of the popular will. We are governed by a system where these distortions are occurring repeatedly.

In the latest election, some ridings in Quebec had three-way and four-way races, and candidates were elected with less than 30% of the votes. This means that, for the people of the riding, 70% of the votes may as well have been tossed in the recycling bin. Those

people are not represented in the House of Commons, in their Parliament.

We also saw some pretty terrible distortions during the election in the United Kingdom, last year. In Scotland, the Scottish National Party won 50% of the votes but 95% of the seats. Mr. Dufour may like regional sweeps, but if I were a labourite or a conservative in Scotland, I would be a bit angry about that.

Ms. Des Rosiers, in your study in 2004, you suggested a mixed proportional voting system, which is used in a number of countries. It leads to effective, responsible and relatively stable governments. It is used in the Scandinavian countries and in Germany. You had a preference for the Scottish system over the one in place in New Zealand or in Germany. Can you tell us what you felt were the virtues of each system?

Prof. Nathalie Des Rosiers: The Scottish system, which was the most recent one at the time, seemed to be more flexible, as it allowed voters to choose from what is referred to as a Jenkins list. They could choose between a party list and an open list, instead of choosing between a closed list and an open one. That seemed like an attractive approach to us.

We were always a bit worried during our analysis. That was 12 years ago, but I still worry about having a system where no compromises can be made. So we were definitely listening in order to find the most relevant way to resolve problems.

For instance, we had to make recommendations that would be consistent with Canadian law. We were very worried that there would be no limit to eliminating certain things, since the Supreme Court's decision seemed to indicate that it was not appropriate. That was another element of our thought process.

Mr. Alexandre Boulerice: That is relevant, as the Scottish model shows that, even in the Westminster tradition, changes can be made toward a moderate proportional voting system. I don't think anyone here would want our system to become extreme.

It's interesting that you say we should not take a recommendation at random and that everything forms a whole with interrelated effects. Of course, there is a lot of uncertainty, but there are also many international examples of how this has been done for decades.

At last year's Canadian election, we saw that the largest percentage of women in history were elected to the House of Commons. I say, well done. However, the women accounted for only 26% of MPs. At the current rate, based on the 2011 and 2015 elections, we will achieve gender parity in Parliament when my baby girl gets her old age pension.

What would you like to do to increase the role of women in Parliament more quickly?

• (1855)

Prof. Nathalie Des Rosiers: Determining whether the system is to blame or the matter is more complicated is always controversial. Clearly, the answer is that the issue is more complicated than it seems.

Objectively, we came to the conclusion that women seemed to face systemic barriers in terms of access to elected positions. Any human rights analysis would indicate that Canadians, according to survey value indexes, believe that equality between men and women in Canada is better than anywhere else in the world, but we are unable to achieve parity in Parliament.

The first indication was that the problem must be systemic.

The Chair: Thank you.

I will now give the floor to Mr. Thériault.

Mr. Luc Thériault (Montcalm, BQ): I will use this opportunity to speak to Ms. Des Rosiers.

Parity between men and women is important, and we need quality female politicians. We also have a hard time recruiting women. That is an existing situation. It's more difficult in federal politics than in municipal and provincial politics.

That said, you mentioned that there are legitimacy issues with the current voting system, which is outdated. Legitimacy establishes legality. An illegitimate law is a bad law.

So why adopt this position that a referendum must be held, but not necessarily a referendum?

Prof. Nathalie Des Rosiers: When it comes to principles, when must we stop demanding a referendum? That is why we put the issue in this context. In other words, there must be an ideological reason to make a distinction.

Let's take, for example, the amendments to the Citizenship Act. One may think that they are of high symbolic importance for Canadians, but does that mean they should be put to a referendum? That was more of a legal analysis. A referendum was certainly not ruled out. We held numerous discussions on the issue at the time. If I remember correctly, the report's points of contention and the issue of open lists were definitely discussed.

I would like to conclude with gender equality. Our report stated that what was being done was clearly insufficient. We recommend that all parties be required to explain in Parliament what they are and aren't doing to recruit women. When it comes to that, we absolutely agree that it's not enough to change the voting system, but it's something to consider.

Mr. Luc Thériault: Both in Quebec City and in Ottawa, when changes are made to the election laws, parliamentary tradition requires that an advisory committee be struck and be chaired by the chief electoral officer. The committee would operate by consensus. When a party breaks that tradition, it must expect the favour to be returned in a negative sense if it loses power. That is why the committee is consensus-based. In Quebec, prior to 1999, voters were not required to identify themselves. The court recognized that there were identity theft systems in place in 1995 and 1998, and that goes back to the majority Mr. Boulger was talking about.

So if there is talk about changing the democratic rules of a society and there is a desire for plurality, for Canadians to embrace democracy, for people to be able to assess the advantages and disadvantages if no system is perfect, why is that being taken away from them? Some experts and individuals who belong to the elites say that it's very complicated and that, since there is a mandate of

representative democracy, we should go ahead with this and the others will follow. I feel that it would be akin to Plato's *Republic*. Philosophers would be in power. I am a philosopher, but that's not what democracy is.

Prof. Nathalie Des Rosiers: The idea was that the issue could be studied. It has to be possible to make distinctions. That was the point of the report.

• (1900)

Mr. Christian Dufour: Personally, I think that raises very different visions of politics, life, and society. Clearly, our current voting system is not perfect. That said, in Quebec, a few unfortunate cases were mentioned in which the party with the most votes was not the one that won the election. I think that could happen in Quebec again because the work relating to electoral districts was not done properly.

For our system to work, it must be possible to regularly review electoral boundaries and to adjust them to the population. We cannot simply say, however, that the current system is no good and that's it. That is a great exaggeration. A referendum would allow Canadians to choose. We know what the current system is. Through the committees' work and expert testimony, we have identified one or two systems. So we must not offer five systems because people have other things on their minds than these issues. There must be a debate on the subject.

After the Brexit vote, referendums are not popular. I would point out though that, in New Zealand, a country that is repeatedly mentioned, referendums have been a fundamental part of the process. They have had four referendums.

The Chair: Thank you.

I'll turn it over to Ms. May now.

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): As we talk about women's engagement, I know that the women parliamentarians around this table also noted that Professor Des Rosiers, you're only the third woman witness we've heard from—and the first was the minister. Maryanone Flumian was also very strong.

I know that gender studies isn't your area. Law reform is your area and the study of law, but I struggle with looking at the strong correlations that we've seen—and Professor Lijphart just showed them to us again. Consensus-based proportional representation systems have higher levels of participation by women in parliaments around the world. I want to ask you if you've ever considered whether increased participation by women is more than a result of parties putting more women on lists, but the result of a change in culture that happens when we don't have winner-take-all wedge issues in trying to get the other guy, that when we change to a consensus system it will attract more women because it's less vicious.

Is that something we've ever seen work done on? Is that intuitive or of value?

Prof. Nathalie Des Rosiers: When we were doing this report, we had several conferences on women's issues and "how come women aren't elected", and the range of issues that were identified included the nature of politics, the lack of access to finances, and having to displace a guy in the nomination. The NMP, or the idea of the list, was a way of reaching out to people in a different way and expanding

[Translation]

the political class.

[English]

It was a way of expanding the number of people who would access political life, get experience, get visibility, and so on. That's the first part.

The second part—and I agree, because that was one of the comments I received that you'll see in my paper—is that the 19th century vision of strong leadership is to say, "Get it done, get elected, get it done", as opposed to consensus building. There was a sense in which the nature...and I'm not sure that it's only gender studies that note this. I'm just saying that there is a way in which the vision of what good governance means in the 21st century may not be the same as it was in the 19th century in a colonial power that said, "Okay, we're here to get things done." You may want to say it's better to delay a little and speak to more people before you move forward.

The other aspect of the 19th century vision that's embedded in first past the post is the idea that your identity is solely based on where you are. You only have one identity, and you vote in that riding. I am solely defined as an elector from Ottawa East, as opposed to the ability that's created in an MMP system where you can express yourself in two ways, both as to who is the best person to represent Ottawa East, but also with which party I want. That seemed to reflect the more complex way in which people defined identities. People move more than they moved in the 19th century and have a broader range of issues, and so on.

I'm talking about the way in which people explained it to us. In the consultation, when people were playing with this, why were they expressing a preference for that system?

● (1905)

Ms. Elizabeth May: In the time I have left I also want to ask Professor Jansen about the period when Alberta experimented with two mixed systems. Looking back at this, you find that the United Farmers of Alberta brought in, with no referendum apparently, a system in 1926 that lasted until 1955. Do you think this was connected to the Irish adoption of a single transferrable vote in 1921? This seems to be a fertile period for people looking at STV.

Prof. Harold Jansen: If you go back and read the *Grain Growers' Guide* between 1911 and 1921, there would be articles on how to improve your crop production followed by detailed articles about the single transferrable vote. The interest of the Canadian prairies predated even Ireland's adoption of STV. Ideas about these issues were floating around. There was a fertile current. It's quite remarkable to flip through the range of issues. I was finding that as UFA members, they were big proponents of referendums and

direct democracy, but they didn't use that to bring in the electoral system change, which is quite interesting.

The Chair: Thank you. That historical perspective in Canada is very interesting.

Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): One of the bits of advice we've had before we start getting into solutions is to look at values. Over the last three weeks I've been home, and I've been talking to my constituents about values. I was pleased to see, and Professor Des Rosiers' piece mentioned values, that there are a couple of comments here about how no system can perfectly address all values that a society may want to see addressed. I'm hearing a wide range of values, and as we embark on this, the Law Commission did some great work.

In 2016 the question I throw out to all three of you is what values do we try to capture? What do we build on? In the brief we have, I see there are 13 qualities that could all be seen as values. How do we build a system that meets this wide range of values?

I'll ask the three of you, what are your own top three values that you've either heard of or researched, or could bring to the table that would be the top values we should be looking for in the design of an alternative to what we have?

I don't know who wants to go first, but I throw that out there because there's some great material here. Where do we start when we look at values?

Professor Dufour.

[Translation]

Mr. Christian Dufour: Each system has its pros and cons, I would say. The danger is that we could at some point have the worst of both worlds, losing the strengths of our current system without gaining the benefits of a new system. We have to be careful of that.

In answer to your question, I would say that governance is a very important value. Much is said about representation here, but the point is to elect a government, and it must have the means to govern. In the turmoil of globalization, having a strong and stable government is an important value.

The other value, as I said, is being able to change governments at regular intervals. We know what happens when someone is in power for a long time.

Representation is the third value. Canada's changing population must be represented.

That said, there could be a very post-modern trend. Societies today are increasingly individualistic and fragmented, and people have opinions they want to express. We must not be overly influenced by this though because it could weaken our system. That is why I defend the State. The State and government are much criticized and maligned, but the average citizen does not really understand what the State and government are. They are forces of order and stability in the turmoil of globalization. This is an important value.

Modernizing the system is one thing, but I'm put off by the complacency I see. People say we are very post-modern, that things have changed, and that people have to express their views. The point though is electing a government. At the risk of sounding partisan, I would say that Canadians seem happy to have a Liberal majority government that can take action. How long will that last? I can't say.

A stable government that can govern, that can be voted out eventually and that represents what Canadians think reasonably well although not perfectly, that is what is important to me. Nothing is perfect of course, but there are also drawbacks with proportional representation. The difference is that we don't know what they are yet because we have never tested them.

•(1910)

[*English*]

Prof. Harold Jansen: My three would probably be fairness, representation, and participation.

I would like Parliament to look like how people actually voted, so there's that basic element of fairness. I say that as somebody who lives in southern Alberta, where it's a foregone conclusion. I can pretty much tell you, even before the votes have been cast, how it's going to turn out. There are a lot of people who don't see their votes reflected at all.

Representation and how it occurs is a complex topic to me. We need to see representation as more than just binary, with you as an MP representing your constituents. It occurs in a broader institutional context where representatives are accountable to the people they represent. Most of the time they're going to do what they want, but not always. When they don't, they're going to provide a good explanation and account for that. To give the professor a footnote, Hanna Pitkin wrote the definitive work on representation, and that was her definition.

With participation, I'd like to see Canadians engage, participate, and feel a sense of connection with their electoral process.

We saw an increase in voter turnout, but I'm concerned by the declines I see in political interest and the levels of political knowledge. That's the thing that worries me about a referendum. There was a survey done by the Institute for Research on Public Policy. It's old now, about 20 years old. A majority of Canadians think you need a majority to win the seat. Canadians don't understand the status quo.

The Chair: We'll go to Mr. Reid now.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): My questions are for Professor Jansen.

I want to start by saying that I am no particular great fan of the first past the post system. In fact, I am the author of a motion adopted in the last Parliament to change the way we elect our Speaker from a first past the post system. It's actually a process in which you drop people off the ballot one at a time to a preferential ballot.

Having said that, first past the post is not the best of systems I can imagine, but it's also not the worst. I would define the worst system as that which has a predicable outcome in terms of which parties are winners or losers, that effectively allows—albeit not in every election into the future—the next election to be predictably affected,

at least in part to be rigged, by choosing a particular system. I don't think that that particular sin can be laid at the feet of any STV model or of MMP, but I do think that the alternative vote system, single-member preferential votes, may have that problem.

I'm turning to a paper that you co-authored with Peter McCormick that was published on November 30 of last year in which you point out something that others have pointed to as well, that had the 2015 election been conducted using the alternative vote and everybody had voted the same way they actually voted, with the same preferences and the same second preferences, the Liberals would have gone from winning 184 seats to winning 205 seats. Interestingly, in the 2011 election, in which we know the Liberals got less than half the votes under the current system than they did in 2015, the Liberals also would have benefited.

I don't know if you've done any further research into prior elections—2008 and 2006—to see whether it is a consistent pattern or not. Let me ask that question as a starting point.

Prof. Harold Jansen: There was a paper done and published in 2002 by Antoine Bilodeau, who looked at, I believe, the 1997 federal election and found that the Liberals would have benefited. I'm going to now rain all over the work that Professor McCormick and I did. The danger whenever you're projecting backwards is that we're using how people voted and assuming that they would have voted the same way had the alternative vote been in place. For example, in southern Alberta where I live, in the constituency of Lethbridge, it has been Conservative. It was Canadian Alliance, Reform, as far back as anyone can remember. So Liberals, New Democrats, and Green Party supporters have to face some choices about, would you vote.... That's the problem. If I look at how people say they're going to vote in a survey, I'm trying to project what's going to happen.

The hope with the alternative vote and the reason I think the Liberals would seem to do well under it—and there have been other people who have done similar kinds of analyses—is that they are a lot of other parties' second choices. That's the key. The hope, the argument that's been made in favour of the alternative vote, is that it's going to encourage parties to reach out to supporters of other parties and say, “Okay, I understand you're supporting them, but here's what we have common”, to try to seek commonality rather than to polarize.

The evidence that I have seen is that in Alberta and Manitoba, that didn't really happen. I spent countless weeks digging through archives looking at campaign material. I found one campaign thing where somebody was explicitly appealing for second choices. You just didn't see a lot of evidence of that.

•(1915)

Mr. Scott Reid: If you don't mind my asking, having lived in Australia myself, I noticed that at the poll you are handed typically—

Prof. Harold Jansen: A how-to-vote card.

Mr. Scott Reid: A how-to-vote card. That's right. If you're Labor, it states that you should make sure that your second choice is... whatever.

Is the distinction in Alberta and Manitoba versus Australia historically the fact that there's mandatory marking of all candidates in Australia, or else your ballot there will be tossed aside?

Prof. Harold Jansen: What has tended to happen is that there's coalition between the Liberal and National parties. In places where they have been strong, they wanted to bring in compulsory preferences to maximize that preference exchange. For example, there was an incident in the spring in Queensland where there was debate over reapportionment of the legislative seats, and then the Labor Party brought in an amendment to bring in compulsory preferences, because they had been bleeding votes to the Green Party and others and wanted to make sure they'd recapture those votes. Parties that think they're losing try to maximize that.

Australia also has really complicated deals, because the senate uses STV, where the larger parties will make a deal with the small parties to make sure that on their how-to-vote cards, they put them as second choice, and in exchange they'll tell their supporters to indicate the small parties on the senate ballot. There's a very complicated system of deal-making that goes on between the two houses. The compulsory preferences are a very big part of what makes that work.

The Chair: Ms. Sahota, please.

Ms. Ruby Sahota (Brampton North, Lib.): It's fascinating. I don't think we've heard that perspective before. You've just opened my eyes. You're right, it's very hard to look back at previous elections, because we've been told, well, had this last election happened with the AV model, this would have happened. But so many other people may not have felt coerced into voting for one party over another because maybe they're not strategically voting in that case.

Do you think that an AV model would always favour the Liberal Party, or under certain circumstances in other places that have used it, does one party tend to always win?

Prof. Harold Jansen: The problem is that we don't have a lot of cases. We really just have Australia. That's why I was bringing in Alberta and Manitoba. It provides a useful other set of cases that give us some other evidence. I don't think there's anything that would preclude other parties from doing well.

The thing that I think we have to remember is that the other parties would adjust their behaviour in response to the system. My observation is that the Conservatives very much tried to polarize themselves against the Liberals, NDP, and Green Party. That's not a very good strategy under an AV system. You want to reach out for second preferences. Would they have campaigned that way? Would they have structured the government that way over the last...? I suspect not, if the incentives were a little bit different. It's very, very hard to predict. This is based on how they behaved this way, so, if you look at the polling data, there weren't a lot of party second preferences. That was a deliberate strategy they took. They might have behaved differently.

Ms. Ruby Sahota: Perhaps we wouldn't have as many polarizing issues if we tried to find consensus-type politics.

Prof. Harold Jansen: That's the hope, but as I said, I didn't see a lot of evidence of that. The closest we got to a preference exchange is in Alberta. Most of those cases happened in 1955. There was a

scandal about Social Credit, and the CCF, and Liberals suddenly figured out after 30 years, "You know, if we exchange preferences, we can defeat them", so they defeated four Social Credit candidates through an exchange of preferences. In 1956, Social Credit brought the legislature back and banned preferential voting.

Ms. Ruby Sahota: Once a system is in place, people figure out very quickly how to work within that system. My little bit of exposure to it was in my nomination. I didn't really know what system I was going into, but we quickly learned how the nomination happens. They do it this way, and then you quickly think about it, and there was a lot of talking to each other. The different candidates were trying to come up with common ground, and even help each other at times if they thought it was to their benefit.

Anyway, moving on from that, the only thing that troubles me is this. I just had a town hall yesterday on this issue, and somebody got up and talked about how he felt—it was kind of off-topic a bit—that MPs should also be required to live in their riding. They should live in their boundary, because if they lived in their boundary, people would maybe even have stronger connections to their MP. I often hear this kind of stuff from people; they want to have this connection. I know that some experts say there's a connection through the party somehow, but by having these lists through MMP, I truly feel that we will create two classes of MPs, one that's responsible to the party, and one that's responsible to their constituents.

Right now, with the system we have, I think, as an MP, you feel this balance that you have to create between party and constituents and to try to come up with what's best for both. They elected you under a platform, yet the constituents also voted for you, so you are answerable to them. What system do you think still keep that accountability in place?

• (1920)

Prof. Nathalie Des Rosiers: This was actually a big issue in the report. I think that different parties would have different rules, but it was quite possible—and as is the case in Scotland and in New Zealand, they divide the work for different constituencies. The list MPs are not sitting out there doing different things; they are sharing the work, offering different services, and so on. Among parties, they developed rules to do that. The electorate would see that, in the sense that if your MP is not there, then you can go to the list MP and so on. So there were lots of things. It was interesting, but this didn't seem to be an issue.

Here I'll just briefly mention the three values that came up when we were doing our work. First, voting counts. I think the three values were fairness, the translation of the votes. By fairness, people mean that if I vote for this, I want my vote to count, I want votes to be reflected in the elections. Stability was another value.

[Translation]

Representation,

[English]

I have to say, did come. We are no longer a society that tolerates inequality. The reason that we have

[Translation]

universal suffrage is

[English]

that everybody should have the right not only to...but to also be elected. Those are the values.

The Chair: Thank you very much.

We'll go to Mr. Dubé now.

[Translation]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

In both the questions and the testimony, I have heard statements that are a bit worrisome. As my colleague said, we are talking about working within the system, looking for an outcome, and so on. In my opinion, our work here, as we heard earlier, should allow us to make a sound choice that represents our values rather than looking for an outcome or working within the constraints of a system.

Mr. Dufour, I would like to go back to your reference to voting out a government. On the contrary, I think our electoral system should allow us to not vote out but rather to engage a government or an MP. In both the questions and testimony, we heard that we have had the same system for 150 years. Things have changed a lot in that time.

I am thinking of the way a student on a university campus in another province interacts with people from his riding in 2016. That has changed a lot since the 1970s or 1980s.

Moreover, when canvassing, we sometimes hear that people appreciate our work at the local level or what a certain leader or party is doing. I have no doubt that my Liberal colleagues had the same experience during the campaign, and that my Conservative colleagues heard the same thing. Yet much is said about the public's understanding of the system.

In my opinion, the public wants all of that. They want to elect a prime minister. They also want a party and a good local representative. I have trouble imagining what kind of system could do this better than mixed-member proportional representation. This system includes a local representative, a representative of a political party, and through the party, a prime minister. In my opinion, that is the challenge.

It is often said that the public does not understand the political system but I think it is more a question of aspirations than ignorance.

How can we bring these aspirations into line with the new and changing reality of social and other media, and align the work of a local MP or of a prime minister, who represents everyone, with a party that has a national platform?

I would like to hear from all three of you on this. I might interrupt you though with other questions. I apologize in advance.

●(1925)

Prof. Nathalie Des Rosiers: We had recommended mixed-member proportional representation because we had reached the same conclusion. We found that this system allows for a link at the local level, which a lot of people want. It also allows for these new forms of political participation. The prime minister, the party, and the local representative are the reason people vote. They don't really know what to choose. So this system reflects that ambiguity to some extent.

We were initially struck by the fact that new democracies never chose a first past the post system, due to these distortions. It is true that this system has been used for a long time, but is there no place for changes in the thinking and knowledge about democracy? Determining whether that was possible was our key mandate. The system we recommended was meant to address this to some extent.

Mr. Matthew Dubé: Over to you, Mr. Jansen.

[English]

Prof. Harold Jansen: There's a book on mixed member proportional systems called *The Best of Both Worlds?*. What the authors found is that basically there were some countries with PR systems who wanted that element of local representation and had moved in the direction of MMP. New Zealand is probably the textbook case of this. It came from a very similar system to ours, but wanted that element of proportionality. Of the options out there, it probably is the best at melding those together.

On the broader question about social media and how that fits in, I have a whole other pile of research I can show you, which would take more than five minutes.

The Chair: It would be very interesting. It's just that it would take

—

The Chair: Mr. Dufour, we have to go to Mr. Richards.

[Translation]

You will, however, have the opportunity to speak again when you answer Mr. Richards or another MP.

[English]

Go ahead.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

Professor Jansen, first of all, as a fellow Albertan, welcome. I have a few questions for you.

Your research that you summarized in your opening remarks, and have referred to, focuses on western Canada, which made it interesting to me in particular as a fellow westerner. You did talk about the changes that were made to revert to the previous system, but I didn't get a sense in the research, which you had gone through in doing your paper, of the rationale or the reasons why the changes were made.

Could you give me a better sense as to why those changes were made, first of all, and then whether those changes to those different systems helped to solve whatever problems they were seeking to solve? In particular, with the idea of reducing the spread between popular support for a party and the number of seats it wins, did the changes have any affect on that?

I think you did touch already on the idea of turnout levels. You said it didn't seem to have any impact on turnout levels, but the ballots would be slightly more complicated, at least in that scenario. Did the number of rejected ballots or spoiled ballots increase? Could you give me a sense of that in the broad question I just asked you?

• (1930)

Prof. Harold Jansen: The lead-up to this was that in the decade of 1910 to 1920, there were big discussions on the Prairies on this. A lot of the complaints they were having about their electoral system were exactly the kinds of things you've been hearing here and we've been talking about today, around the lack of fairness in terms of representation. The single transferable vote was seen as the British form of PR, so it had a particular popularity, but there was this a populist element to western Canada. The idea that it was candidate focused was attractive.

When the liberal progressives came in—actually the Liberal Party in Manitoba brought it in in 1920—they were facing farmers suddenly becoming active, and they figured that if they gave them this one demand, then that would help. So they brought it in to Winnipeg. The other thing in Winnipeg was that there had been the general strike. It also helped, they thought, to contain some of the labour radicalism a bit because the labour parties might have absolutely swept Winnipeg.

In 1922 the United Farmers of Manitoba came in, and they extended AV to the rural areas, which was a bit of a betrayal because everybody had argued about STV. This helped to preserve their power base, and it was a blend of idealism and political self-interest. It was the same with the United Farmers of Alberta. They brought in STV in Edmonton and Calgary. They lifted whole parts of the legislation from Manitoba and just copied it in Alberta. It was the same thing. UFA was strong in the rural areas and weak in the urban areas. This fragmented their opposition, but they were partly keeping their promise. Everybody saw that eventually this would get better and that it would switch. This was a stepping stone to STV everywhere, and it never happened.

The big concern was over the size of the districts. At that time, where you're travelling by horse and buggy to places, that's a big concern. You can't use Skype.

The reason it ended was slightly different in each province. In Alberta it was strict political self-interest for the Social Credit. They were starting to lose. The Liberals and CCF finally figured out that they could use this to defeat Social Credit.

Manitoba is a little more complicated. In Manitoba, the big issue was about the rural overrepresentation. There was a bit of a trade-off. If they solved this problem and started to bring in independent boundary commissions, then they would get rid of this. They had another big complaint, and this is a very important one, because I've seen people come before you and suggest that we should adopt this model. If you do AV in the rural areas and STV in the cities, the

problem is that going from 30% to 40% in a group of 10 single-member districts is going to pay off big time in seats. Going from 30% to 40% in Winnipeg, which had 10 districts, is going to get you one more seat.

Where did parties spend their efforts and focus their attention? In the rural areas. Winnipeg complained they were being ignored.

My time is up.

The Chair: Yes. Thank you very much.

Mr. Blake Richards: There will probably be another round.

The Chair: Mr. DeCoursey.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Professor Jansen, for addressing the question about not necessarily being able to onlay past results onto future elections. I think it's tied into the whole commentary that I've heard many times, which is that the electoral system is situated within a larger system of governments' larger political culture, with political actors who necessarily adapt and change the situations.

[*Translation*]

Ms. Des Rosiers, I would like to ask you about the Commission's analysis of the issue of constitutionality and the guaranteed seats in the Maritimes.

I don't think that is necessarily impossible. Moving to proportional representation in a province such as Prince Edward Island would be somewhat of a challenge. There are four guaranteed seats, while New Brunswick has ten. Local representation is very important there. How was this analyzed? What kind of questions were you asked in your work?

Prof. Nathalie Des Rosiers: Our mandate was to see if it was possible. After evaluating various systems and determining that mixed-member proportional representation was a potential solution with respect to values and rebalancing, we had to determine whether it could be used in Canada. Our conclusion was that it is possible to use it by creating lists. It would also be possible to add an extra seat. The only question was how many additional seats would be needed. That was another matter. Should additional seats be created or should the decision be that there would be no benefit to having additional seats and that seats should instead be distributed differently?

In a sense, we tried to find a solution with the minimum additional seats possible.

• (1935)

Mr. Matt DeCoursey: What do you mean by the minimum additional seats possible?

Prof. Nathalie Des Rosiers: It means that our suggestion was to increase

[*English*]

the size of some of the geographical ridings to allow for the list MPs. An alternative was simply to add a number of list MPs; and in P.E.I. that would be the obvious solution there.

Mr. Matt DeCoursey: Do you think Canadians would have an appetite for more parliamentary seats?

Prof. Nathalie Des Rosiers: You already had an increase in the number of MPs, in any event, so I think it has to be justifiable. You can discuss whatever you want and decide, but it would seem to me that this could be done in a way that's completely neutral and a little like electoral boundaries, that is, in a way that diminishes and looks at what makes sense with the numbers.

I think there is pressure from the public to move in that direction, because there are lots of studies that show that the way in which it is done can cause distortions.

[*Translation*]

Which electoral districts have a lot of minorities? There is a way of approaching this. We have to determine what the broad principles are and what we want. If more MPs are needed to comply with the Constitution, adding another MP is not something earth-shattering.

Mr. Matt DeCoursey: Mr. Dufour, you said your preference is the current system. Do you see any opportunity to improve the system? Do you think any changes should be considered?

Mr. Christian Dufour: Yes.

I am not completely opposed to change. I am simply cautious. One of the values of our electoral system is its simplicity. The system should not be too complicated.

One of the strengths of our current system is the nearly physical relationship between MPs and their constituents. That is very valuable. I am sorry for repeating this, but I am the only one making this point. Our world is becoming increasingly virtual and conceptual and people are already frustrated. An MP represents a constituency, buildings, a certain territory. Listening to the debate, I am struck by two visions. Since Greek antiquity, politics has been a battle, I would say. I tell my political science students that the law of the jungle applies. One of the great strengths of our system is the official opposition. In the past, the opposition was people you wanted to destroy.

The Chair: Thank you.

Mr. Christian Dufour: Now they have status, but there is still an element of battle. Proportional systems focus on cooperation and consensus. Personally, I do not really believe in that.

The Chair: Okay.

Mr. Christian Dufour: I also think that the old democracies are superior to the new ones. I have no doubt of that. The visions are different ...

The Chair: Mr. Dufour, I don't want to have a fight with you, but ...

Mr. Christian Dufour: That is what I am saying, that they are two different visions and it is important for Canadians to be able to choose between the two.

The Chair: Okay, thank you.

Now to the second round of questions.

Ms. Romanado, you have the floor.

Mrs. Sherry Romanado: Thank you very much, Mr. Chair.

My next question pertains to voter participation rates. Professor Jansen also provided some figures about online voting.

Professor Dufour, you mentioned voting age and mandatory voting, but did not provide further details. Could you elaborate on these two aspects please?

• (1940)

Mr. Christian Dufour: Thank you.

Personally, I think mandatory voting is disrespectful of citizens. It infantilises them. I think citizens have the right not to vote. They do not have to be perfect model citizens.

Moreover, I think the current system offers an accurate picture of the situation. It might be depressing or negative, but at least we know how many people do not vote. Mandatory voting, apart from the fact that it is very difficult to enforce—we're not going to throw people in jail for not voting—can give an artificially positive picture of the situation.

In short, I am not in favour of mandatory voting. It seems desperate to me, forcing people to vote makes me angry. It would be unfair to citizens. To my mind, citizens are king. They can decide to vote or not. MPs will decide, but I don't think we should force citizens to vote.

Mrs. Sherry Romanado: Okay.

You mentioned voting age.

Mr. Christian Dufour: I asked people I know who have children and I am not convinced that 16-year-olds have the maturity to vote. Once again, it is a trend. I have heard that 16-year-olds would vote more than 18-year-olds. I am concerned about a vision of democracy where quantity is more important than quality. We need evidence to back this up.

In my opinion, a 16-year-old is not mature enough to vote. It is very telling, however, that people wonder why the voting age should not be 16.

Mrs. Sherry Romanado: Thank you.

Professor Jansen, you have the floor.

[*English*]

Prof. Harold Jansen: On the voting age, I think if we started imposing tests on maturity and knowledge, there are a lot of 18-year-olds and 25-year-olds and 40-year-olds and 50-year-olds who wouldn't qualify either. I remember as a kid being very frustrated with adults I would meet who knew way less than I did and followed politics far less than I did. To me, I think the idea of voting age has to be tied to rights and responsibilities of citizenship, and at 18, in particular, you start paying taxes. That's a pretty obligation that kicks in. Then there's the idea of no taxation without representation. There's something to that, right? To me I think it needs to be tied to those responsibilities. A city councillor in Lethbridge actually brought forward a motion to the Alberta Urban Municipalities Association to lower the voting age to 16 at the municipal level, because that actually isn't an issue at the municipal level. Because we have property tax, it's a different issue at the municipal level.

As far as compulsory voting is concerned, I'm certainly not as strongly opposed to it as Professor Dufour is. I would be opposed to actually making people vote; but as for making people show up at the polls, I'm at least somewhat receptive to that idea. I think the idea of actually forcing them to put an X beside somebody's name and thereby maybe contributing to the election of somebody they oppose is, under no circumstances, acceptable.

Fixing low voter turnout is incredibly complicated. The causes are generational. They are based on short-term factors. There are so many things. It's the magic bullet solution. As for fixing it any other way, I'm at a loss. I've spent a lot of time looking at the research and teaching on this. There isn't a magic bullet solution other than mandatory voting.

Mrs. Sherry Romanado: Do I still have some time left?

The Chair: Yes, but it would be a quick question with quick answers.

Mrs. Sherry Romanado: We talked quickly about online voting, and you had talked about the statistics and the fact that it wasn't statistically sound because the people who participated were online. Do you have any other research that you could provide to the committee?

Prof. Harold Jansen: We did a phone survey, and I checked it. We've been looking at other parts of this data, and right away, we wondered if we had asked about this in the phone survey. Sadly we did not. We deliberately did a phone survey because we wanted to get people who weren't necessarily online.

The proportion of people who would not consider themselves really big Internet users is around 15% to 16%. If you discounted the results by that 15% to 16% who are completely uninterested because they're basically just not engaged online, it would round the number down. Probably around 45%-46% said they'd be very likely to vote online. But again, remember we have this other problem, so we've got two problems. We have the problem that we're doing it online, and it overrepresents the politically interested.

• (1945)

The Chair: Mr. Deltell.

[*Translation*]

Mr. Gérard Deltell: Thank you, Mr. Chair.

I have two brief points.

Mr. Dufour, you spoke earlier of the very close relationship MPs can have with their constituents. You are absolutely right about that. We have all spoken to that during the 14 meetings we have had. Each one of us has mentioned how attached we can be to our constituents and how attached they can be to their MP, regardless of the party or the location in Canada.

Ms. Des Rosiers, you mentioned earlier the possibility of voting for the party and for the MP, but there is a third variable, voting for the prime minister. On a ballot, how can a person vote for a leader, for a platform, and for an MP? That is getting complicated, not to mention, as I said earlier, that our current system isn't perfect. Find us a perfect system and we will adopt it. I don't think there is one.

Would you like to respond, Ms. Des Rosiers?

Prof. Nathalie Des Rosiers: Yes.

The system we recommended had just two votes, not three. We aimed for something similar to our current system, while solving the distortion problems. During our consultations, people said there were inflated majorities, or minorities that were not represented. We tried to address that. The report focused on how to correct certain excesses of the system.

We recognize that political parties still play a central role. We can punish them in a mixed-member proportional representation system by not voting for them. They can be punished for choosing the wrong leader and for not putting the right people on their lists. They can be punished to some extent.

Mr. Gérard Deltell: That is why I say it is very difficult. It is opening the door to better representation of what citizens want from their MP, from the government, and from the prime minister. So there are three variables. How many people say they support a certain party but do not like the leader, or prefer someone else from another party? What do you do about that? There is no perfect system.

Prof. Nathalie Des Rosiers: We tried to answer questions raised during the consultations and to address the desire for something a bit more sophisticated. It was presented with that in mind.

Mr. Gérard Deltell: I think Mr. Dufour has something to add. I don't want to rush him.

Mr. Christian Dufour: Considering the way citizens are and what society has become in 2016, I think they have very high and fundamentally contradictory expectations. I don't think there is a system that can fulfill all those expectations. There are frustrations with the system, but I don't think adopting even a moderate proportional representation system would solve voter disillusionment. It goes deeper than that.

Your committee has a huge job. You have to come up with a reform plan. It is not easy because it is technical and you have to weigh the pros and the cons. I wish you good luck. I would like to be convinced, but there is still a burden of proof. The burden of proof must be established. I will say it again, and I know you don't want to hear this, but the experts are all opposed to the current voting system and I find that unfair.

Mr. Gérard Deltell: Mr. Jansen, by leaving it up to the politicians, to us, to decide how to change the system, do you not fear that our partisan interests will override the interests of the general public?

Like it or not, choosing a voting system puts us in a conflict of interest.

[*English*]

Prof. Harold Jansen: Absolutely. And I don't say that to cast aspersions on any of you, but your motives, even if you support something for principled reasons but it happens to be in the interests of your party—

Mr. Gérard Deltell: Can we use a referendum to call the shot?

Prof. Harold Jansen: My issue with a referendum, again, is people not having done the homework on voting on this. The model that I like—and I that know Professor Carty was here and talked about it—is a citizens' assembly. I like the idea of having an educational process where citizens learn and make the trade-offs.

A referendum is like a survey—

• (1950)

Mr. Gérard Deltell: We need time for that we need time—a lot of time.

Prof. Harold Jansen: I absolutely agree with you.

The Chair: Thank you, but we have to move on to Mr. Boulerice now.

[*Translation*]

Mr. Boulerice, you have five minutes.

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

I will say first of all that I agree with two things that Mr. Dufour said. I will then have a question for Mr. Jansen.

Perhaps that surprises you a bit.

Mr. Christian Dufour: Yes, a bit.

Mr. Alexandre Boulerice: I completely agree with you on mandatory voting. I think people are free to stay home. People can even sleep in if they want to. In my opinion, our role is not to force anyone to vote.

I also agree that we are talking about two visions. They are both legitimate, but completely different. One view is that an election serves to choose a strong and stable government, even if it results in a false majority. The other view is that an election serves to reflect the will of the people in their diversity and plurality, even if it forces the parties to talk and agree among themselves. These are two visions based on two different value scales.

Mr. Jansen, we can consider the percentage of votes and the percentage of seats that a party has won, but we can also look at the average number of votes it took to elect each MP representing each party. To elect each Liberal MP in the last election, it took an average of just over 37,000 votes. To elect each Conservative MP, it took 48,000. It took 78,000 votes to elect each NDP MP, and 602,000 votes to elect a Green Party MP.

You mentioned Manitoba and Alberta and the use of this voting system. If alternative voting is not a solution to ensure diversity of voices, what should we do to eliminate such distortions, which results in citizens' votes not being equal or being wasted in some cases?

[*English*]

Prof. Harold Jansen: The only solution for that is some form of proportional representation, STV, a mixed-member, a list system. You can't divide a single member seat up proportionally between parties; that's the fundamental issue. The only way of dealing with that is compensatory seats through a mixed-member system, or multi-member districts where you elect more than one person.

I will note there was this really oddball article that suggested proportional tenure, so that if where the Liberals, say, got 40% of the vote, they'd hold the seat for 40% of the term.

Some hon. members: Oh, oh!

Prof. Harold Jansen: It never went anywhere, but—

Mr. Alexandre Boulerice: I'm not sure about that one.

Prof. Harold Jansen: I'm not recommending that, but that's somebody really thinking outside the box. But no, that fundamental issue of, basically, wasted votes, only a proportional system can fix that.

[*Translation*]

Mr. Alexandre Boulerice: We heard this morning from Professor Lijphart, who made some interesting remarks. There are many experiences that show the impact of proportional voting on the behaviour of voters and of parties alike. This has been observed in Germany for decades, but the most recent example is New Zealand. Professor Lijphart noted that there has been a change in political culture since the first election, during which elements of proportional representation were introduced. Rather than imposing its views, a party tends to look for partners.

People on the street often say they want political parties to work together to find solutions. In their opinion, that can sometimes result in better public policy, precisely because everyone participates in the discussion.

What do you think of that?

[*English*]

Prof. Harold Jansen: Professor Lijphart published a very influential paper in which he looked at policy outcomes. He found basically no difference. They get at things differently, but it's not as if the economy performs better. So the strong majority government doesn't necessarily give you better public policy. G. Bingham Powell wrote a book in which he actually found that countries that elected representatives under PR tended to hew to what the median voter wanted. The median voter has a special place in democratic theory. With the median voter, where half of the voters are on one side and half the voters on the other, that position should win any majority vote. He found that the policies put out by PR governments tended to hew better to that than any other system. I will note, though, that he did find that there was one exception under first past the post systems, and that was Canada, actually did surprisingly well under first past the post. But that, I would argue, has to do with the sad situation we have, in which the Liberal Party has tended to be dominant historically and has been in the centre. That's a weird, freaky Canadian thing.

Some hon. members: Oh, oh!

The Chair: Thank you very much. Sorry, I missed that last part.

Voices: Oh, oh!

Prof. Harold Jansen: The Liberal Party, a weird, freaky Canadian thing—

• (1955)

The Chair: I was speaking to the analyst.

[Translation]

You have the floor, Mr. Ste-Marie.

Mr. Gabriel Ste-Marie (Joliette, BQ): I have a brief question for Ms. Des Rosiers.

Ladies and gentlemen, it is a pleasure having you here and listening to you.

Ms. Des Rosiers, I would like to go back to your exchange with Mr. DeCoursey regarding mixed-member proportional representation with a system of lists. You mentioned expanding the size of ridings or increasing the number of elected representatives. There are currently 338 MPs who represent 100,000 people each, on average.

If you had to decide, would you increase the number of people each MP represents to 130,000 or 150,000, or would you increase the number of MPs in Canada to 450 or 500?

Prof. Nathalie Des Rosiers: We tried to avoid increasing the number of MPs, except in the case of constitutional issues and to address specific issues.

I think that is the right approach: it is not strictly one way or the other. We need to find a solution between the two.

Mr. Gabriel Ste-Marie: I would say that 100,000 people is already a huge number. It would be very difficult to represent 150,000 citizens.

Prof. Nathalie Des Rosiers: Different models can be evaluated. There is a range between 100,000 and 150,000, and we have to know how far you want to go. We did not go into the details of determining various combinations. We had to determine whether it could be done in Canada.

Mr. Gabriel Ste-Marie: Thank you.

I will let my colleague have the floor.

Mr. Luc Thériault: Thank you.

One of the pitfalls of reform in Quebec was thinking that the number of ridings could be mathematically and automatically reduced from 125 to 75, despite the fact that Quebec MPs offer many local services in their ridings. People said it didn't make sense, that it was already difficult for them to access their MP. The issue is not so much the individual but rather the role.

We talked about accountability, simplicity and equity. We referred to the drawbacks, but didn't discuss them much. You are right, Mr. Dufour, in saying that the devil is in the details, and we saw that in Quebec. There were 26 regions, which favoured three major parties, and ideological pluralism was impossible. So there is a big challenge.

With respect to governance, under mixed-member proportional representation, do accountability and party lines still play a role? Would an MP on a list who is chosen by the party establishment say no and decide to vote according to the platform, or would they be expected to follow the party line?

I imagine that coalition governments become increasingly centrist over time if people want to take power and be those that people reach out to. Do election platforms lose their importance to some degree in that context?

What about citizens who are used to deciding who will take power? Apparatchiks will be the ones deciding who will form government. Is that not a political distortion? Should citizens not be informed and have a say in this? Personally, I think people should be able to make a decision about these drawbacks. That is why we need a referendum.

Mr. Christian Dufour: When I talk politics with my students, they often say the system appeals to them, but that the problem is the political parties. They argue that there should be no parties because they are appalled by their partisanship. I tell them that, unfortunately, life is not just harmony and happiness. There are also battles. I think this is a central point. Many people would essentially like to keep the current system with a few aspects of proportional representation. That seems to be the preference. Is that something that can be done? I'm not sure.

This is why I am stressing the two dynamics. Each type of voting system has its pros and cons. Can we keep the current system with a sprinkling of proportional representation? You will have to decide that. Can you come up with a credible system that wins Canadians over? Canadians do want changes, but they are attached to the current system. Once again, what strikes me in talking to my students is that they don't want political parties. People do not want to see battles. I say they are not being realistic. Politics is a battle. In any case, as MPs, you know that politics is a battle.

• (2000)

Mr. Luc Thériault: Thank you.

Prof. Nathalie Des Rosiers: I would like to answer because this point was central to our discussions.

Mr. Luc Thériault: Are you talking about mandates?

Prof. Nathalie Des Rosiers: Yes, exactly.

Parties still have to be accountable. They can be punished for putting the wrong people on the list. The report recognizes that transparency is essential. Parties should be judged on the way they choose who is on their list, just as parties are judged now, for instance, on the way they elect their leader or make choices for ridings. It is not really much different. Accountability and party responsibility are always expected.

[English]

The Chair: Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

Thank you again to witnesses.

[Translation]

I would like to ask Ms. Des Rosiers a question.

I would like to talk about the work of the Law Commission of Canada. As I recall, you started your work on electoral reform in 2001?

Prof. Nathalie Des Rosiers: Yes, that's right.

Ms. Elizabeth May: You worked for three years before the Commission released the report. How many people were involved in this work and how many members of the public participated?

Prof. Nathalie Des Rosiers: Above all, the Commission wanted to get started on this issue. We held consultations across Canada. We benefited from the fact that electoral reform was of great interest at that time. Many provincial organizations were holding consultations about it. In Quebec, a process was under way, as was the case in Prince Edward Island and New Brunswick. There was also some activity in British Columbia. We were fortunate in being able to consult with organizations that had already taken action in this regard.

A method of reforming the law requires citizen involvement in the discussions, addressing these issues and holding round tables with experts to see what the outstanding questions are.

Moreover, our goal was to see if we could
[English]

commission more research to see whether we can get....
[Translation]

That is similar to the issue of minority representation. The evidence is not clear. Further work is needed. Our report indicates that it is not guaranteed, that we must continue looking at what the Lortie report said and not forget that the parties also have some responsibility.

The work proceeded as follows. The first stage was to determine what the consultation document would be. The second was to conduct the consultations based on this document. The consultation document was designed to focus on the values and the major issues. We wanted to know what bothered people, stability or accurate representation. Had we overlooked anything? Those were the kinds of things we considered.

[English]

Ms. Elizabeth May: So when you're presenting and in your report after the 12 years that have passed since 2004 and the report of the Law Commission, the finding that you find the most solid is that the first past the post system is really not acceptable in a modern democracy. You're not really just speaking for yourself as an expert here, but from this whole process. Was that a strong finding of a lot of the people who were presenting? It was obviously the finding of the report itself.

Prof. Nathalie Des Rosiers: Well, really, I have to say that I was a neophyte at that time. I'm a law practitioner, so I think the process of going and listening to the way in which people related to the electoral system at that time was convincing to me, and convincing to the commission. It didn't start with the position that this is where we're going to end up.

I'm quite certain on that basis that there was sufficient disconnection and a sufficient problem *sur la longue durée*—not that the system did not work well at times and reward them, but that in *la longue durée* there were too many issues that came up about the lack of adequate translation of votes to seat counts. That came up over and over again.

● (2005)

Ms. Elizabeth May: We were just talking with Professor Carty, and Professor Jansen was commenting on the benefit of citizens' assemblies, but has there ever been a citizens' assembly that studied the issue of first past the post that hasn't concluded they'd rather replace it?

Prof. Harold Jansen: Not that I'm aware of, no.

Ms. Elizabeth May: Has there ever been any study in Canada by a law commission or a parliamentary committee that has said, let's look at the current system and keep it?

Prof. Nathalie Des Rosiers: I think it's really hard to achieve that, because now we know that there are other systems that can actually respond better to....

The Chair: Okay.

We'll have to go to Mr. Aldag, but that's an interesting question and maybe it'll come up again.

Go ahead, Mr. Aldag.

Mr. John Aldag: I wanted to go to Professor Des Rosiers. We had run out of time when you were commenting on my earlier point about the discussion of values. Is there anything further you wanted to add to that, or were you able to get out your comments?

Prof. Nathalie Des Rosiers: Certainly, I think it concerns the translation of votes to seats and the fairness and the meaningfulness of this. That's why you vote: you want your vote to be translated into representation, and I think that was clear at that time. Certainly, people were concerned about stability, ensuring that the government was working, recognizing that the actors and the political culture in Canada would probably be sustainable, that we had actors that could work.

Finally, I think there was some concern, which I continue to share, that we have *le suffrage universel* and we want to have people who represent a little bit *le miroir de la population*. Representativeness in terms of the diversity of ideas, the diversity of voices, was important.

Mr. John Aldag: Thank you. I just wanted to make sure that you were able to close out on that.

Professor Jansen, I also had the sense that you may have more to offer on your research and thoughts on online voting. I have a couple of minutes here. Would you like to take us into some more of your thoughts on online voting and the benefits, and perhaps pitfalls, that we should be looking at?

Prof. Harold Jansen: Well, there's a technical side of it—and I'm not a computer scientist and there are other people better qualified to talk about that.

The major issue is the lack of transparency in the process. Things disappear into cyberspace and nobody's entirely sure what happens and you can't recreate a paper trail the way you can with a paper ballot. That's a significant issue.

There's the issue of identity verification. Are the people casting the ballot actually the people who are supposed to cast it? How do you prevent ballots from being sold or those identities from being traded off? There are all kinds of issues around that, which I think are fairly significant technical challenges.

Mr. John Aldag: The gains, though, that could be made.... It's going to be about a balance, right?

Prof. Harold Jansen: Yes.

Mr. John Aldag: It's things like inclusiveness. If the technical aspects can be worked out, then at what point do we say, yes, we're at that tipping point where it's now worth going down this road? Are we anywhere close to reaching that point?

Prof. Harold Jansen: My sense is that technically we've got a way to go yet to have things that are safe and secure enough. As I said, I'd be quite adamant about the idea that this would just be a supplementary option, and not something that would replace in any way polling stations. Even if we think we could cut down the number of polling stations, I think that would be a huge mistake. I'm very concerned about people losing out on the opportunity to cast a ballot in person when they're not comfortable doing so online. I think there are some really significant issues around that. I think we need to be cautious on that front.

I also am suspicious of how great the gains would be in terms of voter turnout. I think most of the issues lie around motivation, not opportunity. I'm suspicious of a lot of things when people say on surveys, "Oh, I was too busy to vote". Often, it just means, "There are other things more important to me than voting." Okay, citizens can make those kinds of determinations. Voting is not that onerous, and I think Elections Canada has done a pretty good job in the last 20 years of improving the accessibility of the vote. There are more ways to vote than ever before.

I don't think we should expect realistically huge gains in voter turnout. I don't think that should be a motivation. It would be more convenient for some people, but these are people who would likely vote anyway. What I found was that the people most likely to say they were very likely to cast a vote in our survey were people who had already voted. They would just switch to doing it online.

• (2010)

The Chair: We're moving on.

[*Translation*]

Mr. Dufour, you have about 30 seconds to answer the question.

Mr. Christian Dufour: Aside from security and verification issues, a vote can very easily be devalued. When we vote now, we always have to go to a physical location. Some effort is required. It is not a survey.

I always give my students the following test. I tell them that a government is elected on October 1 with a huge majority, that there is a dramatic event three weeks later and the government's popularity plunges to 20% in the polls. I then ask them if the government should step down. My students say yes but I tell them no because a poll is not a vote. When people vote, they go somewhere physically and can't change their minds until the next election.

So there is always a risk. On one hand, there is a desire to make voting easier and to reach out to people, but I'm not sure how effective that would be. Isn't there a risk that the vote itself would be devalued?

The Chair: Thank you.

You have the floor, Mr. Reid.

[*English*]

Mr. Scott Reid: My questions are again directed to Professor Jansen. I'm drawing upon a couple of sources I've been reading. One is *When Citizens Decide: Lessons From Citizens' Assemblies on Electoral Reform*, by an assortment of esteemed authors. The other is *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. I think they address to some degree the concern you had. I'm asking you to comment on the quotes that I'm going to give you about voters lacking the information in a referendum to be capable of casting a thoughtful and intelligent vote.

In the first of those two books, on page 132, the authors observe:

Knowledge about the citizen assembly—the creator of the proposal they were now facing—contributed to voters' decisions. Knowing more about the assembly generated higher support for reform. But the impact of citizens' professed familiarity with the assembly varied in strength across the three referendums. The effect was strongest in the first referendum, British Columbia in 2005, and only half as strong in Ontario, and then negligible in British Columbia in 2009....

Of course, the citizens' assembly was several years old.

In the second book, on page 187, the authors say:

Evidently, the CA shook up the usual processes of voter choice enough to put the result into majority territory. The very same proposal would have received weaker support if it had been hammered out in the bowels of the legislature by a sub-committee of the Legislative Assembly and presented to voters as a fait accompli.

Obviously, what they're pointing at—and this is emphasized in more detail in the books—is that the exercise in credibility of having a non-partisan body design a proposal led, in one case, to a fairly strong majority in favour of electoral reform.

I'm now asking you again about referendum. If we were to adopt some form of system—I don't know if this committee can do this—that demonstrates that an impartial and non-partisan process has produced the result that has been put before the voters, do you think there's a reasonable chance that a system could receive a majority mandate from the people or voters of Canada?

Prof. Harold Jansen: In that research they also found that people who knew a lot about the STV system the citizens' assembly had proposed—people who were very well informed about it—were more likely to vote in favour of it. People who were less informed about it were more likely to be swayed by the fact that it was a citizens' assembly, so it was the idea that, I didn't have time to do the homework—and STV is a fairly complicated system to learn, all the ins and outs of—but a bunch citizens, people who I trust...I trust the process. Absolutely, I think there is some evidence there that just the moral authority of the process can help produce support for it.

In this case, that was a very special and very time-consuming process, and whether that is as feasible on a national level, where I would argue things are more complicated than on a provincial level

Mr. Scott Reid: Do you mean it's too complicated to carry out a citizens' assembly?

Prof. Harold Jansen: I'm thinking of how would you compose a citizens' assembly? In B.C. they had two people from each district, a man and a woman, and they had two aboriginal people to ensure that there was sufficient aboriginal representation. In Canada, how would you ensure...? Every province would need representation, and there are different parts of every province. We also want gender representation, and we want to make sure that aboriginal persons are represented. So there are a lot of layers to how you would structure this when I think of the complexity of doing this nationally. For example, B.C. doesn't really have to deal with the linguistic divide between French and English, which is a very significant fact of life here.

So the question of design, of how you would do that, is incredibly complicated, and I understand that you're under a little bit of time pressure here. But I do think that research does point to citizens' assemblies being able to produce buy-in among citizens, that these assemblies are not just a bunch of people who have some sort of agenda, or people talking about complicated things that I don't want to learn about. It can produce buy-in, absolutely.

• (2015)

Mr. Scott Reid: Is there any time left, or is it all gone?

The Chair: There's about 35 seconds, so there's time for a statement.

Mr. Scott Reid: I'll just ask a question. The alternative, unfortunately, as far as I can see based on your testimony, is that the adoption of an STV/AV hybrid in Manitoba in 1921 was based on naked partisan self-interest, as was the adoption of that system in Alberta in 1921, as was the elimination of STV in Alberta in 1956, as was the adoption of STV in British Columbia in 1951. So we're left with one other example of the electoral system being changed historically. When the Social Credit got rid of STV in British Columbia, was it motivated by naked self-interest too, or was it actually motivated by an impartial desire to improve the political system?

The Chair: A very quick response to the point, please.

Prof. Harold Jansen: I would probably add another one to the naked partisan self-interest comment.

Some hon. members: Oh, oh!

The Chair: Ms. Sahota, please.

Ms. Ruby Sahota: I'd like to start by clarifying something I said that I think was misconstrued a bit. When I said that actors learn to work within a system, what I meant is that we have a political system in place, and whatever other political system we move towards, it hopefully will be one of further co-operation, just like this committee is. Whether it's STV or MMP or whatever made-in-Canada solution we possibly come up with, we are hoping that it's one that will foster co-operation, just like we have to do on this committee. Letting go of our majority on this committee, I think, was a good move, and we have to figure out how to work within this committee to come up with a solution that's best for Canada.

What I'd like to know more about is making a system that is right for Canada. We've been discussing a lot systems that are popularly

known in different countries, but we've also heard from experts that there are slight tweaks made to every single system in every country. So there's no STV model, no MMP model, no AV model—even though there's just the one example of that. Every country has a slightly different solution for its population and demographics.

There are a few proponents of MMP here. I know that my colleague asked this question referring just to the Maritimes at that point. Could you give me just a sample of what a ballot would ideally look like, what an election here would look like, and how you would draw up a district anywhere in this region? How do you see it working here?

Prof. Harold Jansen: Thinking on the spot about how I would quickly design an electoral system, I would go for an MMP system. I would have two ballots, where you vote for a local candidate and party. I would probably enlarge the size of the House of Commons. I realize that doing that would open up cheap political points for opponents of electoral reform. It absolutely would. Adding more politicians is never popular, but I think that's a cheap shot.

I'm going to give one other reason that's often overlooked. The U. K. has an incredibly large House of Commons. They can't even seat everybody. If you've ever gone to watch it, it's quite remarkable. One of the interesting side effects is that some people have argued this helps to reduce party discipline. If you get elected as an MP and you're in a caucus of 300 people, the odds of your ever getting in cabinet are slim, so you need to find something that you're going to do with yourself if you're going to carve out a career as a member of Parliament. By enlarging the House of Commons, you're enlarging the number of backbenchers relative to cabinet. I think that could have an added side effect and benefit of perhaps encouraging a little more independence on the part of members of Parliament. That may be an added benefit, which often doesn't get discussed. I would probably err on the side of quite a number of adjustments to seats. I'd probably err on the side of being as proportional as possible.

• (2020)

Ms. Ruby Sahota: Okay. We would have to add more members.

Would the number of members change from election to election to try to get to that proportional result? How would that work logistically? I'm thinking that in the House of Commons, it's going to take us—

Prof. Harold Jansen: To do it purely, you would do half and half. You'd have half districts. Realistically, I don't think doubling the size of the House of Commons is something you should recommend if you want to keep your jobs.

Some hon. members: Oh, oh!

Ms. Ruby Sahota: I don't think most people would be in favour of that.

Prof. Harold Jansen: No, I don't think so either, but you can achieve proportionality with probably about a third of the list.

Prof. Nathalie Des Rosiers: Yes, our recommendation was one third: one-third list, two-thirds...

Ms. Ruby Sahota: How many more members would that increase us to at this point?

Prof. Nathalie Des Rosiers: We were a bit more moderate to try to make sure that you don't increase all the time but make a balanced decision as to how much you want to increase the size of the riding. It was not a clear-cut of one-third more MPs; it was that some ridings could accommodate that. You have to be concerned that it does not become unmanageable, but you have to respond to the fact that you have to add members at least for the places where it's necessary, whether it's the Northwest Territories, Yukon, or Nunavut. We added members to them to have a list.

It's in the report. You can see it there.

[*Translation*]

The Chair: Thank you.

What you are saying is very interesting, especially regarding the way you designed the system.

You have the floor, Mr. Dubé.

Mr. Matthew Dubé: Thank you, Mr. Chair.

I'm sure he was not referring to my topic, but Mr. Deltell mentioned comments about electing a prime minister, a party or an MP. I know I have asked this part of my question, but I found Ms. Des Rosier's answer interesting. She referred to punishing a party and not an MP. That is an interesting idea because we often hear about excellent MPs who are defeated in electoral waves.

We also hear the opposite. Sometimes some very bad MPs are elected because they are in a safe seat, carried by a party that has had 70% of votes in the riding for the past 150 years. So I found Ms. Des Rosier's answer interesting and that is what we are looking for. It is an equitable vision.

My question concerns something else, however. It pertains to a comment, and I thank you for your indulgence.

[*English*]

Professor Jansen, my question is for you. I hope we can get into it because I know you said it was a larger topic. I alluded to the changing reality of the 21st century with social media and things like that. You said it was something that's difficult to get into. We've talked a lot about online voting and things like that, but I feel there are other consequences when we look at how the media are today. I think of 2012 when I was in France for the presidential elections. They're not allowed to talk about any exit poll results until 9 p.m., or something like that, and they're using World War I radio codes to speak to each other as party operatives to figure out which polls they're winning in. It's absurd. When we talk about youth participation and stuff—and you're bang on when you say it's hard to find that magic bullet—I feel that adapting to these realities is the kind of thing that needs to be done. Maybe we could hearing your thoughts on that, because I think it doesn't line up with online voting. I don't like to put the two together, but I feel it's in the same stratosphere.

Prof. Harold Jansen: The reality is that people, and youth included, do a lot less politically online than you might expect. Our surveys have shown that very few people follow politicians on Facebook or on Twitter or engage with them online, and those people who do intend to be politically interested. So generally, it

tends to just provide another tool for the people who are already engaged.

Where I think it connects to electoral systems is to pick up a point Professor Des Rosiers made, which I think is an interesting one. It's about that one thing, breaking down that sense of our political identities being tied to where we live. One of the things that digital technology has allowed us to do is to communicate and find communities of interest that transcend where we live much more easily. I think it has played a role in changing the nature of political identity.

Mr. Matthew Dubé: If I may, I don't mean to interrupt you—

Prof. Harold Jansen: No, no.

• (2025)

Mr. Matthew Dubé: —but that's an interesting point, because that's sort of that reality I'm trying to speak to. In 2016, I'm running in the riding of Beloeil—Chambly, but there could be a candidate who's in British Columbia from the same party as me who might do something inappropriate, or whatever, and then every candidate pays the consequences of that. That's where first past the post, as it was in 1867, is different now, because now you're paying the price not just from what's happening in your own riding or from what your leader is doing, but from the whole team.

Would you agree that we don't really take that into account? I ask because that's a bit of what I'm sensing from how people now relate to politics, which is no longer as regional as it was before.

Prof. Harold Jansen: Yes, and I don't want to downplay the importance of region. It still is profoundly important.

Mr. Matthew Dubé: Sure, no doubt. Absolutely.

Prof. Harold Jansen: But I would argue, and I think the debate over electoral reform has shifted away from that. We used to talk about it mostly in terms of regions—and region and language are so profoundly important to this country—but we are increasingly talking about it in terms of the complexity of identities that we have, many of which now transcend region. I don't think digital technology causes that, but exacerbates it and provides another tool for those identities to be expressed.

[*Translation*]

Mr. Matthew Dubé: Our challenge now is to reconcile these two realities. We have to focus on the process in a broader context, bearing in mind what happens in communities. People live somewhere and that has an impact on their daily lives.

How much time do I have left, Mr. Chair?

The Chair: There are about 30 seconds left for questions and answers.

Mr. Matthew Dubé: I think you have something to say, Ms. Des Rosiers

Prof. Nathalie Des Rosiers: I would like to answer both questions.

On page 111 of the report, there is a sample ballot.

In the first part, voters are asked to choose a representative for their riding. In the second part, they have the option of choosing the party or making a list of people they would like to see on the list. This kind of ballot is not that complicated. It just has two options instead of one.

The Chair: Thank you.

Would you like to add anything, Mr. Dubé?

Mr. Matthew Dubé: There is not much difference.

Prof. Nathalie Des Rosiers: It is more sophisticated.

The Chair: Thank you.

Mr. Richards now has the floor.

[English]

Mr. Blake Richards: If this works the way I hope it will, I have one quick question for each of you.

I'll start with you, Professor Des Rosiers. In your time with the Law Commission and its report, you obviously studied a lot of different electoral systems. We've obviously heard from a lot of academics here about the various systems they support. Some support the current system, some support other systems, but the one thing I think everyone seems to agree on, or that seems pretty unanimous anyway, is that there is no perfect electoral system. Is that something you'd agree with, that there's no perfect electoral system?

Prof. Nathalie Des Rosiers: The system chooses different values. So, what you want to maximize is that the system that you have or propose is in line with some of the values that emerge and that you want to protect.

Mr. Blake Richards: The commission in its report obviously recommended an MMP system. I think that's something that you seem to personally support as well.

Prof. Nathalie Des Rosiers: It was as a result of the process, not before. I did not even know that it existed.

Mr. Blake Richards: Subsequently, I think you now seem to have some personal support for that type of system. I wonder if you can tell us what downfalls or tradeoffs you see in that system.

Prof. Nathalie Des Rosiers: Certainly, I think change is scary. Changing the system will have some cost in terms of people adapting to it.

You do worry about small or fringe parties with agendas that would be racist, or so on, getting more visibility than they would normally have. That's the issue with thresholds, so you always worry about that and the worry that you have when you are moving in that direction.

Mr. Blake Richards: Professor Dufour, Ms. May asked a question earlier about whether any parliamentary committee or other body had ever looked at the first past the post system and concluded to keep it. You seemed very eager to answer that question, so I want to give you that opportunity now.

[Translation]

Mr. Christian Dufour: In my opinion, if we want changes, we have to be realistic and quite modest. Listening to the discussions here, it sounds like the goal is re-engineering, which I think is very ambitious. There is a factor to consider. As I have said, the changes

reflect a more intellectual, more ideological and more conceptual view of politics. From what I have observed of the dynamics of politics in Canada, there is a factor of inertia, a resistance to change.

Those seeking changes in terms of proportionality need to be very realistic. It is not just the committee's work that is at play. There is a whole complex process working against change. I hope your committee and those seeking changes will be pragmatic and not too ambitious. It will not work if you are too ambitious. I am being very direct. I keep repeating this and I apologize. Canadians should in my opinion be able to keep the current voting system.

• (2030)

[English]

Mr. Blake Richards: Thank you, and if there's time—

The Chair: For one question.

Mr. Blake Richards: —Professor Jansen, earlier in our exchange there were a couple of parts to the question that you did not have a chance to respond to. In particular, did we see an increase in the number of rejected or spoiled ballots when alternative vote systems were put in place? Also, with the alternative vote system, did it actually have an impact on those jurisdictions in terms of reducing the spread between popular support for a party and the number of seats that a party won?

Prof. Harold Jansen: Yes, we did see an increase in vote spoilage.

In Edmonton, in 1952, 9.1% of the ballots were rejected. That's huge. The reason is that in Alberta they had a rule that if you only wanted to vote for one candidate and you put an X by their name, that was considered a spoiled ballot. You had to put a "1", and some people were voting federally and voting with an X. Manitoba didn't have that rule. If you put an X, it was clear that you only wanted to indicate one preference. So their rates of ballot spoilage were more like 1.5% or 1.6%, but it did drop even with that, after it came in. So yes, there was some ballot spoilage.

As far as improving proportionality is concerned, in Edmonton, Calgary, and Winnipeg, yes, they all performed much better and got much more proportional results—more so in Edmonton and Calgary than in Winnipeg. Winnipeg was very complex. There was a big spike in the number of small parties, but that had to do with the general strike. Saskatchewan conveniently provided a control case for us. They didn't do electoral reform and they saw a big spike in parties at the same time even though they didn't change their system.

The Chair: Thank you very much.

We'll now go to Mr. DeCoursey who is the last questioner. He'll be batting cleanup in a way.

Mr. Matt DeCoursey: It might be a strikeout. We'll see.

Voices: Oh, oh!

Mr. Matt DeCoursey: Thank you very much, Mr. Chair.

[Translation]

Professor Dufour presented

[*English*]

the idea that there's competition that takes place in our political system. I apologize if I'm mistaken in not remembering this correctly, but I believe that Ken Carty and other presenters talked about the inherent tensions that exist in our system now, and that if we change the system or move to something else, the tensions will move to a different place—perhaps not inter-party but intra-party, perhaps not in the legislature itself but at the community level.

I'd like to hear each of your reflections on where possible tensions might be in different electoral systems or different political orders, and maybe I'll start with Professor Des Rosiers, Professor Jansen, and then give Professor Dufour the last word.

[*Translation*]

Prof. Nathalie Des Rosiers: As to proportional systems, international experience certainly does not indicate that there is no struggle between the parties. Politics is a competition of ideas. In any system, there are winners and losers. There might be differing degrees, but election campaigns are obviously characterized by a fight among ideas. This is highly valued by society. People want a debate on ideas.

We asked a fundamental question at that time: whether any voices, ideas or perspectives are excluded from the parliamentary arena in Canada as a result of the current system. That was the key issue. In other words, we had to determine whether the pressures, the existing distortions, and the fact that these viewpoints could not be expressed in the political arena diminished our collective debate. That was also a question we considered.

• (2035)

[*English*]

Prof. Harold Jansen: On day one in Political Science 1000, I teach my students that politics is about seeking support for common projects. It's building coalitions of support. Right now we do have coalition governments, but the coalitions happen within your political parties. The Liberal Party is the government, but the Liberal Party is actually a coalition. There are differences of opinion

that get hashed out in caucus. We don't see them. To me, the big shift that would happen if we went to a proportional system where no party has a majority is that those things would be hashed out in public much more. That's going to be different and take some adjustment for people to get used to, but also for politicians to adjust to as well.

[*Translation*]

Mr. Christian Dufour: Politics has always been a struggle, and it always will be. That's just the way it is. Our system assumes there will be struggle; it is predicated on struggle. This provides some creative tension. People are sure there will be a struggle. They believe the outcome will be positive.

I will try to be open and say that I hope we will be able to introduce elements of proportional representation without losing the strong points of the current system. That is all I would like to say.

I have said about 10 times that our current system has great strengths. Not many people will say that.

[*English*]

Mr. Matt DeCoursey: Thanks, Mr. Chair. I hope we got a couple of runners home anyway.

The Chair: Yes. Thank you. We did, in fact, yes. You got a triple there.

Voices: Oh, oh!

The Chair: Anyway, thank you very much to the witnesses.

[*Translation*]

I would like to thank the witnesses for their very lively presentations. You have stimulated debate and interest among committee members, at 8 p.m. in the middle of August. We thank you very much for your participation. We have learned a great deal and the discussion has been very interesting.

Thank you and have a nice evening.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 015 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, August 23, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, August 23, 2016

• (0935)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good morning, everyone. Welcome to the 15th meeting of the Special Committee on Electoral Reform.

We have three witnesses with us this morning. They are Professor Barry Cooper, Professor Emmett Macfarlane and Professor Nicole Goodman.

As usual, the witnesses will each have 10 minutes to make their presentations. I need to point out that, after the presentations, there will be two periods for questions. In each period, all members will have the opportunity to participate. They will have up to five minutes, including the answers to the questions. Speakers who do not have the time to finish their remarks can always make comments the next time they have the floor.

[English]

The question-and-answer segment for each member is five minutes, and that includes the answers. If for some reason there's a question left hanging and you don't have time to respond to that question because the five minutes are up, no worries; you can answer the question the next time you have the mike. We won't be deprived of any information or insights just because of a five-minute limit.

If you allow me, I'd like to take a couple of moments to introduce our witnesses.

As I mentioned, we have with us Barry Cooper, who is a former senior fellow at the Fraser Institute and has taught at Bishop's University, McGill, York, and the University of Calgary for the past 25 years. Professor Cooper has studied western political philosophy as well as Canadian politics and public policy. He studies the work of political philosophers as they relate to contemporary issues, specifically regarding the place of technology and the media in Canadian society, the debate over the constitutional status of Quebec, and Canadian defence and security issues.

Professor Cooper has written, edited, or translated some 30 books and writes a regular column in the *Calgary Herald*.

[Translation]

Emmett Macfarlane is an assistant professor in political science at the University of Waterloo. His current research focuses on legislative responses to court rulings and on the Constitution. He has also advised the Government of Canada on the process of Senate reform. His work has been published in the *International Political Science Review*, the *Canadian Public Administration Journal*, the

Canadian Journal of Political Science and the *Supreme Court Law Review*.

[English]

Nicole Goodman serves as the director of the centre for e-democracy at the University of Toronto's Munk School of Global Affairs and is assistant professor at the school's innovation policy lab. Professor Goodman's research largely focuses on the impacts of digital technology on Canadian political behaviour and public policy, and she's widely recognized as a leading expert on the topic of Internet voting in a Canadian context.

She has co-authored numerous academic papers and reports for electoral management bodies and governments across Canada and recently led a study of the Ontario municipal elections to assess the effects of technology on voters, candidates, and election administrators. At this time Professor Goodman is involved with two Social Sciences and Humanities Research Council-funded research projects to understand the impact of digital voting and e-democracy technology on municipalities and first nations in Canada.

Welcome. I can tell right away that this is going to be a very interesting and informative panel and subsequent discussion.

I would like to start with Professor Cooper, please, for 10 minutes.

Prof. Barry Cooper (Professor, University of Calgary, As an Individual): First of all, thank you for the invitation. It's always nice to come to Ottawa when the weather is nice.

I teach political philosophy and war, not political parties and elections, so my remarks will reflect this approach to political reality.

Changing the electoral system changes one of the fundamental attributes of the regime, which in Canada we usually refer to as responsible government. Because fundamentals are involved, I'll have to commit a little political science, for which I apologize in advance.

First of all, changing fundamentals means you can't simply change the electoral system and everything else stays the same. A lot of things will change if we move from the majority-plurality system we have today to one or another form of proportional representation, or PR, as I'm sure you've heard it referred to. The kind of PR matters as well, but I won't go into that. The important thing is this: changing the electoral system is not just applying a new coat of paint.

Second, politics involves forming coalitions—of interests, of ideologies, of personal patronage, whatever—in order to govern. This is as true for chimps and bonobos as it is for human beings.

Parties part people in the sense of dividing them, but they also bring them together as they search for winning coalitions. Whatever the electoral system, whether plurality or PR, parties exist to form governments; that is their rational purpose. It is not just to promote interests and ideologies. Interests and ideologies are often promoted by organizations other than parties and are, within parties, often subordinate to forming a government, but here matters get more complicated, because different electoral systems incentivize people to form different kinds of coalitions.

Specifically, plurality systems incentivize people to form coalitions within a party to win a parliamentary majority. Brian Mulroney famously did so by forming a coalition of Quebec nationalists and westerners. Under PR, small parties, which may well represent ideologies or interests—or in Canada, a region—have no possibility and no ambition to form a government. They want to be part of a larger coalition in order to advance their ideology or interests that way. Governing with a PR system still involves forming a coalition, but now parties form them openly in parliament rather than within a big-tent party. That is, all PR systems incentivize persons to create single-issue parties to run on comparatively narrow agendas and do the coalition-building after the election.

None of this is news. I first learned about the effects of electoral systems as an undergraduate at UBC during the 1960s. The material we were reading was even older.

I have one last bit of political science. We all know that majority rule in free elections is the basis of democracy, but when there are more than two choices, there may be no majority for any particular rank order of choices. This “voters’ paradox,” as it’s called, is the electoral equivalent of “rock, paper, scissors”. More formally, it is the basis of Kenneth Arrow’s impossibility theorem, which he described in 1951 and which helped secure him the Nobel Prize in economics 20 years later. The implication of this very complex argument is significant: there is no best electoral system.

To repeat, there are different incentives provided by different electoral systems, and these incentives are distinct from questions of establishing the franchise, homogeneity of electoral districts or constituencies, and what Canadian courts call “communities of interest”.

Let’s look again at the consequences that a PR incentive system extends to a political party that is more concerned to advance a particular interest, ideology, or agenda than in ruling.

First, it leads to a proliferation of small parties. Even in a plurality system, the disintegration of the big-tent Mulroney coalition resulted in two little parties, Reform and the PQ. It took a decade for Stephen Harper to recreate at least part of the coalition in the Conservative Party of Canada. Outside Canada, between 2000 and 2015, 17% of PR elections resulted in single-party majorities. In contrast, 85% of majoritarian or plurality elections resulted in single-party majorities.

So what? That seems to be a pretty benign consequence.

The problem, however, is that when coalitions are formed in Parliament rather than within the party, large majority parties have to make concessions to small ones, including fringe parties. This is reason enough for small, intense, single-issue parties to favour PR.

The logic is obvious. If small-party ideologies or interests are supported by most electors, they become big parties. If not, they are in a position to leverage their small but intense support in exchange for supporting a big party in Parliament and getting the big party to legislate what they want—but notice that they do so against the wishes of the majority.

● (0940)

Democratic theory is rightly concerned with the tyranny of the majority. PR practically invites tyranny of the minority or minorities. In short, PR does not encourage the foremost political virtue, namely moderation, to say nothing of institutional stability.

The most obvious practical result is that PR elections lead to increased government spending as large parties acquiesce in the requests or demands of small ones in exchange for their support. One study has shown that increases in government expenditures are in the order of 25%. Moreover, PR countries tend to cover their increased expenditures by borrowing money, thus increasing debt. The generalized effect, therefore, is to increase the size of government, which increases the effective power of bureaucrats, and bureaucrats are not elected by anybody.

I should say in passing that the most obvious forgone benefit of instituting a PR system is that it becomes much more difficult to vote the government out of office. This practical advantage of plurality systems was clearly in evidence in the 2015 federal election and in the 2016 Alberta provincial election.

In that connection, so far as changing the federal electoral system is concerned, winning 39% of the popular vote does not constitute a mandate, especially when you ask how many of those who voted for the federal Liberals did so because that party promised to change the electoral system but didn’t say how. I would suggest the answer is “precious few”, which leads to a final practical issue: the growing suspicion of, not to say cynicism with respect to, the motivations of government. Like all parties, the Liberals are rational actors and so will likely design an electoral system from which they expect to benefit. Whether they do is, of course, another matter.

A couple of lawyers wrote in the *Toronto Star* not too long ago, which usually supports the present government, “To allow a one-off parliamentary majority to unilaterally alter” the foundations for distributing political power “would be fraught”. Madison said something quite similar in “Federalist No. 10”, and so did de Tocqueville and many other democratic theorists.

Let me conclude by reiterating my first observation, that changing the electoral system is a change in fundamentals. In legal language it amounts to changing a constitutional convention, or what we now call the constitutional architecture. I need hardly remind you that constitutional conventions are the customs, practices, and maxims that are not enforced by courts but nevertheless constitute a practical political ethics. We were recently reminded of their importance by the spectacle of Senator Duffy.

What is more important is that we might anticipate a court challenge from one or more of the provinces on the grounds that changing the electoral system violates a constitutional convention that has been in place since 1791. It clearly changes the internal architecture of the Constitution, which invites scrutiny by the Supreme Court of Canada.

Changing the electoral system obviously affects provincial interests. Just think of the constitutional requirement of four MPs for P.E.I. If that constitutional requirement were carried forward, one of my colleagues at the University of Calgary calculated that the House would contain over 600 MPs, which implies another kind of architectural change to the configuration of the chamber.

More to the point, the decisions by the court in the Nadon reference and the Senate reform reference of 2014, and going back to the patriation reference of 1980, are pretty good indications that the government would lose.

In short, thinking about a PR system for Canada is fine for political science undergraduates in a bar on a Friday evening. For Parliament seriously to consider this constitutionally suspect change is politically imprudent, to use no stronger language. A lot can go wrong and likely will.

• (0945)

The Chair: Thank you, Professor Cooper, for that interesting analysis.

We'll go now to Ms. Goodman for 10 minutes, please.

Prof. Nicole Goodman (Director, Centre for e-Democracy, Assistant Professor, Munk School of Global Affairs, As an Individual): Good morning.

I'd like to begin by thanking the chair and members of the committee for the invitation and the opportunity to speak today and share my research findings and thoughts.

Before I begin, I'd like to draw everyone's attention to the fact that the Centre for e-Democracy, which is an organization that's dedicated to generating, translating, and disseminating scholarly research findings about how digital technology is affecting our democracy and our societies, is releasing a report that looks at how Internet voting in local elections in Ontario affected election stakeholders such as voters, candidates, and election administrators. That report was released today on the centre's website. Thank you.

I have structured my remarks to speak to the applicability of online voting with respect to the guiding principles of accessibility and inclusiveness, engagement, and electoral integrity. I'd like to make clear that when I am speaking about online voting, I am referring to remote online voting, which means being able to cast a

ballot from a remote location such as work, home, or perhaps overseas.

There are other types of electronic voting, such as from public kiosks or by electronic devices at a polling place. These latter options allow for tighter control by election officials and can minimize some risk.

Remote online voting offers electors improved access and has the greatest potential to reduce costs associated with casting a ballot. It is the only type of electronic voting reform that represents a substantial step forward in terms of voter access and convenience.

Voting accessibility is becoming increasingly important for Canadians. Turnout in federal and provincial elections has experienced a general trend of decline over the past 25 years, notwithstanding a few recent increases that have to do with the contextual considerations in those elections. At the same time, voter turnout in the advance voting period in the same elections has risen significantly. Why is this?

There have been some changes to the advance voting structure that may have created additional opportunities to participate, such as extensions in the number of advance voting days. Generally it appears to be part of a trend, also mirrored in other advanced democracies such as Australia and the United States, whereby voters are opting to vote in advance of election day.

Voters in these countries are also using other remote voting methods more, such as voting by mail. In the recent Australian federal election, for example, overall voter turnout was the lowest it has been since compulsory voting was introduced in 1925, but advance participation at the polls was around 24%. This is up from 16.9% in 2013 and 8% from 2010. Taking into account votes cast by mail, about 34% of the votes in that election were cast before election day.

The fact that voters are so readily making use of the early voting period and other remote voting methods signals that the contemporary voter wants options, or rather choice and convenience, for voting.

There is also evidence that improvements in access can address some of the reasons for non-voting listed in Elections Canada's survey of electors and Statistics Canada's 2015 labour force survey. In recent elections, the frequency of the explanation of "everyday life issues" is the largest category provided by non-voters to explain why they did not participate. This category includes rationales such as being too busy or out of town, illness or disability, weather conditions, or transportation problems. Online ballots can enable voting in situations of everyday life or health issues. These reasons for non-voting should be on the radar of the committee in their consideration of voting reform.

Access can be particularly important for special groups of electors, such as citizens abroad or military overseas, persons with disabilities, young people away at post-secondary schools, the elderly, and members of indigenous communities. Ten countries presently have active Internet voting programs, and five of these initiated the reform to improve voting access for citizens or military overseas: Armenia, France, Mexico, Panama, and the United States. Jurisdictions that have implemented these programs seem content with the added access for voters, and some have expanded the program to the entire electorate, such as Alaska.

Should the government decide to adopt mandatory voting, it would also be important to introduce reforms or measures to improve voter access to the ballot box, such as additional advance voting days, vote centres, or remote online voting.

Regarding the implications of online voting for engagement, I will speak first on turnout. A recent study of Internet voting adoption in Ontario municipalities by myself and my colleague, Leah Stokes, professor of political science at the University of California, Santa Barbara, finds that the voting reforms increase turnout. Examining five elections from 2000 to 2014, we find that Internet voting increases turnout in Ontario municipalities by 3%.

• (0950)

These results are consistent with findings of other research on "convenience voting" reforms, such as voting by mail or early voting. These studies find effects in the 2% to 4% range, typically.

Other voting reforms the committee is considering, which are larger changes, may not have much larger effects on turnout. Adopting a PR system, for example, can increase turnout by 5%, while compulsory voting laws show a much larger change, with an average increase in turnout of 7% to 16% in advanced democracies.

However, even in places where mandatory voting is already established, such as Australia, there is talk of further improving turnout. Voter participation is complex, and no one institutional reform will be the silver bullet.

In terms of policy design and what the voting reform should look like if introduced, we find that when registration to vote online is not required, 35% more people choose to vote by Internet. We also find that there is less uptake of online voting when it is offered in the advanced voting period and not on election day. If offered, I would recommend offering online voting on election day.

Now let me say a word about non-voters. Evidence in Canada and in other countries with established online voting programs, such as Estonia and Switzerland, shows that online voting brings some

infrequent voters into the voting process. Particularly in Canada, at the municipal level there is evidence that people who previously were eligible to vote but did not were brought into the voting process when online voting was offered.

With regard to age and engagement, online voting typically appeals to voters of all ages, though not disproportionately to young people, as is often thought. My research on Canada and findings from other countries, such as Norway, show that the youngest voters, those aged 18 to 25, are more likely to choose paper over online ballots, perhaps out of symbolism or ritual for the first time participating.

Emerging research from Switzerland finds that while older voters are likely to use online voting and remain loyal to the voting method, young people are more likely to try online voting once and then move back to paper ballots or back to abstention. Older voters will use online voting, but it's not the solution to engage young people.

I will end with some final words about electoral integrity.

Though security authentication and verification must be managed carefully, our lives are increasingly moving online. I am of the view that the modernization of government institutions is inevitable, and whether online voting is proceeded with or not, we are going to see technology creep into other aspects of the election process, such as the voters' list, voter registration, and ballot tabulation. Thus, the government needs to give due consideration to research in this area and how voting technologies might apply to the unique, contextual circumstances in Canada.

The integrity of elections should be a foremost consideration of parliamentarians. While some changes may raise questions about the impacts of certain reforms, taking no action, which is a decision in itself, could also impact citizen trust and faith in elections and Parliament.

If online voting is implemented, its deployment should be carefully thought out, researched, and trialed in a select area or with a particular group of electors prior to broader development.

Finally, process is very important. Electoral reform is not something that can be rushed; it is much better accessed as part of a careful and deliberate process. While a trial would be a practical step forward and change is inevitable, large-scale deployment needs to be well researched, considered, and planned.

Thank you.

• (0955)

The Chair: Thank you.

That was very rich in insight and the latest information. Much of it seemed at first blush, from where I'm sitting, to be counterintuitive. We're looking forward to really delving into what you said in more depth.

[Translation]

We now move to Professor Macfarlane, for 10 minutes.

[English]

Prof. Emmett Macfarlane (Assistant Professor, University of Waterloo, As an Individual): Thank you.

I want to thank the committee for the invitation to join you today. You'll forgive me if I'm not as coherent as I could be, but we have a two-week-old baby at home, and it turns out babies come with a big dose of sleep deprivation.

The brief I submitted to you addresses a set of disparate issues relating to electoral reform. It explains why there are no significant constitutional constraints on Parliament's authority to implement reform. It addresses the nature of proportionality and reminds you that while PR systems are designed to result in proportional representation in legislatures, they do not necessarily result in anything resembling proportional exercise of power. It cautions you about mandatory voting and asks that you consider whether mandatory voting is anything more than treating a symptom of a set of problems rather than dealing with those problems. It presents an argument for why, I believe, political legitimacy may require, at the end of this process, a referendum to ensure that Canadians support whatever specific reform is advanced at the end of the day.

For my opening statement, I'd like to focus on exactly how evidence from social scientists, and especially political scientists, can assist you.

As the committee has already learned, political science can provide important insights about the operation, impact, and comparative evidence regarding various electoral systems, but there is no social scientific evidence that one can apply to assert that any particular system Canada might seriously consider adopting is more democratic than another, and this includes the first-past-the-post system.

As Professor Jonathan Rose has told you, choosing between alternative electoral systems is a question of values and trade-offs. In my view, there are those who advocate for PR systems with privilege, proportionality, and vote equity, and there are those who advocate for the status quo with privilege, efficiency, vote aggregation, and more direct or clearer lines of accountability. These values are all consistent with democratic norms but are emphasized by varying degrees by different electoral systems. There

is nothing less democratic about a system that privileges parties capable of obtaining deep enough support to win single-member geographic ridings, nor is there anything less democratic about a system that seeks to ensure seats allocated in a legislature reflect popular vote shares.

Misleading rhetoric about the various electoral systems may cloud our ability to properly identify these trade-offs that are associated with each system. There are accusations that first past the post produces false majorities that risk misrepresenting that system entirely. It certainly looks like a false majority is produced if one frames the system entirely on the basis of national vote shares, but that's not what the existing system is meant to do. In first past the post, the system effectively consists of 338 separate electoral contests with a seat at stake in each one. A party that wins a majority of those contests is not winning a false majority. Canadians might reasonably prefer this simple geographic form of representation. Similarly, accusations that PR systems bring inherent instability are not supported by the comparative evidence, nor is there any evidence that Canadian political parties, or the political culture within Canada or its Parliament, are somehow incapable of adjusting to a system that more readily produces minority or coalition governments.

It has been disappointing to see some of the expert witnesses appearing before you make normative assertions about the democratic validity of certain systems over others. These may be informed opinions, but they are grounded in normative preferences, ideology, and even partisanship. This is not to say they are illegitimate or somehow not valid. I would argue that you could make a valid, normative case in favour of any major electoral system, including the status quo.

The question becomes one of who gets to make the final call. With respect, political parties have too much self-interest to be trusted with the end decision. There is already sufficient anecdotal evidence that the parties each of you belong to are already entrenched in their views about the outcome of this process. It would be absurd, especially considering the arguments against first past the post, to enact an electoral system against the wishes of a majority of Canadians.

• (1000)

The government's campaign promises gave it a mandate to pursue reform, but they do not provide a mandate to enact any particular electoral system. An electoral change is not like any other ordinary legislation. Canadians should have a say in the design of the fundamental thing that links them to the state.

I'll leave it at that. Thank you.

The Chair: Thank you very much, Professor Macfarlane.

Congratulations on the new arrival in your home. A lack of sleep does not seem to have blunted your acuity and the clarity of your comments.

We'll proceed to the first round with Mr. Aldag, for five minutes, please.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

Professor Goodman, I'll start with you.

First of all, I'd like to thank all three of you for being here today. I'm sure that you'll all have lots of questions as we go through the rounds.

We've had some discussion on online voting. I'm particularly interested in the online voting work that you've done and I was able to retweet the link to the report that was just released, so hopefully everybody out there watching us will get to review that material.

From some of the witnesses we've heard already, the concern of security comes up. There's this cautionary note that's been given to us to be careful, and that our electoral system needs the trust of Canadians. In your studies, could you speak to some of the issues, such as how other areas are dealing with these security concerns. How are they addressing security within their population to give people the certainty that they can trust the system that's being introduced?

Prof. Nicole Goodman: Thank you for the question.

Yes, security is certainly a major argument against online voting. Certainly a lot of jurisdictions that have looked at implementing it have delayed or stalled or not moved ahead with pilot projects because of concerns around security, but Internet voting has been used in numerous jurisdictions now in the world. I think there are over 20 jurisdictions. The biggest concern reported from authorities that have well-entrenched programs—such as Estonia, for example, which is the only country to deploy Internet voting in a national election—is they're more concerned about perceptions of security and how that might hurt things as opposed to actual attacks. I think what you find when you do surveys, particularly in countries like Canada that have high Internet penetration rates, is that the public is very accepting of the Internet and they want to see more and more services online.

I was recently attending a conference where someone suggested that even if there was an issue, just as there are issues with online banking, people continue to bank online. I'm not supporting that or saying it's right, but there seems to be an expectation among citizens today that we should have services online and that those other concerns should be mitigated.

•(1005)

Mr. John Aldag: I'll take the comment about the online banking. It's something that's come up in our discussions with the previous witnesses. One of the comments that was given to us is that in the case of online banking, if you're hacked and you lose your money, there's insurance. There are things that cover it. There's not that same kind of insurance with a vote.

Are you seeing it in conversations in areas that have done this? How do you give people that confidence? How do other jurisdictions give people that confidence? I think you indicated that we should start slowly and try it with a test population. Does that give the population the confidence? I'm curious. Alaska, I think you said, started off small and has rolled it out to the entire population. Have

you studied the steps that they took to get there and reactions within the population as they went over that rollout? What does that look like?

Prof. Nicole Goodman: In a lot of jurisdictions you'll see them start out with a pilot, and then they'll move up from there. Even in Estonia, for example, they started in local elections and then they moved up to national. In European parliamentary elections, in Switzerland, you saw the same trend.

Typically, when you're starting out, you do a lot of research and come up with a system that works for you. What they have in Estonia, which I can maybe speak to a little bit more later, is maybe not something that would work financially in Canada, because Estonia is a very small country. Everyone has a digital card, and that card is your bus pass, your bank card—it's everything. It's not something that you easily want to share. It's not something I would share with Professor Macfarlane, for example, because it has all of my information on it.

The media and candidates and voters have been brought into the process as they were implementing it. Making sure that there's lots of education and outreach is key to getting stakeholders on board, and it's really important to have an open and transparent process, to have public information sessions about how the technology works and to have people test it out and try it out and see if they like it.

One last point is to make it available to maybe a special population of electors first. You see it in quite a few jurisdictions. I mentioned it's available to expats or military overseas, or another special group or a special area. Then once they've worked out the kinks, they do larger deployments.

The Chair: Thank you.

We're almost at five minutes, so we'll move on to Mr. Reid. Thank you, Mr. Aldag.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much. I found all three presentations very interesting. I will, however, be directing my questions to Professors Macfarlane and Cooper simply because your topic is fundamentally different from Ms. Goodman's.

I want to start with a thought that has been rolling around in my head. Professor Macfarlane, I think this is somewhat as you were saying, but I've had the impression since October of last year that what has happened is that the government has misinterpreted what its mandate is.

The classic parliamentary mandate theory from the era of Gladstone and Disraeli would have said that the government has a mandate to propose legislation, that effectively it has the exclusive right to propose legislation. In those days, if Disraeli, for example, had had a minority in Parliament, he would still have, being in control of the executive, the exclusive right to propose legislation as government legislation. Gladstone in opposition would not, and Parliament would make the decision, and they seem to have made the assumption that the modern version of this is that if they have a majority, regardless of the percentage of the vote, they have the right to simply push through everything they bring forward, whereas I would say that the proper modern interpretation of mandate theory ought to be that they continue to have the exclusive right to propose any electoral system they think is appropriate but that ultimately it is the people who ought to have the final decision by means of a referendum.

Do you think I'm right in saying that the government does have a legitimate mandate to propose whatever system it thinks is best, but not to proceed beyond bringing that forward to the people for the final decision?

Prof. Emmett Macfarlane: I don't want to get into suggesting that a political party can't make whatever promises and frame those promises however it wants, and quite frankly, in a system of responsible government, if the government can pass constitutional legislation, good for it.

My concerns relate to the political legitimacy of those decisions, and I think had the government actually promised a specific electoral system, it would be on safer ground with regard to that political legitimacy question. I think the nature of the promises that 2015 would be the last first-past-the-post system, that we will consult and pursue reform, clouds the extent to which you can claim a direct mandate from the people. I do think there are other reasons that Canadians need to be consulted by a referendum. I just think the mandate, the nature of the promise, is what I think runs into some difficulty in terms of political legitimacy.

• (1010)

Mr. Scott Reid: Right.

I have been frustrated. I've made this point to the minister. She says we'll sit back and wait for recommendations and then we will choose from those recommendations and then proceed forward, presumably without a referendum, although she's a bit vague. It seems to me she's got it backwards, and I've said to her, "Look, you make the choice. You decide what is right and then present it," and it's the people who should make the decision rather than as we're doing now. Essentially we go out and ask the people of Canada what recommendations they would make so that the government can make the final choice.

Do you see what I'm getting at? It seems to be almost a reversal of the way the system would best function, whether from a democratic point of view or simply from the point of view of coming to a practical, workable system.

Prof. Emmett Macfarlane: I am a bit torn. I'm not a fan of referenda generally. I do see electoral reform as an exceptional case, so I wouldn't want governments to have to deal with every policy decision by saying that "Well, we're going to make our decision and

then we're going to present it to the people. We're going to constantly have plebiscites." However, I think there is something particular about electoral reform that's inherent in a value proposition about what system we ought to have. I don't think a referendum can replace any of the process of actually arriving at a potential alternative, but I have yet to hear a convincing argument against a referendum in this case, especially given the arguments against first past the post and the nature of government power under that system or why we ought to potentially push through a system without knowing that Canadians don't prefer the status quo.

Mr. Scott Reid: Thank you.

I'll wait for the next round for Professor Cooper, because I seem to be out of time.

The Chair: Thank you.

Monsieur Boulerice is next.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

Welcome to the witnesses appearing today.

I would first like to ask Ms. Goodman a question.

Many voters want to be able to vote online. They come up to us in the streets to tell us that it is 2016 and to ask us why it is not being done. The most common example they give is that they can now pay a telephone bill through their bank. So why can't they vote in the same way? On the other hand, even though it is modern and user-friendly and can make life easier for a number of people, if it's not broken, don't fix it, as they say.

We still have a system that works well. The law allows people to leave work at a certain time in order to go and vote. When you show up at a polling station, you only have a few minutes to wait. I have never waited very long to vote. You can find out the results two hours after the polling stations close. If the result is unclear, people open the sealed boxes and count the ballots again.

If that works well, you wonder why we have to move to something that a number of people see as quite risky. Here is an example of a vote that was not done online, but that was done electronically.

In the municipal elections in Montreal in 2009, people did not vote on paper ballots but they registered their votes using a machine. Initially, the company that organized the voting provided amazing guarantees as to the security of the process. But a year and a half later, we found out the company in question was unable to guarantee that the results that had been announced were accurate. In fact, we did not know whether the candidate elected as mayor of Montreal actually was the mayor of Montreal, which was somewhat of a problem.

What could you tell people to reassure them that the process is secure? The procedure seems quite interesting, but I do not see the need for it.

[English]

Prof. Nicole Goodman: Thank you for the question.

To start to respond, I'd like to say that electronic voting machines are very different from Internet voting. You typically see the two conflated. People point to the 2000 election and what happened there as an argument against Internet voting.

I'm not here today to necessarily advocate for Internet voting or say that it has to be implemented. My view is that our political institutions are modernizing, and if we don't see Internet voting now, we're going to see technology in other aspects of elections. The United States is a great example, because it is a country that has been extremely cautious, yet you see 32 states now using the Internet for voter registration, and it is having a great impact. I think we'll see the technology creeping into voters' lists and into registration, and we already see it in ballot tabulation in a lot of areas.

I think it's important for the government to flag this, put it on their radar, and start doing research now so that maybe in five or 10 years, when you decide that maybe it is time to implement it, the framework will be in place and it's not a rushed process. In the U.K. in particular, they really tried to rush their trials and pilots and it didn't work out well for them.

• (1015)

[Translation]

Mr. Alexandre Boulerice: We want to use online voting in order to increase the turnout at elections. But Professor Jansen, who was here with us yesterday, told us that Internet users, those who could be most likely to vote online, are already online and interested in politics. Often, people with more education and a higher income, those who are more comfortable, already vote using the paper ballots.

Is there any evidence at all that online voting could increase participation in elections, given that people who do not vote are often more marginalized and less likely to understand and to use electronic or online tools?

[English]

Prof. Nicole Goodman: Yes.

Professor Jansen's comments are correct when we look at who is the average Internet voter and who uses Internet voting the most. In Canada at the municipal level and also in other jurisdictions, it is typically people who are older, people who wealthier, and people who are more educated. This is interesting, because in a way it speaks to this digital divide. A lot of people say, "Oh, older people won't make use of online voting because they have lower digital literacy", but we see this isn't true. When older people have lower Internet use, for example, or familiarity with computers and the Internet, they're still just as likely to make use of Internet voting. That is somewhat reassuring.

In terms of—

The Chair: Just take a couple of more seconds, please, for your point.

Prof. Nicole Goodman: Okay.

We have seen it improve access for special groups of electors, such as persons with disabilities. It's being used in many first nations communities, and hopefully I'll have the opportunity to speak to that.

The Chair: Thank you very much.

[Translation]

Mr. Ste-Marie, you have the floor.

Mr. Gabriel Ste-Marie (Joliette, BQ): Thank you, Mr. Chair. Welcome to the witnesses and my thanks for providing us with those presentations.

My question goes to Mr. Macfarlane, but I would also like to hear comments from Ms. Goodman, and from Mr. Cooper, of course.

Canada is a federation, not a legislative union. Fundamentally, the idea was to guarantee minority peoples like mine that their rights would be upheld so that they did not find themselves engulfed by the identity of the majority people, in this case yours. The current electoral system contains mechanisms that provide protections.

In your view, if the reform of the voting method led us to choose a mixed-member proportional system, what measures would be put in place to guarantee that minority rights would be upheld?

[English]

Prof. Emmett Macfarlane: I think part of the discussion about the electoral system ignores a lot of related policies that aim to protect minorities. I would say that regardless of the system, there are a set of things we can discuss in terms of ensuring fair representation and protecting minority rights. One is charter values. We have a problem in this country with leaving those rights questions too readily just to the courts. I think Parliament could be much more activist about the charter and thinking not only in terms of how we craft policy and legislation to avoid constitutional infringements but also about how we enhance the values of the charter. You can think about how this rule might relate to the electoral system in a couple of ways, the big one being the parties themselves and things like candidate selection.

Professor Melanee Thomas gave a great presentation to the Canadian Study of Parliament Group a few months ago. She pointed out that electoral system reform isn't the most effective way of making changes relating to representation of minorities. The most effective way to get there is to change our political culture and to change how candidates are selected in parties. Some of our parties are cognizant about gender representation and others less so. I know I risk opening the can of worms of how much Parliament should regulate the conduct of political parties, but it's an open one, and I think there are things that relate to the electoral system but aren't inherent in the system that are more germane to protecting minority rights.

•(1020)

[Translation]

Mr. Gabriel Ste-Marie: Okay. Thank you.

In case my two other colleagues would like to make any other comments on this, I would like to add that my question really was about the rights of minority peoples, not those of all minorities.

[English]

Prof. Barry Cooper: I would only add that federalism is also a good protection, and historically it is what has protected the position of the major self-understanding of minorities in Canada, namely francophone Quebecers. With the charter and with the implications of the last 30 years, francophone minorities outside of Quebec and anglophone minorities inside Quebec, although to a lesser extent, have also been protected, mainly through court decisions.

As you mentioned earlier, sir, if it's not broken, there's no need to fix it.

Prof. Nicole Goodman: I would agree with Professor Macfarlane's comments.

[Translation]

Mr. Gabriel Ste-Marie: Okay. Thank you.

Mr. Chair, as I only have a minute to left, I will stop there.

The Chair: So you are going to put that minute in the bank.

[English]

We'll go to Ms. May now, please.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chairman.

I want to thank all the witnesses for coming here today. I think I would like to start by asking Professor Macfarlane some questions.

Your brief is very helpful and clear, and again congratulations for the new baby.

I find you've taken a run at some of the academics I hold in highest regard. I thought I would start by asking about your comments about the term “false majority”. It's a term that was, as far as I know, invented in relation to first past the post by Professor Emeritus Peter Russell, a political scientist from the University of Toronto, in his book *Two Cheers for Minority Government*. I was wondering if you're familiar with the larger context in which he coined the term “false majority” to describe a government in place with a vast majority of seats but with a minority of public support.

Prof. Emmett Macfarlane: I too hold Peter Russell in the highest esteem. He's an academic hero of mine. I'm not sure who originally coined the term “false majority.” My concern is less about where it emanated than how it is employed in this debate, and it's often employed in a way, I think, not to argue in favour of a different system but to, I would argue, misrepresent the nature of the system we have.

Our system is simply not intended to translate the national vote into equitable shares of seats. It's a different system. When the average Canadian hears that false majority governments result from it, without having the context of knowing that someone is arguing

for change rather than describing what a system does, I think we lose the empirical versus the normative frame. The implication is that the first-past-the-post system is, obviously, illegitimate because it's producing undemocratic results, but that's a value proposition, not an empirical statement.

Ms. Elizabeth May: In terms of what Professor Russell was saying, I would agree with you entirely if our system of Parliament was members of Parliament who weren't controlled by party discipline. In effect, a false majority—and again, I'm paraphrasing Professor Russell and of course also Professor Donald Savoie—in our system of Westminster democracy, more than in any other Westminster democracy, creates power in the executive. Our prime minister has more power relative to our system than a U.S. president has in their system, or a U.K. prime minister or an Australian prime minister has in theirs, and so on. That's why there's a question of legitimacy when 39% of the votes translates into control of the executive and the legislative branches.

Would that be a concern of yours at all?

•(1025)

Prof. Emmett Macfarlane: Yes, absolutely. I think my point was that a lot of people don't frame the debate that way. I'm not accusing Professor Russell of misrepresenting anything. I think the way the term “false majority” is frequently thrown around shows it being used in a more disingenuous way. That's my only concern. I think there are, as I said, legitimate arguments in favour of pretty much any major electoral system.

Ms. Elizabeth May: Taking that point, I want to switch to Professor Cooper.

I've read your piece with interest—I've read many of your pieces over the years, good heavens—and I don't always agree with you. We can discuss climate change and the connection to fossil fuel burning on another occasion.

Voices: Oh, oh!

The Chair: This is an electoral reform committee, I remind the members.

Voices: Oh, oh!

Ms. Elizabeth May: Yes.

The piece that I think is very relevant is your piece from April: “Don't Hold Your Breath Waiting for Alberta's Right To Unite”. Our colleague and fellow member of this committee for the moment, Jason Kenney, is very keen that you be wrong, but it goes to the heart of the problem with first past the post.

In your comments, you said that with proportional representation we'd have a proliferation of smaller parties, but your example actually came from first past the post and the splintering of Progressive Conservatives and Reform and the Bloc. I just want to ask you, if you could cast your mind back to the 1993 election, whether you have any concerns that the country wouldn't have had better representation had we not had a first-past-the-post system, which, for 16% of the vote gave Progressive Conservatives two seats, while 6.7% of the vote for the NDP gave them nine seats, and in the previous election the Progressive Conservatives, with 43% of the vote, had 169 seats.

Does this in any way create any concern on your part about first-past-the-post perverse results, in your interest of voices on the right not forcing themselves to unite in order to get the kind of Parliament that the voters would want?

Prof. Barry Cooper: As I said in my earlier remarks, and Professor Macfarlane said it as well, there's no best system. I think that Peter Russell would agree with me. I've known him for a long time, and this is kind of conventional wisdom. In your example, there are anomalies that, whether you're a Conservative or not, you might regret, but surely that is up to the parties. It's not a function of the electoral system. What happened with the disintegration of the Mulroneo coalition, in some respects, was foreseeable, like it or not, but I don't think it had anything to do with the electoral system. It righted itself; it just took a long time.

The Chair: Thank you.

We'll go to Ms. Sahota now.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Chair.

My first questions are for Ms. Goodman, and if I get through those I'll have one for everyone.

Online voting seems to be where we're headed in the future, as you say, and a lot of experts have said so, but there have been concerns about integrity and us not being ready. It's hard for me to fathom. I'm thinking that the issues we have with the Internet are ones that anybody in the world would have regarding the security aspect. Can we get into the case of Estonia and how they accomplished online voting there? How are they doing with the results? Have they been able to keep the integrity of their system?

Prof. Nicole Goodman: Thank you for the question.

Estonia is a much smaller country. I'm a social scientist, so I can only speak to the security a little bit from what I've studied, but they have a really robust system in place in terms of authentication. Since 2013, they've been working on verification as well.

You mentioned electoral integrity. There have been a couple of instances in which the integrity of elections in Estonia has been called into question, and I think they are important to highlight. One was in 2011, when a student claimed that he could tamper with the system by using election-rigging malware. Around the same time for the same election—but they don't think it's related—one vote was declared invalid during tabulation. They investigated this vote and what might have caused it, because someone could theoretically cast an invalid vote. No bugs were identified.

On the student issue, he wrote to the National Electoral Committee and to three major newspapers, and it eventually went to the Supreme Court, which dismissed the appeal, arguing that although the student was an Estonian citizen and could be subject to voter disenfranchisement attacks, he knowingly put the malware on his own computer and his rights were not violated. Shortly after that, one of the other political parties also filed an appeal to dismiss all of the votes in the election, and that was also dismissed by the Supreme Court.

Around the same time, Estonia started to approach the 25% mark in terms of votes being cast online, and that also raised concerns. When you have more than 25% of the votes being cast online, arguably there's more incentive for someone to try to tamper with the election. The vote share in terms of online voters has continued to increase, and they have not had any issues.

Based, however, on this incident, they worked toward verification. There are different types of verification, but basically the simplest kind is for you to be able to verify that your vote has been cast as you intended. Universal verification is considered the best, and that's cast as intended, recorded as cast, and then counted as cast.

• (1030)

Ms. Ruby Sahota: Okay. That's interesting.

Since we don't have any examples for national elections, can you point to any examples of municipalities or provinces that kept the integrity of their systems intact?

Prof. Nicole Goodman: Yes. Internet voting is used more in Canada at the municipal level than anywhere else. Ninety-seven municipalities in Ontario used it in 2014. There are a myriad of different approaches that they use, because they somewhat have autonomy over what they can do. Larger municipalities such as Markham and Halifax in Nova Scotia, for example, typically use two-step approaches, which require the online voter to register first. We know that this lowers uptake and fewer people will use it, but there is an argument that this adds an additional measure of security.

However, if the federal government were going to implement online voting, I think it would be really important to look at how you are going to authenticate the voter. You may choose to use something that's a little bit more rigorous than municipalities use, but authentication is one area that would have to be worked out. You could certainly look at Estonia and Norway, which have the most comprehensive systems out there, although it's been discontinued in Norway. Then verification would be the second piece that you would want to look at.

Ms. Ruby Sahota: Why was it discontinued in Norway?

Prof. Nicole Goodman: It was political considerations. Partially it was that turnout didn't increase necessarily, and a lot of political parties, particularly conservative parties—no offence meant—typically don't like online voting because they think it's going to encourage liberal supporters and a lot of young people to participate, and that's just not true.

[Translation]

The Chair: Thank you.

Mr. Richards, the floor is yours now.

[English]

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you, Mr. Chair.

I'll direct my initial questions to Professor Cooper.

In your comments thus far you've had an opportunity to discuss the fact that your strong belief is that there's no best electoral system, and you've certainly talked about the merits and disadvantages of different systems.

I wanted to focus in a bit more on referendums and the importance of seeking the opinion of voters on any change that the government would seek to undertake. I saw in July that you wrote in the *Calgary Herald* that, and I quote, “the Liberals have neither political mandate nor constitutional right to change the electoral system without a referendum”.

I wanted to just ask if you could expand a bit on that and the rationale that you have for making that statement.

Prof. Barry Cooper: Let me say at the start that I'm not a big fan of referendums, as Professor Macfarlane said, but this is extraordinary legislation and there is a problem of legitimacy. This is not just idiosyncratic opinions of the two of us.

I think your common sense will tell you that if you're changing the rules of the game, the fundamental rules of the game, you have to make sure that the major players, namely the people of Canada, approve of it.

Now, having said that, what are the available ways of securing that kind of legitimacy? A referendum or another election, I suppose, where that is the sole issue, as the free trade election was a generation ago, might be one way of doing it, but it's unlikely that the Government of Canada is going to go to the people on changing the electoral system. It's a second-best alternative.

Ontario, P.E.I., and B.C., I think, have considered changing their electoral systems, and they've had referendums, and the proposals have all been defeated. If I were advising the Government of Canada at the moment, I would say that's probably not such a hot idea, because you're likely to be courting loss.

How, then, are you going to get legitimacy for this really basic change? I think it's a dilemma. I don't like referenda, but that would be one way, and the most obvious.

• (1035)

Mr. Blake Richards: Sure.

It's understood that the three previous examples of referenda on electoral reform in those provinces led to the reform being defeated.

The Prime Minister has stated this. He believes that a referendum would most likely lead to a defeat, but is that a reason to avoid one? Does that mean the government should proceed without seeking the will of the people, or is it actually a good reason to have one, in order to avoid having one political party, or even a number of political parties, impose something on the Canadian people that maybe they don't want?

Prof. Barry Cooper: That's an excellent question. I don't think there's a clear answer to it.

I think that when the government opened this question, they hadn't considered the consequences seriously. Certainly this committee has heard from a lot of witnesses that there are a lot of implications that perhaps the government did not have in mind or even consider when they suggested that Parliament should change the way it creates itself.

Mr. Blake Richards: You have also stated in the past, and this is a quote, that:

Those who advocate changing the electoral system, who mouth the bogus claim about wanting “every vote to count,” do not want to apply that principle to a yes/no vote on electoral change, even though it would produce a genuine majority vote.

Why do you think that is? What do you think is the disconnect between the goal and the process that people are advocating to be used?

Prof. Barry Cooper: “Who knows?” is, I suppose, the simplest answer, but assuming that political parties are rational actors, they set the procedure up in that way because they thought it would benefit their own agenda. I don't know why else they would do it, but the fact that it's inconsistent doesn't seem to bother people. Most of the time we are inconsistent.

[Translation]

The Chair: Thank you very much, Mr. Richards.

Mr. DeCoursey now has the floor for five minutes.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I too would like to thank the witnesses for joining us today.

[English]

I wanted to return to you, Professor Macfarlane, and your testimony around the nature of proportionality.

You touched briefly on this idea of proportionality of representation perhaps being discordant with proportionality of power.

Can you expand on that a bit more? What do you mean by this, and how does this get misused by some people publicly?

Prof. Emmett Macfarlane: I think we need to focus on what PR does. As Professor Peter Russell told the committee, it is about translating national vote shares into proportional seat allocation in the legislature. We also hear that one of the main criticisms of first past the post is that a government can get 36% of the national vote and get 100% of the power. That 100% of the power is a function of the concentration of power in the executive and a majority government's dominance in the House.

The problem is that proportional representation is about proportional representation. It's not about the exercise of power. When you look at a context in which a party that gets 15% of the vote is able to leverage its way into a coalition government or get pieces of its preferred policies in play by propping up a minority government, that is exercising significant power. Nominally when 85% of Canadians voted against you, to me that is in some ways even more disproportionate than the power exercised by a plurality government in our current system.

This is not to say that any of that is legitimate. Responsible government means that whoever can control the confidence of the legislature gets to govern, and that type of arrangement could certainly happen under a first-past-the-post system. We seem to have a culture that doesn't lead to coalitions currently.

So PR is legitimate, but I think it's important to understand and to distinguish between what PR does in terms of proportionality and what it does not do.

• (1040)

Mr. Matt DeCoursey: Great.

I'm reminded of the conversation we've had with plenty of witnesses around the idea of trade-offs of values. You talk a bit about misleading rhetoric around different electoral systems.

As we prepare to embark to head across the country to meet with Canadians, what advice do you have for us to best lay out the options in front of Canadians in the most genuine and honest way possible so that they understand, on balance, the potential trade-offs that different systems will have?

Prof. Emmett Macfarlane: I think it's a bit of mental exercise of ensuring that we talk separately about what each system does in practice—the empirical aspect—and then about our normative arguments about each system. The normative arguments about each system are the criticisms one might make about the effects of these different values that each system has, and some of those criticisms are more or less empirically valid. I'm not sure the comparative evidence tells me that PR systems are inherently unstable. I think you have to cherry-pick a couple of countries to be able to make that claim, whereas many of the countries with PR systems are perfectly stable and their systems are stable.

On the flip side, if your argument is that PR systems tend to have the capacity to produce more narrowly interested or more ideological and even extremist parties, then we do see evidence of that. We have to separate fact from fiction. I think the starting point is speaking to Canadians about what each system does, what it looks like, how it works, and what the effects are empirically. We can then get into the debate about values when it comes down to looking at these alternatives and what order we are ranking values. If proportionality

and vote equity are at the top, then we might look at MMP or STV systems. Are we concerned about accountability? That might fog things up a bit.

I think we have to be clear about separating the “what is” from the “what should be”.

[*Translation*]

The Chair: Thank you.

Mr. Dubé, the floor is yours now.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

My first question goes to Professor Cooper. It deals with the idea of creating coalitions known as “inter-parties” and “intra-parties”.

I do not have the exact quotation in front of me, but yesterday, one of the witnesses said that, in a proportional system, different parties could form a coalition in public rather than doing so at a party congress or, with even less transparency, at a caucus meeting.

I have a hard time understanding why you consider that one of the proposals you made is better than the other. You use the expression—

[*English*]

big tent parties

[*Translation*]

to represent something positive because the coalition would already be formed and it would not be necessary for the different parties to do it publicly. In principle, the result would be the same because nothing would be stopping a region or a group of interests within a caucus to promote a party's program. The only difference is that it would be done in public.

I would like to hear what you have to say about that.

[*English*]

Prof. Barry Cooper: The main difference between interest groups operating within a party and interest groups negotiating in Parliament is party discipline.

Interest groups negotiating within a party to form an intra-party coalition generally do things in private. When you have parties that owe their existence in the House of Commons to a very specific and, let's say, narrow agenda, everybody knows what that particular party will want, and they will therefore be looking to the larger party, whatever it is, to see how great a concession the larger party will make to the smaller one. That's the difference in the style of negotiation that goes on.

That's important for two reasons. There's always going to be discontent in the electorate, and there's always going to be discontent within big-tent parties, but there are not always solutions to these discontents. The point of party discipline is that it's able to stifle what you might call irrational discontents, people wanting things that are impossible or unlikely or contentious.

Smaller parties are composed of, let's say, true believers who are less willing to compromise and who are not subject to party discipline. They have no reason to compromise. We've seen this most obviously in the United States in the last 15 or 20 years, but I think it's also true in Ottawa.

Compromise is not a bad thing—

• (1045)

Mr. Matthew Dubé: But sir, I guess if we look at it, isn't that what PR is encouraging, though? I guess what I'm saying is that when you talk about party discipline, right now a good portion of the electorate sometimes gets frustrated with party discipline, but it's established in caucus, in private, whereas in a PR system you'd be forcing parties to have that negotiation in public. Would that not restore some credibility and some faith in the part of the electorate? At least then they would know why a vote is being held a certain way, or at least that the negotiation is taking place much more transparently. Again, it's not perfect, but it is better than an alternative.

Prof. Barry Cooper: Well, I guess if we are given a new electoral system that deals with PR, we'll find out, but it seems to me that there's at least as great a danger of an incredible deadlock.

Mr. Matthew Dubé: Okay, fair enough.

Professor Macfarlane, I have a question for you going back to that question of the intention of the system and how it can be misrepresented when people are using certain rhetorical terms, such as “false majorities” and so on.

My question is about the fact that in this day in age, with the 24-hour news cycle and social media, a lot of people buy into the idea that they can vote for a party or a party leader and they kind of forget the aspect of the local representative. Sometimes it's not a question of being ignorant of the system; it's just that with party discipline or whatnot, people feel that's what they're doing. They feel they're selecting a representative for a party and sending them off, and they're going to toe the party line.

Therefore, when we talk about misrepresenting the system, is the system not already misrepresented in the way people vote anyway in first past the post? The importance of first past the post is geographic representation, but that's not how some people are voting, so are we not getting false majorities just because people aren't necessarily voting the way the system intended them to, when they do strategic voting and whatnot?

The Chair: Unfortunately, we're right at five minutes, so perhaps you could include the answer in a further comment.

[Translation]

Mr. Deltell, you have the floor now.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Welcome, madam; welcome, gentlemen.

[English]

My first question will be to Mr. Macfarlane.

You said earlier that you're not a big fan of referendums—good point—but you say this is “an exceptional case”. Why is it so exceptional for you?

Prof. Emmett Macfarlane: Unlike most technical pieces of legislation, this is something that will actually affect all legislation, because it will change the composition of the House of Commons. The fact that elections serve as the primary link between society and government makes it exceptional. Given the Supreme Court's recent and further articulation of the idea that there is a constitutional architecture, even though the electoral system is not laid out in the constitutional text, it is of constitutional significance, and although we are not clear from the jurisprudence, that may mean that electoral reform is a change of a constitutional nature.

I happen to think that if a formal amendment is required, as it is under reapportioning seats, it's something that Parliament can do itself. However, that constitutional nature is something else that adds to the exceptional nature of electoral reform.

Mr. Gérard Deltell: Yes, but the point is that just by an amendment we can amend the law, opening the door to having a referendum on electoral reform, and everything will go on. As far as we are concerned, it's not a big issue, but we must have the will and the intention to call a referendum to solve this issue.

Mr. Cooper, you said a few minutes ago that a generation ago, in 1988, we had the election on the free trade agreement. I remember it quite well. We saw something very special, especially in Quebec, when we saw people very involved in the left movement and the separatist movement, like Jacques Parizeau, former PQ leader and former premier of Quebec, supporting the deal. He is not a Conservative and he is not a federalist, but he voted for that deal, so sometimes, yes, an election is a referendum election. We used to say that.

On this specific issue, do you think that in the next general election, the government should have the election of a new government and also at the same time a referendum on that specific issue?

• (1050)

Prof. Barry Cooper: The thing about a referendum is that it is either a yes or no, and the majority is unquestionable. The voters' paradox doesn't come into play. It would be very interesting, I think, if a referendum were coupled to the 2019 election. I think if the government went ahead—and it's presuming it's the same government and they win the election—then they would not run into much opposition from the Supreme Court. However, it's not just the federal constitutional architecture that's involved with respect to the central government: it also involves the provinces. I bet you dollars to doughnuts that some premier in 2019 will consider this a fundamental change in the nature of federalism, involving the provinces as well as the central government, so that you still won't necessarily avoid a court challenge.

[Translation]

The Chair: Mr. Deltell, you have a minute left.

[English]

Mr. Gérard Deltell: You talk about the provinces. Do you think the provinces should be involved in the process of electoral reform, and how could the provinces be involved in it?

Prof. Barry Cooper: This is the problem. When this proposal was brought before this committee and eventually, I guess, before the House, I'm not sure that it was thought through sufficiently that it will involve the provinces. It's not just a change of the electoral system that elects the members of Parliament.

Mr. Gérard Deltell: But how could the provinces be involved in the process? Is it by coming here and having the premier sitting where you are and talking about it, or is it through having consultations within their own parliaments?

Prof. Barry Cooper: I think what would happen is that the Solicitor General of, say, Saskatchewan would appear before the Supreme Court of Canada and say that it is a fundamental alteration of the nature of the federation. Whether that's going to be a success or not is a separate issue, but I've heard provincial politicians say this. I'm not going to defend their reasoning, but I think that is one of the implications.

The Chair: Thank you.

Ms. Romanado s next.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoynes, Lib.): Thank you so much.

I'd like to thank our three panellists for being here today.

Again, Mr. Macfarlane, congratulations on the new addition.

Because it's so rare that we have an expert on online voting in our presence, I am going to dedicate my first round to the issue.

Two of the guiding principles that we have in front of us are engagement and then accessibility and inclusiveness. I did read the report that was issued this morning and I found it very interesting, because I am very much a proponent of a better understanding of online voter participation.

However, your report mentioned that the typical online voter is older, educated, and wealthier, and it stated that if we were to implement online voting, we would only see perhaps about a 3% increase in voter participation. According to the guiding principles, we're trying to focus on folks who would not normally vote, meaning those who are perhaps living in regions, those perhaps who have never voted before, and so on. Looking at the typical profile, I don't think that online voting would address the voters we're trying to reach.

Professor Macfarlane, you mentioned also that mandatory voting treats a symptom of a bigger problem. I think you're correct.

My question is really to Professor Goodman.

If we know that online voting would not actually increase participation by groups that we're trying to address, such as youth and people living in regions and those who don't normally vote, and that it would only increase participation by those who are already voting, what would be the cost-benefit analysis of implementing an

online voting system, given the fact that it's not going to address the issues that we've talked about?

• (1055)

Prof. Nicole Goodman: Thank you for the question. You raise a good point.

Typically, anywhere online voting is introduced, we see it mostly used among older, educated, wealthier people. It's a trend of convenience. People want to have convenience. We do see a lot of older people using it, the elderly and people in nursing homes. Some of them used the Internet for the first time. I was out in Nova Scotia and I observed some of the elections there, and they were voting online for the very first time.

It certainly can enable access. The general trend is for older people to use online voting. We do find that some groups of infrequent voters, people who have voted some of the time in past elections but not all of the time, or non-voters, people who have been eligible to vote previously but have never voted, are brought into the election process, but it's just modest.

With respect to your point on turnout, that 3% effect was over time in Canadian local elections. There is no guarantee, if the voting reform were implemented federally, that we would see that same effect because, if we look at voting by mail, which is another remote voting reform, we see that the effect is actually greater at the local level than it is in general elections. The same could be true for online voting. We don't know, because we don't have the data.

The problem in looking at countries like Estonia, for example, is that Estonia only allows online voting in the advance portion of the election and not for the full election. It's difficult to make claims about how a voting reform is impacting overall turnout when it's only offered in the advance portion of the election.

Mrs. Sherry Romanado: I have a follow-up question.

We have a fiduciary responsibility to the taxpayers. How much would it cost the general taxpayer, including increasing broadband connectivity to regions that don't currently have Internet, to be able to do online voting? What's the cost-benefit picture of doing this?

Prof. Nicole Goodman: Do you mean dollars and cents cost?

Mrs. Sherry Romanado: Yes, dollars and cents.

Prof. Nicole Goodman: I can't say exactly how much it would be. I know initially in Canada when municipalities were implementing it, there was a feeling that Internet voting was going to break the bank. What we have actually seen is that some municipalities have introduced it as a complementary method of voting in addition to paper voting. They've been able to keep their election costs the same. Typically they do this by having the same number of polling stations, but they'll reduce the number of tables within the polling stations. They find that they don't need them, because when they offer online voting at the municipal level, they see a lot of people moving to that voting method.

Mrs. Sherry Romanado: Since I only have 30 seconds, I'll let—

Prof. Nicole Goodman: Can I make one comment that I've been holding on to?

I want to draw people's attention—I don't know if this has been mentioned—to P.E.I, which is actually hosting a plebiscite on electoral reform at the end of October, and they're going to be using online voting to do it. I think there are five systems on the ballot, which is quite a few. I wanted to mention that to draw your attention to it. That might be something interesting.

The Chair: Thank you.

Thank you very much.

[Translation]

We now start the second round of questions and answers.

Mr. Aldag, you have the floor.

[English]

Mr. John Aldag: Great. I'll continue with our discussion, Professor Goodman.

One of the questions related to online voting. I was surprised when you said that it results in about a 2% to 4% increase as jurisdictions move into it. I would have thought it would have been more. I wonder if there are populations that drop off. You've talked about how older and more affluent populations tend to adopt it, but do you also see that there are people like myself who have voted historically in person, then decide to do it online, then never get around to it, and the window of opportunity closes? Is that one of the reasons we don't see numbers increased? Do people procrastinate? Do they end up having a technology problem? Is there some sort of trade-off, such as the gains, and do we lose other populations?

Prof. Nicole Goodman: Yes, definitely we see that the turnout effect is lower in areas that require registration. Fewer people are using it, because they forget.

You mentioned paper voters. A point I'd like to make is that one of the interesting findings from the Internet voting study published by the centre today is that we asked paper voters, the people who chose to go out and vote at the poll, if they'd like to see Internet voting introduced in future elections. A majority of them said they would. I think around 30% said that they would use it no matter what, but because of registration issues or time, they wanted to go ahead with paper this time. About 40% said they would like the option in case there was an illness or issues of special circumstance such that they might not be able to make it to the polls. I think there is support among paper voters for this change as well.

• (1100)

Mr. John Aldag: Okay, thanks.

I'm going to go to a question that came in on Twitter from Sebastian Muermann, and I'm wondering if you could give your thoughts on this. His question is, "How would Internet voting be affected depending on the type of electoral system chosen? Would PR be easier online? What about FPTP?"

Does one system lend itself to online voting more so than another?"

Prof. Nicole Goodman: That's a great question. Thank you, Sebastian.

I haven't considered that, but I know that in Switzerland there is a combination of voting systems. I think they have some type of PR,

and they have lots of votes in Switzerland because of the nature of the referendums there. They've had quite a lot of success with it in the cantons that have used it.

I would have to consider that more, but off-the-cuff today I don't think there would be...the voting mode wouldn't affect the electoral system.

Mr. John Aldag: Okay, thanks.

I'm going to move to Professor Macfarlane. I'd like to explore some of the comments you've made on referendums. I hopefully heard you correctly. One of the comments I heard you say was that there's no convincing argument against a referendum.

I was looking through some notes. Yesterday we had Professor Lijphart speak to us and present some comments I found to be useful. He talked about the danger of a vote being based on voter confusion and misinformation. We've heard other witnesses talk about how a referendum doesn't lend itself to complex questions, and when we get into this kind of thing, it is very complex. We've heard that results are highly volatile and unpredictable. They involve emotions and often outright lies. We've seen this in the case of the Brexit referendum with the parties that campaigned against it. One of them would take all of the money that was saved, not send it to the European Union, and put it into health care. The day afterward, they said, "Oh, well, we can't actually do that." You have these outright lies being presented in referendum campaigns.

Other issues also come out, including general dissatisfaction with the government. A recent example was in British Columbia. We had a transit referendum in the Lower Mainland that was looking at an additional tax to pay for transit improvements. That referendum became not about the question but about the effectiveness of Translink, the body that oversees transit. What people ended up voting on was not the question being asked but something completely aside from that question. It was defeated.

To me, these start becoming compelling reasons to not have a referendum.

The last comment I have is one that came in from Twitter. The comment was from somebody in account lifestyles strategies, and they said, "I do not want to vote on something I don't understand. Can we not let government do its job and let us try the new system before voting?"

With all of that, are there any compelling reasons in there to counter your point that there are no convincing arguments against a referendum? When I see that kind of package of things, to me it says that maybe this isn't the best way to get input from Canadians. I turn it over to you for any comments.

Prof. Emmett Macfarlane: I really do not buy this idea that a well-run referendum would not lead to an informed vote. I think if we are at the stage where we believe that... You could say many of those same things about general elections, and no one is suggesting we stop having those. The Brexit example has come up a lot recently because of some of the fallout there. I'm not sure that's an apt example, because you have an unprecedented situation there in which the long-term benefits and costs of Brexit are really unpredictable.

We know what different electoral systems do, and we have evidence that when Canadians are presented with options, as we've seen in citizens' assemblies in Ontario and British Columbia, they can very readily wrap their heads around the details of those systems. I think the better comparative example is New Zealand, which actually had a multi-stage referendum process that successfully achieved reform. If anything, the problem with that process was that it was stacked against reform just by virtue of the way it was structured, and still New Zealanders were somehow able to come together and consider the alternatives and choose one. I like to think Canadians are as capable as New Zealanders in that regard.

• (1105)

The Chair: Thank you.

We'll go to Mr. Reid now.

Mr. Scott Reid: Thank you.

I concur that Canadians are as intelligent as New Zealanders and I just reject the argument made by the Liberal minister and the Liberal Party that Canadians are too uninformed, too stupid, too unwilling to learn to be capable of making a decision on this matter themselves.

This leads me to the questions I wanted to pose to Professor Cooper.

Professor, you made the comment that there is no best electoral system. I would submit to you, however, that there is actually a worst electoral system, and that would be not MMP or STV or alternative vote. It would be simply a system that has a predictable outcome on the vote—that is, it shifts the nature of how the next election would turn out even if Canadians have the same preferences they now have. We can guess at how that would work by looking at, for example, projections that have been made as to how different systems would have affected the outcome of the 2011 and 2015 elections. I think what we need to do is avoid a situation in which the mandate, real or imagined, the government got in the 2015 election is used to effectively change the rules of the game so that even if everybody voted the same as they did in those elections, we would have had more seats for the governing party.

Yesterday we heard from Harold Jansen, who did a study that showed that the alternative vote system would have produced improved results for the Liberals both in 2015 and in 2011, and pointed out a previous study that shows that earlier elections would have similarly been changed in favour of the Liberals. He said that on the three occasions in Canadian history when provinces adopted a system—didn't hold a referendum but simply adopted a system—that was distinct or different from first past the post—and this would be B.C. in 1950, Manitoba in 1921, and Alberta in the 1920s—the driving force was partisan self-interest of the party then in power.

The new system would favour that party. Then when each of those three parties switched back to first past the post, they were similarly driven by the naked partisan self-interest of the party then in power, which would benefit from going back to first past the post.

The question I'm asking you is this. I believe this is the most convincing argument for a referendum. I say this without any prejudice as to whether first past the post is better or worse than other systems. I'm asking whether you agree that I am right that this is the real reason that a referendum is in this case a useful safeguard for the Canadian people.

Prof. Barry Cooper: The short answer is yes.

B.C. is the only one I knew about. I didn't know about Manitoba and Alberta. B.C. was very interesting because it was clearly designed by opponents of the CCF to prevent them from gaining office in the 1950 or 1951 election. Social Credit came out of nowhere with W.A.C. Bennett. He was elected to a minority government, and he then immediately, within six months, called another election, changed the electoral system again, and stayed in office for quite a while.

The assumption—and I think it's a valid assumption—is that parties are rational actors and they propose changes in the law in ordinary legislation or in this kind of legislation, which is not ordinary, because they see it will benefit them or their supporters. There's nothing sinister about that. That's the way politics works. I don't think it should be surprising.

Then bringing in a referendum adds another element of what's unknown. Who knows what the result of a referendum would be? All of the misinformation and propaganda that goes on during elections would be intensified, I think, in a referendum campaign.

• (1110)

Mr. Scott Reid: Thank you.

I have a quick question to Nicole Goodman.

You mentioned you've got a paper that's available online as of today. I don't know if that's in English only. If it is, I wonder if you could arrange to have a copy just directed to our clerk and our analysts so we can get it translated. That way we can distribute it to members of the committee.

Prof. Nicole Goodman: Absolutely.

The Chair: Thank you very much.

Mr. Boulterice is next.

[*Translation*]

Mr. Alexandre Boulterice: Thank you very much, Mr. Chair.

Mr. Macfarlane, I am very pleased that you covered all the bases in pointing out that proportional methods of voting do not necessarily lead to unstable governments. It is a myth to make claims like that and I feel that it is important to say so clearly. On the contrary, these methods of voting can provide very stable governments. We have seen that in a number of western democratic countries, like Switzerland, the Netherlands, Denmark, Sweden and Germany.

On Twitter, a person by the name of Jesse Hitchcock is following the committee's work and wants us to talk more about what lies at the origins of the low turnout at elections.

In that context, let me suggest an idea to you, Ms. Goodman. I feel that the current method of voting, the one we call "winner takes all", is an obstacle to participation. In some ridings in Quebec, members have been elected with fewer than 30% of the votes. In other words, the votes of 70% of the electorate were not counted. They just went right into the garbage.

I will take the results in the riding of Rosemont-La Petite Patrie as an example. In that riding, there was little motivation for Conservatives to go and vote. They had little chance of winning the election. The same goes for New Democrats in Mr. Deltell's riding. We often hear people asking themselves: "Why would I go and vote? My vote will not change anything." If proportionality were a factor, perhaps that vote would not make a difference in the riding, but it would count later as seats are redistributed.

Would voters not be motivated to get out and vote if their vote could count and give them a voice in Parliament?

The Chair: Ms. Goodman, you have the floor.

[English]

Prof. Nicole Goodman: Yes, I think there are definite benefits to a more proportional system. When I spoke with young people and did some focus groups, one of the major concerns that they mentioned, whether they really meant it or whether they were just saying it, is that they felt that their vote didn't count because a lot of votes were lost. I definitely think it's a concern, and a more proportional system would probably encourage some people to participate.

[Translation]

Mr. Alexandre Boulerice: Mr. Cooper, it is perfectly legitimate for you to see virtues in the single member simple plurality system. We can always consider the extent to which people are ready to accept the discrepancy between the will of the people and the number of seats. There are always compromises to make. All systems have their pros and cons. We in the NDP feel that the discrepancies that result from the single member simple plurality system are too great.

The problem is not always simply that 40% of the votes give 60% of the seats. Sometimes, the contradiction even extends to the will being expressed in elections. At federal level, it has only happened once, but at provincial level, in Quebec, it happened in 1944, in 1966 and in 1998. The party that obtained most votes did not win the election and formed the opposition. The party that came second in terms of the number of votes won the election by getting the greatest

number of seats. So there you have a reversal of the will expressed by the people.

Do you find that system acceptable or is it too risky?

[English]

Prof. Barry Cooper: I'd say two things. As Professor Macfarlane said, the present electoral system is not designed to simply reflect in Parliament the popular vote. The second thing, as someone mentioned over here, is that you're going to go and ask people about wasted votes.

I would suggest you ask Canadians who vote for parties that didn't win in their constituency whether they thought they had wasted their vote. My guess is they will say no. You don't simply have to vote for the winner. When you vote for a party that loses, you're, among other things, reaffirming the importance of the entire regime.

Then there's always the next election. If you can persuade more of your fellow citizens to vote for the party that you lost with this time, then you haven't wasted your vote. The argument about a wasted vote—and maybe Professor Macfarlane would disagree or maybe he'd agree—seems to me to be an artifact entirely of a PR system. The question simply doesn't arise in the context of the system we have now.

• (1115)

[Translation]

The Chair: Thank you.

Mr. Boulerice, your five minutes are up.

Mr. Ste-Marie, the floor is yours now.

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

My question goes to Ms. Goodman and is about electronic voting. One of my great concerns is integrity.

Consider this example. Someone goes to vote and, at some point, they find themselves alone in the booth. In the examples of the countries you mentioned, the solemnity of that moment may explain why young people prefer to go to vote in person rather than on the Internet. It also may help to reduce undue influence from third parties who may be present when the vote is cast from home.

There are always exceptions. I question the current electoral rules that allow someone with no identification to be vouched for by a person we assume to be a neighbour, confirming that they actually are who they are. Someone can vote without identification. There are problems there.

Electronic voting lets people vote from their own homes. How could we reduce the risk that they may be unduly influenced by someone else or someone who is partisan? How could we ensure that that will not happen?

Unfortunately, the past has taught us that activists have been so partisan that they were prepared to cheat in order to win elections. Sometimes, that increased the participation rate to the extent that dead people apparently voted. We have to try to prevent that from happening again.

[English]

Prof. Nicole Goodman: Thank you for the question.

This certainly is a really important issue. Some countries have gone around it. In Estonia, for example, they allow you to vote online as many times as you would like up until election day, with your final vote counting, so if you're at home with your partner and they're a staunch NDP supporter, and you're a staunch Conservative supporter, even though you shouldn't observe voting, you could cast a vote for the NDP, let's say, and then tomorrow when you go to work cast your vote for the Conservatives. Then some people say, "Well, you know, what happens if you're in a situation where this person knows that, and they are with you right at the last moment that you can vote online?" Then some areas will still allow you to actually vote on election day, and that vote would override your previous Internet vote.

Municipalities in Canada have gotten around that—because certainly it's a concern—by doing a lot of outreach and education and by passing bylaws to increase penalties and remind people of the penalties for doing that. Your vote should be a secret ballot and you should not be influencing other people. You could go to jail or pay a fine, and they found that has been effective.

[Translation]

Mr. Gabriel Ste-Marie: So measures have been put in place, but the same problem persists.

I continue to have concerns about this. An activist or a party loyalist could go to help an elderly person who is not very comfortable with the Internet and who has difficulty moving around, and take advantage of that in order to exert undue pressure on that person. That problem remains.

I would also like to hear what you have to say about the security of the votes cast. You talked a little about it before, but I would like to know how we can identify people using Internet security measures and make sure that no malware or viruses can tamper with the results.

[English]

Prof. Nicole Goodman: With respect to highly partisan people maybe helping in a nursing home, for example, it's a huge concern. Some jurisdictions have gotten around that by training DROs to go around with an iPad and administer the online voting. Presumably those people are taking an oath and they're assisting voters to be able to exercise their right in a non-partisan capacity.

With respect to security and viruses, do you want to know about some of the issues the jurisdictions have had?

• (1120)

[Translation]

Mr. Gabriel Ste-Marie: Yes.

[English]

Prof. Nicole Goodman: There was the issue in Estonia. In Switzerland previously, Internet voting was deployed in three cantons: Geneva, Zurich, and Neuchâtel. The Zurich system has been cancelled for now because of a security audit. Nothing went wrong with the system, but they were doing a security audit and it

didn't meet the highest requirement. Zurich now has to decide what kind of new system they're going to proceed with.

There's no really bad breach of an election that I'm aware of. There was, in the United States, a primary or some sort of party vote and there was a breach—a Michigan computer science team did breach that—but in a binding government election, there's been none that I'm aware of.

The Chair: Thanks.

We'll go to Ms. May now.

Ms. Elizabeth May: Thank you very much.

I just saw reading Twitter and saw that Elsie Wayne just passed away, and having just asked you the question about the two surviving Progressive Conservatives of 1993, I just thought I'd share that with colleagues. She was a great lady.

To return to the topic at hand, Professor Cooper, you put forward the notion that there were really only two ways that you could think of to create the extra legitimacy around changing a voting system. The vast majority of the witnesses we've heard, including Professor Macfarlane, but constitutional experts, have all said there's no requirement for a referendum. Everybody's pretty clear that constitutionally it's the job of Parliament to design a voting system. We've had changes in our voting system since 1867, federally and provincially, without any of them going to a referendum.

The question that comes to mind is whether there is some other way, given that I'm also persuaded that a higher level of legitimacy makes sense when you're changing the voting system. I'll ask all three of you if any of you would consider, and whether you think there's any merit—and I wish I could find where I'd seen this, in what paper—in having a vote in Parliament that required more than the bare majority in Parliament. In other words, a change in our voting system might require something more. I have an open mind on this; I'm just looking for what you think about the idea of, say, requiring two-thirds of parliamentarians for a change in the voting system, so that we wouldn't have a ricochet where one party in power could change the voting system and then another one could change it afterwards.

Could we just go down the row and see if any of you think that has any particular merit as another way of enhancing the legitimacy of a change that is in Parliament's hands legally and constitutionally? I would say we have a mandate based on how people voted in the last election, but I'm not going to dive into that with you with the time I have.

Prof. Barry Cooper: It seems to me that's a way of tinkering with the basic premises of responsible government, which doesn't require supermajorities. That might do the trick, but it also alters what we expect from responsible government.

Prof. Emmett Macfarlane: I think all-party consensus would alleviate some of those concerns. We could lock you all in a room and not let you out until you reached a compromise, which might be fun.

How happy would you be if the Liberals and the Conservatives got together, agreed on preferential balloting, and that was that? I'm not sure it would satisfy the political legitimacy concerns that many of us share.

Prof. Nicole Goodman: I like the idea of locking everyone in a room and coming to a consensus.

You mentioned a two-thirds vote. Certainly that would improve the legitimacy, but ultimately I do agree with the comments that Professor Macfarlane has made that there is something special about electoral reform and Canadians need to be considered and consulted. When we look at other changes that have tried to happen around electoral reform, there does seem to be a higher level of precedent. In B.C., for example, when they had the referendum, all previous referendums in B.C. had been 50% plus one, but they increased the threshold specifically for that one.

Ms. Elizabeth May: I mentioned that I've been watching Twitter. We had a first here today, and I want to thank Professor Macfarlane. For the first time ever I've been able to tweet with a witness while we've been talking here at the table.

Another Twitter commentator, Chris Conway in Invermere, B.C., has asked me to ask you, Professor Macfarlane, why you are biting your tongue and what it is you want to say.

Prof. Emmett Macfarlane: I don't feel at all tongue-tied. It's just a matter of how diplomatic I am in regard to some of my responses.

• (1125)

Ms. Elizabeth May: Laurel Russwurm wants me to ask you, Professor Cooper, why you would feel that a secret compromise within a political caucus is better for democracy than transparent negotiations between parties.

Now, that of course assumes that the negotiations between parties in more consensus-based parliaments are always transparent, but the chances are they go on behind closed doors too.

That's Laurel Russwurm's question for you.

Prof. Barry Cooper: Well, Bismarck's answer is still valid: if you see how laws and sausages are made, you won't want to see it.

Ms. Elizabeth May: I have a teeny bit more chance to follow up on something I wanted to ask you, Professor Macfarlane, and that is going to the comment you made here that in the 2015 election there was the Liberal promise that 2015 would be the last election held under first past the post. You noted as well that other parties also supported electoral reform. In fact, 63% of all the votes cast would be for candidates who supported getting rid of first past the post.

On your comment that there's no specific mandate for a specific change, don't you believe that based on your own commentary, there is one for a specific reform to get rid of the status quo?

Prof. Emmett Macfarlane: I think there's a clear mandate to pursue reform.

The Chair: Thanks.

We'll go to Ms. Sahota now.

Ms. Ruby Sahota: Thank you, Mr. Chair.

I guess from what you say there is a specific mandate, but you also mentioned there's been a lot of misleading rhetoric around various

systems that we've been exploring. It was, I think, a little striking because I haven't heard any of the witnesses say this before. You said that perhaps Canadians might prefer the simple geographic form of representation, and that it's the local geographic seat that wins, and that within that seat they're winning a plurality of the vote, and the party that leads has the majority of those seats.

We've talked a lot about local representation, geographic representation, as valuing accountability, valuing the attachment to community, and about members of Parliament understanding their local community. Now, a large geographic district, as in Ontario or any other province, actually a lot of the northern concerns are very different from the Niagara region, let's say, and their concerns are very different from the GTA region. In our caucus we tend to discuss what various MPs are advocating for in their regions, and it can be quite different at times.

In a new system, whatever it may be, how do we protect that value of being able to get a local representative who can advocate for you and who can facilitate a resolution for you?

Let's say an individual walks into my constituency office. I can help facilitate a solution for them, and there may be more concerns of that type in my area than in my colleagues' areas. Sometimes we discuss the different issues that we have in our different areas. How we do go about doing that in the new system?

Prof. Emmett Macfarlane: I think in some systems it wouldn't change all that much. Preferential balloting wouldn't change that dynamic; a mixed member proportional system wouldn't necessarily change that dynamic. You would still have ridings across the country; there would just be a set of seats set aside on the basis of party lists.

I think my concern would be that we want to avoid multi-member ridings in Canada. I think it's just the nature of our geography and that rural-urban divide being so pronounced. On a technical side, it would be really difficult to draw up fair constituencies. It's difficult enough in the system we have.

My concern with multi-member constituencies really relates to more confusion about who one's local representative is. On the practical side, who is doing the constituency work and who is not, and how is that sorted out? Could that end up with voters not being represented in a fair way or maybe not represented in the same way across different parts of a province?

My one personal issue would be the multi-member ridings. That would really be an issue under single transferable vote.

•(1130)

Ms. Ruby Sahota: Thank you.

Professor Cooper, how do you see the value of local representation and accountability fitting into a new system?

Prof. Barry Cooper: I think local representation works reasonably well now. I would agree with Professor Macfarlane that the implications have to be thought through pretty carefully, because you're making things much more complex. For instance, who's got responsibility for riding interests in a multi-riding?

You, as members of Parliament, have pretty clear ideas of where your responsibilities lie, where your interests lie, and this sort of thing. I think it would be much more difficult to sort a lot of that stuff out under whatever form of PR by which you get elected. There are differences. I don't know the technical part as well as some of my colleagues do, but there are different implications for different kinds of PR. It will affect your jobs in a major way that I've read about. There's been much reflection on this aspect.

The Chair: You've had five minutes now, Ms. Sahota. Thank you.

Go ahead, Mr. Richards.

Mr. Blake Richards: Thanks.

Professor Goodman, I have a couple of questions for you.

You mentioned earlier, I think in your opening comments, about advance polls and their increased usage over the last while. There's no question that in the last election we saw a very significant increase in the use of advance polls. I think there are a lot of reasons for that. Some of them are the more typical reasons that advance polls see greater usage. The other aspect of it that was significant were the changes made in the last Parliament to the Elections Act, which increased the number of advance polling days. Therefore, that subsequently led Elections Canada to better promote advance polling because they were trying to make sure the public was aware of the increased number of advance polling days.

Certainly a lot of your research and the discussion you've had today are about trying to ensure we increase voter turnout. Obviously online voting is one of the things that you believe could help to do that.

What I wanted to discuss specifically is the idea of advance voting. Obviously, many Canadians are very unaware that they can vote almost any day during the election campaign by simply going to a returning office. It's something that I think many people are surprised to hear about. It's obviously something that you would be well aware of.

Would you agree that probably most Canadians are unaware that they can vote any time during the election whenever the returning offices are open?

Prof. Nicole Goodman: I think it might be something that some people aren't aware of. I'm biased because I love politics, so I was aware of that. I definitely think that increasing the number of advance polling days is a step forward in terms of accessibility, and so would instituting voting centres be, so that persons aren't required to go to a specific poll location but could go to a more central

location or perhaps to any polling station. Measures like that can really help to improve voter access and also perhaps group turnout.

Mr. Blake Richards: Would you say that if Elections Canada simply promoted the idea that you could go to a returning office and vote during the election with a special ballot any time during the election campaign, it would help to increase turnout?

Prof. Nicole Goodman: I think it would help people who aren't voting for everyday life reasons, such as being really busy with three kids or something like that, and they just couldn't make it to the poll. For people who don't vote because of lack of interest or because they don't like the candidates or they are apathetic, it's not going to help.

Mr. Blake Richards: I certainly would agree.

The reason I point that out is that if the security isn't there and so on, it might be an alternative to Internet or online voting because it sort of solves the same problems that it would seek to solve.

You wrote a paper called "Internet Voting: The Canadian Municipal Experience". You state in that paper, when talking about the city of Peterborough, "turnout may have been artificially high in the 2003 election given that there was a referendum question on the ballot."

Given your research on voter turnout, do you typically see higher voter turnout in referendums as compared to other electoral votes? Why do you think that would be?

•(1135)

Prof. Nicole Goodman: I'm not an expert in terms of referendum turnout, but my understanding is that turnout for referendums is typically a bit lower than for elections, particularly at the municipal level. Switzerland would be an exemplary case where that's not true, but I think turnout in referendums would be lower.

Mr. Blake Richards: Do you have any research that backs that up? I ask because in the last federal example in Canada, turnout was quite high. Do you have research that backs that up, or is that just an opinion?

Prof. Nicole Goodman: I think it depends on the issue. With the Quebec referendum, for example, people often point to that and say that people will come and turn out if it's an important issue. We saw electoral turnout declining federally and provincially during that time, but everyone came out for the referendum. Sometimes municipally, when a question is on a ballot, more people come out.

It depends on the nature of the question. The Sunday shopping question got a lot more people out municipally. It depends on the nature of the question, issue salience, and how important it is to people.

[Translation]

The Chair: Thank you.

Mr. DeCoursey, you have the floor.

Mr. Matt DeCoursey: Thank you, Mr. Chair.

[English]

I'll return to Professor Macfarlane to start.

I wonder if you tell me whether you agree or disagree with the notion in the media that, given that the electoral system operates within a larger system of governance and political culture, it might be foolhardy for us to try to look at past voter preference and past voter behaviour to predict what an election outcome would be in any new model that we might move to.

Prof. Emmett Macfarlane: Some reforms would result in entire changes in the party system itself. Regardless of the reform, parties will adapt their behaviour to reflect the system and the outcomes they think they want to pursue. It's not simply the question, "if the 2015 had been held under system X, what would have happened?" That's a simplistic way to go about it, and it's not very compelling, in my view.

Mr. Matt DeCoursey: Given that—and I'll start with you and then ask your colleagues to reply—how should we go about presenting the myriad options for electoral reform in front of us and in talking about what they do and the values that underlie them when we tour the country? Should we be presenting a vast view of the different possibilities for Canadians to better understand and give us feedback?

Prof. Emmett Macfarlane: I don't think Canadians are interested in a sweeping seminar on all of the alternatives. There's some work to be done in at least narrowing down what the realistic choices are at this point and then debating those.

Even within PR systems, there are different thresholds and formulas you might apply that have implications about at what point a party might get a seat in the House, etc. I don't think Canadians need to know the D'Hondt formula for allocating seats in a proportional system. What I think Canadians might be interested in is giving input, as you go across the country, about what they see as valuable in terms of the nature of representation, and even how they vote, from their perspective, whether they like the simplicity of putting a check mark next to a name or whether they like the appeal of being able to rank candidates.

Those are straightforward questions, but we can lose the forest for the trees if we engage in some of these overly technical things. That's part of why I don't think a referendum would be overly complicated and technically overwhelm Canadians. By the time we got to that point, it would come down to one alternative, ideally, that Canadians would assess against the status quo.

•(1140)

Prof. Nicole Goodman: Yes, I agree. First of all, narrowing down the choices is important because you don't want to overwhelm

Canadians by giving them.... I think even five choices is quite a few, so I would definitely say narrow it down. Education and outreach need to be key elements of the referendum process. Short videos have been found to be effective in terms of education and information. I think it's great. If the government does decide to go ahead with a more robust consultation or a referendum, then an important consideration is education and outreach.

People have accused referendums of not succeeding because there wasn't the outreach and the education that was needed. If we're having this big debate over whether we should have a referendum, and if you do decide to go ahead with something more robust, then you need to have the artillery behind you to push the information out there. You need to have the outreach and education so that it doesn't end up like the previous ones we've seen.

Prof. Emmett Macfarlane: If I could just add quickly, it is entirely possible to run a bad referendum. I think I would have faith in Elections Canada to do a good information campaign and I would have no problem with people strongly advocating during a referendum campaign, but it's entirely possible. At the provincial level we've had the governments involved in those processes just abandon ship before the referendum was even held. For it to be effective, everyone needs to be engaged, but if I didn't think we could do better, I'd have to quit my job.

[Translation]

The Chair: Thank you.

Mr. Dubé, the floor is yours now.

Mr. Matthew Dubé: Thank you, Mr. Chair.

[English]

I'll try to not make it as long-winded and perhaps give you a chance to answer, Professor Macfarlane.

I alluded before to how people vote and how that skews the results. In a comment you made in a response a few minutes ago—and it was a comment brought up yesterday by a witness—you said that when we get waves, we sometimes wipe out good local representatives, sometimes we get rid of bad local representatives, but sometimes voters are punishing a party or a party leader. How do you reconcile the importance of how our system now is supposed to give us good local representation, but people also want to be able to vote for a party or a party's platform? Do you see any way in the current system of being able to reconcile that? I honestly don't.

Prof. Emmett Macfarlane: I think it's a question of how we can confront obvious problems with the current system.

One of those is a high degree of party discipline. In Canada we have a degree of party discipline that exceeds other Westminster systems, let alone other countries. One option is to agree that a lot of voters are voting on the basis of the personality of the leader, since that's where all the media attention really goes, especially during campaigns. Do we choose to feed into that and abandon, to an extent, the focus on local representation in the system and move towards something that gives parties even more power in a lot of ways, or do we focus our attention elsewhere and try to change the culture around party discipline? Changing the electoral system is not the only way to do that.

[Translation]

Mr. Matthew Dubé: Ms. Goodman, my question is for you.

A little earlier, we talked about the use of online banking services. There we are talking about something that is essential, given that everyone has to manage their banking services. However, not everyone thinks that it is essential to vote. I see a difference between the two realities.

I am especially concerned about young people.

• (1145)

[English]

The Chair: The translation is off, I'm told.

[Translation]

Mr. Matthew Dubé: I will continue and the simultaneous interpretation will eventually resume.

Is it working?

[English]

The Chair: Yes.

[Translation]

Mr. Matthew Dubé: Mr. Chair, I ask for a little indulgence for the few seconds that I lost.

Ms. Goodman, we often hear that, since young people are comfortable in the digital age and love to use the Internet, that will automatically make them more engaged in politics. However, just because they want a selfie with a political leader—to use a current example—does not mean that they will automatically go to the polls. Actually, the process will remain complicated. This will therefore not necessarily make things easier.

In light of the lack of interest young people have in politics, is there evidence that a new system will actually help increase the participation rate or will it simply be yet another tool for those who vote anyway, as my colleague Mr. Boulerice said?

[English]

Prof. Nicole Goodman: Thank you for the question.

Definitely the primary rationale that online voters give for its use is convenience. That is the primary rationale. The second main rationale, however, is accessibility.

Yes, young people are not the most likely to necessarily use online voting. The results that I presented to you show that young people will typically use Internet voting once. They'll give it a try, since it's kind of new and cool, but then they revert back to paper voting. If it's

their first time voting, they typically go out to the polls because they want to have that experience. However, when we look at the non-voters or the infrequent voters and break those down and look at them by age, we see the largest chunk of that group is among young people.

Therefore, is it going to be a tool that's going to largely engage young people? No, but I don't think there any institutional fix for that. That certainly has something to do with institutions, but it's more of a cultural problem.

[Translation]

Mr. Matthew Dubé: I understand.

Clearly, it is costly to change the way the election process works.

Would it not be better to invest the resources that would be invested in online voting in education or other tools? For instance, you talked about people with disabilities. Elections Canada is already making efforts to reach out to those people. Would it not be better to build on those efforts or to invest more in an already existing system than to take the risk of adopting a method that has not been tried and tested?

[English]

Prof. Nicole Goodman: I think it's part and parcel of the same thing, so I think this could be one effort that would be part of that initiative, let's say. Certainly offering Internet voting could be one part, whether it's remote or not. There are different kinds of Internet voting. I spoke about remote, but you can have Internet voting at the polling location where there's more control from election officials, and there's less risk associated with that. Persons with disabilities are able to go and, with sip and puff applicators, they can vote in private for the first time, so they can have a secret ballot. Therefore, for some groups of electors, it does actually enhance the equality of the voting process because it allows them the same right that other people have had previously.

The Chair: Thank you.

[Translation]

Thank you, Mr. Dubé.

You have the floor, Mr. Deltell.

Mr. Gérard Deltell: Thank you very much, Mr. Chair.

Good morning, ladies and gentlemen.

[English]

Mr. Macfarlane, you know that when New Zealand changed its electoral system, they took their time. More than 10 years, three elections, and two referendums went by before having the last referendum. That was to be sure that everything was okay.

Do you think that technically we can change something in the next few months here in Canada?

Prof. Emmett Macfarlane: You know, we could reach an agreement to change the system to one of preferential balloting, and that would not be a complicated change. That would simply change how votes are counted. However, some of the proportional systems may require changes to constituency boundaries, so completing that process in just a few months seems highly unlikely. That's not even factoring in the obvious politics surrounding this process and whether agreement can be reached and the fact that consultations across the country have yet to be done.

I think I agree with Leslie Seidle, who said we're already quite tight to get this complete by 2019. It may be the case that the committee ought to consider continuing its work, focusing on the work, coming up with an alternative, and if a referendum is something that could be agreed to, it could be held in concert with the 2019 election.

Mr. Gérard Deltell: Thank you.

Mr. Cooper, we heard a lot of people who want to make changes say, "Well, the Liberal Party has been elected with that platform. It was included in their platform." Do you think it's enough to act and to change the electoral system because there were three sentences written in a 97-page document?

• (1150)

Prof. Barry Cooper: Personally I don't, but more to the point, doing so with these tight timelines.... Let me say also that what I teach is Plato and Aristotle. They talk about prudence and moderation, and pushing for the 2019 deadline, or Christmas, or whatever it happens to be, I think is both imprudent and immoderate. I think you will be causing more difficulty than you think you're trying to fix.

Mr. Gérard Deltell: Do you have any examples in the world of a parliamentary system that changed their electoral system within such a close time frame?

Prof. Barry Cooper: Whatever Leslie Seidle said was probably correct, since he's the pro in this sort of thing, but it seems to me it's really pushing the envelope to get it done in time without sufficient reflection on what are foreseeable implications.

Mr. Gérard Deltell: Madame Goodman, in French we say *hocher du bonnet*, so you said yes. May we listen to you?

Prof. Nicole Goodman: I would agree with what Leslie said in that this is a change that you want to get right. You don't just want to do it to do it; you want to get it right. You want to take your time, and if it goes a little bit past the election, as long as you get it right, won't that be better for Canadians, as opposed to trying to rush something?

Mr. Gérard Deltell: Thank you so much.

[Translation]

The Chair: We will conclude with Mrs. Romanado.

Mrs. Romanado, you have the floor.

[English]

Mrs. Sherry Romanado: Thank you so much.

Professor Macfarlane, you mentioned earlier that it would be important for us to explain the various systems, the pros and the cons, and then you mentioned maybe Canadians don't want to know

all of the nitty-gritty details. I think because we know that there is no perfect voting system, it is important for this committee to make sure that we ask the questions, the pros and the cons, of each possible alternative voting system.

We heard from both you and Professor Cooper about some of the negative aspects of proportional representation. One issue that keeps coming up for us is in a multi-member proportional system, the kind of confusion for citizens on who represents me, the two-tiered MP system, and so on. We mentioned that, and you also mentioned, Professor Macfarlane, in your brief that under a PR system a party that secures 15% of the vote can enter into a coalition in government and actually push their agenda in a majority way.

I would like to get some further clarification from the two of you on some of the negative aspects of a PR system, in addition to what you've already mentioned.

Prof. Emmett Macfarlane: I would be a little concerned—and again this is a personal view, a normative view—about the implications for the party system itself, and to what extent we might see a proliferation of fairly narrow single-issue parties.

Quite frankly, if we move to a PR system, one or two of the parties that are represented in this room might not exist in 10 or 15 years. What are the implications of that? In a regional country like Canada, does it place further tensions on national unity if we see some of these parties crop up as regional parties, such as a Saskatchewan First Party, or what have you? These regional parties are certainly possible under first past the post as well, but under PR, all the incentives change.

The incentives for brokerage just aren't there, because you know that you can leverage your national vote share and it will result in seats. That's not the case under single-member plurality. You have to co-operate under larger umbrellas. More parties might mean more problems. It changes the nature of democracy in Canada from the voters' perspective, because they can no longer have any confidence that what they see in party platforms is what the government ends up implementing, even if that party is part of the government. It could become a mishmash of whatever negotiation happens post-election.

That's what I mean when I say there are arguably less clear or direct lines of accountability for what government ends up doing under a PR system compared to the current system.

• (1155)

Mrs. Sherry Romanado: Earlier you mentioned preferential ballots. Do you think some of the same problems would happen under preferential ballots?

Prof. Emmett Macfarlane: No, I don't think preferential ballots would turn our system into something that more readily produces minority or coalition governments. The question might be, again, how the party system changes.

I think we'd see less drastic change. I don't want to say that nothing would fundamentally change, but under preferential balloting, we see that in extreme cases it sometimes ends up being even less proportional than first past the post. Even when it doesn't, the improvement in proportionality is relatively minor. I don't think we would see, even if we assume the party system doesn't change, dramatically different vote outcomes. I would call that more of a modest change than one to PR.

I think the virtue that you had put forward for preferential balloting, because so few people do, is that we would at least no longer be able to say that there are members being elected with 30% of the vote within their riding and they get a seat. I think that has some appeal for some people.

The Chair: Thank you.

One of the benefits of having the honour of chairing this committee is being able to listen intensely to some fascinating testimony. One of the frustrations is never being able to say anything, except to cut people off at five minutes.

I would just like to make one comment. It is not in any way a defence of the status quo, but it's just a thought.

I find that people tend to simplify our system a lot. I'm speaking also as a parliamentarian who has been sitting in the House for a little while. A lot of people will say this government has a majority and they can do whatever they want, or your government has a majority, or whatever. I explain to them that in fact it's not really the case, because there are many checks and balances in our system.

We have the courts. We have provinces, and we can see the power of the provinces whenever the federal government tries to negotiate a national program. We have the media. The media are definitely critical of all governments, as they should be. We have unions, for example, in collective bargaining that put brakes sometimes on governments, even governments with big majorities. We saw how the Mulroney government's attempt to reform the pension system was stopped cold by an octogenarian with a microphone on Parliament Hill. We saw how the Diefenbaker government—and

I'm not singling out the Conservative governments—had a huge majority going into the 1960s, and it just collapsed.

Is it not partially right to say that our system doesn't give absolute power to a party that has less than 50% of the vote? It just gives a stronger hand to one party to negotiate the obstacles in its way in trying to exercise sometimes a national purpose.

You have 15 seconds, because I don't want to be unfair and extend the meeting a little longer.

Prof. Barry Cooper: I can say it quicker than that: that is the essence of responsible government, and you tinker at the essence of a regime at your peril.

The Chair: Mr. Macfarlane, would you comment?

Prof. Emmett Macfarlane: If we talk about the power of the executive, it's in the context of its relationship to Parliament, but even within Parliament and beyond there are definitely constraints. I think that's the counter-thesis to a lot of Donald Savoie's excellent work on concentration of power.

The Chair: Go ahead, Ms. Goodman.

● (1200)

Prof. Nicole Goodman: I would agree with what you said, definitely, but on the other hand I see the issue of wasted votes and frustrated electors. However, you're certainly correct. I would agree.

The Chair: Thank you very much for responding to that comment.

As a final note, I would like to express the condolences of the entire committee to Ms. Wayne's family. Thank you for bringing that to our attention, Ms. May. She was a legendary figure in our political life in Canada. It's a very sad day for all of us and for the nation.

To the witnesses, thank you for being here.

I would remind the members of the subcommittee that we have a meeting at 12:30 in C-110, and then the full committee resumes at two o'clock in C-110.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 016 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, August 23, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, August 23, 2016

• (1400)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): I call the meeting to order. Thank you, colleagues.

We will now start meeting 16 of our study on electoral reform. We have three witnesses with us this afternoon. We have Professor Matthew Harrington, Professor Thomas Axworthy, and Professor Pippa Norris, who is joining us by video conference.

I would like to take a couple of minutes to briefly introduce our witnesses.

Professor Matthew Harrington is president of the common law program committee of Université de Montréal's law faculty. He teaches U.S. constitutional law and property and trust law, and has published works on the economic origins of law, among other topics. Professor Harrington recently co-hosted a conference at the Université de Montréal, funded in part by the Social Sciences and Humanities Research Council, about the relationship between the Supreme Court of Canada and common law.

Professor Thomas Axworthy is a renowned public servant, political strategist, writer, and professor. He is best known for his role as senior policy adviser and principal secretary to Prime Minister Pierre Trudeau from 1981 to 1984, during which time he played a key role in repatriating the Constitution and introducing the Canadian Charter of Rights and Freedoms. He has made a lifetime's work of notable contributions to Canadian society, and continues to facilitate international action and co-operation as a member, and more recently as Secretary-General, of the InterAction Council. In 2009 Professor Axworthy chaired the advisory task force on democracy promotion for the Minister of State for Democratic Reform of the day. He was also chair and executive director of the Centre for the Study of Democracy at Queen's University. In 2012 Professor Axworthy was awarded the Queen's Diamond Jubilee Medal for his contributions to Canadian public policy.

Professor Pippa Norris is the McGuire Lecturer in Comparative Politics at the John F. Kennedy School of Government at Harvard University, an Australian Research Council laureate fellow, and a professor of government and international relations at the University of Sydney in Australia. Dr. Norris is also the director of the electoral integrity project that is based at the University of Sydney and supported by the Australian Research Council and other foundations. Dr. Norris is one of the world's most cited political scientists. Her research focuses on public opinion and elections, democratic institutions and cultures, political communications in countries around the world, and gender politics. She was recently awarded the

Brown medal for democracy. Other accolades include the Karl Deutsch award, the Johan Skytte award, and the Kathleen Fitzpatrick Australian Laureate Fellowship. Dr. Norris's most recent books are *Contentious Elections*, *Why Elections Fail*, and *Checkbook Elections? Political Finance in Comparative Perspective*.

We shall start with.... Pardon me?

I think Mr. Reid was just expressing awe and how much he's impressed by our panel.

If it's okay, we'll start with Dr. Norris, please, for 10 minutes.

Professor Pippa Norris (Professor of Government Relations and Laureate Fellow, University of Sydney, McGuire Lecturer in Comparative Politics, Harvard, Director of the Electoral Integrity Project, As an Individual): Thank you very much, Chair.

I really appreciate the opportunity to talk again with the Canadian Parliament about this really important topic.

There are really three issues that I think are worth highlighting.

Number one, what are the key options on the table? Those are partly about electoral systems but also a lot of details. Should there be a referendum, for example, to introduce any sort of reform? Should there be different types of mandatory voting, and so on? Number two, why reform the current system? Of course, the classic issue is that if it ain't broken.... So what's the problem we're trying to address in which a different change might actually work? Number three, what might be the consequences if we adopt one system or another? What would it do?

If we just take the first issue, in terms of the electoral system, as your committee has debated in the past, essentially there are the core four main options on the table. One is to obviously maintain the status quo of first-past-the-post majoritarian plurality systems, which have certain virtues, which are very familiar, and which are used in a number of countries, obviously including the United Kingdom as a result of the failure to reform, as well as the United States. I know that the preferential vote issue has been under question, the ranked choice, such as in the Australian House of Representatives.

The most popular option, which has been going on with many reforms in many countries, is the New Zealand option of the mixed member proportional, where it's like the German system, with one vote for the PR system and one vote for the single member. It's a mix of both majoritarian and proportional representation. Often what's critical are a lot of the details, such as how many seats are allocated to one or the other, or whether they're actually counterbalancing or are separate votes.

Last is pure PR, proportional representation, which is not really on the table, although clearly that's used in many, many countries around the world, producing a pure proportionality of votes to seats.

The question then is this: how are these really being thought through? What's worth emphasizing is that the devil is often in the detail in all of these designs, and therefore you really do need to look not just at the broad electoral law and systems but at basic procedures and things that I know are being debated, such as whether, if we're going to introduce any sort of reform, there needs to be a public mandate for it. Going through a referendum process is one issue that the committee is considering.

Should there be, for example, compulsory voting to address questions such as low or declining turnout? Other issues can also be there for electoral procedures, and I know with the fair votes act in Canada, there have been questions about those as well, to make sure there's both inclusive balloting, whereby everybody who has a voting right can exercise that and is not discriminated against, but at the same time there's secure balloting, so that there's no question of impersonation or double-voting. These are the kinds of options that I know you've been considering.

Why reform the current electoral system? This is the basic issue. Clearly the Prime Minister committed Canada to think about this and for Parliament to put this on the agenda with the commitment that 2015 will be the last federal election conducted under first past the post. Again, I don't think the process has necessarily thought through what the problems might be. Certainly that was the case in some of the early debates.

I looked, for example, at the democratic institutions minister and at the points of eight different issues that were mentioned. Some of them, you can clearly see, are critical issues, and some of them might be less so, but if we take the things that are being mentioned—for example, legitimacy, efficacy, diversity, simplicity, user-friendliness—you can't get all of these values in any one particular option. They are all trade-off values. Think about issues like first past the post being actually very simple for the voters to make their choice. They basically have to mark one candidate, one party, on the ballot, and then the parliamentary system takes care of the rest. If you have a double choice, such as the mixed member system, that gives people more options, but they also have to become familiar with, for example, a wide range of candidates or different issues on the ballot. They have to think about their strategic choices as well. For example, if they support a minor party, does it make sense to vote for that party in both parts of the ballot? Maybe under first past the post, strategically they vote for a major party under the single-member district, but under proportional representation they might vote for a minor party. Essentially you have different choices, and no one system will meet all the points that the democratic institutions minister has set out.

● (1405)

If you want to emphasize the issues of fairness, for example, to minor parties, then a more proportional system is clearly going to get you there. That is much more likely to bring in more minor parties with a lower vote threshold in order to win seats. On the other hand, if you want to go for local accountability, then you'll go for first past

the post, because the single-member district is where voters can vote for the candidate, not just for the party list.

There are complex issues, then, with the values, and issues about what the consequences might be and what the problems are at the heart of elections held in Canada.

Lastly, to come to the issue that I'm sure is really the most challenging to establish, what can we say about the consequences? It's very difficult to go from one system to another. You can certainly look at other countries, as I know you have—you've looked at Ireland, you've looked at Australia, and you've looked at Britain—and you can examine the ways in which their electoral systems work, but again, it's often a bundle of choices. The way that the Australian system works, for example, with its mandatory voting and with its different systems for the Senate and for the House, won't necessarily translate into how those same things would work in Canada.

What we can do is make some projections on how each of these different options, the basic electoral systems, might work, first in terms of seats and then in terms of things like gender equality or diversity, and then in things such as proportionality.

Just in terms of seats, what are the basic projections? Well, we can take the last election results under the current system in 2015 and we can make a simple projection. If it was under a system of any of the other alternatives we mentioned, what might be the consequences? Or quite simply, if we look under preferential voting, which is, for example, the system that we use in Australia for the House of Representatives, this would reduce at present the number of seats that are allocated to the Liberals. They would go down substantially just on the same share of the vote from, for example, 54% to 30% of the seats. The other parties would also change quite a lot. We can see again that other parties would potentially benefit from this, but some parties would stay much the same.

If we go right through to a mixed member system, the consequences for seats would depend on how you have a balance. You might have half and half or you might say only a proportion of the parliamentary seats would go through the proportional system, while the rest would go through first past the post. Under that system you'll probably see a greater share of seats for the minor parties, which would be able to get in through the proportional vote even if they can't currently get in through the single-member districts, but that also depends on their geographic dispersion. If you're clustered, as in Quebec, then obviously you can still get in through the first-past-the-post system of single-member districts, but if your vote is dispersed across different ridings and different regions, then the minor parties are likely to do better under any proportional or mixed member system. Obviously that's a key thing to consider.

We have to say that the level of proportionality is another question, and that's about the share of votes to seats. That's often what people think about when they think about a fair system. Again, it's likely that a more proportional system is going to get a greater degree of proportionality, but is this basically a problem in the Canadian system? When I've run the analysis and looked at some statistics at the level of proportionality in the Canadian elections right back from 1945 to date, I don't find that's actually gone up a lot or gone down a lot in recent years. Again, is this a matter of concern? This is up to your judgment.

Finally, what about public opinion? Do they have any preferences for any of these types of electoral systems? Well, public opinion on these sorts of issues is often soft, meaning that it's a technical issue. The public in many countries haven't often thought about these systems, and often it's only if they come to a real referendum that they actually think about those choices. Nevertheless, when we look at some of the public opinion polls in Canada that have been put forward on this issue, the preferences still seem to be to favour the current status quo, not to change. That's not surprising when people are asked in various studies.

Of the other systems, there seems to be a slight preference for the mixed member proportional versus either pure PR or ranked preference voting, but basically public opinion is not well formed on this issue. If you went to a referendum, the ideal thing would probably be to go to a referendum as in New Zealand, where you have, first, the question of whether the public feels there should be reform, and if yes, what type of system should be chosen.

• (1410)

My bottom money is that you'll probably go towards the mixed member system if any of the other choices were being preferred, because that system has the virtues of both single-member districts, which are familiar, and proportional representation, which gives a better chance to minor parties and to women and other forms of diversity. However, it's still probably likely that, as in the U.K. when there was referendum on this issue, overwhelmingly the public is not necessarily in favour of radical reform unless the problems are really put more clearly to the Canadian public.

Thank you very much.

The Chair: Thank you very much, and there will be many questions for certain.

We'll go now to Professor Axworthy, please, for 10 minutes.

Dr. Thomas S. Axworthy (Public Policy Chair, Massey College, University of Toronto, As an Individual): Thank you, Chair.

I'll make five points in the presentation and spend a couple of minutes on each of them, though I am happy to provide the speaking notes later to the committee if they want more details. Some of the points have already been made by Pippa Norris, who really is one of the world's great experts on these issues and a woman whose writings I consult when I am asked about them. You are very lucky to have her here, and we'll all learn from her.

Of the five points that I want to make here, the first is that there is no crisis in democratic process or outcomes in Canada.

The second is that although there is no crisis, even superior systems can be improved, as the history of Canadian democratic practice shows, and I want to outline some of those important improvements in the various elements of how one runs elections.

The third point—which I don't have to emphasize, because Professor Norris has already done it—is that there is no perfect electoral system. There are advantages and disadvantages to all of them, and it is really a question of values, of differing perspectives, that will inform your own debate. There's no technical solution to the issue of electoral reform. It is basically a political process of deciding

your purposes and values and what you value most. I ask the question that again Professor Norris asked: if our system in fact operates pretty well, what is the reform, and what problem are you trying to solve?

The fourth point I want to emphasize is that a consensus in a committee like this is crucial. It's difficult, but it's attainable. I want to refer to my own experience—the chairman raised it—about the creation of the special joint committee on the constitution in 1980-1981, which had an even more difficult set of issues than you're grappling with but eventually was able to reach a consensus, a difficult one.

The last and perhaps most important of my various points to you is that electoral reform, your issue, is just one piece of the democratic reform agenda. There is still lots of work to do even as you grapple with the issue of electoral reform. Electoral reform itself has such a tremendous impact on the role of the House, the apex of accountability, that I would recommend to you that as you grapple with all of the technical issues and the difficult issues—and Professor Norris has raised them—you must keep in mind the complementary reforms that will be necessary to make our system work under whatever system you choose.

I'll go very quickly, then, on those five points.

There's no crisis in Canadian democratic practice. We have had in this country in recent years a tremendous crisis, in my view, in the role of the Senate, and that was leading to tremendous disrespect for a critical institution in Parliament. The new government, though, has moved with dispatch and I think with boldness in trying to reform the Senate by making it merit-based, independent, and non-partisan. There are difficult and interesting challenges ahead to make that system work in our parliamentary system. However, that was a crisis and it was addressed.

I think there is less of a crisis when we look at electoral systems. When we look at the various assessments internationally, we see that the World Bank, for example, which sponsors a worldwide governance indicator project, indicated that in 2014 Canada had ratings of 96% in accountability, 91% in political stability, 95% in government effectiveness, 98% in regulatory policy, 95% in the rule of law, and 94% in the control of corruption. That's absolutely in the top ten of attainment.

• (1415)

Professor Norris's own electoral integrity project had Canada again as probably—and she can correct me on this—at the top of the majoritarian practitioners of electoral systems, with a rating of around 75% to 80%, ahead of the United States and so on. Again, it was in that absolute top rank.

This international assessment about the value of Canadian government practice and electoral practice has led, as we all know, famously to the human development index of the United Nations, where Canada has always been in the top 10 and sometimes has been number one. I think in 2014 we were number nine.

The strength of our government system and our electoral system has certainly had a positive impact on those achievements in the human development index. That is because—pride of position here—the Westminster system, with its combination of a concentration of power to get things done and an accountability related back to what David Smith, the brilliant scholar from Saskatchewan, calls “the people’s House of Commons”—that combination of people sovereignty as represented in the House and the concentration of power for effective government—is really the secret of the Westminster system when it is working correctly. For most of our history, it has been working correctly in Canada.

I’ll go to my second point. Even as I would argue that our Westminster system is superior, everything can be improved. The history of Canadian electoral practice when you look at it in all the dimensions of running elections—voter registration, election management, how wide is your franchise, party financing—shows that in every one of those important pillars of how one runs elections, over the last 300 years Canada has made tremendous changes and innovations. It’s been a constant record of reform, leading to the building of those institutions that have led us to get such high responses on these international results that I have talked about. Most of them were initiated in the provinces, with Quebec leading the way on election financing, Manitoba leading the way on votes for women, and New Brunswick on the secret ballot. We can look at all aspects of elections and see a constant series of innovations in them.

The third point is that there’s no perfect electoral system. I won’t go into that because we just heard a very learned discussion on it.

On the committee process, let me just quickly remind you about that joint committee that we talked about. It met for months and had hundreds of submissions, but there were two key elements in that very difficult process.

The first was timing. The committee asked for, and Mr. Trudeau—the first Trudeau, my Prime Minister Trudeau—gave that committee length of time. He had a strong deadline, but changed that deadline to accommodate the needs of the committee, which asked for more time. The question for this committee is that the timing issue should be flexible in order for you to get it right.

Second, and equally critical, was that the representatives of every party had a tremendous impact on that committee. If I remember correctly, for example, the Conservatives on the Charter of Rights and Freedoms debate proposed over 20 amendments, of which I think seven or so were accepted by the government. The NDP proposed 40, of which over 20 were accepted.

The point is, the government was open and encouraged a consensus, and the committee then, though some had basic disagreement with the whole project, worked hard to make the substance work. Consensus can work.

• (1420)

Lastly, and I’ll just end here, if this committee can achieve consensus and if you’re given enough time to do so, or the government gives itself enough time to do this right rather than impose arbitrary deadlines, then as soon as you do that, a whole host of additional agenda items have to be covered. These include

election debates, the role of Parliament itself, civic literacy, and many groups, not the least of which is our group at Massey College, which has a two-year program on a democratic agenda, including the idea of party policy foundations. There is much more to do once you help Canada solve this question of electoral reform.

The Chair: Thank you so much, Professor Axworthy, for bringing many new and original insights to the discussion.

Professor Harrington, please go ahead, for 10 minutes.

Professor Matthew P. Harrington (Professor, Faculty of Law, Université de Montréal, As an Individual): Thank you, Mr. Chairman.

I am honoured to be here today, and I appreciate the opportunity to address the committee.

I should like to confine my remarks to just two points. The first is constitutional and the second is political.

The first issue to be considered is the extent to which a change in the current process of electing members of the House implicates the amending provisions of the Canadian Constitution. As the committee is no doubt aware, this issue is whether Parliament can proceed under section 44 or whether it must use the general amending procedure, also known as the 7/50 formula, set out in section 42.

As perhaps you are also aware, a great deal of ink has been spilled recently by academics in law and politics debating this particular question. The newspapers have been filled with editorials by various scholars contending that the abolition of first past the post may be done by Parliament alone, under section 44, whilst others contend that a new electoral system will require the consent of the provinces, under section 42. The degree of certainty expressed by my colleagues in this literature is rather puzzling to me, for I believe any conclusion is premature at this stage.

It would appear to me that the question of which amending procedure is required must abide the advent of an actual proposal. This is because I believe the Supreme Court’s recent jurisprudence on amending the Constitution has created a great deal of ambiguity and confusion, so much so that I think it’s now nearly impossible to determine whether a change in the method of electing members of either branch of Parliament is significant enough to require provincial consent. In short, while I’d like to say that changing the method of electing members of the House of Commons might be done under this section or that section of part V of the Constitution, if asked, I would be constrained, like any evasive lawyer, to say that I’d have to get back to you on that.

That’s simple, because the Supreme Court has made a muddle of the amending process. The starting point for the analysis is the Supreme Court reference and the Senate reference. In both these cases, the court took up the question of how the composition of institutions may be changed. In both cases the Supreme Court took an extremely limited view of the process of constitutional amendment on the grounds that when amendments work a substantial change to the essential character of an institution, or where such a change would affect the rights of the provinces in a significant way, the amendments must utilize the 7/50 process.

In both cases, the court refused to limit its analysis to a purely textual review of the constitutional provisions, and this is significant. On the contrary, the court held that amendments to the Constitution are not confined merely to textual changes. They include changes to the constitutional architecture, although the court does not define for us exactly what the constitutional architecture is. It is this reliance on constitutional architecture that poses significant problems for navigating the waters of amendment. As of this moment, it seems difficult to predict whether the court might regard changes to the electoral system as merely housekeeping matters, allowing use of section 44, or whether such changes would constitute an alteration to the fundamental nature or role of the House and thus require the 7/50 formula.

My own view is that eliminating the first-past-the-post system might implicate section 42, given the court's treatment of recent attempts to alter the manner of selecting senators and justices. In striking down the attempt to create a system of advisory elections for the Senate, and an accompanying proposal for term limits, the court made it clear that changes that would fundamentally alter the Senate's role as a body designed to provide for sober second thought would be constitutionally suspect. Some have argued that we can ignore the Senate reference on the grounds that there are specific provisions in the Constitution dealing with the appointment of senators, but in the Supreme Court reference, the court struck down an attempt to alter the qualifications of justices.

Bear in mind that in the Supreme Court reference, what was before the court was an act of Parliament. What was before the court was an attempt by Parliament to change one of its own statutes.

•(1425)

The court declared that Parliament's authority to amend the Supreme Court Act was limited because the act has, over time, essentially taken on a constitutional character. One might argue therefore that any attempt to alter the essential character of an institution or any attempt to alter a system of selecting members which then changes its essential character would trigger that 7/50 formula.

The use of constitutional architecture in the Senate reference as well as the concept of essential features in the Supreme Court reference are, I think, so devoid of precision and substance that one cannot say in advance whether a specific proposal will trigger the requirement for the 7/50 general amending provision. Moreover, one might wonder whether the court would actually be inclined to treat the Elections Act as it did the Supreme Court Act and declare that first past the post is entrenched in the constitutional architecture. The Supreme Court Act of 1875 established the initial qualifications for judges. One would have thought Parliament would have been able to change that, but the court declared it could not do so. After the long period of time, it has become part of the furniture. One might question whether the Elections Act, and various predecessors, have done exactly that. I don't say; I wonder.

At this point, therefore, I think the committee is regrettably in the position of having to anticipate in advance whether any specific proposal will disturb the court's so far nebulous concept of constitutional architecture or significantly alter what it calls the essential features of the House.

If pressed, I would suggest that there are two ways that the committee might do that, or any proposal might do that.

The first would be any system of voting that alters the relationship with, or the rights or the powers of, the provinces—perhaps a significant reworking of ridings that would dilute representation in some way. Of far greater concern, perhaps, is whether any reform system would substantially affect the relationship between the Prime Minister and the House. It could be argued that a Westminster-style government implies the stability provided by a prime minister able to control the House without frequent resort to coalition.

I regret that I can't be more specific on this point, and I dare say that if anybody comes forward and says, "Oh, go ahead and use section 44," ask them if they're willing to bet the House on that, because until such time as the court defines "essential features" or "constitutional architecture", no one can ever really predict whether any proposal that comes from the House will be regarded as mere housekeeping, thus implicating section 44, or whether it is a substantial change, requiring use of the general amending formula. The point I would simply like to make is there is no way to know at this point.

My political point is rather more straightforward. Regardless of the constitutional question, I would suggest to the committee that some form of direct consultation with the Canadian people is required, and I think everyone agrees with that. The arguments for a referendum have been rehearsed elsewhere, and I think little would be gained by my recapping them here. My own view is that referenda are incompatible with a Westminster-style government. I believe firmly in the sovereignty of Parliament and I think it is regrettable that the Canadian Parliament has, in recent decades, become rather timid in asserting its place in the constitutional system. I think both the House and the Senate ought to be more vigorous in asserting parliamentary prerogative. After all, the essence of the Westminster system is that the people are best represented in their Parliament, and not in the courts and not in the executive.

To some of my colleagues I know that makes me a bit of an anachronism, a dinosaur, in suggesting that the most appropriate way for electoral reform to be accomplished is by a subsequent parliamentary election. At present, I don't believe that it's possible for us to claim that there is a mandate, a democratic mandate, for any particular electoral reform. I would suggest therefore that the most appropriate way to gauge the support of the Canadian people would be for the government to go to the country a second time. At various times in our history, significant issues have been presented to the people in the form of an election. Recall the 1988 Canadian election, which was fought primarily on the question of whether the North American Free Trade Agreement ought to be ratified.

•(1430)

In conclusion, I would suggest that the most appropriate way to engage the consent of the people would be for the government to prepare a proposal that can be the basis of a subsequent election. That might occur by having the government resign right now, a prospect I know is fatuous in the extreme, or simply waiting until the next election.

In short, the most appropriate thing to do is to make the 2019 election about electoral reform.

Thank you.

[*Translation*]

The Chair: Thank you very much, Professor Harrington. Many thanks to all the witnesses as well.

Before we start with the questions, I would like to take a moment to explain to the witnesses how the question period works. We have two rounds of questions during which each MP can ask one or more questions. The maximum time allowed, however, is five minutes, including the answers. If a witness does not have time to answer, they may do so at another time. They may answer a previous question when it is their turn to speak again. This does not limit debate; it simply creates a logical structure.

We will now start the first round of questions. Ms. Sahota, you have the floor.

• (1435)

[*English*]

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

Thank you to all the witnesses for being here today.

I really found these presentations very intriguing and some of the best we've had.

All the presentations to some degree discuss educational components.

Dr. Axworthy, you have spent quite a lot of time on civics, heritage, and education. What do you think would be the best approach for this committee to take, whether it's in the time frame we have now or whether it's in the extended time frame that you were suggesting? How do we best approach the people? Regardless of whether this is for a referendum, whether it's for some assemblies, or whether it's for the the purpose of the town halls and consultations that this committee is going to be doing, how do we make sure that the people who are coming forward are educated on this issue? That is, how can they understand the gravity of the issue and how can they understand the importance of the need for them to come forward and participate in this dialogue? How do we go about doing that?

Dr. Thomas S. Axworthy: Of course, there are a variety of techniques on consultation right up into what is called deep engagement. I'm sure your committee staff and so on have a whole host of techniques to assist members as they go back to their ridings or as part of this committee process.

One idea I would suggest to you—and I believe it's one my former colleague from Queen's, Jonathan Rose, also raised—as a further technique to the role of parliamentarians themselves in looking at these sets of issues, if the timing deadline is flexible, as I've argued, and perhaps even into the next election, would be to actually create citizens' assemblies or a jury in regions or in provinces where citizens are selected impartially. It is not just for those who have a point of view to come forward, but the citizens are selected impartially. Those citizens are then themselves grappling with the same issues that you're grappling with as legislators.

I've always found in my experience—and this has been experimented with in a variety of provinces—that the use of the independent citizen jury system is a very good complement to the work of parliamentarians, particularly around some of these value issues that I talk about. You have your own processes as a committee, but if you are coming down to two or three alternatives that should be looked upon, I would take a very hard look at complementary or, after this committee process, a citizen jury process.

Ms. Ruby Sahota: Okay.

How would you see these citizens' assemblies formulated? I ask because we are dealing with such a grand scope. We've seen them done at the provincial level, but how do we do it at the national level so that we have a good cross-section of people? How do we go about it practically?

Dr. Thomas S. Axworthy: The process would be a large one. It was large enough in British Columbia and Ontario. It would have to be organized in every province and region. This would be a very large undertaking. If the time were sufficient and the education process were large—including, for example, televising the hearings so that the kinds of experts and people who you're having the benefit of listening to today would be replicated across the country—I would have independent panels by province and area.

• (1440)

Ms. Ruby Sahota: That's interesting.

Doctor, you did a report on parliamentary reform. From those recommendations, can you tell me which ones could be implemented by this committee studying electoral reform?

The Chair: You have 30 seconds, please.

Dr. Thomas S. Axworthy: Is there enough time?

The Chair: You have 30 seconds.

Dr. Thomas S. Axworthy: It was about a 200-page report, and in the major recommendations, I think one of the crucial aspects is the role of committees such as your own. One of our specific recommendations, for example, is that the chairs of committee should be paid the same as a cabinet minister. That is, chairs of committee were so important that in terms of—

The Chair: I'm in favour of that, by the way.

Voices: Oh, oh!

The Chair: If you need more time, Mr. Axworthy, just go ahead.

Dr. Thomas S. Axworthy: That was worth a minute, anyway.

As well, committee members should be able to join for the whole term, so that committees build up expertise. Part of it is that committees act as a countervail to the power of the executive. I would take a long look at the committee system.

The Chair: Thanks very much.

Mr. Reid is next.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you.

Mr. Chair, I want to begin by pointing out the plight of our underpaid vice-chairs.

Voices: Oh, oh!

The Chair: This is turning into a collective bargaining session.

Mr. Scott Reid: My questions are for Professor Norris.

Professor, you referred with respect and with admiration, I think, to the process by which New Zealand adopted its new electoral reform system, the MMP system, in the 1990s. Others—at least one other witness—have been much less respectful of at least the motives of those who set up the process, although I think people are universal in their respect for the maturity with which New Zealand voters dealt with the system.

I want to go back and ask you a couple of questions about this. New Zealanders are the masters of something that I don't think exists anywhere else in the world, which is the preferential referendum, the referendum whereby you have more than two options. I want to ask you a bit about this.

In 1992-1993, what happened was that in 1992, the New Zealanders held a referendum with two questions. The first was, "Are you in favour of getting rid of first past the post?", to which 84.7% said yes. The second question was then, "Which system do you favour?" Happily, this produced a majority in favour of one system, with 65% in favour of MMP, because it was not a preferential ballot. It was actually just to list off their preferences, and there could have been a big shemozzle in which 20% might have gone for each of the alternatives, or at least no majority for any alternative. That was done. Then a year later, more or less, a second referendum was held on MMP versus first past the post.

Subsequent to that, they've had a second preferential referendum, which was structured differently, over their flag. This occurred in two stages, in November of last year and in March of 2016. In this case, what they did was structure it somewhat differently. You ranked the four preferred options that had first been chosen by a select committee in order, and then in the second ballot, you took the winning candidate and voted versus the status quo.

I'm just wondering, looking at those different variations, if you have any thoughts as to what is the best way of approaching a preferential referendum.

Prof. Pippa Norris: I think that's a very good question, thinking about the process. I think that we can contrast New Zealand and the U.K. We know about Brexit, but we also know about the vote that they had on the alternative vote system. Those referendums, I think, were a problem in lots of different ways as a process, never mind the outcome. In particular, in terms of electoral reform, when people were asked if they wanted AV or not as a simple yes/no, then this wasn't the option that most parties, politicians, or the public wanted. In fact, the Liberal Democrats wanted a different system, and so did some of the Scot Nats, and so on. The choice itself was a problem, and of course it got turned down as a result, and people wanted to go to the safer thing.

In New Zealand, by contrast, as you say, having that two-step process really lets the public as a whole ask, "Do we want to keep the status quo or not?", and then there's a question about each of the different choices. It's really a question of public education, because people aren't aware of what it means to have preferential voting, how STV works in Ireland, or how alternative votes work in other

countries. It does take a long time to inform the public with really good mutually balanced educational programs about what the options might be on the table.

I think the New Zealand model is one that Canada, if you go down the referendum route, should certainly think very hard about. It gives people a choice in two stages. One is the familiar system or something else, and if you want something else, then it gives an opportunity to the parties and interest groups, electoral reform societies, general citizens, and other forms of lobbying groups to think through what the best option might be.

If one looks at New Zealand versus the U.K., New Zealand's far ahead in terms of the process.

• (1445)

Mr. Scott Reid: Thank you.

Do I have any time left?

The Chair: About 40 seconds.

Mr. Scott Reid: The two referendum cycles on the different questions, the flag and the electoral system, were structured differently. Do you have any thoughts as to which is the better of the two ways of structuring what effectively is a two-question and a preferential process?

The Chair: Be fairly briefly, please. I know it's a difficult question.

Prof. Pippa Norris: I just thought the system they used for the electoral reform was better than the system they used for the flag, which, of course, got voted down again, cost a lot, and didn't actually get through. The first system worked, with a longer period between the first and the second of the different referendums, allowing more chance for deliberation.

The Chair: Thank you.

[*Translation*]

Mr. Boulерice, you have the floor.

Mr. Alexandre Boulерice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

Ladies and gentlemen, thank you for being here today. Your presentations have been very informative and interesting.

I have two questions for Ms. Norris.

Your colleague from California, Mr. Lijphart, spoke about the benefits of a form of mixed-member proportional representation as regards party political culture. He pointed out that parties are more conciliatory and more inclined to engage in dialogue and to work together.

I would like to ask you about how this can change the culture among voters. We often hear, as you know, that people sometimes vote strategically in our first past the post system. Often, they do not vote for their first choice or for the candidate who reflects their own interests and conviction; rather, they vote for a political party. Without mentioning allegiances, I know people in Toronto, for example, who wanted to vote for candidate A, but ended up voting for candidate B because they wanted to block candidate C. These candidates could be of any political stripe.

Would proportional representation put an end to this kind of voter behaviour in elections?

[English]

Prof. Pippa Norris: Strategic voting can be seen as a problem, but it can also be seen as a virtue for other reasons. Think about, for example, the second ballot system, which is used in France. That's a majoritarian system, and it's designed to create large parties.

In the first ballot, in France, in the presidential elections or the Chamber of Deputies elections, you vote with your heart. You vote for the party that you really love or is closest to your policies and interests. In the second, you're forced to only vote for the top two, so you have to vote strategically if you had supported a minor party before. De Gaulle introduced that to try to make sure there was a broad consensus in the support for the presidency.

Strategic voting per se is not necessarily something normatively problematic, and it's used very widely in many countries. Clearly, the different systems have different consequences for strategic voting. You can also vote strategically, of course, under a proportional representation system, again depending on where your party is in the rankings. You need to look, for example, at your district and you need to think about how many candidates there are in your district. Strategically that's a matter for calculation by the parties as well as for the voters. If, for example, you're weak in a district, you might only have one candidate in a party list; if you feel you're very strong, you'll put all the candidates forward.

You can't get rid of strategic voting necessarily by having either PR or mixed member systems or first past the post, and therefore it's not necessarily something that is going to be eradicated by reform.

I'm not surprised, by the way, to know that Professor Lijphart supports PR. That's always been his argument, and I very much respect his views.

[Translation]

Mr. Alexandre Boulерice: Thank you very much.

I would like to return to the situation in New Zealand, to talk not necessarily about the process that led to the changes, but about an inherent consequence of the changes that we have seen there. I know you are also interested in the participation of women in parliamentary and electoral systems.

In 1990, women accounted for just 16% of elected members in New Zealand. In 1996, just six years later, their participation rate had nearly doubled, with just over 29% of elected members being women.

How can this be explained? Is it a change in culture? The voting method was changed, but there might be other factors as well.

• (1450)

[English]

Prof. Pippa Norris: It's a change of voting system. We can see the same in Germany and in other countries that have mixed member systems. It's far more difficult for women and other minorities to get elected under first past the post in single-member districts than it is under the party list.

In single-member districts, the people who are recruiting candidates only pick one candidate for their riding or for their constituency, so they might well go for a safe choice, which is often seen as a candidate who might have experience in a particular way or fits the mould of the politician. Under a party list, you have basically a range of different candidates. You want a balance. You might want to balance by class or by language or by gender or by ethnicity, but essentially when you're selecting a party list, you don't want to discriminate against any group, because you might have a loss of popularity, a loss of votes.

The way that the systems work means that essentially—and we've known this since the 1980s—proportional representation has the strongest representation for women overall. Under the mixed member system, women get in through the party list. Under the first past the post, it becomes more difficult at the selection or recruitment stage for women to get selected, and therefore to get elected.

The Chair: *Merci.*

Prof. Pippa Norris: You can also use quotas, obviously.

[Translation]

The Chair: Thank you very much.

You have the floor, Mr. Ste-Marie.

Mr. Gabriel Ste-Marie (Joliette, BQ): Ladies and gentlemen, thank you for being here today. It is very interesting listening to you.

My question is for Mr. Harrington, but I would also like to hear from Mr. Axworthy and Ms. Norris, if you don't mind.

Canada is a federation made up of a number of nations, including a majority and various minorities. The system, including the electoral system, was designed to guarantee rights to the minority nations.

If the electoral system were reformed, what criteria should be met to guarantee the rights of minority nations, of which I am one representative?

[English]

Prof. Matthew P. Harrington: Are you asking me which system I think would work best?

[Translation]

Mr. Gabriel Ste-Marie: No, regardless of the system. If you like, we can take mixed-member proportional representation, for example.

In absolute terms, what must the reform include in order to guarantee minority nations' rights, which was the very spirit of our federation?

[English]

Prof. Matthew P. Harrington: I would have to beg off the question, since I'm a lawyer, not a political scientist. I think one of the great problems is that we assume that lawyers know everything.

Voices: Oh, oh!

Prof. Matthew P. Harrington: It's very important to bear in mind the role of lawyers. I can write the statute, I can write the provision, but as to whether this or that system is a better system is really a political science question. I would defer to Professor Norris. Unfortunately, we have a tendency....

When we read all the op-eds, we see all the law professors now are opining on which is the best political system, and I say we know nothing about that kind of thing. I hate to be flippant about it, but I think it's really a question of intensive study of politics and empirical and anecdotal research that lawyers in general, and particularly law professors, really don't do. I almost began by saying that I came here agnostic about the question. I'm not here to suggest one or another system. I'm sorry about that.

[Translation]

Mr. Gabriel Ste-Marie: I had the idea that lawyers knew everything. At least, that's what they had always told me.

Mr. Axworthy and Ms. Norris, perhaps you can answer the question.

[English]

Dr. Thomas S. Axworthy: I guess I would say on the question of minorities that the crucial aspect about democracy and efficacy is really your knowledge as an individual. For particular minorities—and I'm thinking, for example, of recent immigrants to Canada—the education and the knowledge about our system is more problematic because of the fact that they have emigrated. I think a country should be looking at those who have more barriers to participation, in this case around knowledge.

Just as an illustration, a case in point is with regard to learning about our system. We bring in a quarter of a million people a year, and they have to know about our background of federalism in Canada, the Canadian story. Take the *Historica Minutes*, for example, the 75 or 80 one-minute television snappers about the history of the country. Why don't we translate those into a variety of different languages—Chinese, Spanish, and others? Every immigrant who arrives would get the history of Canada in their language and in an easily digestible form, rather than in a long book and a series of reports. We have legal equality in the country, but we have disparities in knowledge and we have disparities in engagement, and that's what we have to work on.

● (1455)

[Translation]

The Chair: You have about 20 seconds left, Mr. Ste-Marie.

Mr. Gabriel Ste-Marie: Okay.

Ms. Norris, would you like to answer my question?

[English]

Prof. Pippa Norris: Diversity is really critical, particularly because societies now are increasingly globalized, and émigré populations need to have citizenship rights and voices in representative bodies like Parliament.

A couple of things can be done. Clearly, if you go towards a mixed member or a proportional system, the districts can be based on provinces. In that sense you don't change the familiar boundaries; you just have multi-member districts within them. If you stick with

first past the post, still things can be done. Again, think of New Zealand. You can have reserved seats or quotas for particular minorities, such as indigenous groups, who are concentrated in particular areas and who need representation. About 20 or so countries around the world have reserved seats for those types of groups, so we can do some things.

The Chair: Thank you.

Ms. May is next.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

I'll also admit that I was once a practising lawyer. It's been a while since I've been in practice, so I'm not sure, but we have had a number of constitutional lawyers' briefs. The most recent was Benoit Pelletier's from the University of Ottawa, who did a brilliant and concise review of the BNA Act, the Constitution Act of 1982, all the leading Supreme Court cases. He looked at fundamental principles and then set out a course of "as long as you don't do the following".

I don't know...did you see Professor Pelletier's testimony?

Prof. Matthew P. Harrington: Yes.

Ms. Elizabeth May: Okay. In terms of his conditions, he said, "If you don't trip any of these trip wires, you have clear sailing for Parliament to amend electoral reform." Your question was, "Why are these people so certain?" , but that seemed to me to be a fairly cautious and well-informed path forward.

Prof. Matthew P. Harrington: Yes, I think I'm in the minority on this. I do recognize that a number of my colleagues suggest that this is a section 44 problem.

I will say this. First, no matter what Parliament comes up with, this will be litigated, sadly. Second, the court has not given any guidance. I see the checklist, if you will, or the recipe for success, but the court seems rather capricious in this. In other words, in defining its own structure, the court discussed the fact that if you attempt to alter the essential characteristics of the Supreme Court, then you're going to need provincial consent. Nowhere did it bother to explain to us what the essential characteristics of the Supreme Court were. When you look at the House and the electoral system, I think it's not unreasonable to think that the court would have to take on that question as well.

People will say we've always used first past the post. That's not true in the Westminster system, as we all know. It isn't necessarily entrenched by virtue of the Constitution Act of 1867, but it seems to have become, arguably, entrenched over time. When you look at the idea of changing the qualifications for justices, which is a statute of Parliament, and the court says the usage is such that it is firmly entrenched, and now you're talking about something that at least has been in practice even longer, I'm not sanguine about that point.

● (1500)

Ms. Elizabeth May: In 1867 the U.K. parliamentary tradition included multi-member districts, so if anything is entrenched, it would have to include multi-member districts. I think you're in a minority in thinking there are issues here.

I wanted to also ask Professor Axworthy a question, and you again, because Harrington, and I'm only leaving you out, Dr. Norris, because it's such a Canadian question, but if you have a view, let me know.

Would you see any benefit in the government of the day putting a reference to the Supreme Court? Are there any issues that require engagement at other levels? Is this a constitutional matter, or are we correct in believing, as I believe, that it's up to the Parliament of Canada to decide what the voting system is? If the court refuses to take the reference, then it's a clear sign they don't see an issue. If they do take the reference, then it clarifies things before the system is first engaged. It's an out-of-the-box idea. I wonder if Professor Axworthy or Professor Harrington has a view on that as a cautionary approach.

Dr. Thomas S. Axworthy: You go first.

The Chair: You have one minute.

Prof. Matthew P. Harrington: I would agree with you. I think this is an area where Parliament ought to assert its sovereignty and not defer to the court.

Dr. Thomas S. Axworthy: Yes, I feel exactly the same. When I talked about all the major changes from the secret ballot to an independent election commissioner to independent boundaries commissioners, which are crucial aspects of our system, they were all done through Parliament, and so should this be.

The Chair: Thank you.

You have 10 seconds.

Ms. Elizabeth May: I will then assert the supremacy of Parliament and assure you that we will take control of this issue and resolve it in a forthright fashion.

Some hon. members: Oh, oh!

[*Translation*]

The Chair: Thank you.

Mr. DeCoursey, you have the floor and you have five minutes.

[*English*]

Mr. Matt DeCoursey (Fredericton, Lib.): Dr. Norris, thank you, and thank you, Dr. Harrington

I want to start with Dr. Axworthy.

I appreciated your comments, which remind us to temper some of the hyperbolic rhetoric that floats around this conversation around crises while also keeping us mindful of the need to work towards improvements. I wonder if you can lay out some of the most important improvements that this committee can work together on.

Dr. Thomas S. Axworthy: The democratic agenda is a large one, but it is of particular, direct importance for a committee that will be making recommendations for changes to the electoral system.

Should you recommend a more proportional system or a mixed member system, by which the likelihood of majority governments becomes less, at a minimum—not impossible, but tending toward the representation side as opposed to the effective or efficiency side of government—then it becomes all the more important for the House Commons to work as an institution, to work in a minority or coalition kind of situation. This means that what members do in a

legislature is at least as important as how they get there, and a host of suggestions have been made around the uses of committee systems, the role of members' statements, the breaking up of omnibus legislation, asserting programs around prorogation, the kinds of resources that are necessary for the use of the committee systems, the role of caucus research bureaus, and the need for better staff. I mentioned some of the suggestions that we made in our report about the committee system.

In essence, in terms of Parliament itself, my argument to you and to this committee is that as important as a reform agenda around our electoral system is—and of those six pillars, it's the only one that hasn't changed since 1967—just as important as a critical element would be for the House of Commons to take seriously its role as the people's House of Commons. That means a real revitalization of the role of members of Parliament, particularly through the committee systems, and there is a long list of suggestions.

The democratic agenda is large, and I can talk more about civic literacy and the role of party foundations and education, but the next agenda absolutely should be reform of the House of Commons.

• (1505)

Mr. Matt DeCoursey: How would you advise us to deliver this in a digestible way when we consult with Canadians, talking about the larger democratic restructuring or renewal at play and maybe the way the different systems will help precipitate changes to democracy?

Dr. Thomas S. Axworthy: I would recommend, again, to end where you began, which is not over-hyping any of these systems.

We know from Pippa Norris's work that the kind of system you have is important and has an impact, but it's not necessarily the predominant factor. There are a host of other issues, such as political culture, the quality of the people running, and so on, and I think this is an area that requires some modesty, both in touting its impacts and also touting its defects.

So yes, our system can be improved. Will it be transformative? No.

Mr. Matt DeCoursey: Thanks, Mr. Chair.

I'll come back to others in the second round.

The Chair: Thank you very much.

We'll now move onto Mr. Richards, please, for five minutes.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

Professor Harrington, I come to you first of all. You had certainly indicated that you think it's vitally important that people be directly and substantially consulted on the question of changing the voting system. You mentioned in your opening remarks, and I think subsequently, a couple of different ways whereby that could occur. You mentioned briefly the idea of referendums, and I think you indicated that you're not generally a fan of referendums, but my sense was that much like other witnesses we've had, you feel this might be an exceptional circumstance, one in which a referendum would be required. I'll let you answer that in a second and confirm that.

You also mentioned the idea of going directly to an election and the government resigning now. I think there are probably a number of members in this room who would probably think that's a bad idea, although I'd personally be okay with it, but for other reasons. In any case, whether they resigned or whether they called the 2019 election on that issue, it sounded to me that you were indicating that would be a way to have this be legitimized. Just to clarify, do you also feel that if that wasn't the case, a referendum would be another way to legitimize it?

Prof. Matthew P. Harrington: Yes. Admittedly I take a rather High Church view of Parliament and its role in the system. I think that the most appropriate way for this matter to be resolved is for this to be the subject of an electoral campaign, which, of course, means that it's likely 2019. I know promises or expectations have been raised, but this is an incredibly complex question, as everyone knows, and I don't think anyone should feel an obligation to rush through this process just to fulfill campaign expectations. If I were in charge for the day, I would suggest that the most appropriate way would be to spend this Parliament resolving this question and place the proposal before the voters in a Westminster-style election and deal with it that way so that a new government takes office with the support of the people for whatever proposal has been developed.

Mr. Blake Richards: I'll just stop you there.

I'm assuming I don't have a lot of time, Mr. Chair?

The Chair: You've got a minute and 45 seconds.

Mr. Blake Richards: I have a follow-up question I'd like to ask. You had an interesting article in the *Montreal Gazette* back in January, where you indicated that you felt that if the government was tried to proceed without taking it to the people in one form or the other, this would be a time when the Senate should maybe take a step to act in the democratic interests of Canadians to block the government's bill in order to force them to take it to the people in some way.

I just wanted to get your sense. Why do you think that kind of rare action by the Senate would be justified and legitimate if it was necessary?

•(1510)

Prof. Matthew P. Harrington: My hate mail on that is spectacular.

Voices: Oh, oh!

Prof. Matthew P. Harrington: My fallback is a referendum. I think there has to be some mode by which there is a formal consultation with the people. I was reacting, at the time, to the assertion that there would be neither; there would be neither election nor referendum, in which case, as I have said, that is the Senate's function as well, as I have a High Church view of the Senate. The Senate's role would be to impede the process in order that the people would be consulted, as was done with NAFTA.

Mr. Blake Richards: To be very clear, what you're saying is that in order to have properly and legitimately asked the people for their consent, it would either be an election on the issue or a referendum. That's the way that we could make sure that people have been adequately and properly asked for their consent.

The Chair: Briefly, give a yes or no if you can.

Prof. Matthew P. Harrington: Yes.

The Chair: Thank you very much.

Ms. Romanado is next.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you so much.

I'd like to thank all three of you for being here on a sunny August afternoon.

Dr. Axworthy and Professor Norris, you both mentioned that there is no perfect electoral system, and we have heard that from other witnesses. You've also mentioned that no system will address every value that we hold dear.

This committee was given a mandate with specific guidelines to help us in that quest to find the perfect solution that we hope we will be able to find on a consensus basis. One of the overarching concerns that we've been hearing from Canadians is their relationship with their local representative, and I know it's the same for MPs who have been elected; they like to know that they have that relationship with their constituents. We heard that in a multi-member proportional situation, there would be some confusion as to who handles what—"Who's my representative?"—and we might lose that link between the Canadian and their representative.

I'd like to get your thoughts on that, given the fact that it is a value that is held so dear by Canadians. What do you would think about the impact of implementing something like an MMP model?

Dr. Thomas S. Axworthy: Pippa, do you want to go first?

Prof. Pippa Norris: Would you like me to go first?

Think about the Bundestag. Here we have two MPs who are elected through different methods. One is in the single-member district and one is the person who is elected in the party list. There isn't a lot of ambiguity in the sense that there is still that link between the individual member and the local constituency, the local voters, the local party, and all those other things that are important in any parliamentary representation.

You can have a mixed member system, which has to some extent the best of those two different worlds, but it does mean that members of Parliament would be slightly different in their roles and responsibilities and in how much they do for constituency service, which is an incredibly valuable service that takes up a lot of time and is appreciated in any parliamentary system, versus those who are focused more on committee work or issues or other types of concerns for Parliament. You just divide the roles a bit more than you might do under the current system.

Dr. Thomas S. Axworthy: My answer would be quite similar. I also put a high value on it among the various principles in the mandate of this committee. The local identification to me is terrifically important for a couple of reasons. First, when we look at the frustration of citizens with our system, much of it revolves around the frustrations of how to deal with government itself because of the complexities, the confusions, and the wait times. Members of Parliament serve as ombudsmen, as the final step you can try in resolving these terrible sets of issues in the daily life of Canadians that they face. It's about the only recourse for so many citizens when they're up against waiting times and long periods of difficulty.

In a globalized world, when things get ever larger, to have that personal identification is absolutely crucial. How would we divide that, as Professor Norris just talked about, particularly if we continued to have the mixed member where we had, in my view, still a heavy orientation toward the single-member district? There would then be some as a top-up on the list. The natural division is that part of the top-up of those who are on the larger vote would be concentrating on more national issues, parliamentary issues, and so on, leaving the members to do the local surgery, which is the bread-and-butter work of members of Parliament and something only they can do.

• (1515)

Mrs. Sherry Romanado: Professor Norris, given the values that Canadians hold dear, what would your thoughts be in terms of transitioning to a ranked ballot before transitioning to an MMP?

Prof. Pippa Norris: On that last point on representation, you also have think about minor parties. The old idea of parliamentary representation is that you go through your MP, and irrespective of party, you are representing the constituency you're a member of. It does mean that small parties are excluded. If you have a mixed member system, smaller parties are more likely to be there, so you don't necessarily need to go through your MP. You can go through a different channel to get representation.

In terms of rank preferences, essentially that's another choice. It's a more majoritarian system if one goes toward a preferential vote, and that has certain consequences for party representation, but I don't think you should think of it as a sequential step. It's basically a choice that you need to make, and you don't want to say, "Let's have that, and then further down the road...", because you don't want instability. Every electoral system takes time to work out what the consequences are, particularly for voters in knowing how to act within that choice in terms of the ballot and in terms of districts. You don't want to have two choices.

The Chair: Thanks very much.

Go ahead, Mr. Dubé.

[Translation]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

Professor Axworthy, I would like to quote an article you wrote during the minority government in 2004, so I will speak in English.

[English]

Talking about minority Parliaments, and it was the first one since the 1970s at that point, you wrote:

Policy actually gets made on the floor of the Commons.

That is important, of course. You also say:

The whole focus of Ottawa shifts from quiet discussions between deputy ministers to the public, and noisy negotiations between politicians in the cockpit of Parliament.

If I just rewind a bit, you also mentioned that:

Nothing will erase the democratic deficit faster than the election of a minority Parliament. The House of Commons becomes king. Power slips away from the executive toward the legislature.

I raise these points because when we talk about mixed member proportional, we often talk about the best of both worlds. We can look at examples like Germany, where contrary to popular belief there can be a lot of stability in a proportional system. Coupling that with what you wrote then, can we reach the conclusion that a proportional system would lead to those same kinds of negotiations that we see in a minority Parliament, yet it's more of a stable system where—not to discredit your article, because you mentioned it further, and I don't want to omit anything—parties play a big role and there's that constant sense of election? We'd be removing that, but keeping the good stuff where MPs are taking their roles much more seriously than perhaps they do when it's four years of a majority government?

Dr. Thomas S. Axworthy: We can make any system work. Under a majority government system, much of the work goes on within caucus. I've been recommending here and elsewhere, as I also did at that time, a very expanded system around the committee system.

One result of having more parties or larger numbers of smaller parties is that kind of work then takes place on the floor of the House of Commons. We have internal coalition-building now. It takes place within larger national parties often, in the brokerage function of parties. I'm not dismissing that; it's been a crucial aspect of the history of the country in terms of accommodation. That kind of process could still occur. It would be in a different kind of way. It would have to be motivated by the same values of tolerance and give and take, which we sometimes lose in the hyper-partisan atmosphere of Parliament, but it could certainly occur.

Again, I don't want to paint some terrible world of coalitions. They can also operate. I mentioned the constitutional committee. People often forget that Mr. Trudeau also invited Mr. Broadbent to join his cabinet at that time because we wanted to expand the legitimacy of the constitutional project. That was the kind of spirit there was at that time. That's the kind of spirit we would need to make minority Parliaments work.

Is it doable? Yes, it is.

• (1520)

[Translation]

Mr. Matthew Dubé: Thank you.

Ms. Norris, we are still talking about a proportional system, but also about reforms of Parliament.

With respect to the proportional system, we often hear about the powers of the smaller parties. Yet we must not forget the MPs of the party that won the election and who are working to form government. We are talking about the MPs of the party that won the most seats in this system. The MPs of this party also gain more powers. We are not referring only to the small parties trying to form a coalition, but also the members of the largest party that belong to that coalition.

Is that correct? Can you elaborate on that?

[English]

Prof. Pippa Norris: The first point is absolutely right. Smaller parties would likely become better represented, such as the Greens in Canada, because they'd get a more proportional share of seats, depending on how that works through.

How does it affect the members? This is a complicated question. For example, if you went towards a proportional system, you have to think about how would members get selected for that district. Often it can be that somebody has been placed into that position by the party leadership, so the members are actually more accountable to the leadership sometimes under a proportional system. For example, in Italy you'll get hand-picked into that ranked position.

We need to think about technical issues. If you're going to have a district which is PR, is it open or is it closed, meaning are the ranked positions selected by the parties and fixed, or can voters change them and individual members try to expand their voters' will?

The Chair: Thank you very much.

[Translation]

You have the floor, Mr. Deltell.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Ladies and gentlemen, welcome to the Parliament of Canada.

Mr. Axworthy, you said earlier that we need to reach a consensus in committee in order to take action. If this consensus is reached, does the government necessarily have to consider it? In short, in your opinion, is the government bound by the work of this committee?

[English]

Dr. Thomas S. Axworthy: Consensus in committee is not unanimity necessarily, but it is a broad set of understandings. My view is that if the government did not have consensus—again, I repeat, not unanimity—a broad sense of consensus from most of the members of this committee, I would not proceed until I had that kind of consensus. When one introduces a new system, however good it is, the nature of its introduction will be crucial to its success. A system that was perceived to be forced or rammed down the throats of people would be one that would be behind the eight ball before it even began.

If this committee did not have a consensus, I would keep working at the issue and wait. I repeat, our system doesn't operate badly now, so we could afford to wait till we got it right.

Mr. Gérard Deltell: If this committee has consensus, do you think the government shall respect this consensus and go on with the consensus?

Dr. Thomas S. Axworthy: Yes, I do.

Mr. Gérard Deltell: Do you know that the electoral minister said no, that she's not linked with that?

Dr. Thomas S. Axworthy: Well, I'm not the minister. I'm not her adviser—

Mr. Gérard Deltell: It's not your Trudeau.

Voices: Oh, oh!

Mr. Gérard Deltell: That's what he said.

Dr. Thomas S. Axworthy: I just want to repeat that in my previous experience, when you give a committee a big, crucial job, and it's an essential framework issue, as the Constitution was and as the electoral system is, looking for broad consensus—not unanimity—is something that should place very, very high in your value system.

• (1525)

Mr. Gérard Deltell: Don't you think that the best way to achieve that is by a referendum, to let the people decide on this specific and so important and so precious an issue?

Dr. Thomas S. Axworthy: I am with Professor Harrington in this regard: Parliaments make big decisions, and parliamentarians are trustees of the public interest. In that trustee function, though we need education about this, I still think the beginning is that a Parliament could make this kind of decision on its own, as long as it respected consensus and process.

Could this be ramrodded through under time allocation and so on? I think that would destroy it at birth. However, should this committee reach a consensus, can that be reflected by all parties, or least a significant number of members of Parliament if it was not an all-party consensus? Yes, it could.

[Translation]

The Chair: Mr. Deltell, you have about a minute left.

Mr. Gérard Deltell: Okay.

Mr. Axworthy, I follow your line of reasoning that Parliament makes big decisions. In our view, though, this is a fundamental decision because it is our most important democratic institution and it is the electoral system in place that decides who governs us. Then there are decisions regarding the budget, foreign policy, defence and so forth. Fundamentally, though, the voting system is more important than any other institution.

Are you sure that the government has the authority to make that decision? Would it not be preferable to have a referendum?

[English]

Dr. Thomas S. Axworthy: I would just repeat that of the changes to the pillars of our electoral system—how one creates boundaries, the very franchise itself, and increasingly the franchise to women and young people under 18—in every single case the changes were done by Parliament, and therefore I think this one can be done too. I just referred to one or two, but in my paper I think I list more than 20 of those kinds of changes.

The Chair: Thank you.

Mr. Aldag is next.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

This afternoon has been an excellent session for me just to reflect on where we're at with the committee. We've had some wonderful testimony again. I really appreciated the questions that were put to us at the beginning about some of the critical things and questions we need to look at. I've been reflecting on that as I've been waiting for my turn at the microphone.

To the questions about why reform, why reform now, and whether we have a crisis in process or outcomes, I've been reflecting that this isn't the first time we've talked about a need for reform in Canada. It was news to me, as I got into this committee, that it's actually been talked about for about 100 years at various times. To me that's fascinating. It points out that there are things.... Maybe we're not at the crisis mode that we saw in New Zealand, where there were really skewed results and people were unhappy, but I've been reflecting on it. I've been out door-knocking, and during the campaign I was out, and a great number of people said to me that they weren't voting just because they've lost faith in the process, that their vote doesn't count.

There are all of these issues. We're seeing declining voter numbers and lack of representation by certain groups and all sorts of things. Is that the kind of crisis point that we need to be at, or is that not good enough to be the catalyst for it? Our government has heard that there are pressures facing us that should take us down this path. Then there are questions again about the options and improving superior systems. We've tweaked and seen changes made to the electoral system in first past the post.

To all three of you, are we stuck with first past the post? Have we not reached a critical point in Canada, or is this the only system that will ever meet the needs of Canadians? I've been reflecting as well that we've seen referenda across provinces to look at electoral change, and they've all failed. Why do we fail? Why have we never moved past what we have? Is first past the post the only solution for Canada?

Professor Norris, perhaps I can start with you. Then I'll come back to our witnesses here.

Prof. Pippa Norris: Some of the problems you mentioned are there in western democracies. It's not really about either a majoritarian system or PR. A crisis of confidence in parliaments and their role and their power is very much affected by globalization and the loss of sovereignty of countries, which means parliaments are not the institutions they were 20, 30, or 40 years ago; therefore, tinkering or changing the electoral system won't necessarily meet those objectives. In New Zealand they tested, for example, political

efficacy before and after reform, and it didn't go up. Confidence in institutions didn't go up.

On the other hand, we do know that if you reform the system, the rules of the game, there are some mechanical things, if you like, on which you do have an impact. The number of women in parliament is likely to go up under PR and turnout is likely to go up under PR. There are specific things that can be achieved by changing the rules of the game. For other things, it might in fact make things worse rather than necessarily better.

It's really a question, again, as we said at the beginning, of identifying the central problem you want to address. It's not a crisis necessarily, but are there particular issues you think are really a problem in Canadian politics? In that case, what are the best rules that actually match that particular problem?

However, there's no single best solution to all of the issues that are facing you, just as there aren't in other political systems or democracies either.

● (1530)

Mr. John Aldag: Thank you.

Dr. Thomas S. Axworthy: One of the advantages of first past the post and one of the reasons it was supported in the referendums in British Columbia, Ontario, and so on—and it's not to be discounted—is it's simple and it's easy to understand. We're used to it, and simplicity in your electoral system is an important virtue in a world of confusion and many messages.

Therefore, I go back to the point that several of us have made, which is that if we are to make changes, the education mission—in addition to the points I've tried to make about Parliament as a complementary thrust to change in the nature of electoral system—the education that has to go in on those issues is absolutely enormous. I think that when these suggested reforms fail in referendums, it's largely because of the difficulty of understanding alternative systems and because we are used to an easily understood system, which, by the way, doesn't work badly.

[Translation]

The Chair: Thank you.

We will proceed to the second round. You have the floor, Ms. Sahota.

[English]

Ms. Ruby Sahota: Thank you.

I'm going to continue from that message of simplicity. I asked a question about it yesterday and I think sometimes people scoff as well at that, saying that it's still simple no matter what system you use. We heard from an Australian witness that they had ballots as long as a mile, but yet it works there for some reason, and it's simple.

I had a gentleman in my town hall on Sunday get up, and somebody asked me on Twitter whether it was hijacked by a certain party and that's why the person was calling for simplicity. It wasn't somebody hijacking or anything; it was simply a man who had come out of sheer interest because he knew nothing about the topic. I would say it was a very small percentage of those people, but it was more people who were there for a certain purpose. I was very appreciative of having this person there. They're fairly new to the country, I believe, probably arriving in the last 10 to 15 years or so. He said that maybe you guys know better up there on the panel, so pick a system that you think is better suited for us, but just make sure we understand it and make sure it's simple because I'm not sure why we're even messing with this.

I looked at him and I thought, "That's interesting. There are quite a lot of people who don't realize what we're doing." Around this committee table we think we're doing very important work, and among my political colleagues everyone understands that this is a very important issue, as well as some groups that study it and are interested in it, but the general population is asking, "What are you talking about?" When you're trying to get people out to the town hall, they're asking, "What do you mean? What's first past the post?" I even had people who are in politics ask me what that was.

Therefore I ask you, how highly do you value that? Having mentioned that our country is accepting new immigrants to our shores day after day, do we not have a responsibility to also make sure that we're taking them into consideration? One of the fundamental key principles that we're looking at in this committee is inclusivity. Inclusivity also means those people. Inclusivity means making sure people of all educational backgrounds can also understand how to go to the polls and how to vote and how to have access.

What are your thoughts on that, and what system do you think could work in that regard?

Prof. Matthew P. Harrington: I agree. I think simplicity...and the other aspect of that is accountability. When I vote, at the end of the night I can look and I can see who won. I think a system that gets overly complicated raises suspicions that the computer is doing these things, but when we have a government that is accountable because it has gathered the largest number of seats and the people have voted in a particular riding. I think that's also a value that ought not to be diminished.

I think it's especially important for new immigrants or for people who don't pay attention to politics as a hobby or as a job to see that it's not only simple, but to be able to see the results and feel connected. They may not always be happy with the results, but they know what they are.

• (1535)

Ms. Ruby Sahota: Professor Norris, do you have any input?

Prof. Pippa Norris: I have a quick response. Think about the U.K. right now, which has six electoral systems that it's working with quite happily. You have first past the post for Westminster, you have a party list for Europe, you have additional vote for the mayor of London, and you have AMS in Scotland and Wales, and people know how to vote on these different systems.

The complication is really not so much about casting the ballot; that's an issue, but you can explain that. The complications are really more for the electoral commissioner and Elections Canada in how you can actually calculate the results at the end of the day, but nowadays, with technology we can do that fairly straightforwardly. As we saw in Australia, you don't always get the vote result instantly. They take a bit of time, but they get there.

I think the issue of the complexity of the choices and the system is not a fundamental issue. If the U.K. can manage that....

Also, we often think that things are simple because we're familiar with them, but of course if you change the system, people get experience and learn how to run it. You can also have mock elections before you've actually had the real election so that people can try it out to see how it works.

Simplicity can be managed quite easily.

Ms. Ruby Sahota: Professor, you had mentioned something about no system being able to eradicate strategic voting—

The Chair: You have about 15 seconds.

Ms. Ruby Sahota: Can you elaborate on that? What kind of strategic voting would you see in other systems? So far we've been seeing that this may be eradicated if we go to PR.

Prof. Pippa Norris: Strategic voting is all about the size of the party and your calculations for whether or not your core party, the one you really support, is going to win or not. You do that under every system. There's a marvellous book by Gary Cox about strategic voting.

It's slightly more common under first past the post because any party that's in third and fourth place is going to get nowhere in terms of getting seats, but you can also have strategic voting if you're a small party in a multi-member district or in a very large district as well. It's all the calculation.

The Chair: Thank you very much.

Mr. Reid is next.

Mr. Scott Reid: Thank you, Mr. Chair.

In directing my next set of questions to Professor Norris, to whom I directed my first set of questions, I mean no disrespect to the other witnesses, who are actually particularly interesting. It's just that the subject matter is one in which Professor Norris is the expert.

In responding to my question about comparing the two sets of New Zealand referenda, the flag versus the electoral reform system, you gave me an answer that was unexpected from my point of view. Those are the best answers, of course. You dwelt on the amount of time between the first and second referendum and you emphasized the need in such a situation for adequate time for public education. In so doing, you reflected testimony we heard yesterday with regard to the citizens' assembly process, followed by a referendum in British Columbia and in Ontario when they dealt with electoral reform.

One of the problems we face—and this is critical to the Canadian context right now—is that the Prime Minister made a promise in the last election that we must have a new system in place by the 2019 election, and it takes some time to implement any change to the system.

My party, of course, has been pushing for a referendum, but questions of time are such that it would be literally impossible to have a two-stage referendum, even one that only has a couple of months between stage one and stage two, and still get on with the process of changing the system in time to be in place for the 2019 election.

Is there a way out of that conundrum? Perhaps there is, perhaps there isn't. I'll just pose that question to you.

Prof. Pippa Norris: Deliberation takes time, especially since, as we've mentioned earlier, people don't know about other systems. The best answer is to have more flexibility to abandon the deadline, which was an early promise made, I'd argue, without a lot of thought about what the consequences might be. The committee in some ways is a little behind the curve in terms of setting things up and getting things going. Here we are in 2016, and we're still at the stage of working out the alternatives.

My ideal would be to delay the 2019 deadline and say that there has to be a proper process. This isn't the sort of thing that you can do fast and get it right, and you want to get the outcome right. These are also windows of opportunity. They open up now and then for you to change the system, and they don't change necessarily in 10 or 20 years, so you want to make sure that the decision reflects the Canadian public and what people would like and what Parliament would like.

Delay is better than to try to rush to an artificial deadline.

● (1540)

Mr. Scott Reid: All right. Thank you.

The other thing I wanted to ask you is to turn now to another parallel, the Australian referendum on the republic in 1999. There was a process in 1997 and 1998 in which a constitutional convention was elected and then met to decide whether or not Australia should become a republic. Under the Australian constitution, a referendum is necessary, and the referendum necessarily is on the final product—that is, it's not on the concept of whether there should be a change, but rather on the actual proposal, which I think is a really good idea. The reason I think so is that while the idea of a republic might have been supported by the majority of Australians in principle, the specific model that the government produced ultimately was found to be unsatisfactory by a majority.

This is a version of the same problem we would face with a referendum, or indeed any mechanism, such as an election, to approve any new model: the details of the model would ultimately be decided after the fact by partisan actors, unless you actually have your approval mechanism on a specific piece of legislation that is pre-written, as was the case with the Australian model, and, for that matter, with Britain's Reform Act in the 1830s.

Do you have any thoughts on that particular problem?

Prof. Pippa Norris: You want to get rid of partisan interests to get this sort of consensus. For that reason, I might depart from my colleagues to say that an election that has to be on party grounds in the first place is a problem when you're dealing with constitutional issues. Backbenchers might not necessarily go along with the leader or might share different views, and you simply don't want each party to take whatever's in its own narrow interests and propose that. That's essentially a question of chickens voting for Christmas, the classic issue.

If you can get rid of party, that means a referendum that is open, where people can, as in Brexit, support whichever side they want to support due to values, due to their own interests and their own philosophy about how the electoral system should work—then a referendum, for me, would be better than an election. A referendum, again for the reasons that we've mentioned, that has enough time for deliberation and that has other elements of a deliberative poll, a deliberative assembly, or a constitutional debate outside of the Parliamentary constraints helps get to a consensus that's genuine, and it is the best sort of option.

The Chair: Thanks very much.

We'll go next to Mr. Boulerice.

Mr. Alexandre Boulerice: Thank you, Mr. Chairman.

I will have to quote a study in English, so it's going to be easier to make my remarks and questions in English.

However, first, Mr. Chairman, I would like to say that we have heard a couple of times that we have to keep our electoral system simple because, for example, immigrants or new immigrants don't know a lot about our system. I would say that most of the time it's quite the opposite, because they have to do their homework and they have to study it before they get the right to vote. A lot of Canadians don't study our electoral system in our schools.

I have here, Madam Norris, a study from a British organization called the Electoral Reform Society, a little report on the 2016 Irish general election about PR and the local link.

Let me quote the beginning of a chapter.

In Britain it is often the case that opponents of proportional representation cite the constituency link of FPTP as a reason for its support. Having a constituency link is indeed important to the democratic culture of Britain, giving MPs an insight into the lives of ordinary citizens, allowing for the championing of local issues on the national stage and giving people a sense of connection to their MP.

Yet Ireland's political system demonstrates that PR and a constituency link can go hand in hand.

As Ireland has 40 constituencies of between three and five seats it is still possible for constituencies to fit local boundaries fairly well, covering a city...or a county....

We know also that in Germany, list MPs are doing constituency work and are meeting with local organizations, and in other countries the parties have quite an interest in having a diversity of list candidates from every region and every major city, for obvious reasons.

Do you think that PR and local representation can go together, as this study is saying?

•(1545)

Prof. Pippa Norris: They can go together, and what matters is the size of the district magnitude. If you have a small district—Spain has three-to-five, Ireland has five—then essentially the individual voter can find, in particular, not just an MP but a couple of MPs, perhaps from different parties, to represent their constituency concerns or to lobby for them or to do any other sort of service work.

If you get a large district, however, that dilutes. Many countries will have districts of, say, 16-20, and there is no constituency service when you get to a very, very large constituency. The classic cases are in Israel, where you have the whole country as one constituency, and in the Netherlands. In those countries, there are very weak links indeed between the members of the Knesset in Israel and individual voters. At that stage it's broken.

It really depends on how you draw your boundaries as to how you actually create an incentive to have constituency service. It's not about an either/or system, PR versus single member.

Mr. Alexandre Boulerice: Some people here are saying that maybe we should have a Canadian system for our really big ridings, which are bigger than most European countries, and that we should still keep a first past the post system because it's impossible to merge them. It would be crazy. In the urban areas or suburbs it's easier, as there is are communities of interest that we can find there. Is it possible to have a mixed proportional representation system combined with some first past the post representation in certain areas?

Prof. Pippa Norris: You don't want to create a new cleavage between urban voters and rural voters. That could create all sorts of problems where some have one set of representation and the others have another set. You can think about the boundaries and be more imaginative about how you would draw the boundaries around different districts, so you can make sure they're somewhat even across the different sizes of the current ridings that you have. I wouldn't recommend having two or three different electoral systems for different areas of the country. That would create all sorts of distortions in representation and many other complications for members as well.

The Vice-Chair (Mr. Scott Reid): You have 30 seconds.

[*Translation*]

Mr. Alexandre Boulerice: Ms. Norris, we heard earlier that a proportional system could improve the representation of women in parliaments. Would you also agree that there should be quotas in this regard? Or as my colleague Kennedy Stewart has suggested, would you agree that monetary penalties should be imposed on political parties that do not have enough women candidates?

[*English*]

Prof. Pippa Norris: I'd go along with all three. PR normally increases the number of women automatically through the incentive that we mentioned. Quota systems are also good, although sometimes difficult to implement under first past the post, but they can be done. For example, they've been used in the U.K. Financial penalties to make sure that if you introduce any sort of positive or affirmative action, parties have an incentive to go along with that through, for example, incentives from campaign funding or party

funding, which are also very good. Having it in the law, but having an incentive with it, strengthens the work you can do.

The Vice-Chair (Mr. Scott Reid): Thank you.

[*Translation*]

Mr. Ste-Marie, you have the floor.

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Our electoral system is based on values such as stability, but there are also problems with distortion. In this committee, we have heard from experts who have told us which system might be most suitable, being based on the same values or other values. We are wondering about that.

Mr. Axworthy and Mr. Harrington, during your presentations and exchanges, you mentioned a few times that the Senate, an important political institution in Canada, has a role to play. Unfortunately, since senators are not elected, there is a legitimacy issue.

In reforming political institutions in order to enhance democracy and ensure greater representation, should we consider reforming the Senate so that senators could be elected on an ad hoc basis?

•(1550)

[*English*]

Dr. Thomas S. Axworthy: No, I don't. The two houses of Parliament have differing virtues. Partisanship is critical to our party system. It's the cockpit of the House of Commons, and it has democratic legitimacy. I've used David Smith's term about the people's parliament. The role of the Senate is more for deliberation, checking abuses, and improving legislation. I think, for the overall good, one should combine the virtues of each of those institutions and not replicate the good and the bad of the House of Commons in the Senate itself. The Senate had problems, and serious ones, but changing the nature of the appointment process with a non-partisan, merit-based, much more representative Senate, leading...

By the way, these will be huge changes, as they continue with future Prime Ministers who will now take these as a convention and not go back to just appointing partisans to the Senate. We are working out the system. There will be huge changes, as we have independent senators using their expertise on a series of legislation and, hopefully, improving it and referring it back to the Commons. Our House of Commons has democratic legitimacy, and our Senate, through the new system, can have a pointed policy legitimacy.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Harrington, would you like to elaborate?

[English]

Prof. Matthew P. Harrington: I agree completely. I think that the Senate does not necessarily suffer from structural problems. The problems of the Senate can be solved by appointing better senators. The fact that the Senate is not elected is a puzzling objection to me, since the Supreme Court itself is not elected and we defer in a great many, I think, unhealthy ways to the Supreme Court.

The fact that a body is or is not elected does not seem to mean that it doesn't play an important constitutional role. I would agree completely with the idea that an election of senators would create a body in competition with the House and that if one wants to see the fruits of that, one merely has to look south. The United States Senate used to have its members appointed by the legislatures of the states; it truly represented the regional interests of the states. Now we hear all the time about gridlock and you can see that gridlock is rampant. In fact, there's a joke—I used to work in Washington—that the Senate is a place where good bills go to die. It's because the Senate does not defer to the House.

[Translation]

Mr. Gabriel Ste-Marie: Ms. Norris, as you know, there are 338 federal MPs and each one represents about 100,000 Canadians. If the voting method is changed to a proportional system with lists, do you think it would be better to increase riding size and maintain the number of MPs or to increase the number of MPs? We already have 338.

[English]

Prof. Pippa Norris: Normally under PR, you'd increase the number of MPs per district, which means that the size of the ridings would have to be consolidated. You might have, for example, a district that now would be, say, Montreal versus different parts or particular cities in Toronto. Normally you would have to have multi-member districts to have any sort of PR system. That would be the easiest way to do it, but it would depend on the boundary commission and how they would think through what would be a natural constituency and what would be the conventions of drawing boundaries.

The Vice-Chair (Mr. Scott Reid): Thank you.

We'll have to move on to our next questioner, Ms. May.

Ms. Elizabeth May: I'm drawn to a terminology that you've used, Professor Norris, in talking about fairness to smaller parties. I will confess that I am the leader of the Green Party of Canada and I'm not actually interested in fairness to parties at all. I think our goal has to be what's in the best interests of voters and citizens, and in fairness to them we're looking at changing our voting system. Again, I appreciate that it's about values, but how do you, in looking at your research, assess the role of parties in dictating voting systems and the fairness to the voters, which I think has to be our top concern?

● (1555)

Prof. Pippa Norris: Fairness to voters is normally understood by everybody as a share of the votes going to a share of the seats. So any system that is majoritarian systematically penalizes the parties that are in third, fourth and fifth place, and always gives a winner's bonus, an exaggerated bonus, to the party in first place, whoever that party is.

The majoritarian system is not designed to have fairness per se in that regard, at the heart of it. It's designed to produce a strong majority, to get decisive decisions with a strong executive. That can be a fundamental problem because over the years, particularly since the 1950s, there's been a dealignment, progressively, in nearly every country in the western world and a proliferation of many more parties because people aren't necessarily seeing themselves in class terms as supporting the parties on the left and right. They have many other interests, like the environment—and also, it has to be said, like populous parties on the right. Party systems are fragmented and first past the post majoritarian systems try to squeeze what the voters actually want to do in terms of their party preferences into a system that doesn't allow that sort of representation. That's really a very strong argument to say that some sort of reform in Canada is very appropriate.

Majoritarian systems work proportionally if you're a two-party system. If you're in the United States and you can only vote Democrat or Republican—by and large the libertarians and the Greens are going to get, at most, 5% of the vote—then you get a roughly proportional share of votes to seats. If you get five parties, if you get 10 parties, if you get 15 parties, as increasingly most countries are having, then even though they get a share of the votes, they don't get full representation, so a large part of the population is not represented through the electoral system. It's the classic argument in favour of some sort of reform. It also will affect, on my projections, the NDP. It won't affect the Bloc Québécois so much, because they're concentrated in particular areas. But the Greens, who are spread across different parts of Canada, will always lose out from the current Canadian system.

Ms. Elizabeth May: Perhaps I can turn to you, Professor Axworthy, on this fundamental question of whether we're better off having a strong majority government or some risk of smaller parties exerting their particular agenda. I ask because you were paying a lot of attention to politics at the time. I'm thinking about the minority Parliament of Lester B. Pearson, in which if it hadn't been for a strong, smaller party, the NDP and Tommy Douglas, we wouldn't have our health care system, we wouldn't have the Canada pension plan, we wouldn't have student loans, we wouldn't have unemployment insurance. All these things were created because of pressure from a smaller group of seats.

In contrast, in the false majority situation of our most recent Parliament, we had policies that worked against any action on climate change, inaction that was not supported by the majority of Canadians, but was executed by, one might say, a “smaller party”, in reality, which exerted its influence 100% because of our voting system.

I wonder if you see a risk. How do you tease out the differences between concern for effective government and a majority? How much do we actually not have a risk, but a benefit from those other interests having a seat at the table, as they did in the minority parliament of Lester Pearson?

Dr. Thomas S. Axworthy: It depends on how the executive responds to the minority parties. Are they in fact accommodative, or is every party competitive, or are they antagonistic? When I first came to Ottawa, which was in the Jurassic age, my minister was Walter Gordon, then president of the Privy Council. One of my first jobs for Mr. Gordon was to go to listen to parliamentary debates to see who had good ideas so that the Liberals could steal them. That's what Liberals like to do, but it was indicative of an approach to Parliament to try to learn from it. So, yes, the Pearson government was an enormously creative one, a little disorganized, but enormously creative, and that was because of the mindset in dealing with accommodation among parties. We've lost a lot of that accommodation ethos as I've seen politics develop in the country.

• (1600)

The Vice-Chair (Mr. Scott Reid): That actually uses up that time exactly to the second.

Mr. DeCoursey, it is your turn.

Mr. Matt DeCoursey: Thank you, Mr. Chair. You're looking quite spry in that seat.

An hon. member: Give him a raise.

Some hon. members: Oh, oh!

Mr. Matt DeCoursey: It depends on my time allocation.

Dr. Axworthy, I would agree with you that Liberals have always endeavoured to adopt good ideas and put them into practice. But I will follow up on my colleague Mr. Ste-Marie, on the question of the size of Parliament and whether parliamentarians should exert their ability to introduce change to the electoral system.

What appetite would there be from Canadians to grow the size of Parliament, in your view? What is a reasonable size of constituency for a member of Parliament, perhaps a member representing a local constituency? What's the reasonable number of electors for that person to be accountable to? Are there other considerations that we should be mindful of?

Dr. Thomas S. Axworthy: We could have the Sergeant-at-Arms or the Speaker here, or the Board of Internal Economy, but I'm not sure how much more space our House of Commons could take in terms of increased numbers of members, unless we get away from the Canadian tradition, which is that every member has a place in the House of Commons, a seat, and adopt the British system of not having that and coming into a Parliament when one can.

We have increased the numbers recently in the past few years. I think, though, that you get to a point where the numbers become too large for people to grasp, and it's hard then to organize your very system. My view would be that it perhaps could be expanded more, but I don't think radically more. A House of 600 in Canada, for example.... Britain has roughly that with considerably more than our population.

I think you do begin to hit limits, and just adding more members is not a solution. As a member of Parliament, you could tell me the rough size of a riding. Probably anything much beyond 100,000 gets very difficult to service.

Mr. Matt DeCoursey: Dr. Harrington, flowing from that question, with the size of ridings and other modalities we have to consider with different systems, where should we be careful about moving toward section 42 considerations as opposed to section 44 considerations? What sorts of aspects of potential change should we be mindful of, in your view?

Prof. Matthew P. Harrington: I would suggest that Parliament have a great deal of leeway in the organization of ridings. I think the court seems to be rather deferential to that and regards it as a housekeeping issue. With ridings, and with the number of members of Parliament, I think the court seems to have made clear that it regards that as something left to Parliament itself to determine.

I think the court's big problem is the selection question. When you look at the Senate reference and the Supreme Court reference, they're about how the members are chosen. More instructive than the Senate reference is the Supreme Court reference. As I've pointed out, the qualifications we are discussing are after Confederation, and the qualifications that were before the court were those created in 1875. They weren't in the Constitution. Parliament created these qualifications and the court said, "Now you can't change them because they're so long entrenched", and that's the question I have.

When you talk about expanding the franchise and when you talk about ridings and those kind of things, that's within Parliament's purview. Once you start to talk about how I get to be a member of Parliament, it triggers a bit of scrutiny.

Mr. Matt DeCoursey: If I have any time at all, Dr. Norris, I note there was no mention in your opening comments of STV as a potential option for us. You mentioned the status quo, alternative vote, pure PR, and MMP. Was that intentional in any way? I ask because you've mentioned it since.

• (1605)

The Chair: Be very brief, please.

Prof. Pippa Norris: There are a thousand different permutations. In fact, there are 193 electoral systems around the world.

The Chair: Oh, my God.

Prof. Pippa Norris: It all depends on the details. STV is one, but I can give you a block quote and I can give you 10 other varieties of voting that we can use beyond STV. STV is a form of PR for me. It's just...small constituencies and a particular way of voting.

The Chair: Thank you.

That number of 193 just discouraged us a bit.

Voices: Oh, oh!

The Chair: Go ahead, Mr. Richards.

Mr. Blake Richards: Professor Norris, I have some questions for you in this round. In response to an earlier question, you briefly touched on what I want to ask you about. I think you ran out of time. You were asked about strategic voting under our current system here in Canada. It seemed to me that you were making the point that strategic voting is something that could happen and probably does happen under almost any type of electoral system. Would that be an accurate statement, and can you elaborate a bit more on why that would be?

Prof. Pippa Norris: Strategic voting is voting not with the party that you support, but voting because of the tactics of who you think is going to win in that constituency. Under any system where you have many parties in a single-member district, people are going to look at the polls, they're going to look at the previous elections' votes, and they're going to calculate that maybe they prefer, for example, the Green Party, but that the Labour Party is going to get elected in Britain, for example, so they're going to vote for them.

You get exactly the same calculations under any of the other systems, but the strategic decisions are being made by the voters about where the best support can be. When you're in a large district, you might think that with a small party you get a better chance, so you can vote for them, but you also have strategic decisions being made by parties about who's their best coalition partner, how they can best put forward a certain number of candidates in any district, and how they can maximize their chances in the way they compete across different areas of the country. Strategic voting goes on across all these different systems, and it's not normally seen as a fundamental problem. I'd argue that it's just a different way of expressing your preferences on the chances of who's going to get in at the end of the day.

Mr. Blake Richards: Okay, thank you.

You mentioned today, as have others on this panel and earlier ones, that there's no perfect electoral system. There's no best electoral system. You recently had a podcast on the Policy Options forum, in which you stated that there is no best electoral system and that it depends on your problems, on your challenges, on your society, and that it is the society's choice. You also went on to state that it is up to Canadians to say what are the issues and what are the challenges in regard to electoral reform. I wonder if you could expand a bit more on what you mean by saying it's society's choice and that it's up to Canadians.

Prof. Pippa Norris: Different countries have different problems that they're facing right now. In the United States, the key issue is party polarization, where parties and politicians won't talk to each other, and there's all sorts of fundamental gridlocks, as we've mentioned, between the Senate, Congress, and the Presidency. Those are the sorts of issues facing the United States, and they might want to think about electoral systems, rules of the game, that might promote a more consensual system.

By contrast some other countries that have proportional representation are facing party fragmentation. They have too many parties; they can't ever get anything done; they can't get the executive to be stable; and they have a continuous changeover of prime ministers, leaders, parties, and governments. So for them, they need to think about moving more towards a majoritarian system.

It really depends on what the challenges are, and the way that I've always thought about it—I know you can't really see this—is as a matrix. In other words, you have certain challenges down the side. It might be, as the minister said, efficacy, diversity, simplicity, user-friendliness, local accountability, security, and consensus government, and you have certain types of rules, particular systems, that will strengthen or weaken each of these values. However, unfortunately not all of the, as it were, checks can be put into any one column because different systems have different values underlining them and will give you different types of consequences.

The Chair: Would it be possible to get a copy of the chart that you were just showing us? It would be great if you could get that to us. We don't have high-definition here, so it's a little hard to read, but if you can get that to our clerk, we would really appreciate it.

Prof. Pippa Norris: I will send it, absolutely.

The Chair: Go ahead, Mr. Richards.

Mr. Blake Richards: I guess one of the challenges we've had here in Canada is the changing number of principles. You had mentioned, I think, the eight principles that were outlined and then later on, just a few weeks later, there were five principles. So there seems to be a moving target here, and that's one of challenges, of course, but we do appreciate that you'll provide that.

You talk about challenges and each country having its own unique challenges and having to determine how best to meet those challenges. I would say that one of the challenges that we face here in Canada is obviously the extra large country that is so sparsely populated with a great diversity amongst our different regions. I wonder if maybe you can maybe comment on the different electoral systems and how—

• (1610)

The Chair: I don't know—

Mr. Blake Richards: —they can help us, or what challenges they might present, in terms of alternatives, with that unique set of challenges.

The Chair: I don't think we'll have time to go through all of the electoral systems.

Mr. Blake Richards: Obviously we're not going to go through 193, as was just mentioned, but I think if we can allow Ms. Norris—

The Chair: I'll allow another 30 seconds—

Mr. Blake Richards: —to touch on a couple of the major ones.

The Chair: —to respond to Mr. Richards.

Mr. Blake Richards: Obviously mixed member proportional is one that has been talked about a lot. Proportional representation would be another one of interest, if you can touch on those.

The Chair: Be very brief, please.

Prof. Pippa Norris: For me the issue here is really more about the federal solutions rather than the electoral solutions.

Earlier, as we've said, there isn't one solution or one set of institutions that is appropriate for democracy or for the challenges of Canadian democracy, so one needs to think about a variety of reforms, and here one needs to think about federal solutions, federal powers, and federal representation. Those might be more appropriate rather than thinking about the electoral system as the best solution for all of those issues as well.

The Chair: Ms. Romanado.

Mrs. Sherry Romanado: This almost seems like we lined this up because, Dr. Norris, I too have a grid and have been doing the exact same thing you have been doing in identifying those objectives we have that we want to achieve and how we can achieve them, whether it be through an electoral voting change or federal solutions.

For instance, in terms of encouraging voting and participation, we've heard from witnesses that we can think of things such as mandatory voting, reducing the voting age, talking about civic literacy, or making it attractive for people, but that does not involve changing the voting system itself.

In terms of accessibility and avoiding undue complexity, there are simple ballots. We've talked a bit about maybe giving voting day off to make it easy instead of people having to leave work, trying to find a babysitter, and so on. In terms of increasing women representation, trust me, it was not the voting system that made me decide to run for office, but maybe quotas can be addressed in that regard.

Given the fact that we know that it's not going to be one thing that will fix everything...and, Dr. Axworthy, you talked about the consequences of whatever it is that we decide to do. For instance, what are the complementary reforms that are going to be needed?

If we decide to go with an MMP system, for instance, and we end up increasing the number of people in the House, well, first of all, we don't have the space for 600 members. How is the committee work going to be done? Do those who are on a list get to do the committee work, and those who are elected in the riding have to do the constituency work? That's going to change who decides to run for office in terms of recruiting people, because maybe someone wants to do both.

Those are all the things that are going to be impacted by whatever it is that we decide to do. So I'd like to get your thoughts on that. It's not going to be a one-stop shop in terms of an alternative voting system that will fix everything. I'd like to get your comments.

I'll happily share my grid, too.

Prof. Pippa Norris: Who would you like to respond?

Mrs. Sherry Romanado: Any one of you.

The Chair: Let's start with Dr. Norris.

Prof. Pippa Norris: The grid is the best way to think about this, that you're trying to achieve different things and that there's no consensus about what the problems are—and don't think, what's the range of solutions that we can have for any of those? Just as you said for turnout, compulsory voting or mandatory voting is one solution. Changing the electoral system is another much more radical solution that can also affect turnout. But there's also convenience voting, getting everything to the voter, rather than expecting the voter to come to the ballot station, and registration processes. There are many solutions around the world for all of these sorts of things.

One thing, again, that the committee is doing very well on and can expand our knowledge about is taking account of international perspectives. There are all of these systems at work in different places and bringing that international knowledge into Canada helps us to see the really practical solutions that could work in another country to solve those particular issues. There's never a single mechanical solution for all of those problems, but there are many,

and we can learn from the best practices and share them across different countries.

•(1615)

The Chair: Professor Axworthy, you look like you want to answer this question.

Dr. Thomas S. Axworthy: I think this committee has had the great advantage of going in depth on these issues, having people from different perspectives around the world. One of the responsibilities that I would recommend to you as you do your work is to do the kinds of lists and think about the possible changes that could occur, without their necessarily being complementary to the changes you recommend for the electoral system. It would be very useful to really think about implementation sets of issues around any new ideas that you come up with. Implementation on almost any public policy is the aspect that is never thought through. The press release is what's thought through, not the implementation. So it is, I think, on these issues of democratic reform.

Examples were just given of what may be several easier ways to achieve a solution or to mitigate a bad impact. Comparatively, with the experts and the citizens you'll be hearing from, and your colleagues in the House, a compendium of those solid ideas to improve the system should go along on the implementation program of whatever you want to suggest. That would be very important and fairly rare in the policy world of Ottawa.

The Chair: Thank you.

[Translation]

You have the floor, Mr. Dubé.

Mr. Matthew Dubé: Thank you, Mr. Chair.

Professor Norris, I would like to continue the discussion we started earlier regarding the selection of candidates to appear on the lists. Those opposed to proportional representation often mention that three people in a small, dark room at the party headquarters are the ones who would decide which candidates to put on the lists. You touched on this, but I am interested in hearing more about the various processes.

We know that there are nomination processes like the ones our parties already use. There are of course minor differences, but they are similar. There are also processes like the primaries in the United States to select the candidates who will be on the lists.

Can you tell us a bit more about existing procedures and how these lists can be democratized so that candidates are not chosen by three apparatchiks?

[English]

Prof. Pippa Norris: I think that's absolutely right. We get different types of traditions. If you take, for example, Norway, the parties there have always been very democratic, very decentralized, with an organization in which it's the local party that nominates. They nominate to the regional party, they then select. and they go up towards the national party. It's a grassroots democratic process that creates each district's list, and so on. In some other countries, particularly in some developing democracies, it's much more top-down. The party elite, the leader, the headquarters, and some other groups will personally nominate the individuals who will support them. For me, that's really a problem, because then you don't get internal party democracy, which you're trying to have, as well as having external democracy in the country as a whole.

In addition to the recruitment process, which is often somewhat closed and a private matter for the parties, you can also think about open and closed lists. So, again, with the closed lists and the party position, all that the voter does is vote for the party, and then they get the complete list, and it's not able to move candidates up or candidates down that list. With an open list, voters can express a preference for a particular candidate within a complete list as well, so it gives them a bit more choice at the ballot box.

All of these are details that we need to get right if we're going to reform the electoral system, even for a mixed member system or for a pure PR system.

[Translation]

Mr. Matthew Dubé: That is interesting. As I said, there are ways of selecting candidates that are similar to the way things are already done in Canada.

I'd like to continue on the topic of lists, which has already been discussed.

It has been said that the representation of women is higher in countries with proportional representation. I don't know if you have any concrete proof, but I expect that is also the case for other types of diversity, including young MPs.

[English]

Prof. Pippa Norris: Yes, it is often the case. What happens is that when you have a list system, there's a natural tendency to select a broad range reflecting society in general, because you don't want to exclude any group, as that would be to your electoral disadvantage as a party. So there's an incentive. But the second reason is that if you're getting a quota system, it's much easier to implement that with a party list. Say you have 20 MPs and you make sure that, say, one in three is a woman, and that's the law that applies to every single party, then that quota system works well with a party list system. It's much more problematic to implement quotas if you only have one district. You can certainly do that through internal party rules, which means that the parties themselves prioritize certain districts. For example, the Labour Party in Britain said that out of the 80 top marginal seats, be half of them had to be for women and half for men. But that can create more internal conflict within the party than simply having a party list that reflects whatever those interests are: rural, urban, working class, middle class, young, old, minorities in terms of immigrants, or populations within the majority. All of those things naturally include a broader representation in the party list system.

• (1620)

[Translation]

Mr. Matthew Dubé: How much time do I have left, Mr. Chair?

The Chair: You have about 40 seconds, enough time for a short question.

Mr. Matthew Dubé: Okay.

The Chair: That includes the answer.

Mr. Matthew Dubé: Yes, that's true. Thank you.

My last question is for you, Mr. Axworthy.

I'd like to return to a topic discussed this morning, namely, the tension between public negotiations and negotiations in caucus. Do you have any final remarks about that? I am very interested in this.

[English]

Dr. Thomas S. Axworthy: My experience has been that negotiations in private basically are the way to get things done in the most efficient way. It's not that public negotiations can't succeed; they can, but it's one of the complexities or anomalies of our system that cameras and the public face become an aspect of negotiation beyond the substance of the issue.

The Chair: Thank you very much.

[Translation]

Mr. Deltell, you have the floor and you have five minutes.

Mr. Gérard Deltell: Thank you, Mr. Chair.

Thank you, ladies and gentlemen.

[English]

Mr. Harrington, I would like to chat with you. Don't be surprised that we're talking about referendums. As a Conservative, I do respect the fact that you have plain confidence in our system and the fact that you are attached to our system. I do respect that. But don't you think there are issues that we can raise and solve by referendum?

Prof. Matthew P. Harrington: I think referenda are blunt instruments for making complex policy decisions. I think they are useful for giving Parliament a sense of where people are on a thing. In other words, it's hard for me to imagine what a referendum.... Obviously one can't put a referendum to a large group of people about, here's a single transferable vote system, here's a multi-member system, here's the first past the post system.... That's not the way a referendum could—

Mr. Gérard Deltell: I want to open the door wider than that, not just the specific issue of regulatory reform, but wider. Don't you think there is any issue in political life that should be solved by referendum?

Prof. Matthew P. Harrington: Again, I would shy away from referenda except in a situation in which one is looking for just a basic understanding of where people might be on a subject, but not with respect to the designing of policy. In this particular case, I am very much convinced that if we are not going to have this go forward for the 2019 election, then there ought to be a referendum. In other words, I look at a referendum as sort of second best to actually saying, here's our proposal, let's go to the country with an election on our proposal. If that's not what's happening, then yes, I agree that the next-best solution is a referendum.

I do not suggest that the House just say, "This is our proposal and we're going to do it without either a referendum or an intervening election."

Mr. Gérard Deltell: That's very interesting. I recognize that the doors are a little more open than expected. That's great, but if we have an electoral referendum, the issue of the 2019 election will be on the electoral system. How can we ensure that the people will vote 100% on that issue? I mean, there are plenty of issues in general elections. You said that in 1988 the main issue was the free trade agreement. I do agree with you, but it should have been something else.

In 2012 in the provincial election, the premier set the tone for law and order. Three days later, the tone was set by the opposition party, my party, about the ethics issue, so you can't be sure of the issue of an election. Why do you think that we could have the election on that specific issue in 2019?

•(1625)

Prof. Matthew P. Harrington: I think you're correct in suggesting that people vote for all kinds of reasons. Again, when I look at, for example, the European Union referendum in Britain, we don't propose to the public the exact process. It is, "Do you want in or do you want out?" and we leave Parliament to work that out over time. I suggest that's a second-best solution to the traditional Westminster way.

Referenda are a relatively new phenomenon.

Mr. Gérard Deltell: Relatively. But I'm from Quebec, and you teach in Montreal.

Prof. Matthew P. Harrington: I'm talking about over the course of a hundred or two hundred years; it's a relatively new phenomenon.

Mr. Gérard Deltell: On that point of view, I do agree.

I have just a one quick question. Just to be sure, do you think that if a province wants to separate, they should call a referendum, or would it be a call of the government or a call of the National Assembly, for example?

Prof. Matthew P. Harrington: That's an entirely different problem, because we're talking about something entirely different, which is the dissolution of the confederation or a partial dissolution of the confederation.

The Chair: I think the time is pretty much up.

Mr. Aldag will finish off.

Mr. John Aldag: It's always the toughest spot, the very last one of the session.

We talked a bit about understanding these processes and, in the case of a referendum, helping people understand. I ask all three of you for your thoughts on who you would see as being the one who would take the primary role for the education of the public in this kind of situation. Are there obvious voices or leaders? Whom do you leave it to to start a public education campaign on something as riveting as electoral reform?

Maybe, Professor Norris, I will start with you. Have you looked at this idea of education and public information in other jurisdictions and how it is done?

Prof. Pippa Norris: You'll obviously want to have a plurality of views, so you don't want to have the authorities, as it were, producing "the" information, but Elections Canada with Marc Mayrand, in my view, would be an appropriate, impartial, independent body that could represent and give out information very effectively. You'd also want the electoral reform societies and each party, because in any deliberation there shouldn't just be one perspective. You want many different voices, and the media should get engaged.

You might also think about some sort of audit process, a democratic audit of Canada as part of this as well, to encourage further discussion beyond the electoral reform issues.

Mr. John Aldag: Okay.

Dr. Thomas S. Axworthy: I would just add to that again on implementation issues around education. It's not only who would do it, but also the amount of time necessary for it to be done. It's a huge educative process, and rushed processes are ones that don't get well understood. Therefore, it's a necessity—and that's why we have to look at the outcomes—that you have a very long lead time to begin to thrash out these issues. That's why we began by talking about a democratic audit or a citizen's jury process along with this committee's work. You need time. You need differing voices organized differently to get this complicated issue across.

Mr. John Aldag: Professor Harrington, do you have anything to add?

Prof. Matthew P. Harrington: No, I think that covers it.

Mr. John Aldag: Okay.

Professor Norris, you had mentioned multiple parties. Would you also foresee things like spending limits being brought into play in the way that we have for elections, or do you make it a complete free-for-fall so that whoever has the deepest pockets has the biggest voice? What kinds of parameters would you need to put around having third parties involved?

Prof. Pippa Norris: You would obviously want some sort of level playing field to make sure there's a balance of views and that it's not one sided. That's a complicated issue. We're getting better at regulating party funding on a fair basis with public funding, but when it comes to allocating it for referendums, it is more complicated. Nevertheless, I think the same types of principles apply: if we have a yea and a nay side, then it's fairly straightforward; if we have more sides, then it's more complicated. But public funding is part of the civic education that we've been talking about, and it would be really useful to do.

•(1630)

Mr. John Aldag: How much time do I have?

The Chair: About a minute.

Mr. John Aldag: Maybe I'll move to something different. I don't know if this is the appropriate time to do it, but in this morning's session I finished my second round of questioning by talking about referenda as well. At that point, Mr. Reid made a statement. I was going to wait for the blues or record of the discussion to come out, but I just want to say that what I heard him say is that the minister, the Prime Minister, and the Liberal Party have said that Canadians are too stupid to understand electoral reform. I really took exception to that. I just want to put on the record that I don't believe this is ever

the case, and they would clearly have said that Canadians need to be involved and have a voice in this process.

The Chair: Duly noted.

Are there no more questions for the witnesses?

Some hon. members: No.

[*Translation*]

My sincere thanks to the witnesses who appeared before us this afternoon. The discussions have been very interesting and frank, and have offered many perspectives and details. They have been very helpful to us.

Thank you, Dr. Norris, for joining us by videoconference. Professor Axworthy and Professor Harrington, thank you for being here on a beautiful sunny day in the middle of August.

[*English*]

Thank you very much. You've made a great contribution to our study.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 017 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Monday, August 29, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Monday, August 29, 2016

• (1400)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I call the meeting to order.

Good afternoon, colleagues and guests. Welcome to meeting number 17 of the Special Committee on Electoral Reform. This is our last week in Ottawa before we start extensive travel across the country, visiting 10 provinces and three territories. In three weeks' time, for three weeks, we'll be travelling.

I'd like to introduce our guests. We have with us Dr. Broadbent, who really doesn't need an introduction, but I will give him a proper introduction all the same because I think there are a number of details here that are very interesting and go beyond what we already know of Mr. Broadbent as a political leader.

He is a former member of the Royal Canadian Air Force—I didn't know that, actually—a former leader of the NDP, and the founder of the Broadbent Institute, obviously. Dr. Broadbent spent his early career as a university professor—that I knew—and since 1968 has devoted himself to a life of public service, among other things serving as the member of Parliament for Oshawa—Whitby as well as for Ottawa Centre.

He was the vice-president of Socialist International from 1979 to 1989, as well as the director of the International Centre for Human Rights and Democratic Development from 1990 to 1996. In 1993 he was made an Officer of the Order of Canada and was promoted to Companion in 2001.

Dr. Broadbent was a critic for democracy, parliamentary and electoral reform, and corporate accountability, as well as for child poverty, in the NDP shadow cabinet from 2004 to 2005.

[Translation]

Welcome, Mr. Charbonneau. I often saw you on television as you presided over the National Assembly. It is a pleasure to meet you here in person.

Mr. Jean-Pierre Charbonneau (Minister for Democratic Reform, Government of Quebec (2002-2003), As an Individual): Thank you very much.

Mr. Chair, you have seen me on television but now you are seeing me in person. I hope that you are not too disappointed.

The Chair: Not at all. We are expecting great things.

Jean-Pierre Charbonneau is a journalist and former Quebec politician. He has worked for a number of press bureaus in Montreal,

including *Le Devoir* and *La Presse*, as well as for a number of magazines and radio stations.

He was elected to the National Assembly in 1976. During his career in public life, he served as the Speaker of the National Assembly from 1996 to 2002, before being appointed as Minister of Canadian Intergovernmental Affairs in Bernard Landry's cabinet, and then Minister for Democratic Reform. In 2002, Mr. Charbonneau announced the creation of the Secrétariat à la réforme des institutions démocratiques. He has also chaired the Assemblée parlementaire de la Francophonie and the Fondation Jean-Charles-Bonenfant.

Welcome, Mr. Charbonneau.

[English]

I'd also like to welcome Professor Yasmin Dawood, who is joining us today from Toronto.

Can you hear us, Professor?

Professor Yasmin Dawood (Associate Professor and Canada Research Chair in Democracy, Constitutionalism, and Electoral Law, Faculty of Law, University of Toronto, As an Individual): Yes, I can.

The Chair: Yasmin Dawood is an associate professor at the faculty of law at the University of Toronto, and this year was awarded the Canada research chair in democracy, constitutionalism, and electoral law. Dr. Dawood specializes in election law in Canada, the United States, and internationally, as well as comparative constitutional law and democratic theory. Her focus is broadly concerned with improving electoral integrity and democratic governance.

Some of her recent articles have discussed the right to vote, money in politics, political dysfunction, partisanship, electoral redistricting, and the oversight of the democratic process by the courts. She is widely published in a variety of academic and law journals and reviews.

Dr. Dawood also testified as an election law expert in the House of Commons committee examining the Fair Elections Act, also known as Bill C-23, and is a frequent interviewee in various media on election law issues.

Thank you to everyone for being here.

The way we proceed is with presentations for 10 minutes by each witness, and then we have two rounds of questions. In each round, every MP gets to ask questions and obtain answers for five minutes, the five minutes including the answer as well as the question.

• (1405)

[*Translation*]

Without further delay, I would ask Mr. Broadbent to provide us with his ideas on electoral reform.

Mr. Broadbent, you have the floor.

[*English*]

Hon. Ed Broadbent (Chair and Founder, Broadbent Institute): Thank you, Mr. Chairman.

I wonder if you will permit me briefly at the outset to say one word about Mauril Bélanger, and I wanted to explain why it's particularly pertinent to this committee.

I arrived from England on Friday evening only to wake up Saturday morning and learn that my former colleague and friend had died, and that there was a funeral that morning. I very much regret that I was not here to be able to attend.

The comment I would like to make is that he was a minister in the minority government 2004 to 2006 for democratic institutions. During that period he was very accountable and attentive to the equivalent of this committee, which was meeting during that period. He listened to members from all parties. He was fully consultative. I worked closely with him at that time, and he piloted through the cabinet and then the House of Commons a report that came out of the committee, and he gave it his strong support. He was an immensely decent, thoughtful, and good man, and he did superb work of the kind that everyone around this table is involved in. I wanted to say on this occasion that I think it's appropriate, given the nature of this work, that his fine work in the past be recognized.

That's all, Mr. Chairman.

The Chair: Thank you very much. Thank you for those insights into the great work that Mr. Bélanger did. He was a model in many ways, as you mentioned today, and he's a model for us here who are studying electoral reform, so thank you for those kind words.

Hon. Ed Broadbent: Okay.

Mr. Chairman, I'll continue now.

Members of the committee will have received a brief from the Broadbent Institute. I don't intend to go over in detail everything that you will readily see in that. I will highlight only a few points that I think are important, and then I want to come to one particular issue that I want to talk about and that I think is important to all members of the committee, whatever their ideological orientation, whatever their partisanship, or whatever—simply as members of Parliament.

The first few points are about support for proportional representation. As members of the committee will know, when the large majority of experts—not only those who have made their presentations to this committee, but also those around the world who have studied democracy and democratic institutions—make up their minds about electoral systems, they come down on the side of some form of PR.

It is also the case that among the vast range of civil society organizations in Canada that have been involved with the Broadbent Institute—some 60 organizations, from the YWCA to human rights

organizations to trade unions—a great cross section of Canadians have supported, if I can put it this way, the principles that were found in the brief by the Broadbent Institute in support of proportional representation.

There are four particular points on why I think that any variety or type of PR is by far to be preferred over first past the post.

First, every vote does indeed count. With the PR system, we do not get what appropriately have been called the “false majorities” that have occurred, whether with Mr. Trudeau in the most recent victory, when some 39% of the vote resulted in a substantial majority of MPs, or before that, in the election of Mr. Harper with roughly the same vote, when 39% of the vote got more than a majority of MPs. In more than 80% of the democracies in the OECD, that would be impossible. To get a majority government in most of the democracies, you have to have a majority vote. Therefore, the first thing to be said about the PR system is that every vote does indeed count, and you don't get false majorities.

Second, I would say that the first-past-the-post system distorts both national and regional outcomes. For example, in the 1997 election, the Reform Party, if I recall correctly, got 40 more seats than the Conservatives, even though they had roughly the same percentage of the vote in that election, but their vote happened to be concentrated exclusively in western Canada, and the Conservative Party vote was spread right across the country. There was a distortion because of the first-past-the-post system.

Similarly, my colleagues in the Bloc Québécois may well remember that in one election, indeed they got two-thirds of the seats in the province of Quebec with less than 50% of the vote. Many Canadians across the country were unaware of the fact that a majority of Quebecers, in fact, voted for federalist parties, but the governing group, the majoritarian group, was the Bloc Québécois. Once again, the electoral system distorted that outcome.

The third point I would make is that first past the post does discourage a number of people from voting for their first choice. A survey undertaken by the Broadbent Institute following the most recent federal election found that 46% of Canadians voted for a party that was not their first choice. I'll repeat that. In the most recent election, 46% of Canadians said they voted on their ballot for a party that was not their first choice in order to avoid electing, in their view, another party that was even less favourable to them. The system does not encourage people to vote for their choices; it encourages them to do strategic voting right off the top, instead of getting their basic democratic wish.

The final point I would make in defence of PR—and it's a very important one to me—is that almost without exception around the world, where you have PR systems, you have more women elected. That is the other half, in gender terms, of the population, and I think this is a very important consideration in a democracy.

• (1410)

Canada ranks 62nd in the world today in terms of percentage of women elected to our House of Commons. In New Zealand, when they introduced the system of PR, they went from having 21% women in their House of Commons up to 29% women in the first election with PR, and in the one after that—the most recent election—up to 31%. The evidence is quite strong that if you adopt a PR system, you're bound to get more women elected than is presently the case.

The other point I want to make—and I can't elaborate, because I want to go on—is that the PR system is conducive to more civility in politics. I had experience following my political life with, for example, German politicians in both the CDU and the SPD. They both say, as people familiar with the Scandinavian situation, that with multi-party systems in which it's taken for granted that you're going to have multiple parties forming governments, the politicians are more civil with each other before elections and during elections because they know they're going to have to work with somebody afterwards. That isn't a trivial point.

In the last speech I made in the House of Commons in 1989, I talked about the problem of civility. It is a serious issue for democracy. The fact that PR systems are not unequivocally clear on this but tend to be historically more conducive to civilized debate than first-past-the-post systems is another advantage.

Let me come to the point I really want to mention today, because it has had relatively little attention; that is the national unity question.

Whatever the ideological persuasion of members around the table—and there are differences, and there should be in democracy—or the partisan differences—and they are real, and they should be in a democracy—all members of Parliament, with the possible exception of my colleague, in the Bloc Québécois, whom I respect but differ from—all federalist members—have a pronounced commitment to the national unity of Canada and are very sensitive to policies that would be conducive to disrupting that unity.

The personal experience that shifted me away from strict PR, if I can put it that way, to favouring a mixed system of PR and electing your own member was my conversation with the current Prime Minister's father, Mr. Pierre Trudeau, in 1980. After the election, when he regained a majority, he wanted me to come into the cabinet, even though he had a majority. Not only that, he wanted a number of my colleagues in the New Democratic Party to join him in cabinet.

Now, why did he do this? This was not because he thought I was a splendid fellow or because he was madly in love with the NDP, though there was obviously some policy overlap relevant to the proposition. His concern was, and it's an appropriate one, that he was going to bring in, as he told me in private conversation at the time, what turned out to be the national energy program and effect the repatriation of the Constitution with a charter of rights.

He knew that in both of these areas I was in considerable agreement with much of the policy; for some of it, that turned out to be not the case. Notwithstanding the fact that he had a majority—and this is the point—he had 22% of the vote in B.C., but no seats; 22% of the vote in Alberta, but no seats; 24% of the vote in Saskatchewan, but no seats; and 28% of the vote in Manitoba, with

two seats. In short, in the national energy program he was bringing in a measure that was going to have a profound effect, particularly in western Canada, but he had only two seats in all of western Canada, notwithstanding a vote in excess on average of 25%. He had only two seats.

He was concerned about this, as he ought to have been. He knew that when governing it's desirable to have representation, not only in caucus but also in your cabinet, from all regions.

What happened then, and we don't need to go into all the details of it, was that a national energy program was brought in that had, to speak bluntly, an alienating effect—not all of it, but a good part of it—on western Canada and was objected to not only by a Conservative government in the province of Alberta but also by an NDP government in the province of Saskatchewan.

• (1415)

The point I'm trying to make is that through goodwill, if you do not have in the cabinet people from different regions who are going to be making crucial policy affecting those regions, then you can make serious mistakes. The first-past-the-post system distorts the electoral system in Canada, and the 1980 election is a perfect example: a majority government could be formed, and yet the prime minister of the day had to look elsewhere, to other parties, because he only had two seats. If he had had proportionality, then he would have had many times that number. He would have had seats in Alberta, he would have had seats in Saskatchewan, and he would have had seats virtually in all the western provinces.

This had a serious impact on my personal thoughts about electoral systems. First past the post can have a negative effect on our national unity politics through no bad intention of prime ministers or opposition figures because of the results and the importance of having representation from all regions.

Mr. Chairman, can I ask how much time is left?

The Chair: Would you like another minute?

Hon. Ed Broadbent: Okay. I think you're being generous, but I'll conclude with this.

I mentioned the problem of 1980, and maybe we'll have another discussion about that, but I could shift to the most recent election and ask you to look at Atlantic Canada, with 32 seats, and they've all gone to the Liberal Party of Canada. This is not good, I would argue, for the Liberal Party of Canada, and it's not good for Canada. If we had a proportional system, instead of being wiped out in Atlantic Canada, the Conservatives would have six seats, the NDP would have six seats, and the Green Party would have one.

This would mean, as the law commission pointed out some years ago, that opposition parties would be represented from all parts of the country, as they need to be if they want to know what they're talking about. One time, coming from a town called Oshawa, I had to make a speech on the spur of the moment about something called the Atlantic fishery. I knew as much about that as I know about walking on the moon, but all of you, as MPs, would have been in similar positions, I suspect. The point I'm making is that it's desirable for all parties, whether in opposition or on the governing side, to have representation from regions, and a PR system does that in a way that first past the post does not.

I'll leave it at that, Mr. Chairman. I thank you, and maybe we can have a discussion later.

• (1420)

[*Translation*]

The Chair: Mr. Broadbent, thank you very much for giving us a new way of looking at some events from our political history.

We will now continue with Mr. Charbonneau, for 10 minutes.

Mr. Jean-Pierre Charbonneau: Mr. Chair, ladies and gentlemen of the commission, good afternoon. You will have to excuse my language, but I spent 25 years in the National Assembly where we call a committee a commission parlementaire.

I am happy to be here with Mr. Broadbent today. I do not know if he remembers, but between my two political lives, when I was chair of the board of Oxfam-Québec, we led an observer mission to the elections in Honduras, if memory serves. We spent a lot of time together then. We did not talk about this matter, but I have realized today that we still are on the same wavelength on a lot of subjects.

I only have 10 minutes, with the rest of the time spent on discussions with you. First of all, I would like to tell you that, before we started, Mr. Cullen came to say hello; he asked me if I had been mulling over this question for long. When I said yes, he asked me why reform did not work in Quebec. I told him that it was because the elected elite had not kept their campaign promises.

Put another way, in our political system, first ministers have enormous power. If, in an election campaign, a party leader promises to change the method of voting from top to bottom, for example, the way in which that will be done will largely rest with them, or rather with the people they choose to take on that portfolio and the way in which their troops will behave.

In Quebec, we have been talking about reforming the method of voting since 1909, but there have been some real campaign commitments. Since it was formed, the Parti Québécois has had this commitment in its program. Only in 1981 was René Lévesque able to be hopeful about putting the program, the commitment that was close to his heart, into action. But unfortunately, subsequent events did not allow him to do so.

We had to wait until 2003, when Quebeckers again began to be interested in the matter, for the leaders of the three parties to make the same promise that Mr. Trudeau made in the last election, to change the method of voting used in general elections. The Liberals had just had a painful experience in 1998, when they found

themselves as the official opposition while we, under Lucien Bouchard, took power with 35,000 fewer votes.

Today, in 2016, I am here before you as a former minister responsible for the file, and still nothing has budged in Quebec. Yet everything was in place. The chief electoral officer had issued a notice, Quebeckers had participated in a special parliamentary commission and, before that, I, as the minister responsible for reforming democratic institution, had got everyone on board. But Mr. Charest, the premier at the time, decided to put a stop to it.

In Quebec today, we are using the excuse that Ottawa has reopened the file to mean that we are going to wait and see what happens before we decide if we will reopen it as well. But with the exception of the party in power, all parties in the National Assembly now have reopened it.

Personally, I favour scrapping our system for the same reasons that Mr. Broadbent gave and for the same reasons you have heard from a number of witnesses.

As René Lévesque wrote in 1972, it is a democratically rotten system that produces governments, which, most of the time, are not built on popular majorities, but on distortions in representation. We live in a representative democracy, but representation is distorted and falsified.

Some parties and some ideas are over-represented, while others are under-represented or not represented at all, while a considerable part of the population, whether in Quebec or in Canada as a whole, support those ideas and voted for them.

In addition, as Mr. Broadbent said, in a system like ours, an ancestral system, we also generate an excessive culture of confrontation.

More could be said about the flaws in the system, but I hope that members who have recently made a campaign commitment to modify the system are convinced about it and are not in the process of studying the matter simply in order to decide to maintain the status quo. When you make a campaign commitment, you live up to it and you take steps to do what it takes—my apologies for putting it so bluntly—otherwise you are disrespecting the people, as was done in Quebec. We disrespected the people and ended up not living up to our political and campaign commitment. That is even more important when you are the premier or a party leader.

• (1425)

I support the mixed-member proportional voting method because it is the replacement system that most meets the needs and expectations of Quebeckers and Canadians in general. We would keep direct representation with the constituency members but the representation would also be fair and equitable.

Last year, in April 2015, the research chair in democracy and parliamentary institutions at the Université Laval organized a seminar at the National Assembly in cooperation with the National Assembly; the polling firm CROP conducted a survey for the university. The result was that 70% of Quebeckers agreed that a change was needed in the method of voting in order to have fairer and more equitable political representation.

Compared to all the other systems that have been tried, studied and even designed in theory, this system has the advantage of providing a transition. Does that mean that, in Canada, we would be forced to live for 100 years with a new way of voting, such as the compensatory mixed-member proportional system, for example? No, not necessarily. But the transition would make it easier for people to achieve their two objectives: to have fair and equitable representation and, at the same time, to keep constituency members.

We must be very frank about this. People, including some members here, have said that, with that system, there would be two kinds of elected members. There are not two kinds of members; the same citizens are responsible for and masters of the electoral system and those same citizens would, using two mechanisms, choose their own representatives and party representatives. That means that, when you are elected to Parliament, whether you are a member from a list or a member as a result of the current first-past-the-post system, the reality in the caucuses such as we have in Parliament is that the two classes of members become one. They all represent the people and they all also carry their party's banner. To claim that there would be two classes of members is a false argument.

There are no problems in countries that do it that way. Why would we have problems here when they do not have them in Germany, in Scotland, in New Zealand and in a lot of other countries? At some point, the argument has to be based on facts, not on some kind of abstraction.

One of the reasons why it did not work in Quebec is that most MNAs, including those who had made the promise through their leaders or their political programs, were afraid of losing their seats.

Second, a significant number of MNAs, especially those who were in the government or those who hoped to be able to get there, thought at the time that they would not be able to control the political program as they wanted. That is to say, to do what they wanted to do with a minority of popular support. As soon as you get a majority in Parliament, the process becomes accelerated by cutting off debate, whether at the National Assembly or here, with mammoth bills and with other parliamentary mechanisms. The parliamentary majority, resting on a minority of popular support, is used to gag Parliament and rush processes along, though there is no legitimacy for doing so.

There is a third and final reason why this did not come about in Québec. It is because the Parti Québécois considered that it would lose control of the referendum program, given that, in 1976 and in 1994, it took power with a minority of popular support.

Today, however, the Scottish model and the Scottish experience have proved that this did not hold water. A country is not won and formed by an election, but by a referendum process. You need a majority. So it is all very well to control the referendum program, but, if you do not have a popular majority, it will not get you much.

• (1430)

Even for those not calling for independence, it is ideally preferable to have a political mechanism that allows for the development of something fundamental in democracy: a culture of collaboration, compromise, and coalition. Coalition does not imply that our governments are unstable. That argument is soundly thrashed in any country with a proportional system, more specifically in those with

compensatory mixed-member proportional systems. Having to make compromises with political opponents, just as with people whose ideology is closer to our own, actually creates a favourable political climate. When it comes right down to it, people are fed up with excessive partisanship and behaviour that devalues the institution of politics. We see that all over Canada, including Quebec.

The Chair: Thank you very much for your very interesting presentation, Mr. Charbonneau. You have highlighted a number of important questions.

[English]

Dr. Dawood, the floor is yours for 10 minutes. Please go ahead.

Prof. Yasmin Dawood: Thank you, Mr. Chair, and good afternoon.

My remarks today will focus on the process of electoral reform in Canada, but I won't be speaking about the kind of electoral system that ought to be adopted. My remarks today are drawn from an article entitled "The Process of Electoral Reform in Canada: Democratic and Constitutional Constraints". This article is forthcoming in the *Supreme Court Law Review*.

In the article I considered a number of possible mechanisms for the process of electoral reform, including a citizens' assembly, a commission, a referendum, and an all-party parliamentary committee. I did so by drawing on provincial and comparative international experience with electoral reform. I looked briefly at electoral reform efforts in British Columbia, New Brunswick, Prince Edward Island, Ontario, and Quebec, as well as electoral reform in France, Italy, New Zealand, Japan, and the United Kingdom.

My main conclusion is that although no one process or mechanism is required for electoral reform, the process must be, and must appear to be, democratically legitimate. To achieve democratic legitimacy, the process should visibly follow three norms: first, political neutrality or non-partisanship; second, consultation; and third, deliberation.

Electoral reform differs from the passage of ordinary legislation because it sets out the very ground rules by which political power is attained. For this reason, the process of electoral reform must be held to a higher standard of democratic legitimacy.

Let me talk about the first norm, political neutrality or non-partisanship.

This norm is important because it ensures that the process is as neutral as possible, which in turn helps to prevent the governing party from entrenching itself by selecting rules that favour itself at the expense of the other political parties. This norm is also the most difficult to achieve, in large part because the choice of process can have a determinative impact on the kind of substantive reform that's ultimately adopted. In other words, the choice of process can be as partisan as the choice of the electoral system, in the sense that a particular process could allow or could prevent a particular substantive outcome that is either favoured or disfavoured by any given political party. Any majority government, in particular, must guard against the perception of self-serving entrenchment by ensuring the process is as non-partisan as possible.

As for the norms of consultation and deliberation, these norms ensure that the process has canvassed and considered in detail a wide array of opinions and options. Consultation is connected to the democratic ideal of participation, while the norm of deliberation requires that a collective decision should be justified by reasons that are generally convincing to all of those who are participating in the deliberation. Valid options should not be excluded without consideration, either directly, or indirectly by setting arbitrary goals and limits from the outset.

To further enhance democratic legitimacy and the norms of political neutrality, consultation, and deliberation, I would make three observations.

First is that the proposed reform ought to have the support of all the political parties. In the event, though, that a consensus is impossible, it would be important for the proposed reform to secure the support of political parties that collectively achieved at least a majority, and preferably a supermajority, of the popular vote in the 2015 election. The composition of this special committee on electoral reform would enhance the real and perceived legitimacy of any recommendations issued by the committee, but it would be equally important for there to be agreement among the parties at the legislative level to avoid the perception of partisan self-interest.

Second, it would enhance the real and perceived democratic legitimacy of the process if an additional process option such as a commission, citizens' assembly, or referendum were implemented. While the town halls certainly add to the legitimacy of the process, they don't provide the kind of deep and detailed analysis of a commission or the more inclusive feedback of a referendum.

• (1435)

That said, I don't think that a referendum is required for the legitimacy of electoral reform, although it is of course one option as an additional process.

It should, however, be noted that a referendum is not necessarily a politically neutral choice. Based on the provincial experience with referenda on electoral reform, it is likely that a national referendum would fail, leaving the status quo first-past-the-post electoral system in place to the advantage of the larger parties.

A commission on electoral reform might be a better option as an additional process. Many recommendations from the 1989 Lortie Royal Commission on Electoral Reform and Party Financing, for example, were used to revise electoral laws, but there are other

smaller-scale options for commissions. For example, New Brunswick and P.E.I. each established an eight-person commission, and the P.E.I. commission consisted in part of citizens. In Quebec, the parliamentary committee was assisted by an eight-person citizens' committee.

My third observation and recommendation is to extend the self-imposed deadline of December 1, 2016. While this special committee has heard from a number of witnesses, and while MPs have organized a number of town halls on electoral reform, the timeline appears to be unnecessarily hasty, and it runs the risk of undermining the perceived legitimacy of the process. The deliberative and consultative processes should unfold over a longer time period to reflect the importance and scale of electoral reform, particularly in light of the fact that there is no additional process, such as a commission.

My article also addresses the constitutional constraints on electoral reform, and while I cannot discuss this topic in any detail, given time constraints, my conclusion is that electoral reform can likely proceed without a constitutional amendment involving provincial consent, provided that the reform is consistent with certain constitutional limits. I'm happy to discuss the constitutional aspect, should there be any questions on this topic.

Thank you.

• (1440)

The Chair: Thank you very much, Dr. Dawood.

We'll start the first round with Mr. DeCoursey, for five minutes, please.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Thank you to everyone here today for your commentary and testimony.

I'd like to start, I think, with you, Dr. Broadbent.

[*Translation*]

The question also goes to you, Mr. Charbonneau.

What is your opinion of the importance of a member of Parliament's responsibility to represent his local community, either under the current system or the one that you prefer?

Mr. Jean-Pierre Charbonneau: Let's hear the voice of experience first.

Mr. Matt DeCoursey: Thank you.

[*English*]

Hon. Ed Broadbent: I have to say that my experience as an MP is what I base my judgment on. Before I became an MP—1955 was the first time I advocated proportional representation—a professor of mine gave me on a paper the comment “ingenious but ingenuous”.

Some hon. members: Oh, oh!

Hon. Ed Broadbent: Once I was elected, the point that you've raised became clear to me. I used to favour straight...

The Chair: We're having trouble with the sound. Could you press the button? It should light up.

Mr. Matt DeCoursey: We'll need to enter that joke into testimony.

Hon. Ed Broadbent: Let there be light.

Anyway, I think you can have a PR system that has members who can be quite responsive, and constituents—citizens of an ordinary riding, broadly defined—could go to a variety of MPs who may be elected on the PR basis to work for them on practical problems that all MPs are confronted with.

On balance, I like the mixed proportional system. I don't think it's an accident that New Zealand, for example, which had the Westminster model before, or Scotland, which experienced the Westminster model before, tried, when they went to a new system, to get the best of both worlds, if you like, by combining the PR with local representation.

I think that's preferable. I think personally it is better to have a local MP who is directly elected—who could be elected by a variety of forms of first past the post—and then your second vote can be for the party of preference. I think that direct contact with MPs is a desirable aspect of the Westminster model, if I can put it that way.

I'll leave it at that.

[*Translation*]

Mr. Jean-Pierre Charbonneau: I was a member of the National Assembly for 25 years, in the same system as the current one. I was a parliamentarian and a representative of the people at the same time. If I had been in a situation of pure proportionality, for example, I would have been a member representing his fellow citizens and taking an interest in their problems. I would have met with them in my office and I would have done the work that had to be done. I would also have represented my political party.

In a compensatory mixed-member proportional system, there may be two types of members, but I do not believe that they would conduct themselves any differently. Some would have responsibilities in their respective parliamentary teams. In a mixed-member proportional system, a member from a regional list would have to work with his colleagues in the region and not with the members as a whole, in order to represent the interests of his region. This would be the same as a constituency member, but to a smaller extent, because his constituency would be smaller than his region. Theoretically, it is as if we tried to create two types of members because there would be different mechanisms to choose them in order for their political representation to be appropriate, fair and equitable.

But actually, what counts? In a representative democracy, representation must be appropriate. There must be no unacceptable under-representation, no unacceptable over-representation or no unacceptable non-representation. In a system that could better represent society's major political currents, the great ideas, the large parties and sometimes the smaller ones, elected members would do their work in the same way as the others. There are no two ways about being a representative in Parliament.

When I rose to speak as an MNA, I sometimes talked about my region and sometimes about my constituency, but in general, we were discussing major questions. A member of Parliament is a parliamentarian, but he is also a kind of intermediary between the

electorate and the elected. Just because I might have been a member from the list does not mean that I would not have done that work.

• (1445)

The Chair: Thank you, Mr. Charbonneau.

The floor now goes to Mr. Reid.

[*English*]

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you, Mr. Chair.

It's now 12 years ago that I served on a parliamentary committee that dealt with the issue of electoral reform. Ed Broadbent was on that committee at the same time.

It's good to be discussing the same issue with you again after all these years—or perhaps it's bad to be discussing it for all these years, because it suggests an unresolved question—

Hon. Ed Broadbent: I hope your views have changed since then.

Mr. Scott Reid: I was actually going to ask you that very question, because my view at the time...and you'll recall this from the supplementary report written by the Conservative Party, which was largely penned by me. We said that no new system of electoral reform should be adopted without a referendum to authorize it. It's a view I still hold. At that time, you indicated on a number of occasions that you had at least a somewhat complementary opinion and felt that a referendum would be a legitimizing tool. I'm wondering if you still feel the same way, or if you feel that it is not necessary to have a referendum today.

Let me start with that.

Hon. Ed Broadbent: I can see the argument for it, but on balance I think the arguments against it are better, frankly.

Beginning from a constitutional position, it certainly isn't constitutionally required to have a referendum.

Second, I agree with our distinguished academic from Toronto in terms of some of the conditions she laid out. If, for example, more than one party campaigned for it, as was the case for this Parliament, when not only the Liberal Party but also the New Democratic Party and the Green Party all campaigned on the basis of committing themselves to some form of electoral reform, that for me gives solid democratic legitimacy to the project. Parliamentary democracy entails not direct citizen participation but representative participation, so having more than one party is important. I strongly agree that it would be a fundamental mistake for the governing party alone to bring in a system that it alone favoured. That would not be legitimate in a democracy, as has already been suggested by my academic colleague as well.

Mr. Scott Reid: If I might say so, Ed, here's the problem. There are a number of problems, I believe, but one problem is this: as you would know very well, the phrasing of that Liberal election promise, "This will be the last election conducted under first past the post", was taken word for word from an NDP opposition day motion from December 2014. The NDP motion went on to specifically mention proportional representation. It may even have said MMP, but I can't remember now.

A voice: Yes, it did.

Mr. Scott Reid: It did. Okay. The NDP voted for it, so I think anybody voting NDP knew they were voting for MMP. The Liberals voted against that motion in 2014. The result is that people voting Liberal, to the extent they had thought this through—and I suspect most people did not know the various voting patterns—would not have said, “I’m voting for MMP.”

There are a multiplicity of potential changes to the system, none of which has been approved by the voters in that election, and that, I think, is a fundamental problem that remains. There’s no specific system, but we would have a specific change that might or might not have the approval of voters.

It is not difficult to imagine a system better than first past the post, but it’s also not difficult to imagine an electoral system being put before Parliament that would, from the point of view of Canadian voters, be worse than the current system. That is the purpose of a referendum: it prevents that option from occurring.

Do you think that I am wrong in what I say in this regard?

● (1450)

Hon. Ed Broadbent: I’m saying that however the Liberal Party voted on that motion—frankly, I was not familiar with that—they had a campaign after that, in any case. The man who became prime minister did make a campaign for electoral reform, with many options open, as I recall. He also, again if I recall, used the phrases, “every vote must count” and “make every vote count”. If you do that, there’s only one system that does that, and that is a system of PR of some kind. I think there would be legitimacy for the Liberals to say they campaigned on that, as there would be for the Green Party and the NDP.

Let me add further about a deliberative process. I agree with what our academic colleague has said about the importance of the deliberative process of this committee and its important work to give legitimacy.

I want to raise one negative thing about referendums. If we have all the positive conditions of deliberation and campaign commitments by more than one party, then I ask members of the committee to think what might happen if the country went ahead with a referendum.

I lived through, in part, what happened in England on the Brexit vote, and I can tell you that it’s a hopelessly divided country right now, very seriously so. What would happen in Canada, whether a referendum question won or lost, if Quebec and Alberta voted one way and the rest of the country voted another way, or if British Columbia and Quebec voted one way and other provinces voted another way, and the campaigns were rather intense and the divisions were rather intense? My own serious view is that this would contribute to national disunity, not unity. Whether the campaign was won or lost, there could be great divisions.

If it were the only option, I say to the honourable member... I take seriously the argument for a referendum, even though I don’t agree, but if all the other conditions of deliberation and campaign promises were met, then I think it is legitimate for the parliamentary system to make a decision on its own.

I would add one final point. The two great political theorists of the late 18th century and early 19th century, one a liberal and one a conservative, Edmund Burke and John Stuart Mill, would have both favoured parliamentary action in a case like this.

The Chair: Thank you very much.

We’ll go to Mr. Boulерice.

[*Translation*]

Mr. Alexandre Boulérice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

My thanks to the witnesses for joining us today and for their very enlightening remarks. My thanks to Mr. Broadbent particularly. I was not very aware of the 1980 federal election. My recollections of it are actually a little vague.

In three provinces, Saskatchewan, Alberta and Manitoba, if you get almost a quarter of the votes, your representation is minimal. By that I mean two members. In cases like that, it is more difficult to come up with effective public policies that represent the interests of the various regions and their residents.

You are very familiar with different ways of voting and you have travelled to see what is done elsewhere. So you have observed that 80% of OECD countries have adopted proportional methods of voting, in many cases mixed or compensatory methods.

In your opinion, do citizens of those countries fully understand their electoral system and their method of voting? If so, does that encourage them to become more involved in political life, more so that the system we have had here for 149 years?

[*English*]

Hon. Ed Broadbent: Well, these are subjective opinions, as the honourable member will recognize. It was from both my general experience and from reading about these countries, and more specifically from talking to members of Parliament, especially when I had a position in Socialist International that brought me into contact with members of all parties in European assemblies. At that time I was asking personal questions myself, because I was in favour of change here. Whether they were in the conservative party in Germany, the CDU, or the Social Democrats, I found broad agreement that they were very happy with their system. There was certainly no suggestion that their citizens lacked an understanding. In the case of a straight PR vote, of course, you just vote for your party, and that’s it. Otherwise, in a list system, in the case of Germany or Scotland or New Zealand, you have two votes, but they’re pretty straightforward. You vote once for your local MP, and your second vote is for your party of preference. I never ran into anyone suggesting that this was too complex for ordinary people to handle. It was quite the contrary: they were quite at ease and accepting of their system.

● (1455)

[*Translation*]

Mr. Alexandre Boulérice: Thank you, Mr. Broadbent.

Mr. Charbonneau, you tried an attempt to reform the method of voting in Quebec. You saw the obstacles, the difficulties for the voters, and the resistance from some regions or rural municipalities.

In your opinion, what obstacles will we face in this federal parliamentary committee? What solutions do you suggest to us in order to overcome the resistance to change?

Mr. Jean-Pierre Charbonneau: A few years ago, when we had the parliamentary commission on the draft bill in Quebec, it would have been good if the minister appointed to hold the fort actually had held it. In other words, if someone does not stand up for the change they themselves are proposing, there is going to be a problem.

Mayors from the regions of Quebec and the RCMs told the parliamentary commission that it would be awful, and that their regions would lose power and representation. No one responded to that. But the response is very simple.

Take Saguenay—Lac-Saint-Jean or the West Island of Montreal as examples. In general, the representation there is somewhat homogeneous, albeit not always. With a compensatory mixed-member proportional system, the representation there would probably be greater.

What effect would that have on representing the region's interests? It would force members from all parties in a region to form a common front in order to stand up for the interests of that region. If a major economic project was proposed in Saguenay—Lac-Saint-Jean, everyone would be working for it, not just the members of the one party in power, the one with a majority of members.

People had their fears, but I personally believe that it would strengthen the power of regional representation, by virtue of the fact that it would create a dynamic of collaboration that does not exist to the same extent at the moment.

Mr. Alexandre Boulerice: Thank you.

The Chair: Mr. Ste-Marie, you have the floor.

Mr. Gabriel Ste-Marie (Joliette, BQ): Gentlemen, madam, thank you for sharing your knowledge with us.

In Quebec, the common language is different from the one in other provinces. We have our own culture, our own artists, our own points of reference and our own media. We absorb our information from different networks. I have become even more aware of that since I have been working here. I read *The Globe and Mail* and the *National Post*, and I often notice the differences. We do not hold the same debates and we do not share the same priorities or the same values.

A few years ago, the Parliament of Canada, the House of Commons, recognized Quebec as a distinct nation. One of my main concerns is whether, with the reform, this will still be respected. That was what federalism was agreed to mean. The task is not to form a legislative union, it is to implement mechanisms to ensure that the Quebec nation is recognized and defended. With a compensatory mixed-member proportional system, my fear is that the Canada-wide list will be drawn up in Toronto, shall we say, and that votes in Quebec will be serving values that are not our own.

I will put the question to Mr. Charbonneau first, but I would also like Mr. Broadbent and Ms. Dawood to answer it.

How can we make sure that the mechanisms will safeguard our nation?

Mr. Jean-Pierre Charbonneau: First, you have to establish a compensatory method based on regions.

Mr. Gabriel Ste-Marie: You use the word “regions”, but, in Canada, “regions” means—

Mr. Jean-Pierre Charbonneau: It would mean the major federated jurisdictions and perhaps a group of federated jurisdictions in some cases. Quebec would be a region, for example. Within Quebec, there would also be sub-regions. There would not be just one regional constituency in Quebec. As proposed for the National Assembly, there could be sub-regions. Against that background, choices that would represent the political reality would be possible.

That said, we must remember that the Quebec nation is not going to be defined by a voting method.

For Quebec, the situation where there are too many Bloc Québécois MNAs in terms of the party's real power is no more valid than the situation we had back in the day when Quebec had too many members from Pierre Elliott Trudeau's party, 72, 73, 74 or 75 of them, giving the impression that he had taken power in Quebec and that his approach was the only valid one in Quebec. There is a distortion of the reality in both cases.

Protecting the nation of Quebec will not be done simply by means of a method of voting in the House of Commons, but probably by other mechanisms, including the Parliament of Quebec doing its job.

• (1500)

Mr. Gabriel Ste-Marie: Are you opposed to having a Canada-wide list?

Mr. Jean-Pierre Charbonneau: I see no Canadian list, clearly. Otherwise, we would not be talking about regional compensation but national compensation. You cannot really think in terms of a national list for an area as huge as Canada. That could not be sustainable for long, in my opinion.

Hon. Ed Broadbent: I agree with my friend.

Mr. Gabriel Ste-Marie: Earlier, I asked Mr. Charbonneau and Mr. Broadbent whether a Canada-wide list could be envisaged as a way to protect the rights of minority nations, or whether it should absolutely be done by province. They answered the question. I would now like to hear what Ms. Dawood has to say on the matter.

• (1505)

[English]

Prof. Yasmin Dawood: Today I prefer to stay with the process of electoral reform rather than comment on the specific substance of various proposals, but I will say, in answer to your question, that this is one reason that having an in-depth process is really important: it is precisely so that issues such as the one you raised will be fully vetted before any system is chosen or any recommendations are made.

[Translation]

Mr. Gabriel Ste-Marie: Thank you.

For parties to have the same chances, should a reformed method of voting come with a reformed method of party funding?

At the moment, the funding comes more from the private sector than the state.

Mr. Jean-Pierre Charbonneau: Let's not confuse issues. I believe that the funding of political parties is one matter and reforming the method of voting is another. However, that gives me the opportunity to come back to—

Mr. Gabriel Ste-Marie: We only have about 20 seconds left.

Mr. Jean-Pierre Charbonneau: I would like to have talked about the referendum in the 10 minutes I was given, but I did not have the time to do so. What would be most helpful is for the committee here to do its work and, after lengthy study of the matter, to propose a solution to the people. After two general elections in which they could test the change, the people could ratify those provisions. That was how they did it in New Zealand: there was a referendum at the outset. However, I would point out to you that the territory in that country is not at all the same as Canada's.

The Chair: Thank you very much, Mr. Charbonneau.

Ms. May, you have the floor.

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

[Translation]

First, I want to thank all the witnesses here today very much. This is really interesting.

[English]

I'm going to focus my first question to Mr. Broadbent.

I can't fail to begin by thanking you for your service to Canada, sir, and for being here today.

It came to me when I was reading your evidence that we had testimony about what's good for parties, and I'll just reprise it because you had another comment about this being good for voters. That difference came up when Professor Pippa Norris was testifying to us. She's at Harvard right now. What she said was about choosing the values, because we now realize it's a question of values. What do you value when choosing an electoral system? If what you value is to help larger political parties, then you like first past the post, but if your value is to privilege how voters feel about the effectiveness of their vote, then you move to proportional representation.

Mr. Broadbent, I wonder if you have a sense of what we should focus on. Obviously, you want proportional representation and you prefer a mixed member system. How do you see teasing out that difference between what works for voters and what works for parties?

Hon. Ed Broadbent: As Mr. Charbonneau has mentioned, and I've experienced it, very often when politicians find that they get elected by first past the post, they conveniently forget about any commitment they might have made to an alternative system. It's very tempting. Anyone who pursues power and wins it by one method is unlikely to want to change it to another.

I'll be quite candid here. I was quite delighted with Mr. Trudeau's campaign. He's the first prime minister in history to say he would bring in change to get rid of first past the post. I, for one, have taken that commitment very seriously, and I think it was a commendable promise.

However, that cuts into what you're saying, Ms. May. Since first past the post is the most reliable system for maintaining power, it's implicitly to say that I'm prepared to adopt a system that may not work for my power interests. Particularly, as I said very briefly in my comments, for me the value of making a positive vote is very important in a democracy, while not to vote.... As I said, the survey we did after the last election showed a very high percentage of Canadians voted for a party of their second choice to avoid electing someone else. That doesn't maximize the value of participation, and that's why a PR system or a mixed system is much better in terms of meeting the value needs of individual citizens.

Ms. Elizabeth May: Thank you.

I want to turn to Professor Dawood.

I also had the benefit of looking at your 2012 paper in the *University of Toronto Law Journal*, in which the term "partisan self-dealing" is used quite a lot. It was a new term for me. You've reflected on the legitimacy of the process being essential and that the composition of this committee aids in the legitimacy of electoral reform.

I want to put to you a different proposition and see if you would agree that the legitimacy of our process of electoral reform is also connected to the extent to which the governing party appears to be dealing against self-interest. This picks up on the point Mr. Broadbent just made. In legal terms, evidentiary weight is given to a statement against self-interest.

I know your paper is already written and in press, but do you think there's additional legitimacy to be gained by knowing that the party in power is doing something unprecedented in opting for a system that may not benefit them?

● (1510)

Prof. Yasmin Dawood: Absolutely. It rebuts the worry or the presumption that partisan self-interest is the only motivation for a particular proposal for reform. If the governing party selects a reform option that is not optimal for that party's political success in a future election, then from a legitimacy perspective that would certainly be viewed as being a more principled decision than a decision that was clearly self-interested in the sense that it would enhance the governing party's political success in a future election.

Therefore, yes, I think to make a disinterested selection would add to the legitimacy of any proposal by a governing majority, which is why it is so important to make sure the process is, in fact, both fair and perceived to be fair. You don't want a situation in which successive majorities cherry-pick rules that help them, and then the next majority comes along and picks its own set of reforms that it can push through because it has a majority power in Parliament.

The Chair: Thank you.

Ms. Sahota is next.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you.

I'd like to begin by thanking all the witnesses for your valuable time and for imparting your wisdom to us.

I agree with you. I think this is a very good step that our Prime Minister has taken, a very ambitious goal. I know the minister has committed to making a change involving electoral reform. I hope we can come to some kind of consensus agreement within this committee, as Ms. Dawood has stated, or at least a majority opinion on the legislative process to support any kind of change.

If, as you were just stating, that were not to happen, are there any constitutional issues that you see, Ms. Dawood, in moving forward on electoral reform without it?

Prof. Yasmin Dawood: The constitutional question is a somewhat complex one. I don't know how much time or interest there is for hearing all the details, but I will say that until the Supreme Court's Senate reference decision, it seemed pretty clear that Parliament could actually make electoral reform decisions or changes to election laws, provided it went through the normal parliamentary process. The court, in many of its cases, has said that the electoral system falls within the domain of Parliament.

The court has recognized a number of constitutional limits on what Parliament can do. These tend to centre around the right to vote, as protected by section 3 of the charter. There are also distributional requirements in section 51A of the Constitution Act. Apart from those types of restrictions, it would have seemed, before the Senate reference decision, that Parliament could bring about electoral reform.

As you know, in the Senate reference decision the court said that various proposals to reform the Senate did in fact amount to a constitutional amendment, even though they didn't actually envision any changes to the constitutional text. For example, concerning the consultative elections, the proposal was that these would take place without actually changing any of the language of the Constitution, but the court found nonetheless that this amounted to a constitutional amendment.

The point is that the question now is whether electoral reform it is the kind of amendment to the Constitution that would in fact require provincial consent according to the 7/50 rule, whereby seven provinces that have 50% or more of the population agree to the change.

What I did in the paper I was describing was try to figure out whether there's a way around this. Is there a way for a future court decision to say no, to say that in fact electoral reform does not need to be approved via a constitutional amendment involving provincial consent? In my opinion, there is an argument for that. There is also the argument on the other side that in fact a constitutional amendment involving provincial consent is required.

Did that answer the question?

•(1515)

Ms. Ruby Sahota: Well, it leads to many more questions, actually.

I saw some nodding from some of our other witnesses. If there is something you'd like to add, or if you agree or disagree with that statement, please do.

[*Translation*]

Mr. Jean-Pierre Charbonneau: Madam, I do not feel that the Constitution concerns itself with the method of voting. The important thing is to preserve democracy. Democracy is a parliamentary majority, but, in this case, given that this debate is about the method of representation, it is also a popular majority. If Parliament decides to pass legislation, not only must it be supported by a majority of members, those members must also represent a majority of the people.

Those who want to make doubly sure could also suggest that we do as they did in New Zealand and establish a mechanism in the legislation such that, after two general elections, there would be a validation. That would let the people try out and understand the system better than they could in a debate on a referendum. A referendum about electoral reform, especially if it offered a number of choices, would be a lot more complex than a referendum to find out if Quebec should be a country, yes or no.

The Chair: Thank you.

Mr. Richards, you have the floor.

[*English*]

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I appreciate your being here today, all of you.

I'll start, and in this round likely finish, I suppose, with Mr. Broadbent.

I have a couple of questions, at least, for you. I first want to say that I have great respect for your long and distinguished history as a parliamentarian. I have one question that might be seen as a little bit tough by someone who doesn't have the experience you have, but I know you won't take it in any way personally, or that you won't—

Hon. Ed Broadbent: I can hardly wait now.

Some hon. members: Oh, oh!

Mr. Blake Richards: —see it, with your great experience in to and fro—

Yes, and I'm sure you'll have no trouble handling it.

It's this. I felt that I had heard maybe a bit of a contradiction to some of your previous thoughts and statements when you were responding to Mr. Reid's question earlier, so I wanted to ask you about that and explore it a little bit, if you don't mind.

When you spoke to the public round table on proportional representation that was organized by the New Brunswick commission—I think that was in 2004—you made a statement that started by saying that you generally weren't a fan of referendums but felt, and I'm quoting, that

...when restricted to establishing the democratic rules of the electoral system applicable equally to all citizens and when the question is preceded by a thorough deliberative process involving the citizens themselves, it seems to me such a referendum fully measures up to the democratic aspirations and values of classical democratic theorists like John Stuart Mill.

It seems to me that at that point in time you were indicating that a referendum might be something that, on this type of question, you would certainly be in favour of, and I sense a different viewpoint today.

I'm wondering whether you could explain that to us a little bit. It seemed that you agreed with the idea of a referendum when you were working to convince Canadians to proceed with electoral reform and consider electoral reform, but now that we're having serious discussion about electoral reform, you may not share that view any longer.

I'm having trouble understanding and reconciling that. Could you try to answer that?

Hon. Ed Broadbent: Mr. Chairman, let me say to my colleague, if I can put it that way, that like everyone around this table I change my mind occasionally.

Mr. Blake Richards: Very well.

Hon. Ed Broadbent: If you look with care, I think, at what I said then, it was a democratic option to proceed with a referendum, which I could understand, and I could see people going from that to endorsing the idea. I have thought more about it since, particularly about the legitimacy argument. I'm quite convinced—and I won't repeat it—that steps can be taken that don't necessitate going directly to the people.

The other divisive aspect, I must frankly say, in my experience in watching the divisive impact of a referendum in the U.K. and in reflecting as well upon the experience in Canada of referendums, is that in a regionally diverse country such as ours, whether you win or lose a referendum, as I said in my opening comment, a referendum would end up being much more divisive than the kind of deliberative process in which all members of this committee act in good faith, try to think through all the options, and come up with a recommendation. I think that's much more likely to build a consensus, frankly, in the country than a referendum.

• (1520)

Mr. Blake Richards: That's fair enough. We'll have to agree to disagree on that one.

Hon. Ed Broadbent: Okay. I understand.

Mr. Blake Richards: I guess it's easier for you to change your mind at this point in time than it is for some of us around the table who are currently still in the game. I can appreciate that.

We don't have a lot of time left. I'll move to a different topic.

In the past you've also spoken out against the idea of ranked ballots. Could you tell us whether that's a view you still hold, and if so, could you give us some rationale for the basis of that idea?

Hon. Ed Broadbent: It's a matter of preferring the system that I advocated, either strict PR or MMP.

A ranked ballot system can have the effect of eliminating particularly very small parties. They can be ranked out of the system. The advantage of either MMP or strict PR is that every vote will count and you don't need to have a ranking to make it count.

I just prefer without, that's all.

Mr. Blake Richards: Thank you.

I suspect there's not much time.

The Chair: You have time for a short snapper, I'd say.

Mr. Blake Richards: It's okay. I'll save it for the next round.

Thanks, Mr. Chair.

The Chair: We'll hear Mr. Aldag, please, for five minutes.

Mr. John Aldag (Cloverdale—Langley City, Lib.): Thank you.

I'm going direct my comments and questions to our two end-person witnesses to start.

Over the last couple of weeks, I've had the opportunity at home to do a couple of town halls on electoral reform. The most recent was this past Saturday. It was put on by Fair Vote Canada and a neighbouring riding association from the Liberal Party.

For the first one that I put on and organized, I had a number of constituents come out, including a number of self-proclaimed Conservatives who were effective in addressing their concerns for a referendum. I would say that on the session we did on Saturday there were many of the same faces there. Although I wouldn't consider it a breakthrough, I found it quite exciting, because we were able to move from that position into some more discussions about values.

The question I put to the audience was "What values should we be looking at to design a new system?" With a range of participants, including some of the Conservative members and others who were there, we started talking about what things they would like to see guiding the design of a new system.

I found a document from the Broadbent Institute entitled *Canadian Electoral Reform - Public Opinion and Possible Alternatives*. There's a good section on values, and a couple of them are things like "The ballot is simple and easy to understand". That got 55% of support, and 51% went to "The system produces stable and strong governments".

Over the discussion this weekend, those were a couple of the issues that came up from a broad variety of participants. I'm not picking holes in any particular system, but those ones also raise questions about systems such as PR and the idea of coalition governments. Can they produce stable and strong governments, and do the two work against each other? With regard to "The ballot is simple and easy to understand", at my first town hall there was a gentleman who brought a German ballot that was three feet by three feet. People remembered that one, and they were concerned that any PR system ballot is going to be complex.

I simply throw out for comment, how do we address these kinds of issues? How do we frame the discussion on values that will help us come up with a system that is the best option for Canada at this point, and is designed for Canadians? There's not really a question there, just thoughts on values and criticism that we hear. How do we address that?

[Translation]

Mr. Jean-Pierre Charbonneau: The committee's mandate already states a number of principles and values. You have to think about it and assess the various options. It really is a fundamental guide. For example, must we attribute importance to fair representation of the major political currents in our society? Are we concerned about under-representation, over-representation or lack of representation?

We must also be concerned about the stability of governments. However, how do we show that governments will not be stable if, all of a sudden, the method of voting is different and parties have to come together? The only way would be to try it and to see what is done elsewhere. Otherwise, we are just tilting at windmills. We make the point that people do not want to have elections regularly, every week. We bring up the worst examples, like Italy and Israel, and we say that they are scary. However, if we take away the examples that have no bearing on the choice to be made here, there is a lot less drama.

Tomorrow, you are going to hear from the president of Mouvement Démocratie Nouvelle, where I am a special advisor. I know the issue a little, but I learned something when we met with a number of experts last spring. In some countries, a mechanism was established in Parliament to ensure that coalitions are stable. We call it the constructive vote of confidence. The mechanism was established in West Germany, where they have the perfect compensatory model. Basically, it is 50-50. Half of the members are elected using the current system and half using a proportional system.

The mechanism there is that, if a party in a coalition wants to bring down a government, it has to be able to propose another solution, or another government leader who is able to secure a new parliamentary majority. Otherwise, they stick with the commitments that were made and the political deal that was reached in order to form the coalition.

Nothing prevents us from putting a mechanism like that in place. It is a way to do what you want as you are innovating, while making sure that there will be no unstable governments. The threshold can be 3%, but it could also be 5% or 6%. There are tools to guarantee stability, according to the principles.

• (1525)

The Chair: Thank you.

Mr. Jean-Pierre Charbonneau: But if you do not have the principles at the outset, I believe that you are off to a really bad start in making those political choices.

The Chair: Thank you very much.

[English]

We'll go to Mr. Cullen. Maybe you could make the point, Mr. Broadbent. This is hard, you know, when we have two eminent—

Hon. Ed Broadbent: That's okay. No, I understand. It's all right. Go to Mr. Cullen.

The Chair: It's hard on us here and hard on me to limit the time when we have such wisdom at the committee.

Go ahead, Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you.

This is great. I'm enjoying this conversation. I'm also enjoying this.

I wonder if we've come to a political tipping point in this country. I'm thinking of you, Ed, standing with Guy Giorno and Mr. Himelfarb, and reading quotes from Jason Kenney talking about our system being medieval, and reading the minister's quote about how our system was designed to address 19th century reality and is not suitable for the needs of a 21st century Canada. Is there a multi-partisan point that we've crossed, with the Parti Québécois, the Bloc Québécois, and various people speaking out for a proportional system?

I have one quick comment to follow that, and then a question for you, Mr. Broadbent.

With regard to stability, we've heard evidence that in the last 55 years in developed countries, it's been almost equal between proportional and first-past-the-post countries in terms of stability. In fact, proportional ones are slightly more stable. There are these notions of unstable coalitions. In Canada's history, when parties have had to share power, we've produced our most progressive and enduring policies. Pensions, health care, the flag—and the list goes on—have all come out when parties have had to put a little water in their wine.

I have a question about a positive vote as a positive choice when voters walk into the ballot box and don't have to go down a list of negative options of “I really don't like that person, or that party, or that leader. Which is the best choice for me to disrupt them?”, as opposed to “What do I want?” I'm imagining someone buying a cellphone, and the store says, “There are all these choices, but you only get two in your particular city, so pick one of these two. You can't have any of the rest.” The store wouldn't last long. I don't know why we continue with these false choices.

I want to get back to how 46% did not vote for their first choice in the last election. What do you think the long-term effect has been for Canada in terms of voter enthusiasm, in terms of hopefulness, and in terms of the ways parties respond and create platforms for voters under that scenario?

• (1530)

Hon. Ed Broadbent: As you will recognize, this is quite a subjective answer on my part. It's a judgment call that's not based on any, as one would say, solid empirical evidence.

That said, it's almost self-evident that part of the cynicism of youth, and not just youth, about the electoral system has to be related to this. If you live in a certain constituency and you know it's always going to vote one way, even though 20% in that riding want to vote another way, and your vote's not going to count under first past the past, then this can be a major disincentive to even participate, and can build, at the most exaggerated levels, a degree of cynicism.

Why I'm strongly in favour of changing the system is to avoid this necessity of having to vote, in a way, to stop somebody else—in other words, to vote for your second choice because you think that your second choice can beat the third option you don't like. We should have a system that encourages young people, or not-so-young people, to vote for positive reasons. I think only some versions of PR do that.

Mr. Nathan Cullen: It speaks, as well, to women getting elected to serve in the House.

Hon. Ed Broadbent: Oh, indeed.

Mr. Nathan Cullen: There was a study of 60 years' worth of elections in Australia, which showed that in the two houses using two different systems—one AV, a ranked ballot type of first past the post, and the other using a proportional system—women were two and a half times more likely to get voted in under a proportional system in that country.

Hon. Ed Broadbent: If I may comment on that, on the one hand I'll praise our present Prime Minister for doing the gender equality thing in the cabinet, but I have to be candid. When that happened, I thought of how Gro Brundtland, a prime minister of Norway, did it decades ago in Norway. I remember having lunch with her in the parliamentary restaurant here, after she came here from winning an election. She told me that many years ago they had gender parity in Norway. I don't think it's an accident that they had a PR system as well.

Mr. Nathan Cullen: To be content with being 62nd in the world in terms of women's representation in Parliament is a stat that would be shocking to most Canadians if they knew about it. We think of ourselves as better than that, and more fair than that, and yet our system isn't serving us right now.

Hon. Ed Broadbent: Right.

[*Translation*]

Mr. Nathan Cullen: Mr. Charbonneau, you mentioned the option of ratifying the choice of a new system after putting it into operation for one or two elections.

Why do you support that idea?

The Chair: A quick answer, if you please, Mr. Charbonneau.

Mr. Jean-Pierre Charbonneau: Okay.

The experiment was conducted in New Zealand. The advantage is that people can try out a political mechanism that can be quite complex, depending on the choice made. When people try a system out, they make it their own and most of them, with the exception of new voters who were not familiar with the old system, are able to make a comparison.

In fact, if I have a choice between a referendum in advance and a ratification referendum after two general elections, I prefer people to be able to try the system out.

The Chair: Thank you.

Mr. Jean-Pierre Charbonneau: Then it is easier for people to make an informed judgment as a result.

The Chair: Thank you.

Mr. Jean-Pierre Charbonneau: Otherwise, those elected have the responsibility to take the leadership in making that informed decision.

The Chair: Thank you.

Mr. Rayes, the floor is yours.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

My thanks to the three witnesses who are with us today.

Mr. Charbonneau, I am going to let you continue your remarks, given that my question is somewhat in the same vein as you mentioned.

This is the first day when I have taken part in the work of this committee. I have just come from my constituency. Funnily enough, I can tell you that, despite all the activities I have taken part in this summer, no one has talked to me about electoral reform. I am hearing all these great discussions about it. I am hearing a lot about cases where counties have moved from first-past-the-post voting to proportional voting, particularly in New Zealand. As you rightly mentioned, people in that country thought about the matter for a long time. It took them exactly 10 years to change their way of voting.

When I look at the results, I have the impression that the debate we are currently having is a false one, contrary to what is suggested. We are told that, by changing the method of voting, more people will become interested in politics and therefore more people will go to the polls. We are told that the turnout rate may well go up. But in the countries where the method of voting was changed most recently, that basically did not happen. In New Zealand, the participation rate was 85% when the country made the change and went to 88% at the following election. But, at the most recent election in 2014, the participation rate was 76.9%. So, rather than having the impression that people will be more interested in politics if the method of voting changes, we have to take a closer look at the studies that have been done on people's lack of interest. The reason why people do not show up to polling stations has more to do with a lack of time and interest.

I would like to hear your comments on the process that was put in place in New Zealand before they made the change. You have mentioned it already. Could you continue with your comments?

•(1535)

Mr. Jean-Pierre Charbonneau: What you are saying, in other words, is that people are not tripping over themselves in the buses in your constituency to talk about reforming the voting method. That is true everywhere

Mr. Alain Rayes: Yes. Exactly.

Mr. Jean-Pierre Charbonneau: I heard that argument about a number of topics during my 25 years as an MNA. It is always used by those who favour the status quo. They say that they do not hear the topic being talked about in their constituencies. You are right about one thing: a method of voting is not changed primarily to increase the turnout rate. Even with proportional voting methods, the rate can change with the political circumstances and situations, and with national and international events. Those are what can get people mobilized, depending on the leadership of those most involved. You would not change the voting method in order to increase the participation rate. You would change it because of the representation. Do you believe in representative democracy or not, and what does political representation mean for you? If a political party wins 39% of the votes cast and governs a country like Canada, would it not be better for it to form a coalition with another party in order to obtain a parliamentary majority and in order for that majority to be a popular majority too?

In his remarks, Mr. Broadbent gave some examples from western Canada. We could give some from Quebec and from the current situation everywhere. The problem is that we have under-representation and we have non-representation. In a representative democracy, that is very serious. Parties representing 10% or 15% of the electorate end up with one or two members.

Mr. Alain Rayes: Mr. Charbonneau—

Mr. Jean-Pierre Charbonneau: That is much more serious than finding out whether the participation rate has gone up by 1% or 2%.

Mr. Alain Rayes: Mr. Charbonneau, that was not what I meant by the question.

Since this debate started, it has been suggested to us that, by changing the voting method, we would better reach minorities in certain regions of Canada. We are told that more young people and more First Nations people would go to vote, and so on. So, by extension, some people feel that more people will become interested in politics and will turn out to vote.

I would like to hear what the three witnesses have to say. Perhaps that could confirm what I feel about it. When I look at the statistics from different places where the voting method changed, I see that the participation rate has not increased.

Do you agree with me on that?

Mr. Jean-Pierre Charbonneau: You have just had my answer, but I know that it does not satisfy you. It is not what you wanted to hear. My response is clear, however: that is not what counts. Even if the participation rate drops, that is not the crux of the issue. The biggest concern is representation.

Mr. Alain Rayes: Perfect. So you are specifically saying that, at the moment—

[*English*]

Hon. Ed Broadbent: Could I comment on this issue?

[*Translation*]

Mr. Alain Rayes: Just a minute, Mr. Broadbent. I will happily let you comment next.

By the way, I am not passing judgment on your opinion about this. I want to know whether, in your opinion, greater representation is preferable to a greater number of people turning out to vote.

Mr. Jean-Pierre Charbonneau: I think so. But I was not born yesterday. You put those words in my mouth, but that does not mean that I am in favour of people not going to vote.

Mr. Alain Rayes: No, not at all.

The Chair: In any case, Mr. Rayes, your five minutes are up.

The floor now goes to Mrs. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much, Mr. Chair.

My thanks to all the witnesses for joining us today.

[*English*]

Mr. Broadbent, I'd also like to thank you for your service to the military and your years in Parliament.

[*Translation*]

Mr. Charbonneau, thank you for the work you did when you were a member of the National Assembly.

[*English*]

I'm going to touch a little bit on something we haven't talked about today.

Mr. Broadbent, with regard to the report that my colleague mentioned, he mentioned that a ballot is simple and easy to understand. It's something that 55% of respondents said was important to them. Given that some folks still think that when they go to the ballot box, they're voting for their prime minister, how important is education going to be throughout this change process? Herding cats is not easy.

● (1540)

[*Translation*]

In Quebec, we had a lot of difficulty because some people did not know exactly what the real issues were.

[*English*]

I'd like to get all your opinions on the importance of educating—what we should be doing, and who should be doing what in terms of this process.

[*Translation*]

Thank you.

[*English*]

Hon. Ed Broadbent: Let me begin by agreeing with you implicitly on what you're asking about the importance of education. If I recall correctly, and I think I do, the outgoing head of the electoral commission had objected because the budget that allowed him to do more education of the public—I'm turning to some of the MPs now—had been cut. In any case, I think I'm right on that. The point is that this is a very important thing that should be done, particularly if we're introducing a new system.

That said, again I agree with you. A lot of people, before they go to the ballot box, think that somehow the names of the potential prime ministers are going to be on there, rather than their local MPs, so there is that confusion.

Having been an MP for many years, I believe that in fact it's a small minority who have that problem. Most adults understand that they're voting for a party, and that if that party gets most of the seats, the head of it is likely to be prime minister.

In the new system, if there is a new system—and I certainly hope there is—I think Elections Canada has to have a good budget to explain this, and in a non-partisan way, obviously. As for the political parties, I really hope a report will come out of here that has a consensus that the parties—hopefully all parties, but certainly a majority of parties at least—will support. I would like to see them campaigning on this issue together, just for once. If they reach a consensus on an electoral system, they'll be able to campaign together to explain the system. The MPs would have a role in explaining it, as well as their constituency associations, Fair Vote Canada, civil society organizations, and Elections Canada. I think it all should be done.

[Translation]

Mrs. Sherry Romanado: Mr. Charbonneau, would you like to answer?

Mr. Jean-Pierre Charbonneau: You have before you someone who has often been mistaken for the speaker of the House of Commons. When I would meet people, all over Quebec, they would ask me whether I was not the speaker or the former speaker of the House of Commons. I would then have to tell them that there were two kinds of Parliament, and the other one was called the National Assembly.

For the purpose of the report on the estates general held in 2001-2003 chaired by Claude Béland, I had recruited a committee of non-partisan citizens of all stripes. One of their recommendations was to increase people's civic competence. The idea was to put great emphasis on education and citizenship, both among young people and among adults. When we see how many adults are semi-illiterate or struggle with societal codes, we realize that we have a lot of catching up to do.

You have heard from Professor Henry Milner who, at the time of the estates general, wrote a book titled *Civic Literacy*. He carried out a comparative study between civic literacy here in Canada and civic literacy in some northern European countries. The conclusion was very clear: here, civic literacy is weak compared with what it should be and what it is in countries with the same or similar standard of living.

For such a change to be made, it is clear that people must be educated. In my opinion, the lack of a referendum would not mean that clear and specific explanations on what the change will entail should not be provided. In fact, it would be easier for Canadians to understand what is happening, as Mr. Broadbent was saying, if a political consensus was reached or there was the largest possible political majority in this committee and in the House of Commons on this issue. It is important to know what would reassure people. All the political parties should agree on a change, and members

should not pass the buck by saying that they will propose five options from which to choose.

The Chair: Thank you, Mr. Charbonneau. We understand.

We will now begin the second round of questions, starting with Mr. DeCoursey.

[English]

Mr. Matt DeCoursey: Thank you again, Mr. Chair.

I'll ask my questions to Professor Dawood in this round, or at least will start there.

Going back to the idea of democratic legitimacy—and you've mentioned some of the aspects you think might be important—is there a process or are there lessons you can leave with us that would help enhance the legitimacy of this conversation and this process during the citizen consultation process we'll undertake here in a few weeks?

● (1545)

Prof. Yasmin Dawood: First of all, I think it's excellent that the committee is consulting broadly with Canadians from all parts of the country. I think that's very commendable and stands in some considerable contrast to what we saw with the Fair Elections Act. I think it's very important that Canadians feel that there is a voice for them in this process.

I suppose one thing that would be helpful would be some kind of centralizing mechanism to find out exactly what people think. Given the number of town halls that are being held, given the dispersion of conversations, it's not always clear what people are saying or thinking. I don't know whether the committee has considered how to aggregate this information or make it available so that we can all benefit from it.

Mr. Matt DeCoursey: Thank you very much.

Going back to the idea of potential constitutional limits—and you talked about arguments for and against limiting Parliament's ability to make change—are there any specific changes or things that we should be careful about interfering with within certain constitutional limits, such as potentially increasing the number of seats, or seat distribution, or the way that constituencies are represented? Where could the line be, or potentially be, when considering system changes?

Prof. Yasmin Dawood: Certainly there are constitutional rules around provincial representation or distribution, and those would have to be respected and would have to be met. Most of the common proposals that are floating around, however, would not violate those distributional principles, provided they were in fact taken to account, which I assume they would be.

The other kinds of constitutional limits include making sure that you provide effective representation and meaningful participation. Those are standards that the Supreme Court has outlined in its case law. Again, I think that most of your standard proposals for reform would in fact meet those constitutional standards as well.

Mr. Matt DeCoursey: Thanks very much.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. DeCoursey.

Mr. Reid is next.

Mr. Scott Reid: Thank you, Mr. Chair.

I return to Dr. Broadbent for my questions.

If you'll forgive my saying so, certainly there is no harm in changing one's mind over the course of the 12 years that have passed since you made your comments and quoted John Stuart Mill.

Hon. Ed Broadbent: He changed his mind, too, by the way.

Voices: Oh, oh!

Mr. Scott Reid: Well, that may explain why you quoted him saying two opposite things. I can't see how one can change one's mind about factual statements regarding the opinions of authority figures. Twelve years ago you cited referenda and said this meets with his values; now you say, in this committee, that his values lie elsewhere. While your opinions may have changed, I submit that in fact his record is unchangeable, due to the fact that he's dead, and that seems a bit unfair.

I noticed that back 12 years ago you also indicated—and here I'm quoting from an article you wrote in *Policy Options*—that what you thought was the best system was a “citizen-created referendum question”, and you based it on the citizens' assembly model in British Columbia. Now we have this idea that somehow broad consultations or a deliberative process are an alternative to getting the people to sign off, whereas with British Columbia that was seen as being a first step in a two-stage process, something that I thought was a good idea and that you did too, back then.

I wanted, actually, to ask you about this point: you said that referenda are divisive, and to make your point, you cited the Brexit referendum. I would just point out to you that if we're trying to make valid analogies here, the analogy would be with the British government making the decision to exit the European Union without bothering to consult the people, because in fact we're talking about the government not having a referendum and deciding to change our electoral system as if the Conservative government in Britain had decided to exit the EU without consulting the people. That would have been illegitimate.

You say that referenda are divisive, and I look back at our three referenda in Canada and see a different story. In 1992, an issue that was on the verge of breaking the country apart—the failure of the Meech Lake Accord and the fallout from it—was resolved via a referendum, in which Quebeckers and a majority in the rest of the country voted against that new proposal. It seems that was preferable to the government's pushing it through just because it had the support of the majority of parties—all the parties, in fact, at the time.

In 1942 we had a plebiscite on conscription. While it revealed a deep division, it let us deal with that division. I think that is preferable to the introduction of conscription without a referendum in 1917 and the riots that this action produced in Quebec City and elsewhere, but especially in Quebec City.

In 1898 we had a referendum on whether the federal government should prohibit alcohol, and that revealed a deep division: Quebec was against it, and the rest of the country was in favour. The result was to let it be dealt with by provincial governments.

Therefore, if there are divisions, surely an advisory referendum, which is the only kind we have in Canada, reveals the problem. Is that not preferable to pushing through an electoral system that may or may not actually have the support of the people, with no way other than polls of demonstrating whether they support it, and pushing it through regardless of whether the polls say they support it just because in the last election a number of the parties indicated that they thought electoral reform—not a specific reform, just electoral reform in general—was a good idea?

● (1550)

Hon. Ed Broadbent: Well, to use your own words, if it were a matter of “pushing through” an option, I would agree with you, but we've had earlier discussion, including that of our academic colleague from Toronto, who laid out certain conditions of legitimacy that did not entail a referendum and arguments that I support.

My disagreement about a referendum is not black and white. I can see, as I'm sure I said this earlier this afternoon, the arguments for a referendum. They just happen to be arguments that I think are weaker and are not applicable under the present circumstance.

We don't need a referendum to have legitimacy. We brought the vote—we, I mean, historically in Parliament—for women without a referendum. To say the least, that was a major change in the electoral system.

Mr. Scott Reid: If you recall, that was brought through so that only certain women could vote. I would argue that this was actually done illegitimately. Later on, in 1918, after an election had been conducted in which only some women who were likely to vote for the government were able to cast ballots, it was updated. I'm always puzzled by the use of that particular example.

Hon. Ed Broadbent: The point is that a major decision on the issue of gender equality—forget the precise details—was made without a referendum, as was bringing the vote for indigenous Canadians, as was bringing the vote for Japanese Canadians and other groups that had been discriminated against. We, meaning the parliamentary system, have made major decisions without referendums before. As long as the conditions of deliberation, consultation, looking at evidence, and consensus-building are all done by this committee, it's the better route.

I'm not saying those who are arguing for a referendum are totally wrong. I'm just saying that there are two arguments, two different sets of propositions that you can put forward for dealing with this change, and I happen to be rather strongly now on the side of one of those as opposed to the other.

The Chair: Thank you.

Mr. Boulerville is next.

[Translation]

Mr. Alexandre Boulerville: Thank you very much, Mr. Chair.

I have a quick comment to make before I ask my questions.

I think it would be a good idea to remind everyone that the previous Conservative government amended the Canada Elections Act. It made voting more difficult and less accessible. Canadians abroad also lost their right to vote. In addition, a referendum was never considered.

Mr. Charbonneau, I wanted to tell you that we do take our work very seriously here. The Liberal government has committed to changing the voting system, and we, in the NDP, are strongly in favour of that change. In fact, it would be more fair for Canadians, especially since votes would no longer be lost.

Our work here, in committee, consists in showing leadership and submitting proposals in order to change the system. The Conservative Party defends the status quo, but I believe the parties around the table represent 63% of the electorate. Those people voted for parties that wanted to change the voting system and improve our democracy.

Mr. Broadbent, there are Westminster-type institutions, but there are very few countries in the world that operate based on the “first-takes-all” system, which creates these distortions that are so often talked about. The heart of the Westminster model is clearly the United Kingdom. We have recently seen the devolution of powers in Northern Ireland and the creation of regional Parliaments in Wales and in Scotland. Yet in all those cases, people had access to a mixed proportional system. In Northern Ireland, that was even one of the conditions to the devolution of powers. So those people had to make the effort to sit down and work together.

How do you think we could move in the same direction as our British, Scottish or Welsh cousins?

• (1555)

[English]

Hon. Ed Broadbent: Partly I attempted to address that in my earlier comments. I learned from my experience as an MP the importance of having a single member elected for a certain area. When we deal with what I would call a democratic issue, which leads inevitably to some form of PR, whereby every vote counts equally, then we combine, and I think this is good in any political institution.

If I may say so to my Conservative colleagues, I'm a conservative when it comes to institutional practice. By and large, you don't go around changing things just on a whim, and when you do change things, you build on institutional structures that are there. The structure that I like is having individual MPs; what I don't like is a first-past-the-post system that totally distorts the democratic will. If we can keep the practice of having individual MPs and add to it a system of PR, then I think we'd have the best of all possible worlds.

In this context, in the post-war settlement in Germany, that system in effect was imposed on Germany by the people who won the war—thank God. It has also become very profound in its impact in German society now, and it's a very peaceful, profoundly democratic society. It is one that I think we can learn from. That structure first emerged there, and was then picked up by—not necessarily in this order—New Zealand, Scotland, Wales, and so on.

I think the combination—I'm repeating myself, and I'm going to shut up—of first past the post and PR is exactly what we need. I wish my Conservative colleagues agreed.

[Translation]

The Chair: You have one minute left, Mr. Boulerice.

Mr. Alexandre Boulerice: Thank you.

Mr. Charbonneau, in the 2015 election, based on the number of MPs elected and vote shares, it took on average 37,700 votes to elect each Liberal member, 48,000 for each Conservative member, 78,000 for each NDP member, 82,000 for each Bloc member and 602,000 votes for the Green Party. These figures are from the Broadbent Institute. These distortions are unacceptable. Clearly, voters are not equal in this system. Moreover, the electoral system completely subverted the will of the people three times in Quebec, in 1944, 1966 and 1998.

In your opinion, can we continue under this system? Is it healthy for our democracy?

Mr. Jean-Pierre Charbonneau: As I said at the outset, it is not healthy for our democracy. That is why René Lévesque wrote in 1972 that this was appalling for democracy. We are now at the crux of the debate on the meaning of representative democracy. This is a test of how interested people are in democratic institutions and of how concerned members are about the value of democracy.

If certain members or parties are not interested in this, it is best that we know this now. This discussion of the kind of democracy we want is crucial. Democracy is not majority rule. Democracy offers the opportunity for everyone to benefit. If there is no choice, then it is majority vote, as long as that represents the majority of people.

The Chair: Mr. Ste-Marie, you have the floor.

Mr. Gabriel Ste-Marie: My question is for you, Mr. Charbonneau, given your experience in Quebec with electoral reform, but it is also for Mr. Broadbent and Ms. Dawood.

The committee holds its meetings and hears from witnesses in Ottawa. Members have consultations in their ridings. We will be travelling across Canada in three weeks. We have been asked to table our report in early December. Moreover, the Chief Electoral Officer has said that everything has to be passed by May so that the changes can be made in time for the next election.

Is that workable?

• (1600)

Mr. Jean-Pierre Charbonneau: That depends on how far you want to go.

What is unworkable is ending up with a reform that has been talked about since 1909, as is the case in Quebec. The best way of not achieving reform is to find all kinds of pretexts to slowdown the process. Once you have finished your work, I think you will have one thing left to do: to demonstrate that you are capable of reaching a compromise.

If each of you digs in your heels, you will merely have shown that compromises are very difficult to reach because the system is confrontational. If a majority of you is able, publicly or even in camera when you are deliberating, to choose a system based on the principles we discussed earlier and certain fundamental democratic values, I think that, surprisingly, you will be able to come to an agreement quickly. I think citizens would be happy and proud of that.

I support an independent Quebec and I would raise my hat to Mr. Trudeau if he were able, he and his troops, to make an alliance with the other parties to bring about real change. We need more than election promises: we need action on those promises and results. That will make people less cynical about politics and their elected officials.

Mr. Gabriel Ste-Marie: What do you think, Mr. Broadbent?

[English]

Hon. Ed Broadbent: I've lost the question. I was listening to my learned friend with such attention that I have forgotten what the question was.

[Translation]

Mr. Gabriel Ste-Marie: Are the tight deadlines realistic?

[English]

Hon. Ed Broadbent: Yes, I think so, and I think the officials have indicated that if the report is in by the end of this calendar year, then there will be time to implement a new system. I respect their expertise, so I think the committee should be comfortable in making a recommendation as long as it gets it in by the end of this calendar year.

[Translation]

Mr. Gabriel Ste-Marie: What are your views, Ms. Dawood?

[English]

Prof. Yasmin Dawood: I think whether or not it's realistic depends in part on what happens in the next few months. If the process can fully vet the options and fully reach as many Canadians as possible, then that's one way of thinking about realistic.

In terms of democratic legitimacy, I think that raises some concerns as to whether the perception will be that this process has been too accelerated in terms of not reaching every person or not considering all the options.

These are hard questions to answer. Perception is in the eye of the beholder, but I think that if there is an artificial timeline, then I would be less in favour of that. I think it's better to get it right and to make sure the process is inclusive and deliberative rather than to race toward some predetermined deadline.

[Translation]

Mr. Gabriel Ste-Marie: Thank you.

Mr. Charbonneau, you spoke earlier about Germany, which has a 50-50 mixed-member proportional representation system. Are you in favour of that proportion?

Mr. Jean-Pierre Charbonneau: The proportion recommended for Quebec is 60-40, which is the proportion in the Scottish system. A slim majority would be formed of local members, as is the case in

the current system, and the 40% minority would serve to reduce the distortions under the current system. In his report of December 2007, Quebec's chief electoral officer studied the feasibility and appeal of this formula. He concluded that 60-40 was the right proportion, and that it would reduce distortions as much as possible, while helping people transition from the system they are used to. We can't start from scratch.

Mr. Gabriel Ste-Marie: Would you be in favour of Canada adopting the same proportions or do you think a study is needed, similar to the one conducted by Quebec's chief electoral officer?

The Chair: Please answer quickly.

Mr. Jean-Pierre Charbonneau: That could easily be adapted for Canada. Quebec's chief electoral officer gave his opinion. I think you could also ask the Chief Electoral Officer of Canada for his opinion.

The Chair: Thank you.

You have the floor, Ms. May.

[English]

Ms. Elizabeth May: Thank you, Mr. Chairman.

I will turn to Professor Dawood and pursue these questions of legitimacy.

You mentioned that some of the mechanisms you think would add additional legitimacy include a citizens' assembly or additional studies or a commission.

We talk about timelines and rushing to an artificial deadline to change our electoral system. We've had a lot of stops and starts in pursuit of electoral reform, and I think it has to do with a very narrow window of political interest over the years. You'll get a political party that says "We're ready to look at this", and often there's less enthusiasm, as Mr. Broadbent just reflected, once they've gained power.

The first time that a parliamentary committee met to look at getting rid of first past the post and replacing it with proportional representation was in 1921. We've had a number of parliamentary committees since then—Mr. Reid and Mr. Broadbent were looking back to 12 years ago—but we've also had citizens' assemblies in Ontario and in B.C., and most recently, the 2004 Law Commission report.

None of these efforts to pursue an investigation into electoral reform has ever recommended that we should keep our current system. Some have come to no conclusion, while most have recommended some form of proportional representation. In your view, does it add anything to the issue of legitimacy that we have some very recent historical efforts within Canada?

• (1605)

Prof. Yasmin Dawood: I think it certainly does. It would be important, I think, for the committee to really flesh those prior processes out—the 2004 Law Commission report, or any other kind of report—to back up whatever recommendations the committee makes in whatever report comes out.

Ms. Elizabeth May: Another idea has come to us from some other witnesses, and it's not getting a lot of discussion here around the table, but I raise it now and then because I'm interested, and I'll ask Mr. Broadbent and Monsieur Charbonneau as well.

We know the committee's report goes in to Minister Monsef and that there will be some discussion in cabinet. The plan is to have legislation before us by spring 2017 to meet the deadline that Mr. Mayrand thinks is important. As an extra element of legitimacy, do you think there would be a possibility of having the vote in Parliament require a supermajority, rather than a bare majority of the MPs in the House? Would that add to legitimacy, in your view?

That's to you, Professor Dawood, and then I'll ask Mr. Broadbent.

Prof. Yasmin Dawood: I think it would add to the legitimacy, certainly. I don't know that I would make it a mandatory rule. I don't know that I would make it a requirement, but if it were the case that you were able to secure a supermajority or a significant majority, I certainly think that would add to the democratic legitimacy of the vote.

Ms. Elizabeth May: Thank you. I will also ask Mr. Charbonneau and then Mr. Broadbent.

I'll go to Mr. Charbonneau first.

[Translation]

Mr. Jean-Pierre Charbonneau: I will be brief, Ms. May. The more the majority in Parliament is based on the majority of the population, the greater its legitimacy, I would say.

[English]

Ms. Elizabeth May: I have two questions for you, Mr. Broadbent. The first is the same one about what you would make of having more than a bare majority of Parliament vote for some form of proportional representation.

Hon. Ed Broadbent: As has already been said, I think it would add obviously to the legitimacy, but I don't think it's required. I think what is required is more than one party.

I'd love to hear our Liberal colleagues comment on whether they agree that a measure brought in just by the governing Liberal Party alone would not be legitimate, but that what would be legitimate would be if a motion came in and had the support of a majority in the House of Commons that reflected the votes and the seats they got in the last general election. I think that's sufficient legitimacy—i.e., a straight majority vote in the House of Commons, with more than one party represented.

Ms. Elizabeth May: The second question I have for you, Mr. Broadbent, is one that's come to us from Twitter.

Laurel Russwurm wonders why you've settled on mixed member proportional if your concern is to make sure you have an MP you know you've voted for. She asks whether the single transferable vote doesn't also provide for that required local representation.

Hon. Ed Broadbent: It does, but I have a preference, for simplicity's sake, for mixed member. You go in and you cast two votes. You cast a vote for your local member and you cast a vote for the party.

As I was trying to say in my reply to Mr. Reid, most of these issues are not black and white. There are plausible arguments on both sides, as there are in response to the question you just asked.

The Chair: Thank you.

[Translation]

Mr. Jean-Pierre Charbonneau: I would just like to ...

The Chair: Sorry, Mr. Charbonneau, there are just five minutes left. You know what it's like chairing a meeting.

Mr. Jean-Pierre Charbonneau: I know, Mr. Chair, and I respect your authority.

The Chair: Thank you.

You may also answer this question the next time is it your turn to speak.

• (1610)

Mr. Jean-Pierre Charbonneau: Thank you very much.

[English]

The Chair: Ms. Sahota is next.

Ms. Ruby Sahota: Surprisingly, Ms. May took a lot of the questions I was going to ask. Ms. May was talking a bit about gaining more legitimacy depending on what we do this week and in the next three months.

Over the next three months, for about three weeks of that time we're going to be hitting the road, going across Canada and consulting with Canadians. We may be discussing this a bit later today, but what format would you advise when we're consulting with Canadians? Should we just be listening to their opinions? Should we be doing some kind of workshop? Should we be engaging in a certain way with them? Do you have any opinions on that?

Prof. Yasmin Dawood: Are you asking me?

Ms. Ruby Sahota: Yes, Professor Dawood.

Prof. Yasmin Dawood: I think one of the challenges with trying to come up with a substantive proposal is that you have both advantages and disadvantages for every electoral system. They all involve trade-offs of various kinds in terms of values, outcomes, and so on. I think it would be helpful to get a sense from Canadians as to what kinds of things they would prioritize over others, depending on the kind of electoral system that is chosen.

That's always, I think, the harder kind of question. It's not that they're all bad systems; it's just that some systems do a better job at certain things than other things. It would be helpful to know what Canadians care about and which of those values they prioritize over others.

Ms. Ruby Sahota: My next question goes to Mr. Broadbent.

One value that you prioritize is fairness and having every vote count. In the mixed system that you prefer, you would have first past the post for the local representative. In that system, does every vote technically count? You would still have strategic voting. You would still have someone elected against the popular local vote in that area. You wouldn't avoid some things.

Hon. Ed Broadbent: As I said, in these questions and in the whole discussion, it's not black and white. There are advantages and disadvantages. One of the advantages for me in retaining first past the post at the local level, as long as it's profoundly affected by PR, is that Canadians would more readily accept a new system without too many changes. They're accustomed to electing their local MP by a certain traditional method.

You could also have, at that level, a preferential vote for the local MP as well. Some people would favour that as being more democratic, and I can see the argument for that system. I could accept either approach for electing the local MP.

Ms. Ruby Sahota: My next question is for Mr. Charbonneau.

You had mentioned that we shouldn't just have a majority agreement in Parliament, if it came to a vote in Parliament, and that we should also have the popular vote. How exactly would we calculate that? Would we go back to figuring out which MP got how much of the vote in their riding, and then figure out from there whether we have the popular vote, or is there another approach?

[Translation]

Mr. Jean-Pierre Charbonneau: If your parties have received identifiable popular support and we calculate that support by multiplying it by the number of parties who make an alliance or agree on a mechanism, part of the population would be represented in Parliament and would express its support through these political representations.

As I have said, we do not govern by referendum every day. This has been clearly stated earlier. No referendum has been needed on a whole range of major issues, and MPs or political leaders have not had to question whether they could morally and legitimately take action on those issues. They have acted on the basis of their majority in Parliament.

What is more legitimate: governing with a minority of the population and a majority in Parliament, or forging consensus?

Ms. May talked about a preferential ballot. The real question is determining which of the two, either preferential ballot or mixed-member proportional representation, can provide better political representation. That is the key. No system is perfect, but there are principles to be followed.

• (1615)

[English]

The Chair: Go ahead, Mr. Richards.

Mr. Blake Richards: Thank you.

Professor Dawood, I have a question or two for you in this round.

In your opening remarks you talked about consulting with citizens or hearing from citizens in this process, and you talked about the town halls that are being conducted and said you wouldn't see them as providing the degree of consultation or legitimacy that a few other options you mentioned would provide, such as a referendum, a citizens' assembly, or some kind of commission that involves citizens. You mentioned all those as other options that would certainly meet that test at a far greater level.

In these town hall meetings that have been taking place, a number of issues have developed that would lead people to question them to some degree, I would think.

First of all, there was a town hall being held, published on the Liberal website, in which they were asking for an admission fee to be charged and paid to the Liberal Party. Now, that was—

The Chair: No, that was not a.... I don't think that was an MP.

Mr. Blake Richards: Mr. Chair, is the floor not mine?

The Chair: Well, I think I'd like to answer this, because my understanding is that it wasn't—

Mr. Blake Richards: Mr. Chair, the floor is mine, is it not?

The Chair: Mr. Richards, I have precedence at this moment. I would just like to clarify a point.

I don't think that was a town hall—

Mr. Blake Richards: I didn't think we were here to debate with the chair, but thank you.

The Chair: Pardon me?

Mr. Blake Richards: I said that I didn't realize we were here to debate issues with the chair.

The Chair: No, I'm not debating. I just want to clarify something.

Mr. Blake Richards: It sounds like it, Mr. Chair.

The Chair: For the witnesses as well, it was not a town hall. My understanding is that it was not a town hall within the context of the invitation we sent to the 338 MPs. That's all I have to say about it.

Mr. Blake Richards: My understanding is that there certainly was a town hall being held and there was an admission fee being charged. To the Liberal Party's credit, when attention was drawn to it, they did pull the ad from their website.

Subsequent to that, we've had reports of people being turned away from town halls because they weren't pre-registered.

We had an opinion piece appear in *The Vancouver Sun*—and I'm not going to name the MP, because I don't feel that I want to make this personal in any way—about a town hall that was held in that area, and it indicated the majority of the people who had spoken during the open mike portion had been in favour of having a referendum before any changes. Then it went on to indicate that the member was asked repeatedly by speakers if he would go back to the Prime Minister and tell him that people of his riding think they should be consulted by referendum before our electoral system, which has served us well for centuries, is overturned and replaced by something else. Then he goes on to say, “We didn't get an answer.”

There have been a number of things—and I could point to others, but we only have so much time—that would call these into question to some degree.

You stated in your opening remarks, Professor Dawood, that:

Electoral reform differs from the passage of ordinary legislation because it sets out the very ground rules by which political power is attained. For this reason, the process of electoral reform must be held to a higher standard of democratic legitimacy.

You also had indicated in a paper that you wrote for the *McGill Law Journal*, and I quote here again:

If it were possible for the government to unilaterally reform democratic institutions, then it could unilaterally reform them in an anti-democratic direction as well.

In a paper you wrote—an editorial, I guess, for *Policy Options* earlier this year—you said:

...a change to the electoral system should not simply be pushed through by whichever political party happens to have a majority.

This is all to make the point, and you had indicated this as well, that there needs to be something that involves citizens beyond simply a majority party in Parliament deciding to push through a change.

My question is, first of all, do you believe that's an important value, and that it must involve citizens in some way beyond this town hall process and beyond simply a number of politicians proposing some option? Would you agree that citizens need to be involved in this process in some way, whether it be a referendum, whether it be a citizens' assembly, or whatever it might be?

• (1620)

Prof. Yasmin Dawood: I guess I should clarify that in all the research you cited, the point I was making was that there must be a number of items. I'll turn to citizens in a moment, but the bigger point was that it's much better if there's consensus among the political parties. It can't just be the majority party, whatever that party happens to be at any given moment, pushing through major reforms. A lot of the writing you cited was in reference to the Fair Elections Act that the previous government tried to, and in fact did, push through.

The ideal process, to my mind, is one that involves everybody. All the political parties have a say. Elections Canada has a say. Citizens are consulted, and they also are involved in the process, as are other kinds of groups and interests.

As I said at the beginning of my remarks, I don't think there's any single process that's mandated. It's much more of a contextual analysis in terms of whether it is democratically legitimate in terms of those three norms, which are non-partisanship, consultation, and deliberation. I don't think there's any one thing that must occur for the process to be democratically legitimate as a whole.

The Chair: Thank you.

You didn't lose any time because of my intervention.

Mr. Blake Richards: Okay.

The Chair: I even gave you a bit of extra time to make up for the inconvenience of my intervention, but we have to go now to Mr. Aldag.

Mr. Blake Richards: Fair enough.

Mr. John Aldag: I'm going to go to Dr. Broadbent with a question, and then we'll come back, because earlier you hadn't had a chance to speak to my statements exploring values. I would like your thoughts on that if you have anything that you want to share.

In your written brief, you identified a number of issues that you felt a proportional representation system would address, including such things as the under-representation of women or visible minorities and increasing the level participation, and I agree. There are systems that in their design would help with some of that, but it also seems that there would be other means. It could be quota systems for nominations under the current system. There are other fixes that are available.

I'd like your thoughts specifically on whether proportional representation is the only way to address some of these issues you've identified. If you have a comment or two on that, and if you have anything on values and the values we should be looking at, then I'd appreciate hearing from you on those.

Hon. Ed Broadbent: Well, I don't want to bore the committee with a repetition of what I've already said or what is in the brief about the values that are outlined in our own brief and by Professor Dawood. I agree with these as underlying values that should be respected. I also agree with the comment that you can't cherry-pick out of them and say that this one is absolutely essential or that one is. It's a combination, a mix, and you're not going to get them all at the same time. That is simply what I would say.

If you will permit me—and I know this is turning the tables, and I can understand if you prefer not to answer—one of the points that has been made is that whatever is done in terms of bringing in a new system, the governing party should not act alone on it.

Would you agree with that?

Mr. John Aldag: Well, I think that the structure that has been given to this committee, whereby we listen to whatever message we hear from Canadians and from our colleagues and we don't have a majority at the table, since this committee has been structured in such a way that we don't, is a very—

Hon. Ed Broadbent: Excuse me, but the government can still, whatever this committee recommends—

The Chair: In fairness—

Mr. John Aldag: I can't speak for the—

The Chair: In fairness, the questions shouldn't come from the witnesses, but I allowed—

Voices: Oh, oh!

Hon. Ed Broadbent: It's an informal discussion in Parliament, Mr. Chairman. They don't have to answer the question.

The Chair: Well, it's a formal hearing of a special committee, Mr. Broadbent. Out of great respect I allowed the question, but I think we'll give the floor back to Mr. Aldag.

• (1625)

Hon. Ed Broadbent: But you're not going to allow the answer.

Voices: Oh, oh!

Mr. John Aldag: Professor Dawood, in the previous round of questions, you commented on this idea of inclusion. I guess I'm sitting here wondering what's enough. We have a time frame that we're working towards. You indicated that maybe we shouldn't be sticking with this arbitrary deadline, yet to meet the deadlines or the time frames that we're working toward, we need to keep things moving.

We are doing a number of hearings. Every member of Parliament has been invited to do town halls, recognizing that they're not flawless in their delivery, and every Canadian has been asked to provide input, if they want to, through online consultations. The website is open, so every Canadian has the opportunity right now.

From a process perspective, what else is needed? Are we on a legitimate path here? It seems as though we're doing a lot. From your perspective, what else is needed?

Prof. Yasmin Dawood: I think it would depend on the deliberations of this committee.

If at the end of your deliberations you reach a consensus—let's say that everyone agrees to a particular proposal and everyone has signed on, and you have in fact reached as many witnesses and as many Canadians as possible—that might, as you say, be enough.

If, however, you don't reach a consensus on the committee, then it might make sense—this is just throwing out an idea—to say that there are, for example, two options that need to be further looked into and that you recommend that we narrow it down to these two and then set up some sort of commission that will look more deeply into the two options and then make a recommendation. Then you would extend the process slightly, if there isn't consensus.

If it's the case that you have most of the political parties on the special committee in agreement, I think it would be a good sign. If you have in the legislative arena the majority of the popular vote onside, again I think that would be enough.

There's not, then, one answer. It really depends upon what this committee comes to decide in the next few months and the number of parties that are in agreement.

The Chair: Thank you.

Mr. Cullen is next.

Mr. Nathan Cullen: Thank you, Chair.

I'm just getting through some Twitter feed. It was asked not so much as a question from someone watching the committee as a seeking of comment on an essay that I'm now reading as well, called "Our Benign Dictatorship", which was penned by Mr. Flanagan and Mr. Harper some years ago.

I'll read you just one quote, and perhaps we can get a comment from that:

Although we like to think of ourselves as living in a mature democracy, we live, instead, in something little better than a benign dictatorship, not under a strict one-party rule, but under a one-party-plus system beset by the factionalism, regionalism and cronyism that accompany any such system.

That was Mr. Harper in the mid- to late-nineties, before the system worked for him and he maybe didn't feel that way. There was also a

suggestion on Twitter that every time my Conservative colleagues say "referendum", people should drink, and I think that's a bad idea for everybody involved.

The question I put to you is this. Not only was that a moment in time for our most recent prime minister, who felt that way about our system leading to what he called a benign dictatorship. It seems to require three things that we need right now: the courage to see this reform through from the current government; the principle not to rig the new system in their favour; and the humility and the responsibility from all of us—and I hear this from Mr. Charbonneau—to seek compromise and to find something, as Professor Dawood has said, that would greatly enrich the legitimacy of what this committee comes to.

Has anything I've said, or even the quote from Mr. Harper and Mr. Flanagan, struck you as wrong?

I'll start with Mr. Broadbent and then head to Monsieur Charbonneau.

Hon. Ed Broadbent: Let me pick up on the dictatorial aspect of it.

There have been, in academic literature on what has been going on since World War II, observations about the parliamentary system increasing centralization into the office of the prime minister, not just in our system in Canada but in the U.K. and elsewhere in the Commonwealth.

Our system does lend itself to that, especially with first past the post and the kind of belligerent politics, frankly, that the Westminster model sets up, with the government on one side and the opposition on the other, as opposed to the concave kinds of structure that other democratic systems have, whereby you may sit together side by side instead of in opposition.

The point I'm getting at is that on the point made by Mr. Harper, I'm inclined to agree with its poetic exaggeration of dictatorship. We have many other principles—the Charter of Rights, and so on—but in terms of exercising political will, we do have that: the Prime Minister, in our system, has excessive power.

One advantage of electoral reform of the kind that most people who have appeared before this committee have advocated—which I have advocated, which Mr. Charbonneau has advocated—is that we'll get to a more consensual form of politics, and the Prime Minister, frankly, won't have the same direct power. He or she will likely have to deal in a consensus-building way with at least one other party in order to govern.

In that same article, if it's the one by Mr. Harper and Mr. Flanagan that I remember reading, they advocated a form of PR. They were coming down on the side of PR because it mitigates the centralizing power of a prime minister, as well as for other reasons, and I think that is desirable.

I'll add what I said before. I praised the present Prime Minister for this initiative, and I hope he sees the implications of really following through with the kind of consensual form of government that could emerge from a recommendation by this committee that would reduce the over-centralizing power that goes to our Prime Minister in the present system.

• (1630)

Mr. Nathan Cullen: Would you comment, Mr. Charbonneau?

[*Translation*]

Mr. Jean-Pierre Charbonneau: In my opinion, one of the issues of the reform you are discussing is the change in political culture. If you can change that to get away from the excessive confrontation and blind partisanship that we have now, everyone would thank you for it and would benefit from that shift.

The British parliamentary system emerged in response to the monarch's abuse of power, which constituted absolute rule over the country for centuries. The monarch became a kind of figurehead and ceded his powers to the prime minister, which he no longer appointed because the prime minister was from then on the leader of the party that obtained the most seats in the House. So a political system developed that was still a monarchy, but it was an elective monarchy.

Is it not an abuse of power for people who do not even have the legitimacy of having been elected by the whole population to govern with a minority of popular support while using mechanisms such as closure to abruptly end debate and push through bills?

The Chair: Thank you.

You have the floor, Mr. Rayes.

Mr. Alain Rayes: Ms. Dawood, the legitimacy of the process has often been raised during the various discussions. As Mr. Charbonneau said, as soon as another political party associates with the government, by adding up the vote share won by the other parties, that would be more than 50% of the votes. That would give the process some legitimacy.

There is a shortcut in this reasoning though. The idea is that everyone who voted for the two parties, assuming it is two parties, deliberately voted for that specific aspect among a range of proposals. I do not think that someone who marks an *x* on a ballot necessarily supports every one of a party's proposals.

On the one hand, a referendum could be held to give everyone the chance to express their views on the committee's proposal. The other option of limiting it to a coalition of two or three parties would provide a some legitimacy. Do you think one option is better than the other?

[*English*]

Prof. Yasmin Dawood: If I understand the question, you're asking whether a referendum is required. Is that the question?

[*Translation*]

Mr. Alain Rayes: No. What would you prefer: a referendum, which would provide greater legitimacy by asking everyone to express their views, or the option of adding up the votes earned by two political parties, assuming that those who voted for these parties were in favour of that aspect of their respective platforms?

• (1635)

[*English*]

Prof. Yasmin Dawood: I don't think that legitimacy comes down to an option like that. It's the entire process that matters.

If you have a process that has a referendum, then that would be one way of thinking about legitimacy, but as I said in my remarks, it's not required for legitimacy. My concern around a referendum is that it's not politically neutral, because it tends to favour the status quo, as we've seen in the provincial efforts at electoral reform.

There are a number of reasons that referendums tend usually to fail in that way. Given that there is a tendency toward the status quo, I do not think that a referendum is a requirement. It's usually favoured by people who like the status quo and by political parties that prefer to see the first-past-the-post system remain.

[*Translation*]

Mr. Alain Rayes: If the referendum was lost, would that necessarily mean that the people who had voted had made the wrong choice? If the population makes a different choice from what members recommend, would maintaining the status quo necessarily be a bad outcome?

It seems to me that if voters ...

[*English*]

Prof. Yasmin Dawood: As a lot—

[*Translation*]

Mr. Alain Rayes: Go ahead.

[*English*]

Prof. Yasmin Dawood: I think the problem isn't so much that people who are participating in a referendum have made the wrong decision. It's more that...what the research seems to show in a number of studies is that there isn't sufficient education or money put into educating people in terms of what is at stake in a referendum. Given that fact, people often tend to favour the status quo.

If you had an ideal circumstance in which you had months of education for every single citizen and you had the infrastructure and the resources to make sure every single person was fully educated—and this might take a year to roll out—then in that case, it wouldn't necessarily be always favouring the status quo. People wouldn't necessarily make that decision. Unfortunately, that's not how most referendums are organized. There's usually very little information. All the debate of this committee has occurred over the summer, which tends to be a dead time in terms of people paying attention to politics, and whatever insights have been gained at this committee aren't necessarily seeping through to Canadians.

There are a lot of issues around education and access that make a referendum, to my mind, not necessary and not required.

[*Translation*]

The Chair: Your time is up, Mr. Rayes.

Mr. Alain Rayes: Thank you, Ms. Dawood.

[English]

The Chair: We will go to Ms. Romanado to end the second and last round.

Mrs. Sherry Romanado: Thank you.

I just want to make sure I'm understanding some of your recommendations.

In an MMP system we would have a local-level MP who was voted in directly by the constituents—and, Mr. Broadbent, you mentioned there could perhaps be a preferential vote for that specific position—and then there would be the regional MP.

I'd like to get a sense of what this would look like in terms of implementation. For instance, would it require redrawing electoral districts? Would it require increasing the number of MPs or decreasing the number of MPs? I'm not sure about how it would be played out and about the complexity of doing it.

Could I have the expertise of both of you on what it would look like?

Hon. Ed Broadbent: First of all, I think it could exist without changing the boundaries, but I don't think that would be preferable. I think that some modification in the boundaries for individual MPs would probably be desirable, but not necessary.

Then you have the regional component. It depends on the split, as mentioned earlier. If you have a 60:40 split between MPs and the regional representation, that could lead to one kind of size recommended for ridings, as distinct from having a 50:50 split. This could result in different-sized constituencies.

It is complex in terms of getting it established and sorting it out. When the committee sits down and looks at some options, to be banal and state the obvious, you should consult with some technical staff people who could guide you. If you agree on certain principles, such as MMP, then look at the variables within that system and what they would imply for constituency size and so on.

I hope that answer helps.

• (1640)

[Translation]

Mr. Jean-Pierre Charbonneau: I would suggest that the committee members read the report of Quebec's chief electoral officer from December 2007 regarding a compensatory mixed system. This report includes a summary which I have here in front of me. You should have the official document. This report will provide a lot of answers to the technical questions you are asking.

In Quebec, if we had followed the chief electoral officer's advice and the terms of the draft bill, instead of having 125 ridings in which a member was elected in a first past the post system, we would have had 75 or 77 such ridings and 50 regional ridings. There would have been 50 regional representatives. Instead of having a single list for

the whole province, we could have had between 12 and 15 regional ridings. That means that, in certain regional ridings, the list could have been longer, depending on riding size. We could also have tried to balance the 12 or 15 regional ridings to give more or less the same weight to voters and to the regions.

So there are different types of mixed compensatory systems, as Quebec's chief electoral officer stated. In other words, you don't have to reinvent the wheel. Academics and officials in Canada, including the Chief Electoral Officer, have devoted a lot of study to these issues. The Chief Electoral Officer produced a substantial report after a year of non-partisan study of the issue. You should draw on that, especially if you might develop a compromise or consensus based on that model.

The Chair: You have 30 seconds left.

Mrs. Sherry Romanado: Mr. Charbonneau, you said earlier than from the time a member is elected they do the job. So there is no difference between regional and other representatives.

I was elected with 35% of the vote in Longueuil—Charles-LeMoine, but I swear that I still work for 100% of constituents.

Mr. Jean-Pierre Charbonneau: Of course.

For my part, I have been fortunate to have been elected six times with an absolute majority. Once or twice, I got just 48% or 49% of the votes and I was frustrated, because I would have liked an absolute majority.

We have to be careful though. Based on the rationale of an absolute majority, we could support two-round voting or a preferential ballot. In my opinion, the key is fairly representing the electorate and their opinions in Parliament, which is where the debates take place and the political choices are made. That is essential.

The Chair: Thank you very much. We will finish on that note.

I would like to thank the witnesses.

Ms. Dawood, your insights and research have been very helpful, especially as regards legitimacy.

It has been a great pleasure to welcome two well-known Canadian politicians who have shared their experiences and wisdom.

Thank you for making yourselves available in August.

The committee will suspend the sitting for five minutes. We will then go in camera to discuss certain aspects of the committee's work.

Mr. Jean-Pierre Charbonneau: Thank you for inviting me, Mr. Chair.

The Chair: Goodbye and have a nice day.

[Proceedings continue in camera.]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 018 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, August 30, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, August 30, 2016

● (0930)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):
I call the meeting to order.

Good morning, colleagues. Good morning to the witnesses today.

We have three witnesses: Professor Eric Maskin, Professor Peter John Loewen, and Jean-Sébastien Dufresne.

[Translation]

If I may, I will take a few moments to tell you a bit about each of them, starting with Mr. Dufresne.

Jean-Sébastien Dufresne is the president of the *Mouvement Démocratie Nouvelle*, a non-partisan organization working toward the adoption of proportional representation in Quebec through public education initiatives.

Mr. Dufresne holds an MBA in community economic development and was recently named one of the top 30 under 30 by the *Journal de Montréal* for his impact on the business world.

Welcome, Mr. Dufresne.

[English]

Professor Eric Maskin is an economist and a professor at Harvard University. In 2007 Dr. Maskin received the 2007 Nobel Memorial Prize in Economics for laying the foundation for a mechanism design theory. He has also made considerable contributions to the fields of game theory, contract theory, social choice theory, and political economy, as well as other areas of economics.

As a former student of economics, I am familiar with some of these terms. We look forward to hearing a bit more about them during testimony.

Previously Dr. Maskin was a post-doctoral fellow at Cambridge University as well as a faculty member at MIT and the Institute for Advanced Study in Princeton, New Jersey.

Welcome, and thank you for being present here in Ottawa.

Peter John Loewen is an associate professor of political science at the University of Toronto. Dr. Loewen wrote his dissertation on political behaviour at the Université de Montréal. He recently co-authored a book entitled *The Behavioural Foundations of Partisanship, Participation, and Political Preferences in the Anglo-American Democracies*. He is a frequent recipient of Social Sciences and Humanities Research Council grants and awards focusing on political behaviour.

Some of his professional affiliations include being an associate member at McGill University's Centre for the Study of Democratic Citizenship, an associate member at Simon Fraser University's Centre for Public Opinion and Political Representation, an assistant editor of the *Canadian Journal of Political Science*, and a member of Experiments in Governance and Politics, otherwise known as EGAP.

To provide a bit of an outline for how we proceed, each witness will present for 10 minutes. Then we will have two rounds of questions. In each round each member will get to engage with the witnesses for five minutes. That means the five minutes will cover questions and answers.

If, for some reason, there's a question asked at the four-minute, 30-second mark, and there's no opportunity to answer—and this happens quite frequently—it doesn't mean you can't answer at a later time when you have the floor. We're very flexible about that. If you want to finish your thought as you're answering a question at another time, please go ahead.

[Translation]

We will start with Mr. Dufresne.

You have the floor and you have ten minutes.

● (0935)

Mr. Jean-Sébastien Dufresne (President, Mouvement Démocratie Nouvelle): Thank you very much, Mr. Chair.

First of all, I would like to thank the committee for inviting me and giving me the opportunity to address you today. I should also mention that we will be submitting a brief which you will receive by October 7. I will be referring to it several times. It will include additional sources of information.

My presentation today pertains to four points. First, I will tell you a bit about the *Mouvement Démocratie Nouvelle*. I will then talk about the extent of mobilization of civil society in Quebec, and share some of our observations on the multiple...

The Chair: Excuse me, Mr. Dufresne, could you speak a bit more slowly please? The interpreters are having trouble keeping up with you.

Thank you.

Mr. Jean-Sébastien Dufresne: Certainly, thank you. We have a great deal of respect for them because they play a very important role.

Here are the four points that I will be presenting today. First, I will briefly describe the *Mouvement Démocratie Nouvelle*. I will also speak about the extent of mobilization of civil society in Quebec. I will then share some of our observations on the multiple public consultations held in Quebec. Finally, I will present our vision of the process that could lead to electoral reform at the federal level.

First of all, the *Mouvement Démocratie Nouvelle* or MDN is a citizen-based, non-partisan or rather, “tri-partisan”, organization because it reaches out to citizens with different political views. It also reaches out to people in different sectors, including education, unions and business. These people are all volunteers working toward electoral reform. I am a volunteer myself.

In my daily life, I am an entrepreneur and president of an international agency that represents publishers. So I am not an expert on electoral systems, nor am I an academic or a professor. I am however a person working with my colleagues on the cause of electoral reform.

The MDN was founded in 1999 in response to the 1998 election when the popular will was overturned in Quebec, that is, when the Parti Québécois formed the government although the Liberals had placed first in the polls. Our organization brought together a number of stakeholders in civil society and participated in several public consultations in Quebec. The estates general on the reform of democratic institutions were held in 2003, in which 1,000 citizens from all regions of Quebec participated.

In 2006, a parliamentary committee was tasked with studying a draft Liberal bill pertaining to a mixed-member proportional system. More than 2,000 people expressed their views and 86% of those people rejected the status quo and called for electoral reform.

In 2007, we saw among other things the report by Quebec's chief electoral officer regarding a mixed-member proportional system. Close to 20,000 people signed a petition that was presented to Quebec's National Assembly. At each of these steps, the MDN mobilized social actors to take part in the deliberative process. In a way, the MDN became a catalyst for key stakeholders in civil society, including union groups, youth, women, students and communities. The main actors in civil society were involved in this work.

I am talking about organizations that represent close to two million Quebecers, or a third of voters in Quebec. It was a true deliberative process. These organizations worked out their positions and then engaged their members in a dialogue on the issue. This happened over several decades in Quebec, so it is not a new issue.

We can make some general observations on the MDN's consultations and work. As several witnesses have said, the system must be changed. There is clear consensus on that. The unanimous preference is for proportional representation. Everything pertaining to a two-round majority ballot and a preferential ballot was removed from the advice we received from the main actors in civil society. We are looking for an appropriate solution in a context in which the political parties, it must be noted, all receive minority support in our society. A proportional system seems to be the best option.

We have even revised the guiding principles for our initiatives. This spring, we conducted an initiative involving the key actors in

civil society and all provincial political parties, including the Liberal Party of Quebec. A number of important principles emerged.

First, we determined that any reform must reflect the popular vote as closely as possible. That of course means a proportional system. We then determined that there must be a strong link between voters and MPs. We also stressed the importance of equitable representation of the regions, or at least, maintaining the regions' political weight. This is a very important factor. Government stability must also be promoted. As other witnesses have said, other countries have ways of managing non-confidence motions to prevent governments from being suddenly toppled in proportional systems.

● (0940)

Moreover, it emerged that the system must be easy to implement and understand. This is important to citizens. We heard overwhelmingly in our work that the representation of women, youth and ethnocultural communities must be improved.

The MDN is also engaged at the federal level with the *Alliance pour que chaque électeur et électrice compte*. This organization brings together stakeholders from across Canada. Its principles are essentially the same as those I have just stated.

You have heard a number of objections in recent weeks. People have raised concerns about the trust between voters and MPs, the risk of creating two classes of MPs in mixed systems, double candidacies, the proliferation of parties, and accountability. The witnesses who have presented their work before you rely on conclusive data and empirical studies of the way things are done around the world. In places where proportional systems have been in place for years or even decades, these concerns no longer exist.

There was an event in Montreal a few weeks ago. We invited organizations like ours, but from different countries, to share their experience of electoral reform. The organizations from countries with a British tradition were all in favour of proportional representation. None of the organizations were in favour of maintaining a first past the post system or were in favour of maintaining that system in other countries. Internationally, there are none.

I would like to share our position on the process for electoral reform. In our view, legitimacy among voters should be the primary consideration in any process. It is very important for voters to be able to express themselves, but they must have confidence in the choice they make. They must be fully informed in making their choice. The best way to achieve this, in our opinion, is to educate voters on how an alternative system works, to allow them to consider the benefits and drawbacks of any proposed solution. Then, after two or three elections, the electorate must be consulted by referendum or some other way, to see if they would like to keep the proposed system or revert back to the previous system. In our view, that would enable voters to confidently make their choice.

How do we arrive at the proposals? Expert panels could examine the various existing models to determine which most closely match the principles the electorate supports. There could also be a citizens' jury. Those citizens could then provide their opinions and advice to the committee so they could be implemented for the next election.

In closing, I think you have a unique opportunity to fulfill a social vision, one that could shape Canada's history and benefit generations to come. You have the power if not the duty to ensure that no Canadian will ever doubt the value of their vote again. In our view, when democracy prevails, it does not matter which party forms government, because all citizens come out ahead.

Thank you.

• (0945)

The Chair: Thank you very much, Mr. Dufresne.

[*English*]

We will now go to Dr. Maskin, please.

Professor Eric Maskin (Adams University Professor, Department of Economics, Harvard University, As an Individual): Thank you very much, and thank you for the invitation to be here this morning.

I'd like to begin by mentioning five serious problems with first-past-the-post voting, the method currently used in federal elections.

The first problem is that it's often the case that the MP representing a particular electoral district is a minority MP, in the sense that most voters in the district didn't vote for that person.

Second, first past the post often leads to a serious discrepancy in Parliament, by which I mean that the majority party often receives much less than a majority of the votes. For example, in 2011 the Conservative Party had 53.9% of the seats but only 39.6% of the vote. There are many other examples of such discrepancies.

Third, the candidate elected in a district can often be wrong. I will say exactly what I mean by that in just a minute.

Fourth, a voter is in effect disenfranchised if she votes for an unpopular candidate, a candidate who is not likely to win the seat. If candidates A and B are the candidates who have a serious chance of winning, and I vote for candidate C, then in effect I have no say in the choice that really matters. I'm wasting my vote. I could vote strategically—that is, even though I prefer C, I could vote for A or B—but strategic voting itself is problematic for reasons that perhaps I can come back to in the question period.

Fifth, unpopular candidates or parties may be discouraged from standing. For example, suppose I'm a candidate on the right but one who disagrees with the Conservative Party on some important policy points. I may hesitate to stand for office, because if I do stand, I run the risk of splitting the vote on the right, and by doing so I may help to elect a left-wing candidate. For that reason, I may deliberately not stand, and through that decision I'm not only depriving myself of a political candidacy but I'm also depriving the electorate of another political voice.

Those, I think, are five serious problems with first-past-the-post voting.

It turns out that there is a simple voting method that solves all five problems. In fact, there is only one voting method that solves all five problems, and that is majority rule.

Under majority rule, voters now have the opportunity to do more than just vote for a single candidate: they're allowed to rank candidates. Candidate A is best, candidate B is second best, and so on. The winner is the candidate who is preferred by a majority, according to the rankings, to each opponent. The candidate is the true majority winner. The candidate would beat each opponent in a head-to-head contest.

I have a slide to illustrate this. Let's imagine that the electorate divides into three different groups: 40% of the electorate likes candidate A the best, then B, then C; 35% put C at the top, then B, then A; and then the remaining 25% like B best, then C, then A. This is just an example. It's not meant to correspond to any real-life situation.

• (0950)

What happens under majority rule? Under majority rule, candidate B beats A by a majority because the group in the middle, the 35% group, prefers B to A, and the group on the right, the 25% group, prefers B to A. That's a majority. That's 60%.

Candidate B also beats C by a majority because the first group, the 40% group, prefers B to C, and the third group, the 25% group, prefers B to C. That's 65%, so B is the true majority winner.

Let's contrast that with what happens under first past the post. Under first past the post, you just vote for a single candidate. Presumably the people in the first group will vote for A, the people in the second group will vote for C, the people in the third group will vote for B. A is the winner because 40% is the highest vote total, and so we get the wrong candidate elected. A is elected under first past the post, but a majority, 60%, prefer B. For that matter, in this example, a majority also prefers C to A, so A is really quite a terrible choice from the standpoint of majority will.

Majority rule solves all five problems that I described because the winner represents a majority of voters.

One of the problems in Canada is the discrepancy between the proportion of seats that the majority party wins in Parliament and the proportion of the vote that it gets. That discrepancy is very likely to fall under majority rule, because now the majority party will have a majority in every district it wins.

Furthermore, a voter who favours an unpopular candidate will not be disenfranchising herself if she ranks that candidate first, because if there are two other candidates who are the real contenders, she can have a say between those two other candidates by ranking one above the other further down her list. She has every incentive to vote according to her true preferences.

Finally, a right-wing candidate who somewhat disagrees with the Conservative Party or a left-wing candidate who somewhat disagrees with the NDP doesn't have to worry about splitting the vote on the right or the left by standing because, to take the Conservative example, voters on the right are likely to put both this candidate and the Conservative candidate above any left-wing candidate, so there's no vote-splitting.

For all these five reasons, I would suggest that majority rule is a good deal superior to first past the post as a voting method. I don't propose to go into proportional rule. I'm happy to discuss it in questions, but I'm not doing so here because it's clearly a much more radical departure from the current voting system.

Thank you very much.

• (0955)

The Chair: Thank you, Dr. Maskin. That was very interesting.

Go ahead, Dr. Loewen, please.

Professor Peter John Loewen (Director, School of Public Policy and Governance and Associate Professor, Department of Political Science, University of Toronto, As an Individual): Thank you very much.

Should we change the way we vote in Canada? This is the principal question that's occupying this committee. It appears to me that the committee has decided that reform is inevitable. This is apparent in the unwillingness of most parties to consider a referendum on any proposed systems, as such referendums are hard to win. It's perhaps apparent too in the testimony before the committee, for while there's been refreshingly broad, evidence-based, informative testimony, there's been little in defence of the status quo.

Today I hope to make four observations, and my overall objective in making these observations is to induce some pause among members of this committee and your colleagues. I hope you will reflect on and give equal weight to the known benefits and drawbacks of our current system, as you do the known and unknown benefits and drawbacks of other systems.

My four observations are the following: first, there is a potential upside to electoral reform, but it seems limited; second, the downsides to electoral reform are unknown and potentially substantial; third, Canadian democracy already functions—well, perhaps; and fourth, for most of the problems ailing our democracy, there are potential fixes at hand that do not require fundamental institutional change.

Taken together, these observations suggest that the committee should not engage in wholesale reform of our electoral system. Instead, I argue, it should consider and recommend smaller, targeted reforms that might address the problems that currently beset our political system.

My first observation is that there is a potential upside to electoral reform, but it is limited. The best evidence we have for this are the many well-constructed cross-national studies that seek to isolate and identify the empirical effects of electoral systems on various outcomes of interest. The basic conclusion, following testimony already given by André Blais, is that in PR systems turnout is higher, though by not much more than three percentage points on average. Citizens also feel elections have been more fairly conducted in PR systems. Those are the benefits.

On the other hand, PR systems do not eliminate the need for or the rate of strategic voting; they merely induce a different kind. They've asked voters to make other compromises, in other words. Most importantly, while PR systems may broaden representation, they do not improve the match of policy outcomes and citizens' preferences. What Blais did not note, Leslie Seidle and others have in their presentations, which is that electoral reform would likely increase gender balance in our Parliament, and in my estimation this is an unalloyed, unqualified good.

My own reading of the literature is that claims about greater economic performance, better fiscal management, and better policy are probably attributable to factors other than the electoral system. Of course, advocates of PR systems might argue that such studies somehow underestimate the benefits or the good effects of PR. I think it's a reasonable objection that cross-national, econometric estimates don't tell the whole story. A reasonable alternative approach would be to look to a country very similar to our own that has experienced a change in electoral systems, and observe the pre-reform and post-reform averages on several outcomes of interest. By doing so, we could perhaps say something about how electoral reform might change the politics of a country.

New Zealand, of course, provides such a case, for obvious reasons: it shares a colonial heritage with Canada and it has a long history of uninterrupted democratic rule, with power alternating between a small number of single parties that regularly commanded majority governments. In 1996, after a series of referendums, New Zealand moved to a mixed member proportional system and has held seven elections under this system since then.

I'll point interested readers to my written submission, in which I go through the data in more detail, but I'll list the top-line results. Electoral reform increased the effective number of parties in New Zealand, both the effective number of parties contesting elections and the number of parties winning seats. That's an unquestioned result. It also marginally increased the average number of parties in government, though it now seems that single-party governments are the norm. It certainly didn't induce large, broad coalitions after elections. It did not increase voter turnout or even arrest the decline in voter turnout in New Zealand, and it did not increase citizens' expressions of democratic satisfaction. Rather, these appear to have declined under the new system. The number of women elected in the last election is just five percentage points greater than in the last election in Canada.

For the things that matter, there is more difference between countries that share an electoral system than there is in the average across electoral systems. In short, PR systems make some things better, but they're hardly a cure-all.

My second observation is that there is some downside to reform, or at a minimum, there are some likely effects that could be normatively undesirable. It's for the committee to decide whether these things are normatively undesirable, but there are some likely effects.

First, reform will create a potentially permanent role for small regional parties. I'm happy to expand on that.

Second, small parties will potentially have outsized influence in government. If it is objectionable that a single party can hold 100% of government power with 40% of the vote, why is it okay that a party with 10% of the vote might hold 20% of the government power? It's a normative question, but it's one that should be answered.

- (1000)

Third, there will be increased incentives for political entrepreneurs to exploit social divisions. Some comparative data is helpful on this matter. If we compare the 15 western countries with the greatest foreign-born populations, we'll find in the last election in each country that the average vote share for parties in favour of reducing legal immigration is 3.5% in majoritarian countries; in PR countries, it's 8.7%. The average seat share of such parties that want to reduce legal immigration is 0.1% in majoritarian countries; it is 10% in PR countries.

Finally, a proportional system will invite greater government instability, in which governments survive for shorter periods of time and in which governments are more regularly introduced without an election. Whether this is normatively desirable is an open question; the empirical regularity is not.

My third observation is that Canadian democracy functions well. My own reading of testimony to the special committee and questioning by the special committee has suggested that the functioning of Canadian democracy has not been sufficiently appreciated.

Certainly there's much with which we can take some issue. Our country has experienced one-party dominance rivalled only by Sweden and Japan. We have, as in most other countries in the world, experienced significant decline in our rates of voter participation, though this saw a large correction in the last election. Perhaps most importantly, we do frequently experience parties winning outsized majorities on much less than the majority of the ballots cast. None of these are particularly good things, and they're all certainly well rehearsed as critiques.

What's noted much less frequently are at least four measures on which our democracy has performed well.

First, our democracy has experienced more than 40 federal elections in dozens of peaceful transitions of power, both between leaders from different parties and between leaders within federal parties. This is a basic standard of democracy, and it's one that sets Canada apart from most other democracies. Indeed, Canada's run of uninterrupted democratic rule is among the longest in the world, surpassed by fewer than a handful of other countries.

Second, by the standards of their times, our elections have been fairly and freely conducted and our franchise has been liberally composed. Save the Canadian Pacific scandal and relatively pedestrian turnout buying in early elections, Canada's democracy has been a model of well-run elections.

Third, our democracy performs well in the political representation of minorities and indigenous peoples, especially compared to Anglo-American counterparts, and I refer you to Leslie Seidle's testimony in his written submission on that point. More historically, our political parties have a long track record of representing the broad diversity of our country, whether linguistic, confessional, or ethnic, without the emergence of explicitly ethnic or confessional parties. I wish to note especially that this has happened against the backdrop of founding groups and later waves of immigrants, who at various times viewed each other as unfit for common purpose and interaction. Put starkly, our country has long held the potential to be a tinderbox of identity. For the most part, we've avoided all but the smallest of fires.

On this, much has been made of the point that we are not Italy or Israel. This cannot mean that we are not a country that is characterized by competing economies, often deep religious and ethnic differences, and different ways of life. I assume that those who make this argument must mean that despite having the makings of a deeply divided and dysfunctional polity, we are not one. Our electoral system just might have something to do with that.

Fourth, our country has a long record of protecting the rights of minority groups. In more recent years, this has largely been the work of the charter, but before its advent it is still the case that protections were extended often because of an electoral logic. At other times they were extended because of the goal of broad coalition-building that is the norm within our political parties.

My fourth observation, and I'll close on this, is that for most of the problems ailing our democracy, there are potential fixes at hand that do not require fundamental institutional change. I wish the committee would take at once a broad and modest approach to reforming our democratic institutions.

There are, to be sure, shortcomings in our system. There are turnouts that are lower than we like. We don't yet have an even balance between female and male members of Parliament. Party leaders seem perhaps too strong vis-à-vis their members. Local party members don't enjoy real control over the selection of candidates. Parliamentary committees are sometimes weak and sometimes have neither the time nor the capacity to properly study and deliberate over policy.

This list is not exhaustive, yet there are potential solutions at hand for all of these problems, and they do not require a fundamental change to a central institution. Instead, the committee and the members' parties can explore a number of changes to parliamentary procedure, administrative law, and party rules that could address some or all of these problems. It seems more judicious to engage in a systematic and iterative process of improving our democratic institutions than it does to engage in wholesale reform.

Our electoral system is a central democratic institution. It exists in concert with a myriad of other institutions. It informs our politics not only through its rules, but also through the norms and practices which have evolved alongside and within it. We should carefully consider not only the upsides and drawbacks of reform but also the merits of our current system. On balance it is a system worth keeping.

•(1005)

Thank you very much.

[*Translation*]

The Chair: Thank you, Mr. Loewen.

I would like to thank the witnesses for their excellent presentations. You have given the members of the committee a great deal to think about, which will no doubt lead to interesting and stimulating discussions.

We will now begin the first round of questions. Ms. Sahota, you have the floor.

[*English*]

Ms. Ruby Sahota (Brampton North, Lib.): I'd also like to thank all of you for being here today. Those were very interesting presentations.

I have questions for all of you. I don't think I'll have enough time, but in my two rounds, hopefully I'll be able to get them all in.

I would like to start with you, Dr. Maskin. You've given us something to think about that we haven't really talked much about.

There has been a lot of criticism about majoritarian rule or alternative vote. I was wondering if you could address some of that criticism. Some of it is that you would be favouring one candidate over another and it would carry on that way for a long time to come, or one party would be favoured over another in this system.

You've recently talked a bit about the primaries in the United States and how this voting system could have potentially changed the outcome in those primaries. Can you shed some light on whether that would be the case, whether we would always have a predicted outcome under that system?

Prof. Eric Maskin: On the question of whether majority rule favours one party over another, I think it's a pretty even-handed method: that is, it insists that the candidate who wins in an electoral district is truly favoured by a majority, in the very strong sense that this candidate could beat every other candidate.

As to your question on whether it changes the outcome relative to the current method, it certainly could. Under the current method, first past the post, as I illustrated on the screen, you can very well elect the wrong candidate. You can elect a candidate who has a plurality of the vote, 40%, but in fact there could well be another candidate who is the true majority winner and would beat the first-past-the-post winner by a majority.

There have been many examples of American elections in which, if only majority rule had been used, history would have been changed. In looking over recent Canadian elections, I can see many seats that probably would have had different outcomes had majority rule been used rather than first past the post. The outcome would have been fairer in the sense that a majority winner would have been chosen rather than just a plurality winner.

I'm not sure if that answers your questions.

Ms. Ruby Sahota: Just to make a little comment, I should also state that for all of the systems we've been talking about, we've had a lot of experts come in and say it's very hard to predict what the outcome would be because parties would behave and act differently within a different system. If this system were to be adopted, or if MMP were to be adopted, or if any other system were to be adopted, we would probably see everyone change their strategies, change how they campaign and how they work together. They might co-operate more or we might have more partisan, divisive politics, let's say.

The style of politics would change. How do you think this system would affect the style of politics?

•(1010)

Prof. Eric Maskin: One way that things might well change is that there could be more parties. As I was suggesting at the end, one problem with first past the post is if you are a left-wing candidate who, say, disagrees with the NDP.... Let's say you're a Green candidate. You might hesitate to stand under the current system because you're worried about fracturing the vote on the left and ending up with a right-wing outcome. Under majority rule, you don't have to worry about that. There's no such thing as vote-splitting anymore, so that will embolden more political voices to come forward and be heard. They're not going to endanger the more popular parties, and so I would expect a broader range of political voices.

Ms. Ruby Sahota: Could it possibly solve the problem of strategic voting, which has been raised as a problem?

Prof. Eric Maskin: Oh, absolutely. Under majority rule, voters have no incentive to strategically vote anymore. They have every incentive to vote according to their true preferences.

The Chair: Thank you so much.

Mr. Reid is next, for five minutes, please.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much, Mr. Chair.

All the witnesses were very interesting, but I'll be directing my questions to Professor Loewen.

Professor, to some degree your concerns reflect my own concerns. I think I'm less an enthusiast of the existing system than perhaps you are, but I do think that while the current system is not the best that can be imagined, it is most definitely not the worst that can be imagined. I fear that the worst is actually a realistic scenario. I would define the worst scenario as an electoral system that has a predictable outcome in the next election in terms of causing one party or possibly two or three parties to do better than would be the case under the current system, and others to do worse, given the same universe of preferences as were expressed.

To do this knowing that this would be the outcome effectively systemically disenfranchises or reduces the value of the franchise of some votes and increases others in a predictable manner, not for every election but certainly for the next election. That, I think, is the underlying problem.

I get a sense that you share my view on this. In addition to what you've said today, I have some quotes from previous things you've written.

However, an alternative scenario was presented by one of our witnesses yesterday. Ed Broadbent argued that since several parties—the Greens, the NDP, and the Liberals—advocated some form of electoral reform in the last election, that would be sufficient to legitimize a new system. He argued that if the approval of those parties was achieved in the House of Commons, it would be a kind of supermajority, and there would be no need for some other approval mechanism to legitimize whatever new system came forward, regardless of its implications.

I wonder if you could give me some feedback on what you think of the argument that a multi-party majority legitimizes an electoral system in the absence of any other approval mechanism.

Prof. Peter John Loewen: I think it's a troubled argument, and I think it's a troubled argument for a couple of reasons.

On the facts of the case, I don't think we had an election that was fought over electoral reform. I think it was a long, long way down the list of issues on which votes turned and on which discussion occurred. The particular facts of the election suggest to me that it wasn't one in which there was a lot of discussion.

For the most part, we don't have elections that are typically fought over particular issues. That's the exception, and I think that's a normally defensible way of having elections. We choose leaders and parties and then we evaluate their performance. On the facts of the election, I'm convinced by that argument.

On the second point, I think this is a major institutional change. I'm not sure a convention has emerged that these changes have to be met by a referendum, but it seems to me that because it is such a fundamental change and because self-interest has such a clear potential to contaminate the debate, since parties are talking about the rules under which they'll be elected, perhaps there ought to be more of a check than just parties voting on it now.

To the third point, to be very bold about it, if you'll allow me, I've yet to hear an argument about the incapacity of voters to make a decision during a referendum that doesn't also condemn the decisions they make during elections. That is to say, the simple-minded, manipulable, easily confused voter who apparently won't be able to make a reasoned choice during a referendum is also the voter who elects everyone in the House of Commons. I think it's a dangerous discussion if we start to believe that voters are unable to make informed decisions on fundamental matters.

In sum, I don't think there is a constitutional convention preventing you from having a referendum, but I think that if 60% of voters in the last election were in favour of electoral reform, as seems to be claimed, surely it must be easy to win a referendum in that case.

•(1015)

Mr. Scott Reid: Thank you.

I assume I'm out of time.

The Chair: You have about 40 seconds.

Mr. Scott Reid: Okay. I have 40 seconds.

I just want to be clear on this, then. You said that you don't think there's a constitutional convention that there shouldn't be a referendum. Did you get your words backwards in terms of the constitutional—

Prof. Peter John Loewen: It's not clear to me that there is a convention that there needs to be a referendum.

Mr. Scott Reid: Ah, that's what you were saying. Okay.

Prof. Peter John Loewen: But I'm not an expert on the Constitution.

Mr. Scott Reid: Right. Thank you.

The Chair: Thank you, Mr. Reid.

Mr. Boulerice is next.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

I would like to thank the witnesses for being here today for this important study. They have presented various positions that are all very interesting.

My first questions are for Mr. Dufresne.

Your initiative is quite interesting because there seems to be quite a large and powerful movement in civil society in Quebec calling for electoral reform. The desired change is quite profound and the preference is for a proportional system. You did not refer to a specific system, but there appears to be a consensus among all the groups you mentioned earlier.

They are various types of proportional representation. One type, such as in Germany, involves voting for a local representative along with a list system. In another type, the ridings are larger and have multiple candidates, with three, four, five or six elected members representing the same region.

In light of Canada's geography, which of these two systems do you think would best be able to meet citizens' needs?

Mr. Jean-Sébastien Dufresne: Thank you very much for your question.

I will not give you my personal opinion or views. I will instead talk about the outcome of the debates in organizations in civil society that represent close to two million Quebecers.

There seems to be a consensus in Quebec civil society for mixed-member proportional representation. This system has the greatest support among organizations in civil society. This is also the system that has been studied most extensively in all the work done in Quebec, including by Quebec's chief electoral officer. He evaluated the implementation of this system at the provincial level. In Quebec, there are some ridings that cover a very large area. A parallel can be drawn with Canada in this regard.

There is a concern about the representation of regions and of ridings. In a mixed-member proportional system, the same number of seats could possibly be maintained for ridings that should be a bit larger and have additional seats.

I would also point the Committee to the work of one of our sister organizations, Fair Vote Canada. In its brief, this organization presented an alternative system that would maintain the size of regional ridings as much as possible so as not to put them at a disadvantage. Fair Vote Canada talks about increasing the size of regional ridings by no more than 10% to 15%. It also mentions a combination with a single transferable vote in urban communities. These possibilities could be considered.

In our view, it is very important for each region to retain its political weight. This means MPs representing the riding and MPs for the regions to provide some balance. In other words, the regions would retain the same number of MPs in order to maintain their political weight.

Mr. Alexandre Boulerice: You mentioned representation, political weight and the presence of the regions. People are often apprehensive about changing the current voting system.

Another fear that is often raised, rightly or wrongly, is that the direct link between voters and their local representative would be lost. As people like to say, they want to know whom to call when they want to complain.

From your studies and what you have heard, would it be possible, in a mixed-member proportional system, to preserve that almost physical link between voters and their MP?

• (1020)

Mr. Jean-Sébastien Dufresne: There is nothing in the studies we have read or in what has been said here that suggests that the link is lost in countries with that kind of system. There is no indication of that link being lost. We believe that the system can actually give voters more power. In a region with compensatory seats for different parties, for example, voters have access to several elected representatives. It is of course a question of political culture to some extent, because this would change the relationships between voters and their elected representatives a bit, but it is in voters' interest because it gives them more power and greater access to their elected representatives. We think that is in the interest of society and of voters.

The Chair: Thank you.

Over to Mr. Thériault.

Mr. Luc Thériault (Montcalm, BQ): Thank you Mr. Chair.

Thank you very much for your contribution to our work. It is very helpful. It is interesting to hear different points of view.

Mr. Maskin, you attach great importance to the issue of an absolute majority. In your view then, as regards federal elections in Quebec, the only time when the right members were elected without a shadow of a doubt was in 1993, when 54 Bloc Québécois members were elected and only three of them did not have an absolute majority?

[*English*]

Prof. Eric Maskin: That's right.

Under the current system, the first-past-the-post system, there are many, many cases of MPs being elected without absolute majorities. What's worse is that we don't know, because we aren't finding out from voters, whether there are other candidates whom a majority would have preferred.

That's why switching to a voting system under which voters can express themselves more fully is a way to ensure that the right MPs get elected.

[Translation]

Mr. Luc Thériault: I'm not sure you answered my question, but that's all right.

If we are going to change the democratic rules in society, it must be done properly. The Bloc Québécois's position is as follows. We want change, but not just any change and not in any old way. Time must be taken to do things properly.

All the experts have said that no system is perfect and that each has benefits and drawbacks. We must not play around with representation on such an important issue, claiming to know what is best for the people. In our view, a debate on this is absolutely necessary. We can only do so under this mandate, which is unfortunate because there is not much time. If we had a debate and were able to agree on a model that we could present at the next election, that would be a sign of success. That would likely be much more effective than acting too quickly. In that case, there might be differences in positions.

In other words, why should we say that this experience will lead to agreement on a model that the people must in some way be able to approve in order for it to stand the test of time?

Mr. Jean-Sébastien Dufresne: Thank you for your question, Mr. Thériault.

As you said, a choice must be made that will stand the test of time and that will have a profound impact on the exercise of democracy. It is important, for both Quebec and Canada, for citizens to be as confident as possible when they choose between the system we have used for centuries and another system that has proven effective in other parts of the world.

In our opinion, the best way of doing this is to extend voters as much respect as possible by giving them the opportunity to make a fully informed choice. No matter what explanations we provide, the best way of course is to test the system to see what the benefits and drawbacks are. We have to try a system in order to be in a position to say that the proposed system, which is the result of much work ...

• (1025)

Mr. Luc Thériault: I'm sorry to interrupt but I would like to hear from other witnesses.

The Chair: Mr. Thériault, the five minutes are nearly up. Could you pick up on this later on?

Mr. Luc Thériault: Do I have a minute left, Mr. Chair?

The Chair: No, you have about 25 seconds left.

Mr. Luc Thériault: I will wait for the next round of questions.

The Chair: That's fine, thank you, Mr. Thériault.

[English]

Ms. May is next.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

Thank you to all the witnesses

[Translation]

I would like to thank the witnesses for their observations. They are most interesting.

[English]

It's difficult, I find, when we have panels with differing opinions. Diving in becomes more difficult.

Professor Maskin, you may be the only witness proposing this voting system, so I want to ask you some questions for clarification.

I think you'd agree with me that this would be, in Professor Lijphart's definitions, one of the majoritarian oppositional systems, as opposed to PR consensus.

I think you've put your finger on the difference, for me, in the very last line of your brief, so I want to dive in there. It's that while the first-past-the-post, majoritarian, and alternative vote objective is to select the "right" MP for a district, under proportional representation the goal is to select the "right" composition of Parliament. That really helps me.

I'm one of those very fortunate and honoured MPs who, at least in my second election, had 54.4% of the vote. Your system wouldn't change the result for any of the MPs in our Parliament who have over 50% of the vote in their ridings. Is that right?

Prof. Eric Maskin: That's right.

Ms. Elizabeth May: The concern that voters would have.... In my case, I had 54.4% of the vote, but as much as I don't like to dwell on it, 45.6% of the electorate in my riding wanted to pick somebody else. In this new system, they wouldn't see any relief from the Green dominance from which they suffer. Am I right?

Prof. Eric Maskin: That's right, not in their district. There will be MPs elsewhere who might be closer to their political position.

Ms. Elizabeth May: Yes. This is where it doesn't seem, to me.... Is it at least theoretically possible under your voting system, although I know it's unlikely to occur, that you'd have as much as 25% of the electorate wanting candidates in a party that never managed to crest into a majoritarian group?

Prof. Eric Maskin: Yes, that's possible.

As I suggest in my brief, if what you want is a perfect match in Parliament to political opinion, if 25% of the people think this way and they will have 25% of the MPs, then proportional representation is the way to do that.

There are many strong points to be said for proportional representation. The reason I didn't dwell on it at length in the brief or in my comments today is that it would be a far bigger change. It would be a radical change, moving away from single-member electoral districts, etc.

Ms. Elizabeth May: Yes, in a two-party system such as that in the U.S., or even in your examples from the article in *The New York Times* back in April on the examples from U.S. Republican primaries, we see that this would have had an immediate impact there that would have been more salutary than in our more Westminster-based system here.

Would you agree with that?

Prof. Eric Maskin: I'm not sure that I would agree. Even in a parliamentary system, moving away from first past the post and toward something like majority rule or alternative voting would be salutary in the sense that it would ensure that the single member who's elected in that district is closer to what the majority wants.

•(1030)

Ms. Elizabeth May: I have about a minute left, which isn't enough time to get to the questions I have for you, Professor Loewen, but I'll start with a question I received over Twitter.

Some of what you've presented to us today seems to oppose some of the more detailed empirical studies around patterns of democracy, such as Professor Lijphart's work.

A tweet came in from Fair Vote Canada, saying that the information they had was to the contrary around anti-immigration parties and representation in PR countries versus majoritarian countries.

Do you have any additional data you could give to the committee later to support that?

Prof. Peter John Loewen: The written submission has all the data that backs up the claim I've made. It lists—

Ms. Elizabeth May: Whose?

Prof. Peter John Loewen: My written submission has all of that data.

Ms. Elizabeth May: I have your written submission.

Prof. Peter John Loewen: Sorry, there's a 10-page written submission as well, in addition to the comments that I made, which I'm happy to forward to you.

Ms. Elizabeth May: Okay.

Prof. Peter John Loewen: I'll tell you my view more generally of this as a political scientist. I did a lot of cross-national studies. The estimates that are derived about the effects of PR, both negative and positive, are all very subject to case selection, to how we model things, to the exact estimators that are used.

It's a very muddled debate at the academic level, and pointing to a single book and saying this single book is the authority on the matter really misrepresents the diversity of viewpoints in that debate.

The Chair: Ms. May, I'm told by the clerk that this 10-page additional document was distributed this morning.

Ms. Elizabeth May: I'm sorry, but I don't have it.

The Chair: It was done at the last minute.

Go ahead, Mr. Aldag, for five minutes.

Mr. John Aldag (Cloverdale—Langley City, Lib.): I'll continue from where we left off with Ms. May and Professor Loewen.

As you were going through your brief, the piece that really jumped out at me was the comment on the exploitation of social divisions. That is something we haven't seen as we've explored any sort of PR system, so I want to talk a bit more about that. You ran out of time in your response to Ms. May, but I would like to get your additional thoughts on it. You might have had more to say.

The observation I had is that we already see this kind of social division in the first-past-the-post system. As we saw in the last election, there was a fairly strong anti-Muslim narrative that entered the discussion, so I'm curious to see, in your research, what the effects are within a proportional representation system.

Could you give us some comments or expand on what you were saying?

Prof. Peter John Loewen: Thank you very much for the opportunity. Let me make two points on that.

One is that there was a furtive and, I think, ultimately unsuccessful attempt to stir up anti-Muslim sentiment in Canada in the last election. Ultimately it's difficult to sustain that when, as a party, you have to have more than one issue on which to win and you have to convince people across a large number of constituencies that you are a candidate worth voting for. It's easier to sustain in countries in which the electoral system is more permissive. I don't hold the belief that the people of the Netherlands, for example, are inherently more racist than Canadians, are inherently more anti-Muslim, but I do see, for example, that Geert Wilders' party is garnering a very large share of the vote right now in the Netherlands, particularly because he doesn't have to face up to the difficulties of winning a large number of constituencies. He can simply appeal to a small group of people with, frankly, bigoted views across his whole country.

More generally, I don't want us to paper over the achievements of our country and how difficult it was to assemble it. There was a time when if you were the Prime Minister and you were composing a cabinet in Canada, you needed to have an anglophone minister and a francophone minister from Quebec. Not only that, you needed to have an anglophone minister who was from one of the mainline churches; you needed to have an anglophone minister who was from the Presbyterian Church, for example. You had to worry about representing Irish Quebecers and you had to worry about various diversities within Quebec, not to mention all the other diversity that exists in our country.

We are a country that's been assembled together by people who are at various times really at odds with each other and don't have a certain degree of mutual understanding. Our electoral system created incentives for parties to paper over those differences, and in fact smother them and integrate people into parties as well as they could. I think it has a lot to do with the success of our country. At the baseline, we're probably a country that shouldn't have worked out, yet we did. That may be by accident, it may be by dumb luck, or it may have something to do with the electoral system that we had in the past.

My final point, I guess, would be that perhaps it's not the case that we have that degree of social enmity today, that we have these differences that could be exploited, but when I look at the rise of anti-immigrant parties in otherwise developed countries, I worry that such divisions might be exploited in our own country, not to mention regional divisions that still exist as well.

Those are my concerns.

• (1035)

Mr. John Aldag: Thank you. I have a second question for you.

You've outlined a number of more modest reforms that could deal with some of the issues that you've identified. We've also heard from Professor Maskin that other majority systems could deal with some of these issues. Are there shifts within the first-past-the-post system to something like a ranked ballot? Would you consider that too radical, from your perspective, or does that start dealing with some of the issues without getting in and really shaking things up?

Prof. Peter John Loewen: I think there's a qualitative difference between shifting to an AV system or a ranked ballot system, however it gets operationalized, and shifting to a system in which we create different types of members of Parliament or we use a fundamentally different rule to convert votes into seats. Is a move to ranked ballots a fundamental change? I'm not sure. I think there is an argument that it could be. You could argue against it, I suppose. It's not the shift that would occur under, for example, MMP, or certainly open-list PR.

The Chair: Thank you.

Mr. Richards is next.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I have some questions for all of you, but I have a couple of rounds, so hopefully we'll get some opportunities.

Professor Loewen, I think I'll start with you.

In front of me here I have a few comments that you've made. For the benefit of everybody else, I'll read them—they're very brief—and then I'm going to have a question based on that.

It was actually last summer, I think before the election was even completed, that you made the comment, and I quote: "Those who wish to reform [our voting system] should do so with a clear mandate over detailed plans and with broad public approval."

Here's another comment you made, and I quote:

Whatever one thinks of the merits of different electoral systems—and there is much to recommend a variety of different systems—it seems remarkable that this decision would be left to parliamentary committees and then a simple vote of the House.

I sense that your use of the term "remarkable" wasn't meant to have a positive connotation.

Then following the election in December, you also wrote:

In short, one cannot argue at once that we need reform to address false majorities and that this government has a mandate to change the electoral system.

I would certainly agree with your comments. There are good reasons for those comments, but I wondered if you could explain a bit further for the committee, and for the record, what your reasoning

is for why the current plan of committee study, and then a vote in the House, is, as you've said, "remarkable", and I presume in not such a positive way.

Prof. Peter John Loewen: I think the thing that's special about the decisions that the committee is making is that they have a direct impact on how you are elected, which is to say they have a direct impact on whether you'll remain in your roles and whether you will have better or worse chances after the next election of being returned.

This is another way of saying that you're not disinterested parties in making this decision. I think there are any number of decisions you make from which you would remove yourself if you were an interested party. That's a principle, for example, that governs how cabinet ministers can make decisions over financial matters. It seems to me that it's a very important decision and it seems to me that it's one for which, because you all have such a self-interest in it, you ought to get the approval of the voters.

There is a secondary consequence, and there are two scenarios that I can imagine. One is that you choose a new electoral system, and for whatever set of electoral dynamics, it locks itself in. You never get a group of parties that want to change it again. However, Canadians don't like the system. That's seems to me to be relatively undesirable as an outcome.

The other outcome, I suppose, would be that you might come back to me and say, "Don't worry; we can just change it again." Then we start to get into the territory of the electoral system becoming a continuous election issue, with parties always looking for advantage after the next election. They're always changing and redesigning the system to their advantage. I think that's a worrying state of affairs and a worrying potential.

It seems to me that one way around that is to say that you have to have all-party consensus on how to change an electoral system. That two years ago, when Parliament was considering changing issues around what piece of ID you could use to vote, I heard some members, and certainly many academic colleagues, say that you have to have all-party consensus if you want to change a matter even that small. I can't imagine that we can then change the electoral system without all-party consensus. If you believe the first thing, you ought to believe the second.

The other point is, why not just ask voters?

• (1040)

Mr. Blake Richards: Sir, can I stop you right there? It's because I have a follow-up question and we have less than a minute.

It's on that very point. What is the best way to ensure that we do have the public's buy-in and to ensure that it isn't done with political self-interest? Is it a referendum? How do we ensure that the Canadian public has bought into any changes that are made?

Prof. Peter John Loewen: My own sense—and this is something on which I've changed my view over the years—is that the most desirable way would have been for you to draw up a citizens' assembly to come up with a recommendation and to even put the design decision in the hands of a disinterested group and then to leave the decision to a referendum.

This would be done with a full effort on an education campaign to people about what the options are, with evidence and with balance. That would have been my desired outcome. However, I think the absence of a citizens' assembly doesn't mean that you then don't have a referendum. Even at this point, it's sensible to put this decision to people and ask them whether they approve of the rules that you're setting for yourselves.

The Chair: Thank you.

We'll go to Ms. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you so much.

I'd like to thank our panellists for being here today.

[*Translation*]

Thank you very much for your presentations.

[*English*]

Yesterday we heard from the Broadbent Institute. We talked a little bit about a report that was issued, called “Canadian Electoral Reform - Public Opinion on Possible Alternatives”. This study was conducted right after the last election. The report states that in choosing the five goals of a voting system that are most important to them personally, 55% of Canadians polled noted the goal that the ballot should be simple and easy to understand. Some 55% of them said that was important to them. Then 51% said it was important for the system to produce stable and strong governments.

You can see that based on this poll, folks want something that's simple and folks want something that's going to provide stability. As soon as you hear of a minority government or a coalition government, people start thinking, my God, perpetual elections.

Given that, Professor Maskin, can you talk to us a little bit about how your proposed system would address those specific values that Canadians, according to that poll, have said are important to them?

Prof. Eric Maskin: Yes.

First, on the issue of ballot simplicity, which I agree is important, at the moment a ballot lists candidates who are standing. What I am proposing is that instead of just checking off one of those names or filling in a circle or pushing a button for one of those candidates, a voter would have the opportunity to do more and actually rank the candidates.

However, I think it's very important that voters not be required to rank candidates, or at least not be required to rank any more of the candidates than they want to. If there are eight candidates on the ballot, perhaps they'll choose to rank three or four of them, or a voter could just continue to vote for a single candidate. That would be putting one candidate first and basically announcing that the others are in a tie for second. That would be fine too. In any case, it would be up to the voter. That kind of ballot, I think, would be agreeable,

because in principle voters could continue to do exactly the same as before, but they would have more opportunity for expression.

As for stability and strong government, when I propose moving to majority rule or, for that matter, alternative voting, both of which are majoritarian schemes by contrast with PR systems, majoritarian systems tend to produce majority governments. That's not a guarantee, but they are more likely to do so than proportional rule. If voters want stability, they're more likely to get it under one of these majoritarian systems.

• (1045)

Mrs. Sherry Romanado: Thank you.

Further to that comment, Professor Loewen, you mentioned that some of the guiding principles that we're looking at and some of the things that are wrong with our current system could be addressed by a federal solution. For instance, if we want to increase participation, it's not necessarily another electoral system that can do that. We could implement mandatory voting, or civic education outreach, and so on, and I agree with you that we've been hearing from various witnesses in that regard.

However, in terms of feasibility and cost, and in terms of having a less radical solution to address some of the issues and problems we're facing, what would you say to Professor Maskin's recommendation of moving into an AV system, or something similar, to address some of those issues without such a radical change?

The Chair: Answer briefly, please.

Prof. Peter John Loewen: I think it's a less radical change than PR, and on the issue of implementation, I think you should take the chief electoral officers at their word when they testify about the difficulty of implementing new electoral systems in short order.

The Chair: Thank you very much.

Mr. Cullen is next.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Happily we have time to consider our options.

To Professor Loewen, I just want to get a definition of a term you have in your testimony today. What's an “unalloyed good”?

Prof. Peter John Loewen: Oh, it's unqualified. It's absolutely a good thing.

Mr. Nathan Cullen: The idea of an unalloyed good is then dismissed later on, in terms of having a system that better represents our population—not just by numbers, but if 20% of Canadians want a certain thing, then Parliament should more or less reflect what they want. I think people like choice, and they like to have their choices honoured by the electoral system.

Is that a fair statement? Is that a good desire to have?

Prof. Peter John Loewen: Well, to be sure, what I was saying in my testimony was that having a more equal balance between men and women in our Parliament is an unqualified good, and it's one that we should pursue. That's the point I was making.

Mr. Nathan Cullen: Then if we have strong evidence that says there's causality, there's connection, between proportional systems and an enhanced representation of women, why wouldn't we consider that? Why wouldn't we, in fact, more than consider it: why wouldn't we implement it?

Prof. Peter John Loewen: Because you have to make trade-offs. Because you have to design an electoral system that optimizes a number of goods at once, not just one.

Look, if your only concern is that we ought to have a balance between men and women in Parliament, there's an easy solution: pass a law that says you will refund election expenses for only—whatever the number is—169 men and 169 women, and in the next election you will have an equal number of male and female candidates.

Mr. Nathan Cullen: To be fair, we have such a proposal from Mr. Kennedy—

Prof. Peter John Loewen: I know you do, and it's a wonderful one.

Mr. Nathan Cullen:—which is a wonderful proposal, yet it has been rejected by the current government, I guess because it's 2016.

The question I put to you about mandate I think is important. The mandate of this committee, and I'll read from the House of Commons resolution, is “to identify and conduct a study [on] viable alternate voting systems to replace the first-past-the-post system”. We're not engaged in whether or not we should change the system; this is a “how” question. As you say, there are trade-offs with every system. As Mr. Dufresne has pointed out, as well as Professor Maskin, there are some advantages.

I guess to my question about improving the quality of Canada, to defend the status quo and say it's worked to this point is not a strong argument in this sense. We wouldn't have made any reforms to the way we vote in Canada if we simply relied on the idea that Canada's pretty good right now. Women wouldn't be voting and aboriginals wouldn't be voting, because Canada up to that point was working pretty well. There were those who at that time said—and I'm not suggesting you align yourself with this—that first nations people shouldn't have the vote because Canada is working out fine as it is, and before that women, and in between that Japanese Canadians.

I won't hold that argument as a reason to stay with the status quo. I take some of your other positions.

Mr. Broadbent was here yesterday and said a weakness of the 1980 Liberal government was that while they got about 23% to 24% of the vote in western Canada, they had virtually no representation, yet they were considering a dramatic change to energy policy, to oil and gas policy in particular. He invited Mr. Broadbent and some others from the west and from the NDP to come into cabinet—that didn't happen—and brought in a policy that was incoherent to western Canadians.

Is that a fair assessment of that moment in time?

• (1050)

Prof. Peter John Loewen: Yes.

Mr. Nathan Cullen: Yes. Mr. Broadbent's point was this, and I would wonder if you would argue against it: having a mix of representation from different parts of the country, both in government and in opposition, is healthy for both sides of the debate? Is that fair?

Prof. Peter John Loewen: I want to go back to the first point you made, which is that we would never make changes.

We can make distinctions between issues of rights versus issues of how we decide to have an election. Our court has not said—quite the opposite, actually—that we have to have PR as a matter of rights. That's quite different from saying whether aboriginals should vote. Yes, it's a matter of rights. Should women vote? Yes, it's a matter of rights. My point would be that there's a fundamental institution at the core of this, and we can change things around a parameter, such as who votes, when we vote, how many days we vote, what kind of encouragement we give people, to give us better democratic outcomes—more goods—while not changing the central system.

Mr. Nathan Cullen: But—

Prof. Peter John Loewen: Now to your point—sorry—of whether there should be political representation across the country, yes, there should. I should tell you that my view is that it's failed in our country on several occasions, as you've noted.

That said, if we are concerned about the permanent regionalism of our politics, it seems to me that one way of doing that is to introduce electoral incentives that tell a party that it never has to break out of its region. The Reform Party is not in Parliament today because Reformers understood that to win government, they had to broaden across the whole country.

Mr. Nathan Cullen: Yet first past the post gave us the Reform and the Bloc Québécois as the official opposition in Canada, so regionalism is not exclusive to proportional systems. That's fair. We've had many instances. We had the example from Mr. Dufresne in which a party with less than the popular vote ended up forming government, so there are distortions that we're trying to correct, and those distortions, I would say... Are you living in Toronto? I didn't want to assume.

Prof. Peter John Loewen: I live in High Park.

Mr. Nathan Cullen: High Park, very good, or fortress Toronto, as it is often referred to now, and before.

The Chair: We're not going to have time for—

Mr. Nathan Cullen: What does a Conservative voter or a New Democrat voter or a Green voter in Toronto do at those times when there is absolutely zero representation of their voice in Parliament, along with the nine million Canadians whose votes are not reflected in our Parliament today?

The Chair: We're going to have to turn that into a rhetorical question and go to Mr. Rayes.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair. I would like to thank the three witnesses with us here today.

My first question is for you, Mr. Dufresne.

You used some strong wording in your introduction. You said you have not found anyone who is willing to defend the status quo. I think you have found someone today.

You also used the word “unanimous” in saying that everyone you consulted at various events, debates or discussions was in favour of proportional representation. Just to your left, though, is someone with a different point of view. I find it quite unusual that you claim that your organization represents a broad majority of Quebecers who are in favour of the system you are advocating.

I have a very simple question for you. My colleague to my left asked you earlier but you did not have the time to finish your answer.

Once this committee has completed its work and a proposal has been put forward, do you definitely think that we should consult the entire population by way of a referendum to ensure that the proposal is the right choice and that it is necessary to change our voting system?

Mr. Jean-Sébastien Dufresne: Thank you for your question.

Yes, I should clarify a few points. When I said there was a broad consensus, I was not talking about individuals but about organizations in civil society. We work with organizations that have deliberative processes and that adopt positions further to debate within the organization.

I know that individuals may have their personal opinions, but I am talking about organizations in civil society. That is why I said there is a broad consensus on this issue.

Furthermore, I used the word unanimous in reference to organizations seeking electoral reform and specifically proportional representation. All the organizations that are engaged on the issue, in Quebec at least, have a clear position in support of proportional representation. I want to make sure that is clear.

As to the consultation process, I was very interested by the comments made earlier about conflict of interest. As our colleague indirectly said, our elected representatives who are debating the issue here, but whose reelection is directly influenced by the outcome of this debate, must be able to remove themselves from the final decision and engage the public in the process.

As I was saying, I have not heard any argument opposed to the idea of allowing the public to try out a solution supported by a broad majority of civil society before making a choice.

•(1055)

Mr. Alain Rayes: Thank you, Mr. Dufresne.

I have a very simple question for you and then I would like to hear from the other two witnesses.

I heard what you said, but do you think it would be advisable to consult all Canadians at the end of the process before a new voting system is implemented?

Mr. Jean-Sébastien Dufresne: We maintain that the public must be respected and the best way of doing that is by enabling them to make a confident choice. To that end, there is nothing better than weighing the benefits and drawbacks of a reform based on the observed impact on political culture.

As noted, it is an important change and we have to know what impact it might have on the way politics works. That would take at least two elections, but first we must determine how it can be implemented before we can make an informed choice. We fully agree that the people must be given the opportunity to express their views.

Mr. Alain Rayes: Before we hear from the other witnesses, I would like to pursue this.

What do you think of the various surveys that show that between 60% and 73% of the population, including over 60% in Quebec, are in favour of a referendum?

You said earlier you are not an expert and that you represent a group of university professors and experts in the field. Yet more than 50% of expert witnesses support or strongly support holding a referendum before the system is reformed.

You describe your organization as democratic and as seeking more public consultation and participation. Yet you are not in favour of that before implementing a new system. You say that the question should be asked again in a few years, after two or three elections. Is that correct?

The Chair: Very quickly, please.

Mr. Jean-Sébastien Dufresne: With respect to surveys, yes ...

Mr. Alain Rayes: Is that a yes or a no?

Mr. Jean-Sébastien Dufresne: The public must be able to make an informed choice. That is the best solution, in our opinion.

Mr. Alain Rayes: Perfect, thank you.

Mr. Loewen and Mr. Maskin, quickly ...

The Chair: Unfortunately, your time is up, Mr. Rayes.

You have the floor, Mr. DeCoursey.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I would also like to thank the three witnesses for the different points of view they have expressed here this morning. Personally, I like diversity in points of view. It is important for the committee's work and must be reflected to Canadians when we engage them in this discussion this fall.

[English]

I want to begin with a number of questions directed at Professor Loewen. They relate to an article that appeared on Friday that is generally consistent with your testimony this morning. In the article you concede there are potential benefits, though they may be limited, to electoral reform and particularly to PR systems, including the potential for a slight increase in voter turnout.

I note the table citing New Zealand and the relative view that citizens feel there is fair conduct in the way the election is run. When we talk about strategic voting, we're talking about shifting the compromise or the strategy elsewhere, and that there may be an inconsistency or an incoherency between policy outcomes and citizens' preferences.

I'll cite exactly what you said:

Claims about greater economic performance, fiscal management, and better policy are probably attributable to other factors.

As we present these options to Canadians, what are some of these factors that we should be mindful of, given that we've heard plenty of testimony that the electoral system is caught up in a larger system of a Parliament style of governance and political culture?

Prof. Peter John Loewen: Thank you. It's a very good question.

I think the committee shouldn't be too hopeful that changing an electoral system is going to have a large number of effects, either positive or negative, on things like macroeconomic outcomes or budget management. It seems to me that these things are largely baked in, depending on a country's place in the global economy, on the nature of its resources, and on the democratic dynamics of its population. When we look at studies that extract cross-national differences and then attribute causality to the electoral system, I think we should view them with a fair amount of skepticism.

By the way, I could probably, with some ease, point you to some studies that would show that majoritarian countries have some better outcomes as well on some of these measures. For the most part, I think those things are pretty far down the chain, and they're probably not affected by electoral systems too much.

The things that will be affected in a beneficial way by changing the electoral system are probably a bit more with regard to voter turnout, and, as you say, a better sense of fairness with the election outcome. Those are good, right? We'll likely have more women in Parliament, which is good, but they trade off against other things.

• (1100)

Mr. Matt DeCoursey: Do you see other factors contributing to increasing women's representation in Parliament? Is that something we should consider as well—the political will to put women on the ballot to ensure they have a chance to run?

Prof. Peter John Loewen: If this committee and members of Parliament more generally feel that it's important to have an equal

number of men and women not only running but winning seats, there are administrative changes you can take to that effect.

Frankly, you can do what the NDP has done for a long time, which is to make very strong efforts to recruit women and to make sure that nomination races have strong, viable, female candidates. You could change administrative law around election expenses, for example, to make it strongly incentivized for parties to run more women than men.

We don't have to change the electoral system and then hope that some strategic logic leads to these outcomes. We can pass laws to try to bring them in place now.

Mr. Matt DeCoursey: Great.

Dr. Maskin, I noted in your testimony that you steered away from talking about proportional rule and calling it a radical change.

Can you talk to some of the aversions you have toward the pursuit of proportional rule, given the time that is left?

Prof. Eric Maskin: Here I think I share some of the concerns of Mr. Loewen.

Proportional rule has worked very well in many countries around the world. However, for Canada, it would represent a very substantial departure, a much bigger departure, from the current system than majoritarian systems, such as alternative voting and majority rule.

In particular, proportional rule would presumably eliminate the current system of single-member electoral districts. Canadians are used to the idea that in their district they will be electing an MP. That would change under proportional rule. Also, there is the idea that a majority government could well go by the wayside. Many countries using proportional rule today patch together coalitions to form governments. That's a much more likely outcome under proportional rule than under a majoritarian scheme.

My own philosophy in these matters is to make reforms when there are clear directions of improvement, but not to take a bigger step than is necessary to accomplish an improvement.

The Chair: Thank you.

We'll start the second round with Ms. Sahota, please.

Ms. Ruby Sahota: I'm going to carry on from the discussion about coalition governments.

We've had some witnesses say that a coalition government can be a great thing, that we can achieve a lot with coalition governments and that we have done so in the past, and that great ideas have come out of that, but there have also been those who have suggested that coalition governments could also cause a person to think that this isn't what I voted for and this is not the platform that I clearly saw and that I voted for. Then you end up with a mishmash of a lot of things.

Professor Loewen, I found it quite interesting—and I hadn't thought about this—when you said in your presentation that 10% of the vote can result in 20% of the power, or it could be leveraged to have even more effective power than that. Can you elaborate on that?

Now that you have brought this up, one concern that really comes to mind is the anti-immigrant sentiment. We in Canada pride ourselves on the fact that we had a different outlook and uptake on the Syrian refugee crisis. Perhaps they weren't able to get here as easily as in some of the European countries, but the response to it was quite different in Canada, and internationally that was recognized as a departure from how the European countries were handling the situation.

Could a system like this create small parties that may leverage that type of anti-immigrant sentiment or other things that may become divisive in the future?

• (1105)

Prof. Peter John Loewen: I have two comments.

To start with your second observation, my only observation is that if you want to look at cross-national evidence and take all the good things that are higher on average in PR countries, you should take the negative things as well. It appears to me that you're more likely to have anti-immigrant, anti-legal immigration parties winning seats in PR systems in largely diverse countries than you are in majoritarian countries that have largely diverse populations.

To your first point, I think that this is a normative question, and the question is really this. You can imagine an array, after the next election, in which.... New Zealand hasn't completely fragmented as a system. The two principal parties, Labour and National, are still winning 40% of the vote or thereabouts in each election, but imagine an arrangement in which one of our traditionally larger principal parties wins 45% of the vote and forms a majority coalition with a party that wins 6% of the vote. They now hold the majority of the seats in the Parliament in that coalition.

Gamson's law would tell you that the power that would go to that other party would be proportional to their contribution to the seat share, so why is it that a party that got 5% of the vote ought to have 10% of the power within the cabinet? Why is that more desirable than a party getting 100% of the power on 40% of the vote, or 100% of the power on 45% of the vote? That's a normative question. I think it's one that the committee needs to explore, but the reality is that in PR systems, coalition governments are more common than in majoritarian systems. Coalition governments have some good that is attached to them, but they have some drawbacks, not least of them blurred accountability and behind-door compromises that occur after an election and between elections, not before elections.

These are normative trade-offs that have to be made, and the committee ought to consider them, but I've yet to hear a very convincing argument—and I'm open to being convinced—about why a party that has a very small percentage of the vote should receive such an outsized share of cabinet power when they're in a coalition, and why that's desirable—and perhaps it's not, right? I've yet to hear an argument as to why it is, and that's more likely to result in a PR system than in a majoritarian system.

Ms. Ruby Sahota: Do any of the other panellists have any input on coalition governments and how you feel about them in terms of the balance of power?

Prof. Eric Maskin: First, I agree with Mr. Loewen that a small party that becomes part of a coalition will tend to have an outsized proportion of power by virtue of keeping that majority alive.

However, by the same token, small parties that are not part of the governments in proportional representation end up essentially with no power. That can give rise to an incentive for strategic voting on the part of voters.

Again, suppose I favour a small party that is not likely to be part of the majority. If I vote for that small party I'm essentially throwing away my vote. Proportional representation does encourage, in general, more voting for small parties than a majoritarian system, but only for small parties that are likely to be part of a coalition.

• (1110)

The Chair: Thank you.

Mr. Reid is next.

Mr. Scott Reid: Thank you, Mr. Chair. This time I'll be directing my questions to Professor Maskin.

Professor, much of—in fact, virtually all of—the discussion that's gone on relating to your proposal has taken place in the context of American politics. One obvious difference between American and Canadian politics that occurs to me is that you have the primary system, and one of the discussions that I'm sure you've seen is about whether your system would have had the effect of changing the Republican primary process.

It strikes me that this difference, the primary system, is pretty significant. It seems to me that effectively what it's done in the United States is create two parallel systems that are roughly equivalent to the French presidential runoff. Essentially, you have two runoffs occurring at the same time, or if you like, the runoff is in reverse. As a result, some of the analysis is not easily transferable to the Canadian system.

Are there other parallels that are perhaps a bit closer? Are there any jurisdictions—for example, municipal jurisdictions in your country—where your system is actually being put in place and has operated for one or more election cycles? That would seem, to me, to be a closer parallel to the Canadian situation.

Prof. Eric Maskin: Majority rule, as I've defined it, is not currently used in cities, largely for historical reasons. Until fairly recently, we haven't had the ballot-counting technology to make it viable. It is used by many professional societies, but those are smaller groups than cities.

However, alternative voting, which is very similar to majority rule, with ranked-choice ballots, has been used in many American cities. It's used in, for example, San Francisco, in Minnesota, and in my own town of Cambridge, Massachusetts.

Mr. Scott Reid: It's used in Berkeley as well, I think, right?

Prof. Eric Maskin: Yes, Berkeley too.

The evidence suggests that it's worked pretty well, so we do have experience with it.

Mr. Scott Reid: If I'm not mistaken, in most of those municipal jurisdictions it was implemented following a referendum in which the local residents chose to implement it, and was not, in fact, put in place until subsequent to that referendum. Am I correct in my recollection of the history of those municipal jurisdictions?

Prof. Eric Maskin: I'm not sure about Cambridge, because it's been using alternative voting for so long now that I no longer recall exactly how it came into being, but for the cities that have more recently adopted it, yes, that's right.

Mr. Scott Reid: Yes, in the California example in particular, I'm pretty confident of that. That's helpful.

Of course, the concern you've probably heard here is a public choice problem with having the interested parties make the decision as to what system should be adopted. The argument that my party has been presenting is that the safeguard to prevent the interested parties from designing a system for the purpose of determining the outcome of the next election is to require that the citizens approve it. It would force us all to design something that meets with voter approval, or else we would have to suffer through another election under the current system.

Is my public choice concern, in your view, a legitimate concern, or am I imagining something that's not a real threat?

Prof. Eric Maskin: This is not something that I've studied closely enough to have a well-informed opinion. At the national level in the U.S., state legislatures are empowered with the right to change the electoral system, so at least at the national level, we don't throw things open to a referendum when reforming the electoral system. At the municipal level—

Mr. Scott Reid: I don't think I'd be wrong in saying that is a highly imperfect way of doing things, based on some of the congressional district boundaries I've seen.

• (1115)

Prof. Eric Maskin: Yes. I'm not proposing that it's the right way of doing things, but it's the mandated way of doing things.

Mr. Scott Reid: Right, yes.

Thank you very much, Professor.

The Chair: That's perfect. We're right on the button.

[*Translation*]

Mr. Boulerice, you have the floor.

Mr. Alexandre Boulerice: Thank you very much, Mr. Chair.

My question is for Professor Maskin, but first I have a few introductory remarks.

During the last election, the Liberal Party said it would be the last one to be held under the first past the post system, the voting method that has been used for 149 years. This committee's mandate is to explore the various options available.

From the outset, Mr. Arend Lijphart provided information about the two main types of voting systems, the majority system and the consensus-based or proportional system. The alternative voting

system you are proposing today is part of the same type of voting system that we have now and that we want to do away with—which is what the Liberal government promised—because it causes distortions and leads to false majorities.

It seems that the alternative voting system you are proposing is another way of creating a majority. That is problematic though for people like us who want Parliament to represent citizens' choices and voices. The only comparable example in a western democracy is Australia. The alternative voting system there produces very marked bipartisanship that quashes the voices of citizens who do not vote for these major parties.

Consider the most recent election in Australia, where the main parties are Coalition and Labour. In 2016, these two parties won 97% of seats. In 2013, they won 97%, in 2010, 96% and in 2007, 99%. There is a 15% to 25% distortion in the votes cast.

It is as though, in your system, someone whose first choice was the Green Party but, knowing that the Green Party will probably not win, decides to vote NDP as their second choice, Liberal as their third choice and Conservative as their fourth choice, because that is the last party that they want to avoid at all costs. There is a good chance they will end up with a Liberal MP, which is neither their first nor their second choice.

Suppose you go to a dealership to buy a car. Your first choice is an electric car. They tell you it is a very good idea but that it is not possible. So you decide to buy a hybrid. They tell you it would be a good option also, but there are none available right now. Since you don't want an SUV, you choose a van as a third choice, but that is not what you set out to buy and you don't want a van. Why should a voter be stuck with a van if that is not what they want?

[*English*]

The Chair: That's not an automotive question, by the way.

Voices: Oh, oh!

Prof. Eric Maskin: The difficulty is that when the electorate is not homogenous, and yet a decision has to be made, a majority must be found one way or the other. That's inevitably going to mean that some voters' views are not taken into account. Even under proportional representation, which comes closer than the majoritarian systems to representing non-majoritarian views, it will be the case that many voters, and perhaps most voters, are not going to be represented in the sense of having their political aspirations implemented, because the majority coalition, whatever that turns out to be, will not include their party. There is no way, no voting system, that ensures that everybody ends up having his or her view incorporated into government decisions.

• (1120)

[*Translation*]

The Chair: Thank you.

It is Mr. Thériault's turn now.

Mr. Luc Thériault: Thank you, Mr. Chair.

After hearing from various experts, it is clear that every electoral system involves some bias due to strategic voting. It is a question of values. Values determine our choice. All of the systems have drawbacks.

There is something that annoys me. One would expect that a voting system would not distort reality and the real political dynamics of geographical area. The minister or my colleague on the right says that what happened in 1993 is one of the reasons why we must change the voting system, because it led to regionalism.

It is a good thing in a way that this happened though. That is perhaps the only positive effect that the current system has had in Canadian history. After the failure of the Meech Lake and Charlottetown accords, it meant that, at these important junctures in Quebec and Canadian history, the two voices expressed were reflected in Parliament.

Reducing the realities of Quebec to a geographical region is a mistake, I would argue. In 1867, in the discussions that led to our form of parliamentary government, the Fathers of Confederation stated that the national identity of Lower Canada must not be obliterated. If we are looking for an electoral system tailored to Canada, we have to be clear about which Canada we are talking about. Is it the Canada after 1982 or Canada in 1867?

That said, when you talk about ideological pluralism, I can see a problem. You say there is a discrepancy and that a small party could form government with a larger core. That is what ideological pluralism is. Perhaps that will be what the population chooses so it can have a voice in governance. If a small party represents the people who voted for it and if its election platform is compatible with a bill implemented by the largest party which has the largest vote share, I don't see how this poses a problem mathematically speaking.

Ideological pluralism cannot be reduced to mathematics however. We have to go further. I sympathize with the *Mouvement Démocratie Nouvelle*, but I don't understand why its representative skirted the issue twice with regard to involving the population. In my opinion, for the population to be confident, it must henceforth become a participant in the decision. That way, it could judge what happens over the next four years. This would allow us to break away from partisanship and the aura of experts and insiders.

Mr. Dufresne, you represent the insiders. That works perfectly for our democracy because you will enlighten us. When I'm out on the street and visiting people though, they have no idea what we are doing here. Our mandate is to consult them and not to decide for them. Some experts have said—and this is scarcely an exaggeration—that democracy is too important to be left up to the people.

For my part, I think you should reconsider your position. Even if we are pressed for time, we will not achieve anything and we will remain entrenched in our positions. Electoral reform will not go anywhere if people are not involved, and to get them involved, we have to let them decide.

The Chair: Mr. Dufresne, you have a minute to respond.

Mr. Jean-Sébastien Dufresne: Thank you.

Let me be very clear. We have full confidence in people's judgment and the intelligence of Canadians.

Do you not agree that it is preferable to give people the choice under the best possible conditions and to allow them to weigh the ins and outs of the proposals on the table as best as possible? Do you not agree with that?

Mr. Luc Thériault: Absolutely.

• (1125)

Mr. Jean-Sébastien Dufresne: So you agree with our proposal?

Mr. Luc Thériault: No. The goal is to complete the first phase by December 1. We would continue the whole process in order to agree on a specific model before the people are consulted. People will have the opportunity to decide in the election. This has been done in other countries. People on the ground would have the time to get voters involved. We are not doing this for the insiders or the experts, much less for politicians. It is for the people.

Mr. Jean-Sébastien Dufresne: A citizen jury could be a compromise. I invite you to consider this. It is a type of process that allows random groups of citizens to express their views on these matters. That would fully address your concerns and those of Conservative members.

The Chair: Thank you, Mr. Dufresne.

Let us turn now to Ms. May.

[English]

Ms. Elizabeth May: Thank you, Mr. Chair.

As much as I want to dive into some more questions for Monsieur Dufresne and Professor Maskin, I want to go back to the quality and quantity of data on which we draw conclusions about PR systems versus majoritarianism.

With your permission, Mr. Loewen, I'd love us to have a seminar at U of T someday where I would attempt to persuade you that there's something wrong with a concentration of absolute power with a minority of the vote versus sharing of the vote with majority power, but in my five minutes, I'm not going to do it.

Prof. Peter John Loewen: You are welcome any time at the School of Public Policy and Governance.

Ms. Elizabeth May: I want to make sure, first of all, that I apologize for the confusion I had in the last round when you referred to 10 pages. What apparently happened was that with the font changes, we have six and a half pages. I have in front of me everything you've submitted thus far.

I want to know whether you ran analyses of the 15 countries you looked at over more than one election. Is there more data in your background material?

Prof. Peter John Loewen: No, there's nothing.

In either the case of that table that I compiled for you or the New Zealand case, there are no tests that I've excluded. I just wrote down on a piece of paper before I did my testimony which tests I would do, and I did them.

Ms. Elizabeth May: When you referred to one book, you did not identify it, but I presume from the inferences that this was Professor Lijphart's *Patterns of Democracy*.

Would you agree with me, as an academic, that this one book was a 36-country study with electoral results for every election since the end of World War II, while with regard to table 2 here—obviously this is evidence to the committee, and you did this quickly—this is 15 countries and one election?

Prof. Peter John Loewen: Right.

The point I'm making in that second table is that I'm comparing the 15 countries in the world that have the largest foreign-born populations. I want countries that look like Canada. They're countries of immigrants.

Ms. Elizabeth May: Right, but in—

Prof. Peter John Loewen: Yes, and Mr. Lijphart uses 36 countries.

Ms. Elizabeth May: And elections since the end of World War II.

Prof. Peter John Loewen: Until what year?

Ms. Elizabeth May: The updated book I think takes us into the 2000s. I'll have to double-check.

In this case—and it is very interesting to look at one election only in these countries—I was surprised that you decided that the Australian majority party of the Liberal-National coalition wasn't an anti-immigration party.

For my colleagues in the Green Party of Australia, elections are fought in Australia over immigration policies. The current majority government under first past the post in Australia maintains some of the most horrific conditions for refugees in the settlements on Nauru, but you didn't classify them as anti-immigration.

Prof. Peter John Loewen: No, because they're not opposed—and the definition is very clear in the brief I gave you—to legal immigration.

Now, their politics turn on immigration in a way that we should hope ours never do.

Ms. Elizabeth May: Exactly, and that's why in looking at this, we see that New Zealand, Ireland, and Spain, all with PR, have no factional party opposing immigration, and under PR in Germany and France, which do have some worrying anti-immigration parties, those parties have no seats.

Prof. Peter John Loewen: I don't regard France as a PR country. I regard France as a majoritarian country.

Ms. Elizabeth May: All right, but in Germany, which is clearly MMP, the anti-immigration forces have not attained seats.

Prof. Peter John Loewen: Yes.

Ms. Elizabeth May: What we're really looking at is a worrying thing, which is that in the last elections in the Netherlands, Switzerland, and Austria, the anti-immigration parties have made some gains.

Prof. Peter John Loewen: Yes, and in other countries as well.

Ms. Elizabeth May: In looking at this, I wanted—

Prof. Peter John Loewen: To be sure, those parties are now in government. They're in government.

Ms. Elizabeth May: Yes.

The initial question I had was whether there was more information. I'm gratified to know that we're on the same page. We know we're looking at the quality of data we have. Thank you for taking the time to put together the information on the last election in those countries.

I have some questions from Twitter that I didn't think I have time to get to, but I do want to ask this question. It comes from Ann, in Nelson, and it's to you, Professor Maskin.

How would majoritarian rule reflect diversity of Canadian voices?

• (1130)

Prof. Eric Maskin: It's by giving voters the opportunity to put their favourite candidates, whoever they might be—even someone who has little chance of winning—first on their ballots. Under the current system, if I vote for an unpopular candidate, a candidate who is unlikely to win the seat, I'm in effect throwing away my vote. My voice in favour of that candidate isn't being heard, and so I have a strong incentive to vote for someone else who does have a chance of winning.

Under majority rule or alternative voting, we can see from how people have voted which parties are truly favoured.

Ms. Elizabeth May: I know my time is up, unfortunately.

Thank you.

The Chair: Thank you, Ms. May.

Mr. Aldag is next.

Mr. John Aldag: Professor Maskin, I've gone through your written submission a couple of times. Something that I'm not seeing, and it may be a subtle difference, is the difference between what you call majority rule and alternative voting. You note that majority rule deals with five of the five problems; alternative voting deals with only four of the five.

I'm trying to figure out how nuanced the differences are. Is it a mathematical calculation? Ultimately what I'd like to hear from you is how important the shift is overall from the first past the post system we currently have to something else within a majoritarian system, as opposed to making a dramatic shift into something like proportional representation.

There are three pieces there.

Prof. Eric Maskin: Let's take your first question first.

I think the easiest way to see the difference between alternative voting, which is sometimes called instant runoff voting, and what I was talking about, majority rule, is to use the example that is on the screen.

Mr. John Aldag: I've been looking at that.

Prof. Eric Maskin: As I showed you in that example, candidate B is the majority winner because B beats A by a majority, and B also defeats C by a majority.

However, if we use alternative voting, instant runoff voting, then we'd look only at first-place votes, so 40% vote for A, 35% vote for C, and 25% vote for B, we notice that B, who is actually the true majority winner, is eliminated under alternative voting. That's because under alternative voting, if no candidate gets a majority of first-place votes, you eliminate the candidate who has the fewest first-place votes, and that's B in this case.

This example encapsulates the difference between majority rule and alternative voting.

Mr. John Aldag: I think where it leads me is that there are a number of options or permutations within systems. Are you making that there are enough flaws within the current system that we should look at something else, yet not go so far as to invent a completely new system, such as a proportional system?

Prof. Eric Maskin: Well, proportional representation is not an entirely new system. It's used widely around the world, and very successfully.

Mr. John Aldag: I mean new to Canada.

Prof. Eric Maskin: It would be a much bigger change than moving to alternative voting or majority rule.

Alternative voting, in this example, doesn't work very well, because it eliminates the majority winner, but by and large it's a much better system for capturing the majority will than first past the post. I think either alternative voting or majority rule, or some other similar variant in which voters have the opportunity to express themselves by ranking rather than just voting for a single candidate, would be a considerable improvement over the current first-past-the-post system.

• (1135)

Mr. John Aldag: Thanks.

The other question I wanted to ask you, Professor Maskin, is about legitimacy of process.

I don't know how familiar you are with the process we've designed. It involves various consultations, a national road tour, and online consultations that are open for an extended period of time. We've heard the thoughts on a referendum, and that's one way of lending legitimacy.

From what you've seen of our process, as somebody looking at it from outside, do you have thoughts on things that we're doing that will contribute to the legitimacy of this process and things that you would like to see us add or refine to get there?

Prof. Eric Maskin: I don't feel, as an outsider, that I'm sufficiently expert on that question. I was asked about whether a referendum would be necessary to make this legitimate. I don't have

a well-informed view on that point. I would have to know more about the details of politics in Canada.

Mr. John Aldag: I just wanted to give you the opportunity if you had something beyond referendum, but that's fine.

Thank you.

The Chair: Thank you. Good.

Mr. Richards is next.

Mr. Blake Richards: Professor Maskin, I'll start with a couple of questions for you.

Essentially I see this majority rule that you have up here as really just a.... If I'm not mistaken, it's a different way of counting a ranked ballot, essentially. That is what I see there. I've never seen it before and I've never heard it discussed before, so I'm curious about it.

One of the things that come to mind for me, and maybe I'm mistaken, is a scenario in which you wouldn't be able to determine a winner. There wouldn't be one candidate who would beat all the other candidates in the various head-to-head counting mechanisms, especially if you have seven or eight candidates.

What happens? What is the method to determine a winner in that scenario, when you don't have one who's beaten each of the other candidates in a head-to-head competition?

Prof. Eric Maskin: You're right. There is a possibility that no candidate will emerge as the true majority winner in the sense that the candidate beats each of the other candidates by a majority. This was a possibility recognized by the creator of majority rule, the Marquis de Condorcet, who was an 18th-century philosopher and political theorist who proposed majority rule but noted that it wouldn't always produce a majority winner.

If that should happen, then there would have to be a tiebreaking mechanism. One way to break the tie, perhaps the simplest way, is then to apply first past the post. You wouldn't have to have voters re-vote. You already have their ballots, so you would just take the first-past-the-post winner. There are other tiebreaking methods that could be used as well.

The point I'd like to make, though, is that from what I understand of the Canadian situation, the possibility of not having a majority winner is quite remote. Practically speaking, I believe you would almost always have a true majority winner emerge for each seat.

Mr. Blake Richards: You mentioned a number of municipal examples in one of your previous opportunities. Are you aware of this being used for national elections anywhere?

Prof. Eric Maskin: Where a majority rule is used, or alternate....?

Mr. Blake Richards: Yes, majority rule.

Prof. Eric Maskin: No, majority rule has not yet been used in national elections. Of course, alternative voting has.

Mr. Blake Richards: Sure, yes.

No, that was majority rule specifically. I was pretty certain I was right, but I knew you'd know.

Prof. Eric Maskin: As I was suggesting before, I think an important reason that until fairly recently majority rule, rather than alternative voting, was not on the table is simply that counting ballots under majority rule was somewhat more complicated. You have to look at all pairwise comparisons. With modern computers, that's not a problem, but before modern computers were around, it certainly was.

• (1140)

Mr. Blake Richards: That was certainly one of my questions. I can certainly see that it would take a longer period of time to count ballots.

The other aspect I wanted to address was strategic voting. You mentioned strategic voting and how you see it as a potential solution. We've heard from a number of people who have come before the committee, and I would agree with them, that there isn't any system that really eliminates the idea of strategic voting.

I just wanted to put my thoughts out on strategic voting and strategic acting, and whether the candidates, as you've mentioned, would act strategically based on the choices ahead of them. I don't there's any system that eliminates that, and I wanted to explain how I'd see a voter applying strategic voting to your system and get your comments or your thoughts on it.

For example, if you've decided that you really want to elect candidate A but you definitely don't want to elect candidate B, and you think that's probably the candidate who's the most likely competitor for your candidate.... Actually, pardon me; I should take out that you definitely don't want to elect candidate B. Candidate B actually might be your second choice, but you know they're the competitor for the candidate who's your first choice, which is A. Then you might actually place candidate B as your third choice, even though B may have been your second choice, just to make sure you've created a greater gap between the two.

Would that not be a strategic voting scenario for your type of system?

Prof. Eric Maskin: It would not, because under majority voting the gap between two candidates is irrelevant. If you rank A over B, that's the only datum that matters, and the size of the gap is not taken into account.

Mr. Blake Richards: So under your system it wouldn't make a difference. I guess it would with other types of counting methods, such as for an alternative vote, but not for—

Prof. Eric Maskin: Yes, for alternative voting that kind of consideration is important, because it might determine which candidate gets eliminated first, but for majority rule....

Let me step back. You're right that theoretically there is no voting method that is always immune from strategic voting. In fact, there is a mathematical theorem to that effect. However, it can also be shown mathematically that majority rule is less immune to strategic voting than the others.

The Chair: Thanks very much.

Ms. Romanado is next .

Mrs. Sherry Romanado: Thank you.

I want to comment on something that was brought forward earlier in terms of women in politics. I want to highlight that this side of the table has gender parity on this committee.

Anyway, that said, I want to talk about the other guiding principles that we haven't really talked about today: engagement in the democratic process, accessibility and inclusiveness, integrity, and local representation. We've talked a lot about a voting system that would address some of the distortion, but I'd like to have your recommendations on how we can address some of those other things.

Professor Loewen, you mentioned that there are other tactics that we can be taking. I know you've talked a little about mandatory voting. Could you elaborate?

Prof. Peter John Loewen: I don't want to speak to the normative merits of mandatory voting. I'll only tell you that I think the empirics are relatively clear that it increases voter turnout and that it's not clear that there is a commensurate increase in voter knowledge or engagement in other parts of civil life as a result of being compelled to vote, though I think the empirics on that aren't super clear.

There is a remarkable story in Canada, which is that over the last 15 years Parliament has made real efforts to make voting more accessible by increasing advance days and by being shrewd about where advance polling places are put. I think that's had an important effect and I think it actually put a floor on how low turnout was going to go over the elections since 2000. I think all those things are laudable. I think there are any number of smaller things you could explore that would increase the quality of our democratic experience.

The final thing I'll say is that I think a lot of those criteria are well put and are things that are worth considering, but I don't think most of them are going to help you decide between electoral systems. We're going to have ballot integrity no matter what system we use and we're going to have accessibility to our polling stations no matter what system we use, so any arguments that try to leverage one of those points for one system over another are probably specious. Those are good principles, but I don't think they help you make the big decision that's before you.

Mrs. Sherry Romanado: What about online voting?

Prof. Peter John Loewen: The evidence is unclear to me that it increases turnout very much. That's partly because of the way the evidence gets presented.

Maybe my own opinion is not worth something, but for what it's worth, I quite like strolling down to my polling place and standing in line with other Canadians, and I think there is something to be said for that. That said, it's a pretty small good, so if we can increase turnout by securely increasing online voting, then maybe we should pursue it.

The only qualification is that you can't easily get back people's sense that there is integrity in the electoral system. We've a pretty foolproof system right now for counting votes, for making sure that it's secure. You can imagine an election in which things go a bit pear-shaped with online voting, and in that case the invitation to have distrust in the system and the invitation for political actors to appeal to that may not be worth the risk. On balance, it's not clear to me that it's a solution that doesn't invite more potential problems.

• (1145)

[Translation]

Mrs. Sherry Romanado: Professor Dufresne, do you have any comments on that?

Mr. Jean-Sébastien Dufresne: I would certainly like to be a professor but unfortunately I am not.

As to the principles you mention, our organization does not have a firm position on mandatory voting or online voting and my personal position may not be very helpful to the committee.

I would, however, simply repeat that there are many studies of the systems in other countries. As to what we have heard thus far regarding proportional representation, there are some drawbacks, but they are minor. We do not really have any data pointing to major drawbacks. This can vary from study to study, but the variations are really quite minimal. There are also some positive effects that are minimal. That is the situation.

In our view, there is no great risk in implementing an alternative system and testing it. We have to draw on experience. With due respect to my colleagues, my organization and I believe that we must really build on experience. We have to see which models have been proven effective. This is not something where we can test things out and improvise. Let us take the best practices out there and build on them. As Canadians, we can aspire to a system based on the best practices. The experiences of other countries can help us.

People say that our current system has a lot of strengths, but we must remember that over 85% of industrialized OECD countries have proportional representation. We must also recognize that many countries that are world leaders with thriving economies have a form of proportional representation that we can draw on.

In closing, some people say it would be too great a leap. I would point out that other countries, including New Zealand, have made that leap. Otherwise the message would be sent that Canadians are not able to make that leap. I think Canadians are as good as New Zealanders and can also adapt to another model as long as it is based on best practices.

The Chair: Thank you.

You have the floor, Mr. Cullen.

[English]

Mr. Nathan Cullen: Thank you, Mr. Chair.

Mr. Maskin, the equation is simple: power rests in the people, and they transfer their power in nominal ways, through their vote, to elected representatives.

You said there's no system that allows everybody to have a seat at the government table. I don't think that's necessarily the point, is it?

Is it not the point that everybody should have their vote reflected in Parliament under our system? Right now, if you looked at the last election, nine million votes that Canadians cast at their polling stations are not reflected in our Parliament under the current system. Is that a fair statement?

Prof. Eric Maskin: I think that's a fair statement.

Mr. Nathan Cullen: So no more is that true under your system than in the version proposed by the Prime Minister. How satisfied am I meant to be if my first choice is not reflected in Parliament and my second choice is not reflected in Parliament, but I should be content that my third choice is nominally reflected in Parliament? I'm not sure the experience leaves me feeling all that more content, no more than when a person trying to buy a hybrid ends up with a pickup truck. I did get a vehicle, but I didn't get what I wanted, and I did get to vote, and my vote was partially reflected, but it isn't the vote that I wanted to be reflected, and it wasn't for the policies I wanted or the representation that I wanted.

Why is it so “radical”—the term you used earlier—to suggest that voters should get the vote that they want?

Prof. Eric Maskin: At the risk of repeating myself, let me repeat an answer from before: under proportional representation you may get precisely the MP or the party you most prefer, but that party may have no power.

• (1150)

Mr. Nathan Cullen: Oh, right—but they're still reflected in our legislature, which is a form of—

Prof. Eric Maskin: Yes, they're in a legislature without power.

Mr. Nathan Cullen: I would argue that some of the greatest things that have come about in our legislatures have not originated with those who happened to win government at the time, as is healthy.

I want to go to Professor Loewen for a second.

On the stability question, I heard this from a Liberal colleague. We've gone through the numbers in the OECD, at least, and in developed countries in the world there's virtually no difference since the Second World War in the number of elections that have been held between proportional systems and majoritarian, winner-take-all systems.

Prof. Peter John Loewen: That's not the relevant metric, or rather, that's not the only metric in this case—

Mr. Nathan Cullen: That's not the only metric, but in terms of stability of voters going.... It's suggested that if we go to a proportional system, we're going to have to vote again and again and that governments will fall all the time. In terms of the voter experience, you cast a ballot for a set of policies that you hope for, and some of them end up in opposition and some of them end up in government. We go on. There is no great instability in terms of the voters' experience and having to go to the polls over and over again. In fact, in the developed world's experience, according to the OECD, which I trust, under proportional systems there has been slightly more stability.

Prof. Peter John Loewen: Sure. My claim is not that there are more elections under PR. I've never said anything of the sort. My claim is that there are more changes in government because there—

Mr. Nathan Cullen: Right.

Prof. Peter John Loewen: Hold on. Excuse me; sorry. It's because there are more—

Mr. Nathan Cullen: I was agreeing with you. It's weird to get interrupted.

Prof. Peter John Loewen: Okay. Isn't that nice?

Mr. Nathan Cullen: Yes.

Prof. Peter John Loewen: It's because there are frequent negotiations. It's not that you're changing governments every six months, but there are more frequent negotiations.

The result is the following. You can have a change in government in essentially in three ways. You can have an election that changes the composition of Parliament under government reforms, or you can change a leader, the head of a coalition, or you can change the parties that comprise a coalition. Especially that third type of government change is one in which you inevitably get more distortion between what voters voted for and the policies that result, because you end up having policy bargains that weren't in the discussion in an election, but instead are the backroom negotiations among parties to try to cobble together another government.

All I'm saying is—

Mr. Nathan Cullen: Allow me to interrupt—

Prof. Peter John Loewen: —that this is the empirical regularity. Now, whether you think that's normatively desirable, again I'm open to it, but it doesn't suggest to me a system of stability; it suggests a system of constant bargaining.

Mr. Nathan Cullen: You would not suggest that the previous government we just had was not internally a coalition of sorts, or that the Mulroney government of the past was a coalition of nominal federalists in Quebec who turned out not to be so federalist in the end —

Prof. Peter John Loewen: Not at all. I concur—

Mr. Nathan Cullen: It's the idea that somehow the open negotiation between parties, in that we seek to form a coalition with X, is somehow worse than the real behind-the-scenes coalitions that have happened within the two large parties in Canada since Confederation.

I guess my question is for the voters who are simply looking to have policies promulgated that they wish for. To have that choice and to see that choice represented as a voice in Parliament is what proportional systems seek to do.

I wondered if you could help us with Professor Maskin's earlier comment that proportional systems don't allow a link between voters and direct representation. Under pure proportional, that is maybe the case, but no one's suggested that.

Prof. Peter John Loewen: I think the trouble, Mr. Cullen, is that you're conflating two things. You're conflating the composition of Parliament and then the composition of government and the policy that results.

It is true that if we have a PR system, we'll have a composition of Parliament that more accurately reflects the party preferences of voters. That's a normatively good thing. I take no issue with it at all. The principle of good is another issue.

But then governments are formed. The point is that it can be a single-party government, as is now the norm in New Zealand, or it could be a coalition.

By the way, since New Zealand changed to MMP, it's now a single party that typically rules. They don't even have supply motions supporting them anymore, so that's worth noting.

The point is that the policy output is something else entirely. That's a debate in the academic literature, on which I think the evidence is actually relatively muddled, about whether the policy that comes out of government is closer to the preferences of voters under PR or first past the post. The principal reason in majoritarian countries is that single parties can move to the policy median swiftly, but they're not able to when they're bound by coalition agreements.

Mr. Nathan Cullen: But our experience in this country has been that in those minority governments—

The Chair: Mr. Cullen, we're at six and a half minutes.

Mr. Nathan Cullen: —we've produced some of our most progressive and enduring legislation.

The Chair: Mr. Cullen, we're at six and a half minutes. I let it go because it was really fascinating—

Mr. Nathan Cullen: Sure.

The Chair: —and I thought it was very enlightening for the committee and its report, but we'll go to Mr. Rayes now, please.

• (1155)

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

Mr. Dufresne, I have another question for you.

You visit New Zealand regularly. You have said that many people from various organizations in your circle are calling for proportional representation. What you forgot to say, however, is that New Zealand did in fact hold a referendum first to legitimize the process and the change in the voting system that was implemented.

Do we agree on that?

Mr. Jean-Sébastien Dufresne: Absolutely.

Mr. Alain Rayes: You said earlier that we should test out a voting system and then, I assume, ask citizens for their opinion after two or three elections. Is that what you are proposing?

Mr. Jean-Sébastien Dufresne: It is a combination of various elements, but yes, that is partly what I am proposing.

Mr. Alain Rayes: In short, your proposal to the committee is to hold a referendum after two elections to ask the people if they want to keep the new voting method or return to the current system, a first past the post system.

Mr. Jean-Sébastien Dufresne: Yes, exactly.

Mr. Alain Rayes: Why should the committee study the voting method you are proposing any further? We have heard solid arguments from experts who have given us references and examples. They have stated that no voting system is perfect. Should we try out a new system? Should we not instead get the public's go-ahead before we change the voting method?

Mr. Jean-Sébastien Dufresne: You are perfectly right. Once again, we believe that the question must be put to the people.

As I said earlier, there is a combination of elements to be considered. I think we can agree on one thing. You seem to feel strongly about the public making an informed choice and that it should not be up to MPs only. That is a very important to us as well. It seems clear that we agree on that. We want to see what the best way of doing that would be.

In New Zealand, a certain approach was taken. In Japan, it was a different approach. Different approaches have been used in various places. As many people have said, the reality in Canada is different. In that case, why not have a different process?

In our opinion, the best way would be to fully involve citizens in the decision. We think that the idea of creating citizen juries could come out of the committee's work. Citizens could be chosen randomly to examine the committee's recommendations. This would provide some objective information.

People have often said that there could be different outcomes to a referendum.

Mr. Alain Rayes: That's right, in favour of the people. In favour of the people.

Mr. Jean-Sébastien Dufresne: It could depend on how the question is phrased. A citizen jury that evaluates the situation objectively...

Mr. Alain Rayes: Can you give us an example of a country that changed its voting method based on a jury system? Can you name one?

Mr. Jean-Sébastien Dufresne: We are looking for a Canadian way of doing things. In Canada, that could be a way of ensuring that the decision is not solely in the hands of MPs, which is a concern; the final decision should be up to voters, which is also your concern. We are looking for some kind of arbitration.

Mr. Alain Rayes: Is there any country in the world that has changed its voting method based on that kind of consultation system?

Mr. Jean-Sébastien Dufresne: I don't know any place where that combination has been used.

Mr. Alain Rayes: In short, you would like us to use that combination to change the fundamental aspect of our democracy instead of consulting the entire population. I would like to highlight the following from all the surveys that have been conducted.

You say your organization wants to conduct consultations in order to gather public input and foster civic participation. More than 60% of Quebec's population and more than 70% of Canada's population are in favour of a referendum on whether or not we should change our voting system.

Mr. Jean-Sébastien Dufresne: We are in favour of that.

Mr. Alain Rayes: If you really want to achieve your objectives, why don't you advocate for something that has been proven elsewhere instead of your approach to something that is so fundamental?

Mr. Jean-Sébastien Dufresne: The real question is what do we have to fear. Are we afraid of letting citizens try it?

Mr. Alain Rayes: Why are we afraid of trusting citizens after properly informing them and after the committee has completed its work? Why not give them the chance to express their views? We are not in California where there is a steady stream of referendums. To my knowledge, there have not been a lot of referendums in Canada. Why are we afraid of that? If you are confident that the system you have just proposed is sound, why are you afraid to ask citizens that question?

• (1200)

Mr. Jean-Sébastien Dufresne: They have to be asked the question under the best possible conditions. We are looking for the best way to proceed.

Mr. Alain Rayes: Yes, we should have the resources. Let us recommend that the committee give the government the resources to do the necessary outreach. Let the public decide after that. If one party believes in it, it will advocate for it as well.

The Chair: Thank you.

To end this round of questions, I will give the floor to Mr. DeCoursey.

[English]

Mr. Matt DeCoursey: Professor Loewen, I want to return to the six-and-a-half-minute conversation that was taking place around the importance of political parties and the way that they collect or coalesce around certain ideas, and the value that we place on platforms and on visions for the country.

In your mind, what value does our current political culture place upon the ability of parties to coalesce, to collect around ideas, and to present those to the electorate?

Second, what system or systems may reflect that value, and should that be something of importance that we should present to Canadians as we engage them in this conversation?

Prof. Peter John Loewen: It's a very good question.

My sense is that what keeps every country going is different, so it doesn't always help to look at other countries. When I look at Canada in particular, what I see is that parties that have aspired to power have been forced to reconcile themselves to the fact that we're a large, diverse, complicated country. They've had to often put some water in their wine and figure out, from a pragmatic perspective, how they present a platform to Canadians that speaks to often-competing interests in different places. That's very difficult, and we've seen parties blow up as a result of being unable to deal with those coalitional demands, in some sense, or those brokerage demands, but I think it is a method that has plainly worked in our country, and we are an improbable country that has continued to have an uninterrupted turn of elections since 1867.

By the way, there are other countries in the world that we esteem as democracies that are regularly revisiting their electoral institutions because they couldn't find a formula that worked. France now is onto its fifth broadly constituted constitutional system as a democracy because it couldn't make the other four work. The fact that we've been able to make it work in a complicated country suggests to me that we've done something right.

I think our parties have played a role in that. I think our electoral system has played a special role in that, and that's generally why I'm a bit reluctant to recommend change. It's exactly the same reason that I wouldn't go to the Germans and say, "I really think you ought to change your MMP system to first past the post." I think MMP works in Germany. It works for their unique political circumstances.

Mr. Matt DeCoursey: That's a fair enough comment.

I am citing an article that you opined on in April around the differences between coalition or consensus-building taking place in order to develop a platform versus the coalescing and the collecting of ideas taking place behind doors. You talked about different systems valuing one set of coalition versus the other, and perhaps either status quo, AV, or STV forcing political parties and political actors to work together out in front of people before the platform is set, versus an MMP or a pure PR system forcing backroom negotiation to take place.

Do you think there are modifications that we should consider that will help enhance consensus-building, help enhance finding common ground with and on behalf of Canadians?

Prof. Peter John Loewen: The degree to which you find common ground is a normative question. Parties divide people—they always have—and there is a model in which we say we want a democracy in which a smallish number of parties compete for power on relatively clear platforms and with a leader at the head. They are then put into Parliament, and they're given, often, extraordinary power to implement those policies, and then those policies are judged by the voters.

Mr. Cullen is certainly right, for example, that we've had good policy, even bold policy, in minority governments, but we've also had majority governments that have been able to move to the centre and have been able to take on pretty bold policies, knowing that they would have enough time to then put them before the electors.

I think about Mr. Mulroney and the HST, and free trade, which he put before the electors. I think about Mr. Chrétien's deficit-cutting

policies through the 1990s, which required political courage, certainly.

My sense is that we have seen minority situations in which we've had good government and we have seen majority situations in which we've had good government. We don't have a lack of political courage or change in this country. In fact, our parties have often almost drastically changed direction. Whether that is normatively good or not is another thing you have to decide on.

What's clear in all of this is that we've created a system that has incentives for parties to build broad coalitions before elections. By my reading, it's held together a country that's relatively improbable.

• (1205)

The Chair: Thank you.

This has been extremely insightful. We've had some good debate around new and existing ideas.

I don't take this opportunity very often, but I have one question for Dr. Maskin. It wasn't the principal point of your presentation—I understand that—but it's been working on my mind these last two hours.

You said that under the current system of first past the post, some people feel discouraged from running because they don't want to split the vote. I can see that readily in a U.S. primary system in the case of intra-party competition, in which someone says, "Look, I'm not going to run to become a presidential nominee because I don't want to split the vote and then the front-runner who's acceptable to me won't get in," but I see that more as an issue of party power brokers applying pressure on a candidate who has a personal interest in being on the correct side of that party for long-term reasons. I can see it applying when the operating principle is sort of Sam Rayburn's famous saying, "If you want to get along, go along", but when it comes to people in a riding deciding whether they want to run for a party or not, my gut sense tells me their decision not to run is not because they don't want to upset their ideological cousin; most likely it's because they think they can't win. I've seen election campaigns, and this is counterintuitive, in which one candidate really goes hard after their ideological cousin.

Is there empirical evidence around this idea that first past the post causes people to think twice about running because they don't want to split the vote?

Prof. Eric Maskin: There is such evidence. The U.K. provides some interesting examples on that point.

You may remember that in the early eighties a new party, the SDP, arose in Britain. It was basically Labour Party members on the right and Liberal Party members who thought that they could rewrite the electoral map in Britain by joining this new party.

In the first election, Labour and the SDP split the vote on the left, and the Conservative Party, which had only about 40% of the popular vote, got a huge majority in Parliament. In the next general election the SDP decided to not even send candidates to certain electoral constituencies precisely because they were worried that the same thing would happen again.

There have been many examples in Britain.

The Chair: I understand your example. It seems to me we're talking at the power broker level.

I can see that if two parties, whether it be the Conservatives or the Reform Party, decide that's enough of—

Prof. Eric Maskin: It has the effect of reducing the set of political options for voters, and also the set of political ideas that are out there.

The Chair: Yes.

Prof. Eric Maskin: It may arise out of power broking, but it also has muting effects on—

• (1210)

The Chair: What I'm saying is that at the individual riding level, where there's no decision by the top brass in any party to not run

candidates, it's not clear to me yet that somebody would say they would not run for the Green Party because they want to make sure that the NDP wins, if that's the scenario. I don't know if that's the case, but I take your point about higher levels making strategic decisions not to split the vote.

Thank you for your fascinating testimony. All of you have brought a lot of original thinking to this committee.

[*Translation*]

Thank you very much.

I would like to remind the committee members that there will be another meeting at 2 p.m. this afternoon. We will not be in this room, but in room C-110 of the Wellington Building.

Thank you.

[*English*]

Thank you, everybody.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 019 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, August 30, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Tuesday, August 30, 2016

• (1400)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):
Hello, dear colleagues. Welcome to our meeting this afternoon.

We have three new witnesses. First, we have Mr. Louis Massicotte with us here. Ms. Melanee Thomas will be joining us by video conference from Calgary. We also have with us Ms. Katelynn Northam.

To begin, I will provide some biographical information about the witnesses.

Mr. Louis Massicotte is a professor in the political science department at Laval University. He is the first person to hold the Research Chair in Democracy and Parliamentary Institutions, which he held until January 2011. Professor Massicotte appeared before the Standing Committee on Procedure and House Affairs in 2001, providing testimony about seat distribution. He has actively participated in the democratic development of over a dozen countries, most of them in French-speaking Africa.

Welcome, Professor Massicotte.

[English]

Melanee Thomas is an assistant professor of political science at the University of Calgary. Prior to this, she was the Skelton-Clark post-doctoral fellow in Canadian affairs in the Department of Political Science at Queen's University. Dr. Thomas' focus is on political attitudes and behaviour, elections, and public opinion in Canada, with special emphasis on the effects that gender and policy have on these topics. Many of her current projects are funded by the Social Sciences and Humanities Research Council.

Dr. Thomas is widely published, with some of her most recent works including a co-authored book chapter entitled "Women (Not) in Politics: Women's Electoral Participation", a co-authored book entitled *Mothers and Others: The Impact of Parenthood on Politics*, and a journal article entitled "Barriers to Women's Political Participation in Canada".

Welcome, Professor Thomas, from Calgary.

Last but not least, we have with us Katelynn Northam, who is a campaigner and organizer of electoral reform at leadnow.ca, a website dedicated to engaging and organizing Canadians on issues of national interest and concern. Ms. Northam has a master's degree in political science, with a focus on local government, youth engagement, and public policy, from Dalhousie University. She has participated as a youth advisory group member at the Canadian

Commission for UNESCO, in addition to providing assistance and leadership with the Springtide Collective, which focuses on political renewal initiatives, and the Vote Smart Nova Scotia website, among other similar issues.

Welcome, everyone.

Each panellist will have 10 minutes to present, and then that will be followed by two rounds of questions.

• (1405)

[Translation]

During each round of questions, each MP will have the opportunity to engage with the witnesses for five minutes. Once again, the five-minute question period includes both the questions and the answers. If the five minutes are up and you have not had time to reply or give a complete answer, you may continue the next time it is your turn to speak.

Professor Massicotte, please go ahead.

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

[English]

Ladies and gentlemen, members of the committee, good afternoon.

[Translation]

I have published a book and several scholarly articles on electoral systems. When I worked for the Library of Parliament, here on the Hill, in 1983 and 1984, we were talking about implementing a proportional representation system to elect senators directly. As you can see, my interest in electoral reform is longstanding.

In the past 25 years, I have appeared numerous times before federal parliamentary committees and, as the chair indicated, also before special committees of Quebec's National Assembly.

From 2003 to 2005, the Quebec government required my professional services in connection with electoral reform, and my work influenced the design of the voting system set out in the government's draft bill.

I also served as secretary to the electoral systems committee of the International Political Science Association, and on the board of the Canadian Study of Parliament Group.

Finally, I would say in general that I am more of an electoral engineer than an advocate of the cause, in that I am used to analyzing electoral systems and their operational details, looking at all the methods available, and identifying their political consequences, all with a view to clarifying the political choices to be made by those with the mandate to make them.

[*English*]

I should have said I will make my presentation in French, but I am able to make an audible noise in this country's other official language, and I'll try to answer your questions in the language in which they are asked.

[*Translation*]

Rather than dwelling on the highly political issues of which system is best or what method should be used to make that choice, I will focus on the system that I know the best, the mixed-member proportional system, or MMP. It is the system in Germany and New Zealand, for instance. This system seeks to offer the best of both worlds, although it cannot please everyone simply because no system can do that.

Introducing MMP would have the following implications. I have identified 13, but there are certainly more.

First and foremost, because it is a proportional system, it would of course radically change the way politics works in Canada. It would make it very unlikely for a single party to win a majority in Parliament. I think governing coalitions will become increasingly inevitable. In Canada, as you know, we do not have a coalition culture. Coalitions are not viewed favourably by the political class and by part of the public. Political actors will probably adapt, but that adjustment will not necessarily be easy.

Second, introducing proportional representation will require painful adjustments in the established political parties, and strong resistance among your colleagues can be expected. To give you an example, a party that currently holds five out of five seats in a region would no longer win five out of five seats under a proportional system, but perhaps only two or three. For the five MPs in those seats, supporting electoral reform is almost an existential question because some of them will be left out, which will make the whole group rather nervous.

Third, designing the system will be very challenging, not only because it entails combining a proportional system with all its complexities, but also in terms of reconciling a majority system with a proportional system.

Someone has described it as the Mercedes of systems. That is a lovely metaphor, not only for geographical reasons, since the system originates in Germany, but for car lovers, it is so fitting.

Fourth, in Germany, Scotland and Wales, MMP was introduced in a vacuum, from scratch. That is often overlooked but I think it worth mentioning. At that time, there was no elected parliament. So the system was entirely new. This made for an easier transition, simply because those making the decision had no vested interest.

New Zealand—and this is important—is the only place, to my knowledge, where the system replaced a legislative assembly entirely made up of MPs elected as the sole representative in each

riding. As you know, the system in New Zealand was not freely chosen by parliamentarians. It was imposed by referendums and parliament had to submit to the will of the people.

Fifth, MMP would be implemented in Canada where there are currently 338 MPs elected in 338 ridings. The total number of MPs to be elected will have to be decided, since there are two sets of representatives in this system.

Here are two scenarios.

Let us assume that the total number of MPs remains unchanged at 338. In order to make room for the list MPs, the number of ridings would have to be reduced to 160 or 200. As a result, none or almost none of the current ridings would be untouched by the redistribution. Almost every MP would have to accept that new voters would be added to their riding who might or might not support them; above all, they would have to accept that they would be representing much larger ridings in the future than what they currently represent.

Now another scenario.

To avoid these difficulties, you could decide to keep all 338 ridings as they currently are and to expand Parliament to make room for the list MPs. Depending on the ratio you choose, there would be 400 or 500 MPs. Without questioning the salesmanship of committee members, I don't think it would be easy to sell that to Canadians.

Moreover, the role and status of MPs will have to be defined. As you will note, reform proposals do not typically say much about that. They simply say that list MPs will help make Parliament more representative of parties' real strength, which is undeniable, and also more representative of demographic realities since there will be more women and aboriginal members, which is quite likely.

What is never spelled out since there is some uncertainty is exactly what the list MPs would do. Having studied various countries that have MMP, I can honestly say that there is no definite answer because it is not the same in every country. To simplify, I would say there are two different scenarios. The first scenario is the way it is in Germany, which is the same as in New Zealand. The second scenario is the way it is in Wales. Scotland is somewhere between those two.

The German scenario is preferable, in my view. The members are all equal in law because they represent the people as whole rather than a specific riding or party. There are not two classes of members, either in law or in fact. Some members are elected by different procedures, but they all have the same salary, the same status, and equal opportunities to join the council of ministers.

I will have to cut this short so as not to go over the allotted time.

The other possible scenario is the way things work in Wales, which is just the opposite. In Wales, a list member has virtually no chance of joining the council of ministers. Over the years, list members have truly become second-class members because the riding members refuse to accept them as equals. The seat assignment in Parliament is a real caricature: they are all relegated to the back benches, as though they were less important, so to speak.

I will now move on to the issue of lists.

Compensatory seats are based on the lists prepared by the parties. Nearly everywhere this system is in place, they are closed lists and people are elected based on their order on the lists. It is possible to have open lists where voters can change the election order decided by the party. I have noted that a number of you have expressed support for this. I could tell you about the implications of this system. Some are very attractive, while others, which you may not be familiar with, might be less appealing.

Double candidacy has been raised and will have to be considered. Under MMP, it is usually possible for a candidate to stand for a riding and to be on a list, for a very simple reason: the more successful a party is in a riding, the fewer names it has on the list. As a result, it is better to try both avenues because when members declare their candidacy, the final outcome is not known. That is the beauty of democracy. Otherwise, if you think you will be very successful and run in a riding, but things change and you are defeated in the riding, you have lost the security that the list affords.

I must simply point out—as you have been told—that double candidacy is perfectly legitimate, although it will meet with a great deal of resistance among the public and among MPs. Mr. Benoit Pelletier also spoke about this.

• (1415)

The Chair: Mr. Massicotte, have you nearly finished?

Prof. Louis Massicotte: Just another 10 seconds or so.

In conclusion, since this is a federal parliament, the compensatory seats will have to be allocated by province. Otherwise, a national list is not realistic.

In answering your questions, I can tell you about other technical aspects, such as “overhang”, or *überhang* in German, representation thresholds, the open party lists that I mentioned, and provincial or national lists.

Thank you for your patience.

The Chair: Thank you, Professor Massicotte.

[English]

We'll go now to Professor Thomas of Calgary, for 10 minutes, please.

Professor Melanee Thomas (Assistant Professor, Department of Political Science, University of Calgary, As an Individual): Good afternoon. Thank you for the invitation to present.

I am coming to you today as an expert in gender representation and politics as well as an expert in Canadian politics. Broadly

speaking, there are four points I would like to convey to the committee.

First, there are arguably many good reasons that we might want to introduce proportionality into our existing federal electoral institutions. Many of my colleagues have already spoken directly to this point, so while I am happy to answer questions on that, I am going to restrict the bulk of my comments to other things.

Second, my professional interpretation of the current Canadian political context is such that I can't help but conclude that introducing more proportionality into our electoral institutions on its own will probably not meaningfully increase representational diversity in Canadian politics. By representational diversity I mean the representation of women, the representation of visible minorities, and the representation of indigenous peoples as defined by the Canadian Constitution.

Every single one of these groups is present in electoral institutions at a rate that is so much lower than their demographic weight that they would be better represented if we populated our electoral institutions by random chance. That this reality exists means there are powerful, informal barriers that work to keep women out of politics, people who are not white out of politics, and people who are indigenous out of politics. Simply changing the electoral system is not going to address any of these informal barriers that are in place. I think we actually do ourselves a disservice by suggesting that simply increasing proportionality actually does anything meaningful for these informal barriers.

Third, there is some evidence linking proportional representation to increased diversity and representation. I'll outline this evidence in a moment if I have time, but I will also outline why arguably it won't work in the Canadian case.

There is absolutely no evidence, or very little evidence, to support three things. First, there is no evidence to suggest that changing the electoral system leads to a corresponding change in the diversity of elected representatives. This is New Zealand's experience. There is no evidence to suggest that a preferential ballot—that is, the alternative vote, mandatory voting, or online voting—will have any effect on representational diversity. To be frank, my fear is that by focusing on such processes as preferential ballots, mandatory voting, and online voting, the committee is not committed to or especially interested in addressing our representational diversity shortfalls in a serious manner.

Fourth, and I think the point I want to make most forcefully, there is simply no good reason now that we cannot have a House of Commons that adequately represents the Canadian public closely. By that I mean that it would be 50% women, about 20% visible minorities, and at least 5% indigenous. When I say that, I also want to cue that in 1996 the Royal Commission on Aboriginal Peoples suggested that indigenous Canadians ought to have their own Parliament. I would defer to that particular recommendation on that point.

To be frank, to suggest that somehow historically under-represented groups or groups that have been told in the past that they shouldn't participate in politics—this would be women, visible minorities, and indigenous peoples, again—somehow need proportional representation or need some kind of major institutional change to have representational fairness is deeply problematic.

When we talk about proportional representation, there are a few reasons that people seem to think that PR leads to better representation for such groups as women, minorities, and indigenous peoples.

One is that people just make an ecological fallacy. They look at places like Sweden, they look at Scandinavia, and they look at places that have a different electoral system, and they say overall those systems tend to elect more women, which means that if we had one of those systems we would elect more women too. This is asking the wrong question, essentially, because these are systems that haven't actually changed the system; they have different norms, and so on and so forth.

Another of the reasons that people say women do better under PR is that there are more political parties to choose from. The idea is that if you have more parties, you have more access points for historically under-represented groups. The difficulty with this argument in the Canadian case is that Canada has always had more political parties at the federal level than our electoral system would predict. Given our electoral system, we really ought to only have two parties, similar to what the Americans have. You don't need to know much about Canada's political history to know that we've always had more. I don't think this is an issue of not having enough access points or not having enough political parties to choose from.

• (1420)

Second, one of the arguments that is made is that in proportional systems, or in more proportional systems, there is usually a party that acts as a contagion. This is usually a smaller party, it's typically left-leaning, and it typically starts making its candidates' slate more diverse and more representative of the population. Once that small party does that, one of the things we see in places like Norway is that larger parties follow suit. It's that small party acting as a contagion that brings the larger parties that elect more representatives online with more women, more minorities, and so on and so forth.

This was studied a long time ago in Canada. There is a party that has had a nomination policy on the books since 1984 for gender parity in representation, and for ethnicity and indigeneity in representation as well. This is the NDP.

Because this nomination policy has been present for a while, we can say with confidence that there is no evidence to suggest that having one party in the system that's committed to representational diversity and equity does anything to any of the other parties, so there is no evidence to suggest that this contagion that we see in proportional systems would transfer over to the Canadian case, because thus far it hasn't.

The other thing that's unfortunate to note is that there is no evidence to suggest that parties that actually make a step to increase their representational diversity actually stay there. I don't want to necessarily call out every party, but in this particular case—the one

case I can't help but comment on—it is the Conservative Party of Canada between 2006 and 2008. There was a considerable increase in the number of women who were nominated in 2008 for the Conservatives, and it seems as though that was deliberate, but this hasn't helped: in the most recent election, the number nominated for that particular party fell back below 20%.

We can make these representational gains, but in the Canadian case, one of the things that's clear is that there is no reason to expect that we will actually keep them and no reason to expect that it will change if we change the electoral formula.

A third reason that people say proportional representation is good for women and for diversity is that proportional representation facilitates the introduction of quota systems, or one of the things that is said is that our particular system—single-member plurality—makes applying a quota difficult. I'm happy to speak to this point in greater detail in the question-and-answer period, but based on a survey from spring 2016—so if there had been an election this summer, it might have changed things, though I doubt it—there is no reason to suggest that a proportional system with a quota does any better than a proportional system without a quota.

The one system that seems to actually do well with quotas and does best with quotas happens to be ours. The difference between a voluntary party quota and a single-member plurality system for women's representation is considerable, compared to our system without voluntary party quotas, but quotas in other systems don't necessarily move the marker very much at all.

I would like to speak to New Zealand, and I hope somebody asks me that in the question-and-answer period because I think their experience is illustrative.

What I want to finish on, though, is what it means for us to have representational equity now.

In the 2015 federal election there were three political parties that at one point were at the top of the polls, so I'm using three parties that could conceivably win a majority of seats in the Canadian system as my reference point.

Any political party that's fielding 338 candidates simply needs to recruit 169 women from coast to coast to coast to run a candidate slate that is gender balanced. I would challenge anybody to convince me that those 169 women don't exist at any point on the ideological spectrum, because I am deeply skeptical of that. That means those three parties would simply need to recruit 507 women across three political parties from coast to coast to coast.

The question that has to be asked is why this isn't happening now. If it sounds ludicrous to suggest that we somehow can't find those 507 women, it gets worse for other historically under-represented groups. In the case of visible minorities, I understand visible minorities are a very diverse bunch of Canadians, but if you just wanted to find candidates who are not white and are not indigenous, a party would simply need to find 68 to run a representative slate of candidates who roughly match the Canadian population. This is 203 across Canada for three major parties.

As I said, I would never suggest that indigenous Canadians ought to be satisfied with only 4% to 5% of the House of Commons when the Royal Commission on Aboriginal Peoples recommended their having their own parliament, but the one thing I would say is that if we're talking 4% to 5%, this would be 15 candidates out of 338. Why we can't find them I don't know. That's a mere 45 across three political parties.

• (1425)

I can't help but conclude that to suggest a change in electoral systems is needed to give women, Canadians who aren't white, and indigenous Canadians anything close to representational fairness—to suggest that we need electoral system reform for that—is giving the people who are recruiting candidates a pass.

The one thing I should be very clear about as well is that we have no evidence to suggest that voters discriminate against candidates on the grounds of gender or race. There's simply no evidence in the aggregate at the voter level for that, which suggests that those informal barriers that are really powerful happen somewhere else in the political process.

I don't think that political parties, the institution that's doing most of this recruitment, deserve a pass on this particular front.

I will conclude again by saying that the suggestion that Canadian women, Canadians who are not white, and indigenous Canadians need major institutional reform to achieve representation in anything close to fair numbers is completely indefensible from my professional point of view. As a Canadian woman, I find that assertion deeply troubling and borderline offensive.

Thank you.

The Chair: We'll go now to Ms. Northam, please.

Ms. Katelynn Northam (Campaigner-Electoral Reform, Leadnow.ca): Thank you to the committee for inviting me to be here today and for taking your summer to work on this important and challenging issue.

I'm the campaign lead for electoral reform at an organization called Leadnow. We represent hundreds of thousands of Canadians from coast to coast to coast, and about 19,000 of our members live in one of your ridings. What our members have in common is that they want Canada to have a fair economy, a safe climate, and an open democracy.

Leadnow is a fundamentally member-driven organization, which is to say that we always start from what our community thinks is important and then we work to bring their voices to the people with the power to make an impact on those issues. I'm here today to do just that. I'm not speaking on my behalf; I'm speaking on behalf of the thousands of people who think it's absolutely vital that Canada replace our broken first-past-the-post voting system with some form of proportional representation.

To put together this presentation, we surveyed our community to make sure we were representing them accurately. Nearly 10,000 people responded within 48 hours to our call for input. They wanted us to share some key messages with you today.

I wanted to start by reminding us all what it is that we're solving.

The Leadnow community strongly believes that our first-past-the-post voting system is broken. It does not allow people to adequately and fairly express their preferences, and that, in turn, takes away power and choice from the voter.

It makes elections a game of riding-by-riding math and strategy. This is an issue that impacts our relationship with democracy. It impacts one of our most basic rights as Canadian citizens, and it shapes our relationship with our elected officials. It makes it difficult for people to accurately and fairly express what they really want at election time.

The fact that millions of people at each election cannot effectively exercise that right is not something to be taken lightly. It's not an unfortunate side effect, and it's something that affected nine million people in the last election.

Canada is, quite simply, behind the times when it comes to having a modern voting system. We're one of the few OECD countries that still use first past the post, and we are the only OECD country that uses it at all three levels of government. We are outliers, and we're using a fundamentally unfair and unjust way to run elections, and that needs to change.

As a little context, Leadnow's involvement in democratic reform didn't start with the election of this new government. We've been working hard to improve Canadian democracy since our founding in 2011. Over the years, we've held hundreds of events, meetings, and consultations where the topic of electoral reform has come up time and again. We've made thousands of phone calls, we've knocked on thousands of doors, and we've stood in the snow and canvassed until our pens froze. We were all waiting for this moment when we would have an opportunity for change.

Our campaign for proportional representation is called Vote Better, and so far over 24,000 people have signed on in support. About a third of those people have come from volunteers going to festivals, going out to street corners, and talking to people on their doorsteps, listening to their stories about why we need a fairer voting system.

The reason we've done this is simple. Our community believes, as I know everyone in this room also agrees, that having an open and transparent democracy is absolutely foundational to moving forward and addressing the really big, pressing issues of our time. We need a democracy that's fair, inclusive, and collaborative.

Some of you might be aware that we have, in the past, also run a strategic voting campaign, and that in the election before that, we advocated for inter-party co-operation. We did so because our community was frustrated by the distorted results produced by first past the post.

Our preference would be that people would not have to work around the pitfalls of first past the post in order to express what they want. Strategic voting, as you know, happens when voters vote for who they think can win instead of who they might truly want. It happens when people are afraid to vote for their first choice lest it split the vote and empower their least favourite choice. Canadians have been doing it for a long time. Without good local information, they're often guessing at what the most strategic choice actually is. Expressing their true preferences and seeing that preference reflected in an outcome should not require strategy or access to polling information.

We believe this frustration with first past the post is commonly felt. I personally have spent a lot of time going door to door for both our election campaign and this campaign in various ridings around Ontario, although my colleagues have done so in other provinces, including Manitoba, B.C., and the Maritimes. I did not encounter very many people who were unfamiliar with the tough choices that first past the post forces them to make: should they vote with their hearts and accept that it may split the vote in their riding, should they vote for the candidate they think is most likely to win, or should they just not bother to vote at all because the conclusion seems forgone?

• (1430)

We know that first past the post can lead to big changes in the power structure of Parliament, even when the popular vote doesn't change very much. You see situations in which parties increase their share of the popular vote only moderately, a couple of percentage of points, but actually make huge gains in seat count due to how those votes are concentrated in key ridings. This can have the impact of propelling parties into majority governments without a majority of the vote, as we know, which we know can also give a party a tremendous amount of power. It also means that voters in those key swing ridings may get more attention than voters in the safe ridings. These are symptoms of a broken voting system in action.

Democracy is not a finished product, but something that we have to constantly refine. Fortunately, one of the things we have going for us in Canada is that we're a country full of people who really believe in democracy. Leadnow is a community full of those people, and this room is full of such people. The question, then, becomes what to do as the next step.

When asked this question, the Leadnow community overwhelmingly told us that they want to see PR replace first past the post, with 85% saying it was their preference, because it's the only way to address the fundamental flaws with first past the post.

We prepared a brief—which I don't believe you have in front of you today, but which you will have shortly—that presents more detailed reasons for our preference for PR. I believe many of the other experts who have been before this panel have already summarized many of PR's benefits, but we'll summarize a couple of the things that we think are most important.

First, it's fundamentally more fair. First past the post is what's known as a winner-take-all system. It gives the people who did not vote for the winner no voice. It also creates wild distortions in seat count, to the point where governments often receive majorities without a majority of the popular vote. In contrast, PR would make every vote count and give voters greater choice, without having to

resort to strategic voting. Whether you're a Conservative in downtown Toronto or an NDP voter in rural Manitoba, you deserve to have your voice heard.

Second, it is more inclusive. We have seen some evidence that it is more diverse, although I appreciated Professor Thomas' comments on that today. We feel that it would help to prevent parties from focusing only on the regions of the country that are seen as winnable and instead produce policy that considers the entire country.

Third, it's collaborative. It would make politics less of a zero-sum game and force parties to work together across party lines to address those big issues. Our community has told us that they're tired of adversarial politics and they want governments to take the time to compromise and craft solutions that will stand the test of time, rather than spending their time undoing or amending previous policy decisions by previous governments.

I will end by relaying our appreciation and thanks from our community for taking on this issue. As I said earlier, I believe we all share common values of appreciation for democracy and we want to do what we can to be more inclusive of everyone.

We know that changing our electoral system is a big step. You've been hearing a lot of different arguments over the last couple of weeks, and you will be hearing more as you go out on the road. The Leadnow community believes that this is a time to be bold. This process has opened an amazing window of opportunity to leave a lasting legacy and give Canada an improved electoral system. The truth is that we lag behind the rest of the world in using an unsophisticated voting system to try to represent a population that is growing increasingly more diverse. It isn't meeting the challenges of representing everyone's voice, and that has impacts on real people. It's not just an abstract question of which system is best, but a question of whether we want to be committed to ensuring that everyone is included in our democracy. There is clear evidence that PR is the best way to rectify that problem.

I want to end with a quote from one of our community members in Toronto, who wanted us to share this message with you:

Political systems evolve. Let us not assume or be lulled into the belief that our system is a static and 'finished; done' project.

Rather, let us always and continually find ways—sometimes small, sometimes major—to better manifest democracy and representation. Let us never fear new ideas. Our current system has shown its flaws; it would be irresponsible to not try something new now.

Thank you.

• (1435)

The Chair: Thank you very much.

I have a feeling we're going to have a great discussion this afternoon.

We'll have Mr. Aldag lead off that discussion, please.

Mr. John Aldag (Cloverdale—Langley City, Lib.): I'd like to thank all of our guests today for the excellent testimony. I believe this is the first time we've had more women witnesses at a session, so that's great to see.

With that, I'm going to start a discussion with Professor Massicotte. I know that the questions are going to go around and there's been great information.

When I was reading your brief, three pieces jumped out at me. The first was your very first point, which was about not having "a culture of coalitions here in Canada". As I've been out talking to constituents, the point that people are afraid of the idea of minority governments, and even more so of coalition governments, has really come up.

I would like your thoughts. You've identified it as an issue. How much of a barrier to moving forward to this kind of system in the Canadian culture would it pose?

• (1440)

Prof. Louis Massicotte: Thanks for your question.

Yes, I said that Canada does not have, indeed, a culture of coalitions. I will cite two examples.

In 1999 in Saskatchewan, the NDP government—the incumbents—were reduced to a minority status, and a few Liberal members decided to go into a coalition supporting the NDP government. These gentlemen were both expelled from their party and treated as traitors.

Of course some of you will have a recollection of the second one I will mention, the 2008 coalition dispute—or crisis, depending on the version—in which for some people the very idea of a coalition was something totally immoral.

I said we don't have a culture, but we had a practice of coalitions in the past. This is forgotten. I don't know if this has been mentioned in your proceedings, but Ontario had a coalition government under Ernest Drury in 1919-1923. It lasted a full term. Manitoba had a coalition, under Bracken and his successors, from 1932 to 1950 or 1951. British Columbia had a coalition from 1941 to 1952. Saskatchewan had a coalition government under Anderson from 1929 to 1934.

The interesting thing is that these coalitions were quite lasting. We have the impression, based on the experience of some European countries, that coalitions, by definition, are short-lasting. These coalitions lasted for the full duration of the legislative term. However, we haven't had such coalitions recently because there is seemingly an assumption, I'm afraid, that if a party goes into coalition with another presumably stronger party, they are absorbed by this other party, and no party, of course, wants to lose its individuality.

Mr. John Aldag: Perhaps I could make a comment.

We've heard a couple of things. One is that in the case of coalitions, the smaller party can actually have a disproportionate share of the power. The second is that I think there's a bit of a mix-up between coalition and minority governments.

It's true that we haven't seen coalition governments in recent decades. It's been more of minority governments, and people equate that to instability. In the conversations I'm having, there's unease that any change from a majority system may create more upheaval. I know we've seen evidence that says that's not the case, but as I say,

we're up against this Canadian culture and these attitudes. How difficult of a sell is it going to be that this move is in the right direction?

Prof. Louis Massicotte: The standard reaction of Canadian politicians, when they are facing minority Parliaments, is to opt for a single-party minority government. I suspect this has to do with this being the way they are used to governing, with all fellows from the same party sitting around the cabinet table.

Second, these minority Parliaments are typically short-lasting; 18 months is the average duration. It is understood by most partners that the Parliament will not last its full term, and it is understood also that at the earliest possible opportunity, the government will push the button and get what they seem to believe is due to them, that being a majority.

The Chair: Thank you. We're at five minutes, so we'll move to Ms. Rempel.

Please, as I said, introduce your thoughts on the next round or at the next opportunity. That would be appreciated.

Ms. Rempel, welcome to the committee. We're happy to have you here today.

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Thank you, Mr. Chair.

Dr. Thomas, it's a pleasure to see you. I'm a big fan of your work, as you know, and I appreciate your introducing the concept of barriers today.

With regard to your work, there's one piece that I want to look at, and it's a paper you wrote called "Barriers to Women's Political Participation in Canada". In it you note that at the federal level, regulating nomination and electoral campaign financing and spending limits through Elections Canada has mitigated some of the issues related to financing as a barrier to entry for women in politics.

Since we have a young woman here who's very passionate about the democratic system in Canada, I'm just wondering, Ms. Northam, if you would agree that fundraising can be a barrier to under-represented groups in Canada.

• (1445)

Ms. Katelynn Northam: Honestly, I'm not an expert on that topic, but, yes, absolutely, I can see that being an issue.

Hon. Michelle Rempel: One of the barriers I wanted to bring up today with regard to this committee's examination of changing our political system is the political financing situation in Canada.

Right now I think we have a very strong system, in that we have capped individual donations, we have banned corporate donations, and we have set spending limits. When we compare the Canadian system, especially to what's happening in the U.S., I would argue that our system is pretty good.

There's one thing that concerns me, in that there's a significant loophole in this process. In Canada an individual corporation or group can register as a third party for election advertising purposes and then make expenses to "oppose" the election of one or more candidates. As opposed to the laws for financing political parties or candidates, corporations can spend money on elections via this route, and corporations can therefore influence candidates.

There are also no limits on the donations that a group can receive from an individual, and individuals can therefore in effect exceed their political spending limits and influence candidates.

Further, a third party has to register with Elections Canada only once an election is called, which makes it difficult to track the activities of these groups with regard to their influence on our electoral process. Also, they only have to report donations that came in during the six-month period prior to the election, and there's no requirement to state which candidate a third party promoted or opposed, making it difficult for the public to know if members of Parliament are compliant with ethics guidelines on conflict of interest.

In the 2015 general election, over \$6 million was spent by third parties on election advertising. To put this in perspective, the entire spend of the Green Party of Canada on the election was \$3.9 million. There are examples in which individuals have given a large amount to an electoral district association registered as an individual third party and then spent considerably more on opposing or promoting a particular candidate in an electoral district. For me, this is a loophole of concern in this whole barrier situation.

I would ask both Dr. Thomas and Ms. Northam, given that there's agreement that this is a potential barrier, if they would agree that one of the recommendations from this committee should be that there should be tighter and more significant mirroring of federal election financing laws for political parties to third parties in order to reduce this barrier?

With the time I have, I'll go to Dr. Thomas first for a yes or a no.

Prof. Melanee Thomas: Sort of.

When I look at barriers that specifically affect women, it strikes me as implausible that this third-party... We call this third-party advertising in the literature. This third-party advertising is going to be directed primarily at political parties; I would be surprised to see it directed at any individual women.

If I were looking at how—

Hon. Michelle Rempel: If I could interject, I actually have a specific example.

In Kamloops—Thompson—Cariboo there was only one woman candidate running. She gave \$400 to a specific electoral district association, which didn't have the woman running, but then she registered as an individual for a third party and donated approximately \$2,300 to her third-party entity, and then spent that entire amount promoting or opposing a candidate that wasn't her.

There is one example. I'm sure there are many more specific examples showing how that actually does impact a woman.

Prof. Melanee Thomas: That's going to be secondary.

Most third-party advertising is going to be directed at a national campaign that would be geared towards parties or party leaders.

This is why I'm skeptical that—

Hon. Michelle Rempel: If I can just interject—

The Chair: Let me interject for a moment—

Hon. Michelle Rempel: I have such little time.

The Chair: Actually, you do have a little time. Perhaps we could

Prof. Melanee Thomas: I'd like to actually answer the question.

The Chair: Absolutely.

We're pausing. We're not going to count this as time.

I would also like to give Ms. Northam an opportunity. We'll be a bit generous and flexible.

Hon. Michelle Rempel: I have 10 seconds, right?

The Chair: We'll be generous and flexible. You'll probably get more than that, but not for—

Hon. Michelle Rempel: Okay.

The Chair: Anyway, whatever. Let's just do it.

Please go ahead.

Prof. Melanee Thomas: I would not say that this is the thing that keeps women out of politics.

That said, I am going to be broadly and enthusiastically supportive of many things that restrict or regulate campaign finance. With regard to the stuff that you're talking about, I would put my general elections hat on and say, sure, regulate that and I would support it. However, is this the thing? Is this the big and formal barrier that's keeping women and visible minorities out? No, it's not. I think that suggesting that this is somehow it is distracting from that 169 number. This is not the excuse. It's just not.

The Chair: Okay.

Do you want Ms. Northam to respond?

• (1450)

Hon. Michelle Rempel: Sure.

I want to clarify that I don't think this is the be-all and end-all. I know that one of the barriers that often prohibits women from running is the fact that they perhaps don't have the same networks that their male counterparts do to raise funding. That's my concern.

With regard to the comment on most of the funding being directed toward general election campaign expenses, I spent the day yesterday—

The Chair: We're really running out of time here, Ms. Rempel.

Hon. Michelle Rempel: Actually, it was close to \$1.2 million out of that total that was spent on specific ridings, so it does make a difference.

Ms. Northam, could you comment?

The Chair: Ms. Northam, comment very quickly, please.

Ms. Katelynn Northam: I just have a quick comment.

It's that we're a member-driven organization and this is not an issue we've engaged our community on specifically, so I can't make a comment on behalf of them.

The Chair: Thank you.

Monsieur Boulerice is next.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

I will begin with you, Mr. Massicotte.

Earlier today, when we were discussing alternative vote, I made the following analogy: imagine I want to buy an electric car but end up with a pick-up. So I am happy to hear you say that MMP is indeed a Mercedes. It is probably the best of both worlds and more accurately represents the reality of the parties. In fact, it is a standard, a value we in the NDP support.

You are an engineer of electoral systems and an expert on certain countries, including Germany. Change does of course give rise to much uncertainty, but I would like to demystify certain things.

Take for example a voter in Germany who goes to the poll. How does a person vote? Once the results are translated into seats in parliament, how do the parties function in general to form a stable government?

Prof. Louis Massicotte: Thank you for your question, Mr. Boulerice.

As to the way a person votes, the ballot is similar to ours, except that there are two options. On the left side of the ballot, the voter can choose a candidate and, on the right, they can vote for a party, that is, the list created by a party. So the voter casts two votes instead of just one. It is possible, by the way, to use the same system with a single vote for a candidate, if the vote is counted both for the candidate and for the party the candidate represents.

As to forming a government, that is a bit more complicated. The results are known quickly. I follow German elections, which are held at noon on Sundays. It is almost a ritual, I have followed them for several years now. The results are available very quickly. Many countries—and I am not referring to Canada—would do well to proceed that way.

How is a government formed? The results are reviewed that night. Then the political parties begin their negotiations. Sometimes they have already indicated their affiliation, but that is not always the case, simply because the outcome is not known. In the last federal election, for example, it was not expected that the liberal democrats would be wiped out.

The political parties negotiate amongst themselves. The head of state is not involved in this process. After a month or two—and rarely more than two months—depending on the circumstances, a coalition agreement is reached. It is a long and complex document. Ultimately, it is the result of the negotiations that took place among the various political parties that were willing to form a coalition.

There are various types of coalitions. Typically, the Christian democrats have allied themselves with the liberal democrats and the

greens with the social democrats. This has changed in the past few years though. In two places, I believe, the Christian democrats are now allied with the greens. This change was brought about by the circumstances. The socialists have aligned themselves with the liberals in the past. The extreme left was viewed in the past as an unsuitable coalition partner. In the *Länder* or states of the former East Germany, at least, it is now considered an acceptable partner.

Mr. Alexandre Boulerice: Thank you.

Ms. Thomas, as you know, we are concerned about the representation of women in the NDP. In the last election, we were very proud to be the party with the highest percentage of women candidates: 43%, which is quite high.

You are correct about the barriers outside the voting system. Some institutions make it very difficult for women to run. Having been involved in candidate recruitment myself, I can say that a number of socioeconomic or societal factors could improve the participation of women.

Our colleague Kennedy Stewart presented a bill to encourage or even force political parties to increase the representation of women in the candidates they put forward. That is not the only approach possible, but I would like to know if you think the type of incentive put forward by our colleague Mr. Stewart would be effective.

In your opinion, is there some other way we could increase the representation of women?

Right now, women represent just 26% of MPs in Canada. That means we rank 62nd in the world in this regard, which is not very impressive.

• (1455)

[*English*]

Prof. Melanee Thomas: I would always say at this point, because the numbers required to achieve parity are so small, that individual-level barriers are not the problem. This means that we actually have to have an institutional solution. I've spoken with Jeannette Ashe, who is a research colleague of mine in another institution, and I believe it's similar to this particular bill that you've mentioned.

I would support penalizing parties on their election reimbursements if they cannot field parity slates. As we know, a great deal of political parties' election-based financing comes from campaign reimbursements. You spend a certain amount, and then you can get 80% of it back. That should be, in my view, docked depending on how few women or visible minorities a party fields. Something tells me that if you tie diversity to the money, parties will solve the problem overnight. They just will.

The Chair: Thank you.

We'll go to Mr. Ste-Marie for five minutes.

[*Translation*]

Mr. Gabriel Ste-Marie (Joliette, BQ): Good afternoon, ladies and gentlemen.

Mr. Massicotte, I really enjoyed your presentation, especially toward the end, when you explained that, if we had a mixed-member proportional system, the list system would have to work by province. I am very amenable to the idea of protecting the rights of the Quebec nation, since we do not have the same debates or the same references.

You said that we should go by province. In your opinion, would there be any other mechanisms to ensure the protection of the Quebec nation?

Prof. Louis Massicotte: At first glance, I don't think so. I actually don't think a national list was ever seriously considered. And it shouldn't be anyway. I will explain why.

Canada is a federation. Consider how federations proceed in such matters. In Germany, there is no national list. That has already been mentioned. Sections of parties in the *länder*—German federal states—have all insisted on preparing lists of candidates.

I think it is much more difficult to have a national list in a federal country.

Mr. Gabriel Ste-Marie: You think that, if we had such a system, the lists would have to be established in each province or in each region.

Prof. Louis Massicotte: That is the practice and it's fairly common.

Mr. Gabriel Ste-Marie: Thank you.

The committee is preparing to tour Canada. We will then submit a report in December. For the system to be modified in time for the next election, everything would have to be adopted by next May.

Considering our experience in Quebec, do you believe that's a realistic time frame?

Prof. Louis Massicotte: Quebec did not adopt a reform. So it is difficult for me to say how quickly it could happen.

Mr. Gabriel Ste-Marie: Could it be realistic?

Prof. Louis Massicotte: I believe that the Chief Electoral Officer of Canada is much more qualified than I am to answer this question, as he is familiar with all the required mechanisms, all the work that must be done in preparation. My understanding was that the current time frame was realistic, but I defer to him on this issue.

Mr. Gabriel Ste-Marie: Thank you.

I now have a hypothetical question. Let's assume that there was a second opposition party, that its platform indicated that it wanted to reform the voting system and that it obtained power with a large majority thanks to the current system. What do you think the chances would be of the party wanting to change the voting system? Let's say the party turned to another voting system, such as the preferential ballot system. What are your thoughts on the preferential ballot system as compared with the existing one?

Prof. Louis Massicotte: That is the option involving minimal change. That way, the ridings would remain the same. The voting ballot would be exactly the same as the one that already exists. All that would change would be the way the ballot paper is marked.

In addition, it would take longer for the results to be known. You may have heard about the Australian election. I believe you have

spoken to the authorities. I was travelling at the time, but I felt that it took a very long time for the results to be known. So it would take a bit longer.

Mr. Gabriel Ste-Marie: What about the distortion between votes cast and the number of votes....

Prof. Louis Massicotte: There would be no change.

It is well established by political scientists that the single member majority system and the first-past-the-post system both contain distortions. Some studies even claim that the single member majority system is even more unstable than the first-past-the-post system. However—and this is important—the person who wins the riding obtains more than 50% of the votes.

• (1500)

Mr. Gabriel Ste-Marie: Mr. Chair, do I have any time left?

The Chair: Yes, you have a bit of time left.

Mr. Gabriel Ste-Marie: I would like to put the same question about the preferential voting system to you, ladies.

[English]

Ms. Katelynn Northam: Can you repeat that? Sorry.

[Translation]

Mr. Gabriel Ste-Marie: What do you think about the preferential voting system?

[English]

Ms. Katelynn Northam: Our community has told us very clearly that proportional representation is the only system or family of systems that will address the core issues that they have, which is the distortion of the overall results. We do know that alternative vote or preferential ballots will not solve that problem.

[Translation]

Mr. Gabriel Ste-Marie: So you don't think that it's a worthwhile system.

[English]

Ms. Katelynn Northam: That's not what we're advocating at this point, no.

[Translation]

Mr. Gabriel Ste-Marie: What do you think, Ms. Thomas?

[English]

Prof. Melanee Thomas: I like preferential ballots with a large district magnitude. To me the idea that we would move from our current system, with just the X on the ballot, to a preferential rank that would simply elect one candidate is a big change for no payoff.

However, we have had scenarios in western Canadian provinces in which we've used something similar to single transferable vote. If your district magnitude is large enough, you can solve a number of problems potentially related to strength of party discipline and proportionality, but the kicker is introducing the preferential ballot alongside a larger number of representatives coming from a district. The drawback is that either those districts have to be so much larger than ours are now that it's unfeasible or that we need to do something like tripling the size of the House, which also strikes me as not feasible.

The Chair: Thank you.

We'll go to Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair, and thank you to all the witnesses.

In the first five minutes that I have, I want to zoom in on this issue of recruiting women candidates, because it's something about which I have a lot of personal experience. With the permission of Professor Thomas and Ms. Northam, I'd like to share my anecdotal experience and ask you if there's any academic literature to back up some of my intuitive observations about why proportional representation will help us have more women in Parliament.

My first anecdotal experience was that as a woman and as executive director of the Sierra Club of Canada, I was viewed as a desirable candidate by various parties. At different times I was flattered, yes. Leaders of the New Democratic Party, Liberal Party, and Progressive Conservative Party all, at one time or another, tried to woo me, and it was a very nice experience, but I said, "Oh, my gosh, I don't want to do that thing." I'll tell you what my reasons were.

I've now gone through the experience of being at the other end of the phone, trying to convince really fantastic women candidates to put themselves forward and run in an election. I succeeded in the last election—not as well as the NDP, to give credit where credit's due, but 39% of our candidates were women. That's 131 women out of 336 candidates.

Here's something that I'm wondering may be an informal barrier or at least a factor that I can't find in the academic literature. Women say, "I'm prepared to work hard and I want to make a difference, but I don't want to jump into a pond full of snapping crocodiles. I don't like the culture of politics."

I think Ms. Northam said earlier that the Leadnow community is tired of adversarial politics. My observation, particularly from consulting with Green Party members of parliaments around the world who deal with proportional representation systems, for the most part, is that when you change your voting system toward a proportional representation/consensual system, you change the culture of politics. It becomes less nasty. You do away with what Susan Delacourt describes in great detail in her book *Shopping for Votes*. You do away with targeted dog-whistle wedge issues and you create incentives for consensus and working together.

I would suggest as my last point—and then I'll ask for your comments, starting with Professor Thomas—that this may explain why, in looking for elected women in Canadian politics, there are

proportionately far more at the municipal level, where for the most part we don't have political parties.

You're shaking your head. Do we not have more women elected in municipal governments? We always had, traditionally.

In any case, I'll turn to you now. Personally, I think this is a factor that won't come up in the reasons. You're right that if you just change your voting system and that's all you're looking at, you're not going to get more women. As a point of fact, democracies with proportional representation have more women. Personally, from my experience, this could be a factor. I'd like to know if there's any research on that.

I'll go to you, Professor Thomas.

• (1505)

Prof. Melanee Thomas: There is some, but it's not necessarily in the direction that people assume that it is.

The first thing I would say is that the snapping crocodiles—I like phrasing it that way—may or may not keep women out of politics. I've never seen that as a particularly gendered thing. The nastiness that some people see in politics keeps a lot of sensible people out of politics, women and men alike.

What's more likely to affect women, and this is something—

The Chair: Was that a...? I don't know how to take that.

Voices: Oh, oh!

The Chair: Anyway, go ahead.

Prof. Melanee Thomas: Sorry.

Some people just like the cut and thrust of politics and are prepared to deal with that context, whereas other people are more likely to say, "I'm doing important work here and I don't necessarily want to."

What bothers women more now—and this comes up routinely in my classes, which is why I say we're on it when we're studying this—is what the Internet and social media do, because this gives a lot of misogynistic, really gross voices a very large microphone. It's very unpleasant and it's very violent. It's one of the things that is emerging because we have more women in executive positions, especially as premiers at the provincial level, so that's giving us the data that we need to work on this issue more systematically.

One of the things I will say about consensus politics, though, is there is an excellent study done by Tali Mendelberg and her colleagues at Princeton that notes that if you operate under consensus rules, women's voices never actually achieve parity in terms of men. They look at things like perceived competence, perceived leadership, actual numbers of speaking times, and number of times they were rudely interrupted by the men in the group. It doesn't matter how many women you have under consensus rules; you don't actually hit parity there. Where you actually do hit parity is when you have majoritarian rules with a supermajority of women. This is an experimental study, so generalizing from that into an existing set of political institutions is something I would not do.

One of the things I would also say is about the local politics myth. There's this idea that local politics is really friendly for women. I live in Calgary. Calgary City Council is not a friendly place for women. It hasn't been for quite some time, and I don't think it will be any time soon either.

This idea about local politics is a myth. Consensus isn't necessarily the thing that solves the sexist problem either. It seems nice, but I don't think it solves the problem.

The Chair: Thank you very much.

We'll go to Ms. Romanado now.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoynes, Lib.): Thank you so much.

I'd like to thank my esteemed colleagues for their presence here today.

Professor Massicotte, we heard from the Broadbent Institute yesterday. They did a study with respect to what people thought about the voting systems and what was important to them in terms of their values. Of those polled, 51% said that a stable majority government was important to them.

In your brief you talked about the fact that it's very unlikely that in the future we'd see a party with a parliamentary majority on its own if we were to adopt an MMP policy. My concern would be that instead of Canadians having a voice prior to an election, backroom deals would end up happening after the election to create these coalition governments. There's a concern that this is directly in conflict with the needs of Canadians.

You also mentioned a little about the changes to constituencies or ridings. Either the capacity of MPs to actually serve their constituents would drop when they have that much more than they currently do, and/or we would have to increase the size of the House to between 500 and 675 members, which I think Canadians would not agree with.

I'm just a little concerned. You've been very honest about some of the pitfalls of MMP and your thoughts on dual candidacy. If somebody loses an election but still ends up being a member of Parliament, I think that is completely unacceptable. I'd like you to talk a little bit about that.

Prof. Louis Massicotte: How much time do I have left, Mr. Chairman?

Mrs. Sherry Romanado: I'm happy to give you my next five minutes, if you like.

The Chair: You have plenty of time. We're not even at the two-minute mark yet.

Prof. Louis Massicotte: Yes.

I think—

[*Translation*]

Mrs. Sherry Romanado: You can answer in French.

• (1510)

Prof. Louis Massicotte: Okay, thanks.

I am rather under the impression that people have a preference for majority governments. With a proportional system, regardless of the type, there would probably not be any majority governments, for a very simple reason. In our electoral history since 1921, you can count on the fingers of one hand the number of times a party managed to go over the 50% threshold. Mr. Mulroney, in 1984, is the last such case to date. So it has been quite a while.

So we should get used to coalitions. Can those coalitions be stable? I think so. They are simply made up of several political parties. The Prime Minister's authority within the political system would not be as strong, as he would have to deal with cabinet ministers from another party who would have a certain power over him. It would be different from the current situation, where the Prime Minister is extremely powerful. As you know, some are portraying him as a monarch. So that would be quite a change.

I wanted to clarify something here. Although I have listed all the potential complications of a mixed-member proportional model, my intention was not at all to criticize or discredit that system. I have studied it in theory, but I have also used the experience of consultations that were held in Quebec and in other provinces. What seemed to us brilliant from a technical standpoint—the idea of dual candidacy—was viewed by some people as an abomination. As the old expression goes, if the front door has been closed, try to get in through the back door.

I think that's very unfair. I can tell you that this has not been seen as a problem in a number of countries. New Zealand and Germany have integrated and understood the system well. I did not have time to mention this, but Chancellor Kohl is the longest serving German chancellor to date. There is some competition with the current chancellor, Ms. Merkel, but he served for a long time. He was defeated twice in his riding, but thanks to the list, he was able to remain a member. I looked at his biography to see whether anyone had made a big deal out of that in Germany, but no one had. Perhaps we would be able to prove it here.

As for dual candidacy, we have noted something, especially in Quebec. Mr. Pelletier actually talked about this. Many members, starting with Mr. Pelletier himself, were terrified of seeing someone they had defeated in their riding end up in front of them, as they saw this as a threat to their grip on the riding.

That is not seen in Germany. That's all I can say. There is a tradition of collaboration and consensus dating back to the post-war period, prior to which, it was not a pretty sight. That much I can guarantee, as they say. The country went through difficult times and experienced the consequences of hate ad nauseam. Prior to the war, in the 1920s and the 1930s, German politics were extraordinarily polarized. Germany has now become a country of consensus, and things like these work.

The Chair: Thank you very much.

Mr. Reid, the floor is yours for five minutes.

[*English*]

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much, Mr. Chair.

My first question is for Professor Thomas.

Professor, back in February you were quoted in a newspaper article indicating that you thought that it would be inadvisable for the government to move forward with a new electoral system unless it had been approved in a referendum. Is that still your position?

Prof. Melanee Thomas: My position remains that we have a map outlined from several provincial governments, British Columbia and Ontario being the notable standouts, where citizens have been actively involved in the process. I would expect that anything dealing this closely with a democratic institution would follow that kind of citizen engagement model very closely.

Mr. Scott Reid: The model used in Ontario and B.C. was a citizens' assembly, which chose and designed a model that was then submitted to the people in a referendum.

Do you think that two-step model would be the best thing to do?

Prof. Melanee Thomas: Not as it proceeded in British Columbia and Ontario. I liked the citizens' assembly part of those procedures, but there were problems with those referenda. I don't see the point of subjecting the Canadian public to a referendum when the rules would be stacked against it to fail.

Mr. Scott Reid: Right.

Prof. Melanee Thomas: In that sense, I'm not going to sit here and endorse referendum versus not. I'm going to be honest about what I thought about those processes, and in both those cases I thought the citizens' assembly and that kind of engagement process was great and exactly what I would like to see in a democracy. However, those referenda were certainly open to critique on a number of democratic grounds, so I wouldn't give a blanket endorsement to that kind of thing in this particular context. No.

• (1515)

Mr. Scott Reid: Right.

Back when the British Columbia one, the former of the two, was under way, I remember writing on the subject of the way the referendum had been structured and the difficulty of essentially a first-past-the-post choice on something for which multiple options were available. There was certainly strategic voting in that referendum. The leaders of the Green and the NDP parties, for example, both voted against the STV model because they favoured MMP and thought they'd have a second kick at the cat if they just rejected the proposal.

An alternative model used in New Zealand put multiple models before the people, and that did result in a change to the system. I think there's some evidence that the initial referendum in New Zealand was also designed to produce a different result, but it was unsuccessful, and the change did occur.

What do you think of that kind of model?

Prof. Melanee Thomas: I like the New Zealand model in which the initial reform gave voters more than a yes/no option. I like that.

What I like more about New Zealand is that they followed it up with several other referenda to see if people actually like the change now that they've used it. In New Zealand they've consistently said that they support the change and they're liking it more over time.

There was a second question involved in that. It asked whether, if you do want change, what you would like to revert to. The single-

member plurality system is the choice. They said that if they were going to change again, they wanted to go back to the old way.

My main problem with what happened in British Columbia and Ontario—and this is not reflected simply by just endorsing New Zealand—is the requirement for a supermajority. This is a question that I think Canadians often ask in any number of contexts on questions that are put to referenda. How much of a majority is enough? Is 58% enough? I would have said so, and in that case both British Columbia and Ontario would have probably changed their electoral systems had that threshold been okay.

Certainly part of the question is how you ask the question, but the other question is how much of a majority you need. That's an open question that ought to be subject to political debate in each context where the public is going to be asked a question like that.

Mr. Scott Reid: If you asked me, I would have said 50% plus one, but you're saying 60% was too much. I think that's why you said it was set up to fail, but I think I'm hearing you say that you may think that 50% plus one is too low. Is that correct?

Prof. Melanee Thomas: As Canadians we had already decided, coming out of the 1995 referendum, that 50% plus one was something that we didn't endorse in some contexts, so we can't have our cake and eat it too, right?

This is the thing: the thresholds required for referenda are going to be political and are going to be structured by the context in each particular one. The generalities I can draw from the Canadian political process are that in 1995, under a very particular question, there were people in the Canadian federation who said that 50% plus one was simply inadequate. Then the flip side is that 58% was also seen to be simply inadequate as well.

My only point is that having a proper and complete discussion about where we want to draw the line is something that I would advise in the context of referenda in general.

The Chair: Thank you.

We'll go to Mr. DeCoursey.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

Thank you to our three presenters. I hope to have time for all three to answer my comment here.

I'll start with Ms. Northam, because the quote you cited from one of your members to end your testimony struck me as one of modesty and of encouragement to everybody here to be mindful of the process that we can undertake as a Parliament to continue to improve our democratic processes.

One of the things I've been challenged with in some testimony over the last number of weeks is someone who in one breath claims that Parliament is undemocratic as it is right now, and therefore illegitimate, and in the very next breath expresses their desire to see this Parliament exact its democratic legitimacy to enact reform. I think that rhetoric and hyperbole are a bit overblown.

I wonder if you can comment on that, and then I'll ask some of our other witnesses to comment as well. Do we, as a Parliament, have the democratic legitimacy to enact reform, and should we put some water in our wine when we're talking about how undemocratic Parliament is right now?

• (1520)

Ms. Katelynn Northam: I think it's probably quite difficult to go into this process as members of Parliament. It's not as if you don't have any skin in the game, right? I think it's in some ways admirable that you are going through this process knowing it will have implications on the way you do your work.

In many instances, people do feel they are well represented by their members, but we are speaking on behalf of our members who don't have that opportunity to feel represented by their members of Parliament. They've for voted their entire lives, for 20, 40, or 50 years, and have never had a representative they've voted for, or they have continually watched the vote split in their ridings.

That's what we're really speaking to. There is that element present in the Canadian electoral system, and we are looking to improve upon it.

[*Translation*]

Mr. Matt DeCoursey: What do you think, Mr. Massicotte?

Prof. Louis Massicotte: Legitimacy is not a scientific concept; it is a normative concept. As a saying goes, legitimacy is in the eye of the beholder. In other words, legitimacy depends on an individual's perspective.

Let's look at our system's history lesson, which is something more solid. In Canadian history, a number of electoral reforms have been carried out. They began in 1920 in Manitoba and ended in 1956 in Alberta.

I have looked at the circumstances in which every one of those reforms was adopted. In each case—so in Alberta, in Manitoba and in British Columbia—the provincial Parliament implemented a reform without a referendum. At that time, holding a referendum was not even considered. Based on the customs of the time, it seems fine that it happened this way.

Those are the indications I can give regarding whether Parliament currently has the democratic legitimacy to proceed. Ours is a system of representative democracy. There is no legal obligation to hold a referendum, but it may occasionally happen that what can be done legally is perceived as illegitimate by a good portion of the population.

When it comes to that, I would like to emphasize that I am deeply troubled by the fact that, according to the four surveys I have looked at, many Canadians feel, rightly or wrongly, that a referendum should be held.

Mr. Matt DeCoursey: Thank you very much.

[*English*]

Professor Thomas, with the time remaining, do you have any comment as to the way Parliament can proceed with this reform conversation?

Prof. Melanee Thomas: My understanding is that even if there were a referendum, any change would have to be legislative, which means.... It strikes me as a bit silly to suggest that Parliament can't do it, because Parliament certainly can. Parliament has the legislative power to do what it would like to do in a representative democracy, as my colleague Dr. Massicotte has noted.

That said, I think what people are trying to tap into is the process by which the reforms are informed, and that's a different question. That's a much more fundamental question. It speaks to who we are as Canadians, what we want, and how we're talking about the scope of the problem. If we're talking about that, this is less about Parliament's legitimacy to write a law to change an institution, because Parliament certainly has the power, and that's that. Fair enough.

The thing that concerns me is that the definition of the problem seems to be rather limited in scope, which restricts the conversation we're having. I think there is also this populist element that comes through. Coming from western Canada, our politics is defined very much by populism, and that's going to colour how any decisions, recommendations, or processes transpire in a regional and a geographical kind of way.

These are things to be sensitive to, certainly. However, I'm not surprised that there are critiques of the process, because there are now norms and there is historical precedent for Canadians to be much more active in processes like these that have been conducted in the past.

• (1525)

The Chair: Thank you.

Mr. Cullen is next.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you, Mr. Chair.

Thank you all for being here.

I'll start with Ms. Northam and then I'll go to Professor Thomas.

It was interesting to hear in your opening remarks how your testimony today came from canvassing your members. I'm not sure we've had witnesses yet who have legitimized what they're going to say with their membership before they got here, so that's good.

I want to take a look at the question of so-called safe ridings versus swing ridings and the attention given them. If you're a Canadian living in a riding that has historically voted overwhelmingly one way for one party, the discouragement to get involved is very high. There's been some contention about this.

My question is about the so-called wasted vote.

In the last election we had in Canada, nine million votes were cast that are not represented in any discernible way in Parliament, although some have argued that those nine million votes have influence.

Power belongs to the people and is passed through us. Why would, say, a transferable vote system, whereby people are getting choices, not be considered as a way to do that by your membership?

Ms. Katelynn Northam: As in a single transferable vote?

Mr. Nathan Cullen: No, in terms of the ranked ballots.

Ms. Katelynn Northam: Yes, the ranked ballots. Sorry.

I think there are a couple of different elements to it and there are a few different pieces as to why our members find first past the post problematic. I think one of the reasons is that we are concerned, as an issue-driven organization, about big issues.

We often look at Parliament as a whole and how it's composed and how the parties are working together to address those issues. One of the major flaws that we are seeing is a Parliament that doesn't look like the makeup of the country and the people who voted across the country for those specific parties. It's a bit of a macro-level issue with the way Parliament is composed. I think that's really where we get to the issue with alternative votes. Even if you have 51% or 52% of people voting for a member, you're still not representing 48% of people in that riding.

Mr. Nathan Cullen: I guess the challenge—and we put this to a witness earlier—is that the 51% comprises not just a first choice, but there may be second or third choices. I don't know how I'd feel more satisfied about my third choice having some sort of influence.

Ms. Katelynn Northam: Exactly.

Mr. Nathan Cullen: Professor Massicotte, this triggered something about the power of the Prime Minister under different results. We've known that proportional systems lead to more power-sharing, coalitions, or co-operative governments, and you said that diminishes the power—I believe it was your term—of the prime minister and by extension the prime minister's office. I see that as a wonderful thing. If I think back not just to the context in other countries but to the Canadian context, in those minority governments when a prime minister's power is diminished, and when parliament's power therefore is enhanced, we've had some really great policy as a result.

Am I mistaken in this observation?

Prof. Louis Massicotte: That's a normative question.

Mr. Nathan Cullen: By great policy let me be more clear: public health care, pensions, post-secondary education support, the flag. These all came out of times when the Prime Minister and his office—always his—had to share power.

Prof. Louis Massicotte: Great—

Mr. Nathan Cullen: I wonder if we would actually have reform of the National Energy Board right now if the Prime Minister's Office was not allowed to just do as they say rather than listen to other voices at the table.

Prof. Louis Massicotte: The absence of a majority does not equal, as you say, bad policies. I wouldn't be sure if the absence of a majority guarantees that at all times—not at all.

Mr. Nathan Cullen: We're talking about chances.

Prof. Louis Massicotte: Yes.

I've been particularly impressed by the work of Arend Lijphart on this point. I don't believe that countries with PR systems are necessarily Edens of harmony, except that it's not hell either.

It's very important, because I think we all tend to assume instinctively—and I must say that I had exactly the same attitude—

that things will go better if we have majority governments. Lijphart had the wonderful idea of looking at the indicators of good governance and found, as I'm sure he told you, that there wasn't such a big difference between countries with majority governments and countries with coalition governments, and perceptive people had seen that before.

● (1530)

Mr. Nathan Cullen: This will happen. Fear-mongering will be done in politics from time to time, especially when change is proposed. There is fear of this, that, and the other.

The Chair: I think we're at five minutes, Mr. Cullen.

Mr. Nathan Cullen: All right. I'll wait for the next round.

[Translation]

The Chair: Mr. Rayes, go ahead.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Massicotte, I have here two quotes from statements you have made in interviews with the media. As you know, politicians are also quoted regularly.

Your opinions may have changed since then, but I would like to know a bit more about these issues.

In an interview with *The Prince Arthur Herald* last February, you said that it would be very risky for the Prime Minister to go ahead with an electoral reform without the public opinion on his side.

Last March or May, in Radio-Canada's program *24/60*—and you referred to this earlier when speaking with my colleague from across the table—you also said that you did not feel that people were tired of the current system and they would like to be consulted through a referendum.

Is that indeed what you said?

I would like to know whether you still feel that way or whether you have changed your opinion in the meantime.

Prof. Louis Massicotte: I see you are keeping tabs on me.

Regarding your second statement, about the surveys I referred to, my comments were based on the first survey carried out on this issue. I believe that it was conducted by Insight. The survey indicated that two-thirds of people were satisfied with the system and that three-quarters wanted a referendum. That is indeed what the survey seemed to indicate. The three other surveys that were done later, including by Ekos, indicated that the Canadian public was more divided on that issue. I did not have the time to talk about the reason, which is the following.

In some cases, the question asked was extremely loaded, if I may say so. People were asked whether they agreed with the government party, specified in the question, implementing the reform on its own. Of course, that kind of a question produces a more predictable result than the other one asking them whether they thought there should be a referendum on such a reform.

The picture is a bit more nuanced than I am painting it, but I still don't feel that Canadians are horrified or disgusted by the voting system they are using. They may be wrong, or they may be right. Based on the facts and the surveys I have read, and intuitively, when I talk to my students or colleagues, I do not feel that passion for reform.

Mr. Alain Rayes: I agree, no one was talking about it in my riding this summer.

On a scale from 1 to 10, how would you rank voters' interest in changing the voting method now?

Prof. Louis Massicotte: That is hard to say because surveys ...

Mr. Alain Rayes: Can you give an estimate?

Prof. Louis Massicotte: I would not say it is a priority, that is quite evident.

I would make one point about how the questions are worded. When we ask people whether they think the electoral system should be changed, we often forget to consider what the electoral system represents to them. Does it mean the voting method? I don't really like that term, by the way. Does it represent the right to vote as a whole? Both terms are probably used. A number of specialists might hesitate if we asked them the question.

I am not sure there is a very strong desire for electoral reform or that our fellow citizens consider it a priority, but perhaps the committee will come to different conclusions because you will have the privilege of meeting citizens.

Mr. Alain Rayes: In the same interview with *The Prince Arthur Herald*, you said that you have always been in favour of changing the voting method but that, at the federal level, it is not really necessary at this time.

Considering all the warnings and explanations about proportional representation, which you are more familiar with than I am, it is hard for us to say as well. The Prime Minister has already taken somewhat of a position by saying he favours ranked ballots. A number of people who want to change the system, including the other parties, are more inclined toward proportional representation.

Do you still maintain that, at the federal level, it is not necessary to completely change the system or that the benefits would not be as great as suggested?

Prof. Louis Massicotte: The reasons for reform are not as strong at the federal level as I have seen in other jurisdictions, such as in Quebec.

First, there has never been an election in which the opposition was completely crushed and shut out of Parliament. I remember, when I was a student, we saw in the 1973 election that it could happen.

Second, and this is very important, there has been a series of results in Quebec that produced the wrong winner. Mr. Boulerice has already stated that this is completely unacceptable. I find his assessment quite moderate. I do not want to become overly emotional, but I must say I found it absolutely horrible and scandalous.

Federally, the elections produced a wrong winner on two occasions, in 1957 and 1979, as you know. In each case, however,

the result was a minority government. So the winners did not have full power. In Quebec, however, on three historic occasions, the party that did not even win the plurality of the votes gained 100% of the power.

● (1535)

Mr. Alain Rayes: I understand there is no urgency.

I will return to that later.

The Chair: You have five minutes, Ms. Sahota.

[English]

Ms. Ruby Sahota (Brampton North, Lib.): Thank you. We've definitely been having some interesting conversations.

I want to preface my questions with a comment.

I think from all the testimony that we've gathered, it's quite hard to say that good policy only comes from a certain type of government and not from another type of government. We've had some great things from majority governments and we've had good things from minority governments. We've had failures from minority governments as well. However, we do know that in Canada at least they all came under the first-past-the-post system. I don't know if you can necessarily make the direct link that changing the electoral system is always going to automatically result in all good policies and collaboration, because we've also had witnesses come before us who have said some disastrous policies and platforms are coming out of PR countries and European countries right now.

I want to move on to Professor Thomas. I'm really intrigued by a lot of the research that you've presented to us here today. I believe you were speaking of Norway earlier when you were talking about women being elected. I was wondering if you could elaborate a little bit about that. You quickly passed over it, and I wasn't able to get the facts that you were pointing to.

Prof. Melanee Thomas: Thank you for your question.

This was a study that was done in the nineties by two Americans, Richard Matland and Donley Studlar, comparing Norway and Canadian provinces to see whether or not small parties that introduce a greater number of women in their candidate lists or as part of their candidate profile act as a contagion to force bigger parties to diversify the kinds of candidates they offer the voting public. In Norway, under that particular system, under those constraints, they did find evidence of that particular effect, but they didn't find similar evidence in Canada.

What this means is that Canada can have smaller parties that arguably aren't contesting for government because they're not able to win a plurality of seats or a plurality of votes that gets manufactured into a majority of seats. What it shows in the Canadian case is that the contagion effect we saw in Norway does not exist in Canada.

The reason I cited it in this particular context is to suggest that when people say proportional representation is good for women because it gives women greater access points, we can speak to studies that have looked at this function in an established proportional representation system and found it, but it takes a lot of logical leaps to suggest that we would be able to manufacture that same kind of effect in Canada simply by changing the electoral system.

I think the argument that's more plausible is to say that we have had parties that have been pushing for greater diversity in terms of who gets presented as a candidate to voters, but that this doesn't necessarily push other parties to do the same. For me that's the point. I don't see that changing how we translate votes to seats would actually change that particular part of Canadian elections at all.

Ms. Ruby Sahota: It's interesting that you point to Norway as well. Norway was also brought up by a previous witness earlier today, Mr. Loewen. It's quite scary when you look at the chart that he presented to us. Norway also seems to be a country that has a very large anti-legal immigration platform in the party that's been elected there, so bad policies, bad thoughts, can also come out of these PR systems.

It was very interesting when you said that perhaps we're asking the wrong question, perhaps especially when it comes to the issue of women. There are other things that you've said. You were saying there were other informal barriers. I like your link between finances and getting women elected. I think that's interesting.

Are there other informal barriers that you haven't been able to speak about that you think we should look at?

• (1540)

Prof. Melanee Thomas: Yes. The general truism is that every electoral system manufactures a majority somehow, so this is the thing: we need to think about how we want to best manufacture our majorities when it comes to electoral systems.

The one that concerns me most in terms of informal barriers for electoral reform is implicit assumptions about what makes a good candidate and who's the best candidate. I think built into recruitment policies and into how we approach the political system is a lot of latent sexism and latent racism, this idea that a good candidate or a good politician looks a certain way.

This is why New Zealand's experience is important. They switched in 1996 and saw an immediate bump in the number of women who were elected, but 45% of them were from party lists. A very small number came from districts, about 15%. That allowed people to speak what they had always thought, that women just aren't good at winning in the districts. The only thing that's changed in New Zealand is that you've seen pretty minor variations in the overall number of women who have been elected. Instead, what we've seen equalized is the number of women elected from the list seats and the number of women elected in the districts.

Part of the informal barriers is that because the numbers required for parity are so low, at 169, it's just inconceivable to me that people who wanted to recruit and nominate 169 women couldn't do it if they wanted to. The numbers are not on anyone's side there.

For me what gets loaded into this—because we know that voters aren't discriminating—is that when people are doing the recruiting and deciding when they're going to ask and when they're going to recruit, what are they thinking that they don't want to say about who's a good candidate? To me this is the important, fundamental thing that is not going to change.

The Chair: Thank you.

We'll go to Mr. Aldag now.

Mr. John Aldag: Thank you.

Professor Thomas, in your opening comments you noted in passing that you would like to talk about the New Zealand experience during the question-and-answer period. You touched on it a couple of times, once in response to Mr. Reid's questions and now in response to my colleague's. I don't know if there is anything else you wanted to draw from or to share on the New Zealand experience. We have heard a lot of it. If you have additional thoughts, I'd like to give you the floor to do that.

Prof. Melanee Thomas: Thank you very much. I appreciate that.

As I'm sure you have heard, New Zealand switched to mixed member proportional in 1996. They also had dedicated seats for their indigenous population. For Canada, I think New Zealand's experience will be much more useful as a road map than anybody else's who's used mixed member proportional or any other system without making the change to it. This is why I think New Zealand is the most important comparison case.

People will say, as I know I said when I was a younger student, that in 1996 there was a jump immediately from 21% women in the New Zealand legislature to 35%. Since then, though, it's remained pretty stagnant. They go between 34% and 41%. It currently sits at 38% after the 2014 election. This just suggests that although we've moved the bar, New Zealand is still stalled.

The reason, I think, has to do with where the women are. If you just dump the women into the party list seats that are meant to be top-ups, New Zealand shows that most women came from that. People actually said that New Zealand shows that women can't win in the districts. We know from places like Canada and Britain, and especially from Canadian voters, that Canadian voters certainly don't discriminate on the basis of sex, yet in the New Zealand experience you saw it, and then people actually started to articulate that women can't win in the seats.

The difference between 1996 and 2014, when they had their last election, is that women were about 30% of members from both district seats and from list seats. What we've not seen is parity. New Zealand switched their electoral system, and it gave a certain kind of access point for women. I'll concede that when they made that particular system more proportional, women got into the legislature through those list seats, but they've not hit 50%. What it enabled people to do was to explicitly say something sexist about women's abilities to win elections, which we know from other cases isn't true. What we end up seeing now is an equalization between women in the districts and women on the list, but they're still 20 points away from parity, so there are still informal barriers.

Mr. John Aldag: Okay. Thank you.

Do I still have time left?

The Chair: You have a couple of minutes, yes.

Mr. John Aldag: Okay.

I have one other question, but I will only take a minute. If you have anything else, go ahead.

• (1545)

Prof. Melanee Thomas: The only thing I'll say is that electoral reform in New Zealand did not remove the informal barriers that keep women from achieving representational parity. That's the point. I think that gets lost in a lot of the discussion about PR being good for women.

Mr. John Aldag: There was another point of clarification I was looking for or hoping to get from you. My note-taking is bad, so you might have to give me the context again, but at one point you were talking about district magnitude and the large size. Perhaps you could remind me as to whether that was in connection with trying to get greater proportionality. If we were to go to a different system, how large do you think the size should be? We've heard for multi-member ridings that it should be five. Some have said 12. Are you thinking of something larger? What are you thinking in that context?

Prof. Melanee Thomas: In the context of what I think about preferential ballots, I would have said that a preferential ballot on a district magnitude of one—i.e., just changing the ballot structure—for me is a change that's not really worth doing. I would be more supportive of a preferential ballot if we moved to something like the single transferable vote, where you would need a district magnitude of at least three, preferably five.

The difficulty there is that Canada already has very large districts, both in terms of population and in terms of geography, depending on which one you're looking at. How do you draw those boundaries in a way that preserves local representation in a meaningful way? The difficulty there is that if you increase district magnitude like that, you also have to increase the number of seats to keep that strong local link, because we are so geographically dispersed.

Mr. John Aldag: Okay. Perfect. I'm out of time, so thank you.

The Chair: Thank you very much.

We'll go to Ms. Rempel for five minutes, please.

Hon. Michelle Rempel: Thank you, Mr. Chair.

Dr. Thomas, just going back to my previous comments, I don't think financing reform is the panacea to see more under-represented groups, and I want to be clear about that, but I do think it's important to talk about it.

From my own experience and from trying to encourage other women to run, financing is something that comes up. I think sometimes women will say, "Well, I don't have the same networks as my male colleagues do to raise money."

I was trying to introduce a new topic and I wanted to give you a little more time to expand upon that. I do think very strongly that third party financing reform could tighten things up and perhaps level the playing field for some women, or under-represented groups in general, or groups with differing political thought. The last thing I'd want to see—and I think all political parties are guilty of this practice—is the use of third parties as proxies to get around electoral financing rules.

I'm wondering if you could expand on this topic in some of the time I have left to see if I could get some support. Could you give some of your thoughts on that particular aspect? I don't think it has been discussed in Parliament or in the context of this committee yet.

Prof. Melanee Thomas: I think money matters most for women at the nomination stage. This is one of the things you talked about. Regulating how much people can spend on nominations does a lot for historically under-represented groups.

Something that should be noted for the record is that networks matter. They matter for money, but they matter as much for recruitment. Electoral district associations that have women on their executives, especially women as their EDA presidents, are much more likely to run women as candidates, simply because you have somebody with a network who knows a woman and can do that kind of recruitment.

Women tell us that money becomes a barrier also at that nomination stage, and it matters in ways that don't matter for men. It's not just about getting money for getting on the ballot and mounting a campaign, but for things like after-hours child care. It's for things like hair and clothes and the whole presentation in which women are required to engage in ways that men aren't.

This comes into the third party financing side of things. I can imagine a scenario, as you see happening south of the border, in which a third party that doesn't like a particular kind of candidate decides that they will engage in a very targeted kind of campaign on grounds that we would say would be undemocratic and problematic. In that sense, I would always say that this kind of campaign finance regulation would be good. Money matters in that particular context, so having a control on it is important.

When it comes to actually helping women's numbers, though, being able to regulate and have clear pathways for things like nominations and recruitment is where the money really matters for gender parity in terms of elections.

• (1550)

Hon. Michelle Rempel: To continue with this thought, you talked a little about how PR isn't necessarily a panacea in removing some of these barriers. Just thinking forward, I would think that third party financing would have quite an impact in terms of how candidates would be selected on a list or how candidates would be chosen in a PR system, given that there might be—I'm just theorizing—more individual distinction, depending on how the system was set out.

If there was a change to the electoral system, do you think third party financing could have even more impact and therefore require perhaps stronger legislation mirroring the kind we have with federal political parties right now?

Prof. Melanee Thomas: I would say that introducing any kind of a party vote would be a change from what we do now, which is vote for a local candidate. If you were to move to a mixed member proportional system, under which you vote in the district and then you also vote for your party overall, or if you were to move to a list PR system where the vote is simply cast for a party, then third-party voices, as you've described, would become very important. They could direct their campaigns at an actual ballot or an actual ballot decision that doesn't have any kind of link to that local sense. That kind of set-up would be something that would need to be addressed.

What I would say about list construction is that I'm less concerned about third party financing in how the lists are constructed and more concerned about the informal barriers that already exist inside political parties, because parties draft the lists.

Hon. Michelle Rempel: Yes.

Prof. Melanee Thomas: It means that in places like Sweden, where we know they've been able to elect a gender-equal parliament, it's because you had parties that voluntarily zippered their lists and alternated between women and men.

In the Canadian context, I identify that most of the informal barriers that block women's candidacies or put women into districts they can't win and all these other sorts of things are in the black box of political parties, and it cuts across the spectrum. The problems are with the parties.

Third party finance matters in terms of how you might persuade somebody to vote for a party, certainly, but there are other powerful barriers that exist inside Canada's political parties that would come into play on list construction and any other kind of candidate nomination.

The Chair: Thank you.

I should mention that Professor Massicotte has to leave at 4:00, so when he does leave, it's not because of something we said.

We'll go to Mr. Boulerice, please.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

To begin, I have a brief comment. Professor Thomas, I am sure my colleague Kennedy Stewart would agree with you and would be very happy to hear you say that, if there were financial consequences for political parties that do not field an equal number of men and women as candidates, the problem would be solved overnight, because that is exactly what he proposed in his bill.

Ms. Northam, I would like to hear your thoughts on the radical idea that a voter could vote for their first choice, for the candidate they would like to see in Parliament, and get what they want. This is in fact the case in the majority of democracies and Western countries. In Canada, we have a system that creates systematic injustices.

I'll give you two examples and I would like to hear your reaction.

On Vancouver Island in the last election, the NDP won 33% of the vote, the Green Party, 25%, the Liberals, 21%, and the Conservatives, 21%. Yet five NDP MPs, who are all excellent and who I like very much, and one Green MP, were elected, but no Liberals or Conservatives. Even though Liberal and Conservative voters account for 42% of the votes cast on Vancouver Island, they have no representation in Parliament whatsoever.

The same could be said of my NDP friends in the heart of Toronto. They are there and account for a considerable vote share, but they are not represented either.

The same is true for Conservative voters on the Island of Montreal. They are there, represent a percentage of voters, but they have no representation.

In your opinion, what should we do to ensure that NDP voters in the heart of Toronto, Conservative voters in Montreal, and Liberal voters on Vancouver Island have a voice in Parliament?

[*English*]

Ms. Katelynn Northam: Well, have PR would be the short answer.

I was thinking back to what we were discussing earlier regarding whether this is a thing that people are really asking for. Is this a thing that people want?

It was really interesting for me as I was going door to door a lot in the last election and speaking to people specifically about this problem. I think the way you ask people about it is very interesting. If you come to someone and ask if things are working for them right now, they might say yes. If you then show them a pie chart that shows how many people in their riding voted for a different candidate from the one who was elected, they'd say it's not fair. People do understand this intrinsically.

One thing we should keep in mind, as I said earlier, is that Canada is the only OECD country that uses first past the post at every level of government, which means that Canadians don't have a reference point of another system. If we were to start seeing other types of electoral systems at different levels of government, which could be the case in the next municipal elections in Ontario, we would maybe begin to see a bit of a culture change.

As an organization, we are not endorsing a specific type of proportional representation, but something that gets us much closer to a system under which people can at least say they see themselves reflected in the House of Commons would be a big improvement.

● (1555)

[*Translation*]

Mr. Alexandre Boulerice: Thank you very much.

I heard Mr. DeCoursey's objections, who is concerned about NDP and Conservative voters in the Maritimes. Thank you, Mr. DeCoursey.

Mr. Massicotte, there are four minutes left before you leave. I would like to clarify something.

In Germany, do the list members work with citizens? Do they work on constituency files?

In Canada, one of our roles is to guide citizens through the public administration.

Prof. Louis Massicotte: Thank you for your question, Mr. Boulerice. I did not have time to speak to that earlier.

One of my German colleagues surveyed members of the *Bundestag*. He asked them how important constituency files were in their work. Most of the riding members said it took up 87% of their time, while the list members, who we imagine watching television or doing something else, said 72%. In other words, list members do work on constituency files.

Members usually become list members in ridings where they ran unsuccessfully. Double candidacy is the best way to prevent differences from developing between the two types of members. It is often said that the “fat pack” list members do not have to work very hard, leaving the poor riding members to do all the work themselves. The system is not well understood, I would say. Double candidacy is a very good way of oiling the system.

The Chair: Thank you.

You have the floor, Mr. Ste-Marie.

Mr. Gabriel Ste-Marie: Mr. Massicotte, we will take advantage of your expertise right to the last minute.

You mentioned earlier that there had been a few surveys in Canada about the need for a referendum on reform. I believe you said that some surveys were conclusive while others showed bias.

Prof. Louis Massicotte: When the question is phrased in a fairly neutral way, it is half and half, but it can be as much as 63%, as I recall. If the question is more difficult, the percentages are very high.

Mr. Gabriel Ste-Marie: Okay.

If the government decides to go ahead with electoral reform and hold a referendum to consult Canadians, should the 50% plus one rule apply?

Prof. Louis Massicotte: Here is a clever answer.

Referendums are consultative. As Mr. Burns' white book on sovereignty indicated in 1978, there is no need to establish a threshold for victory since referendums are consultative.

Mr. Gabriel Ste-Marie: I see. That is very interesting.

It gave me a start earlier when Ms. Thomas recalled that, following the events in 1995, the 50% plus one rule was no longer to apply. Quebec's National Assembly objected to this and it was determined that that was the rule. I think my colleagues in the NDP agree that the 50% plus one rule must apply. Thank you.

That is a problem. In British Columbia, they can not even adopt a 60% plus one rule. I think we are putting the bar too high and that is an obstacle. Thank you.

If there is time left, I have a question for the three witnesses.

In the Figueroa case, the Supreme Court pointed out that party financing is an essential component of the plurality of opinions.

Should a future reform of the voting system be linked to a reform of party financing, or should these two things be considered separately?

Should party financing be reformed? Is that essential or not?

•(1600)

Prof. Louis Massicotte: I would argue that these are two separate issues. I think public financing of parties is very legitimate and could be maintained.

That said, as omnipotent as Parliament is, it cannot stop planes from taking off, so I have to leave you now.

Thank you.

Mr. Gabriel Ste-Marie: Thank you for joining us.

The Chair: Thank you very much, Professor Massicotte.

Mr. Gabriel Ste-Marie: I will ask Ms. Northam and then Ms. Thomas the same question. I am referring to the decision in Figueroa and party financing, which is an essential component of the plurality of opinions.

If the voting system is reformed, should party financing also be reformed, or would you rather keep these two issues separate?

[*English*]

Ms. Katelynn Northam: I honestly can't speak on behalf of the Leadnow community on this issue either. We haven't consulted our members on it. We're broadly supportive of anything that would help smaller parties or more voices be represented in the House, but we'd have to see more. It's already a big question on its own.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you.

What do you think, Ms. Thomas.

[*English*]

Prof. Melanee Thomas: Just as a point of clarification, are you asking about public financing for political parties, such as the per-vote subsidy or something along that line?

[*Translation*]

Mr. Gabriel Ste-Marie: Yes.

[*English*]

Prof. Melanee Thomas: I'm inclined to agree with my colleague Dr. Massicotte that these questions are distinct, but I also think they are linked.

In the literature on party and campaign finance internationally, most countries do have some form of public financing. It's broadly seen to be a good thing, because the political party is a key institution linking representative institutions and the voting public. I will happily own to being a fan of the per-vote subsidy. It struck me as a democratic way of doing party financing. It also struck me as a way of being able to tell people who thought their votes were wasted because they weren't necessarily voting for the winner that their vote was actually contributing to something.

I think it would be worthwhile to re-engage in this kind of discussion about what kind of public financing the parties need. The context around the past way we did it is less than sparkling, but I do think it's worth having a discussion. I know I have colleagues who disagree with me because they don't necessarily like either the per-vote subsidy or the idea of public financing, but I would broadly endorse it as a good thing.

The Chair: Thank you.

Ms. May is next.

Ms. Elizabeth May: Thank you, Mr. Chair.

I'm so sorry I didn't get to ask Professor Massicotte my question. I would love to have known what he thought about STV.

Following up on this, Professor Thomas, I want to be sure I'm presenting a fair summary of your view of the New Zealand experience. Let me just try it out. You would agree that the New Zealand shift from first past the post to mixed member proportional resulted in an increase of women elected to Parliament, but that by itself it has proven to be an insufficient way of addressing the informal barriers that continue to apply.

Is that fair?

Prof. Melanee Thomas: As long as it's not phrased as "the shift was necessary but insufficient", because I don't think the shift was necessary; but it certainly has been insufficient, yes.

Ms. Elizabeth May: To Katelynn Northam, in terms of what your surveys of the Fair Vote community have told you, I think about 85% of the Fair Vote community wants to see proportional representation. Have you made inquiries about specific types of PR, and is there a general preference in your surveys for mixed member proportional versus single transferable vote?

Ms. Katelynn Northam: Yes, we have asked that question—and we're from Leadnow. Fair Vote is a different—

Ms. Elizabeth May: Oh, I'm so sorry. I don't know how I made that mistake.

Ms. Katelynn Northam: I just don't want to take credit for their work.

Ms. Elizabeth May: Of course; I'm very familiar with Leadnow.

Ms. Katelynn Northam: No worries.

We have been doing some internal surveys of our members, and opinion is really quite divided. A lot of people would say that they don't mind the system as long as the principle is there. We see slightly more people in favour of MMP than STV. I think part of that comes from the fact that the local representation factor seems very familiar and similar to what they know with the current first-past-the-post system. It feels relatively simple and accessible on the ballot. I think a lot of members would also argue that STV is a strong system.

That's something we'll be doing going forward as we see more concrete proposals come forward.

•(1605)

Ms. Elizabeth May: This may be a question beyond what you have at your fingertips, but I'm curious to know this.

Given that we had a citizens' assembly in Ontario that recommended mixed member proportional and a citizens' assembly in British Columbia that recommended single transferable vote, have you a sense within your Leadnow community of whether there's greater support for MMP in Ontario and greater support for single transferable vote in B.C.? I'm wondering how much the work of those citizens' assemblies continues to inform public opinion in the two different provinces.

Ms. Katelynn Northam: It's a great question. I could pull that data apart and take a look at it, because we did ask people which province they were from. I could see who answered what. I would not be surprised if MMP were more popular in Ontario for that reason.

I think it just speaks to the importance of having really deliberative processes around these things. The citizens' assemblies are certainly good examples of that. They were a really good way for the provinces to have a good conversation about it and to educate more people in the community about different options for voting systems. As I mentioned earlier, we do not have a lot of experience with other types of voting systems in Canada.

Ms. Elizabeth May: Pursuing that, and I don't know if you've done this, but have you asked the thousands of people you talked to through online communication about any of the questions that are before this committee about online voting and mandatory voting, and one that isn't squarely before us—which I'd be very interested in, because I know you have a lot of youth members—about changing the voting age?

Ms. Katelynn Northam: Yes, we did ask those questions, and the results are in the brief. The brief is still with translation, but you should have it shortly. We did ask those questions. I wish I could be more helpful on this point, as opinion was quite divided. I think we haven't been talking about these issues as much with our community as we have on other issues, such as PR.

We did see that opinion was quite divided on the question of mandatory voting. People were concerned that it might be a blunt instrument, but they also felt it could increase representation and the voices of people who don't traditionally vote or participate.

With online voting, again there were a lot of concerns about security, but there was also some interest in seeing whether it would help with accessibility.

The youth voting was less popular. However, when we pulled it apart by age and asked only the people who were under 30 on our list, youth voting was very popular. I think that's something you should keep in mind.

Ms. Elizabeth May: I have one last thing that I think I can squeeze in to ask you.

Given that one of your other priorities is climate, do you find there is any relationship between our voting system and Canada's climate action?

Ms. Katelynn Northam: Yes, we do, and I think it really speaks to the heart of why we care about this issue.

We're a very broad organization. We have members from every political party. People are interested in transcending those boundaries and in addressing the big issues like climate change, which really do require inter-party co-operation in order to be addressed, so yes, I think that's part of where this is coming from. We're tired of seeing this narrow election-to-election policy work that's being done right now under first past the post. We want to see policy that's going to be done collaboratively and that will stand the test of time and not be changed between elections.

The Chair: Thank you very much. That's an interesting point.

Ms. Romanado is next.

Mrs. Sherry Romanado: Thank you so much.

Dr. Thomas, I want to mention that I think you're bang on. I have been listening to testimony for the last couple of weeks on all the reasons that women don't want to pursue politics, and I can guarantee you that my decision had absolutely nothing to do with what voting system was in place.

I think you're right. There are informal barriers, and I don't think there are informal barriers only at the point of deciding to get the nomination or deciding to run and then the actual election campaign; I think there are also barriers post-election, when you actually get elected.

I don't think that's the case only for women; it's for our youth who are contemplating running for office and getting involved. I know this may sound a little off, but that generation that is searching for a work-life balance doesn't want to be living for half the time in Ottawa and half the time in their home province.

I want to let you elaborate a little more on some of those barriers that have nothing to do with an electoral system and that are preventing our youth, women, and visible minorities from getting involved in politics.

Prof. Melanee Thomas: Thank you for the question. This links very closely to a project I have with my co-editor, Amanda Bittner, who's at Memorial University, and an international panel of scholars looking at the impact of gender and parental status in politics. A number of things come through very clearly from that work and from other research.

First, something that will always be an issue in Canada is the commute. That sounds really quite trite, except I'm in Alberta, and a weekly commute to Ottawa is something that I, and I imagine a number of people, simply would not do. It's just not on. The people who are doing it know how difficult it is. For people who are considering it, this is one of these things that become problematic.

The idea that local politics is good for women comes from a lot of research in the United States that shows that women who actually get into politics say something along the lines of "I want to do it at the local level, because I want to be able to drive to where I work as opposed to flying to the state capital or to Capitol Hill." In other words, there isn't necessarily something about local politics per se that makes it friendly for women; it's because there is a work-life balance and things like commuting are addressed.

The other thing that comes through pretty clearly is the nature of political work and what this means for children. In the province of Alberta, where I reside, we have some interesting things happening. We went from having a legislature that hadn't even addressed maternity leave and pregnancy and small infants to having two major changes, with maternity leave programs not only in the legislature but in cabinet. One thing that's come through very clearly from the last Parliament is that the nature of political work itself doesn't lend itself to maternity or parental leave, which is challenging, especially when care facilities don't exist in that particular workplace or close to that workplace for the care of infants, for example.

When we look at places like Australia and Great Britain as well as historical evidence from British Columbia, we see that it also becomes problematic whether individual members can do such things as job-share on committees or even bring a breastfeeding

infant into committee work. In British Columbia, in the British House of Lords, and in Australia individual members have actually been barred because their infants were seen to be strangers. When that gets presented as being ridiculous, my example from the British House of Lords is that they then said that breast milk was a refreshment, and refreshments were not permitted in the committee. That's why the breastfeeding mother couldn't be brought in.

I wish I were joking about that, but I'm not. If you're looking at women who are my age, in their thirties, and thinking about how they want to balance their professional life with other aspects of life in general, these are considerations that definitely kick us out of the pool.

It will be interesting to see how many young fathers are prepared to participate in these sorts of things as well. I want to say that these things certainly do hit women in a particularly gendered kind of way, but I don't think it's helpful to phrase them exclusively as women's issues. It's just that being a parent in politics is very different. What this means in the U.K. is that the majority of members of Parliament who are men are parents, and the majority of women who are members of Parliament are not. My British colleagues have identified that as a problem.

● (1610)

Mrs. Sherry Romanado: Do you have any research on younger Canadians, female or male, who are contemplating running for office? We want to engage them not only to actually vote but also to contemplate a career in politics. What are some of the barriers?

Prof. Melanee Thomas: The research we have is in progress, so I don't want to make a strong "research says" kind of conclusion. In addition to everything I've already stated, however, one thing that's becoming clear is that the nature of the Internet, and particularly one's online past, has had a chilling effect. We've had candidates in the city of Calgary in the federal election who were dropped because of things that were posted on the Internet when they were children. This would be about the age of 15 or 16 or somewhere along those lines.

This is where there is an interesting intersection between youth voting and standing for office. If somebody is the age of majority at enfranchisement, at 18, does this mean that things we can dig up about them online are onside if they choose to be a candidate at 22? I'm on the record as saying that I think what people do in their private lives—and even in their professional lives, to be honest—decades or years before they choose to seek elected office are maybe things that we ought to consider as.... I'm skeptical that they're good indicators of what kind of representative somebody would be. Other people will feel differently about that.

The Chair: Thank you very much.

We'll go to Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Ms. Northam, you say your organization encourages public participation and consults people. You said you support proportional representation, in whatever form.

Do you agree that all Canadians should be consulted by referendum once the committee has decided on a voting method in order to legitimize that choice?

•(1615)

[English]

Ms. Katelynn Northam: Our community is really just interested in seeing reforms happen, to be perfectly frank. We believe that a referendum is not the be-all and end-all of democracy. It can be quite divisive, as we've seen in other instances.

It's not a politically neutral process, as other witnesses have pointed out. We're open to other processes that would be deliberative, such as a citizens' assembly, but a referendum is not necessarily a good way to test whether or not there should be a reform. Our community, as I said, wants to see this change go through.

[Translation]

Mr. Alain Rayes: On your organization's website, it says that your organization pledges to actively defend referendums as a way of increasing public participation and that your organization regularly consults its supporters on various issues. Your organization's own website, which promotes your organization, says that it defends referendums as a consultation method. Now you are telling us that, in your consultations, your members said they were not necessarily in favour of referendums because they consider them to be too dangerous.

Would it be dangerous to consult Canadians?

[English]

Ms. Katelynn Northam: I'm sorry, but I'm not familiar with the section of the website you're referring to. I've worked on this issue for a year now, and the position I've given you is our official position on a referendum as it pertains to electoral reform.

We do deliberative processes and engagement and consultative processes with our own community, both online and offline. We use all kinds of methodologies to do that. I'm not aware of being on the record at any point as being in support of a referendum, but I'd be happy to see the passage you're referring to.

[Translation]

Mr. Alain Rayes: I will give you a copy at the end, but it is under the "open democracy" section on your website. What I just said can be found there verbatim.

I would go even further. You said our electoral system is unfair. That is a very strong statement, in my view. Various experts have told us that our system is perhaps not as unfair as some suggest. They are valuable sources, experts who hold doctorates who offered their considered opinions.

You said that 85% of your members want to change the system to a proportional one. You cite a survey you conducted among your members.

Other surveys conducted across Canada have shown that over 70% of Canadians want a referendum.

You say the surveys conducted by your organization would be a valid basis for making a proposal to the committee. In that case, why wouldn't a survey of Canadians also be a credible justification for consulting the entire population to confirm, not whether they want a new voting method, but whether they support the proposed change?

Why are you saying two different things?

[English]

Ms. Katelynn Northam: It's a very different context. Leadnow is not Parliament. We're a community of people with similar sorts of interests in pursuing issues of open democracy and improving our democracy. We do these processes internally in order to give us direction when we come to situations like this.

I believe that's a very different context from asking an entire country about this question, especially when multiple parties with different political interests are involved. We're not in the same situation as this committee. I don't believe those opinions are at odds with each other.

[Translation]

Mr. Alain Rayes: Don't you find that a bit unusual? Organizations like yours or the one represented by the witness here this morning say you are in favour of public participation. That witness said that the voting method should be changed because the current method is not representative enough and that citizens should have more of a voice. Yet your organization does not support the ultimate consultation method, which could be used on such a fundamental issue. It would be a way of validating a proposal put forward by a parliamentary committee.

Do you agree with that approach?

[English]

Ms. Katelynn Northam: The characterization of a referendum as the ultimate way to ask people their opinion is not true. We would encourage many other ways of engaging in this process. We see the referendum process as very open to politics, and it's not a neutral process. That's all that we have to say about it.

•(1620)

The Chair: Mr. DeCoursey is next.

Mr. Matt DeCoursey: Dr. Thomas, I want to pursue this notion of representational equity, which I understand—and correct me if I'm wrong—to be finding a Parliament that represents the ethnocultural diversity of the country. Is that a proper understanding?

Prof. Melanee Thomas: Not quite. I would say the argument that I am picking up on is one from Hanna Pitkin, which is sometimes colloquially referred to as "mirror representation." This is the idea that every group in a society ought to be as present in its representative institutions as its demographic weight permits.

Mr. Matt DeCoursey: Right. Then it would be even broader than that and include gender and age demographics. Representational equity would comprise all these different considerations.

Prof. Melanee Thomas: Yes. Socio-demographics are the easiest ones to identify, and to be frank, women are the easiest socio-demographic group to capture as this big umbrella, on the understanding that all of these groups are going to be very diverse in their own policy-relevant viewpoints.

Some will extend the idea further to ideological groups and to different ways of thinking, but the bulk of the research in terms of equity is looking at groups such as women, visible minorities, and indigenous peoples in Canada. It is anybody who has been historically barred from participating in electoral politics for some reason, and things like that.

Mr. Matt DeCoursey: Thank you.

To borrow from a phrase used this morning, I think that would represent an unalloyed good in our democracy, in our Parliament, and I would understand that to be different from the pursuit of a Parliament that represented the partisan divisions of the country. Would that be clear as well?

The second part of that question is this. From your testimony I got the sense that pursuing representation of the different political parties in Parliament is not necessarily the way that we should be pursuing representational equity in Parliament, and if that's true, what would you then advise us to pursue as tactics, as policies, as recommendations from this committee that would help increase the representational equity of Parliament?

Prof. Melanee Thomas: I would say that the distribution of votes and how that maps on to the distribution of seats is a different question from what the population looks like and what the representatives look like. Those things ought to be seen as distinct.

Of course, since I have indicated that I think political parties across the spectrum are part of the representational problem when it comes to representational equity, I can't say that partisan equity is a way of getting at representational equity.

The reason we talk about demographic weight is important. It's because we know that women are going to be ideologically diverse and they're going to have a diverse set of policy preferences and a diverse set of policy-relevant experiences that will cut across a number of partisan preferences and partisan boundaries. The same holds for visible minorities and the same holds for indigenous peoples. As a result, the kinds of questions that need to be asked for the solutions would be what you actually want the representatives to look like.

For women I think this is easier, because we can say women are 50% of the population and therefore ought to be 50% of the representatives, or you can make the argument that this should happen. What we need to avoid, though, is the idea of replicating other forms of inequity. Having 50% of the representatives made up of white, wealthy, educated professional women does not solve the problem.

What we also want to see is diversity within communities. Right now, when you look at visible minorities and indigenous Canadians by demographic weight, you see they're more present in the current House of Commons than women are, but they're disproportionately masculine, older, and all these other sorts of things.

Mr. Matt DeCoursey: Do you have a—

Prof. Melanee Thomas: Therefore the question has to come—

Mr. Matt DeCoursey: Sorry.

I was going to ask how we simplify this question when we go abroad and consult with Canadians, because I think it's an important question to put before them.

Do we ask if they want to see demographic representation in their Parliament and if they understand that it's different from partisan representation? Do we ask what value they place in higher regard?

Prof. Melanee Thomas: I know what the public is probably going to tell you, because we've asked it in the Canadian election study.

Politically engaged Canadians tend to be older and whiter and more wealthy and more masculine than the Canadian population as a whole, and they're going to be disproportionately the ones who will testify when you go on the road show. When you ask them about representational diversity, they're going to say representational diversity isn't a problem. Men don't think women's under-representation is a problem, but women do. White people tend not to think that visible minorities' under-representation is a problem, but visible minority communities do.

Therefore the discussion that needs to take place is on whether or not you want equity in representation, because it actually matters for the information that gets put forward in policy. If you put that question to the majority, you're probably not going to get “Yes, we think that's a good idea.” You're going to have a lot of people who say that the status quo benefits them, so they like it. In that sense, I think putting this kind of question to the engaged public is probably.... I know the kind of answer you're going to get, and they're not going to say there should be more women or more visible minorities or indigenous peoples.

The decision to solve those representational inequities and the solutions to those inequities go back to political parties because they do the recruitment. When you've got people who are tasked with recruiting people to stand as candidates and then getting them nominated and then getting them elected, that's where targeting and identifying people you think would be good representatives comes down.

● (1625)

The Chair: Okay. Thank you.

Mr. Cullen is next.

Mr. Nathan Cullen: Thank you, Mr. Chair.

I'll stay with you, Professor Thomas, and maybe Ms. Northam has a comment as well.

You've cited political parties. I know you meant to say “with the exception of the NDP”, which has done an okay job—not perfect, but a better job, I'd say—yet we haven't been a “contagion”, as you called it earlier. Can we seek a better word, perhaps—

Voices: Oh, oh!

Mr. Nathan Cullen: —when talking about trying to improve the representation of women? I've been on a number of NDP committees as we sought to talk about those barriers, as Ms. Romanado mentioned, and it was not just to talk about them but to then remove them. We have a proposal in Parliament right now to do that, to, as you said earlier, connect the money. If parties had a financial disincentive to having a low number of nominated women, then parties would do more.

Am I connecting the dots fairly from your comments? I don't want to exaggerate or misrepresent.

Prof. Melanee Thomas: I think so.

Where the mechanism applies for me is that we know no one gets to be a candidate for a political party without the leader signing the nomination policy, so I would backstop this idea by saying that if leaders wanted their candidates to look a certain way, they wouldn't sign nomination papers until they had candidates who looked the way they wanted them to.

To be frank, and this is where—

Mr. Nathan Cullen: It's if there was a financial hit, right? The connection would be that the reimbursement would be lessened.

Prof. Melanee Thomas: Yes, exactly. This is the thing. I understand that particular policy and I am deeply cynical when I endorse it, but no party leader is going to set up a scenario in which they're not going to get their full reimbursement. They'll direct their people to find the candidates to maximize the money. It is a really cynical approach, but I'm not the only one among my colleagues who thinks that if this were tied to the money, the problem would be solved overnight.

Mr. Nathan Cullen: I can understand the cynical view, but if Canada is sitting 62nd in the world right now, we need concrete mechanisms, not gestures, not symbolism, not tweets. We need things that help guide parties and party leaders in how we construct ourselves to offer Canadians a choice that more fairly represents Canadians, as radical as that notion sounds.

I don't know, Ms. Northam, if you had any comments on this particular mechanism or anything that was just said by Professor Thomas.

Ms. Katelynn Northam: I think we're broadly supportive and would agree with the fact that there are multiple barriers to women's participation and that we have to look at all of them. We had suggested PR as one possible way to do that, but I acknowledge, obviously, that it's not the main solution.

Mr. Nathan Cullen: This is again for both of our witnesses.

We were given a study of 60 years of the Australian experience. Under the winner-take-all ranked ballot, two and a half times fewer women were elected to the Australian legislature than what was done under the same election conditions, the same political culture, under a proportional system. It was two and a half times more women. While we don't offer it as the silver bullet to the question that we're trying to solve here, the evidence we've been given by a number of esteemed academics says that this is something we should take note of.

Ms. Katelynn Northam: That's the evidence that we've seen also. As I said, we're looking at all the solutions, and the experience of

countries with PR does seem to show that there is improvement in that area. I think we have a lot of work to do on improving the participation of women in politics, so we have to look at all the solutions.

Mr. Nathan Cullen: Professor Thomas, is your argument then that there's correlation, but not causation? Is that the general sentiment around proportional systems?

Prof. Melanee Thomas: One of the things, when it comes to empirical models, is that the type of electoral system stands in as a blunt indicator. You can't say the system causes a bunch of things, because you don't know what is actually working as the causal mechanism.

In the case of Australia, I would note that you spoil your ballot for the Senate if you don't rank order every single candidate, which means that most Australians are simply checking the box and saying "I'm going with the party's order", and the party determines the structure of the list.

It goes back to my main point, which is that if parties wanted parity on their lists for STV in the Senate, they would structure their lists accordingly. The same thing holds with the alternative vote. This is the sexist idea that women might not be able to win in the districts in the same way that men would be able to by looking like the good candidate or the best candidate to win.

This goes back to the nomination of candidates. In the Canadian context, we can tell you that every single political party in the lead-up to the 2008 and 2011 federal elections disproportionately nominated women in ridings where they knew their party wasn't going to win. That held for open seats as much as it did for incumbents.

I don't think I'm making such a strong assumption in suggesting that parties have a rough idea about where they're actually going to win, and they nominate candidates accordingly.

• (1630)

Mr. Nathan Cullen: Nevertheless, we have never, in this country, broken through even the 30% glass ceiling by having 30% women on the ballot in our elections—

Prof. Melanee Thomas: That is not true.

At the provincial level, we have a government caucus that is 47% —

Mr. Nathan Cullen: I mean federally.

Prof. Melanee Thomas: Yes, but the provinces tell you that parties can do it differently if they wanted to.

Mr. Nathan Cullen: Right.

Prof. Melanee Thomas: I will defer to my own premier when she says that these spaces for women and for other historically under-represented groups do not happen organically. They are not going to happen organically under our system and they are not going to happen organically just because you change to PR. You need to make space for them.

Mr. Nathan Cullen: We can do both. I guess that is the point of the exercise. It is not an either/or situation.

The Chair: We are going to Mr. Rayes now. He is going to ask some questions.

[Translation]

Mr. Alain Rayes: Thank you.

Ms. Thomas, I will let you continue. I would like to pursue this further.

In the whole electoral reform debate, we hear big pronouncements by various people, but it really seems that people are being led to believe that changing the electoral system would solve many of the representation and voter turnout issues.

From what you are saying, it seems that political parties could take concrete steps and work together to change the culture within Parliament in order to produce results, without necessarily changing the voting method.

Is that correct?

[English]

Prof. Melanee Thomas: Yes.

In terms of achieving representational equity, I see no good reason why it is not happening now, other than things that simply cannot be defended. It is literally 169 women. This is all somebody would need to recruit. It boggles my mind that we can't find them. It boggles my mind even more, to be honest, when we are talking about people who aren't white and about indigenous Canadians.

I am sympathetic to the idea of having both, of having a more proportionate system that better reflects partisan preferences from the electorate into representatives. Sure, we can do both, but it is clear to me, based on my research-based reading of the Canadian political landscape, that the majority of our representational problems could be solved right now without an institutional change. I have little faith that if parties and other political actors aren't prepared to solve those problems now—

[Translation]

Mr. Alain Rayes: Ms. Thomas ...

[English]

Prof. Melanee Thomas: —then why would they under a different electoral system? That is the point.

[Translation]

Mr. Alain Rayes: Ms. Thomas, so if we took all the energy that this committee is devoting to the issue, all the financial resources allocated to it, and all of our prime minister's political will, and if each of the political parties used them to take concrete steps to field 169 women candidates in the next elections, we would solve the problem much more quickly.

[English]

Prof. Melanee Thomas: No. My question is to every political party. Why aren't you doing it now? I don't see any good reason.

[Translation]

Mr. Alain Rayes: Exactly.

[English]

Prof. Melanee Thomas: I think this current process that allows me to ask every single political party “Why aren't you doing it now?” is certainly worthwhile, simply because that question is now in the public record.

[Translation]

Mr. Alain Rayes: Thank you.

[English]

Prof. Melanee Thomas: I am not sure if that helps answer your question.

[Translation]

Mr. Alain Rayes: Thank you, that was a very good answer.

Ms. Northam, in spite of the whole process that has been put in place, I cannot say there are a lot of people right now in the various consultations that have begun. We'll see what happens during the cross-Canada tour.

Would you say that the consultation process established by the government is exhaustive enough to justify changing the voting method at this time?

• (1635)

[English]

Ms. Katelynn Northam: From our community's perspective, as I said earlier, our community would like to see this done. It is something they have been talking to us about for a long time. Our experience is that we have been going to some of these town halls and we have seen town halls that have overflowed. I hope it is also your experience that lots of people are excited to come and talk about it.

I think there are other ways we could go about having this conversation. I mentioned the citizens' assembly, which has been held up as a very good example of a way to have a deliberative process around these questions that is much more free from political influence. We are committed to engaging in this process insofar as it has been laid out.

[Translation]

Mr. Alain Rayes: Does your organization support any kind of change in the voting method or is it strictly in favour of proportional representation?

[English]

Ms. Katelynn Northam: At this moment, our community has endorsed proportional representation, so that's what we are supporting. We don't have a definitive position on the other questions at this point, but if that does come about later on, we'd be happy to relay that to you.

[Translation]

Mr. Alain Rayes: If the government ultimately decides to put forward a different proposal, you would have no opportunity to express your views even if you disagreed with it, since you are not in favour of a referendum to give Canadians an opportunity to express their views. Is that correct?

[English]

Ms. Katelynn Northam: We're sort of keeping an eye on things. We're committed to engaging with the process all the way through. We definitely, as a community, are very good at rallying around the causes that our community cares about. We'd be looking to engage with members of Parliament, depending on what the proposal was at the end of the day. We'd have to stop and re-evaluate and see what we want to do at that point, so I can't really speak to that question.

The Chair: Thank you.

Ms. Sahota is next.

Ms. Ruby Sahota: Thank you.

I'm laughing because my colleague and I were talking about recruitment right now and we think we should recruit you, Professor Thomas. You would be an excellent politician, except for the fact that you won't travel and you may be too sensible.

Some hon. members: Oh, oh!

Ms. Ruby Sahota: I don't want to be testifying and I do want to learn as much as possible from all the witnesses here, but I am from a minority group and I am a woman and I did run in this last election. I have a young son, so I have a young family.

I can attest to why I made the choice and to the barriers that I felt I faced and still face today, and why I've talked to a lot of other women I know, trying to encourage them to run, and the responses that I get from them.

Some of the barriers have to do with that Internet stuff you were hinting at earlier, the dirty politics that can be in an election campaign. Certain ridings are more prone to that than others, depending on who you're running against and what they're known for. Some women don't want to risk the negative impact it might have on them. They fear it may have a worse impact on them than on their male counterparts at times.

I can definitely tell you that it wasn't the electoral system. Most women who want to get into politics like the competitiveness and like politics. That's why they're there, but it's also some of the stuff that my colleague Ms. Romanado mentioned. It's after the fact.

I sit on the procedure and House affairs committee. We've been looking at a lot of factors that we can change in Parliament in order to make it more inclusive, to allow more people to make that decision to run. A lot of people don't do it because of the travel that you mentioned.

They don't do it because of the work/life balance. How can that be attained? How can we ensure our children aren't strangers on the floor? How can we make those procedural amendments, such as maternity leave? There are so many things to consider that are inherent obstacles for women. I know some are for men as well, but there are other biological factors and problems that women have that men don't encounter.

It's so complex. Why more women aren't in politics is such a complex issue. It's very simple to just say, "This is the reason, and we can solve it by either PR..." Had we had a PR system in place today, you could maybe make the link that maybe we have a gender-balanced cabinet because PR countries lead to gender-balanced

cabinets. Well, no, they don't. It's political will, as you said. If you want to do it, you'll make it happen.

I definitely agree that we need the political will across all parties, regardless of what party it is, to get that mirror image in Parliament.

Thank you for your testimony today. You've given us a lot of other things to think about.

I want to open the floor to you and Ms. Northam. If there's anything else you want to say in conclusion before you have to leave today, things that you weren't able to testify to today, I'd like to open the floor to you to do that.

• (1640)

Prof. Melanee Thomas: On recruitment, there are concrete steps that could be taken that would have payoff down the road.

We know that political parties are a vessel that recruits candidates and forwards them for election. We know that party members are much more likely to be men than they are to be women. We know that when women are party members, at least from research that has been done in the past by William Cross and Lisa Young, the kinds of positions that women were in were different from men's positions.

In blending that research with other research, I would say this: recruiting women as candidates first is probably a good way to fail. I would recommend that all political parties recruit women as party members and integrate them into internal party democracy processes. The other thing that becomes clear from the research is that if those women are in key positions, they will recruit other women as candidates and they'll recruit other women into their parties.

The other thing that also becomes clear from the research is that women need a lot of time to set things up so that they can run, a lot more time than some of the men who get asked. This could be a multi-year process. If you're asking somebody two months from an election date, they're probably going to say no. If you ask them two years from an election, it might be a little different.

The last thing I'll say, which came up in the research that I conducted with my colleague Lisa Lambert, is less about the Internet, but it links to it as well: sitting members expressed safety concerns not only for their person but for their children when they were talking about the conduct of their jobs in ways that their male peers did not. This is an additional element to take into consideration when we're talking about finding those 169 women and setting the stage for them so they'll actually be prepared to participate.

The Chair: Ms. Northam, do you have anything to add?

Ms. Katelynn Northam: On that specific point, not so much. I just want to thank you all, and I'll end by saying that if you are thinking about first past the post, you're endorsing a system that under-represents millions of Canadians.

I think it's a question of whether we can do better and whether we can do better at representing people in this country. I'll leave you with that thought.

The Chair: Thank you.

I have one last question that I would like to ask.

When it comes to countries that have list systems, either MMP or pure proportional—and I know there aren't very many that are pure proportional—on average, what is the gender makeup of the lists? I naively thought they would automatically be fifty-fifty, because that would be one of the reasons you might want to have a list. It was a naive assumption.

Is it anything close to fifty-fifty? If you look at Europe, for example, you would think that the lists would be fifty-fifty, but what are you finding?

Prof. Melanee Thomas: I have the figures for all OECD democracies, meaning Europe and a few other countries. For list proportional representation countries with a legislated gender quota, their legislatures are 32% women. If they have a voluntary party quota with list PR, their legislatures are 29% women. The list PR plus a legislated quota plus a voluntary party quota is 28% women. That suggests to me that if parties are voluntarily putting quotas on and they're legislating quotas, the barriers are considerable.

List PR countries with no quotas are at 30%—

The Chair: Sorry, I don't understand. You're losing me a bit because I'm just looking at the list. I'm not looking at that portion of a system that is riding-based.

When you have a list in a PR or mixed member proportional system, what percentage of the list is typically women? Do some countries have fifty-fifty lists and some have sixty-forty? How does that work?

•(1645)

Prof. Melanee Thomas: The variance is going to be huge, and it will be determined by each political party.

I can tell you that there is at least one party in Sweden that will make it fifty-fifty, but there are a bunch of parties in Sweden that won't.

The Chair: Right. Okay, that's the issue.

Prof. Melanee Thomas: Because parties set the list, it comes down to the party to figure out how many women they want on the list. There's no hard and fast rule. There really isn't.

The Chair: Yes. Then it doesn't converge on equality in any sense in these countries. It's all over the map.

Prof. Melanee Thomas: No, it doesn't. That's right.

The Chair: Okay. Thank you.

That was really a fantastic session, and I have a feeling that a lot of the testimony from today will work its way into the report.

Thank you for joining us from Calgary.

Thank you for joining and being here, Ms. Northam, and I thank Professor Massicotte in his absence.

Thank you for making the time today. Have a good day. Thank you.

Colleagues, we'll have about a 10-minute break because we—

A voice: We don't have another meeting.

The Chair: We don't have a meeting?

Voices: Oh, oh!

The Chair: Okay. I thought we were going to do some stuff. There are so many meetings.... I thought there was a meeting.

Colleagues, I haven't hit the gavel yet, but I want to remind you that we have a meeting tomorrow at 9:30 in this room. I'm sorry we don't have a meeting after this.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 020 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, August 31, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, August 31, 2016

• (0935)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good morning, colleagues.

This is the 20th meeting of the committee and the third day of testimony this week.

We have several guests this morning. They are all appearing by video conference. There are no witnesses in the room with us. They are in Germany and Scotland.

From Germany, we will hear from Joachim Behnke, professor at Zeppelin University in Munich and chair of the Department of Political Science. In 1990, he earned a master's degree in arts, communications, economy and political science from Ludwig-Maximilian University in Munich. He has worked in the university setting since 1991.

Professor Behnke contributes on a regular basis to reviews on election law and elections in various well-known publications, including the German *Financial Times*, *Der Spiegel* and *Die Zeit*.

In 2011, he testified before the legal parliamentary committee of the State of Schleswig-Holstein, which sought to reform the election law of that region. He also testified before parliamentary committees on the Constitution of Bavaria. He appeared before the German Federal Constitutional Court and spoke about a constitutional challenge to the election law recently passed by the coalition government.

[English]

Also with us from Germany today is Professor Friedrich Pukelsheim, a professor of stochastics at the Institute for Math at Augsburg University and chair of the department of stochastics at the university. Professor Pukelsheim's research focuses on the mathematical analyses of electoral systems. He is often invited as a witness to parliamentary committees on electoral law. Professor Pukelsheim is known for having developed an electoral process known as the "new Zurich allocation method", colloquially referred to as the "double Pukelsheim", a system used in 2006 during Zurich's council elections.

From England we have joining us today—and please correct me and forgive me if I don't pronounce your last name properly—Mary Pitcaithly.

Is that correct?

• (0940)

Ms. Mary Pitcaithly (Convener, The Electoral Management Board for Scotland): That's absolutely right.

The Chair: Good.

She is the chief executive of Falkirk Council, a local authority responsible for local government functions in Falkirk, and the convener of the Electoral Management Board for Scotland. Ms. Pitcaithly studied law at the University of Edinburgh. She was the first woman to hold the post of chief executive of a Scottish council in 1998, as well as one of the youngest. She has been a representative of local government on a variety of national bodies, and is a former member of the Arbutnott Commission, which was set up to consider boundary differences and voting systems in Scotland. In 2005, Ms. Pitcaithly received the Order of the British Empire for her service in local government.

Also joining us from the U.K. is Mr. Andy O'Neill.

[Translation]

Mr. O'Neill is the head of the electoral commission in Scotland. He has held this position since 2001. He appeared before the Scottish Affairs Committee during its study on the Scottish independence referendum.

Also with us is

[English]

Chris Highcock, who is secretary to the EMB, the Electoral Management Board for Scotland. He supports EMB's policy and strategic work and is a key liaison between it and Scotland's 32 returning officers and 15 EROs. He engages with governments, the electoral commission, and various suppliers to ensure that stakeholders understand the requirements of the electoral administrators. As senior deputy returning officer for the City of Edinburgh, he oversees the capital's delivery of elections and referendums.

Thank you so much, again, to all of you for being here.

This is the way we work. We have for the first group from Germany 20 minutes for presentations, as we have for the second group from the U.K. You will go through your presentations. Then the committee will have two rounds of questions. In each round each member—and we have 11 members asking questions—will have five minutes for a Q and A session. There will two rounds of this.

I would remind you that if we get to the end of the five minutes and you haven't been able to fully answer a question, it doesn't mean you can't address it the next time the floor is yours. So don't worry about that.

We'll start with Professor Behnke, please.

Professor Joachim Behnke (Professor, Chair, Political Science, Zeppelin University, Germany, As an Individual): A central theme in the committee's inquiry into the system for the election of the members of the House of Commons is the problem of proportional representation of political parties. Hitherto, members of Parliament have been elected in single seat constituencies. However, Parliament's daily work relies on party affiliation, not on regional provenance. This mismatch has been the cause of many debates and initiatives for electoral reform. Similar electoral issues have been encountered in German history. Based on the German experience, we would like to sketch some ideas that may possibly aid in identifying feasible solutions for the Canadian problems.

In section 2, we give a short review of the essentials of the electoral system for the German Bundestag. In section 3, we turn to the Canadian House of Commons and sketch a hypothetical electoral system, tagged as "SMP and PRP", that we view to be a natural enhancement of the current single-member plurality system.

I will begin with section 2.

I'm very pleased to appear here as a witness and to introduce to you the main features of the German electoral system. The double vote system for the election of the members of the Bundestag has become something like a democratic export hit. In contrast to other exports, like German diesel cars, it has caused no considerable mischief. Quite the contrary, it is held in high regard. Without doubt, this esteem is not undeserved, but there are at least some precautions you should take when implementing the German system.

To explain the system as a whole would be a very demanding task because the current German system is one of the most complicated systems in the world—but this is valid only for the way it works, not for the way it is executed. Furthermore, the complex intricacies of the German system are mostly due to its federal structure and the specific way the German system is adapted to that.

Although Canada is also a federal state, due to constitutional constraints, especially the fixed numbers of seats for every province, a one-to-one transfer of the German electoral system to the context of Canada is probably not possible. The only solution we could imagine, therefore, consists in the application of the system within each province separately. This is also the way it was used in the first German federal election in 1949. The separate application within each province makes things much easier. Therefore, I will concentrate on the main features of the German electoral system only.

In the literature, the German system is often referred to as a mixed member proportional system. The key point is its combination of two ballots that are used at two different tiers: the direct and personal election of candidates in single-member districts, and the voting for party lists in an upper tier, which is big enough to ensure that the proportional distribution of seats between the parties can be guaranteed. The intention was to maintain the proportional system of the Weimar Republic, but to complement it with the advantages of directly elected local representatives to which the citizens could establish a special personal relationship.

In the German electoral system each citizen has two votes. With the first vote—the *Erststimme*—the voter selects one of the candidates in his constituency. With the second vote—the *Zweitstimme*—the voter votes for a so-called *Landesliste*, which is a party list for one of the 16 Länder of the Federal Republic of Germany. For a better understanding, I will refer to the second vote as the "party vote".

One-half of the seats in the German Bundestag are constituency seats and are attributed to the candidates who have won the plurality of first votes in their constituency. The second half are list seats. Only those parties that have won more than 5% of all valid second votes, or have won at least three constituency seats, are entitled to participate in the proportional distribution of seats according to the Sainte-Laguë procedure.

● (0945)

We can skip, for reasons of simplicity, the complex distribution of seats among the Länder. What is important is the fact that in the end each party is entitled to a certain number of seats according to its share of party votes. From that number, the number of constituency seats that the party gained in that Land is subtracted. The remaining seats are distributed according to the ranks in the *Landesliste*.

Persons on the list who have already won a constituency seat are not considered, so it is possible that the number of constituency seats achieved in one Land is higher than the number to which the party list is entitled. Such seats are called "surplus seats" or "overhang seats". As long as there are no overhang seats, the distribution of seats among the parties is more or less proportional, depending on the rounding effects and the effective threshold.

The linkage between the single-member district tier and the upper tier of the Land guarantees that the whole number of seats of a party, including the constituency seats it has won, is covered by its second votes. Thus, usually the first votes are important only in regard to the personal occupation of seats. They are, with the exception of the emergence of surplus seats, irrelevant for the number of seats a party gains.

The whole purpose of this linkage between the two tiers is to correct for violations of proportionality that occur in the course of the distribution of seats in the single-member districts.

As mentioned, the situation is more complicated when overhang seats emerge. These are seats for which the appropriate [*Inaudible—Editor*] and party votes are not raised, so proportionality is violated.

One possible solution to restore proportionality could be to enhance Parliament until the overhang seats are covered by the proportionally distributed seats for the parties. This solution is applied in all electoral laws of the German *Bundesländer*, which also have mixed member proportional systems, and since 2012 it has also been valid in the federal electoral law.

This solution is obviously not available if the size of Parliament is fixed. In this case, restoring proportionality isn't possible as long as the gain of a constituency seat is guaranteed. It would certainly violate fundamental considerations of fairness to deny the winner of a plurality of first votes his constituency seat, so some deviations from perfect proportionality may be the necessary price for preserving the principle of direct representation by personally elected MPs in the single-member districts. At least, this price should be no higher than is required by the wish to satisfy our taste for fairness.

The best response to that problem consists in the attempt to prevent the creation of overhang seats whenever possible. Sometimes overhang seats are the consequence of the structure of the party system. Since this is a materialization of voter preferences, it cannot be manipulated. However, some overhang seats are created by strategic voting, especially by ticket splitting, which occurs if a first vote is given to a candidate who is not a candidate of the party to which the second vote is given. These overhang seats can simply be avoided by abolishing the two-vote system. Then, the voters have only one vote, which they cast for candidates in their constituency. The party votes, which are the base for the proportional distribution of seats, are calculated by summing up all personal votes for constituency candidates.

This system was also used in 1949 for the first German federal election, and it is still used in Baden-Württemberg. This would also have the nice advantage that parties have an especially strong incentive to nominate attractive candidates.

Mr. Pukelsheim will now continue with the presentation.

● (0950)

Professor Friedrich Pukelsheim (Professor, Institut für Mathematik, Universität Augsburg, Germany, As an Individual): Since Confederation in 1867, members of the House of Commons have been elected using the single-member plurality system, which has its focus on constituency representation.

On the other hand, when Parliament convenes, it is not local representation that is dominant, but party affiliation. However, the number of seats a party holds in the House is visibly at odds with the support a party enjoys in the electorate. With our German background, we propose to rectify this representational mismatch by enhancing the current provisions in the direction of a system implementing single-member plurality combined with proportional representation of parties.

The Canadian constitution includes detailed rules to determine how many members of the House of Commons are assigned to each province and territory. In electoral jargon, these seat guarantees are referred to as district magnitudes. In order to meet the constitutionally mandated district magnitudes, our hypothetical system allots seats separately per province and territory. Hence, our model calls for 13 separate seat apportionments. The 13 apportionment calculations are split into two categories. The first category assembles the districts with a district magnitude too small for proportionality to take effect. The second category comprises the other districts.

In first-category districts we propose to maintain the single-member plurality system as is. The three territories belong to the first

category because they command just one seat each. Evidently, a single seat is insufficient to achieve any degree of proportionality whatsoever. As a matter of fact, for proportionality to function properly, theoretical investigations recommend that the district magnitude should meet or exceed twice the number of participating parties. Therefore, we also place Prince Edward Island, with four seats, in the first category, and Newfoundland and Labrador, with seven seats. Whether to do so or not is a political decision. If so, the already large constituencies do not have to be enlarged yet further, which is good. On the other hand, the votes that are not cast for constituency winners are wasted, which is bad.

In summary, first-category districts enjoy the same electoral system as in the past. For the eight provinces in the second category, the old single-member plurality system is enhanced by proportional representation of parties. In order to set some seats aside for the system's proportionality component, we propose to reduce the number of constituencies. Of course, it is a genuinely political decision to fix the number of constituencies per province. For our hypothetical model we choose to roughly halve the number of constituencies—for instance, by merging two into one. Then, about half of the seats are filled by way of single-member constituencies, and the other half from party lists.

Specifically in the last two elections, our model apportions the district magnitude among parties using the Sainte-Laguë method, as it is known in New Zealand and continental Europe, or Webster method in the Anglo-Saxon world, or from a more systematic point, the divisor method with standard rounding, because it functions in the following way: a party's vote count is divided by an electoral key—that's the divisor—and the ensuing quotient is rounded to yield the party's seat number. For example, in 2015 in British Columbia, every 56,000 votes justified roughly one seat, and “roughly” reminds us that the quotients have to be rounded. All resulting seat numbers for the parties happen to meet or exceed the number of constituencies won by a party in a province in the last two elections.

In every instance there are enough seats for constituency winners. Any additional seats beyond constituency seats are filled from closed party lists. Closed lists encourage parties to promote social cohesion and to include under-represented groups. Generally, the legal provisions would codify not the ordinary divisor method with standard rounding, but its direct-seat restricted variant. The variant inhibits the occurrence of overhang seats and thereby ensures adherence to the constitutionally mandated district magnitudes.

● (0955)

The direct-seat variant imposes minimum restrictions, which the ordinary method neglects. A party is allotted at least as many seats as are needed for its constituency winners. In cases where the minimum restriction becomes active, the required seats are transferred from the competing parties to those parties that feature an excess number of constituency winners. That is, proportional representation is compromised in favour of constituency representation.

Finally, we address the question of which vote pattern to use. The answer is as simple as can be: nothing changes. Voters are issued ballot sheets with the old design they are accustomed to. Every voter casts a single vote that is a composite appreciation of eligibility of a person and preference for a party. Our proposal only changes the law's scheme of evaluating the information supplied. In second-category provinces, where the old system is enhanced by proportional representation of parties, every vote is tallied twice: once for the candidate, towards constituency plurality; and once for the party, towards district-wide proportionality. The essential novelty that people need to understand is that now their votes are more carefully evaluated by the law by lending particular weight to party affiliation. At this juncture, every vote counts.

In our brief we illustrate our hypothetically proposed system by applying it to the last two general elections. Our proposal is seen to achieve more proportionality among parties than the status quo. Due to its hybrid character, it does not coincide with pure proportionality, but it preserves much of the charm of past traditions.

Thank you very much for your attention. Back to the new world.

●(1000)

The Chair: Thank you very much.

Through the magic of modern communications, we will now go to Scotland. Who will be starting in the U.K.? Will it be Ms. Pitcaithly?

Mr. Andy O'Neill (Head of Electoral Commission, Scotland, The Electoral Commission): Mr. Chair, I'm going to do the whole presentation. Thank you for inviting us to give evidence to your committee.

My purpose is to provide a brief presentation, which we hope will stimulate some questions afterwards. I'll seek to very briefly explain who we are and what we do. I'll then seek to explain Scotland's electoral systems and the four voting methods that we use, explain how we manage to finish up with four different electoral systems, and then raise some issues that might be of interest to you in your deliberations as we've sought to administer various elections in Scotland.

First, the EMB is the Electoral Management Board for Scotland and we have an electoral commission. I don't intend to spend too much time on this. Slides 1 to 8 of our presentation are really there for information, but I would probably point out to you the following salient points because we administer elections slightly differently than you do in Canada. Neither the EMB nor the electoral commission run elections in Scotland. That's important to note. That's the job of the individual 32 returning officers, of which Mary is one.

The Electoral Management Board seeks to coordinate returning officers during their administration of elections. Mary, as convener of the Electoral Management Board, has a power of direction for local government elections and recommends courses of action in other elections, such as a common issue date for postal boards across the whole of Scotland.

We, the commission, provide advice to governments on electoral law and guidance to returning officers and electoral registration officers. We register the political parties who campaign. We seek to ensure that candidates, agents, and parties, understand the financial

rules within which they campaign. We administer the observer scheme for observers at elections and we also seek, through public awareness activity, to ensure that voters know how to register and how to vote, which is important because we have four different electoral systems. Both our organizations seek to put the interests of the voters first and what we do by thinking about our actions, how they will impact on the voters, and ensure that they impact in a positive way.

Turning to slide 10, which briefly lays out Scotland's four main elections, which we use a different electoral system at each time. The Scottish Parliament, established in 1999, has 129 members. It uses the additional member system—"MMP" to everyone else in the world apart from the Welsh, but we call that AMS. It's a combination of first past the post and a closed party list using the modified D'Hondt system for calculation. For our 32 councils, we use a single transferable vote to elect our 1,223 councillors in 353 multi-member wards. The U.K. House of Commons uses first past the post; and for the European Parliament, we elect 73 members through a closed list in the U.K., with Scotland electing six members.

Turning to slide 11, we have 4.2 million electors in Scotland. We estimate that 86% of the eligible electorate is currently registered. A recent innovation in Scotland is that 16 and 17-year-olds can now vote in the Scottish Parliament and local government elections.

Turning to slide 12, I don't intend to talk about the U.K. Parliamentary electoral system, because you understand that is first past the post. For the European Parliament election, the six MEPs elected in Scotland are all elected for the whole of Scotland. Scotland is an electoral region for that election. We use a single X on a closed list and we use pure D'Hondt to allocate seats.

●(1005)

Turning to the Scottish Parliament elections, which were first held in 1999, we have 129 members. Of these, 73 constituency seats are elected by first past the post—that's 57% of the seats—and there are 56 regional seats, with 7 members elected in each of the 8 regions that Scotland is divided into. We use an X on two ballot papers, with one X on each ballot paper, and there is a maximum number of 12 names on a regional list.

If you turn to slide 15, there is a representation of the two ballot papers. The lilac ballot paper is the constituency ballot paper. You use an X for whichever candidate you have. On Scottish ballot papers you would see the candidate's name, the party, and a description underneath. It's not on this one that I show here, but there is also an emblem or a logo next to the box in which you put your X.

On the region, you can stand as an independent or individual on the regional list. Individuals appear at the bottom, alphabetically. Parties appear above the independents, and they also appear alphabetically. We use two separate ballot papers, unlike, I believe, in Germany—correct me if I'm wrong—and New Zealand. We did try a joint ballot paper in 2007. I think it's fair to say that poor design issues led to an increase in the number of rejected votes on that occasion. Politicians decided that we wouldn't use the combined ballot paper again, so we went back to two individual sheets of paper in 2011.

On slide 16 we've shown you a calculation for the regional list. How the seats are allocated under modified D'Hondt—essentially, the connection between the constituency and the regional votes—is that the number of seats a party wins in that electoral region is added to one to create the divisor. For instance, in the representation, party 1 has won two constituency seats, so its divisor is three, and that carries through. You then do simple division, and the one who has the most seats and most votes is allocated the first seat, until you've allocated all seven. As you gain a seat, your divisor goes up by one.

Turning to slide 17, for Scottish Council elections we have used the single transferrable vote since 2007 to elect the 32 councils. Again, we have 353 multi-member wards. The number of seats elected per ward varies. It was a very contentious issue during the passage of the bill in the Scottish Parliament. You either have three- or four-member wards, and I think that people who would argue that STV is the best electoral system would probably argue that you need more seats per multi-member ward, but politicians decided it would put three or four in Scotland.

If you turn to slide 18, there's a representation of the Scottish ballot paper. You vote your preferences—1, 2, 3, 4, and so on. You don't have to vote for all candidates; you can stop your preferences whenever you want. We tested that ballot paper with electors before it was used, and we saw that the instructions were very important.

It is the only electoral system we use in Scotland where numbers are used. When we first brought it in, it was held on the same day as an EMS election, and the concern was that we were using Xs as well as numbers, so we spent a lot of time making sure electors understood the difference.

• (1010)

To count STV, we use the weighted inclusive Gregory method, which we count electronically. It is thought that it would take us possibly two days to manually count a weighted inclusive Gregory STV election. Our colleagues in Northern Ireland manually count elections in which they use STV and they regularly go into the second day. However, the Scottish government agreed to fund the e-Counting Project. The system is common throughout all of Scotland. There are 32 count centres. The system isn't connected; they're individually set up, but it's the same system throughout Scotland to ensure consistency.

Slides 20 and 21 are an explanation of how STV works. I didn't intend to go into it, although my colleagues who administer the elections are happy to answer questions. I thought I'd move swiftly on to slide 22 and try to explain why Scotland has four different electoral systems.

Essentially it's the decision of politicians and government. Mary, Chris, and my job is to advise on the workability of the electoral systems that we employ. It's not our decision to say which one is best; in fact, we don't have any views.

For the four systems, the U.K. Parliament has always used first past the post. It's an act of the U.K. Parliament. For the European elections, member states agreed in the seventies that it had to be a proportional system, and the U.K. Parliament in the seventies passed an act that requires the use of a closed list. I think at the time that was seen as very important, because it used an X, the same as first past the post, and they simply voted once.

Turning to the Scottish Parliament, why do we use the additional member system? It's widely accepted in Scotland that the desire amongst politicians was to maintain the constituency link with voters, so they were very keen to ensure that constituency seats still existed. It was also thought that the use of Xs was important because it was familiar to the electorate.

We finished up with that because the Scottish Constitutional Convention, which was a cross-party civic society organization that existed in the 1980s and 1990s, suggested the use of AMS, which led to the document "Scotland's Parliament. Scotland's Right", which was published in 1992, ahead of a U.K. parliamentary election at that time. When the Labour government of 1997 came in, they passed the Scotland Act 1998, which brought in AMS, which we first used in 1999. Finally, we finished up with STV for council elections, which is a departure from Xs.

Essentially the story behind that is the McIntosh Commission on Local Government and the Scottish Parliament proposed the use of proportional representation in 1999. The Working Group on Renewing Local Democracy, known as the Kerley committee, then suggested in 2000 that we consider single transferable vote. There then occurred in 2003 a Scottish Parliament election in which negotiators between the coalition partners of the Labour Party and the Liberal Democrats agreed to introduce single transferable vote. I think it was considered to be a deal breaker for the Liberal Democrats, who were very pro-STV at that time, which led to the Local Government (Scotland) Act 2004 and our first use of STV in 2007.

We have highlighted some issues that you might want to consider as part of your deliberations. Firstly, we would say that whatever you do, change needs time, planning, resources, and testing to be successful. You would expect that. We're a bunch of bureaucrats after all. However, we did have a period of major change, I think it's fair to say, in the period 2005 through to 2007. We then suffered from some local difficulties in our elections. I think it's commonly accepted that too much change was brought in in too short a period of time, which led to higher rejection rates than we normally expect and the e-Counting system didn't work quite as we expected. It essentially broke down on the night in certain places.

•(1015)

We would argue that testing voter-facing materials, such as, of course, the ballot paper, is very important. Make sure that what you're giving the voter works, and have good guidelines, something that the electoral commission produced post the 2007 event. We produced "Making your mark" guidelines to explain how we thought a good ballot paper should be designed and then tested.

I think one thing which also came out of 2007 was not to be driven by process. You have to put the voter first. The needs of the machinery for e-counting are secondary to the needs of the electorate. In two of our electoral regions in 2007 at the very last moment, because of the size of paper which the counting machines needed to use, the instructions to voters at the top of the ballot paper were reduced. This led in those two regions to an increase of 2% over the Scottish average for rejected votes. Certainly, that's something we learned. In 2011, it didn't happen.

We would also suggest that you consider the size of your constituencies. Certainly the six MEPs who represent Scotland are widely thought to find it difficult to connect with their electorate. They literally represent the whole of Scotland. Whilst it is a small country, it's a relatively big place to try to connect with 4 million electors.

Under single transferrable vote, as an elector, you get three or four councillors to represent you, and that can be seen as a bonus, as a positive. It also means that in remote rural areas, councillors also have to represent very large areas, areas of several islands, which generally but not always have ferry connections. You have to think about the size of the wards.

The Kerley committee suggested two member wards in certain remote areas. Lord Steel, way back in the sixties, recommended that if you were going to introduce STV, you could consider single-member wards in very remote rural areas. It's fair to say that neither of those proposals have been brought into legislation yet, but that's an option for trying to get away from the problem of remoteness from your electorate.

There are also some other issues which surround single transferrable vote. I should say that these aren't the views and opinions of the U.K. electoral commission. This is taken from a paper by Professor John Curtice of the University of Strathclyde, a famous commentator and psephologist in Scotland and the U.K. There are issues that we have noticed of alphabetic bias, identified by academics in 2007. We know this, of course, because we have e-counting, so there is data available in an anonymous form after the event which people can then analyze.

In the first STV election in 2007, around 60% of all voters gave their first preference to a candidate higher on the ballot paper than the candidates for whom they gave their second preference. Also, it was found that if a party nominated more than one candidate in a ward, then the voter was more likely to vote for the party candidate higher up the ballot paper than the second party candidate. That happened 80% of the time in the 2012 Scottish local government elections. However, of course, that doesn't always happen. If they were a well-known or an incumbent candidate in 2012, they'd go against that trend.

Politicians in Scotland are aware of this and are considering solutions. The solutions talked about include rotating—Robson's rotation—the candidates on the ballot paper so they appear equally in all positions. They are also considering bracketing party candidates together, and perhaps also rotating them within the brackets so that all party candidates appear in different places.

The commission doesn't have an opinion on that. What we've said is that they have to consider two things. Voters are used to seeing ballot papers with candidates laid out alphabetically, so there is a need to see the effect of changing that.

•(1020)

In general, you should test any ballot paper before giving it to the electorate, so we recommend that you test the voter-facing product. We also think you might want to consider the following: do voters, while filling in the ballot paper, fully understand an electoral system? For instance, under EMS in Scotland—

The Chair: Mr. O'Neill, we have about one minute left before we go to the round of questions in which members will be able to explore in greater detail the points in your presentation.

Would you take a minute to wrap up?

Mr. Andy O'Neill: I'll just finish up.

The issue of second vote strategies, which my German colleague talked about, is ticket splitting which I'll not talk about. The other issue under STV is that about 13% in 2012, and 20% in 2007, of voters only expressed a single preference. Many of them we see, because we see them being counted, with single Xs. How we seek to deal with that is through public awareness campaigns.

The final presentation slides—27 through to the end—explain how the commission undertakes that. We provide public leaflets to households. We do TV and radio ads. We do a lot of partnership work with people who we identify as connected to people who are likely to need information on how to register and vote.

I'll stop with that.

The Chair: Thank you so much.

We'll go to our first round of Q and A. We'll start with Ms. Romanado, for five minutes.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): I'd like to thank our esteemed colleagues from across the pond for their presentations this morning. A lot of information to digest first thing in the morning.

My first question is actually going to be to our professors in Germany. I want to ensure that I understand the proposed model for Canada, so I'm going to take my home province of Quebec, which currently has 78 seats. In your model, if we were to divide it into two, that would be 39 districts. Separating those out, I don't know if it would be 20 that would end up being direct vote districts, and the other 19, because it's an uneven number, would end up being the party list. Because it's a closed list, half of the population of Quebec wouldn't actually be having a voice on who actually got elected from the party.

Is that correct?

Prof. Joachim Behnke: All of the electorate contribute to the party votes, so all of the electorate contributes to the successes of the parties.

Mrs. Sherry Romanado: In terms of the two types of MPs, as we would call them, you mentioned two different tiers: the upper tier and the lower tier. Would that constitute sort of a different kind of model in our House of Commons? For instance, would we have a lower tier of MPs, and then a middle tier, or a higher level tier of MPs, the ones that are party?

I'm trying to figure out how it would actually work in practice and who would do what.

• (1025)

Prof. Friedrich Pukelsheim: In Germany it works in practice that members of parliament are members of parliament. There's no difference in their functions and their access to financing and political positions. The difference is in the understanding that half of them directly represent a constituency. The other half, of course, also live in some constituency and they are very active and keen to give a good performance in the constituency—although they do not have the status of being the plurality winner in that constituency. But they are active, they maintain office hours, visits, associations, and they try to be visible. In Germany the everyday political work is very similar between both types of representatives.

Prof. Joachim Behnke: I think it depends on culture, because in Germany we only know this kind of system. We've never had a system in which we had only constituency seats or only members of constituency seats with us. So the members of the small parties are always list members, and they certainly would not be happy about being members of a second class or something like that. I know if you talk with the Greens about a special relationship with the constituency candidates, they are not—how should I say it—so amused about it.

The point is that most list members or most list-seat members are also, in many cases, constituency candidates. They have lost in their constituency, but they have a special relationship to the constituency, so they are known, and they have an office in the constituency. So in reality, the people have more than one member in Parliament that they can approach if they want to go directly to one of the members of the Parliament.

Mrs. Sherry Romanado: Some of the members can appear on both lists, the constituency list and the party list. So if they don't win in the constituency, they could still be named from the party list. Is that correct?

Prof. Friedrich Pukelsheim: That is correct, and that's the case normally.

Mrs. Sherry Romanado: Now, how would it work in terms of our regions? We have very large regions compared to our urban centres, the rural areas compared to...?

Prof. Friedrich Pukelsheim: That's true. The boundary commission would have to draw up new boundaries for the constituencies.

The Chair: We'll go to Mr. Reid now, please.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much, Mr. Chair, and thank you to all of our witnesses. Both presentations were excellent, but I'm going to confine my questions to Professors Behnke and Pukelsheim to follow up on the model you've proposed.

First of all, let me say that this is a very impressive paper. You should consider publishing it in an academic journal. I think it would meet the standards of most political science journals.

I want to ask about the compromise that I think you have been trying to incorporate as you apply Germany's model to certain practical considerations that exist in Canada. Of course, in Canada we have this very inflexible requirement that the number of seats in each province be fixed. There's no room for adjustment to that without an amendment to the Constitution.

As I understand it, you've said that on the one hand we have the problem that in Germany, and also in New Zealand, is dealt with through overhang seats, and on the other hand we have a goal of achieving as much proportionality as possible so that the total number of seats for each party in each province accurately reflects the proportion of the vote that was cast for that party on the party list vote.

You have gone in the direction of saying that when we face this conflict of proportionality versus every constituency seat being allocated to the person who wins it, we have veered or chosen in favour of the seats, not in favour of proportionality.

I assume that the way you've compromised is that you've made the number of list seats as high as possible. It can go only as high as 50%, I think, under any version of the MMP model, and you've gone right to the largest number in order to deal with that. Is that why the constituencies are only 50% of the total number of seats per province?

• (1030)

Prof. Friedrich Pukelsheim: That's an entirely political decision that you or Parliament has to take—how many constituencies you want to have.

In our sample calculation we took half and half, because in Germany we have roughly half and half. But there are other countries that have 60% to 40%, and one has to look at the data, look at past elections, for what is feasible for Canada and what is best. But the decision on which is best is not ours; it's yours.

Mr. Scott Reid: I appreciate that very much.

Let me rephrase the question, because I was not asking you to make a political statement here. Let me try it this way. If one has 50% of the seats as list seats in each province, versus having, say, only a third of the seats being list seats, am I correct that this is more likely to produce a proportional result, given the constraint we have in Canada that you cannot create overhang seats?

Prof. Friedrich Pukelsheim: Yes, you are correct.

Prof. Joachim Behnke: The problem is, the greater the share of the constituency seats, the greater the probability that you have overhang seats. This depends on the structure of the party system. If you have a more or less fragmented party system so the biggest party has about 30%, it is possible to win almost all of the constituency seats. If you have more than 30% of the constituency seats, this party would have overhang seats. It depends on what you expect the share of votes that the biggest party can achieve.

In Germany, they usually have a fifty-fifty division. This was not a problem until the reunification in 1990, because the biggest parties always had about 45% or 50% of the second votes. Even if they got all constituency seats, there were no overhang seats. However, with an all-new party system after the reunification—because we had a strong leftist party in the eastern German Länder—you could also win with 35% of the votes, almost all direct seats, constituency seats, so you would have 50% of all seats with only 35% of the votes. The number of overhang seats has increased dramatically since 1990.

The Chair: We will go to Mr. Cullen now.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thank you to our guests.

This is incredibly informative. I share my colleagues' admiration for your work.

I have one question for our friends from Scotland. In terms of the percentage of first past the post and proportional seats—I think you had it at 57% to 43%, if I am not mistaken—how is that decision made? Was it based on some research, or was it simply a political decision?

Ms. Mary Pitcaithly: This was a political decision. It was entirely the decision of the Parliament.

It was based on the intention that the new parliament would be proportional but without going as far as 50/50. When they set up the Welsh Assembly, they went for a slightly different percentage between constituency and list seats. It was purely a decision of politicians.

Mr. Nathan Cullen: I would like to get a sense of the sequence of time. The act was passed in 1998, and that brought in this new proportional system. If I am not mistaken, you ran an election in 1999 under that system. Is that right?

Ms. Mary Pitcaithly: We did, and we had a referendum to determine whether there would be a parliament in 1997, so it was a very hectic period of time. It was a time of a very fast-moving process of devolution. Yes, we did have the legislation in 1998, and we then had to run the election in May 1999. It actually went very well. There were no issues. We had to do a fair amount of voter education, as we sometimes call it, informing the voter about the type of system there was, trying not to get too bogged down for the voter in how we would then count those votes and allocate the seats.

As you can see from the slide, it was relatively complex. My experience is that most voters are content to leave that to us. The information the commission was giving out was very much about how the voter would vote and what the voter needed to understand about how the new parliament would be constituted.

I would just go back for a second to the previous question about the status of the two different sets of MSPs, members of the Scottish Parliament. It was an issue for us in the first election. There certainly was a bit of a status issue, and constituency MSPs were held to have a slightly higher standing than the regional list MSPs, but that was ironed out very quickly, and very quickly all the parties were making statements to confirm that every MSP was to be regarded as having exactly the same standing and the same status. That needed a political statement.

• (1035)

Mr. Nathan Cullen: That is interesting to me.

In the current status, right now, there isn't a political party in Scotland that suggests that there are two classes. It doesn't break down under any partisan lines. In terms of the Scottish voters' perspective, they don't perceive two classes of representation.

Ms. Mary Pitcaithly: No, absolutely not. As I say, it was an issue. It was actually quite helpful that that surfaced quite quickly and we were able to be very explicit about it. But it required the major parties to make those statements and to make it absolutely clear that they regarded their MSPs, regardless of how they had been elected, as having the same status. I suppose in some of the parliaments, Labour has been the main party and in other parliaments it's been the Scottish National Party. Everybody is entirely clear that it doesn't matter how you're elected. Whether you're a constituency MSP or you represent a wider region, you've got the same standing.

Mr. Nathan Cullen: That's helpful.

I have a last couple of questions, one around that question of complexity. Sometimes those who are seeking the status quo will suggest that complexity would overwhelm the voter and there will be mass hysteria and—

An hon. member: It's also said by those who oppose a referendum.

Mr. Nathan Cullen: —terrible consequences. The education component is to walk to the voter through not only how they vote, but also how their vote will be represented in Parliament. That's the focus, as opposed to the complexity of how the votes are then tabulated.

First, is there a level of confidence with how those votes are tabulated? Do any of the political actors try to take a shot at that piece, suggesting unfairness?

My second question is around size of constituency. My riding right now in northern British Columbia is four times the size of Scotland, so there are sometimes concerns about any system that would enlarge rural representation even more. How has Scotland gotten around that?

Those two questions are my final ones.

The Chair: Be very brief, please.

Mr. Nathan Cullen: Sorry, Chair.

The Chair: Go ahead.

Ms. Mary Pitcaithly: On the first point, in relation to voter understanding, I wouldn't suggest that everybody has a deep understanding of how the D'Hondt method works or the weighted inclusive Gregory method works, but people have a level of trust in it because we've explained it to those who want to know—mainly the academics and some journalists, I have to say—and the public has as much information available to them as they choose to access because it's all out there available to be seen. The biggest thing that we've been able to do through electronic counting is to make all of that information available, not just what the totals were, but how people voted: whom they gave their first preference to, whom they gave their second preference to, etc. That's at the level of local government elections obviously, but making that level of information available whatever the election is really important just to give the voter confidence that it's all done properly and correctly.

The Chair: We'll have to go to Mr. Thériault now.

[Translation]

Mr. Luc Thériault (Montcalm, BQ): Thank you, Mr. Chair.

Ms. Pitcaithly and gentlemen, thank you for your generous and rigorous contributions to our work.

Mr. Behnke and Mr. Pukelsheim, in your brief, you talk about reducing the number of ridings. I know that it's a hypothetical model.

In Quebec, we tried to implement a reform based on the German model. The idea was to automatically go from 125 ridings to 75. At the time, there were 75 federal electoral districts and people found it quite normal for it to be done that way.

However, it was a major challenge, particularly for the Quebec regions. Quebec is huge. Quebec is a number of times bigger than France. The people did not accept this proposal.

If you had to think about your hypothesis in a different way, without reducing the number of ridings by 50% in such a draconian manner, but by increasing their number, what would be the breakdown? Which model would you come up with if the number of our ridings were to go up? What threshold would be needed to maintain proportionality as well as the territorial integrity and connection of the MPs?

• (1040)

[English]

Prof. Friedrich Pukelsheim: We tried to argue from our German experience, which mixes the constituency representation with proportional representation of parties and requires that a certain number of seats are available for the proportionality component.

If these seats are not available, then I simply cannot see how proportionality can be injected in your system—not even in a low dose. If all seats are filled via constituency plurality, or even more constituencies, I wouldn't know how to do it other than increasing the size of the House in Parliament. If there are no seats available for proportionality adjustment, then I have run out of ideas of what we could suggest.

[Translation]

Mr. Luc Thériault: If there were 78 ridings, we would not divide them by two because that would make no sense.

In your view, by what percentage would the number of ridings need to be increased to achieve proportionality?

[English]

Prof. Friedrich Pukelsheim: I think the eventual decision is a political decision, because it is a question of how much weight you give to constituency representation and how much weight your committee or Parliament gives to the proportionality component.

We can offer sample calculations if you wish, but I cannot give you the certain percentage or number that that you are asking for.

[Translation]

The Chair: Mr. Thériault, your time is up.

Thank you.

[English]

Ms. May.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): While we were discussing matters with you, Professors Behnke and Pukelsheim, I noted that you've given us a very helpful paper on how members are elected to the Bundestag. But in contrast to our friends from Scotland, you didn't mention how you elect members to the European Parliament. Do German voters, like Scottish voters, have different systems they utilize at different levels of election?

• (1045)

Prof. Joachim Behnke: Indeed, the election for the European Parliament is a pure list election.

Ms. Elizabeth May: So it's a list system just like in Scotland.

Do you have any way of sensing whether voters in Germany express a preference for one of their electoral systems versus another, or are they equally comfortable with both?

Prof. Friedrich Pukelsheim: We have different systems. We have 16 states, because we are also a federal republic. All state parliaments have electoral systems that are, at face value, very similar, but when you look at the details they are different.

There are 16 different systems in each of our 16 states. There is a different system for the Bundestag, there is a different system for the European Parliament. All systems, however, I would subsume under the description of proportional representation combined with the election of persons.

However, you can mix the two components in a different way and what we've tried to do is to mix them in a way that we understand is an issue in your committee work, or is an issue in Canada right now.

Ms. Elizabeth May: No, and exact...

Were you going to add something?

Prof. Joachim Behnke: If you were referring to the public, and if they could express a preference for a specific electoral system, some of our electoral systems in the Länder were changed after referenda, but referenda exist in Germany only at the level of the Länder, so there is not the possibility of holding a referendum for the Bundestag elections.

There is a civic movement to try to change the Bundes law to introduce referenda on the level of the Bundestag. Certainly there is also the intention to use this referendum for a change in the electoral system. But the changes where this took place are changes.... They kept the essentials of the mixed member proportional system, but they replaced the closed lists with open lists.

Ms. Elizabeth May: Okay.

I turn to our colleagues in Scotland. Of course, Scottish voters are exposed to the distortions that we experience in Canada through first past the post when you're electing members to the U.K. Parliament, and then have proportional voting when you're electing your Scottish Parliament.

Given the explanation of the four different voting systems, is there any way you would have any sense of what Scottish voters prefer? Given that they experience single transferable vote, some form of mixed member proportionality, and first past the post, are there opinion polls or surveys that you can assess which ones Scottish voters find most satisfactory?

Mr. Andy O'Neill: As part of our statutory duties, we have to report on all elections.

We do many things to get information. We do public opinion surveys, and we ask the question, "Did you find it easy to vote in the polling place or via postal vote?" We regularly get in the low 90% saying that it's easy to vote and expressing their preference, easily, for all four electoral systems.

We haven't actually ever asked which electoral system they prefer. However, they do find all four easy enough to fill in, if you think of it in terms of completing a ballot paper.

Ms. Elizabeth May: Do you see a difference in levels of voter participation and voter turnout at the four different levels?

Mr. Andy O'Neill: Yes.

Ms. Elizabeth May: What are those differences?

Ms. Mary Pitcaithly: For example, we had over 90% voting in our independence referendum. In a local government election, the turnout might well be closer to 50%. It's much more a function of how voters view the specific importance of the election rather than what the system is, though. Voters will vote more if they think their vote will count more. That's been our experience. You can usually tell in advance whether the turnout is going to be very high or not so high, and it has nothing to do with what the system is.

One of the other things I would say, though, is that another indicator of whether voters find it difficult is the level of rejected papers and the level of papers that are not accepted into the count. Those that are specifically rejected because a voter hasn't managed to cast a vote clearly are very low in Scotland. In the referendum we had two years ago, fewer than 0.01% of papers were rejected. People obviously found it relatively straightforward.

• (1050)

[Translation]

The Chair: Thank you.

I will now give the floor to Mr. DeCoursey.

[English]

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you to our presenters in both Germany and Scotland.

I'll start with the German experience as it relates to strategic voting because it was mentioned in the brief. An oft-heard claim here by advocates of different PR systems is that these would do away with the need for voters to vote strategically. We've had plenty of testimony to the contrary, or suggesting that the compromise a voter makes is shifted to a different consideration.

I wonder if you can expand on the experience in the German system with strategic voting. What strategies, compromises, or decisions do voters employ, as a matter of us understanding that and being able to speak to that reality when we tour the country to speak with Canadians about different electoral systems?

Prof. Joachim Behnke: To put it rather casually, we understand that by strategic voting, a voter will not vote for his favourite party, his highest-preferred party. The motive for strategic voting consists in avoiding a wasted vote. I will concentrate here only on the first votes, because I think this would also be the important part for you.

Strategic voting in this case means that a voter will not give his first vote to a candidate who has ostensibly no chance of winning the constituency. The usual pattern here is that supporters of small parties, such as the liberal FDP in Germany, or the Greens, will vote for the constituency candidate from a big party that is closest to their own party, such as our coalition party. Whether this pattern of strategic voting is desired or not depends on the electoral system and on the normative beliefs you have. But the consequences are certainly set. The point is that it is possible to induce overhang seats by this kind of ticket splitting and strategic voting. This means that a coalition can enhance the share of seats it will get by steering some of its voters to this ticket splitting. This has been a main problem in Germany since 1990, and obviously, it increased in the last election.

There's also a case in [*Inaudible—Editor*] that had a dramatic influence. Imagine, for example, that you could found a party named the "Friends of Conservatives", and then recommend that supporters of Conservatives vote with their first vote for the the Friends of Conservatives, and with their second vote for the real Conservative Party. This would mean that the constituency seats that are won for the Friends of the Conservative Party could not be accounted as party votes for the Conservative Party, and this would create a potentially huge number of overhang seats. This is the reason that we recommend you take only the one-vote solution.

Mr. Matt DeCoursey: In Scotland, are there any lessons learned on the way that voters make strategic decisions when they go to the ballots, particularly in the Scottish parliamentary system, but not exclusive of the others?

Mr. Andy O'Neill: In Scotland we don't have overhang seats on the AMS, or our version of AMS, so it's slightly different.

Split voting, which our German colleagues talked about, is called here “second vote” strategies. We just went through a Scottish Parliament election in May. The biggest party, the Scottish National Party, argued that both votes should be for the SNP, because that was in their interests. The Scottish Green Party—which doesn’t stand in constituencies, but stands, apart from one or two places, only in the regional lists—would argue for the second vote to go to the Greens. So do some of the smaller parties, because they believe it is to their advantage. They tend to suggest to the electorate that they aren’t going to win for their party in the regional list, they won’t get any regional members, so they should vote for them because they are their second choice.

• (1055)

The Chair: We’ll go to Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. O’Neill, I have some questions for you. I’m sure in your role with the electoral commission you have overseen a number of referenda on different topics, correct?

Mr. Andy O’Neill: We’ve had a few, yes.

Mr. Blake Richards: With legislation governing referenda, how does it work? Is there a single piece of legislation that governs referenda in the U.K., or when each referendum is held, does it require a stand-alone piece of legislation to set up the referendum? How does that work?

Mr. Andy O’Neill: There is PPERA, the Political Parties, Elections and Referendums Act, which set up the U.K. electoral commission in 2000. Essentially, for U.K. referendums, either across the board in the U.K. or in part of it, the chair of the electoral commission is the chief electoral officer, the chief counting officer. The rules and everything else, and the financial regulation that comes with that referendum, including the question and the testing, all come in a separate act of the U.K. Parliament, and that is bespoke to each individual referendum.

So the Brexit vote which we had in June had a single bit of legislation. Of course, Scotland is slightly different. The independence referendum that took place in 2014 was a creature of the Scottish Parliament, following a deal between the U.K. and Scottish governments whereby the Scottish Parliament was allowed to legislate under what was known as the Edinburgh agreement for that referendum.

Mary, on that occasion, was the chief counting officer for the independence referendum and all the rules that related to it were in that particular act. That gave us, in the U.K. referendum, a number of rules. We weren’t the chief counting officer, or the chair wasn’t, but we regulated the parties.

Mary gave guidance to the counting officers where we would do it at a U.K. level. It sounds very complicated but—

Ms. Mary Pitcaithly: It was actually very straightforward and it worked very well.

Mr. Blake Richards: In order to have a referendum here in Canada on electoral reform—which my party believes very firmly is necessary before we can undertake electoral reform, so we receive that consent, and which an overwhelming majority of Canadians seem to agree is important before we undertake any electoral reform

—we would certainly have to update our existing legislation or create some kind of stand-alone legislation.

As an example, our current referendum laws haven’t kept up with some of the changes in campaign financing or third-party spending, for example. Could you give us some advice with respect to putting laws in place to ensure that we have a fair and well-run referendum?

Ms. Mary Pitcaithly: I suppose it would be helpful perhaps to refer you to the referendum that we had in the U.K. in 2011, which was exactly about moving to a different form of voting for the U.K. Westminster Parliament. We called it the AV referendum. We were going to move to an additional vote system if the public had agreed, but the electorate didn’t agree, and so we didn’t make those changes.

However, the provisions that allowed us to move very quickly toward that referendum when there was a coalition government the election before last were very much based on the 2000 legislation that Andy referred to. So the framework was all there. It was just a question of specific discussion in Parliament about who the franchise should be extended to, when the actual referendum would take place, and what some of the rules would be, but the basic thing was there in the legislation dating back to 2000.

So set up your referendum legislation before you think about the specifics of what your referendum is going to be.

Mr. Andy O’Neill: I think you would need a very long answer to a question like that, but a short answer would be that we could send your clerks the report on the Scottish independence referendum, which we produced in December 2014. It goes through the whole development of the process, what was done with the question testing, how it was tested, the development of the legislation, and the agreement between the U.K. and the Scottish Parliaments.

That’s probably the easiest way of getting it in a concise form.

• (1100)

Mr. Blake Richards: Ms. Pitcaithly, with your experience on the ground running the referendum, is there anything that you would suggest would be required to help us ensure a fair and respectful process when we undertake a referendum on this topic?

Ms. Mary Pitcaithly: Yes, regarding the referendum on independence, people had very, very strong views on it. But actually, in terms of running it as a process, it was really quite straightforward. A lot of what we did was focused on ensuring voters understood how to cast their votes, understood that their vote would count, understood the importance of registering in advance, and then turning up on the day to actually cast their votes. A lot of it was fairly basic voter education, but it took a lot of effort and it was absolutely worthwhile.

The Chair: Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): I’m finding this very interesting. My questions will be geared toward the Scottish electoral representatives here today. I find it fascinating that the voters in Scotland are able to work within so many different systems. Has there been any confusion caused by that at the municipal level, and at the level of the Scottish legislature, the U.K., and EU, all of which are using different systems?

Ms. Mary Pitcaithly: There was back in 2007. We did have a very difficult election then, because we were trying to run two very different systems on the same day, with a single ballot paper for the two types of MSPs, and a separate ballot paper for the council elections. With hindsight, that was far too much to expect voters to take on board—all those changes at once, all the different systems—and we did have fairly significant levels of rejected ballots.

We had an inquiry. It was actually chaired by Ron Gould from Canada, who helped us enormously to get to the bottom of how we might refresh the confidence and trust in the system. For us, particularly for the EMB, but also for the commission, the confidence of the voter in the integrity of the system is really critical. We had to work very hard to get it all back on track again. By the time we got to the same elections a few years later in the next round of the cycle, everything went like clockwork and it was all really good. We had a good positive experience.

That pulled us up short, I have to say. They weren't huge numbers, but they were higher than normal, which gave us cause to pause and to think again about how we did things.

Very importantly, I would say, never try to run two different systems on the same day, have a clear distinction between two different sets of elections, and give the voter a chance to make sense of it all.

Then do some decent and sensible voter education. We have this kind of material that is a voting guide, which every single voter gets from the commission. It's entirely factual information—nothing to do with political information. Voters have said that it's been extremely valuable for them.

Ms. Ruby Sahota: Has your commission taken on most of the responsibility for education, or have the political parties also been participating heavily?

Mr. Andy O'Neill: The electoral commission undertakes the national public awareness campaigns—the TV ads, the radio, and the booklets we give to householders and such. We also work with our partners, the returning officers, because they directly engage with voters. We provide certain products—template press releases, adverts, and such—that they can use in various guises. We also work with the voluntary sector and civic society widely, including religious groups, whoever we can engage, because they get to the people much more than we do. We will provide information they can use.

We also work with political parties. Political parties obviously deliver leaflets to the electorate. We'll provide templates of ballot papers so people will see the ballot paper in the political leaflets before the event. They can see what they're going to use. For us, a good ballot paper design—

Ms. Ruby Sahota: I want to try to squeeze in one more quick question because I'm really intrigued. It may be my narrow-mindedness, but I'm hoping that when we pick a federal system to change to it's going to be so good that all levels will want to change to that system.

Have you found a desire amongst the people to move towards one system because it's so good? If so, do you know which way that desire is going? Is it the MMP? Is it the STV, or what?

●(1105)

Ms. Mary Pitcaithly: Most of the time voters aren't really given a choice about the electoral system; it will be a decision that the politicians take for them.

The only time we've given voters a choice was in 2011, when there was a U.K.-wide referendum on moving to the additional vote system. From memory, I think the vote was about 65% to 70% against moving to it. In that instance, for the U.K. Westminster Parliament, people preferred the first past the post system and not enough people were in favour of changing it.

The Chair: Thanks very much.

Monsieur Boulерice.

[*Translation*]

Mr. Alexandre Boulерice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

My thanks also go to our distinguished guests for taking the time to participate in our study.

My first questions are for our Scottish friends.

For 149 years, we have known only one voting system here. The supporters of the status quo often hide behind the argument that it's complicated. In their view, the citizens will not understand what is happening and will be confused by a new system. However, in Scotland, the citizens manage to understand the process and to vote within four different electoral systems. Given the viewpoint of the status quo supporters here who say that Quebecers and Canadians are not able to adopt this change, I feel that the Scots are geniuses. But I suspect that they are human beings like the rest of us.

The people who think it is difficult to operate in an electoral system with proportional features often say that small radical and marginal parties will multiply, which will prevent the election of stable governments that would be able to introduce public policies.

What has your experience been with the Scottish Parliament since 1999?

[*English*]

Ms. Mary Pitcaithly: I think voters are more sophisticated than we give them credit for. In my experience, particularly if you're setting up a new institution like the Scottish Parliament, voters are very open to considering a different system from the normal first past the post one. The Scottish Parliament has never had first past the post. On the other hand, the public very clearly think that's still the best system for Westminster. I think voters are quite sophisticated to make choices.

One of the things that surprised everybody, I suppose, was that when the Scottish Parliament system was set up, it was said to be designed to ensure that no party would ever have a clear overall majority and that consensus would have to be the norm and that people and parties would have to work together, but in the last election—not the one we just had this year, but the one five years ago—there was a very clear majority for one party. Voters managed to make that work despite a system that was allegedly going to prevent that from happening. Voters ultimately will use their vote, and if enough of them make the same choice, then they will prevail.

[Translation]

Mr. Alexandre Boulerice: Thank you.

I would like to ask a question about the election that took place in the U.K. last year. If memory serves, it was held in May. Something odd happened. I suspect that for a Scottish citizen who is used to a proportional system or a single transferable vote system, the results of the first past the post system for Scotland were quite surprising, if not shocking. The Scottish National Party obtained 50% of the votes, but 95% of the seats, which means 56 members. The Conservatives obtained 15% of votes and only one member. The Labour Party mustered 24% of the votes and only one member. Were Scotland's Labour and Conservative voters at all discontented with last May's results in the region?

[English]

Ms. Mary Pitcaithly: I'm sure they did. Certainly the very statistics you just quoted have been used in the media here to highlight the potential benefits of having more proportional systems for Westminster. Last year was unique, I think. But it does show that in a straightforward first past the post system, in most places, getting more than 50% is going to be sufficient for you to have a very significant majority.

• (1110)

[Translation]

Mr. Alexandre Boulerice: Do I still have time, Mr. Chair?

The Chair: You have about 30 seconds.

Mr. Alexandre Boulerice: How did Scotland manage to maintain the relationship between voters and members locally?

[English]

Mr. Andy O'Neill: The more the councillor link or the constituency link is always.... In the political culture in Scotland, elected members see themselves as the representatives of the people and as dealing with local issues, much more than in other cultures where you go to an official of the local government body or whatever. They fulfill that through the desire to have a constituency, and that's why they used DMS in 1999. It was really important to keep the councillor link, the member link. STV for local government was a political compromise to have three or four member multi-member wards. It reduced the level of proportionality, but it also meant that you didn't have huge electorates and that there was a possibility of people being able to understand who their elected representatives were. Whether the average Scot understands that they actually have eight MSPs representing them in the Scottish Parliament, I'm not sure that's the case. But certainly they will know who their local member is. Of course, the most active regional members will ensure or concentrate on getting themselves into the local newspaper.

The Chair: We'll go to Mr. Rayes, please.

[Translation]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Let me welcome the witnesses and thank them for participating in our work. Before I begin, I would like to set the record straight.

My colleague joked a little and implied that some members are in favour of the status quo. Our opinion is that everyone should be able to speak up and that there are a number of options, not just one, on

the table. So I would like to clarify that situation, which I find unfortunate.

I now have a few questions, particularly for the witnesses from Germany.

You said that, in your country, there is a movement of citizens who would like to change your voting system and that, to do so, a referendum would be needed, which we think is a perfectly fine approach. We believe that the public must be able to express its opinion on changing the voting system. Can you tell me what are the arguments made by those who want to change the proportional voting system in Germany?

[English]

Prof. Joachim Behnke: There is a civic movement that wants to hold referenda to change the electoral systems. In effect, they want to make the list candidates more responsive to electoral districts. Typically, the closed list was replaced by an open list. The changes took place in Hamburg and Bremen. This meant that the members who were not elected by their constituency could be given preference by the electorate on the party list, so you could move them to the top of the party list.

This is the key point of these referenda or reform movements.

[Translation]

Mr. Alain Rayes: I agree with the comments made by my colleague opposite. She said that we all hope to have a voting system that is strong enough for people to believe that every vote counts. All those in favour of the proportional voting system say that every vote will count if we adopt this method.

According to the statistics from your two countries on the percentage of people who vote, we see that, from 1997 to the last election, despite the fact that you have a proportional system, fewer and fewer people have been voting. The voting system does not directly lead to increased interest in the elections, but rather to a drop in voter turnout from one election to the next.

Am I mistaken in saying that?

• (1115)

[English]

Mr. Chris Highcock (Secretary, The Electoral Management Board for Scotland): In terms of the level of turn-out, our experience has been that it's not particularly been affected by the nature of the election as much as by the degree to which the individual elector feels that their vote is for something important. It's whether their vote counts—not in terms of its role in the proportional system, but whether their vote has a say on something that's of importance to them.

That was brought home particularly during the Scottish independence referendum when there was a turnout of over 85%. That was unprecedented in electoral events in Scotland and was reflected in the degree of engagement that people had with the topic.

Often it's the degree of engagement in the topic that's at debate rather than the process itself that affects turn-out.

[Translation]

Mr. Alain Rayes: Am I to understand that it's not the fact of having a proportional or a first past the post system that gets more and more people interested in voting? Is it the interest in the election, the referendum or the issue that makes a difference?

[English]

Mr. Andy O'Neill: That would be our problem. Scotland is probably one of the most engaged countries at the moment, but there is an element of tier. Academics here would talk about the U.K. Parliament being the first tier.

Turn-out in Scotland was 71% in 2015. It was only 65% in the rest of the U.K. That's probably because we're very engaged post the independence referendum.

The Scottish Parliament is considered to be a second-tier institution. We had a 55% turn-out. In local government in the last election, we got 40%, so there is a tiering effect, but there is also the engagement effect and if people are interested in the subject, they'll come out and vote. That is what we saw in September 2014.

The Chair: Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): I'll start by exploring a number of areas that have already been raised by my colleagues around the table, because I'd like a bit more information.

I'm going to start with Scotland. You talked about some of the education that's required for your various processes. What I'm hearing this morning is that there is no one perfect system. Looking at Scotland, I would think that might be the case, that different systems do different things, and you have great experience with it.

On the communications education side of it, could you provide any comments on what's involved? I know there were some slides that we skipped over, but I'm particularly interested in things like budget and timeframes. You talked about partnering and that the government has a bit of a lead for some of it. I don't know if you can actually quantify the percentage of an election's budget that goes to communications and education, but what kinds of resources go into educating the public on all of the different systems, and in what kind of timeframes? Is it an ongoing part of the dialogue in Scotland, or is it during the writ period when you actually get in and talk about it?

Could you talk a bit more about education and communications?

Mr. Andy O'Neill: I'll start and colleagues may want to chip in as we go along.

I think it's accepted, firstly, in Scotland that public awareness education is important, and the Scottish government has always helped fund that with us. On average, if you take the local government elections next year, for example, we will spend approximately £1.5 million on the public awareness campaign. Much of that will go in paying for television time. We tend to use recycled creative ideas, which are cheaper, for the TV and radio ads. Click-through in terms of messaging by television is very successful. However, because you can't really get beyond the high-level messages in the TV or radio ads, we also underpin the key message on how to complete a ballot paper through household leaflets that we deliver to every household in Scotland, partnering with civic society

and anyone else we can find who engages with people and is prepared to help us do that.

• (1120)

Mr. John Aldag: Do things like leaflets go out when you're actually into a campaign? Is that the time for it? So for this specific campaign, this is the process that's being used, and this is what the voter needs to be aware of?

Mr. Andy O'Neill: Yes. What we tend to find is that although we have long-term information on our website, and we share with other people in various ways, the time when the electorate is most engaged is near the electoral event. We would normally issue a public voting guide about two weeks before the close of the registration deadline—that's 12 working days before the electoral event—so we can get registration messages through to people.

We will also have the TV ads starting then, and we'd ramp up towards the electoral event and move from a registration phase into a how to vote phase, so that the messaging changes.

Mr. John Aldag: On that—

Go ahead.

Ms. Mary Pitcaithly: The only thing I was going to add was that our schools have recently taken a role in making sure that young people, who now have the vote in Scotland at age 16 and 17, meaning students in schools, colleges, universities, have a clear understanding of the importance of registering and then casting their vote. Schools have been very positive about doing this, and that's been a very successful part of the process. When you're bringing 16 and 17-year-olds into the franchise for the first time, I think it is important that we dedicate some time to that. They would not necessarily read these sorts of leaflets, but they'll certainly pick up on the stuff that's online, the Twitter messages and Facebook messages. All of that social media material is very important as well, as well as the more traditional printed leaflets.

Mr. Andy O'Neill: Yes, we go big on social media and digital advertising now. Over the years we've moved much more into that as people become much more Internet-based.

Mary was talking about the #ReadyToVote campaign. We got nearly 80% of all schools to run registration and how to vote sessions with young people ages 15 through to 18, who can vote now in Scottish Parliament and local government elections.

[Translation]

The Chair: Thank you.

We will now begin the second round of questions and answers.

Mrs. Romanado, go ahead.

[English]

Mrs. Sherry Romanado: I didn't have enough time to ask our colleagues from Germany some additional questions in the last round.

You mentioned in your proposal that because of the fewer number of seats in our territories and two of our Atlantic provinces, they would actually maintain the current system of first past the post. Is that correct?

Prof. Friedrich Pukelsheim: That is correct. That was our proposal. And we called our proposal a “model”, because we just wanted to point out that one needs to make a decision on that question.

Mrs. Sherry Romanado: It's actually quite helpful, because what I'm trying to understand is the application of something. One concern here in Canada is that if we were to tell two of our Atlantic provinces that their vote was not going to be counted the same way as their sister provinces', I don't know if it would fly, to be honest. So I'm not sure how applicable that would be, given the current culture.

Prof. Friedrich Pukelsheim: Absolutely, I can understand the problem. Another solution would be to put the two Atlantic provinces together with the other eight provinces. That would be an option. But since we just wanted to make a proposal, we did not want to draw the line between the provinces and territories, because we wanted to indicate that there were other options. But, as you say, the decision is political at another point.

Mrs. Sherry Romanado: Okay.

Actually, my colleague next to me just made a cute comment, that we could put the three territories with Nathan's riding, my colleague from B.C., and he'll have a really large one.

We did talk about education, but I want to drill back a bit. I know there's outreach through the electoral commission in Scotland, and you did talk a bit about your schools, the 15-year-olds to 18-year-olds who are coming up to an election.

Could you explain, both Scotland and in Germany, the education in your schools? What kind of civic literacy is there? Are there specific courses that children in grade school or middle school are being subject to, so that right from a young age they have some civic literacy? Or is it strictly the role of your electoral officers?

• (1125)

Ms. Mary Pitcaithly: I would say that over the last two or three years schools have taken on much more of a role in this area.

Particularly, we've engaged with the directors of education for each of the local authorities, with School Leaders Scotland, who represent head teachers, and with the educational establishment. They are very keen not to get involved in anything which could be construed as party political or less than impartial. They are very keen not to get involved in who people should vote for. They are absolutely focused on making sure that people understand the importance of voting in a democracy, that people know that before they can do that they have to register, that they understand the whole process.

It's very much about, as you say, civic literacy: understanding the rule of voting and how it happens. Equally, because these are educationists doing this, we are very clear that they can't get involved in anything at all that would tend to suggest they favour one party or one side over another, for example.

Mrs. Sherry Romanado: Okay, perfect.

Ms. Mary Pitcaithly: That was particularly [*Technical difficulty—Editor*] during the referendum. If any teacher or educationist had been able to be accused of promoting votes for or against independence, I think their career might have been over. It would have been a very difficult area for them to get involved in.

Mrs. Sherry Romanado: Perfect.

And in Germany?

Prof. Friedrich Pukelsheim: In Germany, the political system is certainly part of the subjects which are treated in school, including the elections. Of course, that's only the election for the particular state where the school is located.

Also, the federalist election authority produces a lot of material for the federal elections. Each state has a state electoral authority, and they produce the material for the elections of the state parliaments. I think that the efforts in Germany are very similar to Scotland's.

Prof. Joachim Behnke: I would add some special experience, which refers to the referendum and the electoral system change that took place in Bremen after a referendum. The other thing that was changed simultaneously was lowering the voting age to 16. This provided a very interesting opportunity. The teachers were able to teach the new electoral system to the pupils, and this had the effect that the turnout of youth was significantly higher than normal.

Mrs. Sherry Romanado: Thank you.

The Chair: Mr. Reid.

Mr. Scott Reid: Once again, I'm going to ask Professors Behnke and Pukelsheim a couple of questions. One follows up on Ms. Romanado's question. She asked about Newfoundland and Prince Edward Island. You did not attempt to run your simulation in those two provinces for either the 2011 or the 2015 elections, but I get the impression from looking at the numbers that had the mixed member proportional system been in place in those two elections, the actual seat count would have been very similar to what it actually was under the first past the post system.

Is that a generally correct statement? I know I'm asking you to say something without the ability to calculate it, but does that seem like a generally correct statement?

Prof. Friedrich Pukelsheim: It's generally correct.

The results would have been similar—albeit slightly different. We didn't include it in our brief because we didn't want to swamp you with too many prints. Of course, you can do it easily, and we did it. What we presented to you shows the option of including small provinces with low district magnitudes into the first category group, but whether to do so or not needs to be decided at another point.

Mr. Scott Reid: All right.

Prof. Joachim Behnke: We have made the calculations, and the seat distribution would have changed from 7, 0,0 seats by party, to 5, 1, 1 seats by party in Newfoundland and Labrador, for example.

Mr. Scott Reid: That is helpful to me. I realize you don't want to make political comments, but I think it is correct that in Canada people would feel most comfortable with a single electoral system across provinces, even if its implications were less proportional in some of the smaller provinces than in the larger ones.

I want to ask as well about the issue of overhangs. You mentioned the example of one of the Länder in former East Germany and how one party had 35% of the vote but 50% of the seats. We have some very extreme vote swings in Canada, and I want to give you some examples.

In the elections of 1993, 1997, and 2000, in the province of Ontario, the Liberal Party won, almost literally, all the seats. When I was elected in 2000, for example, I was one of three non-Liberals elected in Ontario, out of 103 seats. They had 50% of the vote. Similar results, in fact even more extreme results, were obtained in 1993 and 1997.

Similarly, in Quebec in 1980, if my memory serves me correctly, the Liberal Party won all but one of the seats—maybe all but two. There have been similar examples where the Conservative Party has won all the seats in Alberta.

Does your model deal with that? How do you deal with that kind of extreme disproportion—one party gets half the vote but literally all the seats? Would that be corrected for in your model, and if so, what would the list-versus-seat total look like in one of those provinces?

• (1130)

Prof. Friedrich Pukelsheim: The two past elections that we looked at did not show any problems like that. Maybe former elections would. The system we propose does not produce overhang seats, but if a party is overly successful with constituency seats, then the seats will be transferred from the competing parties to the party with the excessive success in constituency seats. By the way, this is the same provision that is used in Scotland. It is defined with different wording in the law, but with this provision you do not have overhang seats. When you do not have overhang seats, you are in a position to honour the constitutionally mandated number of seats per province and territory.

Whether there are problems.... One should probably look at older elections, too, but we had only a limited amount of time, so we restricted our evaluation to the last two general elections.

Mr. Scott Reid: Thank you very much, Professors.

The Chair: Mr. Cullen, go ahead, please.

Mr. Nathan Cullen: I have a couple of questions. I want to understand the impacts we've seen in Scotland or Germany, if any, of lowering the voting age to 17 and then 16, in terms of voter turnout. Have you done any research to see what the impacts have been? What type of resistance did you face? I proposed a bill in my first term in Parliament to do such a thing. We actually had a coalition of a Conservative, a Bloc, and a Liberal go on tour with the bill in Canada, but there was a fair amount of uncertainty among Canadians about making such a move. What results have we seen, if any, in Scotland and Germany so far?

Mr. Andy O'Neill: In the independence referendum in 2014, 16 and 17-year-olds were given the vote. It was a very engaged

electorate. There were thought to be well over 90% of 16 and 17-year-olds registered, and very high levels of participation in terms of voting.

We are about to publish our report on the Scottish Parliament next week. Through opinion polling of the age group, we have again found very high levels of registration, and claimed turnout is well over 70%—which of course is higher than the actual turnout, but that is a common phenomenon.

The electorate, the 16 and 17-year-olds, has been very interested in registering and voting, and that is seen through the activities in schools.

Ms. Mary Pitcaithly: Anecdotally, it's been welcomed here and there was some disquiet that 16 and 17-year-olds couldn't vote in the Brexit referendum earlier this year in June. There was a very specific debate in the House of Commons and the House of Lords about that. I'm sure it would be of interest to you to read those debates. At the end of the day, it was decided that they wouldn't have a vote, although the Lords did suggest that it was a good idea. There is now a bit of confusion, in that 16 and 17-year-olds up here have the vote for some elections but not for some others, and I don't think that is ideal.

• (1135)

Mr. Nathan Cullen: If I understand the German case, it's by some levels of government and some regions. The voting age is not uniform across levels of German politics. Is that correct, or do I have that wrong?

Prof. Friedrich Pukelsheim: That's correct.

The voting age differs on the state level, on the local level, and on the federal level. On the federal level, it's 18 years, but in Austria it's 16 years. There is a permanent discussion going on about whether we should lower it to 16 years. So far, any attempt in this direction has not been successful in the Bundestag.

Mr. Nathan Cullen: Perhaps not today, but if either of the professors from Germany have any evidence on what the impact has been, because you have a neighbour who is using a lower enfranchisement age, that would be interesting to us.

Turning back to Scotland for a moment about the education component of changing systems and how vital it is to engage young people in particular—regardless if they're at voting age or not, because they'll inherit the system—what efforts were made? What advice would you have for us in speaking to young people about what determinations we make?

Mr. Andy O'Neill: It interests me because 16 and 17-year-olds are easy to find because the vast majority of them are all in school. We work with the education lists at both the local level and the [Technical difficulty—Editor] to help teachers undertake registration drives, because you can register online now and learn how to vote. We also work with Skills Development Scotland for about 8% of 16 and 17-year-olds who aren't in formal education to get messages out. We arrange for tweets to be sent to that core vote, which actually [Technical difficulty—Editor] good registration level.

The Chair: Mr. Thériault.

[Translation]

Mr. Luc Thériault: Thank you, Mr. Chair.

In terms of the right to vote at 16, I would like to point out that education falls under provincial jurisdiction and that all the budgets are managed by the provinces. If the federal government decided to go ahead with this amendment, changes would automatically need to be made at the provincial level. Training would have to be added to all the schools, which would require funding. That might be a challenge.

As we listen to the testimony of experts, a number of nuances emerge. Proponents of the mixed member proportional system sometimes say that this will increase voter turnout. Others say that it's not the case or that it's not significant, but that it will allow for more ideological pluralism. I think that makes perfect sense. However, changes to the voting system depend on the values we want to uphold in a democracy.

In terms of the ideological pluralism, I will turn to the witnesses from Germany.

How are small parties treated in your Parliament? Earlier, you said that, notwithstanding the 5% of mandatory votes to have access to effective representation in Parliament, those parties had the same rights in terms of participating in committees or taking the floor in Parliament.

Is that correct or are there differences, like in Canada? For instance, my party, which has 10 elected members with almost 20% of the votes, is excluded from all the parliamentary committees.

Should we not change the procedure while we are discussing, within very tight deadlines, how to establish the physical presence in our Parliament?

In your country, does each member of the smallest party actually have the same rights as the rest of the parliamentarians?

• (1140)

[English]

Prof. Joachim Behnke: The small parties have to reach the five-person threshold. This is very important point because it's connected with the point of strategic voting. I think the most important failure of the first past the post system is that it discriminates between votes depending on the preferences that are expressed in the vote.

In the first past the post system, the design was intended to reward strategic voting, that some citizens give their votes to parties that are not their preferred party. Without the strategic adaptation to the electoral system, plurality systems couldn't produce the desired

manufactured majorities of a single party. This means that the cost of a sincere truthful vote, which is in accordance with your true preferences, depends on your political convictions. If you aren't very happy in situations and your preference is for one of the candidates of the two biggest parties, your cost of casting a truthful vote is equal to zero, because this is exactly what you should do. However, if you are a member of the Green Party, in most constituencies the cost of a truthful vote is high, because for a truthful vote you have to sacrifice your only chance to have any impact on the electoral result.

The point is that there is no system without strategic voting, and strategic voting is needed to make systems function in the way they're intended to function. To give the voters of small parties a chance for a bigger percentage, we have a level that is low enough, at 5%, and also high enough to prevent a total fragmentation of parliament.

[Translation]

The Chair: You have 20 seconds, Mr. Thériault.

Mr. Luc Thériault: At any rate, regardless of the voting system, strategic voting can always take place.

I would have liked to talk with you about the duty to be accountable at the end of a term and how that influences the electoral dynamic. Perhaps colleagues will be able to ask you a question about that.

Here, it seems that we change government every eight years. The government is accountable for what it did. With a coalition government, I imagine that a group may last from one election to the next. In that case, the dynamics of alternance are not clear. But that's a value that Quebeckers uphold.

The Chair: Thank you very much.

Ms. May, the floor is yours.

[English]

Ms. Elizabeth May: Thank you again to the witnesses. I know it's difficult testifying by video. We're all together here and looking at you disembodied on our screens.

I want to try to pursue the issue of closed party lists, first with the German academic team and then with our friends from Scotland.

Thank you, again, for taking such time and care to try to apply the German system to a Canadian model hypothetically. It's much appreciated, and I know it must have been a lot of work.

Looking at page 6 of your brief, where you describe what we would do to fill the party lists, you suggest, "The seats left may be filled from closed party lists. Closed lists encourage parties to promote social cohesion and to include underrepresented groups."

Now, as you have probably suggested with your experience in Germany, some people don't want to know that the lists are closed; they want some access to them.

I wanted to ask particularly how... You must be familiar, of course, with Baden-Württemberg, and their use of people who were on the constituency lists and failed to win a seat but had done very, very well. They become, as I understand it, the party choice to fill those seats.

Do you have any observations on how that works in practice?

Prof. Joachim Behnke: Baden-Württemberg is very complicated. The point is that in Baden-Württemberg you have something like an open list because there's only one vote for the constituency seat. For the parties that had not gained constituency seats, the list is constructed in accordance with a percentage of the votes that the candidates have won in the constituencies. The most successful candidate for the Greens, for example, was the first who got one seat, and the second successful one, the second seat, and so on.

The point is that if you want, for example, to take in women's representation, the list is the best opportunity to force every party to give half of their seats to women. There is no enforceable quota in Germany. The quotas are all informal or voluntary commitments of the parties.

The party that first made this commitment was the Green Party. They have a quota of 50%, and they always have the biggest share of women. In Württemberg, where it's something like an open list, the Green Party has the biggest share of women in Parliament, but it's only 40%. In the other Länder, when there are lists, they have 50%.

• (1145)

Ms. Elizabeth May: You may or may not know that I am the Green Party member of Parliament on this committee, so I stay friends with my German Green friends.

There's a tension, is there not, between a closed party list as a way of promoting social cohesion, inclusion of women, and inclusion of minority groups, and a public sense that, perhaps, this is party cliques and insiders who don't have the same rigours of running for election? Is that tension felt in Germany?

Prof. Friedrich Pukelsheim: Yes, the tension is felt in Germany, but it's not viewed as something bad or indecent. In fact, it's in the interests of parties to ensure that their leading personnel are seated in Parliament. There's nothing wrong with it, I think, in the public's opinion in Germany.

Ms. Elizabeth May: Turning to Scotland, because you also used a closed list system for the Scottish Parliament, are there informal or formal quotas around inclusion of women on that closed list? In general, how is the list system regarded in the Scottish Parliament?

Mr. Andy O'Neill: In terms of diversity and women on lists and such, there's nothing in the electoral rules that formally requires it. It's really been left to the parties to deal with that and create a more inclusive, representative Parliament.

Parties have tried various devices to ensure a better representation amongst women. For instance, the Labour Party in the European elections requires the list to be female, male, female, male, alternating down the list.

In the past, in the Scottish Parliament election, again the Labour Party used a thing called "pairing". It was in the early life of the Parliament when the Labour Party was winning a lot of the constituency seats. They paired two constituencies and they had to be winnable constituencies. Of the two, the party required one candidate to be a male and one candidate to be a female.

But all these things are really left to the parties to decide.

The Chair: Mr. DeCoursey.

Mr. Matt DeCoursey: I apologize if I missed this in earlier conversation. In Germany, with the closed list, I understand that it's common for candidates to run in a riding and be on the list. Must they do both? Or is it a matter of choice for candidates, in the way parties choose candidates?

Prof. Friedrich Pukelsheim: It is a matter of choice. Actually, most candidates are constituency candidates and they figure on the list. They have a list position.

There are a few exceptions. For example, the president of the Bundestag has no constituency because campaigning in a constituency would be so outspoken for his party that it would be detrimental to his continuing as president in the next legislature.

There are a few leading politicians who are only on the list, but most politicians are on both. They are constituency candidates where they live and they are on the party list of the state they belong to.

• (1150)

Mr. Matt DeCoursey: I have effectively the same question about Scotland. Is it a can, a must, or a do that candidates both appear on a party list and run in a constituency?

Mr. Andy O'Neill: It's a can. You can stand in both. In Wales, you could, then you couldn't. They're about to change it to, you can.

It really depends. Some parties choose not to because of the way they're packing their votes. The Scottish Green Party, for instance, in the recent Scottish Parliament election, stood in only two constituencies, but it stood in all the lists. It depends where your concentration of vote is.

Ms. Mary Pitcaithly: The parties change their position as they see their support changing. Originally, in the Labour Party, if you were a candidate you had to choose whether you wanted to be a constituency candidate or to be on the regional list. You couldn't do both. But in the last election, Labour was content to allow candidates from their group of candidates to be on either or both at the same time.

Mr. Chris Highcock: The names of the list candidates do not appear on the ballot paper. All that's on the ballot paper is the name of the political party. The names of the list candidates are disclosed separately on a poster in the polling place.

Mr. Matt DeCoursey: So is it largely then a matter of internal party policy whether or not they have candidates running for the constituency and on the list, or is it a bit of a mixed system, even within the different parties?

Ms. Mary Pitcaithly: It is mixed between the different parties, and the parties' own positions change. So I think there's now no party that says it will not allow a candidate to be on both, but ultimately, we're not really privy to how they go about making their selections. But it would appear to us that they are now all comfortable with having people appear on both.

So, for example, our current first minister was originally elected twice to the Scottish Parliament as a list MSP and only at the last election before this one did she come on as a constituency MSP.

Mr. Matt DeCoursey: Can you expand on some of the issues you've talked about in regard to the STV system for council elections and the number of members per ward. I sensed that it has caused some consternation around the relative proportionality represented by the different members. What's the conversation around what the size of the wards should be relative to what they are?

Ms. Mary Pitcaithly: Until we introduced STV, we normally had a system whereby each councillor would have a relatively small ward to cover, unless you were in one of the rural areas, like the Highlands, or Argyll and Bute, and the islands, where you might cover a very large geographic area. But your constituency in terms of electors wouldn't be huge. So moving from that, with a very clear link between the constituency and the councillor—the ward and the councillor—to something where there was less of a link, it was clear to the politicians that to get to something that was very proportional would have created wards that were too big, unwieldy, and unmanageable for a councillor who doesn't have an enormous support system behind him or her.

So they restricted it to three or four members. All wards are either three-member or four-member wards, which means that they're not as proportional as they might be if you'd gone to six, seven, or eight—but they're much more proportional than something that's just one to one. The wards end up not being too unmanageable, and it has worked relatively well. The members in a ward are encouraged to act together, to signpost constituents, or to each other, if they're going on holiday, for example, or if they're off sick. They're encouraged to do that. They don't all do that, but there are a fair number of them who do.

The Chair: Mr. Richards, please.

Mr. Blake Richards: I have a question for our friends from Germany, and I'll leave it to you to decide which of you two would like to answer.

How are the people who would sit in the overhang seats chosen? Are they chosen from the party list? Where would they come from, if and when overhang seats are required?

Prof. Joachim Behnke: The overhang seats are constituency seats, or at least a person, because overhang seats come into being if the party has one more constituency seat than it is entitled to, according to its share of second votes, party votes. So this party gained no list seats, has no list seats, though all seats are constituency seats and you cannot identify the overhang seats. You cannot say there's a specific seat that is an overhang seat. You only can say this party has three mandates more than it would have gained according to its share of second votes, but you don't know which three seats these are.

●(1155)

Mr. Blake Richards: I guess I had misunderstood. I had understood them to be seats that were provided to other parties in a proportional way to compensate for where one party.... I misunderstood: it's not exactly a simple system. It's complex and I misunderstood.

So thank you for clarifying that for me.

In terms of the fact that you've got some members who are chosen in constituencies and others who are chosen from a list, you had mentioned, I believe in your opening remarks, the idea that those from the party list still do constituency work. You specifically mentioned the office hours they hold, and I'm wondering how that's determined. How would the location of their offices be determined, in what district or what location they would have an office, for example, where they would attend local events or have meetings or door-knock? Who determines that? How is it determined where an office would be located for a member who is chosen from the party list, and where is their constituency work done?

Prof. Friedrich Pukelsheim: It's very simple. It's determined by nature. People live somewhere, and so these members of Parliament also have a place where they live and where they are active. That's most often the place where they are also politically active, in that constituency, which belongs to their residents.

Mr. Blake Richards: Okay, that was kind of what I assumed.

I think it draws out something that I would see as maybe a potential concern in this type of a scenario, especially given that they would be both a constituency candidate in many cases and on a party list.

Obviously, it could transpire in a number of cases that voters in a certain area have decided this isn't the person they've chosen to be their local representative—they've chosen somebody else—and then, of course, the person makes it in as a person on the party list rather than someone the local voters have chosen. It would set up the possibility—and I want your opinion on whether this is a possibility—that you then have the second place candidate in a riding deciding to conduct a sort of campaign over the course of the entire term of office to try to make sure they are successful in that constituency in the next election campaign. It almost becomes like an ongoing election campaign, where two people who have competed in an election continue to compete.

Something that I know voters in Canada want to avoid is this idea of an ongoing or lengthy campaign like we sometimes see in some other countries.

Do you see a possibility of that happening?

Prof. Friedrich Pukelsheim: In fact, there is this possibility, but that political competition is always going on, and in this case it's going on in the constituency.

A couple of years ago, my constituency in Augsburg actually had five representatives in the Bundestag. We had five parties, five caucuses, in the Bundestag at that time, so in that particular constituency, we had a representative from every party in the Bundestag.

On the other hand, there were other constituencies in the country that only had one representative, namely that constituency winner, because the list people in that state happened not to live in that constituency. However, I cannot report any problems.

Mr. Blake Richards: I suspect that might be a problem all on its own as well. With some, you have multiple people, and others you just have one for the constituency.

I suppose that also could be considered a problem in itself.

[*Translation*]

The Chair: We will now move to Ms. Sahota.

[*English*]

Ms. Ruby Sahota: Thank you. I've had similar lines of questioning for other witnesses. I do find what Mr. Richards is talking about very interesting.

Given that more people live in urban areas, if you do end up having more representation in those areas and then lack representation in the more rural areas, that could be a problem for some constituents. We're trying to solve a problem by making sure that everyone feels that their voice is heard and that they're represented. An important aspect of this is local representation, which you can hopefully have within a certain reach and have accessible to you.

It seems that you're saying that the problem occurs in Germany but that people don't find it to be problematic. Here in Canada, the system we now have is riding based, and everyone has a local representative whom you can identify easily because they're within certain boundaries.

How would you see our being able to keep that intact, or fairly intact, with any system that we move to?

• (1200)

Prof. Friedrich Pukelsheim: I think in Germany the situation is such that everybody has a constituency representative who is easy to identify, namely the constituency winner, and maybe a second and a third constituency representative, who may be not so easy to identify but is very visible. It's hard not to recognize them, so it works.

Ms. Ruby Sahota: My next question is more about wanting to make sure that these list representatives and the other representatives have an equal amount of legitimacy. I have heard from you that there hasn't been a problem with people finding them to be legitimate.

In this past election, I did hear a lot of comments from people saying, "Wow, having nominations take place before a candidate is chosen to run in a certain area was a great idea. It really seems that you deserve it. You won this nomination before you actually ran in the campaign as a candidate." There was almost this extra legitimacy that people were giving the process.

Is there a certain nomination process that parties have in place to choose the list candidates, or to choose even the constituency candidates, for that matter? What are the different processes you have in Scotland and in Germany that the parties may engage in to give that legitimacy to the candidates?

Prof. Friedrich Pukelsheim: The nomination process is highly structured for the constituency candidates. There are delegate conferences within each party to choose the constituency candidate.

There are legal prescriptions that a party must follow in order to set up the list, which is a kind of hierarchical system. It starts at the bottom. There are small delegate conferences of party delegates, then some of them meet at a higher level because the party lists in Germany are state lists. All of this must be properly documented and be submitted to the federal election authority in order to be admitted to run in the election.

Ms. Ruby Sahota: What voting system do these delegates vote under? Do they have one vote per delegate or member, or whatever you want to call it? What system do they choose amongst the different parties that you may have?

Prof. Friedrich Pukelsheim: That's up to the party. The party can decide on how they do it, but they have to properly document it, and they have to submit these minutes to the electoral authority. There's no legal provision how this decision process must take place within a party.

Prof. Joachim Behnke: The legal prescription only says that the procedure has to be democratic.

Ms. Ruby Sahota: Can I also hear from our Scottish witnesses on this?

Mr. Chris Highcock: It's a similar position in Scotland, where it's up to the parties to determine how to select their own candidates, and they'll do that in different ways. The SNP, for example, use STV, a proportional system, to select the candidates who will stand both on the list and for constituencies.

The Chair: Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

I will now turn to the professors from Germany.

I would like to ask you a question about the political culture that may encourage a certain voting system, namely the mixed member proportional system that you have known for several decades and that you have explored for a long time.

In the work Mr. Lijphart, a professor from California, presented to us a few weeks ago, he said that the mixed member proportional system can lead to a more consensual type of governance. This voting system forces the parties to talk to each other, to work together and to make compromises. People generally like that, unlike the majority-wins model where a bulldozer government can be in power for four years.

To enlighten those who are less familiar with the German system, could you tell us how the political parties work before and after elections, and how they are able to form coalition governments or to work together?

• (1205)

[*English*]

Prof. Joachim Behnke: Yes, you cited Lijphart and his concept of consensus democracies. The political culture in Germany is really consensus oriented. Most laws in the Bundestag are passed with a great majority from most parties. It's seldom case that the majority of the governing coalition passes a law alone.

The formation of coalitions is really not so complicated in most cases, because we have something like pre-coalitions in the electoral campaign. The parties signal with which parties they want to build a coalition, and if this coalition is possible after the election, it is henceforth automatically a coalition. In many cases, people say that the flaw of proportional systems is people not knowing which coalitions they will get, but in reality this is not the case, because in most cases they get what they voted for.

Sometimes the pre-coalition that was announced in the campaign isn't possible after the electoral result. This is a big problem for the parties, but again, in Baden-Württemberg we now have a relative coalition between the Greens and the Conservatives. It's the first coalition of its kind in Germany and it took no longer to build than the typical coalitions that are signalled before.

We seldom have problems building coalitions.

[*Translation*]

Mr. Alexandre Boulерice: I'm not sure whether Mr. Pukelsheim wants to answer the question.

[*English*]

Prof. Friedrich Pukelsheim: No, I think that the German system is consensus-oriented, and in a way you see it in the design of the Bundestag, which is a hemicircle, instead of being two sets of benches that face each other so that you jump each other. To jump each other is very difficult in the German Bundestag, merely because the seats are facing the wrong way.

[*Translation*]

Mr. Alexandre Boulерice: For your information, here, the benches of the government members and the opposition members are two sword lengths apart in case they want to fight. The philosophy is different here.

In Germany's experience, does the existence of coalition governments lead to political instability?

[*English*]

Prof. Joachim Behnke: That is one of the most popular arguments against proportional systems, but it is certainly not true for Germany. We have very stable governments. For example, Kohl reigned for 16 years, Schröder for 7 years, and Merkel has now reigned for 12 years. I think the stability of governments is not in question.

The Chair: Thank you very much.

Prof. Joachim Behnke: In some Länder we have problems, but not in [*Inaudible—Editor*].

The Chair: Mr. Rayes, go ahead.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

Ms. Pitcaithly, you previously said that most people will vote when they feel that their vote counts and that it depends more on the issue than the voting system in place.

According to the statistics on voter turnout in your country and around the world, there is a downward trend, and it's not necessarily because of the voting system.

You said that your system is quite complex and, to my great surprise, that many people do not understand all the implications of their votes. I see that your role is also to suggest changes and improvements to your proportional system, which is not perfect, like all the other electoral systems around the world.

I guess you have made changes since it was first implemented. Does it take a long time for the changes to be applied to the voting system? How many years or months did it take you to make those changes?

• (1210)

[*English*]

Ms. Mary Pitcaithly: As I said, something new, a new institution like the Scottish Parliament... Their voting system hasn't changed. It has been the count system since it was created in 1999.

Turnout is actually up. This year, at the last Scottish Parliament elections, the highest number of voters ever turned out and cast their vote, so that is positive.

For some other changes... I suppose the biggest change has been around council elections, local government elections, where it was a very significant change from first past the post, one-ward-one-councillor, to the STV system. That was introduced relatively quickly. It was proposed during the term of the council, but by the time the next election was due to happen, in 2007, the change had been introduced.

We had to spend a fair amount of time in the run-up to the election explaining to people that they were to use numbers and not crosses, but we also highlighted that if they did cast their vote with just a single cross, that would count as an expression of preference for their first preference candidate. That helped with the transition.

Yes, it is possible to make the change fairly quickly, as long as there is plenty of time to discuss with people how they cast their votes and how they can ensure that their vote counts.

[*Translation*]

Mr. Alain Rayes: In Germany, did you make changes to your voting system? If so, how long did it take?

[*English*]

Prof. Friedrich Pukelsheim: There are two sets of changes. Some are initiated by the Federal Constitutional Court when it examines the electoral law, or in the states by the state constitutional courts. This is then amended promptly, more or less, as demanded by the court.

Other changes, which are more of a reform, are decided on the political level, and they take a while. I cannot cite any time span, but the reforms in the states of Hamburg and Bremen to leave the closed list and to establish a preference vote took quite a while because they were initiated from the outside and carried into the parliament. This may have been longer than four or five years, or two legislative periods. I don't really know. I would have to look it up.

Prof. Joachim Behnke: You have to keep in mind that all of these changes are minor changes in comparison to what you have to decide.

It was never a change between one type of system and another. It was always a change within the proportional system, and mostly within the mixed member proportional system. The changes referring to changes of the formula for distribution of seats from D'Hondt to Hare/Niemeyer and Sainte-Laguë, or from closed lists to open lists are not really essential changes, which I think is evidence that—

[Translation]

Mr. Alain Rayes: So this means that—

[English]

Prof. Joachim Behnke: —the German people are content with their system.

[Translation]

The Chair: Mr. Rayes, there's not enough time to hear the answers, but you can make a comment.

Since you are indicating that you have finished, we will conclude with Mr. Aldag's questions.

[English]

Mr. John Aldag: I'd like to start with Scotland on this one.

As we've seen, you have a number of systems in play. It seems that there have been changes, if I'm hearing you correctly.

Has every one of the new systems brought into place, or every change that's been made, gone to a referendum within the Scottish population? Are there any instances—and you don't have to give specific examples—where changes are made to your electoral system without referendum?

Ms. Mary Pitcaithly: Almost all changes—in fact, all of the changes—have been made without a referendum. The only referendum we've had was a U.K.-wide referendum on changing the system of voting for the U.K. parliament. As I said earlier, that was the AV referendum, changing to the initial vote system. That was not agreed by the electorate, so the change to the system did not take place.

Insofar as there have been changes, they've all been introduced without a referendum beforehand.

• (1215)

Mr. John Aldag: Thank you.

I'd like to hear from both of you—and I'll certainly bring in our German witnesses on this one—your thoughts on diversity. We have heard about proportional systems contributing to increased diversity. This is something that we're wanting to achieve in Canada to make sure that our population is represented in our House.

We're going to run out of time here, but I'll hear from our German witnesses first.

What is your experience with the mixed member proportional system? Do you find that it achieves the diversity you're looking for in your elected officials in relation to your general population? In any diversity that you see, does it come through the direct elections at the constituency level, or through the lists?

I'll put that to Scotland as well.

Prof. Friedrich Pukelsheim: It essentially comes through the list, but it's not formally enshrined in the legal provisions. The legal provisions provide the opportunity for the political parties to have lists with alternating placement of men and women. Parties have made use of this recently.

I would say that the system provides the opportunities to do that, but it is a challenge to the parties to carry this out in a party decision-making process.

Prof. Joachim Behnke: It's a part of the political culture of the party, especially with the Greens, as I mentioned, who use the lists not only for alternating women and men but also [Inaudible—Editor] for elderly people or people with ethnic backgrounds, or for immigrants, for example.

Mr. John Aldag: Okay.

Prof. Joachim Behnke: It depends on the parties.

Mr. John Aldag: In terms of Scotland and your experience with achieving diversity, do you see it happening in the Scottish Parliament? If so, do you see gains in diversity coming through the direct elections or through the list process?

Mr. Andy O'Neill: There's nothing formally in law requiring it. It's left to the parties, and they use various stratagems to try to achieve it. They're all committed to achieving greater diversity and ethnicity, but it really comes down to the parties to say how they do that.

Mr. John Aldag: With the overall results, there must be an analysis of that diversity? Does your parliament reflect the Scottish population?

Ms. Mary Pitcaithly: In terms of gender, not yet.

As Andy stated, all the parties have said that they're committed to trying to get closer to that. Their own processes for selecting candidates are designed to help that happen.

Mr. John Aldag: Thank you.

I'll go back to what we were talking about previously.

On the communications piece, there are two brief pieces. One of the figures you mentioned was £1.5 million, I think for a television campaign.

Do you actually have a line budget for your elections that says x percent of money goes to education and communication? Would it be 1%, 5%, or 20%?

That's my first question, and that might be all I have time for.

The Chair: I think we'd be good for an answer on that one, yes.

Go ahead, please.

Mr. Andy O'Neill: Funding for public awareness campaigns at the U.K. level is a specific line in our budget, which the Speaker's committee, which we report to in the House of Commons, has to agree to. Funding for public awareness for the Scottish Parliament or local government elections is agreed with the Scottish government, and we submit a budget. That's how we do it. I can send you more figures on that if you need them.

The Chair: Yes, if it's not too much trouble, if you could you forward those to our clerk, it would be greatly appreciated.

I'd like to take the opportunity to thank all of you for your testimony today, which was very rich in detail. I thank you also for the attention that you have given to us in helping us solve our challenge. I know that you did some work trying to figure out a little bit what might work here in Canada, and we appreciate the time that you've put into that.

Our report should be out by December 1, if you're interested in seeing how your testimony is reflected at that level. Again, we thank you for your time today.

Colleagues, I would—

• (1220)

Ms. Elizabeth May: *Danke schoen and tapadh leigh.*

The Chair: Thank you, Ms. May.

For members of the committee, we meet again at 2 p.m. in Centre Block, room 237-C. Thank you very much.

Sorry, Mr. Reid.

Mr. Scott Reid: I thought we were having a meeting now to discuss the....

The Chair: That's going to be at 4:30, I believe.

Mr. Scott Reid: That's fine. It's my misunderstanding.

The Chair: No, actually, this afternoon it's from 2:00 to 5:15, of which a segment at the end is for in camera discussion.

Thank you so much.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 021 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, August 31, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, August 31, 2016

● (1400)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Welcome to meeting 21 of the Special Committee on Electoral Reform. We're in our afternoon session.

We have with us Dr. Richard Johnston of the Department of Political Science at the University of British Columbia; Mr. Darrell Bricker from IPSOS Public Affairs; and Mr. Gordon Gibson, who is known to many, of course, through his writings and commentary.

[Translation]

Allow me to first provide you with a short biography for each of the witnesses appearing before you today.

[English]

Richard Johnston is a professor of political science at the University of British Columbia as well as the Canada Research Chair in Public Opinion, Elections, and Representation. Dr. Johnston is also a Marie Curie research fellow at the European University Institute in Florence, where he is the visiting scientist in a venture seeking to train young scholars on the matters of elections and democracy. He is currently also the director of the Centre for the Study of Democratic Institutions. Dr. Johnston was principal investigator of the 1988 and 1992-93 Canadian election surveys, and was a consultant for the 1996 New Zealand election study. He served as advisory board member for the 2001, 2005, and 2009 British election studies, and was a member of the planning committee for the United States national election study pilot in 1998. Dr. Johnston is widely published, and has won four American Political Science Association awards and four book prizes.

Welcome, Dr. Johnston. We're very pleased you're with us today.

[Translation]

Darrell Bricker is the CEO of IPSOS Public Affairs. In 1989, he worked in Prime Minister Mulroney's office as director of public opinion research. Mr. Bricker has a Ph.D. from Carleton University and an honorary doctorate of laws from Wilfrid Laurier University.

Mr. Bricker published a long list of academic papers and works. He writes editorials for the *National Post* and *The Globe and Mail* regularly. In 2010, Mr. Bricker was appointed honorary colonel by the national defence minister for his contributions to Canada. He is currently a member on the board of the Laurier Institute for the study of public opinion and policy. He is also a member of the American Association for Public Opinion Research.

[English]

Welcome, Mr. Bricker.

Gordon Gibson is a politician, political columnist, and author. He has a B.A. from the University of British Columbia and an M.B.A. from Harvard University. Mr. Gibson served as assistant to the federal minister of northern affairs from 1963 to 1968 and as special assistant to Prime Minister Pierre Trudeau from 1968 to 1972, in addition to serving in the Legislative Assembly of British Columbia in the 1970s and 1980s. Since 1993 he has been a senior fellow in Canadian studies at the Fraser Institute, and has written many books on Canadian federalism and governance. In 2001 he was asked by the Government of British Columbia to provide recommendations on the structure and mandate of a citizens' assembly on electoral reform, which so far we've talked about often at this committee. These recommendations were later adopted. In 2008 Mr. Gibson was awarded the Order of British Columbia.

I believe each presenter will be presenting for 10 minutes. Then we'll have two rounds of questions, where each member of the committee gets to ask questions and receive answers for five minutes each. We will just repeat that format for the second round.

Without further ado, I will ask Professor Johnston to share with us his thoughts on electoral reform.

● (1405)

Professor Richard Johnston (Professor, Department of Political Science, University of British Columbia, As an Individual): Thank you, Mr. Chair. I'll open by saying that some of the information you gave is as out of date as the photograph on my web page.

Voices: Oh, oh!

Prof. Richard Johnston: I regret the latter more than the former.

I just want to make four big points, drawn from the five-page statement I sent last week. One is that I find it distressing that so much of the commentary on electoral reform represents the House as if it's a species of the U.S. Congress or some entity that is part of a congressional framework and not the constitutive chamber for the government, which inevitably it is in a parliamentary system. Voters care about this. They care about this as much under PR as they do under majority rule, because PR will almost always, at least the relevant examples, accompany parliamentary systems. Even under PR, considerations about the formation of the government induce strategic voting. You've probably heard about strategic voting induced by thresholds and that sort of thing.

Even apart from thresholds, many voters actually care about the likely composition of the government once the returns are in. There's some evidence to suggest, for example, that voters on the flanks, or voters on the near flanks, vote for more extreme parties than they themselves prefer in order to pull the government toward them, so to speak. The general point is that you can't isolate the voting moment from the government formation moment. I would say there's been a sort of intellectually lazy separation of those two in much of what's been said here.

The second point, and maybe the one I care the most about at the moment, is that I'm struck that so often wholesale packages are put on the table, and then virtues are claimed for them or vices imputed to them. I think it's absolutely important to remember that any electoral system is actually at a minimum—there are other pieces as well, but at a minimum—a compound of three things. The interaction amongst the three is absolutely necessary to get a grip on what is the likely product of a change in that direction.

First of all, you have to have a ballot. The most important though not the only distinction is whether it's a categorical or a preferential ballot.

Second, the whole question of district magnitude, the number of seats per district, is absolutely a critical element. You can't have proportional representation, obviously, if you have single-member districts. If you have multiple-member districts with a plurality formula, you have grossly disproportional results. Nonetheless, the magnitude of the district is important to a lot of things, not least to the proportionality of a proportional framework.

The third question is the formula itself, where the formula is crystal clear in the case of the plurality rule; semi-clear in the case of the majority, which has kind of two operable forms; and then there's the family, among whom the differences are very consequential for proportional representation. In many cases, effects that are attributed, say, to the formula are actually the product of another feature of the system. It may be that it's a feature of the system that is only relevant under a proportional formula, but it's not the formula as such that's critical.

Let me give you an example. It is generally true, as you've heard, that descriptive representation of females is higher on average in PR systems, but we also observe that there's massive variation within the PR family. It's also within the more majoritarian families, but there's particularly massive variation within the PR family. Some of that variation actually reflects the ballot. If you want to maximize the descriptive representation of any group, women or otherwise, in

some sort of guaranteed fashion, it helps to have the largest district magnitude. The larger the number of seat per district, the easier it is to mix up demographic characteristics in the menu that a party presents.

Most importantly, you want to have a ballot that has a closed list, that has a categorical vote, one only per voter. Additionally, outside the electoral formula itself, you want to have a centralized placement of names on the ballot. If you yield to the temptation of derogating from any of those things, you will not have as powerful a mechanism for creating the prospect for guaranteed representation of categorical groups. On the other hand, if what you want to do is facilitate the representation by women or by other groups of forces that in some sense are not incorporated into the central conflict among the parties, you actually want the opposite of all of those things. The general point is that the ballot is often as important as the general formula for the achievement of certain political or social goals.

• (1410)

My third point is that most electoral system change, although New Zealand would be an exception, and possibly Germany, because it was kind of tabula rasa at the time and has a history of partisan objective, either to advance the interests of a party or to retard the interests of another. I think we need to be clear about that. To be silent on that I think is...well, it's dishonest, frankly. It is clear, for one thing, that proportional formulas in general empower the left relative to the right, and the opposite is true for majoritarian formulas. It's just the way it works. If you average across all the consolidated polities postwar, it's really a remarkably stark difference.

Second, a question that will always be in play in a place like Canada is which form of formula, majoritarian versus plurality, politicizes ethnic questions the most? It's actually not a simple answer. It is true that under PR you facilitate the coming into existence of micro-parties, which can be ethnic or otherwise but certainly can be ethnic. That's on the one hand. On the other hand, you do not augment the power of groups that are appealed to by those parties. It is easier for parties with a more national appeal to penetrate into those communities and in some sense dissolve the singular claim of a particular party to speak for them.

On the other hand, or actually a variation on the same theme, our system does create certain privileged, geographically related possibilities. The ancient and most important one in Canada is that until 1993, at least, it made Quebec the pivot for government. By augmenting the power of whatever majority was prevailing in the province at the time, and a whole other set of considerations about whether...but it made Quebec the pivot for government. It has since not been the pivot for government in the same way, but in some sense the pivotal task has been handed over to suburban Vancouver and suburban Toronto.

Those are all good-news, bad-news stories, but we should recognize that geographically differentiated groups, and this often includes ethnolinguistic groups, can actually have their power augmented in the formula we have now. That could be either the price of Canadian unity or the price of successful incorporation of groups, but it does produce a situation in which some votes count more than others. Those counts can help ethnic minorities.

My final few thoughts are about transition, if there is to be one. I am neither in favour of nor opposed to a referendum. I don't think they are to be absolutely abhorred or to be required. The issue I would care about, frankly, is the institutional stability of whatever framework you put in place. If you're going to change the electoral system, don't do it in a way that merely invites a change back or a change to something else in short order. I just think that's corrosive to the legitimacy of government and it's corrosive to the operation of political parties. The countries that do that, and there are a few, Italy and France being prime examples, I think have paid for that.

I think stability is key. To that end, the referendum could be a contribution to stability in the sense that it has a kind of morally binding force from the population at large. I'd invite you to consider whether some of the purposes of a referendum could be achieved by other means. Part of why a referendum appeals to people is that in some sense it takes it not the final choice out of your hands, then in some sense it raises the costs to you and limits your freedom of action in making the ultimate choice. That could be done by ways other than a referendum—a citizens' assembly, expert group, or whatever.

I have a couple of things in mind. For example, for the politically very fraught task of closing military bases in the U.S., or passing highly divisive trade agreements, the U.S. Congress has a route in which they basically invite outsiders to make the proposal and Congress decides up or down. In a manner of speaking, that's a bit like changing electoral boundaries in this country.

The general point is that to the extent that all politicians, rightly or wrongly, are perceived as in the business of self-dealing and self-interested action, you might want to think about, if you're really serious about change, executing the change in a way in which there is an independent voice that nonetheless has to come back and talk to you.

•(1415)

Thank you very much.

The Chair: Thank you so much, Professor.

We'll move on to Dr. Darrell Bricker, please.

Mr. Darrell Bricker (CEO, IPSOS Public Affairs, As an Individual): Thank you, Mr. Chair, committee members, for the opportunity to appear today.

It's an important topic that obviously has major implications for Canada's democracy, and I'm honoured that I'm being asked to share some input with you today.

I do not claim to be an expert on election systems. My professional background, as you've heard from my CV, is in public opinion research. I, and my colleagues at IPSOS, conduct regular scientific surveys of Canadians on a wide variety of topics, including

elections at all levels of government. Also, as the CEO of IPSOS Public Affairs worldwide, I'm conducting election surveys all over the world in many of the countries that you're probably interested in or have even studied. We've done a lot of research on all those places and I'd be pleased to entertain any questions you have about how the elections work there.

I should also say that IPSOS is a non-partisan research agency. The work that we do is for the media. We don't work on behalf of parties, and we don't work on behalf of candidates.

It should come as no surprise, then, that in order to prepare for today I conducted a survey for your consideration. I would like to use my time to share the results from the survey with you. I conducted it last week—IPSOS Public Affairs did—online with 1,000 Canadians, the way we typically do a political survey in Canada. We probed the following topics: awareness and interest in the electoral reform consultations process; how major changes to our electoral system should be approved according to Canadians; and whether public engagement and parliamentary review are enough, or whether there need to be a national referendum to settle the issue.

In order to get people kicked off in the correct frame of mind and give them some sense of what we were going to ask about, we read the following preamble to them:

One of the commitments that Prime Minister Trudeau and the Liberals made during last October's federal election was that, if elected, they would make fundamental changes to Canada's election system. These changes could involve everything from replacing the first-past-the-post system, requiring mandatory voting and online voting. We'd like to ask you a few questions on these issues.

In other words, we reminded people that this wasn't just something that came out of the blue. It was something that the now-governing party had run on, and that there was a committee that was actually reviewing these specific topics. I took part of the question from the mandate that you're currently undertaking—at least what I received in terms of what was being studied.

The first question was: "Has the federal government started a process of public and parliamentary consultations on proposed changes to our election system?" In other words, who's watching us today?

Some 19% of Canadians said yes; 21% said no; 60% said they didn't know. In other words, a combined 81% thought consultations hadn't started yet, or were unsure. Only about one in five said that they believed this had happened, that something was going on.

Then what we did was we followed up with that 19% who said, hey, I know this is going on, and we asked them a question that you would ask them, which was: how closely are you following the consultations?

Of those who were aware that it's actually happening, 16%, or 30 people in 1,000, said that they were following the consultations very closely. Another 68%, or 129 people, said, a bit here and there, and 16%, or 31 of the people who we interviewed, said, not at all. Those most likely to be following the process were older, more educated, more affluent, men.

Therefore, the audience closely following this process today is about 3% of Canadians, and it's an elite group. In my experience, this shouldn't be a surprise. While major electoral reform impacts everyone, people are busy and are living their day-to-day lives—look at the time of year that we're in right now—and it's very tough to get their attention on these types of public issues. When they do pay attention to anything that's happening in Ottawa, it's to issues that are much higher priority to them personally, such as health care, jobs, and the economy. This is a consistent finding in any survey about Canada's national agenda, regardless of who takes it.

Next, we asked about consultations versus a national referendum. I used a question that another firm had asked, because it had shown that there was some division on this point, and I thought it was a good question. So I asked that question: “Some people say that any change to the electoral system is so fundamental that it would require a national referendum. Others say that a rigorous program of public engagement and parliamentary review should be sufficient. Which statement is closest to your point of view?”

Some 49% said a referendum was necessary; 51% said consultations should be enough.

• (1420)

Then I followed with a similar question, but I reminded people that consultations were actually taking place: “In your view, is the process of public engagement and parliamentary review now being undertaken by the federal government sufficient to give them public consent to fundamentally change our federal election system without a national referendum, or, do you want them to seek public consent for the changes they come up with through a national referendum?”

To this question, “consultations are sufficient” dropped by six percentage points to 45%, and “national referendum” increased by six percentage points to 55%. What this suggests to me is that the more people know about this, the more they actually want to have a direct say themselves.

A majority in every demographic category we looked at supported a referendum—by gender, age, education level, income, and whether or not you had kids in your house. A majority of the people who had kids in their house—or didn't have kids in their house—also supported having a referendum. The single exception to this was the province of Quebec, where only 47% supported a national referendum. I guess they have a bit more experience with the process of a referendum than other Canadians do.

To sum up, in spite of the importance of this issue, an elite audience of about 3% of Canadians could be described as engaged with this process at the moment. As a result, it shouldn't come as a

surprise that a majority of Canadians across all segments of the population want to be directly consulted on major changes to the electoral system by some form of a national referendum.

Thank you.

The Chair: Thank you very much, Dr. Bricker, for bringing these fresh results to our attention.

Mr. Darrell Bricker: It's what I do.

The Chair: It is appreciated.

We will now go to Mr. Gibson.

Mr. Gordon Gibson (As an Individual): Thank you for this opportunity, Mr. Chairman.

Except for two brief opening comments, my thoughts will be on process rather than electoral systems, of which you've already heard much. My main addition to the mixed advice of the experts is to make the obvious point that the various electoral systems cannot be considered in the abstract, however elegant they may be.

We are a sprawling and highly urbanized federation with our own makeup and history, and our own political culture.

Also, and this is cautionary, changes to any political system with great complexities and feedback loops will bring unintended consequences sooner or later. For example, on the “sooner” side, in 1952, in my province, the disintegrating Liberal and Conservative coalition introduced a form of the alternative ballot, a scheme that the press claims is the preferred Liberal alternative. The aim was to keep the NDP, then called the CCF, out of power on the theory that the free enterprise voters would make one or the other of the two old parties their first and second choice. Result? Out of nowhere, a Social Credit government ruled B.C. for 20 years. You can't tell how even small changes will play out.

As a second brief example, who would have dreamed that what seemed like small changes to the U.S. primary system many years ago would lead to Donald Trump today?

Unintended consequences lurk in constitutional change, and that's the kind of change I say we're talking about.

Now, to my two main arguments. The first is that the electoral system belongs uniquely to the people, not to politicians, and citizens must be directly involved in any change.

You will properly require a supporting argument for my proposition that Parliament can't act alone, because in the British tradition, Parliament has always been supreme.

In Canada, from the beginning, Parliament and the legislatures faced constraints. Some of them were explicit in the British North America Act and some implied from the preamble's wording, "similar in principle" to the United Kingdom, which imported certain conventions, and so on. The power of Parliament to act was subsequently dramatically constrained, and those of the Supreme Court dramatically extended, by the 1982 constitutional amendments, including but not limited to the charter. In 2007 the same court developed a doctrine further constraining Parliament by incorporating ratified international human rights documents into our law. In 2014 came an even more relevant decision on the Senate.

In the circumstances of today, the law of today, I wish to pose three questions. One, can the Parliament of Canada unilaterally change the electoral system of the House of Commons in law? Two, if such a change were lawful, would it be morally proper? Three, if the answers to the first and second questions are yes, would it be politically wise?

Would such a change be lawful? No one can answer this question, including the government's lawyers, except the Supreme Court, which will certainly be asked if change is proposed. We do have a bit to go by, coming from the Senate reference of 2014. In that decision, the court substantially widened its powers of review of these matters, and I quote:

The Constitution should not be viewed as a mere collection of discrete textual provisions. It has an architecture, a basic structure. By extension, amendments to the Constitution are not confined to textual changes. They include changes to the Constitution's architecture that modify the meaning of the constitutional text.

No one in this room needs to be told that since 1982 the Supreme Court can do anything it wants to do, especially in cases like this where the notwithstanding clause would not even apply in theory. These words must be taken seriously. What might they mean in this context?

The simplest example is federative in nature. The province of Quebec—and Professor Johnston adverted to this—could well argue that throughout our history, FPTP has contributed mightily to a block vote of MPs from that province, which in turn has enhanced their power in the federation. Any change would affect the architecture of confederation, without question. I'd hate to argue the other side of that case.

A broader argument is that FPTP makes majority governments far more likely, which is an indisputable fact. The alternative vote is, perhaps, an exception. That might also be part of the essential constitutional architecture of the country. It has certainly mattered throughout our history.

The court would look at these things, but it could ignore such reasoning, it seems to me, if sufficiently persuasive third-party support were offered, such as provincial consent in certain numbers or a popular referendum.

● (1425)

Thus I say to the committee, if you want to avoid prolonged litigation on this matter—an unpleasant possibility—you might well be advised to make any proposed change judgment-proof by demonstrating such extra-parliamentary support.

To move to my second question, the propriety of unilateral change, the Canadian state does not belong to Parliament; the beneficial owners are the Canadian people. Elected representatives are in the nature of trustees—respected, very broad powers, but limited.

In our system, almost all our decisions are made by you as representatives, and we do not have a political culture that would make frequent use of referenda either practical, desirable, or popular. Most people have neither the time nor inclination to make the studies and trade-offs that you do on our behalf.

However, this deference has limits. When it comes to the rules of the game, the very basic law of how decisions are made, people want and deserve a voice. I very much respected the words of Mr. Bricker on this when he said that the more they know, the more they want to have a say.

You can be absolutely certain that if electoral reform becomes a likely matter, the people will know a very great deal about it. The Charlottetown accord referendum stands as a very powerful precedent, wherein a solid majority of Canadians rejected virtually the entire Canadian establishment. My province has had a law for 25 years requiring that any constitutional proposal has to pass a referendum test.

I know you've been told by some that constitutional referendums always fail. I'm here to tell you that's not true. New Zealand has been mentioned, but confining our attention only to Canada, just a bit over 10 years ago, a proposed new electoral system in B.C. received the affirmative support of almost 58% of the electorate. The turnout was 61.5%. The measure secured an absolute majority in 77 out of 79 ridings. That referendum passed by any reasonable test, but the provincial government had set a 60% hurdle rate, so a marvellous opportunity for a natural experiment in thoughtful electoral reform was lost.

The fact is, with a good proposal and adequate consultation, constitutional referenda cannot only be won, but in the doing—and this goes again to Richard's point—confer a massive legitimacy not otherwise attainable. Such legitimacy should be the gold standard for any proposed change in basic law.

Central to the B.C. success was the developmental and consultative machinery for the new electoral proposal. The Government of British Columbia, in common with Ontario and P. E.I. in similar circumstances, accepted that the electoral system was owned by the people and that change should be developed and affirmed by the people. The government therefore mandated a citizens' assembly and gave me the honour of designing the machinery. Through the efforts of the chair, the staff, and its members, it worked supremely well.

The bottom line is that at the end of the day the people believed in it because it was credible and empowered. I am convinced that with the appropriate changes, a similar process could work on the national level, and I'd be glad to give details if asked.

I now come to my final point. I've argued that unilateral change to our electoral system by Parliament might well not be lawful, and suggested how to make it so. I've argued that it would not be legitimate if unilateral, and have suggested machinery to address that need.

Now let me suggest that you may ignore the first two arguments, but then you will fall prey to a third factor: unilateral change would not be politically wise. You are current practitioners; I'm not. However, I've spent one-third of my working life in politics and another one-third commenting on their doings, so I don't feel backward about giving you a bit of political advice.

If this Parliament, and in particular the governing party, proceeds to enact electoral change without court or citizen validation, it would face a storm of criticism. The attack lines virtually write themselves: "The electoral system belongs to the people, not the politicians", "Our employees should not hire themselves", and so on. Were I still in politics, such a debate would be great fun, but I most earnestly counsel you to avoid such a fight for fear of diminishing the already too little trust in our system.

Some on the government benches will say, "But we promised the last election would be the last with FPTP." So you did. Every party makes unwise promises. Every citizen understands that. The question then becomes, after the election, which are crucial in electoral terms and which are not? This one, I say, is not.

• (1430)

My advice is to report to the House that you were all agreed that after careful committee study, it's more important to take the time to do this right rather than be in a hurry to do it wrong. Trust the people in this. You'll not regret it.

Thank you for your attention.

The Chair: Thank you, Mr. Gibson.

We'll start the first round with Mr. DeCoursey, for five minutes, please.

Two of our witnesses have to leave at 4:30, so I might have to be a little less flexible when we reach the time limit than I may have been in the past.

Mr. Matt DeCoursey (Fredericton, Lib.): I don't believe I've ever gone over time.

The Chair: No, you haven't. This is not addressed to you in particular.

Mr. Matt DeCoursey: Thank you. I'll continue to stand as the gold standard.

The Chair: Yes, you set the standard, Mr. DeCoursey.

Voices: Oh, oh!

Mr. Matt DeCoursey: I want to start with Professor Johnston and, actually, the very first sentence in the brief that you delivered to us, which states: "Discussion of electoral reform too often concentrates on the total makeup of Parliament and speaks of the House as if it were a legislative body in a separated-powers system."

You explained a little bit about what that might mean, but I wonder if you can perhaps offer some tangible or specific pieces of

advice as to how that is being played out in this committee, and how we may be able to better structure the conversation when we head out across the country to engage Canadians.

Prof. Richard Johnston: Making these distinctions is often quite difficult, because particular behaviours by voters or by politicians frequently embody both elements. Other than in grand coalition situation, any government that is formed is going to be a partial selection from the entirety of the House. You want to ask yourself how representative the governments in question are of the totality of the House; or if not of the totality of the House, do they at least, as the saying goes, cover the median member of the House in terms of, say, a left/right or other distribution?

One of the peculiarities of Canada is that for much of its history, it's the only single-member district system in which much of the time the government has covered the median. The standard form of government under first past the post is a party that is off centre, which doesn't cover the centre, and is able to govern nonetheless. The critical check is that it is vulnerable to defeat. One hopes that down the road there will be a sufficient alternation to keeps the system on course. That's one thing.

The particular worry that is often expressed in relation to PR systems is that they often empower small minorities to be the pivot for coalition formation. That's terrific if there is a party that is itself of the centre, and in effect can be the pivot for government, helping perhaps along in alternation. That was the story in Germany, for example, until the nineties basically. The Free Democratic Party in particular, was in every German government. It typically had two of the most important ministries, foreign affairs and economics. Whether it was a Social Democratic or Christian Democratic chancellor, the FDP in some sense kept the ship of the German state, so to speak, on a kind of course. That's not true now. In fact, two of the last three elections have forced a grand coalition in Germany. That does make for a kind of consensus politics, but it produces a really unsatisfactory electoral situation when you have the debate between the chancellor and chancellor candidate of the other party and their cabinet colleagues.

• (1435)

Mr. Matt DeCoursey: A little further down in that opening paragraph, you talk about what I believe to be electors' view, whether a convention or not, that they are determining the legitimacy of who can govern as much they're deciding upon policy objectives. Do you think that this a value that is quite strongly represented through our current political culture? Is that something we want to be mindful of?

Prof. Richard Johnston: Yes, it is of value. Like all values, it is not absolute. The price of implementing that value can be too high. It is at least sometimes the case that the implementation of the value produces off-centre governments. But voters, including under PR systems, do value a say in the composition of governments. As it happens in many PR systems, electoral coalitions are struck in advance, and coalition agreements are, de facto, part of the package that people are voting on. Even where such agreements exist, or even where they don't exist, there is a slice of voters who see the vote as carrying strategic value vis-à-vis the composition of the government.

There's this kind of general point made by Matt Shugart, who's one of the leading students of this stuff, that what we have with first past the post, and to a certain extent with the majority formula, is in some sense an electoral framework that is maximally efficient. It's not perfect, but it's maximally efficient in realizing the directness of impact on the choice of government. But it does so at the price of representativeness, and in particular of the potential for a government that covers the median, so to speak.

The Chair: Thank you.

Mr. Reid, go ahead.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): I want to start, if I could, with Dr. Bricker. Are the poll results you gave us orally today now posted on your website, or will they be shortly?

Mr. Darrell Bricker: I hadn't thought about it. I thought they were just for you, but I can certainly do that.

Mr. Scott Reid: It is a televised meeting, so I guarantee they are not just for us anymore.

Mr. Darrell Bricker: They are out there.

Mr. Scott Reid: Maybe I could put it differently. I wonder if you have a copy of them.

Mr. Darrell Bricker: I will send it to the clerk.

Mr. Scott Reid: That would be very much appreciated.

These results confirm something I have felt for some time. I have my own biases, but as I try to explain what is going on to people who aren't paying attention, they tend to become more firmly supportive of the position I hold, which is that there should be a referendum on whatever system goes forward at the end of this process.

However, your results differ somewhat from an earlier poll you did, which was released in late May, in which you asked people questions following this preamble:

One of the commitments that Prime Minister Trudeau and the Liberals ran on during the election was that, if they were elected, they would make major changes to Canada's election system and how we elect Members of Parliament. Their commitment did not specify exactly how they would change the system. The following statements are about this commitment. For each, please indicate the extent to which you agree or disagree:

That is the preamble, and then people were asked to respond to the following statement:

The Liberals should not make major changes to Canada's election system without holding a national referendum to get the public's approval for the changes

The combined "strongly agree" and "somewhat agreed" in favour of a referendum added up to over 70% of all respondents—

● (1440)

Mr. Darrell Bricker: It was 73%.

Mr. Scott Reid: —with only about 20% on the other side. What is the difference? What is the reason for the difference between the results in these two polls?

Mr. Darrell Bricker: We asked a different question. We gave them the option of having the process reviewed and approved in another way, so it was the parliamentary process—the committee process we are undertaking right now—versus a referendum, whereas in that particular instance, all we did was ask about a referendum. That leads me to believe that the more you talk about it, the more the number goes up.

Mr. Scott Reid: Right.

Mr. Darrell Bricker: I expect that the more people talk about this process and the more interested they become in it, the more you will see those numbers move up rather than down.

Mr. Scott Reid: One of the things that have been put.... I don't know if you have done this, but I follow all the polls on this subject.

Mr. Darrell Bricker: I feel bad for you.

Mr. Scott Reid: Well, you have made the situation worse today, as a matter of fact, by adding another poll.

Mr. Darrell Bricker: You are welcome.

Mr. Scott Reid: I do follow these, and one of things one pollster has done is to include a preamble that, "Regardless of how you feel about electoral reform, do you favour a referendum?"

I am just wondering if there was anything in the results you got that indicated there is a distinction between those who are in favour of electoral reform not being in favour of a referendum, or if the results are more or less the same, regardless of people's ultimate personal desires as to what the outcome would be.

Mr. Darrell Bricker: I always have trouble with a question that says, "I don't want you to think about how you yourself would think." Who are they thinking about? Are they thinking about their neighbours, or whatever? It doesn't make a lot of sense to ask questions like that.

No, at this stage of the game, since we don't actually have any proposals on the table for people to consider, it is a little hard to ask them about that, although I did a survey in *Policy Options* a few years ago that asked people about PR, and the level of support for it was not very high. The reason is that the public doesn't necessarily see a huge problem with the way they elect parliamentarians. Their issue, when they have a lack of confidence in what goes on in Parliament, is with what parliamentarians do when they get here, not necessarily the process they go through to get elected.

It is no wonder that when we start talking to them about the process, to a certain extent they kind of think you are asking the wrong question.

Mr. Scott Reid: That is an interesting perspective.

I wanted to ask one other thing. The government has promised that it will have legislation, so we will actually know what its system is by April of next year, assuming it fulfills that promise and produces a proposed new electoral system. At that time, once Canadians get the chance to see which of the various options out there is the actual option, which necessarily means all the others are off the table, is that likely to change the percentage of those who feel that there ought to be a referendum? By definition, of course, people will be more informed than they are now, but I am loading the question. Let me just ask you what—

The Chair: Answer briefly, please.

Mr. Darrell Bricker: I will answer it in an unloaded way.

I would say that an awful lot depends on what this committee does. If this committee comes out and says that there is a consensus on how we should proceed, I think this is going to make a big difference in how Canadians would view the process of having a referendum or not.

If the committee comes out and says that this is very controversial, that people are disagreeing, and that there is no consensus on that point, I think this is when we get into what Professor Johnston and Gordon happened to say about the need for seeking external validation for whatever comes forward. That would become even more important.

[*Translation*]

The Chair: Thank you very much.

Mr. Darrell Bricker: No problem.

The Chair: Mr. Boulerice.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

My thanks to our distinguished witnesses who are taking this time in August to talk to us about issues related to the electoral system.

From the outset, it is important to recall this committee's mandate. During the election campaign, the Liberal government told us that 2015 would be the last election with a voting system that produces false majorities. It is a voting system that may be defined as winner takes all. In any given riding, a candidate who garners 32% of votes can win, while the 68% of votes that went to the other parties are thrown in the garbage.

Our mandate is to listen to experts, people from civil society, citizens, so that we try to achieve consensus on what we are going to propose on this issue.

My friends from the Conservative Party are basically using the referendum as a fig leaf. It's sort of like putting the cart before the horse. Before we ask whether we must hold a referendum, we have to find out whether we can agree on something. What will we propose? What would the question be? We are still very far from that. I want us to take the time to discuss and analyze the various options being proposed.

Mr. Johnston, in 2001, in an article published in *Policy Options* magazine, you said that a fundamental change to our electoral system was much needed. You concluded that proportional

representation was probably the best system for Canada. You also said that the alternative vote or preferential ballot was probably not the answer to Canada's democratic malaise. You said that the alternative vote might work to ensure Liberal hegemony, since the Liberals, after all, are the near-universal second choice.

Do you still agree with Mr. Johnston from 2001?

• (1445)

Mr. Richard Johnston: *Touché*, Mr. Boulerice.

[*English*]

I underestimated.

You may recall, as I mentioned in my notes, in the same edition, that none other than Tom Flanagan and Ted Morton argued for the alternative vote precisely to solve the disunion on the right.

I think we all underestimated the resilience of the political order. I don't feel particularly remorseful. I think the concatenation of circumstances that made it possible basically for Stephen Harper to execute the reverse takeover of the Conservative Party were quite extraordinary. I think it was a remarkable feat of political engineering by him on the party side.

I'm inclined to say that it in some sense illustrates the power of the framework in inducing behaviour. Then, post-2006, while I'm owning up to bad predictions, I thought that perhaps the 2011 election had put the Liberal Party of Canada in an impossible situation. It is in truth, in most of the rest of the world, very hard to articulate a growth strategy from the centre.

Again, I underestimated the resilience of the system and of the parties that operated in overcoming these kinds of divisions. In the 2001 era, I thought that we were stuck in place. To the extent that I was making an instrumental argument, I am less persuaded of the power of the reasoning than I was at the time.

[*Translation*]

Mr. Alexandre Boulerice: Everyone is entitled to grow and change their minds.

We are going through a process that might require fundamental changes, electoral redistributions and lists of political parties. The Chief Electoral Officer of Canada has already given us some indication as to the time needed to change the system for the 2019 election.

Last October, a CBC article quoted you, stating that you were extremely skeptical about the ability or the probability that a Liberal government would be able to change the voting system by the next election.

Based on our timeframe, is it possible to make significant, not just cosmetic, changes?

[*English*]

The Chair: Be very brief, please, because we're at five minutes already.

Prof. Richard Johnston: They have it within their power to do this if they wish to act unilaterally.

•(1450)

The Chair: Thank you.

Prof. Richard Johnston: Whether that would be a change that lasts, I'll just say that I don't think it would guarantee them re-election, contrary to the view expressed in *Policy Options*.

The Chair: Thank you very much.

Monsieur Thériault.

[*Translation*]

Mr. Luc Thériault (Montcalm, BQ): Thank you, Mr. Chair.

Gentlemen, thank you for contributing to the work of the committee.

To use a common expression, I would say that your words, especially Mr. Gibson's, are like music to my ears. My colleagues must have recognized some of my questions and comments in your remarks. Legitimacy is the basis for legality. Just because something is legal does not mean it is moral. We have seen this during the unilateral patriation of the Constitution. The judges of the Supreme Court considered it legal, but illegitimate.

Actually, if we want to change the democratic rules of Canadian society and the Canadian parliamentary system, we have to clarify which Canada we are talking about. Are we talking about the Canada of 1867 or the one after 1982? We cannot strictly reduce the Quebec nation to a geographic region or an ethno-linguistic minority.

That said, I think the deadlines we have to meet are not realistic. I also think that by calling a referendum, the goal is not to hinder the desire for change. In Quebec, as the official opposition critic for democratic institutions, I followed closely British Columbia's approach to the reform. I think the problem was the 60% formula. In my view, the 50% plus one formula needs to be the rule in democracy, even for changes of this nature. So we must figure out which process leads to this change. However, it seemed to me that British Columbia was a shining example.

Could you comment on that?

[*English*]

Mr. Gordon Gibson: You're talking in particular about the threshold as 50% and then 60%?

You can argue it both ways. Some matters—and I'll stick my neck out here—such as with Quebec's separation, once you get a vote of 50% plus one, the world has changed the very next day because you now have an item of instability that must be dealt with.

On the other hand, when you have an existing constitution that is working adequately, you may want to have a higher hurdle rate. I personally was very disappointed that the B.C. reform didn't go through because of the higher hurdle rate, but nevertheless I've never criticized that. I appreciate there are arguments that constitutional documents should have greater stability in order that the polity itself can rely on them.

I repeat that the matter of Quebec's separation, 50% plus one, is a different issue. I'm not talking about the existing Canadian Constitution, so—

[*Translation*]

Mr. Luc Thériault: In terms of the reform, I can understand your opinion on the issue of the Quebec nation. In terms of changing the voting system, I don't share your opinion on the constitutional aspects. I would like to hear the answers of the three witnesses on this.

I think the 50% plus one formula is sufficient, and you will understand why. If it is sufficient constitutionally or for the issue of the Quebec nation, it is also sufficient for the change of democratic rules.

The Chair: Mr. Thériault, are you asking each of the witnesses the question?

Mr. Luc Thériault: Yes.

The Chair: So we have one minute for the three answers.

Mr. Luc Thériault: Is that sufficient?

[*English*]

Prof. Richard Johnston: I don't think so.

Particularly to the extent that it is a change of formula, you are then changing the power balance among the provinces even without a change in the numeric constituency makeup of Parliament.

The Chair: Mr. Bricker.

Mr. Darrell Bricker: I don't have a comment on that.

The Chair: Mr. Gibson.

Mr. Gordon Gibson: We have an established rule for changing our Constitution, which takes into account the various regions of the country for their own protection and for the unity of the country.

For example, we're going to establish a national citizens' assembly. I think they too should have a voting rule which is based upon the amending formula of the Constitution, which would be 7-50.

•(1455)

The Chair: We'll go to Ms. May now, please.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): First of all, thank you to all the witnesses for being here today.

I want to start with Darrell Bricker. In looking at polling information, I'm not terribly surprised. I want to walk through with you why I think the level of public awareness of this committee's work, although we're very engaged in it, hasn't yet caught the attention of Canadians. I'm not surprised. All our meetings so far have been in our first phase of work in the summertime here in Ottawa. We as a committee will be, as they say, "hitting the road", and between mid-September and just after Thanksgiving, we will be holding public sessions in every province and territory, including with open mike sessions to which anyone can come. We are attempting to be as inclusive and participatory as possible. There are also, as you know, town hall meetings, which not every MP is holding but many are holding.

In any case, I would be gratified to know if you would continue to ask those same questions as we get past Labour Day, and at a period of time where we believe, or at least I believe as a member of this committee, we will be hearing from and connecting with, and, I hope, raising awareness through media coverage of these meetings as they take place across the country. In a way we currently have not made a dent in terms of being a public event. We haven't done anything to attract attention. We haven't been on beaches shirtless. We've been really low-key.

I'm wondering, if we go past Labour Day in the way in which we plan, whether you have any expectations yourself that you could keep checking to see if we've made a dent.

Mr. Darrell Bricker: Absolutely. I think this is a critical issue for the country and at IPSOS we're always polling on issues that are critical to the country. I think we have a good baseline to work from. I'll be interested to see how it grows.

Ms. Elizabeth May: I'm also gratified that you asked the same question. I believe it was EKOS that put forward the formulation, "Some people say that any change...", as you've already read out.

Mr. Darrell Bricker: Yes.

Ms. Elizabeth May: Their numbers aren't very far different from yours, at about fifty-fifty.

Mr. Darrell Bricker: No.

Ms. Elizabeth May: That question of legitimacy is on a knife-edge, then. I think everyone around this committee, me included, thinks that changing our voting system requires public trust and confidence, which gets translated into the word "legitimacy". A referendum is one way, potentially. I have concerns about it; but let's say legitimacy can be conveyed through a referendum. Legitimacy can be conveyed through a public process and deliberation. Legitimacy can also be conveyed through citizens' assemblies. We've heard a lot of different proposals for how one would convey legitimacy.

I'm going to turn pretty shortly to Dr. Johnston to ask a question, to follow up on that, but do you have any comments on the range of things that convey public trust and legitimacy?

Mr. Darrell Bricker: I think that once you get people at least aware of the fact that this is happening and this is being considered—by the way, being elected on that platform does not constitute awareness, as you already saw—and they become more engaged in it, particularly if they perceive there's something important about this and that they need to pay attention, I think they'd be open to looking at a number of different options.

I also think that the more you talk about it, the more likely people will be asking to really be engaged through some process that directly solicits their opinion, rather than just going to a town hall session or having their views mediated through some other mechanism.

Ms. Elizabeth May: Yes.

Turning to Professor Johnston, I'm at a loss, in that the opening line the article of yours in *Policy Options*, to which my friend Alexandre Boulerice already referred, is that "Canada's first-past-the-post electoral system no longer fits the facts of our electoral scene". Yet I also know that you've written extensively on the fact that we're

pretty much alone, that we were among the first countries to use first past the post and to exhibit a consistent multi-party Parliament, going back to the 1920s. You've said that, "first-past-the-post no longer fits the facts of our electoral scene, if it ever really did." You also went on to say that "The way [FPTP] translates votes into seats always produces distortions."

The distortions that occur, and I'm not trying to use hyperbole, certainly get called a "false majority". Peter Russell also uses that term. We had a false majority in 2011 and we had another false majority in 2015. Those distortions are still occurring, and they result in some quite dramatic policy lurches.

Given your study in this field, I'm puzzled as to why you're concerned about the fact that first past the post doesn't fit our electoral scenes, which have changed due to Stephen Harper's uniting of the right.

• (1500)

The Chair: Be brief, please. I know it's a complicated question.

Prof. Richard Johnston: It isn't just Stephen Harper's uniting of the right. I've never been troubled by the fact that parliamentary majorities are most always "manufactured", to use the term of art in academe. "False majorities" is a partisan label, I think.

The facts that didn't seem to fit in 2001 concerned the ability of the party system to provide a reasonably healthy level of competition for office. I underestimated the ability of the political right to get its act together. And in 2011 and 2015, although I wasn't advocating one way or the other, I underestimated the capacity of the centre-left to get its act together.

The Chair: Thank you very much.

We'll go to Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): My question is primarily for Professor Johnston, but I'd be happy to have an opinion from everybody.

We've been talking about the value of accountability, but most of the discussion has been linked to local representation and people being able to hold their local representative accountable, that he or she knows the riding well and is able to advocate for it at the national level.

Professor Johnston, I know you've made some statements and written a bit about accountability within the MMP system, and about having the different types of MPs, with the list MPs and the local MPs, and having them creating coalition governments at the end of the day. How would you factor in accountability in the coalition governments and platforms we're talking about? Right now, under first past the post, you can see that this party ran on this platform. If they don't perform well at the end of the day, then you hold them accountable, or your local MP accountable, but when it becomes this mixed member system and coalition governments, how do you do that?

Prof. Richard Johnston: First of all, I'm not sure that the mixed member issue is particularly central to the question you're asking. Are you asking about coalition government?

Ms. Ruby Sahota: We've been hearing a lot that the mixed member system creates coalition governments oftentimes, or it also creates different levels. Please talk to both aspects of it.

Prof. Richard Johnston: It isn't the mixed member, as such, that creates coalitions, but the fact that it is a proportional system. The additional member component completely compensates, at least within the realm of arithmetic, for any disproportion at the constituency level.

I think the local representation component of electoral representation in the country is an oversold argument. One of the appeals of MMP to me is that you could have largish rural constituencies. You could have a disproportion that let's Nathan Cullen represent half the population of a typical Surrey riding. You could do that and fully compensate through the compensatory tier.

As for the question of the accountability of coalition governments, I think there are many systems in which they're perfectly accountable, and the focus is on the nucleating party, the one that is the *formateur* in the system. That's the one that, in some sense, takes the hit. There are coalition systems in which it does break down, because typically there's some pivot that is off-scale and extracts inappropriate equivalents.

Ms. Ruby Sahota: Did anyone else want to comment? Otherwise, I'll move on to another question.

Mr. Gordon Gibson: If your main goal is local representation, then your best answer is the multi-member STV, because you will almost certainly find that one of the representatives from that riding has your particular point of view, whatever your point of view is. Of course, that's only one value, and there's a lot you want to satisfy.

Ms. Ruby Sahota: That's correct. Where would you rank accountability in terms of the values that we should be assessing here?

Mr. Gordon Gibson: It's certainly important. Overall government accountability is probably more important than individual member accountability. Governmental stability is tremendously important. I'd want to reflect on that a bit more before I gave a full answer.

Ms. Ruby Sahota: Okay.

Mr. Chair, do I have any more time?

The Chair: You have about a minute.

Ms. Ruby Sahota: I found the polls that you've done quite interesting, Mr. Bricker. It's surprising, and I think we have to work at improving the awareness of what's happening right now. I think we're up for the challenge.

Are there any other suggestions? Ms. May was asking about what we can do in the second half of our outreach when we're going across Canada. Is there anything you can advise us to do to increase that awareness amongst people about what we're doing? Hopefully we can come to a consensus at the end of the day.

• (1505)

Mr. Darrell Bricker: I think the number one job is increasing awareness.

All of you have run as candidates before, and all have done it successfully. I've certainly worked on a lot of election campaigns, and I can tell you that people won't vote for you and support you if they don't know who you are.

While you might want to get into all of the stuff I like to refer to as the "Yahtzee" for political scientists—all this very complicated craziness about how we should structure our system—the number one thing is to tell people that you're actually considering it and doing something about it and there's a way for them to participate in it, rather than trying to get into the complexities of what the outcomes will be.

The Chair: We'll go to Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Gibson, I have some questions for you to start with.

You mentioned in your opening statements, and I might be paraphrasing slightly, that the type of change we're looking at making here would be akin to a constitutional change. You elaborated slightly on that, but I wonder if you want the opportunity to elaborate a bit more on why you believe this would be akin to a constitutional change.

Mr. Gordon Gibson: It's because it's a part of our basic law; it's a part of the rules of the game.

That said, it would have been something that Parliament could easily have done before 1982 and there wouldn't have been any question about it. Whether it was a constitutional change or not, who cared? Parliament could do it.

Now it really matters whether it's a constitutional change, and only the Supreme Court can give that answer. My guess is that with their evolving view of constitutional architecture, as they call it, they would probably think it is part....

Mr. Blake Richards: I know you said earlier as well what you just stated again, and that's that no one can say with certainty whether this would meet the constitutional test. I think that's best exemplified by the fact that we've had witnesses before us unequivocally say, yes, this would be seen as a constitutional change. Others have said, no unequivocally; this wouldn't be. I think that illustrates the point quite well, that this is something where only the Supreme Court would be able to make that determination.

Now, in terms of legitimacy of the process, referendums are something that you obviously are arguing in favour of. I think there are a couple of quotes. There's one from you previously and one from today, where I think you illustrate that perfectly. First of all you said, "No rules are more important than those that determine which MPs will be elected and which party forms government." Then today I thought it was even more profound, "When it comes to the rules of the game"... "people want and deserve a [say]."

I want to take the experience you have from British Columbia and with the B.C. citizens' assembly there. There was a recommendation that any system was guaranteed to be put before the voters in a referendum.

I wonder if you could give us an opinion on whether you think that guarantee enhanced the work that was done by the citizens' assembly, whether it helped to keep things honest and neutral, and whether that was an important part of that process.

Mr. Gordon Gibson: Thank you. That's a very good question.

There's absolutely no doubt that such empowerment is absolutely essential to the credibility of a citizens' assembly. The assembly had a lot of credibility because the people knew, and the members of the assembly knew, that whatever they came up with would in fact be put before the people. If all they were going to be was another royal commission—and no disrespect to royal commissions—who cares? In this particular case, whatever they came up with was going to be voted on, and that made it very important.

Mr. Blake Richards: If we were to recommend this same sort of guarantee, that whatever comes out of this process would be put before the people in a referendum, would that add credibility to this process? Would that make this process greater and stronger?

Mr. Gordon Gibson: If this committee by whatever means, whether a citizens' assembly or whatever else, comes up with a proposition that is then affirmed by the people in a referendum, then in my opinion it is legitimate.

• (1510)

Mr. Blake Richards: To give that guarantee now at this point and say that no matter what happens the recommended changes will be put before the people, would that add credibility to the process going forward?

Mr. Gordon Gibson: Yes.

Mr. Blake Richards: Thank you.

The Chair: Mr. Aldag is next.

Mr. John Aldag (Cloverdale—Langley City, Lib.): I'm going to start with a couple of questions for Professor Johnston.

I always find it interesting to get people's written submissions, and as I go through them I grab things that jump out at me. The first one from yours that grabbed my attention was in your paragraph 9, where you say, "Proportional formulae require 'engineering' to get to an electoral result."

It's the first time I've seen—I guess it's implied.... We've seen these mathematical computations and other things. The question I have is simply whether Canadians are ready for a more complex system. We heard about a system this morning from Germany, which was designed for us and that had a number of computations. When I saw the term "engineering", I thought that's really what it is. It's taken from a straight kind of count and applying something else to it.

Do you think we're at a point in Canada where Canadians are ready for something more complex than a majoritarian or plurality system?

Prof. Richard Johnston: I don't feel comfortable answering the question straight-up. British Columbia bought a system that was in some ways actually the most complex, from the point of view of the

voter, in the sense of a preferential ballot with a long counting mechanism. I would hope that whatever is proposed, the lead discussion of this does not actually focus on its complexity.

When I say "engineering", I don't mean that as a pejorative term. I simply refer to the fact that the only self-executing system is first past the post, just in the sense that it guarantees a result: that's all. To go any distance beyond that, because there is almost never a, quote, "natural majority" anywhere anymore, if you're going to have a majoritarian system you need to have some engineering. Then the very idea of proportionality has a whole conceptual framework to it. It presupposes, for one thing, that the thing that is represented is political parties, the very thing that voters claim not to like; and that if you're going to achieve proportionality, in and of itself, but also given the rules of arithmetic, you need to have a set of counting rules that in some sense represents electoral engineering.

I think that is the thing that makes it a tough sell. I understand why people who want to make the sell are concerned about the referendum. Indeed, as Gordon can confirm, the discussion of the sell was important in the B.C. citizens' assembly. They happened to prefer STV anyway, but they concluded that MMP was a tougher sell because of the stuff in it.

Mr. John Aldag: Okay, good. Thank you.

Another one that jumped out at me and which you didn't go into a lot of detail about in your comments was in your item 13. Contrary to what other witnesses have said, you wrote that it's a bad idea to have "different combinations in different places", such as rural versus urban. We have heard some compelling arguments made for why that might be the best in Canada.

Would you like to take the remainder of my time to give us your thoughts on why you think that's a bad idea?

Prof. Richard Johnston: Well, I accept that we do a delicate balancing in the federation. Why do we have the Senate floor for representation? Why are rural constituencies smaller in population than urban ones? We do a fairly delicate balancing, but I assume that it's the product of a process that takes all the interests into account. To actually go out there and engineer a system that....

This was, I think, Nelson Wiseman's particular pet from his days as a young lad in Winnipeg, I guess. There are memories of the way in which Alberta and Manitoba in particular were carved up, in which you had single-member districts outside the cities and multi-member districts inside the cities, when it was pretty clear in the Manitoba case that the whole point was to mute the impact of Winnipeg on the province of Manitoba even as you augmented the impact of rural Manitoba on the overall framework.

If you have, for example, the alternative vote outside the city and STV inside the city, then whatever else you're doing with the size of constituencies, you are putting in place in the cities an electoral mechanism that more or less does not augment differences in powers. Outside the city you are creating the prospect in which, say, a large minority could have its power amplified.

• (1515)

[*Translation*]

The Chair: Thank you.

Mr. Cullen, you have the floor.

[*English*]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Every system has its bias baked in. Right?

Prof. Richard Johnston: Absolutely.

Mr. Nathan Cullen: Our system does, the American system does, the German one does, etc. It's interesting, because we heard from German witnesses this morning. They were asked if it were too complex, as my Liberal colleague just said. They said, no, people understand it, as they did in Ireland and Scotland.

Is it unstable? That's another myth around proportional systems. The results from all of our evidence that we hear at committee, from people who know, is that, no, it's not more unstable.

Is there not a local link, if proportional means that voters lose their local link with a direct representation? As Mr. Gibson and other experts have told us, that's also a myth.

All these myths get added up to create this somehow construed cloud that proportional systems would disenfranchise somebody somewhere and that voters are not going to like it, despite the evidence showing that people like it. I don't recall any evidence around the world of anyone going from a proportional to a first past the post system.

I have a question, Mr. Bricker, about your survey. I was a bit confused. You took a survey in May, and you asked a straight question on whether or not they wanted a referendum. The result was around 70%?

Mr. Darrell Bricker: It was 73%.

Mr. Nathan Cullen: Then you asked a second question this past week and said, this is what's going on. There was not a lot of awareness, but you said this is what's going on, and then that number of people desiring a referendum dropped?

Mr. Darrell Bricker: Yes, because we gave them two choices.

Mr. Nathan Cullen: Right. So suddenly there is a process. This question about validation and about how this is seen and what we attempt to do in this Parliament with this mandate is valid. "Legitimate" may be a better word for it by voters.

Is that the question you're seeking in your service?

Mr. Darrell Bricker: No. The question I'm seeking is where we want a process.

Mr. Nathan Cullen: Right.

Mr. Darrell Bricker: If we're going to go through the process of changing our system, what is required in terms of consultation?

Mr. Nathan Cullen: For that legitimacy?

Mr. Darrell Bricker: Right.

Mr. Nathan Cullen: Okay. So when people know that there's something going on....

I'll put a question to you before you've probably surveyed it yet. I'm going to ask you to speculate here. If only one party were to stand for a new system, I would assume that its credibility, its validity, would go down, as opposed to a scenario in which, I and many of us hope, we can achieve some sort of consensus here.

Mr. Darrell Bricker: What would happen is that Canadians would go to motives.

Mr. Nathan Cullen: Right.

Mr. Darrell Bricker: Then the question is, why are they pursuing this change when other people don't agree?

Mr. Nathan Cullen: Unilaterally.

Mr. Darrell Bricker: We actually saw this happen in Canada after the 2008 election when the Prime Minister made changes to the financing system for political parties.

Mr. Nathan Cullen: Was there a political calculation in it?

Mr. Darrell Bricker: And it blew up.

Mr. Nathan Cullen: Right. As it did, I would suggest, also with the unfair election act, which was unilaterally brought through Parliament changing the way people vote. It was seen as a more partisan calculation than it was some sort of hope for democracy.

Mr. Darrell Bricker: When people start to hear the screaming from people who are opposed to something, the automatic place that they go to is one of motive. Why is this happening? What is the purpose of this? Who has to gain from this? Then they look at the players who've come forward with whatever the opposite positions are, and then they evaluate it based on the credibility of the people who were talking about it.

Mr. Nathan Cullen: It's very helpful.

Mr. Gibson, I turn to you. At one point, you wrote that the goal of electoral reform is "to design [a system] change so that the winners include the general public, with much less concern for the interests of the political parties." That means, flatly and bluntly, a system that gives you more control over who becomes your member of Parliament, and then gives your MP more power in the government.

Do you favour—I'm not going to suggest this—broadly proportional systems over the majoritarian system that we have?

Mr. Gordon Gibson: For British Columbia, yes. I work with the citizens' assembly. When I designed it, I had no views on electoral reform. Following their logic and deliberations, I thought they came to the right conclusion for British Columbia. Nationally, you have a different issue. Canada is a federation; British Columbia is not. The different regions of Canada are intertwined in the delicate balance here in Ottawa. One of the reasons that we're a federation is so that Ottawa won't have too much power and the regions will have considerable power.

Sir John A. Macdonald and Thomas Jefferson would have been appalled at the results of what they did, because Sir John A. wanted a highly centralized federation and the Americans wanted to decentralize, and it worked out the opposite way. We have a highly decentralized federation. Yet, I think if you go to a proportional representation system, you are going to centralize our federation more.

• (1520)

The Chair: Our time is up, but could you just say why you feel that would be the case? Just briefly tell us why you think it would become more centralized.

Mr. Gordon Gibson: There's the virtue of being the chair.

The Chair: Well, a little bit.

Mr. Gordon Gibson: It would be more centralized, I think, because all of a sudden no group could claim to speak for, say, Alberta.

The Chair: Okay.

Mr. Gordon Gibson: I'll use a more or less neutral example, because Alberta would be all over the place in terms of its representation.

The Chair: Thank you.

Monsieur Rayes.

[Translation]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

My first question is for you, Mr. Bricker.

In your presentation, you said that holding consultations was not enough, but that it was important to see what the people really thought. Perhaps those are not the exact words you used, but I would like to know what you mean. Should we do more than just holding consultations over four weeks by going to certain places in Canada? Should we use other types of consultations, such as surveys?

[English]

Mr. Darrell Bricker: Well, yes, you should conduct polling.

That's a very good idea. I've done a bit for you.

In this modern age, with all the technology we have available to us, and the degree to which we're dealing with a highly literate, highly educated population, I think we should trust them. I don't usually take positions on these things; I just report public opinion. In this instance, I would say that the more you can do to solicit people's opinions, and not just the squeaky wheels who always show up at these town hall sessions, and the rest of it.... If you get out there, and

you engage with the public, then you can bring them along on this in this discussion.

The situation you're dealing right now, I'll be honest with you, is that you're telling people they have a problem they don't know about. Few people have the problem this committee has. The second thing is that almost nobody understands anything about any of these solutions you're bringing forward. The hurdle that you're going to have to get over to generate public consensus and public approval is not small. Anything you can use, and whatever mechanisms you can get out there, to raise awareness of this process to tell them why it's important and to solicit their participation, I think both this committee and Canada would benefit greatly from.

[Translation]

Mr. Alain Rayes: According to the results of the survey that you presented for the first time today, you conclude that 3% of Canadians are currently following the consultations. So 19% of the people who were surveyed know that the consultations have started and 16% of them are interested. You are talking about an elite interested in politics.

Overall, according to your monthly and annual surveys or those carried out during various elections, what is the percentage of citizens who truly follow politics and are very familiar with the platforms of the various political parties? Is the percentage about the same?

[English]

Mr. Darrell Bricker: No, it's probably a little higher than that, particularly on issues they're personally engaged with. This happens to be a particularly esoteric issue.

As I said before, it's a problem that people don't know they have. Few people understand what the solutions are that you're going to bring to the table and how they would improve anything. Right now people don't have a strong problem with the way their parliamentarians are elected.

[Translation]

Mr. Alain Rayes: The minister or the prime minister tells us that the people voted for the Liberals. The two other parties say that the percentage of their votes combined would give them the legitimacy to make this change without consulting the entire population. Can we suppose that, even by adding all those votes, not all the citizens who voted for them were aware of this aspect among the many proposals brought forward and were in favour of it? We are talking about a hundred proposals for each political party. Statistically, could we say that?

[English]

Mr. Darrell Bricker: What I would say is that people do take promises made during election campaigns seriously. They do believe governments get elected on mandates. Do they understand every component of what a government is elected to do? No, they don't.

The primary reason the Liberals won this last election was that they best represented change. That's what people were voting for. What was the exact nature of that change? If you went through the platform, then you would be basically informing people rather than testing their knowledge. They don't really know.

[Translation]

Mr. Alain Rayes: To have more legitimacy on such a fundamental issue, would the idea of promising a referendum at the end of the process add a lot of credibility in the eyes of the public regarding the work that we do?

• (1525)

[English]

Mr. Darrell Bricker: I think what the survey research evidence shows is that there is an expectation that there is going to be an effort made to solicit the opinions of people directly if you're going to change the election system in a fundamental way. To the degree you're successful in doing what Madam May said you will be doing over the space of the next while, I expect that your process will drive up the expectation that there is going to be some form of direct consultation.

[Translation]

The Chair: Thank you.

Mrs. Romanado will wrap up the first round of questions.

[English]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): I'd like to thank our esteemed colleagues for being here today.

I have to say that the panel this afternoon has been a little humbling. We've heard that only 3% of the population, mostly older, more educated, affluent men, are watching us closely; that what we're doing may or may not be constitutional; and that what we're doing may or may not cost us the next election. It's a bit humbling, I must say, but I appreciate your honesty and your frank conversation.

My first question is for Dr. Bricker. In your online poll—and I'm not questioning the validity of your poll—the fact that it was conducted online would reinforce the minister's comments regarding our going after and hearing from the usual suspects. What we're trying to do is to reach out to Canadians across this land to hear what they think about electoral reform and the current system, what's going well, and what isn't going well. Do you have any plans for branching out your polling to use other methods to reach folks who may not have access to the Internet. Since said you were going to continue to do this, could you let us know?

Mr. Darrell Bricker: Sure. I would say that the other poll that was conducted used the telephone, and they got exactly the same results that we did.

Mrs. Sherry Romanado: Okay.

Mr. Darrell Bricker: So I don't think we're under-representing anybody specifically. In the last election, 68% of the Canadian population voted, which was a historic high for the last while. The correlation between the people who are voting and the people who are online is almost one to one.

Mrs. Sherry Romanado: Okay.

Mr. Darrell Bricker: In fact, most of the best polls that came out in the last election were all done online. So it's not really a question of representation.

As far as seeking out other methodologies are concerned, absolutely. We're always interested in making sure that we're best representing public opinion and we will continue to do surveys on this—although you're going to have to line up your time behind Madam May.

Voices: Oh, oh!

Mr. Darrell Bricker: She has the first questions, and we're going to move around the table here, but we'll see if we can make sure that we have good representation.

Mrs. Sherry Romanado: That would be great.

I know that we've been talking a lot about the criteria for selection, or the guiding principles or the values that Canadians hold dear, because as we've heard, there is no one electoral system that will be the panacea for everything. There are some little tweaks we can do here and there. For instance, if we want to increase voter participation, we can look at mandatory voting or other things, such as adding more days for elections, letting people have the day off on election day, and so on.

I'm not trying to solicit you to do the following, but are you looking at doing any polling on the most important values or criteria according to the public? I ask because it's going to be a trade-off when we're making this decision, right?

Mr. Darrell Bricker: Yes, I think that we get into a real discussion about how we form governments and all the rest of it. Really what the public is looking for is accountability. They want to know who they can grab by the nose, if they don't like what's going on. The more complicated and the more distant you can make that, the less effective it will be seen as a tool for accountability by the public. I think that's pretty clear.

I think that as proposals emerge from the committee, as we see the form of the final report in December, it's an important public issue, and IPSOS will always be doing research on important public issues.

Mrs. Sherry Romanado: Dr. Johnston, you mentioned that whatever it is that we do, we must not revert back. We've heard from other witnesses saying that we should perhaps think about holding a referendum, maybe two or three election cycles after we change the system, to see if citizens are still happy with the change or if we should revert back.

I'd like to get your opinion on that.

Prof. Richard Johnston: I don't have a problem with a reconsideration of the change after it has really had a chance to sink in. New Zealand's second referendum struck me as perfectly appropriate.

The notion, though, that we should experiment in 2019 with a system and then have a referendum strikes me as inappropriate. We will see the results of the election—they could surprise us—but I doubt that the parties would have settled into any kind of equilibrium, so to speak, response to the rules of the game, nor will we actually know the identity of the full set of parties that is likely to emerge.

A notion of a subsequent consultation strikes me as perfectly appropriate—just not in the immediate aftermath. The notion that somehow we could have a trial run in 2019, and then we'll do a different one in 2023 or something like that, just strikes me as nuts.

•(1530)

[Translation]

The Chair: Thank you.

Mrs. Romanado, your time is up.

We will now start a second round of questions with Mr. DeCoursey.

[English]

Mr. Matt DeCoursey: I've certainly appreciated some of the recent conversations and the last lines of questioning around the importance of consultation. I believe it's a hallmark of what we've set out to do, to consult broadly with Canadians and encourage members of Parliament right across the country to reach out, as my colleague Sharon mentioned, to some of the unusual suspects, Canadians who oftentimes are left out of the dialogue on important matters that concern them.

I've also really appreciated the balanced approach this panel has taken in addressing some of the different value propositions in front of us, the different systems that embody those different values—and certainly the brief that you provided, Professor Johnston, does that. We've been very fortunate as a committee to have plenty of testimony on the merits and particular proposals within the PR family—which I think helps us take that to the public—albeit less so under majority systems.

You mentioned a bit about majority systems here in your brief. I wonder if you can perhaps expand upon some of the merits of a majority system. You talk about the two-round system as a traditional method of achieving a result. Are you familiar with the majority rule proposal that was presented to us yesterday by Dr. Maskin, and if so, do you have any insight on its merits?

Instead of having two rounds, it's essentially a way of developing what you call a “straight fight” through one ranked ballot.

Prof. Richard Johnston: That's the Australian system. Is it something different from that?

Mr. Matt DeCoursey: It is a little bit different from that. Of course, in AV the bottom candidate falls off and their second choice ballots are redistributed. In this system everyone's relative competition versus every other candidate is weighted together. But regardless of that, what about the merits of a majority system?

Prof. Richard Johnston: You have to understand that the animating spirit of any majoritarian system is essentially like that of the existing system. It just does it better and with fewer anomalies and, in particular, is less likely to produce what an academic would call “social choice perversities”. It's not perfect. It's always possible that the true second choice of a majority of people on the ballot is eliminated before you can get to that candidate, but I think that's a relatively small problem.

If the majoritarian framework is the preference of the broad range of people, then I think the alternative vote is the way to go, because it does ensure that, as fairly as can reasonably be said, the person

who emerges as the winner is preferred to the alternatives in a straight fight. That's, in some sense, the essence of functioning majority rule. It doesn't produce proportionality, make no mistake about that. It could produce some amount of functional coalition behaviour, but the record suggests not really.

The recent record in Australia, where governments of the right in particular have failed to get majorities, partly reflects other features in the system, in particular the existence of the more or less proportionally elected senate, which has had the effect of dissolving some of the claims of the big parties in House elections in Australia.

But in terms of general fairness, I do think that if you're operating within a majoritarian framework, a majority ballot is a better ballot than first past the post. I am of that view.

Mr. Matt DeCoursey: Based on your testimony—and tell me if I'm wrong—I would venture to say that regardless of what system is put in place, we can't know in perpetuity how it will benefit a particular party, how it will be perceived by the voters. It really depends on time and context and a lot of other factors at play.

•(1535)

Prof. Richard Johnston: Yes. There are broad tendencies that we can draw from the literature, but it's very difficult to take those broad tendencies and place them on a concrete result for the particular package that a particular country represents.

With your indulgence, can I just say one thing?

The Chair: Yes, of course.

Prof. Richard Johnston: The nature of political party organization is hugely important here. The majoritarian operation in Australia is vulnerable to backbench spills all the time. If you go to the old Parliament building in Canberra and look at the total number of Prime Ministers of Australia, it's enormous because of the spill system. That's hugely consequential, but it has nothing to do with the electoral formula.

The Chair: Thank you.

We'll go to Mr. Reid now, please.

Mr. Scott Reid: I used to live in Australia, so I've watched with great interest the Gillard-Rudd back and forth. I'm not sure if “tug of war” is a more apt analogy, or a “teeter-totter” or “push me pull you”. Anyway, one of those analogies works well for that, and that's just the Labour Party.

Professor, I did want to ask about something you said earlier, but just in passing. I think I'm characterizing what you said correctly, and this is why I'm asking the question. Under MMP it is possible to have electoral districts with significantly different populations for the purpose of better representation in rural areas, better connection for the MP and the riding, and then to have the list system even it out so that you still get a proportionate result. Is that in fact what you said?

Prof. Richard Johnston: That is what I said. It obviously depends on how big the list component is relative to the single-member component. But I would think that one of the appeals of MMP in this country—it might have been part of the appeal in New Zealand, although I think they're thinking more of the German model—is that you can adjust the size of boundaries, as we do now, as a function of the difficulty of representing the place, but you can do so in a way that does not prejudice the balance of power amongst the parties relative to their support in the population at large, which it does do now, right?

Mr. Scott Reid: Yes, it does.

I sat on the parliamentary committee that dealt with electoral boundary proposals in both the most recent distribution and the one that took place in 2004. I don't know if it's affected the balance among parties, but it's definitely affected the weight that each voter's vote counts for in the House of Commons. Some of the boundary commissions have been very cognizant of that. In others, in particular my own province of Ontario, I think they've been quite abusive of that. As a result, people in certain parts of the province have votes that are worth a great deal less. That's just an editorial on my part. You gave me a chance to get it off of my chest.

Mr. Gibson, I did want to ask you about the citizens' assembly model. You indicated that you have documentation you're prepared to share with us as to how that model could be used nationally. A number of practical concerns have been expressed about whether that model, which was applied in Ontario and in British Columbia successfully, could be used once you start moving across time zones and have linguistic issues and so on.

I'd be interested in hearing what you have to say on this subject.

Mr. Gordon Gibson: I don't have any documentation prepared.

However, it seems to me that you could, if you wished.... You could start with the British Columbia model and then adapt it to the national purpose. You maintain, for example, the parity of gender. You maintain the same number of people per riding. It wasn't needed in the B.C. case because it was an overwhelming consensus, but if in fact decisions are made by vote, you have sort of a constitutional amendment type vote.

This is just me talking. You would probably only have one representative for every two ridings because I think 160 people, 170, is about as many as you can properly manage, but I might be wrong. You could try it with one per riding. In any event, you would get a very good representation of Canada with the same random selection. Of course, there's a self-selection part to it too.

Mr. Scott Reid: Quickly, in British Columbia the delegates met on several occasions, all physically in the same room together.

Is it your view that it is necessary, or could at least some of the consultation be done....? I'm thinking of expenses here obviously, and the way people spend their lives. Could it be done electronically online? It is, after all, a decade or more since the B.C. citizens' assembly. Or, is the value of having people in the same physical space something that can't be overridden?

• (1540)

Mr. Gordon Gibson: I think they have to meet, just as you have to meet here in this committee.

I think you have to be in the same room, and you have to do it seriatim, time after time. Get to know each other. Get to know the facts. Get to know the public. It's very much a learning process. It's just one small point of the whole political world, but there's a lot to be learned about electoral systems.

Mr. Scott Reid: Thank you very much.

The Chair: Monsieur Boulgerice.

[*Translation*]

Mr. Alexandre Boulgerice: Thank you, Mr. Chair.

We are talking about the various voting systems and the advantages and disadvantages of each. No system is perfect.

During the two most recent elections, in 2011 and 2015, the same thing happened, meaning that a party obtained 39% of the votes and 55% of the seats. For four years, these people have the majority in committees and in the House and can impose their viewpoints. This system has some advantages.

In the NDP, we think a mixed member proportional system also has the advantage of allowing stable governments to form most of the time, to have a link with the local elected officials and to produce public policies that have consensus support or broad agreement.

Actually, when the first past the post system completely fails the will of the voters, some take issue with that. That has not happened often at the federal level. In 1979, the Conservative Party was elected as a minority government although the Liberals had obtained more votes.

However, this has happened in Quebec three times within the same system, in 1944, 1966 and 1998. In those cases, the majority of voters had chosen a party, but because of the system's inherent distortion, another party formed the government. I personally said that it was unacceptable. Professor Massicotte told us recently that it was awful that something like that happened.

Mr. Johnston, don't you think that these historic examples should encourage us to opt for a system in which the popular will or majority would not be contradicted by the voting system?

[*English*]

Prof. Richard Johnston: I think the repeated occurrence of that is a perverse result.

On one hand, parties and voters themselves have conspired to reverse the perversity, so to speak. If you take the historical view, those things have not tended to persist indefinitely, but there's no question that it is one of the chief defects of first past the post.

The response to that particular defect is not necessarily to go to PR. The response could be to take the majoritarian logic of the system to its logical conclusion. I don't think you can draw any particular reform strategy from that, but I don't think there's any question that the social choice perversity is a problem of first past the post.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Johnston.

Mr. Gibson, from what we have read, your position generally seems to favour voters over the political party and MPs over the government in place.

If we had to adopt a voting system with lists, would you be in favour of closed or open lists?

[*English*]

Mr. Gordon Gibson: First of all, I don't like lists—

Mr. Alexandre Boulerice: You don't like lists.

Mr. Gordon Gibson: —but if I have to have lists, they should be open lists. I appreciate that a closed list will give you guaranteed gender balance, guaranteed ethnic balance, and all of those kinds of things, but I am one who is for strengthening the voter, not the political party. There always has to be a balance. The political party has to be strong enough to be accountable. But if there has to be lists: openness.

In response to your previous question, where you talked about dealing with some of the perversities of majoritarian democracy, they can also be dealt with through parliamentary reform as well as electoral reform. For example, you could have a completely different committee system with permanent staff and that sort of thing. You can do other things to empower the ordinary member.

[*Translation*]

Mr. Alexandre Boulerice: Mr. Johnston, the only example of a democracy that is close to us or a western democracy that operates with alternative vote or preferential ballot is Australia. We see that this voting system leads to an extremely strong two-party system and the objectives of proportionality are not reached at all, if that's what we want to bring forward. In the past four Australian elections, the two main parties had between 96% and 99% of the seats. We can see the difference between this system and the system that is used to vote in the Senate. In terms of the place of women, over the past 50 or 60 years, two and a half times as many women have been elected in the Australian Senate with the single transferable vote compared to what has been happening in the House of Representatives.

Does that provide an indication of what might happen here if we applied a similar system?

● (1545)

The Chair: Mr. Johnston, please give us a short answer.

[*English*]

Prof. Richard Johnston: It's also true, by the way, for ethnic minorities. The Senate looks much more like Australia than the House does. The House is full of people named “Jeff”, as far as I can tell.

Voices: Oh, oh!

A voice: [*Inaudible—Editor*] Sheilas, too.

Prof. Richard Johnston: Well, no, the Sheilas are in the Senate.

The fact that the Australian parties have engineered STV so completely, and have the “above the line” box, which is pretty much the determining factor in the flow of the vote, means that in effect— notwithstanding what Gordon said—they've created a kind of closed list through the servants' entrance

The Chair: Thank you.

[*Translation*]

Mr. Thériault, you have five minutes for questions and answers.

Mr. Luc Thériault: Thank you, Mr. Chair.

Since the beginning of the work of this committee, we have been saying we are open to a change, but not any change and not at any cost. It is not sufficient for us to be in favour of the change so that suddenly an aura of virtue appears above our heads.

Mr. Johnston, you rightly explained that this entire debate was over-determined by partisanship. That is why we think it is important to move beyond parties. It is not a debate between politicians, experts or insiders. We have to follow a process that, I hope, will allow us to reach consensus by December 1 and to give the public the possibility to reclaim this debate. To do so, we think we need to take a stand on holding a referendum right now. No system is perfect. If no system is perfect, the pros and cons of the various systems need to be weighed. If that assessment is left up to politicians, we will not come to an agreement.

It would be unfortunate if, on December 1, three trends emerged, we made no decision and we put everything on the shelf. If we want real change, let's not allow ourselves to be restricted by the deadlines of a prime minister who was perhaps too enthusiastic during the election campaign. Let's do this right.

I don't think I'm contradicting what you are saying, Mr. Gibson, Mr. Johnston and, I assume, Mr. Bricker. Given that only 3% of people know what we are trying to do, if this debate is left strictly in the hands of parliamentarians, it will be difficult to achieve the desired legitimacy.

Mr. Gibson, you said that this debate could not be done in an abstract way. Actually, the details are the problem. It is not enough to say that we want a mixed member proportional voting system to ensure that the model does not have a partisan bias. We have seen this in Quebec. The model chosen by the Charest government created 26 regions. Rather than encouraging ideological plurality, it strictly favoured the three parties already represented in the National Assembly.

Given that the details are posing the problems, what are you suggesting that we do about it? My suggestion is to hold a referendum at the same time as the election in 2019. At any rate, we have no time to do it before that. However, if we proceed as I'm suggesting, we will have the time to go to a second phase. This could be a draft bill on a specific model. We could then consult the people on something tangible.

We will consult the people now on their desire for change, but we have nothing specific to suggest. If the details are the problem, I am wondering how they will be able to have an idea of all the systems on which we will consult them. Could you comment on that?

Mr. Chair, I know it's long, but our way of operating—

The Chair: Let Mr. Gibson answer the question. His comments could perhaps fit into the five minutes you have.

• (1550)

Mr. Luc Thériault: We have cruel ways of operating, but they are our ways.

[*English*]

Mr. Gordon Gibson: I guess my response to that would be that your aims are very good and noble, but unless you all agree, I don't think anything is going to happen—at least not anything productive. If the government party uses its majority to go ahead against the opposition parties in this committee, there is going to be a big fuss, a big fight. There are going to be constitutional questions, and it is going to overtake a lot of other issues that are very important in the country and become a focus in the next election.

By contrast, if you are all agreed and you put the thing to a referendum, the public might very well accept it. If you are not, I think they probably won't.

[*Translation*]

Mr. Luc Thériault: Should we not consult the people as soon as we have something to propose?

It is not enough for us to agree. At the moment, I do not think that we are going to agree on a model. At least, we haven't done so yet.

The Chair: A quick answer, if you please, Mr. Gibson.

[*English*]

Mr. Gordon Gibson: I can't add any more. Yes, absolutely, the public should be consulted on a specific model, but first of all, who is going to design the model? In British Columbia, it was the citizens' assembly. Here it might be you. They have to have specifics. You are absolutely right.

The Chair: Ms. May.

Ms. Elizabeth May: Thank you. I'm glad I get another chance to try to get through questions.

I'm going to start with you, Mr. Bricker, and then ask some more questions of Professor Johnston. I hope I can get through the questions.

You said that some years ago you did some polling around the question of satisfaction with first past the post in general and that you hadn't done anything very recently. Some recent polling results from EKOS polling asked the question:

Please rate the extent to which you agree or disagree with the following statement:

It is unfair that a party can hold a majority of the seats in the House of Commons with less than 40% of the vote

This was December 7 to 10 of last year, and I gather they were using land lines and cellphones. I don't really know what kind of difference it makes when you use online surveys. Do you go back to the same 1,000 people each time? Are they online all the time? So there's an online randomness among people. I don't know if it makes a difference, but this was land lines and cellphones. Apparently with 2.3% plus or minus 19 times out of 20, 56% of Canadians agreed that it was “unfair that a party can hold a majority of the seats in the House with less than 40% of the vote”.

I'm wondering if you think the situation may have changed since you last asked people about whether they were generally satisfied with the voting system. What would you expect to find if you were to poll again?

Mr. Darrell Bricker: I think an awful lot comes down to the questions you would ask. There's an inherent logic that there probably is something wrong just by the way the question was asked. That 40% equals a majority, well, the math just doesn't add up in people's heads. I would expect that 56% is a low result for that. I don't really like that question much.

Ms. Elizabeth May: I would hope that you'll ask other questions. I think the logic—

Mr. Darrell Bricker: I will.

Ms. Elizabeth May: —adds up in people's heads, because we expect that when we vote in an election.... Of course, the value of proportionality and fairness, which you've both reflected on, is very strong among Canadians. There is something quite counterintuitive that in a majority Parliament in the Canadian electoral system, where there is no separation between legislative and executive for all functional purposes, 100% of parliamentary power is in the hands of whichever Privy Council—and in some cases, where it's really centralized—of whatever Prime Minister has the majority of the seats in the House. If that derives from a minority of the votes, we're certainly hearing a very strong pull from Canadians that they don't find that fair.

Mr. Darrell Bricker: All I can do is say is, yes, when you get into conversations with people about that, they come up with those kinds of conclusions. But if you look at the levels of satisfaction that we see for this current government, even based on how they were elected, they're very high.

Ms. Elizabeth May: Oh, yes, but that's a different question, I think, from—

Mr. Darrell Bricker: I only answer the questions I want to answer.

Ms. Elizabeth May: Okay!

Voices: Oh, oh!

Mr. Darrell Bricker: You guys do the same, by the way.

Voices: Oh, oh!

Ms. Elizabeth May: Actually, I answer questions I don't want to answer, but I'm unusual.

Professor Johnston, you made a comment right after the election that I think goes to this question of legitimacy. CBC News posted a very interesting interview in October, right after the election, about whether this voting system was going to change. You were quoted as saying that you were extremely skeptical about the likelihood of any federal electoral change under the Liberals. You reflected on the fact that B.C. and Ontario had tried, and you said that “opposition parties tend to talk a lot about democratic reform when they're in opposition and rarely deliver once in government”.

Because I believe that the public cynicism about politicians is a problem in a healthy democracy and I think we've earned public cynicism, do you think when a government keeps its promises—and this was a point you made in earlier testimony—it matters to Canadians that political parties and political leaders keep their promises. In this case, given the history, as you say, that “opposition parties tend to talk a lot about democratic reform when they're in opposition and rarely deliver once in government”, do you agree with me that it'll contribute to public confidence in a party that they deliver on their promises, and conversely contribute to greater cynicism that they failed to deliver on a promise?

• (1555)

Prof. Richard Johnston: You stated it as a general proposition, so it's hard to disagree. I guess I could also note that on a very concrete promise it would seem that the electors were perfectly willing to let the government take as long as necessary to meet its Syrian refugee total, for example. There was no particular requirement that the total be met within what proved to be an unrealistic deadline. I think that's true in this case as well. To deliver on the promise of abolition of an established electoral formula in the space of one Parliament, particularly when the machinery doesn't get rolling until the spring, strikes me as a stretch. Probably the only administratively possible form of change would be to the ballot—

The Chair: Thank you.

Prof. Richard Johnston: —in the time that we're talking about.

The Chair: Thanks very much.

Ms. Sahota.

Ms. Ruby Sahota: My question is for Professor Gibson. In your introduction, you talked a lot about consequences that may not be considered ahead of time when changing an electoral system.

Yesterday, Professor Loewen presented an intriguing chart to us. He talked about the anti-legal immigration sentiment that has grown in European countries—in fact the countries that have PR, where these smaller parties have taken a dominant control on some of these issues. He mentioned Switzerland, Austria, Sweden, Norway, and the Netherlands, the small parties have gained popularity and have taken a lot of seats.

Could this be a consequence that we may not be considering, depending on which electoral system we switch to? You had referenced Donald Trump winning the primaries in the United States due to some changes they made to their primary process. Can you

elaborate on other consequences you could foresee, since you have thought about this issue quite a bit?

Mr. Gordon Gibson: I want to start by thanking you for promoting me to a professor. I've never been that before.

No doubt proportional representation, particularly extreme proportional representation as they have in Israel, gives organization and voice to very small groups of sentiment, some of which can be quite extreme. While our current FPTP privileges the regional representation, proportional representation privileges ideological representation. That might be Christian, it might be anti-immigrant, it might be whatever you like, but it's much easier to organize on a proportional representation model.

Ms. Ruby Sahota: These are big what ifs, right? I want to make sure we don't go down a path that we look back on years from now and regret. We want to get it right, and we want to make the right change for Canadians. Is there any advice you can give us about different consequences and obstacles we may not be considering right now that we should consider? If you have been following the committee's work, then maybe there are things you'd like to suggest to us.

• (1600)

Mr. Gordon Gibson: You know, we're in a curious place. Why are we here?

In British Columbia, it was because we had two perverse elections. The first election saw a government elected with less than the most votes, and the second one saw a government elected with 77 out of 79 seats with only 59% of the vote. The public said that something's wrong here.

We do not have that situation today in Canada. We are here because a political party—and forgive me for saying this—in a minor aspect of their party's promises, said we're going to be here. So we're here. However, there are no torchlit parades, as Dr. Bricker said. There is no public demand out there saying, “For God's sake, fix this”, but one of these days there will be.

I think this committee can do good work in laying the foundation for that day. You might not find that this is the day, but I think you can do an awful lot of good research by asking how we can do a lot of sustained and legitimate thinking about changing our electoral system and putting in place an institution or institutions, such as a citizens' assembly, that might help us in that direction.

Ms. Ruby Sahota: What would you think would indicate that time?

Right now we've had many organizations that have been campaigning on this promise. They've told us that they have large numbers of members and there has been a lot of talk about this issue in terms of the last election. There have been citizens' assemblies in many provinces that have studied this issue. When would you consider it to be the right time?

Mr. Gordon Gibson: *When Citizens Decide*, from Oxford University Press, is probably the definitive book on citizens' assemblies. They're quite rare, and they tend to come about for non-partisan reasons, or when some political party gets the idea—as Dalton McGuinty did, or Gordon Campbell did, or a group in the Netherlands did—that we should do something about this. Apart from that, they just don't happen. You might choose to make it happen, but they don't come out of the blue. Most parties do not see that kind of study as being in their interest. Most parties want electoral reform to be their electoral reform to help them. It's just the way the world is.

The Chair: We have to go to Mr. Richards.

Mr. Blake Richards: I have a question for both Mr. Bricker and Mr. Gibson. In her last round of questioning, Ms. Romanado mentioned a number of statements from witnesses today that she felt were humbling. One of those—which I actually don't recall hearing it from you, but maybe I missed something—was that it “may or may not cost us the next election”. I assume that when she said that, she was referring to the governing Liberal Party.

Mr. Bricker, in your experience in gauging public opinion, if this were done without giving Canadians a direct say, without giving them some input, would it actually have some political consequences for the governing party?

Mr. Darrell Bricker: Yes. When you look at the agenda that Canadians hold dear right now, this isn't one of the top priorities they want to see the government focused on. When people worry about Ottawa's being detached from what's going on in the rest of the country—and believe me, it is—it just underscores the distance between what people are dealing with in their day-to-day lives and what parliamentarians choose to focus their time and attention on.

Is there political capital that's going to be spent as a result of that? Yes, I think there would be. On the other hand, if they could lead this process and come up with something that the public would find acceptable, they might actually add to their political capital. Right now, as I said before, this is an issue that few people know there is a problem, and almost nobody understands any of the solutions that anybody wants to bring forward, or why any of them makes anything better.

Mr. Blake Richards: I would assume that part of that would involve, at the end of the process, giving people some kind of a say, whether it be a referendum or... I fail to see what the other mechanism would be. Letting the public have a direct say, I would assume that would add, obviously, to—

Mr. Darrell Bricker: At this time in Canadian history, as I said before, with all of the most educated, most literate population in this country, and the best technology to give people an opportunity to have a direct say, it's really hard to come out and tell people they can't have that form of participation. I'm not saying it's the best way to proceed, but I'm just telling you what the nature of public demand is.

•(1605)

Mr. Blake Richards: Mr. Gibson, based on your practical political experience, what would be the potential political consequences if the governing party were to ram through changes without giving people a say in a referendum on those changes?

Mr. Gordon Gibson: If you decide to have a referendum, you won't lose. You hand the problem to the people. You say, here's the best we can do, or here's the best a committee of Parliament can do, now you tell us. You can't lose on that one.

You can lose if you say this is what we—our political party—want to do, and make it a political issue. You can really lose on that one.

Why lose when you don't have to? Punt the ball to the people, who really deserve to carry it.

Mr. Blake Richards: I think that is an absolutely great piece of advice. I certainly hope the Liberal members—and I see that the Parliamentary Secretary for the Minister of Democratic Institutions is joining us today—are listening and will choose to take that advice, because I think it's a vital and important piece of advice. It's something the Canadian want, and it's something the Canadian people deserve. Thank you very much for your opinion today.

The Chair: We'll go now to Mr. Aldag.

Mr. John Aldag: Mr. Gibson, I'd like to carry on this conversation that we've just been having. First of all, I was looking at your brief and your statement in it that “Every party makes unwise promises”. Then I look at the how we Liberals had electoral reform in our campaign commitments, as did the NDP and the Greens. You are saying that 60% of the parties had unwise promises and that 63% of Canadians voted for those unwise promises. To me, I think, is there nothing there? I'm not saying that we have a full mandate or legitimacy, or whatever, it's just that the Liberals aren't the only ones who made this commitment.

Then you made the comment that we don't have torchlit parades on the issue, that we're not falling apart. I tend to think, isn't this the time to have the discussion? I would hate to get into the situations in B.C. you mentioned, where the system goes horribly awry, and we end up with a system that doesn't reflect the will of the people, and then we're stuck with it for four years. We've heard from other witnesses that in that circumstance, there's very little political appetite to change it because it's working for that party.

I actually think this is the time to have the discussion with Canadians. A lot of Canadians have said they're ready for this kind of discussion.

You were involved in the B.C. process and I'd just like to know, from your perspective, was that a success or a failure?

Mr. Gordon Gibson: First of all, there is of course much merit in what you say about planning ahead. Second, I don't agree that just because three parties promised electoral reform and 61% of the people voted for them, they voted for that issue, because there were a lot of issues being voted for. Third, Jean Chrétien promised to get rid of the GST and carried on as Prime Minister for a number of years thereafter.

Coming to your more direct question, I think the B.C. citizens' assembly was a great success. It was acknowledged to be by virtually everyone.

Richard, your research will have something to say about this, but indeed it is very clear that one of the main reasons the proposal of the citizens' assembly got the majority it did was that people trusted the assembly process. It wasn't because they understood STV—most people would say, “What is this stuff?”—but they trusted that a group of their citizens had worked hard and long for a year to come up with something in good faith and that they were objective, disinterested people.

Mr. John Aldag: On that, I live in B.C., and we still have first past the post. Great work went into that. There were great minds. Our fellow citizens came up with recommendations, yet through a referendum process it failed. I guess I just get a bit concerned when there is talk of a referendum or other.... Bars can be set to ensure that nothing changes. I have a real concern, sitting at this table, that we are perhaps, from some fronts more than others, positioning to make sure this fails.

Mr. Gordon Gibson: As Mr. Thériault says, you don't have to set the bar at 60%, where British Columbia did. You can set the bar at 50% plus one, or anywhere else you like.

Mr. John Aldag: We have heard a number of times that consensus at this table is going to be needed, so we need consensus at this table to come up with that. Will we have to have a consensus agreement that 50% plus one is needed, or some other threshold, to gain legitimacy for the process? I am just trying to understand. If we end up with a consensus report, does that give us enough legitimacy with the process that we have embarked upon to perhaps bypass or forgo the idea of a referendum? Are there other options that will get us there, to actually move forward this conversation, so we don't have the torchlit parade down the road?

• (1610)

Mr. Gordon Gibson: I think you can absolutely take to the bank the proposition that the more consensus this committee can achieve, the better chance you have at making change.

Mr. John Aldag: Okay.

Is there still a minute?

The Chair: You have about 40 seconds. That includes the answer.

Mr. John Aldag: Mr. Bricker, really quickly, have you done anything on online or mandatory voting? Have you seen any research on that with Canadians?

Mr. Darrell Bricker: No, I haven't personally.

Mr. John Aldag: Okay. I wasn't sure if you might have asked questions on that.

I will leave it at that.

The Chair: Thank you, Mr. Aldag.

[*Translation*]

Mr. Cullen, you have the floor.

[*English*]

Mr. Nathan Cullen: I was just reflecting on John's comments there. We proposed a version of the citizens' assembly here, back in February. I wish you had been working in the minister's office or had some influence, because then we could have had this happening in parallel and the legitimacy question would have been enhanced for all of us.

I have a small correction, Mr. Johnston. My riding is about 95,000 people. It also just happens to be bigger than Poland.

Something that seems to be dismissed in a lot of this conversation is that nine million votes by Canadians in the last election are not reflected in our Parliament. It seems like such a casual dismissal in the questioning. I don't accuse you of omitting it from the answer, but I am thinking about the Conservative voter in Toronto, the New Democrat voter in the Maritimes, or the Liberal voter on Vancouver Island. In some cases Liberals, or whoever, received 25% or 30% of the vote, or the winning MP, in this distorted system we have, received less than a third of the support from their constituents, yet we maintain this fallacy that this person is as clear a representative as under any other system. I would argue, on an intuitive level, as Mr. Bricker said, that they are not.

Have you posed the question, Mr. Bricker, of the idea—it has been shot down here by Mr. Johnston, but supported by other witnesses—of trying out a new voting system and then having the test, the buy-it-back proposal, where citizens are able to say, “We don't like what we have seen, and we would like to cast it to the side”?

Mr. Darrell Bricker: No, I haven't done any research on that, but I would expect that if what we are talking about right now requires as much explanation and work as I think it will require, going that next step will probably be even.... If you are already a bridge too far, you have probably gone about five bridges too far.

Mr. Nathan Cullen: The question of change is part of your business. You ask questions about change, when changes are proposed. From my perspective, dealing with voters through five elections now, there generally seems to be an inherent resistance to change, particularly if it is complex change. If this is your cup of coffee, but there is this great store down the way with better coffee, but I can't explain it to you, really, because it would take too long—but it is better—most voters would say, “Even if it is better, even if the price is better”, or whatever, “I am going to stay with what I know, because you can't explain what is coming.” Is that not inherent to this? When we get into the questions about referenda and about straight polling—do you want to keep what you have, or do you want something new—the ability to explain the “new” is as critical as whatever the new happens to be. Is that fair to say?

Mr. Darrell Bricker: What I would say, first of all, is that in the last election, people clearly voted for change and they're happy with it.

Mr. Nathan Cullen: Right.

Mr. Darrell Bricker: When people are presented with the proposition of change, when they feel there is enough reason for change, they have no difficulty jumping onboard. In fact, it drove up voter turnout in the last election to a very high level.

On a specific proposition, which is what you're asking about, if you're incapable of explaining to people why this change benefits them, they will say no.

Mr. Nathan Cullen: Yes, so if I say to the people you poll, "Your vote will count regardless of whom you vote for and where you cast that vote in the country", would that be an interesting question to—

Mr. Darrell Bricker: Yes, absolutely. It will be one that I'll ask.

You're right behind her on the list.

Mr. Nathan Cullen: Oh, very good. We can order up the list.

Voices: Oh, oh!

Mr. Darrell Bricker: You're on order.

Mr. Nathan Cullen: It seems to me this is a potential debate where spinning mistruths and myths, as was done yesterday... That one snapshot view of one set of elections in Europe suddenly made proportional systems equivalent to having anti-immigration parties, despite 60 to 80 years of vast understanding showing that's not the case. Then that myth got propounded again here today. The advantage goes to those mythmakers when talking about electoral reform.

Mr. Gibson, you went through this. You watched this group of British Columbians attempt to allow change to take place in their communities. How important is it for us to have champions, outside the political people involved, who are explaining and bringing in input from other Canadians?

• (1615)

Mr. Gordon Gibson: It is absolutely central. As a matter of fact you just summarized the last sentence of the the book, *When Citizens Decide*, which reads: "So, even when citizen assemblies prove to be an instance of intense participatory, deliberative, and epistemic democracy, the setting in which assemblies exist may undo all the good they are able to achieve." In other words, the sales job that's done on the production job is absolutely crucial, and that, in turn, depends upon the context and the political support.

Mr. Nathan Cullen: In Ontario, a citizens' assembly proposed some changes, yet many of the political parties and political actors, including the *Toronto Star* editorial board were picking away at it, shooting it down. It showed itself to be an influence as compared to....

Yes? Would you agree with that? I don't want to put words in your mouth.

Mr. Gordon Gibson: Absolutely. That absolutely killed it in Ontario.

Mr. Nathan Cullen: Thank you.

The Chair: We'll go to Monsieur Rayes, *s'il vous plaît*.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

My colleague made an argument for the mixed-member proportional voting method in which each vote must count. He mentioned that, in the last election, the votes of nine million people did not count.

When I bring this up with people in my constituency, they all wonder which options would be open to them if there were to be a change. I explain the different voting methods to them, I tell them about the mixed-member proportional vote and I explain that the number of constituencies would have to be reduced by about half. I use myself as an example and I tell them that their MP would have to have a larger constituency. Now, I represent a rural constituency that includes 40 municipalities. If I was newly elected in a larger constituency, I could easily double that number of municipalities.

But my constituents say that their priority is to have access to their MP so that they can tell him about their concerns and so that he can properly represent them in Ottawa and properly bring forward their concerns for society.

So that makes me a little distrustful of this model. When people tell me that they want to have access to their MP and I think about the time that MPs spend in Ottawa, almost eight months per year, I try to imagine what I would do in a different situation.

I would like to put some questions to our three witnesses and I would like them to give yes or no answers. Do you consider that the procedure established by the current government is a good one, yes or no?

Go ahead, Mr. Gibson.

[*English*]

Mr. Gordon Gibson: It depends on how well you do.

[*Translation*]

Mr. Alain Rayes: Your turn, Mr. Bricker.

[*English*]

Mr. Darrell Bricker: I think it depends on outcome. I totally agree.

Prof. Richard Johnston: I think the insistence on some form of answer before the end of this Parliament is the best guarantee that nothing will happen.

[*Translation*]

Mr. Alain Rayes: Yes or no: do you consider that the government has allocated a reasonable amount of time in order to fulfill this mandate of reforming the voting system, as they announced to the people in advance?

What is your opinion, Mr. Gibson?

[*English*]

Mr. Gordon Gibson: If the committee does not like the time period, you should ask for an extension.

Mr. Darrell Bricker: It is going to be a challenge. It's a very short period of time for something so important.

Prof. Richard Johnston: I've basically given you my answer.

[Translation]

Mr. Alain Rayes: Thank you.

Mr. Gibson, would you be in favour of the committee ultimately recommending a referendum to legitimize this whole approach, yes or no?

[English]

Mr. Gordon Gibson: In my opinion, yes, any significant change in the electoral system should be subject to validation by the public in a referendum.

Mr. Darrell Bricker: My personal preference doesn't matter. I would just report what we reported in the survey, which is that that's what the public's looking for.

Prof. Richard Johnston: I have a more complicated answer.

I think the legitimacy of the result requires some sort of dialogue, as it were, between this committee and something else. It doesn't have to be the whole electorate in referendum.

As I said in my opening remarks, I don't think the population really demands to be consulted, notwithstanding the survey result. The concern is that whatever is proposed can somehow credibly be detached from the interests of any single party representative here, or possibly even the parties that happen to populate the Commons now. Some sovereign entity, not a citizens' assembly or an expert body or whatever, has to choose. I think it could actually be the Parliament of Canada, if it is asked to choose in a way that in some sense forces its hand between the status quo and an alternative that is defensible.

• (1620)

[Translation]

Mr. Alain Rayes: Are you in the 50% of the people who are satisfied with the current voting method, yes or no?

Let me start with you, Mr. Johnston.

[English]

Prof. Richard Johnston: It is an alloyed bad when the support is so low, but it's not an unalloyed bad.

Mr. Darrell Bricker: So you're asking if 50% plus one would be sufficient?

[Translation]

Mr. Alain Rayes: Mr. Bricker, are you satisfied with the current voting method? Are you in the 50% of the people who are satisfied with the current method? Can you give a quick yes or no answer?

[English]

The Chair: Do you like the current system?

Mr. Darrell Bricker: I don't think my opinion of the electoral system matters at all. That's not what I'm here to talk about.

[Translation]

Mr. Alain Rayes: Mr. Gibson, do you want to add anything?

[English]

Mr. Gordon Gibson: In the current circumstances, it's acceptable, but we could do better.

[Translation]

The Chair: Thank you, Mr. Rayes.

We will end this afternoon's session with Mrs. Romanado.

[English]

Mrs. Sherry Romanado: We've heard over the last couple of weeks from various witnesses that our electoral system and democratic reform are not just about the actual voting system. They're an ecosystem in a sense, taking in how we educate our citizens on civic literacy, whether or not we offer technological advances, how we do outreach, how we engage youth—we had a huge youth engagement in the last election, which we hope to continue—how we encourage women and visible minorities to consider running for office, and so on.

As my colleague Mr. Cullen mentioned, in the last election, millions of Canadians felt that their votes didn't count. We're trying to increase engagement in the political process, which is why we're sitting around this table.

Mr. Gibson, I understand your warnings to take our time and do this right, and I agree with you. We need to do this properly. We don't want to take a reactive approach, so that when we come to a situation, we panic and think we have to fix this right now. We need to do our proper due diligence and make sure that what we come up with is best for Canada and that Canadians agree with us.

I'm hopeful that this committee can come up with a great Canadian model to address some of the issues that we've been mandated to address.

Given your experience with the British Columbia citizens' assembly, what advice would you have for us to move forward, given our mandate in this committee and keeping in mind the electoral deadline we have that the Chief Electoral Officer said could be met?

Mr. Gordon Gibson: To be clear, your hypothesis is that it is a unanimous committee?

Mrs. Sherry Romanado: Okay.

Mr. Gordon Gibson: If you have that, then I think you can win a referendum—

Mrs. Sherry Romanado: Okay.

Mr. Gordon Gibson: —at the next election.

Mrs. Sherry Romanado: Okay.

Mr. Johnston, do you have any suggestions for us as well in terms of our mandate in trying to get the ball rolling on electoral reform?

Prof. Richard Johnston: My view is that if you're really serious, you would try to get the rules of the situation changed. I don't see how you could break out of the current situation short of a serious breakdown of the representative process at the next election.

Mr. Darrell Bricker: What I would say is that the mandate of this committee as I understand it is a lot wider than just whether or not we have the first past the post system or not.

There are a lot of other irritations in the way our election system operates that represent clear areas of opportunity for you to actually be able to build some consensus with the Canadian public. There are things that involve technology. There are things that involve, as somebody was mentioning, the dates on which we vote. If you start building from those things on which people do agree, there might be something that could move along as an agenda here without your necessarily having to focus on that one big thing to start. I would say there is an opportunity to produce some form of a reform proposal that wouldn't necessarily have to go to a referendum, because it involves cleaning up a whole series of different things that people would see as reasonable things to do, given the time and age that we're in, and that should have been changed a long time ago. Then you can focus on the other question, which I think is going to be a very, very difficult thing to move even through this committee, in making a proposal and moving forward as legislation through the House of Commons and the Senate.

• (1625)

Mrs. Sherry Romanado: Do I have some more time?

The Chair: You have about 40 seconds.

Mrs. Sherry Romanado: Okay, I'm good.

The Chair: Thank you very much to our witnesses for, among other things, underscoring the challenge that is before us. It is indeed a big puzzle. We're working very hard at understanding the complexity of the issue, and your insights and opinions will certainly help us along the path to a successful report, hopefully, and a way forward.

So thank you very much.

[*Translation*]

Committee members, we are going to suspend the session for 15 minutes. Then we will come back in camera to discuss future committee business.

Mr. Cullen, do you have a point you would like to make?

Mr. Nathan Cullen: Do we need to suspend the session for 15 minutes?

The Chair: Do you prefer 10 minutes?

Mr. Nathan Cullen: Okay.

The Chair: What do you want us to do?

Mr. Nathan Cullen: We only have one motion to consider, don't we?

The Chair: No, we have something else to look at.

Mr. Nathan Cullen: Okay.

The Chair: It won't take very long.

Once again, I thank the witnesses very much for being with us today.

We are suspending the session for 10 to 15 minutes. We will see you in a few moments.

Thank you.

[*Proceedings continue in camera*]

• (1625)

_____ (Pause) _____

• (1740)

[*Public proceedings resume*]

[*English*]

The Chair: Okay.

Mr. Cullen, would you like to present your motion?

Mr. Nathan Cullen: Yes, I believe you've heard it. That's it.

I don't know if you read it out yet.

The Chair: I think I read it a moment ago, or maybe I didn't. I'll read it again.

[*Translation*]

The motion asks the following:

That the committee confirm, publish and advertise its travel to Iqaluit as soon as possible; and, when the committee holds its hearings in Iqaluit, full Inuktitut translation services be made available to the public.

Mr. Cullen, do you want to say a few words about your motion?

[*English*]

Mr. Nathan Cullen: You said it beautifully, Chair. It's a particular part of our country that not a lot of people are familiar with. Having translation in Nunavut would be both respectful and vital to our having a good conversation there.

The Chair: As a note of information, I spoke to the clerk about this yesterday, and they're looking into this.

Does the clerk have anything?

[*Translation*]

The Clerk of the Committee (Ms. Christine Lafrance): We are trying to find out if it would be possible to obtain those services at no cost, but that is not yet confirmed. We are in the process of assessing how much the services would cost otherwise and we will include those costs in the committee's travel expenses.

The Chair: Great.

If we do not get those services free, we will pay to get them. Is that a correct understanding of what you said?

The Clerk: Yes.

The Chair: Okay.

[*English*]

Does anybody object to this motion?

No?

Mr. Scott Reid: I have something to say about it, which might result in an amendment. Let me address it first, and then we'll see if an amendment is appropriate, or if it could be dealt with informally.

It's just this. We all know this came up because the minister held a town hall in Nunavut, and there was no Inuktitut translation. Concerns were raised about that. Not being an expert in the Inuktitut language, out of curiosity I looked it up, and discovered that Nunavut has two official languages in addition to English and French: Inuktitut and another language called—and forgive me, as I may not pronounce this correctly—Inuinnaqtun, which is the language of the Kitikmeot region. The Kitikmeot region, if you have a mental image of Nunavut, is the western part of Nunavut. It's an area that sometimes feels left out of Nunavut politics. If you read the Wikipedia article on it, you'll learn why. It's physically separated. It's in a different time zone and also has a different language. To get from there to Iqaluit, you have to leave the territory and fly south. It costs about \$2,000 to go one way according to Wikipedia. I haven't checked this out myself.

You can see the point that if we're trying to be inclusive, then it's important to do this. Some people say it's a dialect. Some say it's another language. This is a debate for linguists, but I wanted to mention that.

We'd probably support that.

The second thing I want to mention is that if you look at it, Inuktitut is the aboriginal language in Canada that has the largest number, by far, of monophones, or monolingual people who speak only one language, and neither English or French. That includes people in Nunavut. There's also a large Inuktitut-speaking population in Nunavik, which is the northern part of Quebec. Realistically, most of the models of electoral reform that we're looking at are not going to affect Nunavut. There will not be, for example, STV or MMP in Nunavut, no matter how much we would like to introduce it at the federal level, because there's only one seat for the territory. While it's worthwhile hearing what people who live in Nunavut have to say on the subject, it is worth remembering that this will affect them a good deal less than the people who live in Nunavik, who are not a small population. The number of Inuit people there, based on the reading I was doing on this, is about one-third of the population of Nunavut. These people who will be affected by changes, and who might be affected by changes that result in either multi-member districts or increases to...their district is already enormous. Possible larger increases would be very relevant to them.

I'm suggesting that we try to find some way of informing Inuktitut speakers, who do not reside in Nunavut itself, to participate in this particular meeting. I think it will prove profitable to them. Surely—

• (1745)

The Chair: You're saying that we should publish the fact, advertise the fact, in Nunavik that we're travelling to Iqaluit?

Mr. Scott Reid: Effectively I'm saying that. I was going to add that there is an Inuit community here in Ottawa as a result of the fact that Iqaluit and Ottawa are connected by air. Ottawa has become a centre of Inuit population. The Baffin Larga community centre is actually in the neighbourhood I live in.

The Chair: Are you saying that we should inform them so they can travel, or are you suggesting—

Mr. Scott Reid: Yes, so they can participate. I assume that in order to be inclusive, we are going to have some kind of means of electronic communication associated with this meeting. Otherwise

people living in places like the Kitikmeot Region will only be able to attend and participate if they have the \$2,000 in pocket money available to fly to Iqaluit. I am saying that we should publicize the fact that we're having a hearing in the Inuktitut language, and possibly as well in the Inuinnaqtun language—yes, absolutely.

The Chair: So the first thing is that we should try to find some interpretation for the second language.

Does everyone agree with this, that we should see if we can find some interpretation?

Mr. Nathan Cullen: A general thought, Chair, was just to rely on local knowledge as to the appropriate.... I think Scott has a point, that there are four official languages. If the local folks we're working with believe that's of importance, then absolutely.

The Chair: So we're going to try to find interpreters for two of the languages. Okay, good. We seem to have agreement on that.

The other point is that we should somehow link northern Quebec to the consultation.

Mr. Scott Reid: And the rest of Nunavut. One of the problems with the minister's consultation—I'm told 16 people were there—is that Iqaluit is not the territory. It's physically difficult to get there. We want to have more success in reaching people both in the territory and speakers of non-official languages as widely as we can.

The Chair: Okay.

Can we have some text? I guess this is an amendment.

Mr. Scott Reid: The first part about the language should be an amendment. As for the rest of it, I've raised the issue, and as long as there's a consensus in the committee, I'm sure—

The Chair: Okay, we'll look into that.

Mr. Scott Reid: —the effort to make it as inclusive as possible, Mr. Chair, would be fine.

The Chair: Okay, good.

Why don't we have an amendment to the motion. We'll vote on the amendment, then we'll vote on the motion, and then we'll leave the clerk and the secretariat to look into how we can link up with as many people as possible, with the community of interest—I guess is a good way of putting it—when we're there.

Could you give us some wording for the amendment?

Mr. Scott Reid: Yes. If we take Mr. Cullen's proposal, I would only mention the part about language there. This was the reason, by the way, for wanting to be in public, so this stuff would go on the record—

The Chair: Right. Sure.

Mr. Scott Reid: —and we could establish a consensus, rather than the formalities of an amendment.

So simply, it's that the committee confirm, publish and advertise its travel to Iqaluit as soon as possible; and, when the committee holds its hearings in Iqaluit, full Inuktitut translation services be made available to the public.

The Chair: So, translation services.

Is everyone in agreement with the amendment?

(Amendment agreed to)

The Chair: Is everyone in agreement with the motion as amended?

(Motion as amended agreed to)

Ms. Ruby Sahota: I agree with the amendment of that.

The Chair: So we'll meet again at 8:30 tomorrow morning. We'll discuss business as agreed. It's a subcommittee meeting, not a full committee meeting.

Can we have a motion to adjourn till...?

● (1750)

[*Translation*]

Mr. Luc Thériault: Which room will the meeting be held in?

The Chair: We will let you know about that.

I don't think we need a motion to that effect.

[*English*]

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 022 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, August 31, 2016



Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Wednesday, August 31, 2016

•(1815)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):
Welcome to our third set of hearings today at the special committee on electoral reform, the evening edition.

Thank you to the witnesses for being here on a Wednesday evening in August in Ottawa.

We have with us three witnesses. I will read short biographies of each before we get going.

We have Jane Hilderman, Dominic Vézina, and Taylor Gunn with us this evening.

Jane Hilderman is the executive director of Samara, an organization seeking to reconnect citizens and politics. Ms. Hilderman has worked on Parliament Hill for both government and opposition MPs, and currently focuses on researching Canadian participation in democracy, how members of Parliament do their jobs, and the citizen perceptions of politics.

In 2011, Ms. Hilderman contributed to a report released by Samara featuring the voices of Canadians who feel disempowered by politics.

[Translation]

Dominic Vézina is a strategic advisor at the Institut du Nouveau Monde, a non-partisan organization whose mission is to increase citizen participation in democratic life. Mr. Vézina has experience in the areas of psychology and communications. He was manager of the educational resources service of a school board in Montreal at a time when the board implemented educational pilot projects on governance and citizenship. In 2010, the National Assembly of Quebec awarded Mr. Vézina the Prix du mérite municipal, recognizing the commitment of those who establish programs in their communities.

[English]

Finally, we have Taylor Gunn, the president and co-founder of Civix, spelt with an x, a non-partisan charity seeking to build skills and habits of citizenship among Canadian youth. One of this organization's longest running and most successful programs is Student Vote, which is a parallel election for students under the legal voting age. In April, Mr. Gunn received the 2016 Greer Award for outstanding contributions to publicly funded education in Ontario.

We will follow the order in the notice of meeting, meaning that we will start with Ms. Hilderman for 10 minutes. Each witness will

speak for 10 minutes and then we'll have two rounds of questions in each round,

[Translation]

In each round of questions, each member will have the opportunity to talk to the witnesses of his or her choice for five minutes. It is very important to emphasize that the time includes the questions and the answers. If by chance witnesses have not had the time to answer a question because the five minutes are up, they should not worry. They will have the opportunity to answer the same question the next time they speak.

Without further delay, I would ask Ms. Hilderman to make her presentation on electoral reform.

Thank you.

[English]

Ms. Jane Hilderman (Executive Director, Samara): Thank you, Chair, for the invitation to appear this evening at this almost final committee before you embark on your cross-country tour.

As the chair mentioned, I'm appearing on behalf of Samara Canada. We are a non-partisan, independent charity committed to strengthening Canada's democracy and reconnecting citizens to politics. At Samara we employ rigorous, accessible, and innovative research to expose how Canada's democracy works for Canadians. Our work is regularly cited in national media coverage, post-secondary classrooms, parliamentary discussions, and even in places like the most recent Travers Debate where humourist Scott Feschuk referred to Samara as "Parliament's mom". We take that as a compliment. Our research works in tandem with Samara's engagement programming, as we aim to celebrate and encourage active citizenship.

I'd like to clarify for this committee that, unlike many of the academics and experts you've heard from throughout July and August, Samara Canada has not been immersed in the nuances of different electoral systems over many years. We have not been, and are not, an advocate for one particular electoral system over another.

Since our creation in 2009, most of our work has been focused on what I would call persistent or core challenges to a healthy and vibrant democracy. These challenges are typically found in most established democracies, irrespective of their electoral system. For example, in the eyes of many citizens, politics is often viewed as irrelevant or unimportant to their day-to-day lives, leading many to look to channels outside of politics to solve public problems. Elected officials often face a lack of respect and trust from the public, and many people will not consider running for elected office. Those that do often end up facing an extremely demanding job without many supports in place. Elections are typically not the places where these core challenges will be solved. Nevertheless, I recognize that elections remain key moments for our democracy that hold the attention of millions of Canadians, and voting still remains the primary avenue for citizens to express their political voice.

This committee has been tasked to explore alternatives to Canada's current electoral system and to do so in a way that includes a comprehensive and inclusive consultation with Canadians. I think a national conversation about how citizens choose our representatives and one that's driven by Parliament doesn't come around all that frequently. In our view, this should be a key opportunity for Canadians to get engaged in their democracy, to grow more familiar with the work of parliamentarians, and to feel that their opinions can be heard.

As the electoral discussion has unfolded this year, we have felt that most citizens face an uphill battle to understand what this debate is about, why it is important, and how they can get involved. Yes, there are some thorough Canadian reports and research studies already in existence, but many are long and use technical language. In response, Samara Canada decided to pull together the essential objective information on different electoral systems for Canadians getting up to speed on electoral reform. To ensure that this information was accurate and neutral, we worked with a political scientist, Stewart Prest, and five academic experts reviewed our report. Last week Samara released this report called "What We Talk About When We Talk About Electoral Reform" in both English and French.

I kindly asked the committee clerk to share the report with you last week. It is also available on Samara's website.

In short, it outlines how five possible electoral systems work in Canada. It includes first past the post, alternative vote, list proportional representation, mixed member proportional, and single transferable vote. The report also distills for Canadians the expert advice that this committee has heard. A selection includes advice that there is no best system and that each has its trade-offs, that partisan advantage is hard to predict in any change from an electoral system, that no system eliminates the need for Canadians to think strategically about their vote, and that we can learn from the experiences of other countries. We should not assume that an electoral system will work well for Canada just because it works well somewhere else.

While all members of this committee have essentially completed a crash course in electoral systems this summer—and I congratulate you—I want to remind the committee that most Canadians have not. I think most have yet to realize that electoral reform is an urgent

issue before this Parliament, let alone the fact that the window for this committee to hear from them is quickly closing.

To help this committee meet its mandate to a truly inclusive consultation process with Canadians, we recommend that more resources be dedicated to the creation and communication of non-partisan information about electoral reform and that more time be provided for Canadians to access this information, to talk about it with others, and to participate in the consultation.

● (1820)

Samara's experience with the creation of our own report found that electoral reform is a complex issue to explain in an accessible manner, particularly when many options remain on the table. At 20-odd pages in length, we are well aware that our report will not serve everyone's information needs. For example, educational resources should be designed and distributed for high school teachers and their students, for audiences with limited literacy, for different types of learning needs. Moreover, some of these resources should be available in different languages in addition to English and French.

Pursuing public engagement without considering the public's educational needs risks attracting, by and large, the voices of the most motivated in the discussion—experts, partisans, and passionate advocates for one option or another. These voices matter, but such engagement is not inclusive enough. Moreover, when a promised engagement falls short, I fear that Canadians may end up more frustrated and further alienated with politics and their democracy.

Time is also needed for an effective consultation process. Not only is electoral reform complex, but right now it's not particularly urgent and will take time to capture Canadians' attention. In the eyes of a vast majority of Canadians, the 2015 election did not generate a crisis for Canadian democracy. In fact, Canadians turned out in numbers the nation had not seen for many years. Youth turnout was a particularly impressive story, with a full 18 percentage point jump up from 2011. The electoral results were widely accepted by the public. The past government peacefully made way for a new government.

This is not to say that discussing electoral reform is pointless at this juncture. Quite the contrary, I think it is vitally important that opportunities exist for Canadians, their MPs, and civil society to step back and consider improvements to our democratic system.

But Canadians now have less than six weeks until October 7 to share their views with you. This current deadline has been imposed by many factors, including the Chief Electoral Officer requiring two years to implement a new system, the fact that it takes several months for a bill to move through both House and Senate, and that in turn this committee needs time to thoughtfully analyze what it has heard in submissions.

Given the lack of a democratic crisis that demands a quick course of action, this committee should have a process that is slow, thoughtful, and rigorous. With more time, the quantity and quality of Canadians' participation in the discussion on electoral reform can improve. As such, with more time, it will also enhance the public's perception that this committee's consultations are credible and should carry significant weight in the eyes of government and of Parliament.

In conclusion, Samara urges this committee to recognize that meaningful national engagement on a subject like electoral reform requires that many citizens have a real chance to be informed and a chance to be heard. If the committee requires more time to meet its mandate, to consult inclusively among Canadians, this is a request that should be made and supported by Parliament and government.

I'd like to leave you with some final ideas for your consideration as well. Whether Canada changes our electoral system or not, the issue of electoral reform and the work of this committee has highlighted two trends.

First, there needs to be strengthened public education about Canada's democratic system, often called civic education or civic literacy. I think this is especially important if the electoral system changes. At present, citizenship education largely remains the purview of provincial education curricula and is typically incorporated into high school education programs. This is very helpful, but it isn't sufficient. Efforts are needed to reinforce civic knowledge through adulthood as well as during the integration of newcomers into Canada's public life. However, there are very few resources for nationwide efforts in Canada in civic education, nor is it clear who among government departments or agencies should be responsible for delivering on this goal.

Second, parliamentary committees and MPs are likely to be called on more and more frequently to consult with Canadians. Given that this committee is using all the tools at your disposal—social media, e-consultation, a cross-country tour, and input from MPs through their town halls—it would be of great value to capture lessons from this committee for future committees and MPs. Great public engagement and consultation takes planning, skill, communications, and relationship building, experience that this committee should start a conversation about on the capacity of Parliament to undertake public engagement effectively.

Thank you.

•(1825)

The Chair: Thank you so much.

[*Translation*]

I now give the floor to Mr. Vézina, for 10 minutes.

Mr. Dominic Vézina (Strategic Advisor, Institut du Nouveau Monde, Institut du Nouveau Monde): Thank you, Mr. Chair, and good evening, everyone.

Mr. Chair, distinguished members of the Special Committee on Electoral Reform, ladies and gentlemen of Parliament, I would first like to thank the House of Commons and its members for creating and establishing the Special Committee on Electoral Reform and for the efforts you are making to consult the people and a variety of experts on this matter, which is so basic for the future of democracy.

The Institut du Nouveau Monde (INM) is pleased to present its vision to you. The vision comes from our expertise in citizen participation and from the range of consultations we have held with young people from 18 to 34 years of age who have taken part in our citizenship schools in recent years.

I will begin my presentation by providing you with some of the main observations on electoral participation by young people from 18 to 34 years of age. I will then present some bold reforms that seem to us to be essential in order to reverse the dramatic trend of declining electoral participation by Canadian youth.

First let me introduce myself and provide you with an overview of the Institut du Nouveau Monde. My name is Dominic Vézina. I am a strategic advisor for democratic institutions, citizen education and youth, a new position at the INM.

Founded in 2003, the INM is an independent, non-partisan organization, active mainly in Quebec, whose mission is essentially to increase citizen participation in democratic life. The INM operates from a perspective of social justice and inclusion, respecting democratic values and sustainable development principles, in a spirit of openness and innovation. The INM also publishes its annual *L'état du Québec*, a reference publication that analyzes the main social economic issues of the day in Quebec.

I now want to offer you some observations on electoral participation by young Canadians.

In recent decades, electoral participation by young Canadians has dropped sharply. An annual decline has now been confirmed for more than 40 years. Since the participation rate has gone from 70% in the 1960s to around 30% in 2004, it seems important to us to examine the matter and to take action in order to reverse this trend.

Even more concerning as a phenomenon is the constant, significant decline in the rate of initial participation in elections. By that we mean the decreasing participation of members of the new cohorts who are voting for the first time. This indicates a serious problem. It is the point at which we are breaking with our youth, a point that we have called generational suicide.

The literature we have consulted and summarized in our brief, in particular the studies by Elections Canada, provides information on the key determinants of youth voter turnout, or lack thereof. Whatever the case, all agree that it is imperative to deepen our understanding of the phenomenon by conducting national investigations and studies, both quantitative and qualitative, after each election.

That said, all available data point in the same direction: one of the most promising approaches to truly reversing the decline in young voter turnout is to increase initial voter turnout.

The INM supports the idea of reforming the current electoral system, but that change alone would not have the desired medium- and long-term impact. For the reform to be sustainable, it must, in our opinion, go hand in hand with an overall strategy aimed at improving young people's skills in civics, starting in their teenage years.

In our view, the main public target must be those aged from 16 to 21. They are the ones who are just about to acquire the right to vote, or who will be voting for the first time. That is why civics education courses in high school, college and university have a central place in the strategy we are proposing to you today. Before we present that strategy, let us first summarize the key findings from the literature we have consulted.

We observe that, while certain socio-demographic characteristics—such as age, education and birthplace—have some influence over the decision of 18- to 34-year-olds to vote, there are three particularly influential factors: perceiving voting as a duty, taking an interest in politics, and being informed.

The key factors cited by young people as keeping them from voting are not the direct opposites of those motivating them to go to the polls. The two main reasons for 18- to 34-year-olds not voting are a lack of interest in politics and being too busy. The third reason for not voting varies with a subdivision of the age range: 18- to 24-year-olds blame problems with registering to vote, while 25- to 34-year-olds blame cynicism, a factor that seems to emerge later than the other factors analyzed.

What are the five bold reforms we are proposing?

I repeat that the INM supports reforming the current electoral system in order to increase young voter turnout. We also propose, in conjunction with all those involved, the complementary development of a comprehensive strategy to develop civic literacy among young people.

• (1830)

The INM proposes a bold strategy beginning with instituting a “civic rite of passage” in late adolescence. This strategy, informed by INM-led consultations, calls for major reforms. It is based on a renewed vision of democracy in which electoral participation is not only desired but expected and encouraged, and in which voting is not just a right but also a duty and a responsibility.

The civic rite of passage is based on five substantial reforms.

The first reform is a compulsory civics course in high school. Civic education is the surest way to get young people interested in politics. One of the main reasons young people do not vote is that they do not understand how politics affect them personally. A compulsory civics course should be given in Grade 9, while school is still compulsory, so that it is taught to everyone. As well, mock voting should be available to all students for each election.

All the studies show that, the sense of duty notwithstanding, young people vote if they are interested by politics and are informed. Those are the second and third reasons that explain why they vote.

Comparative studies, especially those by Henry Milner, show that voter turnout is larger in countries with a high average degree of political literacy. They also show that a dedicated compulsory civics course can make a difference. Norway and Sweden are excellent examples of this. General voter turnout in both countries is 85%, with young voter turnout at over 75%.

The second reform involves voting at 16. Lowering the voting age to 16 is then warranted. Young people will have just received civics education, preparing them to vote in an informed way. They are motivated and helped along the way. This is the start of the civic rite of passage we are proposing. All 16-year-olds, still in their classrooms, would vote together for the first time in an institutional context that supports their commitment. There should be a ceremony to celebrate their eligibility to vote, similar to the citizenship ceremony for new Canadians.

The third reform is voluntary civic service for 16- to 24-year-olds. It has been shown that commitment and participation produce even more commitment and participation. One way of supporting the commitment and the participation of young people once they have left school is to offer them the possibility of serving their communities in voluntary civic service.

The fourth reform that we are proposing is to make voting compulsory, with the option of casting a blank ballot. To emphasize the fact that voting is not only a right but also a duty, we believe that consideration should be given to compulsory voting. Compulsory voting is the policy in about 30 countries, including countries similar to ours, such as Belgium and Australia. Compulsory voting should allow for voluntary abstentions through what is called casting a blank ballot, allowing a voter to register a rejection of all the parties if none of them is appealing. Compulsory voting would also force all the parties to appeal not only to their base but to all voters, including young people.

The fifth reform is to implement a semi-proportional voting system. Research shows that one reason young people do not vote is that they feel their vote does not matter. The composition of Parliament therefore does not reflect the actual diversity of the electorate. Introducing a new voting system that includes a proportional aspect would give voters the sense that their vote matters.

Our basic belief is that youth voting is critical for the future of our democracy. We therefore hope that the committee's recommendations will not only make our electoral system more representative, but will also provide us with a better capacity to educate and motivate our young people in the exercise of citizenship.

In the INM's view, restoring youth participation in democratic life should be a national priority.

• (1835)

The Chair: Thank you very much, Mr. Vézina.

Mr. Gunn will be the last, but not the least, witness to speak.
[English]

You have 10 minutes, please.

Mr. Taylor Gunn (President, Civix): What a privilege it is to be here in front of you. I'm a bit ashamed to admit that I've taken great joy in reading all the Hansard that's been released so far on your site, and then I spent the full day here just out of respect, because I know you had three sessions today and I just wanted to see what it would be like to show up at six to start work again.

Some hon. members: Oh, oh!

Mr. Taylor Gunn: It seems as if everyone is in agreement that we're not experts on electoral reform, and I'm happy that we're honest, and that's the truth. So why would I be here? Fourteen years ago I'd heard that there were problems with voter turnout and there were hints that it was because of young people. I thought that maybe it wasn't the hardest thing to solve. It might have been because I was 24, and I thought that what we could do is simply to teach it in school like we teach everything else that no one wants to learn. We set out working on something that's now turned into 14 years. I was supposed to be a millionaire at this point, but we took the road less travelled. So I'll tell you a little about what we do.

We are a hundred times better at doing things than we are at talking about ourselves, so hopefully I can just tell you what we do and then we can trust that we might have a bit of expertise to offer you.

First, we thought that the most gripping teachable moment we could focus on was students under the voting age. Our main goal here is building the habits and skills of citizenship. We'd be using elections for that. Elections really are the biggest thing you can do out of politics. So we thought we could teach elections in school, and Student Vote is our flagship program. In a minute I'll go over some fun facts that I brought for you.

Basically, we empower teachers with educational resources. We've now expanded that to include online videos with the party leaders, who put democracy on the curriculum through the course of the campaign. This does not necessitate a curriculum fit. Instead, we try to find enthusiastic teachers who believe in the democratic process.

The key components of Student Vote include classroom learning, dialogue with parents, meeting the actual candidates through candidate forums—I know many of you were in them in your local schools, and I thank you for that—media consumption, and a vote on the actual candidates running in the schools' electoral district. The results of that are released through media and on television. We started in 800 schools in Ontario in 2003, and in last fall's federal election we surpassed half of all schools in the country, registering to participate 922,000 kids, who cast a Student Vote ballot.

I say that to you because throughout this, the underlying theme from Kingsley and Mayrand and Rose to the New Zealand CEOs and the two guys from Ireland is the necessity of civic education at all times, and especially in a process like this.

I worry that you're going to say that we need more civic education without knowing what progress has already been made. That's what we do around elections. We've got up to half of all the schools

participating. The point is to be in every school one day, reaching every student at every election. That's how we would truly build a habit just like how you teach kids math.

We know from independent evaluations that we're having positive impacts on teacher confidence and ability to deliver Student Vote. Students are having an impact on knowledge and interest. What is now being shown is that the more they do Student Vote, the better outcomes they have. It just makes sense, but that's the goal of doing this repetitively.

What we've got now is our second indication that kids may be supporting their parents' going to the polls. The recent feedback we got that hasn't been released yet is that close to 30% of parents attributed their decision to vote to their kids' participating in Student Vote. That matters when you talk about 922,000 families. What we do know when we did the math is that 2.5 million kids who went through Student Vote in the past were eligible to vote in this recent election. That does not show any link to increasing voter turnout, but that's where our base is now—above 18.

● (1840)

Just for fun, I wanted to say congratulations to Elizabeth. You were ranked fifth in the number of kids casting a Student Vote ballot in your riding, at more than 6,000 students. Blake, in Banff, at just under 6,000, was in the number 10 spot; and Matt was at 5,500, in Fredericton. That matters, because you want to see that grow over time. I also think it makes you care about young people in your electoral district, and I am trying to put pressure on you to care about them.

What else do we do? We run programs around budgets—very high level, much less mass reach, but we use political actors, like the Minister of Finance; lobby groups, like the Taxpayers Federation and the Canadian Labour Congress; and finally the party leaders. Their job is to weigh in, to pitch to kids what they want to see in the budget, and then kids give those opinions back to Finance and the public. You might be shocked to know that three years in a row they felt the best thing they could do with Canada's money was pay down the debt.

We run another program called Rep Day. Some of you, and then all of you by next week, will receive an invitation to participate in Rep Day. I know some of you already did. Last year, 45% of all MPs went into their local schools, with our administrative support, the purpose being for you to humanize our democratic process. It is really easy to dislike politicians, but maybe you ask, "What about Alain?" "Oh, I know Alain. He is a great guy." That is what we are trying to show to kids, that they can access our process through their elected representatives.

Finally, what we do is train teachers. The point of training teachers is to really seed the system with ambassadors of the democratic process who also have the capability to effectively deliver civic education programs. That comes maybe just to some summaries. When you think about civic education—and it may come up in questioning—don't depend on the curriculum. The curriculum can be poorly taught. It can be taught by teachers who aren't really meant to teach that subject, but they have been trained so they can do the things they like. Schools are political places.

It really matters who is teaching what, how they are teaching it—we would suggest that it is always experiential learning—and when they teach it. Maybe you don't want to teach an election when it isn't going on. I would also ask every educator, why aren't you doing an election simulation when there is one going on?

Then, of course, we have structural challenges. Some school boards now don't want politicians in for candidates' forums during elections. That is absolutely terrible. Do you know why? It is because—you might have seen it in the book—we can fill an auditorium in front of candidates with 400 or 500 people. I'll put some money down that you don't get that in your usual Chamber of Commerce debate.

Tips for the committee....

What is my time like?

The Chair: You have about two and a half minutes.

Mr. Taylor Gunn: Perfect. I'm so happy that everyone wasn't nice. I was worried, because we're all non-profits and we need funding, and sometimes you just have to be honest. I think it's time that you took the training wheels off. I think you've had a great go at learning how you might do this, but this is the type of thing that is just the coolest, biggest, greatest opportunity for our democracy. I'm starting to get a sense now of how special our democracy is, because we're starting to be pulled in our work to look at other places around the world.

The student vote programs don't actually go that well in other places, or they're non-existent. I see things happen in places like Mexico, where candidates who are open about the cartels are shot on their first day of being mayor. I think that when it comes to something like this, let's stop talking about New Zealand as the leader. We should be the leader in this.

I would suggest and point out to you that you've been disempowered by time, obviously. I had to plead with Mr. Reid and Mr. Cullen, and Mr. Holland who was here earlier, to change the submission date for the town halls...if you picked up on them from October 1 to after the Thanksgiving break week...because I thought you were purposely ignoring future voters in your consultations. It

might have been an accident, just as there was an accident in the Fair Elections Act that Elections Canada couldn't help facilitate our doing our work, so I get that, but I think you could engage so many more people with more time and more resources. I'm still wondering what's going on with that \$10 million. You don't have it, right? I think maybe you shouldn't have it. I don't know if I should trust that you'll spend it that well, but I don't know if the best place is in PCO or Democratic Institutions. I think you need to be more empowered.

I also think this is just a plain awesome thing that you could time around Canada150. It's not a playlist for exercises. I don't know what else is going on, but it's really one of the most important things we could do. It's about who we are. What a great opportunity to maybe extend and empower this dialogue. I think you'd at least have groups like us who have incredible access to the education system. Samara has an incredible volunteer network, and other actors across the country, and INM has a great hold in Quebec, who could support you and act as allies. I think you would get some incredibly passionate people putting in 16 hours a day on this to support your effort.

After reading all the testimony, sometimes I don't know who to believe. I'm sure you face the same thing. I just doubt you could come out with a really clear recommendation to take a particular system. I would just find that hard, after reading the testimony. I don't have a university degree, so you could write me off, but....

I'm interested to see what happens and then I will invite you or I'll let you know.... We couldn't do what we wanted to do, but we scraped together a few funds and we're working to put together a series of five videos: one, an introduction video just to introduce kids to why we're even talking about this; and then four others going into different systems. We hope to have them released by the third week of September, so that if you wanted to go into a high school in your community and have kids talk about this in a substantial way, we'll have something for you to do that. We've just sent out the invitations.

● (1845)

The Chair: Thank you very much for your passionate defence of electoral reform—

Mr. Taylor Gunn: We're doing it right.

The Chair: —and youth engagement.

I should mention that I'm holding a town hall on September 15, and one thing I did—just for the benefit of others in case they're interested in doing the same—was to write to all the high schools in my riding, to the principals, telling them that some of their students might be interested in this. I hope that a lot of the educators will be there as well. Hopefully that will pay off in getting youth to participate.

We'll start our first round with Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): That's a great idea, Mr. Chair. I think that's fantastic.

Going along with that, I definitely take very seriously the advice that you have for all of us. I enjoyed your presentations, your enthusiasm to engage young people. I share in that enthusiasm. We definitely do not want to disenfranchise young people. It's quite the opposite; we want to engage them.

I think the Prime Minister's Youth Council is the most amazing thing ever. On my personal campaign, I engaged quite a lot with youth. I think the fact that volunteer hours are mandatory for high schools now helps drive a lot of youth to come out and find opportunities. That may happen accidentally at first, but once they join a campaign, whichever one it is—I'm sure everyone from all parties benefited from young people looking for volunteer opportunities—they become engaged and interested in the process and what's happening.

I have found, though, that a lot of schools are reluctant to let us in even after you become an elected official. There are teachers who go above and beyond; they really want you to come in, and they try to manoeuvre a way that we can come into the classroom. In the area I'm from, I've faced quite a lot of challenges—even writing to the schools—just to go in to talk to the classes.

I have read that if you catch them at a young age and you go in to speak... We don't have to be speaking about parties. Most of the questions that come from them are not about parties. They're usually about what you do, or what life in politics is like, what you have to do to get there, and a lot of other questions about voting. There are so many interesting questions that young people have. I think it can really turn around the engagement process for them and make it exciting.

There were mock elections in my area during this campaign, and that was really interesting. As I went door to door, I saw kids who would open the door and they thought you were like a rock star. They would be more excited than the parent. They would move the parent out of the way and say they were learning about me, this is what's happening, this is what this platform is about, and this is this party's platform. It was incredible to see. I congratulate all of you for the work you do in trying to promote this to young people.

Do you have any suggestions? I know some of you have talked about voter age and some have talked about compulsory voting. For this committee, do you think there's any one thing you would recommend we do above all to increase voter participation? As you know, reading from the blues, we've heard a lot of contradictory evidence from so many witnesses. It's hard for us to figure out at this point what it is we should be doing to increase voter participation.

● (1850)

Ms. Jane Hilderman: It's wonderful to hear your own personal experience about engaging young people in your campaign and in your work as an MP.

If I only get one thing to do to engage young people, a very bold thing would be to lower the voting age to 16. We're starting to see examples of this happening around the world. Obviously, the Scottish referendum is an example, and the P.E.I. referendum coming up this fall on electoral reform in P.E.I. has lowered the voting age. Part of that, as my colleagues have mentioned, is that if you get the person voting in the supportive institutional environment of the school, a lot of evidence suggests it becomes habitual more quickly. If you vote the first and second time at the opportunities when you're first eligible, the odds that you're going to keep voting through the rest of your life are extremely high.

I think that would be really powerful. It would also send an incredible message to young people to say you have a voice in shaping the future of this country. Many young people might say they're not ready for that responsibility because I think they take it very seriously, as you encountered. But I think it would be a very bold way to do it.

[*Translation*]

Mr. Dominic Vézina: If I may, Mr. Chair, I would like to add that I think it's really important to humanize the role of politicians.

Young people live in a completely media-dominated world. They hear all kinds of things, and then when they go home, they hear what their parents are saying. Cynicism is pervasive in discussions with students. We need to humanize the role of politicians.

I also want to emphasize the importance of schools and formal education. The Quebec curriculum includes classes that explain the democratic system in an oversimplified manner. It is important to explain how our democratic system works at the municipal provincial and federal levels and to engage young people through real-life experiences, as my colleague was saying.

As the chair mentioned, I used to work for a school board in Montreal that had introduced a process five years earlier to provide training to 150 students elected to our student councils. It was incredible to see the debating skills those students developed. Unfortunately, schools often didn't recognize it. It was a constant battle to be able to provide those kinds of activities, which were regarded as unrelated to formal education.

The Chair: Thank you very much.

I'd now like to turn the floor over to Mr. Reid, for five minutes.

[*English*]

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you to our witnesses, who probably did not know they were going to be slotted into an evening slot when they agreed to come. That was probably a little bait and switch on the part of the clerk and committee.

I want to start by asking Taylor something.

You started in 2003, so I'm just trying to work out the age of your oldest former participant. What would have been the highest age at that time: 16, 17, 18?

• (1855)

Mr. Taylor Gunn: It depends on the age. I think I can guess where you're going with this, but it depends on the age. We would have had some 10-year olds at that time and some 16-year olds.

Mr. Scott Reid: All right, I'll just take the 16-year old, because it makes the point the most dramatically. Someone who was 16 in 2003 is now almost 30 years old and has been an alumnus, as it were, of your program for 2004, 2006, 2008, 2011 and 2015, five elections. That would give you enough time to be able to gauge whether your program has had any influence on their long-term voting patterns. Have you had a chance to go back and examine whether they kept voting to a greater degree than other kids of the same age who are now about to turn 30?

Mr. Taylor Gunn: We'd like to, but we need funds to do it, and it shouldn't be us. We could support an independent body, like Elections Canada, which we've asked to do this longitudinal study. We're very open about the holes that we have, so for anyone who might have done this once, I don't know the quality of the instruction or the experience. I know for sure there are some schools where they may have just a ballot put in front of them on election day, and they ask their teacher what it is about. That's like a zero out of 10 experience. Then we have a 10 out of 10 experience, where kids are meeting the candidates and are encouraged to go home and speak to their parents.

What I think we would see if we had repetitive, great experiences is the long-term outcome, but I don't know that yet. If the committee would like to encourage Elections Canada to look into that, it would be terrific. I think that's a bit out of your mandate. The only thing we do know is that of those who we think are now over 18, there'd be about 2.5 million of them.

Mr. Scott Reid: Okay.

If 10 is the youngest—and I realize that's probably an exceptional case, but it still works for someone who was, say, 11 years old in 2003, and they would have been 12 in 2004, in one election—

Mr. Taylor Gunn: Right.

Mr. Scott Reid: —and in 2006 they would have still been in high school, and also in 2008. Are there any students who have gone through multiple elections with your program?

Mr. Taylor Gunn: I expect there are; we hear anecdotally from teachers that there are. We don't track students. It's a bit risky to take in that information and hold onto it and track it outside of an actual study. What we do know is the history of school participation.

The way the curricula are set up, for example, is that it's very likely that a B.C. socials 11 class, or its predecessor, would run this, but we don't know if those kids are then offered the next opportunity, or were offered it previously when they were in a different grade. That's the hole we face. However, we do know that in some place, like British Columbia, for example, in the last federal election, 39% of all kids in school between grades 4 to 12 were taking part in a student vote. But for some of them it may be the only time, and I can't guarantee the quality.

We're up for lots of more vigorous testing of whether we're being successful. I think the one success we can be very happy with is the depth in the education system that we've realized. I think the next comparison would be like the Terry Fox Foundation's access to schools across Canada, which is averaging around 77%. We're averaging 60% in English Canada.

The Chair: You have 30 seconds for a statement.

Mr. Scott Reid: I won't make a statement but will wait until the next round.

The Chair: Okay, thank you.

Monsieur Boulерice.

[*Translation*]

Mr. Alexandre Boulерice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair,

Ms. Hilderman, Mr. Vézina, Mr. Gunn, thank you very much for being here today. I really appreciated your presentations, as well as your energy, your passion and your interest in young people and their civic and social engagement.

You are absolutely right; there are some deficiencies in Quebec and Canadian society regarding knowledge and understanding of our electoral system and our parliamentary system. Too many people we meet still think we have a presidential system. People think they're voting for Harper, Trudeau or Mulcair. We have to tell them that that's not the case, that they must vote for their local MP and the number of seats won by each party is calculated to determine which party will form the government and whether it has a majority in Parliament.

Mr. Vézina, I support most of the five points in your program aimed at improving youth voter turnout. One thing that I really want to emphasize, because I want it stated publicly, is that I strongly support the idea of offering an introductory course on citizenship and democracy in high school. That is probably the best path to take. However, before our Bloc Québécois friends overreact, I want to clarify that neither this committee nor any federal legislation will interfere in the prerogatives of the National Assembly regarding education. I can come out and say that what you're proposing is a good idea, but it will not be part of our recommendations, for reasons that you are familiar with and understand very well.

You said that young people feel as though their vote won't make a difference. Indeed, it is more than just an impression. All too often, that is the reality in our voting system. Many members are elected with 30% or 32% of the vote in their riding. This means that 70% of voters are seeing their votes tossed out.

Your fifth point is about introducing a semi-proportional voting system. How would that help solve the problem identified earlier?

• (1900)

Mr. Dominic Vézina: That's a good question. I'm not an expert on electoral systems, but I can tell you that in all of our discussions with young people over the past five, seven or eight years in our citizenship schools, they all said the same thing. If we look at the last few elections, for example, majority governments have been formed with only 32% or 33% of the vote. As a result, young people no longer see the party in power as legitimate. A mixed member proportional system would automatically allow for more diverse perspectives.

Many young people have told me they think it's important that the parties work together to improve our existing system. People have to work together at school, at home and at work, so why not in our democratic system? That may be a simple example, but I think it's a good one.

I'll give you another example. Many of our schools have cooperation councils. If there is a problem, it is discussed on Fridays and they try to come up with solutions. When it comes time to vote, if only 32% approval is reached, there is no change.

Mr. Alexandre Boulerice: Thank you.

I should point out that NDP supporters in Edmonton officially supported a resolution on lowering the voting age to 16. Our colleague Don Davies also introduced a bill to that end. We are pushing for the same thing.

You had five proposals, but one thing that is missing is online voting. That surprised me a little, because we often hear that if online voting were available, young people would participate more. In fact, over the past few weeks of this committee's meetings, we keep hearing that interest in politics is the main factor. Anyone who is going to vote online is likely already interested in politics. As for those who aren't interested, even if we tell them it's going to be easier using their device, they are not more likely to become engaged.

Why didn't you include this aspect in your proposals?

Mr. Dominic Vézina: A few years ago—in 2011, if I'm not mistaken—the Chief Electoral Officer of Quebec asked INM to conduct a study among 16- to 34-year olds. If I remember correctly, 84% of young people indicated their interest in electronic voting. However, in all our discussions over the past few years, it's not something that keeps coming up.

I do think, however, that a better understanding of politics is key. We are talking about the fundamental issue of understanding the system in order to take more effective action in the future.

I want to emphasize another thing that could be important. Studies done in the past also show that young people who don't vote the first time they're eligible will not vote in the future. The numbers are very high, which is why it's so important to lower the voting age from 18 to 16 and introduce a civic rite of passage at school and in our institutions.

The Chair: Thank you.

Mr. Thériault, go ahead, please.

Mr. Luc Thériault (Montcalm, BQ): Mr. Gunn, Mr. Vézina and Ms. Hilderman, I want to begin by saying how pleased I am to hear

your remarks. I believe your actions are going to progressively improve democracy and people's understanding of it. I want to talk about a few aspects that you didn't mention, Ms. Hilderman, but that I think need to be addressed.

According to the Supreme Court decision in the Figueroa case, electoral fairness requires fairness in the electoral financing regime. A strict taboo currently exists that might correspond to dissatisfaction with political institutions.

The Chief Electoral Officers of both Quebec and Canada do not promote the legislation every year when political parties are trying to raise funds. When the legislation isn't promoted, it's as though giving more and more money to one political party were illegal, or as if it could lead to recognizing that someone might be partisan. Some people don't want their name to appear on any lists, for example.

Given that laws on the funding of political parties are based on public donations, does it not make sense to educate the public about the importance of seeing this as a duty and civic action? If we want to reform democratic institutions in a way that allows for ideological pluralism, shouldn't every vote count once again based on the amount of money put in the box?

In other words, if someone votes for the Green Party, for example, their vote isn't totally wasted, because the party will have some resources during the election and for the next four years to express their ideas in the political debates of a so-called democratic society.

• (1905)

[English]

Ms. Jane Hilderman: As I understand it, you are inquiring about the idea of the per vote subsidy, that every vote cast is worth something, as a donation to a political party that you're casting your vote for, in order to make your vote count. I understand that this has only recently been phased out.

I think your point is a good one: parties, in doing their job, have a unique place in our democracy. It's a very important job: to compete in elections, to be the vehicles for political participation, to sit in Parliament if they're elected, and then help make decisions. It does take resources to do that effectively. I don't think Canadians have a very good understanding right now of how party financing works in Canada. In fact, everyone who pays taxes subsidizes political parties today, because anyone who makes a donation can get a tax receipt, and that tax receipt how we Canadians are subsidizing political parties as entities.

The challenge then, of course, is if we subsidize the largest donations more than the smaller donations. We know that very few Canadians, relative to the whole population, make donations to political parties. I think that is the appeal behind the notion of a per vote subsidy, in that everyone at least gets to make some donation to a party. It's compelling as an incentive to think that your vote counts for something more. I also think it helps parties maybe think a little differently about their fundraising direction.

It might be interesting, then, how we might step back and consider the whole system of electoral and party finance. It's time we thought a bit more about what we want from parties in exchange for support from the public, which I think is necessary, as I said, for strong political parties to play their role in our democracy.

[*Translation*]

The Chair: Mr. Thériault, you have only 30 seconds left.

Mr. Luc Thériault: I would like to hear Mr. Vézina's thoughts on that.

The Chair: Mr. Vézina, I would ask you to give a brief response, please.

Mr. Dominic Vézina: Young people—I'm still talking about the audience I work with—express their views in different ways, so this should also include the financial aspect in order to encourage this collegiality and diversity of opinions. That goes without saying.

The Chair: Thank you.

Ms. May, go ahead.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

I want to thank the witnesses for being here with us this evening. I also want to thank them for their hard work and for everything they do every day in relation to these issues.

• (1910)

[*English*]

I know all three of your groups, and I appreciate the work you do.

Taylor Gunn, I want to let you know that when Chief Electoral Officer Marc Mayrand testified before us, even though you thought it might be a little out of our mandate, he didn't think it was. He made a point of saying that the changes made by the Fair Elections Act to Elections Canada's role in elections must be reversed and that there should be funding. Did you receive funding from Elections Canada to do the work in schools? How was that partnership with Elections Canada carried out?

Mr. Taylor Gunn: It's evolved over the years. In 2004 they gave us, from what I can remember correctly...the model was they didn't pay for our work. They covered some costs of printing, ballot boxes, voting screens, etc. If you go back to how our relationship started with Elections Canada, it was an all-party motion on, I think, February 10, 2004, 10 years to the day when Pierre Poilievre announced the Fair Elections Act's details, which is kind of funny. It's evolved now to where they'll cover the full cost of the program, but the cap at the last election was meant to be at a million dollars. We budgeted for about \$1.4 million or \$1.5 million. The entire project last year was about \$2 million, and I think we ended up with \$250,000 in-kind, a million dollars cash. It's not a wealthy type of project. Then we raised an additional \$750,000 to go out to community foundations and donors to go toward our teacher training.

They don't fund us. What they like to remind us, and maybe everyone else, is that they don't have what they call a “granting and contributions stream”. Should they have one? Should they not? I'm not sure. I will tell you that they put out an RFP last summer very shortly after the Fair Elections Act, and we told them that we

wouldn't be responding to it, so they then decided to sole-source with us. We thought that we didn't need to respond, because no one else does the work that we do—

Ms. Elizabeth May: Right.

Mr. Taylor Gunn: —among other details.

Ms. Elizabeth May: I was just curious, but when you said I was number five, number five of what?

Mr. Taylor Gunn: It was in terms of the total number of ballots cast by kids under 18—

Ms. Elizabeth May: You mean across the country?

Mr. Taylor Gunn: Yes.

Ms. Elizabeth May: That's nice. I was wondering, because I didn't think that had happened in my own riding.

Voices: Oh, oh!

Ms. Elizabeth May: Correct me if I'm wrong, but this is the first panel we've had in which all three of you support the idea of the voting age going to 16.

Ms. Jane Hilderman: Yes.

Mr. Taylor Gunn: Hold on. I didn't say yes. I would just say that I would support any type of experimentation in our democratic process that could improve engagement.

Ms. Elizabeth May: The sense I got from all three of you, and I would ask you to elaborate, is whether it is because young people at age 16 are in that structured environment where civic literacy can be inculcated? Programs can be mandatory in high school and the sense there—and I don't want to put words in your mouth—is that it's a good time to get people voting, because when you develop a habit of voting, you keep doing it. If you don't develop the habit of voting, you'll likely not be voting when you're 30 and 35, and so on. If any of you want to expand on that, don't take too long. I've only got five minutes.

[*Translation*]

Mr. Dominic Vézina: I actually don't know if I can provide any more details on this.

I worked on school boards for a long time, working with kids at both the primary and secondary level. At that age, they are searching for meaning and developing their identity. They are learning, and as I said earlier, they have access to all kinds of information. They are gradually influenced by their peers and try to find ways to become engaged. I think school can be a unique forum in that regard, while keeping in mind that experiences in extracurricular activities and activities outside school are also important. I mentioned this earlier when I talked about student councils and meetings with MPs. These experiences are important to them and I think we need to start there.

The Chair: We have 15 seconds left.

Ms. May, you can make a brief comment.

[English]

Ms. Elizabeth May: Jane, you probably won't have time to answer this, but I've read a lot of Samara materials, which focuses a lot on the experience of members of Parliament within this parliamentary system. When we come back perhaps I can ask you, and you can reflect on it, how a fairer voting system that's more proportional might either reduce or clarify the relationship between MPs and Parliament versus their political party structure.

The Chair: Thanks.

Mr. Aldag.

• (1915)

Mr. John Aldag (Cloverdale—Langley City, Lib.): I'd like to thank all three of our witnesses this evening for coming. It's a refreshing approach to this topic and I really appreciate your landing at this time in the evening, at this point in the week, because it truly is refreshing.

I have a comment. I'll direct it, first of all, to Mr. Gunn, and it's a thank you for the Student Vote program. I too participated in it this year, including during the campaign. I'll tell you that when I would look at my calendar for what was coming up in a day, if I had a Student Vote day, a visit to the classrooms, it was a day that I would look forward to. The engagement from the classes was fantastic. The toughest questions came from the students, but it was amazing. I wish you every success in continuing the program moving forward, and continuing to grow because it truly was an amazing experience for me.

Mr. Taylor Gunn: Great.

Mr. John Aldag: As Ruby said, going to the door, door knocking and running into students I had spoken with in classes, who always had more questions for me, was fascinating. It was a great experience.

Mr. Vézina, I appreciate the brief you provided. You've given some recommendations on compulsory voting with the option of casting a blank ballot. I like a lot of the really innovative, bold reforms that you put out there. I think some bold reforms are what we need.

The question I have is something that came up when I was door knocking. There are organizations, particularly some religious organizations, that object to voting. In the work that your group did, did you look at those kinds of conscientious objections? Was the idea of casting a blank ballot the only solution, or did you look at some of these other kinds of extremes? Do you have any comments on that?

[Translation]

Mr. Dominic Vézina: It's important to remember that the right to cast blank ballots comes with the obligation to get out and vote. People must be able to express their dissatisfaction with the parties in place and so on.

The youth we work with often take part in citizenship schools during the summer or winter at various CEGEPs and universities in Quebec. Sometimes students attend these classes voluntarily and sometimes they have no choice. We always make sure their opinions are represented. Generally speaking, the students care about these

issues and know a little more about them than some of their peers. However, the essence of what young people have said about the five bold reforms we are proposing can be found in our brief.

[English]

Mr. John Aldag: I'll move to Ms. Hilderman. I really appreciated your comment—I think it was in your brief or maybe in your statement—that most Canadians have yet to recognize electoral reform as an urgent issue. This afternoon we had a comment about nobody being out there leading the torchlit parade, that people aren't protesting against it, so why are we doing it? The case I made is that I think it's the wrong time to do it when we're in crisis mode. This is the right time to rethink. I don't want to put words in your mouth, but I'd like to get your further thoughts on why this is the right time. If you could just take us down that path with your organization, why do you feel this is the right time for this kind of discussion?

Ms. Jane Hilderman: We prefer not to be in a state of crisis at all times, but I think it is a lesson for other jurisdictions. As you look, often what has prompted them to explore electoral reform were problems that emerged. New Zealand is often a great case in point, where they had some very abnormal election results that prompted them to take a closer look. That awareness among the general public, I think, made the job easier of having a national conversation about electoral reform that said, we don't have that urgency. But I think you're right, we have the luxury, then, of time to really do it well and do it right.

We haven't had, as I said, a real national conversation about what our vote should mean as Canadians, whether we are really happy with the nature of our representation in Ottawa. How would you feel about having more MPs and larger ridings? How would you feel about having a more proportional Parliament? How would you feel about having two votes on your ballot? These are all the sorts of questions that I think invite Canadians to think about representation. It's not necessarily the most exciting topic that brings people out in the streets, but it is something that's really important to a democracy. We know that it isn't self-maintaining; you have to nurture it. It's like a garden.

• (1920)

The Chair: I just thought of something, and you're the perfect witnesses to mention this to. We have an e-consultation questionnaire on the committee website. It would be great for students to do. You can direct the students that you have contact with to the website. It's a fabulous questionnaire that was developed by our analysts in concert with the committee.

We'll go to Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you for being here and for the part you play in encouraging greater participation, particularly in the case of young people. We appreciate the work you do in that regard.

Certainly, Mr. Gunn, I'm well familiar with your organization and have participated in your student days. It's something I always enjoy, going to the schools and seeing the students in my riding, whether it be part of your days or at other times during the year. It's something I do frequently and I always enjoy it.

I think it was Mr. Aldag who said that some of the best questions he gets are from students. That's so true. It's always refreshing when you hear that kind of active engagement from students. Thank you for the work that you're doing.

I'll start with a question for you as well. Obviously, you've conducted the mock elections. How many times have you actually done the mock elections now?

Mr. Taylor Gunn: In Alberta?

Mr. Blake Richards: Well, in federal elections.

Mr. Taylor Gunn: We've done five federal elections. In Alberta, we've done three provincial elections, and we hope to do next year's municipal ones in Alberta.

Mr. Blake Richards: Excellent.

It was pretty cool that I made the top 10 in the country for number of votes from students.

Mr. Taylor Gunn: Yup.

Mr. Blake Richards: I would assume that should there be a referendum on electoral reform, you would probably be looking at potentially conducting a parallel—

Mr. Taylor Gunn: A referendum?

Mr. Blake Richards: —referendum with the students.

Mr. Taylor Gunn: Yes, we've done that before, actually. We've done that three times: in 2005 in B.C.; 2009 in B.C.; and 2007 in Ontario, or was it 2006?

Scott, you know. Was it the fall of 2007?

Mr. Scott Reid: It was 2007.

Mr. Taylor Gunn: Yes, the fall of 2007 in Ontario. We also did a parallel students' assembly on electoral reform in 2007. We gathered 103 kids and put them through a five-day boot camp on electoral systems. I did feel bad for the kids, but they loved it. They went back to their schools. We did a tandem classroom consultation and had 5,000 Ontario kids participate. The kids come back and presented to the assembly what the students' opinions were: MMP. The assembly then recommended MMP to Ontario citizens.

So yes, if there's a referendum, among other things we'd be planning on doing a parallel one.

Mr. Blake Richards: Excellent.

I'm curious. Did the results of those referendum much of the time—or maybe all of the time—mirror the election result amongst the actual voters?

Mr. Taylor Gunn: Yes.

Mr. Blake Richards: Was that true in the case of the referendums as well? Was the result the same, or was it mirrored?

Mr. Taylor Gunn: I think they might have voted yes for MMP in Ontario in 2007, and I would have to go back to 2009 and 2005.

Mr. Blake Richards: Okay, I asked more out of curiosity than anything else.

Mr. Taylor Gunn: What's interesting is that, in Ontario at least, it did imitate the lower participation in casting a referendum ballot. We suffered the same thing in schools.

Mr. Blake Richards: In terms of timelines, in order to conduct a side-by-side referendum, what would your organization need to do that?

Mr. Taylor Gunn: It's additional work, but we could factor that in to whatever timeline we're used to having with the Student Vote program.

I could expand on comments around what you think I would suggest for adults, but we're used to doing a lot in little time, as I'm sure all three of us are.

Mr. Blake Richards: Great. Thank you very much.

Mr. Taylor Gunn: Could you give me 10 seconds just to quickly say something?

Mr. Blake Richards: Sure.

Mr. Taylor Gunn: Actually, John, there is a great urgency in this conversation. The Prime Minister said it's our last election under first past the post, so there's urgency.

Voices: Oh, oh!

Mr. John Taylor: I'll say something that's really important. This is different from any other conversation that took place in each of those three previous referendums. I don't know P.E.I. from a little while back, but at least in B.C. and Ontario, no politician, especially a premier, came out and said they wanted that system. That's why this is a much different system, and that's why I would suggest that anyone who is afraid of a referendum shouldn't be. The parties have way more at stake if they proceed with those same positions going into a referendum.

There's urgency. It could be the last way we vote, and we could change the system we've had for almost 150 years.

• (1925)

Mr. Blake Richards: Are you indicating that you think it would be a good thing for the public to be engaged in a referendum on this topic?

The Chair: Answer very briefly, please.

Mr. Taylor Gunn: I would love to get into that. I am sure we all would, but did I use up all of my time?

The Chair: Yes, you did. Take 15 seconds to answer that question.

Mr. Taylor Gunn: I think, as it has been said by several of your witnesses, including today, if you don't do a really thorough, substantial, and what can be considered credible consultation process, I don't see how you can't go to a referendum, presuming that this would then cause the consultation you didn't.

Mr. Blake Richards: Sorry, I am a little unclear. What you are saying is that there needs to be a thorough consultation process, and then a referendum would be—

Mr. Taylor Gunn: What I am saying is that right now I don't think this is thorough. I am suggesting that you make it thorough.

Mr. Blake Richards: Sorry, I just want to make sure that it is clear.

The Chair: Let's just clear this up, yes.

Mr. Blake Richards: I know we are overtime, but I am not sure I'm clear.

The Chair: Yes, let's clear it up.

Mr. Blake Richards: What you are suggesting is that we need a more thorough consultation process than we currently have—

Mr. Taylor Gunn: Yes.

Mr. Blake Richards: —and then a referendum would be a good thing.

Mr. Taylor Gunn: I am saying that if you don't have a more thorough consultation process, which really means you just need more time, which is one of my recommendations in my initial remarks—

The Chair: Okay, thanks.

Mr. Taylor Gunn: —then you should.

The Chair: Mrs. Romanado, go ahead.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoynes, Lib.): I am like a kid in a candy store right now, having spent the last 15 years of my career in higher education. This is the panel I have been waiting for.

First, Ms. Hilderman, I highly recommend that anyone contemplating running for office read *Tragedy in the Commons* before they do. I did.

Ms. Jane Hilderman: Oh, great, and you still did it. That is wonderful.

Mrs. Sherry Romanado: Yes.

In terms of civics, I did participate. I have to say that the five schools that participated in my riding were pretty much bang on, so good for them. In fact, as my colleague, John, mentioned, the best questions I got during the campaign were from the 16- to 18-year-olds. They probably are more aware. The great thing is that they have no filter, so they don't mind telling you exactly what they think, which is sometimes refreshing.

One thing you talked about was lowering the voting age to 16. My question is this. We all know that education is a provincial jurisdiction. I am from Quebec. I am very much aware of the fact that we are not going to be getting into the nitty-gritty of that. However, if we contemplate changing the voting age to 16, I don't think educating folks at the age of 14 will be soon enough. I would like to get your ideas on the corresponding change in education that

will be required, because you need to get them a little earlier, in my opinion. First of all, I would like to get your opinion on that, and then I have some follow-up questions.

[Translation]

My question is for all three witnesses.

[English]

Ms. Jane Hilderman: I don't know specifically about each province, how they treat their civic education program. I think there is a lot of variability. I believe there is actually some work being done at Elections Canada to try to understand how each province approaches its work. You are probably right that if you are going to vote at 16, you should be learning earlier. I think some teachers do some education.

It is actually really interesting. The few studies that exist around young people and political beliefs suggest that political socialization happens very early. Kids are picking up on signals all the time: what is on the news, what their parents say about politics. Surprisingly, they can generally point out that politics isn't that popular of a thing at a very young age. They are seeing these signals, so I think you are right that there could be room for education earlier.

In Samara's work, I would say that we try to think about the non-traditional classroom, the classroom that often happens outside of school, whether in after-school programs, community groups, or other places where youth—or, as was said, other adults, newcomers—may congregate. We think this is an important space, too, that often gets left out of the conversation around civic education. Schools are powerful because they are institutional. It is easy to roll out something across them, but we have been very keen to try to develop tools for these more entrepreneurial community groups, such as the Boys and Girls Clubs of Canada and the Girl Guides of Canada, that are working with young people outside of school systems as well to be equipped to support civic education.

• (1930)

Mrs. Sherry Romanado: Before we go on, I am just going to add to that, and then you can both answer.

What about leveraging technology? For instance, you hear about the two-year-old who can manoeuvre an iPad. Is there an app for that? Are there plans to create technology that will.... We hear about gaming. That generation loves gaming. Is there something in the cooker that we could be thinking about in terms of zeroing in on the fun aspect of elections?

Mr. Taylor Gunn: We use technology in different ways to supply content. I'm expecting Ruby at some point to ask a question about online voting because she did so in the first few meetings, pretty seriously.

To go back to what the real thing is, what's important—Marc Mayrand brought this up as well—is that there is a trend among election agencies across the country to gather information on students, usually from ministries of education, to put on the permanent electors list before they reach 18. That's great, but it's useless to a kid if they have no idea what that is and no idea what the permanent electors list is.

What we would suggest, and what we're investigating, is how do you create a teachable moment out of that? We're working on similar programs so that at the end of this school year we can trial citizenship ceremonies in schools and forecast where the kids do different things. Part of that would be then informing them and educating them that they're on the voters list.

I would go back to the point about who is in the classroom delivering that information in a way that makes it matter. We do monitor what education systems are doing across the country in their curriculum. What matters the most is whether you have a passionate, enthusiastic teacher.

I don't know if the following would be the case among this group, but we've asked people before why they got into politics. They would tell us, "I got into politics because I had this great history teacher in grade 11." It's this classic thing.

The Chair: We're going to have to go to Mr. Cullen, who's passionate and enthusiastic as well.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Yes, still passionate.

I have a question about Samara's report, *Tragedy in the Commons*, and some others. You paint a picture, or my colleagues who have since retired paint a picture, that the political culture stinks. It's aggressive. It's antagonistic. There seem to be a lot of incentives in our current system to yell at one another and make things personal. People, upon leaving politics, reflect on that.

Am I overstating the case from what you've found in your research?

Ms. Jane Hilderman: No, I think you're right. With the 80 former members of Parliament we interviewed, they broadly felt that they got into it all for the right reasons, but they felt that the system chewed them up a bit and spit them out at the end.

Mr. Nathan Cullen: A system that incentivizes that bad behaviour is bad, and systems that incentivize other types of behaviour would be good, in terms of electoral systems. We've heard testimony that suggests that when you get into systems that are more proportional or that allow more co-operation or consultation between parties, the amount of vitriol goes down. Would less vitriol in our system be a good thing in attracting people to politics and keeping them engaged and interested?

Ms. Jane Hilderman: On the question of whether less vitriol is a good thing, I say yes. On your point of proportional systems delivering that, I think they may nudge you toward it, but a big part of it also comes to the decisions that you as political leaders make about how you want to execute your office.

Mr. Nathan Cullen: Those political leaders make self-serving decisions to advance their parties, or decisions for the country as well. If they are required to work with others in the system, then one

would imagine that the incentive to be mean and vicious and to tear each other down, would be less.

Mr. Taylor Gunn: Can I just say something?

Mr. Nathan Cullen: Sure, Mr. Gunn.

Mr. Taylor Gunn: When I read the testimony of the two gentlemen from Dublin, third or fourth, I thought they said to not expect that. Am I...?

Mr. Nathan Cullen: We've heard a bit of both.

Mr. Taylor Gunn: I'd love it if that were the case.

Mr. Nathan Cullen: Dublin wouldn't be the example that you would—

Mr. Taylor Gunn: They're not the best example because they're not proportional?

Mr. Nathan Cullen: Right. They're STV. We talked to witnesses from Germany and Scotland this morning, anyway...

Mr. Taylor Gunn: Yes, I was here.

Mr. Nathan Cullen: The question I had about what you said around urgency is well taken. What would you do? If we want to have a comprehensive, quality process that engages Canadians, as everybody who comes to this table says we need to do, whether they're for a referendum or not, what would you do with the \$10 million if it were sitting right here, right now, or some portion of it, to make this process better and to better engage young people?

● (1935)

Mr. Taylor Gunn: Can I limit that to how we would do it in schools?

Mr. Nathan Cullen: Sure.

Mr. Taylor Gunn: Usually that's preoccupying enough. I don't know how we'd spend \$10 million—well, actually, I would.

Mr. Nathan Cullen: Let's just go with your expertise of schools.

Mr. Taylor Gunn: I'd train teachers all over the country.

Mr. Nathan Cullen: Train teachers.

Mr. Taylor Gunn: If I were going to do it really well, and the timelines were different, the first thing we'd do is to train our teacher network. I'd be cautious of... In my experience—and I can be totally wrong, and I might get some mean things—some people are really keen and eager about a certain type of electoral system, but don't have knowledge about the others.

Mr. Nathan Cullen: So train them on the systems?

Mr. Taylor Gunn: Exactly.

And the money that you put in would guarantee you the number of educators that would then give you that guaranteed level of delivery. You could offer it to everyone and see what other delivery there is.

Then I would do two things, and this is what we proposed to the government.

Mr. Nathan Cullen: Be really quick. I've got one more question for you.

Mr. Taylor Gunn: Have citizens' student assemblies, the point being that they become experts on the system and are excited and go back into their communities and because they're kids, and you go to somewhere like Red Deer; Trail, B.C.; or anywhere like that, and they'll be on the front page of their papers. Then they'll go back into their schools and help facilitate conversations on electoral reform. Then you could run a classroom consultation that's available to everybody. In these days of modern day stuff, there are no videos put out by PCO/Democratic Institutions, or anyone.

Mr. Nathan Cullen: There's a 70-page handbook.

Mr. Taylor Gunn: A handbook is a.... Anyway, I'm not going to be mean, but I didn't see that as a resource for an educator. Just taking things from the Library of Parliament, and putting them in, doesn't help. What's the hook of the lesson? What's this?

You also need to know government 101 before you get into electoral reform. You need to know why elections even matter. So all these kinds of civics 101 things, I think, are part of the bigger conversation that you suggest, which is, let's crack open our democracy.

I'm non-partisan and do appreciate what you have said, but in the past politics you've also said that politics is what's wrong with our democracy.

I bet the first thing that people will complain about is what they've seen in politics that turns them off, and you could use that as a hook and then get them into questions of whether more females would be elected, or that parties would be less mean to each other. Those are all different ways you could hook people into this conversation. But I do think there's an impetus to get into this, because no other leader before has said—

The Chair: That's good.

Mr. Rayes.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

I join with all my colleagues around the table in applauding the witnesses for their presentations, their commitment and the passion they show when they speak to this issue, and undoubtedly, as they do their work within their respective organizations.

Mr. Gunn, congratulations. Like many of my colleagues, I have also participated in meetings with students in schools. I want to congratulate you on all your hard work, on your analysis of the

situation and, much like the two other witnesses, on recognizing the importance of education. You've given us, and all politicians, a real lesson here today. I hope the committee will have the maturity to properly document all your comments in the drafting of its final report.

Ms. Hilderman, I have been a member of this committee for a week. I wasn't part of its past work, but I did have a chance to follow that work from a distance and read a lot of the literature. This is the first time I have seen a non-partisan citizen engagement organization refrain from taking a stance on this issue and remain completely neutral. You could have easily fallen into that trap when you answered the last question, but you didn't take the bait and still remained neutral. For that, I applaud you.

I find your document to be quite interesting. It explores all aspects and lets people objectively form their own opinion. As politicians, we are all biased, whatever our opinion may be of these issues. We all want to improve our democracy, but we all have our own interests in that regard.

I have a proposal to make. If, one day, we had someone else in the position of Minister for Democratic Reform and he or she needed someone to provide advice or host meetings, we would seek someone who is completely neutral, that is, someone like you. Your presentation was fantastic in that regard. I particularly liked the passage that reads, "Yet dissatisfaction with how democracy functions is not only a Canadian phenomenon".

It is often implied that Canada is the only place having problems in this area. However, if you look at global trends surrounding voter turnout, it's declining everywhere—and I want to stress this point—regardless of the voting method used. Indeed, this is not only a Canadian phenomenon. It's wrong to say that a mixed member proportional system will solve everything.

You emphasized this nicely in the passage that reads, "Indeed, countries who use other electoral systems continue to have citizens who express frustration with politics. In other words, changing the electoral system does not guarantee a significant boost in satisfaction with the way democracy works." This explains the importance of education that you have all mentioned.

Mr. Vézina, I want to make a small correction to something you said. A party does not win a majority government in Canada with just 32% or 33% of the vote, but rather 39% or 40% of the vote. In our case, we experienced this, since we won 32% or 33% of the vote, and we are in opposition.

You talked a lot about people who support a mixed member proportional system or any proportional system and people who say that their vote doesn't count under the current system. However, when we spoke to people who live in Scotland—as Mr. Gunn mentioned, and rightly so—they told us that despite declining voter turnout, the issues are what really had an impact on their interest.

You indicated this in your presentation, but you only added this aspect at the very end. Experts have expressed their views on the main reasons for the public's lack of interest in politics. Personally, I haven't heard many people saying they thought their vote didn't count. Rather, a small group of people really interested in politics are the ones saying that after elections. When they're happy with the results, of course there's no longer a problem.

I'm wondering if you could expand on the points mentioned on page 4 of your document, aspects that really have a direct impact on people's willingness to get out and vote, regardless of their age group. Could you clarify that for us?

• (1940)

The Chair: Mr. Vézina, you have 45 seconds to respond.

Mr. Dominic Vézina: Okay.

Mr. Rayes, you're looking at page 4 of our brief? Is that right?

Mr. Alain Rayes: I'll have another five-minute period later during which you can answer my question.

Mr. Dominic Vézina: You said page 4 of the brief, right?

Mr. Alain Rayes: Yes, in the middle of your brief.

Mr. Dominic Vézina: Are you referring to the factors influencing young voter turnout?

Mr. Alain Rayes: Yes, exactly. You did a good job highlighting those factors.

Mr. Dominic Vézina: It's important to remember that those three points emerged from a study. That isn't what came out of our consultations with young people. Those three factors are from the literature and are very important.

Mr. Alain Rayes: Is there any reason to believe that those points have no connection to our voting system?

If we were to increase education and awareness in that regard, would that automatically increase young people's interest, regardless of the method of voting? Can you confirm that?

Mr. Dominic Vézina: Everything I've talked about, both in the brief and in my presentation, is based on comments from young people. The Institut du Nouveau Monde, the INM, is a non-partisan organization.

Mr. Alain Rayes: I'm very familiar with it.

Mr. Dominic Vézina: I talked about exactly what came out of our consultations with young people and the studies.

Mr. Alain Rayes: Thank you very much.

The Chair: Thank you.

Mr. DeCoursey, go ahead.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I share my colleagues' sentiments regarding the work done by the witnesses and their organizations. These activities are crucial to getting not only young people, but all Canadians, engaged in the conversation.

[English]

Jane, if I could start with you, I share the view that the document that Samara has put together is an excellent one and a wonderful

workbook to help frame the conversation around electoral reform and the conversations that should be ongoing. The value propositions that underlie the different systems are in there; it's a good, digestible description of the different systems. There's also advice on the way questions should be asked to direct conversations around electoral reform. Can you talk a little more about the thought that went into putting that workbook together and how your organization envisioned using that document, and how Canadians can benefit from the document?

Ms. Jane Hilderman: Thanks very much.

It was pretty well the most complex research piece to put together and consider, given how much has been spent on studying different electoral systems in different parts of the world, and also applied in Canada under different consultations, whether in B.C. or Ontario or New Brunswick.

That's why in part we wanted to work with Stewart Prest, a political scientist from UBC, to help us pull together what we thought were the most essential details. That's why we came up with what are the questions you should ask Canadians? How does this work? What does it mean for voters? What does it mean for parties in Parliament? What does it mean for governing? Frame it as a question and answer to help organize the information as succinctly as possible. Then we tried to carefully pick our language so it was as unbiased as it could be, as factually based as we felt we be about the system and how it would work in Canada, with as plain language as possible.

Even then, it's still a thick report. It's not something you can read in five minutes. You still have to dedicate some time to dig into it, but we tried to design it in a way that was inviting to bring Canadians into the report. Since we released it just last week, we've had well over 200 downloads from all corners of the country, from offices of members of Parliament, I'm very pleased to report—who I hope are using it at their town halls—but also libraries, community groups, and any Canadians who have found their way to this report.

What we are really trying to do now, through the next month, is to push it out through community networks to umbrella organizations that have members in different parts of the country. Essentially, the most important page in here I think is how to get involved in the conversation. We outline how to participate in this committee through social media, through your e-consultations. That information is really important to share right now, so we're relying on our networks and other networks to do that work for us.

If we had more time and resources, it would be great to think about translating it to the needs of other learners, making it shorter for ESL learners, making it more engaging with video and the like. There's a rich realm of possibilities, but we're not going to be able to do that in the time and with the resources we have on this one.

•(1945)

Mr. Matt DeCoursey: Mr. Chair, how much time do I have?

The Chair: I'm just checking the clock. You have about 45 seconds.

Mr. Matt DeCoursey: Maybe I'll give you time to follow up in greater depth on this when we come back around, Taylor, but if the language is modified for school-age children, what utility do you see a resource like this as having in helping your organization or schools to facilitate this conversation with young people? Are there plans in place with Civix to do just that?

The Chair: You have 30 seconds, please.

Mr. Taylor Gunn: We're making five two-minute videos in partnership with the great east coast group called Springtide Collective. There isn't any money behind it; we're trying to make it happen. Then, of course, we would do some brief curriculum-style downloadable documents.

We've had some of the people who have been here in front of you as witnesses, who have been terrific. We were hoping to engage Jonathan Rose as someone to build that over the summer for another project. You've got all sorts of people who can make something amazing if you invest the resources in it.

The Chair: Thanks.

We'll go to Ms. Sahota to start the second round.

Ms. Ruby Sahota: Okay. I feel like I have to ask a question about online voting because of your comment, Taylor.

Voices: Oh, oh!

Ms. Ruby Sahota: Well, I guess I just will. I do have something else to ask as well, though.

I think we've been thrown off track because of all the witnesses we've had. The data just wasn't there to support going after that. I mean I still think it's a great idea and that we need to figure out how to do it, because I think that is the future.

Do you think now is the time to get into online voting?

Mr. Taylor Gunn: I don't tweet very well, nor am I concerned about that, but I do take note every time I see credit card information or the Target data breach, all this sort of stuff, when thinking about comments that, "You know, we should online vote."

I think Mr. Kingsley called this a gizmo.

Ms. Ruby Sahota: He did.

Mr. Taylor Gunn: He thinks it's inevitable.

I don't know what you'd call me, other than an emerging old man, but there are still important things that you show up for. This is one of these things. I think those strange things that we still show up for emphasize their special type of importance.

I worry. I think the data they do have—and there's other people that have it—shows that it doesn't cause engagement. Making something easier doesn't necessarily make someone more interested. You discussed how you do things that cause interest and engagement. That's what's going to cause people to go out. Then you have problems with privacy, anonymity. We maybe think too

much of ourselves, but there might be someone out there who would like to pick who our government is.

Ms. Ruby Sahota: Now I'd like to get back to the voting age, because I do find it very interesting.

I know most of you have suggested, maybe some more directly than others, that lowering the voting age would make a difference. Are there other countries that have 16 or 17 as the voting age, and has it made a difference in voter turnout amongst youth?

•(1950)

Ms. Jane Hilderman: A political scientist probably studies this somewhere in Canada.

My experience, and what I can recall, is that there aren't that many national level governments around the world that do it, but there have been occasions where, as I said, they've lowered it. Most recently, I cited the example of the Scottish national referendum on Scottish independence, as well as what's happening in P.E.I., where there's an important kind of question that's going to shape the future of a country or jurisdiction and it's important to have young people engaged.

I think, though, as said, that the 16-year-olds and 17-year-olds have shown up and wanted to have their voice heard. I think it opens the door to conversation that maybe they should be given a full say in other realms as well at election time.

Mr. Taylor Gunn: To emphasize the P.E.I. model, it's very P.E.I., but what a great homegrown model of how you would encourage and engage people in electoral reform. Interestingly, the ballot of the plebiscite will be ranked.

They're at markets with their public information. The MPs are going into schools. They've dropped the voting age. It's a great model.

Ms. Ruby Sahota: Do you know some of the factors that were involved in considering the drop of the voting age from 21 to 18 when we did it back in 1970?

Mr. Taylor Gunn: In 1970?

Ms. Ruby Sahota: I think it was, yes.

Mr. Taylor Gunn: I don't know about those, but I know that in P.E.I., politicians felt that if these kids were going to inherit the system, they should have a say in its choice.

Ms. Ruby Sahota: I'm probably out of time, right?

The Chair: You have 40 seconds.

Ms. Ruby Sahota: Does anyone else want to comment?

[*Translation*]

Mr. Dominic Vézina: I often hear young people saying things like, “I can drive a car at 16, but I can't choose the person who will lead my country”.

The Chair: Thank you.

Ms. Sahota, you have 30 seconds left.

[*English*]

Ms. Ruby Sahota: Good point.

The Chair: Okay, good.

Mr. Reid.

Mr. Scott Reid: Mr. Chair, my understanding is that the reason the voting age was dropped in the United States—I don't know if this is true here—was that people could be drafted and sent off to fight and die for their country. There was a belief that it wasn't reasonable to deny the franchise to somebody who could be expected to make the ultimate sacrifice. We were not involved in the Vietnam War, so it may have been that we were catching up with what was seen as being a reasonable adjustment for other reasons. That's my understanding of where that came from.

I want to ask about electronic voting. Do we have any evidence that this would have a differential effect in terms of boosting the number of young participants as compared to people in other age ranges? Does anybody know?

Ms. Jane Hilderman: Sorry, could you repeat that?

Mr. Scott Reid: I'm wondering whether having an electronic voting option available, so that you could vote electronically, would likely have a higher impact in attracting younger voters than other age groups.

Ms. Jane Hilderman: I think Taylor summarized that what we know is that electronic voting makes it a lot easier for people who are already planning on voting to vote. Right now, if you are planning to vote, you have to think about where your polling station is, what the path is to get there, and whether you are going to vote before or after work, during your lunch hour, in-between classes, and all those sorts of things. It takes away some of those steps, and the point is that you've been motivated to vote.

How many people face those types of logistical barriers? Those barriers are there, and they are real. I think if you are a highly motivated person, then you overcome them. There are probably some young people who are not voting because it's too much of an effort to get to the polling station. I think creating the option to vote online would appeal to them, but those who are set on going to vote will find a way.

On the point about whether we can do it, I would say that as a world, it seems like we're on track to doing more and more things online. It makes sense to be at least undertaking pilots at this stage to figure out how to make it work—not large scale pilots, but a start at testing and figuring out exactly the answers to these questions with reliable data. Do young people seize this opportunity, or are they much happier to have a voting booth selfie?

• (1955)

Mr. Scott Reid: Right.

This is more of a comment than a question. I think it makes sense to start with a by-election, rather than a general election, for reasons of scale and because the consequences of some kind of mess are reduced.

I think that electronic voting, like the postal ballot, has to be a supplement as opposed to a replacement for the other ways of voting. That's just an observation.

I have something else to mention. Young voters who have moved recently—and young people do move more frequently—are more likely not to know where their voting station is or not to have received a card from Elections Canada telling them where their voting station is.

I heard a story about trying to get greater student participation that makes this point in an experiment to find out whether people would be more motivated to go to get something good, such as a tetanus shot, by getting informational advertising or advertising that was fear-based, such as horrible photos of people with lockjaw and so on. This was back in the sixties. Professors then did what professors always do, and experimented with the student body. They sent out, to different parts of the campus, different ads about the free tetanus shots that students could get at the student centre. The results were so unimpressive for both groups that they had to drop it.

Then the idea was picked up again at another university, but this time they included a map of how to get to the student centre—and surprise, surprise, the number of participants went way up. Knowing either where you should go to vote or that you can vote from home makes.... I guess I'm pitching something as opposed to asking questions.

Maybe you could comment on that.

Ms. Jane Hilderman: I think one of the reasons we had such great youth turnout in the last election was the fact that there were a lot of widespread pilots on university campuses to set up polling stations. It sounds obvious to put a polling station on campus where people go to school, but we hadn't done that, and it was well received.

The other thing Elections Canada did in the country was to open up special offices so people could vote in their home riding, because as a university student, you've moved and you don't know where you are. You maybe don't know the local politics, but you do know politics back home, and you still care about it. You could vote through a special ballot at any time up to several weeks in advance.

Mr. Scott Reid: You might still be legally a resident of your home riding.

Ms. Jane Hilderman: Yes, that's it, so it's all of those things.

Interestingly, and I saw recently in the B.C. provincial election that you could show up at any polling station to cast your ballot on election day. I think that accessibility is fascinating.

The Chair: Yes.

We'll go to Mr. Boulerice now.

Thank you.

[Translation]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

It's interesting to hear about the views of young people, their place in the political environment and their participation.

Ensuring that Parliament is a reflection of society is also a priority for us, as progressive people. Our goal is gender parity, as well as proper representation of first nations and cultural minorities. However, we rarely hear about how young people are being represented.

In 2011, at least six university students were elected in Quebec under the NDP banner, including the youngest person elected in the history of Canada, Pierre-Luc Dusseault, who was 19 at the time. He was even re-elected last year.

Mr. Vézina, I would like to hear your thoughts not only on youth voter turnout, but also on the importance that parties should be placing on having young candidates. I wonder if you could also expand on what you called “generational suicide”. That is a loaded expression.

What do you mean by that?

Mr. Dominic Vézina: Thank you.

Those are good questions. I'm not sure I'm in the best position to answer them. I will give you my opinion, but it does not represent that of INM. What I really want to say is that it's a global process. The more young people understand the system in which they live, the more likely they are to gain real-life experience, either through student councils or student associations. Since they will be interested in politics, they will be more likely to get involved later on and even run as candidates. That goes without saying.

When I mentioned generational suicide, I was referring to the results. Over the past 40 years in Canada, youth voter turnout among 18- to 34-year-olds has dropped from 70% to 30%. Those figures are from 2004. That is a drastic drop. Young people no longer see themselves reflected in politics and often feel as though the issues don't concern them. The socio-demographic curve, in Quebec and Canada, is dropping for that specific age group. They no longer relate, and that is what is meant by generational suicide. No one is speaking on their behalf anymore, about issues that matter to them. Inevitably, since they no longer vote, everyone else stops worrying about them.

• (2000)

Mr. Alexandre Boulerice: Less and less.

Thank you.

Ms. Hilderman, in its report on the quality of Canadian democratic life, Samara Canada gives the Canadian federation a “C” grade. That's not terrible, but there's room for improvement. I remember coming home from school with a C on a test, and I wouldn't have a good evening.

Are there any international models we could emulate to improve our performance? How did you decide on the “C” grade?

[English]

Ms. Jane Hilderman: The report you're mentioning is our democracy report card. We call it our “Democracy 360”, and we looked at three factors: communication, participation, and leadership.

One of the things that drove down the overall grade was that Canadians gave really tough marks to their members of Parliament and parties on their performance at their jobs, and I think this speaks to the breakdown of the relationship between citizens and representatives. Samara has also done a lot of work focusing on holding exit interviews with MPs who have served. As said, I think, they are in it for the right reasons but there seems to be a growing disconnect between what citizens feel they want to have happen and what they see executed. We think there needs to be a movement towards repairing that relationship and having better two-way communication between MPs and their citizens about their work, so that it's not just something that you're checking into on election day. I know you are all doing a lot of communications. It's making sure that it actually resonates and gets heard and that it's not just broadcasting, but that there's a conversation happening.

We also talk about really trying to celebrate everyday democracy, where citizenship is more than voting. Voting is very important, but there are ways you are involved between elections too, so that, again, there's just a great level of familiarity with how politics is working in our country. These aren't legal changes. These are more cultural changes, values changes that we were talking about in order to underpin our democracy.

The Chair: Thank you.

Monsieur Thériault.

[Translation]

Mr. Luc Thériault: Thank you, Mr. Chair.

Mr. Vézina, I want to try to address a few things related to your expertise.

I have been teaching democracy for 30 years. Before I was an MP, I was a teacher. On a personal level, independent of my party, I wonder about this. I have often wondered about lowering the voting age to 16, and I still have mixed feelings about it.

First of all, how do we prevent a young 16-year-old from becoming an MP? Constitutionally, it's not possible. That could happen, that is, we wouldn't be able to prevent that from happening. The same is true of 18-year-olds.

People mature quite a bit between the ages of 16 and 18. I taught students early on in CEGEP, and in the same day, other students near the end of CEGEP, and a great deal of maturing happens during those years.

Figures on student voter turnout and that of their parents are fairly similar. Acquiring the right to vote is a solemn occasion. That's when individuals seal their social contract. I support training programs. I know it's very tempting to think that since they've been given all that and they've really acquired it, if we let them vote, they'll get a taste for it. Then their training would be complete. I understand that, but as a society, I tell myself something else. In any case, I want to hear your thoughts on that. How can you convince me?

• (2005)

Mr. Dominic Vézina: Mr. Thériault, you heard me talk a little earlier about the rite of civic passage. We see that as a fundamental component. The course is interesting, but it's about putting young people through a real passage, a celebration of acquiring this fundamental right, the right to vote.

Your question is quite pertinent. As stakeholders who work with young people, we have wondered about this. However, we continue to believe that if all these components are put in place, we will increase youth voter turnout and they will have a greater interest in politics.

Mr. Luc Thériault: Thank you.

Mr. Gunn, would you like to add any comments? I saw you react to what he was saying.

[English]

Mr. Taylor Gunn: You want me to convince you why it's important that we teach this in schools?

[Translation]

Mr. Luc Thériault: No, I'm talking about lowering the voting age to 16.

First of all, we'd have to create those programs. That would already be a big step.

[English]

Mr. Taylor Gunn: I won't. I just think that it's worth experimenting with to see if it could cause more engagement and create a different culture in schools. If kids could vote, we'd better make sure we teach it really well. We don't have a position on lowering the voting age. We get criticized for that, but we think just like electoral reform, just like other things that we can do to our democracy, it's worth exploring.

[Translation]

Mr. Luc Thériault: Personally, I became an MP at 43. I had to work exceedingly hard to be able to do my job as an opposition MP correctly. There's a difference between what we want to do and what we can do.

Mr. Vézina, let's talk about the factors that explain the cynicism.

Do I still have time, Mr. Chair?

The Chair: You have one minute.

Mr. Luc Thériault: Mr. Vézina, can you tell me how the cynicism and lack of interest is exhibited in young people?

Mr. Dominic Vézina: As we describe in the brief, we noted that, as voters age, they become more cynical.

Young 18- to 34-year-olds feel as though their vote counts less, that their voice isn't being heard and that their concerns don't really matter. When you speak with young people, it doesn't take long to figure out that environmental issues and climate change are important to them. They continue to believe that those issues are crucial, because they will have to live with the consequences of the action or inaction of today's decision makers.

Mr. Luc Thériault: It's also because that is taught. In schools, however, talking about politics is taboo. We need to overcome this

resistance. What you're advocating here this evening will require a major cultural shift. I support your approach.

Mr. Dominic Vézina: Okay.

The Chair: Thank you.

We'll now go to Ms. May.

[English]

Ms. Elizabeth May: I'm going to pick up where I was with Ms. Hilderman in regard to Samara's work on the relationship between MPs and political parties. I just want to put out there that to me, the reason that we should be changing our voting system to a fair voting system is to privilege the interest of voters above the interest of political parties. When we sit around this table, I see 12 individual MPs who want to do the best for Canada, but a lot of the lens, particularly through the media, is that we're blocks of voters controlled by political parties.

So in pursuing that theme in Samara's work, this tension between the role of the member of Parliament showing up, who had run for office because they wanted to be part of a rewritten "Ms. Smith Goes to Washington", albeit not with a U.S. cast, but in that mode of being idealistic but then being, as you say, chewed up and spat out, do you have any thoughts on how changing our voting system would empower the individual MP through the fact that there would be greater fairness in the way Parliament is assembled?

Ms. Jane Hilderman: It's a great point, and we were sensitive to trying to find more research that captured the perspective of elected officials as they transitioned electoral systems, and there's not a lot been done on that. So this is more speculative, I think.

You're hitting on a point around electoral reform that I think is so important: how parties are going to react and adapt things like their nomination processes, which our research shows most MPs find to be one of the trickier elements of the black box experience, not entirely understanding how it's supposed to happen, as the rules sometimes are bent and changed. We don't know how parties are going to adapt to that, no matter what system we put in place. That said, obviously MMP would have some different functionality because there would need to be two types of MPs, a local race and some other appointment process, whether it be voters get to cast a closed ballot or an open ballot.

I know that British Columbia citizens favoured STV it because they thought it was the system that in their view would create the greatest incentive for MPs to have bonds with their local constituency and would give voters the most choice, because you have candidates within the same party competing against each other on the same ballot.

These are some interesting design considerations. It's just hard to say for sure precisely how they're going to play out in Parliament in Canada.

● (2010)

Ms. Elizabeth May: Given this conversation, I think there's a way to focus interest, particularly in the way this is covered by media, on what we do as individual members of Parliament. I mean, our Constitution doesn't mention political parties, and yet that was the theme that I think Taylor is remembering.

I did a tour across Canada during the second prorogation where the headline was "Rescuing Democracy from Politics". I love democracy and I love Parliament, but all of you around the table will not be surprised that I hate politics. I think it would be made much more civil by having an electoral advantage in co-operation, whereas now, because of first past the post, the electoral advantage is in making sure that your so-called voters don't bleed off to another party, through strategic voting and fear.

Does that give any of you any thoughts on how we shift this conversation from how a voting system advantages or disadvantages a political party to how a voting system makes the voting process, the quality of the experience, and the efficacy of the vote better for voters?

Ms. Jane Hilderman: I think that's exactly the sort of basis.... If you are starting to explain what these options are to Canadians, you have to think about standing in the shoes of the voter. What do you want when you look at your ballot and when you look at who will represent you? With regard to your ridings, assuming we continue to keep those, how do you think those should look for you?

I think that's where you'd have more engagement on the question than you would have if you're saying it's about partisanship, and advantage, and strategic voting.

I think for most Canadians, that's not what lights them on fire.

Ms. Elizabeth May: I have a bit of time left if anyone wants to chip in on this answer, or I could shift gears.

Mr. Taylor Gunn: Just quickly, I think there's evidence from the witnesses that would give some clues as to what they believe causes parties to be more endearing to all rather than a segment....

I think that what also came up is that parties can choose how they act toward each other and toward citizens, everything from who is successful in achieving nominations to use of advertisements. Maybe right now isn't the best example of a time.... We'll see what happens over the next couple of years to see if everyone behaves the way they're behaving right now, but I think parties can make those decisions themselves.

The Chair: We'll go to Mr. Aldag now, please.

Mr. John Aldag: Back home I've tried to take the discussion of where we've gone in some of our committee work. I'm trying to step back from solutions right now and to explore values.

I'd like to take the opportunity with the three of you and the groups you represent to try to take a step back from solutions, and, if you're able, to speak to values that you feel might resonate within the communities you represent, the younger Canadian population. If you could each take a minute or whatever time you need, if it's something you've given thought to or have comment on, I think it would be really helpful.

What kinds of values should we be looking at being held near and dear by...it could be the 14-year-old or the 16-year-old to 35-year-old population, so that as we move forward we're not losing sight of what might be important to the constituents you work with?

Mr. Taylor Gunn: If I could just jump in there quickly, I'm also not going to lose sight that I'm 38 now and I'm not a young person. We like to give young people the ability to speak for themselves.

I'd love to be in a position to go out and ask for those values from young people, in all of our constituencies. That would involve a more empowered consultation process.

Mr. John Aldag: On that, I would say that we do have the ability to receive briefs from you afterwards. Between now and the October deadline, if you have any of those conversations and have thoughts you'd like to put forward, I would greatly encourage you to send those through the committee. It's something that would help inform our discussions down the road.

Would the other two of you be able to provide comment on the issue of values?

● (2015)

Ms. Jane Hilderman: It's an interesting point.

I think you're right. It's an entry point for people to avoid getting lost in the mechanics and details of different electoral systems, which can happen quickly. We do an exercise with groups called "Democracy Talks". Part of it is asking what sorts of values you prioritize in a democracy. Democracy has many values, as you probably have heard. There's no right shade of democracy, so there can be transparency, accountability, responsiveness, inclusiveness. We have a list that we use. It is interesting because different conversations, different groups, bring out different emphases.

I think by and large, though, you're always going to have Canadians recognizing that a lot of these are all important, or some mix of them. That's where there's still going to be in this process of electoral reform some need to actually translate the values into system design choices. You can get a sense from Canadians of some of those values, such as whether they want more proportionality or less, or greater accountability lines. I still think it's not going to necessarily give you the perfect compass mark for what direction you need to go in terms of choice.

Mr. John Aldag: Yes, I absolutely agree with you that it is not going to point us in the only direction we could go, but I think it is important. I was looking at your report and hoping that maybe there would be a section on values. There wasn't.

I will go to Mr. Vézina. Do you have any comments on values?

[Translation]

Mr. Dominic Vézina: It's hard to really take a stance on this.

Generally speaking, when you lead civic engagement activities for young people, certain key words come up over and over: transparency, dialogue, respect and listening. Those are the usual things.

The INM is currently developing a program with Quebec's Department of Immigration, Diversity and Inclusion. It's a project on living together. The same values keep coming up. A parliament must embody the same values of inclusion, equality, dialogue and listening.

I'm being a bit of a devil's advocate here by simply telling you what often comes up in conversations with young people, but that's essentially it. It's interesting. We might need to consult them further on this and get back to you.

[English]

Mr. John Aldag: I was going to say that in our motion that created this committee, we have five principles that I think reflect values. What I have been struggling with is whether this is a comprehensive list, or whether there are other things.

Anyway, I appreciate all of your comments on that. Thank you.

The Chair: Mr. Richards, go ahead.

Mr. Blake Richards: Seeing that we have about 12 minutes left, and I know you have numerous speakers, I am hoping I'll bank some goodwill for the future by keeping myself brief here.

I just have one two-part question, which you should be able to respond fairly briefly.

Mr. Vézina, I don't think I have heard you discuss this today, whether in your opening or in response to any other questions—unless I missed something—but I believe your organization is supportive of the idea of mandatory voting as part of the reform. Because I haven't heard you discuss it, I just want to hear your reasons for supporting mandatory voting and how you would see it being applied. Obviously, there are different ways. There could be the carrot or the stick approach to encourage the vote. What would you see as being the correct way to apply it?

[Translation]

Mr. Dominic Vézina: I have to humbly say that I have only been with INM for three and a half months. Thus, I have not participated in all the exchanges we have had with youth over the past seven or eight years. I would like to emphasize that, with respect to mandatory voting, young people are telling us that what is important is to get out the vote. Although we do not want to repeat the same thing over and over, mandatory voting is always associated with blank ballots. It is important for young people to be able to choose whether or not to support all the options provided.

[English]

Mr. Blake Richards: Okay, thank you.

I will close with that, Mr. Chair.

The Chair: Well, that was very brief. You have many goodwill points there.

Mr. Blake Richards: As I said, I hope I've banked some goodwill for a future opportunity.

● (2020)

The Chair: You have indeed, yes.

Mrs. Romanado, please go ahead.

Mrs. Sherry Romanado: My colleague brought up youth who are interested in presenting themselves as candidates. I know that in the last federal election, in the riding next to mine, there was a Green Party candidate who was turning 18 on October 19. I have to say kudos to her for having the bravery to do that. Not every woman of the young age of 18 would put herself out there. Most 30-year-olds wouldn't. I just wanted to throw that out there.

[Translation]

Mr. Vézina you mentioned that young voter turnout has been declining for years, but that it increased in the last election.

In your view, what concrete action can we take to maintain this momentum and even increase voter turnout in three years? Are there things we can do in that regard? As was mentioned, it is unfortunate that we talk about democracy only every four years when there is an election.

What can we do in the next three years to continue engaging youth on these issues?

Mr. Dominic Vézina: I would like to tell you about an initiative that we are developing.

A few years ago, there was a program in Quebec called *Électeurs en herbe*, which was modelled after the game show *Génies en herbe*. Together with the youth forums, Quebec's Chief Electoral Officer travelled around Quebec. In 2014 or 2015—I don't remember the exact year—more than 70,000 youth from 265 secondary schools participated in the program.

This type of measure, which is becoming popular again in Quebec with the new youth policy, will lead to these types of exchanges throughout the year. When there is a municipal, provincial or federal election, young people will be able to experience a voting simulation. That is one of the practices that will bear fruit in the next election and those that follow.

Mrs. Sherry Romanado: There is an organization that has a program called “Bring your MP to school”.

Are you familiar with anything similar to that? We have often been invited to schools, but is there an opportunity for a student to shadow us for a day and for us to do the same thing for that student? That would show that we are willing to spend the day with the student at school.

Mr. Dominic Vézina: If I have understood correctly, you are referring to a buddy system.

Mrs. Sherry Romanado: Yes, exactly.

Mr. Dominic Vézina: That doesn't exist, but it is a very good idea. We could pair up people.

[English]

Mrs. Sherry Romanado: Mr. Gunn.

Mr. Taylor Gunn: Yes, there are several programs like that across the country. Some of them are based provincially and are meant to bring in MLAs or MHAs. Usually those are run by the teachers' unions, from what we've seen in Alberta and Nova Scotia, and I think Newfoundland and Labrador. They're meant to teach their provincial politicians about the state of schools.

UNICEF does something in the week of November about child rights day, and then we run our rep day where we try to help facilitate that.

One thing that's interesting is that when we surveyed MPs and schools that participated in a rep day, there's this really funny disconnect. MPs said they wished they could get more invites to schools, and teachers said they wished that MPs would want to come to schools. They just didn't know that they actually both wanted each other, but there's a layer of what can be fear in the system.

I think it's healthy to talk about politics in a classroom. I think it's a great thing. I actually think that's the way you engage kids the quickest, to go in, be yourself, be your partisan self. That's fine. If you as an MP mess up in a classroom, parents will hear. There are teachers who are there to help the kids interpret: what is partisanship, why is she giving out pins, why is she saying she doesn't like Stephen Harper, all this sort of stuff? But there is some fear in the system that you could abuse your privilege as an MP, and part of what we need to do and what you need to do is to change that because where else...? Do you think you're going to put up a website and all the kids will go to it? Right. Let's use things like these instruments, like schools and the education system, to try to inculcate them into our democracy.

Mrs. Sherry Romanado: I just want to mention that I have reached out to all my schools. I am visiting them, so I'm out there. I wish my schedule would allow me to spend more time there, but we're here.

Thank you.

The Chair: We'll go to Mr. Cullen.

• (2025)

Mr. Nathan Cullen: On Mr. Gunn's last point, that politicians are wanting to get in but are saying they can't get in, and schools are saying they want politicians to visit, you're like a political matchmaker. You're out there helping people get together to find each other in this mad, crazy world of ours.

Voices: Oh, oh!

Mr. Nathan Cullen: I've tried to grab a couple of questions from Twitter, which I posed earlier today, about the voting age being lowered, for which we had cross-partisan support to do in my first year in Parliament.

One fellow writes, "You can easily influence more 16-year-olds with lies than truth. Lies are easy." I'm taking a quote from Twitter that's not particularly supportive of my own position, a quote implying that we cannot trust young people. Yet, I think that in this country, with a letter, you can be brought into the army at the age 17—which goes to Mr. Reid's point about the history of the United States—yet we don't allow them to vote until they're 18. So young

people in Canada could actually be in a war that they had no say in whatsoever, never mind the sacrifice they may have to pay.

This tweet says that young people are easily influenced at 16, that we shouldn't do it and shouldn't ask them.

Mr. Taylor Gunn: In our experience, this is probably the data I can actually speak about. It's right here; I could pass it around. It's just not translated, so I think I should translate it before I submit it. You can see the chart. If young people are so easily soaking up these lies, then they're doing so just like the adults are.

Voices: Oh, oh!

Mr. Taylor Gunn: In our federal elections, kids cast more ballots from 2004 to 2011—

Mr. Nathan Cullen: This is an interesting experience. I want your reflection on this because we're talking about modifications and some of these things can be small. You have your youth vote program, which I love and thank you for, the Student Vote .

Mr. Taylor Gunn: Yes.

Mr. Nathan Cullen: We did 15 high school debates during our federal election in Skeena, and the questions were killer and the students were prepped, and they were not coming in with partisan predispositions, unlike most. If you've been to town halls or debates, 50% to 80% of the crowd has made their mind up. These kids were in there looking at us with hard questions.

In the previous election, one of the local high schools tried to release the results a day or two early and were threatened with a lawsuit by one of my opponents. They actually engaged a lawyer and went into the school and threatened the principal with civil action, legal action. I thought that was rather instructive, not only the fear but also their saying publicly, I don't want young people influencing us. That triggered my view that maybe we do. We have polls coming out of everywhere in the last 48 or 72 hours of a federal election. We have no restrictions on people being inundated, sometimes with truthful polls, whatever that is, or sometimes with outright push polls that are lies.

Why not release student results earlier? Why not release that student vote earlier?

Mr. Taylor Gunn: It's for the same reason we don't make the kids vote online. It's because everyone thinks it would be easier, but it's not our process. We're trying to teach kids the current process. If you vote at an advance poll, which usually is what our Student Vote schools do—

Mr. Nathan Cullen: Yes, they all vote before the election date typically?

Mr. Taylor Gunn: Yes, and we emphasize as firmly as we can not to release the results, or we'll never get support from Elections Canada again. There are still a few schools that do, but it's not what happens in advance polls if you go to vote. We're trying to mimic the identical process, and I don't know if we'd be successful in engaging non-partisan election agency support if we did release those results in advance, because that would typically predict the winner.

Mr. Nathan Cullen: I have a broader question, and it's perhaps for the three of you. We're about to go out to consult with the public, and there's some debate as to whether we should ask about values only, or if we could eventually get to the point of asking about choices, which is what this committee eventually will face as we report to government. Pick a model and place some things as more important than others: proportionality, direct representation, all these things are waiting.

How important do you think it is for this committee, as we engage with the public, to put the options that we will face as committee members, and hearing all this testimony, in front of the public with young people or older people, regardless?

I don't know if, Jane, you want to start and we'll go across the table?

The Chair: We only have 30 seconds, so be quick.

Ms. Jane Hilderman: As an organization interested in helping inform the public about how they can participate, it's helpful to have a more narrow set of menu options to explain than it is to have a broad, full system.

[Translation]

Mr. Dominic Vézina: As we mentioned a little earlier, INM's mission really is to encourage citizens to participate in the conversation and in societal issues. I believe that this must be done. Consultations will be held in the near future in the ridings. That also provides good leverage. In my opinion, you should consider as many opinions as possible on this matter.

However, I still want to tell you that the secret to all of this is education. People have to be informed so that they have the relevant information, which lets them make the best possible suggestions.

• (2030)

[English]

The Chair: Be brief, please.

Mr. Taylor Gunn: Yes. Values are great. That will make the conversation simpler. Where it will become complicated and probably more substantial is when you start to attach those values to specific examples of electoral systems.

The Chair: Mr. Reid.

Mr. Scott Reid: I'm also trying to curry favour by asking a limited suite of questions.

Taylor, you started in Ontario, but now your greatest penetration is in British Columbia and Prince Edward Island. This got me thinking that there'd be different layers of ability to get into. I wanted to ask about your ability to get into schools in aboriginal communities and whether you've had good success there or not?

Mr. Taylor Gunn: We developed a program that targets communities like reserves specifically, and it's partly because we continue to go after all schools. We also know that many urban schools—and I'll try to keep this short—such as in Winnipeg or Calgary may not be like an on-reserve school, but they have as big an indigenous population. We continue to think it's most efficient to go after all schools. We may change that in the future, but for now we haven't targeted them specifically, nor have we targeted any type of school.

Mr. Scott Reid: The reason I ask that question is that it seems to me that where your program is most likely to be effective is with individual families, for example, or sectors, that have not had a history of participating in voting. If parents are already doing it, then I think there is a lesser need for the program among their kids as a way of jump-starting them. We know there's a lower rate of participation among aboriginal people than among the population as a whole. That's the reason for the question.

Mr. Taylor Gunn: One of the best stories that, and it was near you.... You don't have Smith Falls in your district, do you?

Mr. Scott Reid: That is my riding, yes.

Mr. Taylor Gunn: I think there's an ESL school, or it's a school for those who are older and out of school and didn't go to high school, but can come back.

Mr. Scott Reid: TR Leger school.

Mr. Taylor Gunn: Yes, I think that's it. There was a pair of young indigenous women who went back to school. They practised Student Vote at that school, and then they voted for the first time in the real election—and maybe the first time in their family, albeit I shouldn't say that, because I don't know—because they were confident enough through practising in Student Vote.

Then another thing we hear from teachers, and from parents via the parent-teacher interviews, is that any parents will admit that they didn't vote, but their child's either inspiration or shame forced them to participate in that election. Many parents even admitted that they felt they'd learned more about the election from their kids than from any other source.

Mr. Scott Reid: Thank you very much.

The Chair: We'll close with Mr. DeCoursey.

Mr. Matt DeCoursey: Coming back to the challenge of consulting people properly, I do believe we have question about values to ask Canadians, but I think it's fair to assume that we'll have to ask them about the choices and the trade-offs they'll make. One thing I worry about is some people who will come with testimony that argues in absolutes.

Given your varied experiences consulting with people and challenging assumptions, what should we be cognizant of in the way we receive testimony, in the way we challenge witnesses in response, and the way we ask questions that consider potentials and maybes and ifs and unknowns in this process, particularly as it relates to young people? I'll qualify that by saying that I think good youth engagement requires good adult allies who give young people the respect of receiving blunt questioning and blunt opinion, but also challenging that.

Ms. Jane Hilderman: That's a great question.

You're right, respect is very important. Being in front of a committee can be intimidating, so I think that making people feel as comfortable as possible is really key, and I hope maybe as you travel across the country you'll be meeting in some places in rooms that aren't as grand as this, but places where youth are found.

We've asked youth for advice on how politicians should engage them and they say come to where we are; don't make us come to you all the time. That's just one piece of advice.

In the actual conversation, I think giving them the respect of asking them why they think something. Taking the time to get to know where they're coming from is really important. I think that's where you're in conversation, not challenging them. It's important to keep in mind you're in conversation

• (2035)

[*Translation*]

Mr. Matt DeCoursey: Is that your view on this?

Mr. Dominic Vézina: It is a very pertinent question and one that is difficult to answer.

Sitting down with people, talking to them, no matter their age, listening to them and doing a little teaching helps inform people about these issues. Parliament has prepared quality documents that explain the different systems tried around the world.

I believe that these meetings must be as sincere and honest as possible. We talked about this before. It's about humanizing the role of the politician, establishing a pleasant atmosphere, one without partisanship, even though it may not always seem that way. That is what is important in our work.

[*English*]

Mr. Matt DeCoursey: Taylor, you get to finish this off for the long day you spent with us here.

Mr. Taylor Gunn: Thank you. It was a treat, it was really fun, seriously, and maybe that'll apply to how I answer this.

When I was a youth, I didn't feel special. I always caution about thinking that, "Oh, that's a young person. We need to wear a funky T-shirt", or this sort of stuff. What could be more interesting for them to say than, "Oh, my gosh, mum and dad", or "Hey, boyfriend, I was in front of these old stiff in suits today talking about electoral reform and they're on this special committee and some of them are going to go back to the Prime Minister and some of them.... That's really cool."

What you have is the fact that you will go as a body to places. I don't know if you have a calendar set up. I don't know what instructional material you'll be using, so it's not just top of mind.

Would you like help getting into schools? I know you've got a couple, and I know there are several terrific teachers in Fredericton, for example. I don't know if you'd do a whole assembly, but you could do a classroom. You might be too many—but who cares, just approach it honestly. I don't know if you have a schedule that you could share or if you might want connections to schools. That's what the longer process would give you.

You could make sure that you're going in with materials and that the class has been primed by maybe three to four classes, so that when when they come in, they won't just be saying, of course there should be PR because percentage seems fairer. Let's get into the complexities of that. It's like multi-member districts, all this neat stuff. I would suggest that you need a bit more than just half an afternoon with free sandwiches and a Coke. Great. I missed class today.

[*Translation*]

The Chair: That is actually a good idea.

This has been a long day, but this last panel was very energizing and enriching. I don't remember who said it earlier, but this has been an excellent meeting.

We would like to thank the witnesses for meeting with us even though it is August. Your comments have been very informative and have provided much food for thought. We look forward to seeing you again.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Special Committee on Electoral Reform

ERRE • NUMBER 023 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, September 1, 2016

—
Chair

Mr. Francis Scarpaleggia

Special Committee on Electoral Reform

Thursday, September 1, 2016

• (0945)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Good morning, colleagues. Welcome to our witnesses.

[Translation]

I would like to thank them for being here with us today to share their ideas and their views on this rather complex issue.

This morning we have three witnesses: David McLaughlin, Craig Scott and Graham Fox.

I would like to summarize their biographical notes, starting with David McLaughlin.

[English]

David McLaughlin has extensive experience in the public policy sector and has held a variety of senior positions in both the federal government and the New Brunswick provincial government. Mr. McLaughlin served as the chief of staff to Prime Minister Brian Mulroney, Premier Bernard Lord, and Minister of Finance Jim Flaherty. He has also served in the New Brunswick government as deputy minister of intergovernmental affairs, and policy and planning and in the New Brunswick Commission on Legislative Democracy. In the latter capacity, he managed the commission's study on democratic reform, which produced a report with over 80 recommendations for electoral, democratic, and legislative reform. He was also the president and CEO of the National Round Table on the Environment and the Economy from 2007 to 2012 and is a regular contributor to a variety of publications, including *The Globe and Mail*, *Policy* magazine, and the *Huffington Post*.

[Translation]

Craig Scott is a professor of law at the Osgoode Hall Law School of York University. He served as the Member of Parliament for Toronto—Danforth from 2012 to 2015. He attended Oxford University on a Rhodes Scholarship. He obtained his Masters of Law from the London School of Economics. His academic specialty is international law with a focus on human rights.

Craig Scott is editor of the *Hart Monographs in Transnational and International Law* series and founding editor of *Transnational Legal Theory*. In 2000, he became a member of the Faculty of Law at Osgoode Hall, and he was Osgoode Hall's Associate Dean of Research and Graduate Studies from 2001 to 2004. As an NDP MP, he was the opposition critic for democratic and parliamentary reform.

Welcome, Mr. Scott. It is a pleasure to see you again here on Parliament Hill.

[English]

Graham Fox is the president and CEO of the Institute for Research on Public Policy and has an extensive background in public policy. Mr. Fox has served as chief of staff to the Right Honourable Joe Clark and has been an adviser to members of Parliament. He has also held a number of positions in public policy research organizations, including vice-president of the Public Policy Forum and executive director of the KTA Centre for Collaborative Governance.

Prior to joining the Institute for Research on Public Policy, Mr. Fox was a strategic policy adviser at the law firm Fraser Milner Casgrain, where he provided strategic analysis and advice in a variety of public policy fields.

Welcome, everyone.

Before we get started, I will just mention the way we have been operating. After each witness presents for 10 minutes, we have two rounds of questions. In each round, each member gets to engage with the witnesses. What I mean by that is that questions and answers must fall within a five-minute time limit. We do two rounds in this format.

[Translation]

I would like to point out that if an MP has finished speaking in the five-minute period allocated and you did not have time to answer a question or say everything you wanted to, do not worry because you will have an opportunity the next time you speak to finish your thoughts and answer the question asked previously.

We will start with you, Mr. McLaughlin. You have 10 minutes.

[English]

Mr. David McLaughlin (As an Individual): Good morning, everyone, and thank you for your invitation to appear before you today. Let me begin by wishing you, first of all, every success in your work on this important matter that will affect all Canadians.

I'm here as an individual with some expertise and knowledge of electoral reform deliberations, and as a deputy minister to the New Brunswick Commission on Legislative Democracy from 2003 to 2005. It is in this capacity that I'd like to share some observations and conclusions I hope will assist you in your own deliberations and recommendations.

The New Brunswick process and report was the most extensive democratic reform exercise ever conducted in that province. Electoral reform was a central but by no means the only focus of the commission's work. Specifically the commission was instructed to examine and make recommendations on how to strengthen and modernize New Brunswick's democratic institutions and practices in three main areas: electoral reform, legislative reform, and democratic reform.

Electoral reform is about changing our voting system, drawing electoral boundaries, setting fixed election dates, and boosting voter turnout. Legislative reform is about enhancing the roles of MLAs in the legislative assembly, and opening up the appointments process for agencies, boards, and commissions. Democratic reform is about involving the public more in decision-making and proposing a referendum act.

The commission's goal was to present recommendations that would bring about fairer, more equitable, and effective representation in the legislative assembly; greater public involvement in decisions affecting people and their communities; more open, responsive, and accountable democratic institutions and practices; and higher civic engagement and participation of New Brunswickers.

Our final report, which I have here, is over 200 pages long with some 100 specific recommendations. It provided research, analysis, policy recommendations, and even specific legal text in a process of just over one year of meetings. The driving mission animating the commission, which I commend to you in turn, was fostering a more citizen-led democracy.

This focus on citizens led the commission to develop three themes from which our recommendations flowed. Common to each was how democracy can be made to work better for "you, the citizen". Those three themes were making your vote count, making the system work, and making your voice heard. When we were in doubt about our approach, or faced trade-offs and choices, as you undoubtedly will, this focus on citizens kept us grounded and focused.

I want to highlight three areas of our work germane to the committee's mandate: democratic values and principles, electoral reform, and citizen engagement. The commission began, as you did too, with a focus on democratic values. When it came to deciding the best electoral system for New Brunswick, we had to make trade-offs based on which of those values mattered most. You will, too.

The key principles we used to decide upon a new electoral system included local representation, which is the principle of all geographic areas of the province having a particular representative in the legislature to represent their interests; fair representation, ensuring all New Brunswickers' voices were fairly represented in the legislature; equality of the vote, ensuring each voter's ballot had equal influence in determining the election's winner; and effective government, the ability of the system to result in the easy selection of a stable government that is able to govern the province.

We used those principles to consider the strengths and weaknesses of various electoral systems and specific design features. These principles are similar to your list of values, with perhaps one notable

difference: effective government. Your focus is on effectiveness within the electoral system. We also considered that, but the commission felt strongly that the outcomes of that electoral system had to include the notion of producing governments that could govern. Instability of legislatures and governments was much on our minds.

We recommended a mixed member proportional system as optimal for the province, based on a consideration of all the alternatives in relation to the roster of democratic principles. Animating New Brunswick's discussion most was a peculiar outcome of provincial politics: big majority governments and small, weak oppositions. Between 1987 and 1999, you may recall, the opposition never won more than 20% of the seats in the legislature, despite the combined opposition parties winning between 40% and 52% of the vote during this same period. MMP would fix that.

MMP also proved appealing when considering the regional nature of urban and rural communities in the province. It also proved viable—and this was important to New Brunswick, as Canada's only officially bilingual province—to ensuring equality of representation between the English and French linguistic communities. MMP's ability to create regions mapped to linguistic boundaries, with party seats for topping up votes in a two-vote system, was deemed attractive.

• (0950)

We recommended a 56-seat house, with two-thirds single member seats elected via the current first past the post system, and one-third PR seats, choosing five MLAs from closed party lists in one of four multi-member regions on the basis of the party vote received within the region. The two-thirds:one-third split enabled us to both ensure necessary local representation while introducing a sufficient degree of proportionality to be meaningful in translating votes into seats.

A minimum 5% threshold in the separate party vote on a province-wide basis was required to be eligible to win any list PR seats. This was necessary to avoid a proliferation of single-issue parties with undue influence in the legislature.

Candidates would be required to choose to run as either a single member riding candidate or a regional PR list candidate, but not both, as a way to avoid perceptions of gaming the electoral system.

Engaging New Brunswickers in our process and the eventual decision on a new electoral system was central to our consideration. Frankly, despite best efforts with a dedicated website, the social media technology of the time, regional open town hall meetings, online questionnaires, an interim report, academic conferences, and partnering with civil society organizations, interest and participation in the commission's work was low.

We were of no doubt that we had done our own work thoroughly and fairly, but an electoral system is not the politician's or party's property. We felt strongly that a referendum was necessary to legitimize such a change. Our recommendation was for a double majority, comprised of 50% plus one of votes cast by at least 50% of eligible voters, in a binding province-wide referendum vote.

To ensure fairness and impartiality in the referendum process, we recommended a new referendum act for the province with extensive provisions for governing such a process to be held at the time of the next provincial election. It contained spending and contribution limits, establishment of referendum committees, registration of groups, voter education, and a new independent Elections New Brunswick agency to administer it. We also recommended a legislative assembly study committee to review the new voting system after two elections and report any improvements that might be necessary.

There were two conclusions from our work that may assist you in yours.

First, FPTP has good features and is both familiar and legitimate to most voters. After all, we do accept election night results, and Canada has progressed. However, it does have clear drawbacks and inadequacies that an MMP system could mitigate. MMP, we know, is more reflective of the democratic values of fairness, inclusiveness, choice, and equality of vote. However, MMP at the national level has never really been modelled or analyzed in a comprehensive way that I've seen, except for one Law Commission of Canada report. There are real consequences that we found in outcomes, based on the specific design of that system, that you will need to research and consider should you decide to recommend it.

Second, public legitimacy of a new electoral system is highly desirable and surmounts party and politician interests. It is about the citizen and voter in a citizen-centred democracy. A referendum is the simplest, clearest, and most acceptable way of conferring legitimacy for the long term, not just on the system but more importantly on the outcomes it produces.

I know this is contentious, so let me offer a second best but still viable option to you: provide for a validating referendum after two elections, based on a Parliamentary review of the system, and give Canadians the chance to accept it, perhaps with improvements, or revert back to the previous system.

I'd be happy to take any questions you might have. Thank you for the invitation and for listening.

• (0955)

[Translation]

The Chair: Thank you, Mr. McLaughlin.

We will now move on to Mr. Scott.

[English]

Professor Craig Scott (Professor of Law, Osgoode Hall Law School, York University, As an Individual): Thank you so much, Mr. Chair. It's good to be back. If I'd known I was coming, I'd have baked a cake, which is to say, I would have sent a paper. But I haven't and I'll send one afterwards.

Just to situate you briefly, yes, I did work on this file when I was a parliamentarian. I think the culmination, in terms of what went on in Parliament, was an opposition day motion in December 2014 specifically to test the waters on not continuing with winner-take-all electoral systems and specifically to endorse mixed member proportional representation adapted to Canada. The vote didn't pass, but it is noteworthy to know that 16 of the 31 Liberal MPs voting that day did vote with the motion. Therefore, I think we have the basis for the cross-partisan/pan-partisan discussion that this committee is clearly all about.

Let me start by explaining in brief several reasons mixed member proportional deserves to be at the top, or at the top along with one or two other proportional models.

The standard reason you've all heard is that it's the best of two worlds, which are the two principles from the committee's mandate. They are called effectiveness and legitimacy, but effectively it's the fair translation of the votes-into-seats principle and the local representation principle, which are both attended to by the model.

The second two reasons I want to point out are less commonly noted.

The first is one that I have been beating like a dead horse for the last three years, but others don't seem to talk about it as much. I think MMP takes local MPs and local candidates much more seriously than any other form of PR and more than first past the post. That's because of the potential for crossover voting. Voters can tick "local representative" and vote for candidate X, who happens to be from a certain party, and then go over to the regional MP lists and decide which party they want to support, and which person on the list if it's flexible. They don't have to be from the same party.

I think that has salutary impacts. In New Zealand, around 30% take up that option of cross-voting. It means that the local candidates are more likely to be able to attract votes for who they are, what they've done, what they can bring nationally from the local level, without having to worry about the strategic vote. I think this is an extremely important feature of MMP.

The second thing is almost heresy to say, but I think the idea of having a coterie of regional MPs alongside the purely local MP has a salutary impact on national politics. It already is taking a bunch of MPs away from the purely local. They're going to have to look a bit more broadly at the dynamics in a bigger area than a local riding. I believe, after three years on the Hill, that we have a deficit when it comes to a capacity to focus on national issues in our Parliament. It's far too localized by virtue of the system of 338 ridings set alongside each other, which somehow then has to generate a national politics. I think there would be some added benefit from MMP that way.

Some of the problems from the current system deserve to be highlighted because I think MMP does address them, as would any serious PR system. One is the "diversity of viewpoints" problem. When you have false majorities, you have less of a true diversity of the range of voters' opinions. You have a serious problem with lack of diversity of viewpoints coming from regions. Right now Atlantic Canada is represented by albeit a fairly large-tent party, but nonetheless one party. Toronto has gone without representatives other than one party. When the NDP swept in Quebec in 2011, we had 80% of the seats, with something like 42%, 43%, 44% of the vote. That was no fairer in our score than what's happened in many other contexts.

It exacerbates regionalism because people tend to start associating Alberta for example as nothing but Conservative, especially if that repeats itself over more than one election.

It also feeds into an unduly executive-dominated Westminster system of Parliament. The false majorities can give licence to that power dynamic. It can produce tunnel vision and ideological fixations in legislation, rather than forcing legislation to have to encounter the different points of view that the product of proportional representation elections tends to produce and our false majority system doesn't.

• (1000)

I also believe we have a system—and it can be exacerbated in different points in time—that tends away from consensus and collegiality, and toward adversarialism and hyper-partisanship, almost a gridiron style of politics that is tied a bit to the winner-take-all dynamic and the organizing for the next election on those same terms.

Alternative vote is a ranked ballot system within single-member districts that is on the table. The Liberal Party has put it on the table in its own policy book from some time ago. I just want to make sure that.... It is crucial that everybody know there is nothing about AV that would really counteract most, if any, of these problems.

The first thing is that, although it is unpredictable, it is almost always the case that, at least to some extent, AV will exacerbate the problem of disproportionality. Éric Grenier for CBC, using available data right after the last election, suggested that something like 224 Liberals would have been elected, instead of the 185 or so who were elected under the current system.

Beyond that, even on its own terms, AV is presented as a majoritarian system. I want to make sure everybody understands the limitations to that characterization.

First of all, it's not really majoritarian in the sense of a majority of first preferences. For many of the ridings, you have to add second preferences. That's the first thing that everybody has to note.

The second thing is that it doesn't even make sense of the notion of making every vote count, which was the top line in the government's platform in the last election.

For years, we all assumed that the expression of making every vote count really referred to proportional representation. But it's clear that if it was used in the Liberal platform, it had to be meant to possibly do service to keep open the possibility of alternative vote. However, that can't be the case when AV doesn't actually count every vote equally. It's not just that what happens is that when you count the second votes, you're only counting from the bottom up until somebody crosses the 50% threshold. You almost never get to counting the second votes of the first- and second-place candidates after the first round. It's actually a false presentation of making every vote count.

I would say that there's also a deceptive majority problem. I'll send you the chart where I've done the work on this. You can actually get candidates crossing the threshold of 50% plus one in the first plus second votes, while if you added up all of the first- and second-place votes, including those for the top two candidates, that candidate would not be the preference.

It's a system that has benefits, but you have to be very careful to know what they are and not falsely say this is about a majoritarian system. It's really not a majoritarian system of great consequence.

I'll end by saying that I spent three years as an official opposition critic for democratic reform making the case for PR, and the NDP's position was MMP. That was arrived at after the NDP studied it in the early 2000s. There have been various commissions across the country, including the one in New Brunswick that was really well outlined by Mr. McLaughlin, the positive experience abroad in Scotland and New Zealand, Germany, for example, and my own review. I do believe MMP is the ideal, but I want to emphasize that principled and respectful compromise can do the job too. It's central already to your work.

I would, for example, urge this committee to consider the U.K. Jenkins commission's idea of MMP, allowing ranked ballot voting on the local election side. You'd have to make sure that you don't have a split between local and regional seats that unduly favours the local election side, because the ranked ballot could produce greater distortions at that level. But if there are folks in the room who say there's an independent benefit to ranked ballot voting for local elections, it can be built in.

Similarly, I also believe you can design a single transferable vote system that would allow for a degree of local attention. You can divvy up multi-member district ridings for service functions. You can have a coordinated delivery of services even though all the MPs represent the entire riding, and you can approximate a form of local attention with STV.

There are ways to compromise and get to multiple goals.

There are many other institutional design features that I'm happy to take questions on, but I'd end by saying that I think this committee started extremely well. Minister Monsef's introduction talked about two mischiefs, not one. She talked about the problem of false majority. She also talked about why an alternative vote style system might address another set of problems. She wasn't exclusive, and the composition of this committee has, I think, given a jump-start to something that many doubted would ever be possible.

There are lots of folks out there, nay-sayers, commentators, who are assuming that behind the scenes—not for the members of this committee but behind the scenes—one of the goals is for this to all end up as a big noble failure and that there will be a deadlock, an impasse, nothing will come out of it, and we'll keep the current system. I don't think that has to happen. I have a skeptical optimism that I believe we can do much better, and I believe you're starting that because this very committee is formed in a way that proportional representation would form committees in the future. You guys can do it. It will itself be proof that a system can work like this in the future.

•(1005)

The Chair: Thank you very much, Mr. Scott.

[*Translation*]

I will now turn the floor over to Mr. Fox.

Mr. Graham Fox (President and Chief Executive Officer, Institute for Research on Public Policy): Thank you very much, Mr. Chair.

Members of the committee, thank you for inviting me to speak to you today.

Since it began holding hearings, the committee has met many experts who have spoken about the characteristics of various voting systems, the experiences of different countries with these systems, and whether or not they could be implemented in Canada considering our geographic and demographic realities as well as our political system.

Naturally, these considerations are very important. However, in my presentation this morning, I will instead focus on the committee's mandate, the deliberative process, and engaging citizens in this debate, which may have an outcome with all sorts of consequences for the democratic system, whether intended or not. In that sense, although this was not planned, I will echo a number of the points that Mr. McLaughlin and Mr. Scott have already raised.

•(1010)

[*English*]

That is why the manner in which Canadians are engaged in this deliberative process is so critically important to any eventual

proposal for reform and to the legitimacy that proposal will have in the eyes of voters.

It is exponentially more important that we get this right, than that we get it done on time.

[*Translation*]

With regard to the consultation tools that have already been announced, I applaud this committee's efforts to create more opportunities for people to express their views on this issue. Your decision to hold meetings across the country and the availability of an on-line questionnaire are obviously good ways to engage the people who want to be heard.

They are opportunities to express an opinion. However, to develop a broad consensus among voters, which, in my opinion, is vital to the long-term success of a reform proposal, you must also create opportunities to share, to exchange and to move forward.

[*English*]

The consultation process that's been launched currently allows for the articulation of interests, but it is less clear how those varied and sometimes competing interests will be aggregated into a public consensus on the best way forward.

Canadians should have as many opportunities as possible to state their views, but a genuinely deliberative process should also capture the changing of views as individuals hear from others or consider new evidence. As elected representatives of the people, members of Parliament can certainly support that process by staying connected to the evolving views of their constituents and reflecting them in their interventions in Parliament. However, party policy and party discipline will put limits on their ability to do so freely if constituents have views that differ from that of their party, legitimate limits perhaps, but limits nonetheless.

On an issue of such fundamental importance to the democratic system, Canadians themselves must participate meaningfully in the debate and their collective wisdom must drive the outcome. Thus, the question that came to me as I was considering this process was how we graduate from public consultation to citizen engagement. With this in mind, I'd make the following observations for the committee's consideration.

First, I'm not sure the average voter yet knows what problem we're trying to fix. Every voting system comes with distortions and flaws, but what is it precisely about the outcomes of single member plurality that we think are deficient? This very point in the public's mind that alternative voting systems would yield more desirable outcomes is in itself a matter of contention.

The committee's mandate is to make recommendations to the House, but should the government, based on the committee's advice, decide to produce a bill, public leadership will be required to ensure there's broad support for the intention of reforming the electoral system, which I humbly submit does not currently exist. In order to achieve any measure of consensus on reform, we must first ensure that there's a common agreement that there is a problem to be fixed and a common understanding of what that is.

[Translation]

Naturally, I recognize that the committee was given a very specific mandate and must operate within a given framework. However, perhaps it would be possible in your exchanges and in your reports to remind decision-makers that the educational dimension of this debate is vital to the way forward. The information booklets on the reform options provided by the committee are very useful, but eventually the government will also have to show leadership and convince Canadians that the reform is necessary and a priority.

Second, the mandate of this committee lists principles and values that any proposed reform should support or enhance, namely, effectiveness and legitimacy, participation, accessibility, integrity, and local representation. To my mind, the mandate gets it right in the sense that the right principles were identified. The work that remains to be done is the public debate on prioritizing these five principles in the event that they conflict.

As citizens, do we prefer to sacrifice a little local representation in order to increase the participation of groups that are currently underrepresented, or do we prefer a voting system that protects at all costs the link between the elected representative and the territory?

Both options can be defended, but we must reach a consensus.

[English]

It is on these values and principles outlined in the committee's mandate that the public debate should be centred, at least in the initial phase. The eventual debates on the mechanics of voting systems should be based on how we collectively feel about these values and how we've agreed to resolve the conflicts among them if and when they arise.

A common understanding of the relative importance of these values for Canadians will also ensure that the eventual choice of a voting system can be assessed against a public declaration of shared values rather than tactical partisan interests, and on this specific issue of designing the engagement exercise, either as part of this process or any subsequent legislative process if a bill does indeed come to Parliament.

I'd encourage the committee to reach out to expert practitioners, such as Don Lenihan, who have direct experience working on engagement exercises within parliamentary and government processes.

As a final observation and echoing a point that Professor Scott made, I want to reflect on the composition of this committee and the choice that was made to ensure that it was more reflective of the popular vote than the makeup of the House of Commons. In an important way, that makes this committee a prototype of the typical committee of the House of Commons elected under a more proportional system.

●(1015)

[Translation]

One of the principles mentioned in the committee's mandate seeks to foster collaboration in the political processes. The committee's composition makes it possible to go beyond the recommendations and demonstrate this collaboration in your work.

[English]

The way in which the committee conducts its business and reports back to the House will be instructive as to how Parliament under a new system would behave. You have the opportunity to foreshadow what electoral reform might yield. Process in this case is content.

The political sensitivity of the issues you must consider may increase the risk of trying to achieve consensus among you, but the signal it could send may also increase its rewards. In contrast, a result that is more akin to the expected majority report by MPs from the governing party and dissenting reports from all the others may be less encouraging to those who hope that a change in the electoral system will bring more collaboration to our politics.

On that specific point, let me say that, like Professor Scott, I think the committee is off to a really terrific start on that front.

[Translation]

Therefore, Mr. Chair, I would like to thank you very much once again for your invitation. I wish you good luck. I would be pleased to discuss this matter with members of the committee and to answer their questions.

The Chair: Thank you, Mr. Fox.

We will start the first round with Mr. Aldag, who has five minutes.

[English]

Mr. John Aldag (Cloverdale—Langley City, Lib.): Great, thank you.

Thanks again to all of our witnesses for some wonderful testimony. There's lots to think about.

The three of you have provided some excellent additional insights, things that I'm mulling over, but I'm going to start by taking a step back. Part of it's triggered by a discussion from one of our panels yesterday about "is this the right time for change?" I'd like to pose that question to the three of you. We're not in a crisis situation right now. The comment was made that the crowd's not marching and protesting by torchlight. Do we need to wait for that kind of crisis in our system to do it or are we at the right time? I've heard some general support for continuing our discussion.

Mr. Fox, I think it goes to comments that you made about whether change is needed now.

Prof. Craig Scott: I'll start by saying I think it's probably in general not great public policy to wait for a crisis.

Second, there's been a slow buildup to this. It's not as if it's coming out of the blue. Since the early 2000s till right now, we've had a number of different commissions and processes from different provinces, even at the federal level with the Law Commission of Canada. There's something to be said for the slow-boiling, cumulative politics that produced where we're at now, which is what can tend to happen a little in more consensual parliamentary processes. They might take a bit longer for the same reasons.

Third is something called electoral promises. If we take seriously the very fundamentals of our electoral democracy feeding into the parliamentary system, it was a pretty high-profile promise on the part of the government to start this kind of process. At least two other parties had more specific ideas but obviously were open to the bigger discussion about what kind of electoral reform, so I think there is a popular mandate. People vote for all kinds of reasons and all kinds of dynamics, but we would be throwing out the window the idea of party platforms and the worth of electoral promises if we didn't take this one quite seriously.

• (1020)

Mr. John Aldag: Okay.

Mr. Fox.

Mr. Graham Fox: In support of what Professor Scott just said, I think it is precisely because there is no imminent crisis that this kind of work needs to happen now. But I would add that it emphasizes the importance of public education and bringing along voters and citizens as a necessary component of a successful process.

Mr. John Aldag: Okay.

Mr. McLaughlin.

Mr. David McLaughlin: I would concur with both Craig and Graham in what they said, but I would offer this bit of dissent. I think your job frankly is more difficult because there is no imminent crisis or sense of need to get at this right now, which would concentrate the public's mind on it. Part of your task, while you study various systems and look for improvements, as you should as parliamentarians, is also convincing Canadians of the need for change.

Graham said at the outset, what's the problem we're trying to fix? I do believe you still have to spend some time communicating that and putting it in terms that people can relate to. It is worth casting ourselves back to the previous commissions. At the time we did New Brunswick along with others, very specific electoral outcomes were driving the debate. As I mentioned, New Brunswick had big majority governments, small oppositions. That was bothering people, so that animated our conversation. In B.C. the citizens' assembly went from one extreme to the other, where Gordon Campbell won almost every seat. In Quebec, Jean Charest and the Liberals won the majority vote but lost the election. These things do get into people's minds a sense that the system isn't fair.

Right now, because there isn't that sense across the country, I would argue, post the last election, your task is a little more difficult. Frankly you'll need to find some ways to get it on people's minds, but the way you do your work will work for you in two ways. It is the way you do your work, the consultative process, the engagement,

but it's also the quality of your work and the recommendations that you come out with.

The Chair: Thank you.

We'll go to Mr. Reid now.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Thank you very much. All the presentations were excellent, but I have to focus my questions on one person, so it will be Professor Scott.

First of all, let me say, Craig, it's a pleasure having you back here.

Prof. Craig Scott: It's good to see you too, Scott.

Mr. Scott Reid: We sat on a committee together during Craig's entire period as a parliamentarian. I thought he was one of the most thoughtful people we had ever had on that committee. That's high praise, because among others Ed Broadbent had sat on that committee at one point.

Prof. Craig Scott: Thank you.

Mr. Scott Reid: I want to turn to substance. I agree with your analysis of alternative vote. I think you're entirely correct in how you describe it. I think it has an additional problem in Canada, and that is that, unlike most first past the post systems, where you tend to get a party of the right and a party of the left battling it out, and you get a government of the left or the right alternating, in Canada we've tended to have a party of the centre governing. The Liberals, therefore, have a systemic and predictable advantage under the AV system.

Harold Jansen who appeared before us pointed out that both in 2015, their best election in three decades, and in the 2000 election, the worst election ever for the Liberals, they'd get more seats under alternative vote than under the status quo. I asked about previous studies, previous elections. He said one had been done on 1997 that confirmed the same thing, and I've since looked up that study. It appears to be the case that, given our party structure, perhaps not forever but at least for the next election, this produces a predictable result. That is significant because you could get a smaller percentage of the vote than they got this time and still get a majority under AV, and therefore get 100% of the power. In fact, this is the opposite of the kind of proportionality that I think we're looking for.

Having said that, I'll now move on to your discussion of MMP. Again, my sense, from what we've heard from witnesses, is that MMP tends to work better in the Canadian context than in the other proportional models for reasons I won't go into or else I'll do all the talking. You mentioned a model, which was recommended by the Jenkins commission, that involves proportionality through a list, and then has alternative vote at the riding level. You said you think it may have some merit.

I'll read the Jenkins commission's report in due time, but the concern I have under this system is that if we implemented it here, one party, the Liberals, would get all or the vast majority of the riding votes, and the list seats would therefore go to the other parties. This would produce, at the very least, an odd balance in Parliament. It might not be the end of the world, but I want to ask you if that strikes you as being a problem, given the nature of Canada.

• (1025)

Prof. Craig Scott: Yes, it's definitely a problem. It's why I very hurriedly ended my comments by saying you'll have to be very careful about the distribution of local versus the regional list seats, because you'll get at least as much if not greater distortion of the number of seats won by a party that's favoured by AV at the front end. For example, if one said that the law reform commission, without recommending AV as the way to vote on the local side, just first past the post for the local elections, recommended 65:35, or roughly two-thirds and one-third, if you kept that proportion and went to AV, it wouldn't be good enough. You'd have to at least go down to 60% in order to account for that extra distortion, for the reasons that you're saying.

I'm offering it out there as a position that would still have to be fought for. People would still have to ask what is it about AV, other than what I'm calling relatively unclear and not entirely accurate claims about majoritarianism, that people think is fixing something? If that case is made, and somebody wants to go in that direction, you can still build it into MMP. That's really my only point. It's not the first place I would go, because I think it makes the proportionality side harder to achieve.

Mr. Scott Reid: I have 20 seconds, so just quickly, we heard a very good presentation yesterday from some German professors suggesting we should have a fifty-fifty split, list seats versus riding seats. Given a choice of where you'd put the marker, what percentage would you pick?

Prof. Craig Scott: I tend to use sixty-forty; it's almost a political guess, too. Proportionality is my first stop in terms of design. I think the German system comes much closer to ensuring it, and fifty-fifty is recommended for a reason by them, but sixty-forty I think would be the top that I would go to in terms of the split.

The Chair: Thank you.

Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): I'm a seventy-thirty guy myself, but we can have that argument later.

I don't know if any of you read the Andrew Coyne piece from yesterday. He talked about effectiveness of government. One of the things that government needs to be effective is predictability that they can have a two-, three-, or four-year mandate. In nine out of 20 of the last elections, Canadians have put forward a minority Parliament, which under first past the post is very unstable, because there's an incentive from somebody at any point to bring the government down. Yet when we've looked through the global experience of first past the post versus proportional governments, there is actually slightly more stability on the proportional government side, because there isn't that same incentive under that system to bring the government down.

Is anything I've said so far wrong in the analysis, Mr. Fox or Mr. Scott?

Mr. Graham Fox: Not in my view; I think it's a compelling argument.

Mr. David McLaughlin: At the time we were doing our work, we found a bit of the opposite. I do recommend, if you're interested, some academic research that we had conducted and that we published in a book. Many of these academics you've seen here. Some of it may be dated, but we did some original analysis to show the effects of government formation and instability. At that time, 2003 to 2005, PR governments seemed a bit more unstable, but I know you've had some subsequent research. Maybe it's changed a bit, but I did look at it.

Mr. Nathan Cullen: We looked at some OECD 60-year longitudinal study, that type of thing.

Prof. Craig Scott: I think the bottom line is that the two systems, on the stability measures of length between elections and length of government, are actually quite similar. There's a tiny edge on these long-term longitudinal studies for PR systems, but it's not statistically significant. A lot of the studies that might have been taken into account back in the early 2000s were throwing Italy in. What were effectively cabinet shuffles—

Mr. Nathan Cullen: Ah, Italy.

Prof. Craig Scott: —were treated as government changes. That skewed some statistics.

Mr. Nathan Cullen: When the cabinet would shift, it was recorded as a change of government.

Prof. Craig Scott: Right.

Mr. Nathan Cullen: The voter's experience is what I'm interested in, so I want to go back to you, David, on the recommendations you made in New Brunswick about treating votes equally, regardless of where they're cast. You've joined some other folks, because we have this legitimacy question as well. How do we legitimize what's going on here?

I hear in different ways from all three of you a responsibility, a test put to us as a committee regarding the composition of this committee, which is closer to a reflection of how Canadians voted, and whether this committee can function. So far so good.

David, the idea of testing a new voting system after it's put in place has been supported by some and decried by others. You suggested support for it today. How come?

•(1030)

Mr. David McLaughlin: The starting point for me is that it's the public system. It's not the party's system or a politician's system and whatnot.

I also think our sense of democracy has changed over time in terms of what people are expecting from elected officials. It's unfortunate, but we don't hold a high enough opinion of them to devolve upon them all of these kinds of decisions. While I think elected officials through this process can very much inform the way people think and help them with the options, I just have a strong sense in this country that we will not, as citizens, give up that opportunity or that right, as we perceive it, to cast a vote on it, one way or the other.

Mr. Nathan Cullen: Craig, you talked earlier about tunnel vision in policy. We had Mr. Broadbent here earlier suggesting that if you go back in time we've had many governments form in Canada with very poor representation from all the regions. Previous Liberal governments with almost no representation in the west, his contention was that it led to some bad energy policy. We've had Conservative governments with the opposite: a very strong western base, but virtually nothing in Quebec over much time. The balance of those interests and regional interests under a proportional system, some see that as a diffusion of focus for a government, a lessening of the strength of the policy that comes forward.

How would you argue against that?

The Chair: Be very brief, please.

Prof. Craig Scott: I'll be very brief.

I think insight and legitimacy comes from diversity. If you have a serious interaction of diverse points of view in a good-faith climate, you come to better policy.

The Chair: Thank you.

[Translation]

Mr. Thériault, you now have the floor.

Mr. Luc Thériault (Montcalm, BQ): Thank you very much, Mr. Chair. I would like to thank you, gentlemen, for these presentations.

The Bloc Québécois is in favour of open change, but not just any change in any way whatsoever. We are saying that we have to go beyond the inner circle, the experts, and especially the political parties. We are starting from the premise that this is a file dominated by partisanship. As balanced as it is, the committee is also dominated by partisanship.

That is why we believe that there must be a second step in the process. We must put citizens back at the centre of our desire for reform. I understand that you agree with that, Mr. McLaughlin.

[English]

Mr. David McLaughlin: I don't have a sense that this committee is that partisan. I do have a sense that it's proportional and the parties are doing their work and members of Parliament are doing their work. With that slight dissent, I do believe and did offer up a referendum, a chance for citizens and voters to pronounce on the work of this committee. More fundamentally, a government motion,

a bill that would go into the House of Commons through the parliamentary process is the way to bring the most legitimacy to the eventual outcomes of the process.

[Translation]

Mr. Luc Thériault: What do you think, Mr. Scott?

Mr. Craig Scott: As Mr. Fox said, I also believe that there is an educational aspect to this issue. It is not therefore necessarily a question of partisanship, but a question of knowing whether or not the men and women in politics represent Canadians.

Mr. Luc Thériault: Do you not think, Mr. Scott, that when a government or political parties are responsible for reforms, the motivation for change is the extent to which it favours the party and partisan interests?

•(1035)

Mr. Craig Scott: Yes.

Mr. Luc Thériault: First of all, no one is going to forget that. Everyone recognizes that no system is perfect. There are advantages and disadvantages to every system.

Mr. Craig Scott: That is not the same thing.

Mr. Luc Thériault: The final decision must be the responsibility of the people; it must be up to them.

What do you think, Mr. Fox?

Mr. Graham Fox: That is exactly why the debate on values and principles is so important.

Even if citizens form constituent assemblies, we will do whatever we want if, during the debate, the first things discussed are the mechanisms and voting systems and whether we want one system or another. If we do not first agree on the values that underlie the system, we will have the dynamic that you described. We must produce a public declaration of the principles we want to uphold. Then, we can assess the specific proposals on the basis of these values rather than on one another's partisan interests.

Mr. Luc Thériault: Don't you think that's what would happen if we adopt a mixed-member proportional system?

We have to change the mechanism, but for things to be equitable, we need to reinstate federal funding for votes cast. We can't say we support ideological pluralism if we don't give an equal chance to every one of the voices that we want to see as part of that plurality in the House.

I would add that reforming parliamentary procedure would ensure that no MPs end up in a situation like the Bloc Québécois's.

Mr. Graham Fox: I don't necessarily want to speak to the specific issue of public funding for political parties. However, once we have greater clarity about the debate happening around this table, we will have to see where it fits into the greater governance picture.

What would more coalitions in Ottawa mean for the federal system if the provinces don't have the same system?

The funding issue is related to all that. We need a big-picture perspective on this.

Mr. Luc Thériault: Still, the main goal is not the determination of governance, but plurality within the legislative branch, which is the foundation of democracy. The executive branch is not the foundation of democracy.

The Chair: Thank you.

Ms. May, your turn.

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you very much, Mr. Chair.

Thank you to all the witnesses, and again particularly, you said in your opening, Craig, that if you'd known you were coming.... For those who are watching who don't know, you were able to sub in at the last minute for a witness who suddenly cancelled. I don't know how many of you are in the same boat, but I'm very grateful to have this panel this morning.

I want to start with you, David, about the experience of the New Brunswick commission. I have a question from Twitter that came from Laurel Russwurm. She wants to know if you think New Brunswick should have implemented the recommendations. It's a tough question. You put a lot of work into it. Do you wish in hindsight that MMP had been brought in for New Brunswick?

Mr. David McLaughlin: Yes, because it would have been brought in by a Conservative government that had been re-elected.

Some hon. members: Oh, oh!

Ms. Elizabeth May: Excellent.

Mr. David McLaughlin: The commitment by Premier Lord was that if he had won the next election it would have gone ahead, but there was a change in government and the new Liberal government said no.

Ms. Elizabeth May: In terms of your focus, I'm very gratified by the focus that you've brought here, which you used in the commission, of a more citizen-led democracy. I've been trying to figure out how we, as parliamentarians, because I see us around this table first and foremost parliamentarians and not some sort of proxy unit for large political parties.... I think the way we'll come to a consensus here will be operating as parliamentarians, and we have to somehow disengage the notion of a voting system that serves political parties and focus on a voting system that serves the interests of voters to feel their vote counts.

How in practice did that lead you to MMP? I'll ask the same question of Craig and Graham, if I may. How do we as parliamentarians dislodge ourselves or at least communicate to Canadians that our job here is to act in the interests of Canadian democracy and the voters?

Mr. David McLaughlin: It led us to MMP with the broader mandate that we had and with those other principles too of effective government, quality of the vote, etc.

When we had to make certain trade-offs, we looked at different systems, so we looked at AV, we looked at STV, we studied Germany, New Zealand, all of the same kinds of models. As a specific example, we knew then New Brunswickers were really quite keen and fond of having their local MLA. Losing that connection

would have undermined that citizen focus, if you will, so we put that in there.

We also had recommendations with respect to how parties could reform themselves, and that was getting a bit at some of the issues that Mr. Thériault raised. Again, we wanted more transparency in the process.

We thought a two-vote system was not complicated. Everybody can count to two, but we thought, with the citizen focus, that a more complicated system with large ballot sheets might actually not be the best thing for voters. It began with the principles, Elizabeth, but then as we worked through the various design elements, they helped us make some of those choices.

My final point is that parties are legitimate actors in this system. Fairness to parties, in a way, is not something you can absolutely discount. But if it's all about parties and if it's seen to be about parties, then you have lost your way and the system will have lost its way.

• (1040)

Ms. Elizabeth May: Craig, do you have a comment on this?

Prof. Craig Scott: Yes. It may be a slightly tangential comment because I didn't get it in on my main comment. It is that if we are going to take Canadians seriously in the way you have outlined so well, we also have to bring into the discussion, at the institutional design level, a few other questions.

The question of gender has to be really quite central. For example, if you went to an MMP system, would the zippering of the list be that every second person on the list for any given party must, by legislation, be a woman? Would something along those lines make sense as well for aboriginal peoples, given where we are at in our collective understanding of 150-and-going years of relationships with aboriginal peoples? I think you have to somehow figure out those two factors, along with other, less representative communities. It is not the generic people only. You have to think about Canada as it is and figure out what elements can be built in that aren't overly complicating.

Ms. Elizabeth May: I think I have 20 seconds left for your comment, Graham.

Mr. Graham Fox: Not to be too cute, but find more time.

A pan-Canadian citizens' assembly is probably unworkable, given geography and those things, but I think there are other ways you can build a process. If you are going to follow the principle that you first need to define before you discuss and before you decide, you are going to need more time.

The Chair: Thank you.

We will go to Mrs. Romanado.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you very much.

I would like to thank our three witnesses today for coming in on a sunny August.... Sorry, it is September 1 now. It has been a long summer.

Mr. Fox, you mentioned something that a few witnesses have said to us, and it is kind of sticking out now: what is the problem we are trying to solve? For us, it is very evident, but we heard in yesterday's testimony that only 3% of Canadians are actively engaged in this process. Looking at the process we have put in place so far, should we be doing some sort of situational analysis before we go out on our road show? What should we be doing to make sure that folks understand what the problem is that we are trying to solve, and what would be the best way to do that? Could you elaborate?

Mr. Graham Fox: I think the idea of trying to take stock, before you go on the road, of the advice and testimony you have heard is quite an interesting one. It may be that behind closed doors all members of the committee have come to a common definition of the problem. I am not aware of that.

Certainly, if you could all sign on to a common articulation of what it is that you think you are trying to fix, that would make the process progress tremendously. I think there is also an interesting signal in that. If this committee can come to a common articulation of the problem, then it makes it easier for Canadians to reflect on it and say, "Well, do I agree with this? Yes or no?", as opposed to trying to grow a common understanding organically as you are travelling the country, where you might be at this for 18 drafts and not get to a final one.

Mrs. Sherry Romanado: Okay.

Mr. McLaughlin, you said the one value that wasn't included was the effective government, and my colleague mentioned it as well. In terms of prioritizing the values or principles, what are the things that Canadians may be willing to trade off? We have heard there is no perfect system to address all the issues that we have in our electoral reform mandate.

What should we be doing to make sure we capture the proper information to give us the idea of what is absolutely non-negotiable versus "Okay, I could live without that"? What would you recommend?

•(1045)

Mr. David McLaughlin: I'm going to riff a bit off what Graham Fox said in terms of putting some stuff out there that people can react to. We did that in the New Brunswick commission. We had an options paper. We had some draft recommendations. We put things out to try to narrow the debate in terms of getting people to respond to specific things, to help us come to conclusions and decisions. I do commend that, whatever the equivalent would be for you folks to do something similar.

An example of the trade-offs would be proportionality, pure proportionality versus effective government. A pure PR system, designed willy-nilly, will lead you to issues of stability and the rest of it. There is an example of it. How far are people prepared to go? They will list these things as their values and they will want to have them reflected as much as possible. That's the dilemma—as much as possible. So it's two words: design matters. The design of your system, in terms of what kinds of outcomes it produces, will have a real impact on how much of one value or principle is reflected or not.

I think Canadians would be willing to let a committee like this, hearing from experts, help shape that, as long as they see that the core principles are in there. Since there is no ideal system, there is no best system. It is by definition going to be a choice of trade-offs, but the sooner you are able to put out to people something about your thinking, something about shaping the conversation in a way that allows you to get a better handle on it, the more productive your work will be.

The short answer is that there are lots of specifics you can do in there, but something along those lines would be useful.

Mrs. Sherry Romanado: Okay.

Mr. Scott, do you have any suggestions?

The Chair: You have about 15 seconds.

Prof. Craig Scott: I think what Mr. McLaughlin said was absolutely correct.

Voices: Oh, oh!

The Chair: Okay, good.

Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I appreciate everyone being here today.

Good to see you again, Mr. Scott. As Mr. Reid said earlier, you and I had this opportunity to sit on that committee together as well. I feel like we're playing musical chairs, because I think you sat right in this chair, exactly—

Prof. Craig Scott: Exactly that chair...

Mr. Blake Richards: —where I am. I was over there. I don't think either one of us ever thought we'd be sitting over there where you are, but welcome back.

Prof. Craig Scott: Forced retirement has its virtues, by the way.

Mr. Blake Richards: I think I'm going to start, though, with you, Mr. McLaughlin.

You made a comment in *The Globe and Mail* in May, and I'm going to quote it. You said, the process here is "short on principles, short on timing, [and] short on legitimacy." Now I think a lot of people in the room will be surprised to hear that I want to focus on the timing part of that quote. You went on in that article to say that the "five provinces that did this each took about two years to do it, not six months. Each proposed a two- or three-step process involving the legislature, independent commissions or citizen assemblies and in four cases, a referendum."

What I wanted to focus on was the fact there are almost two competing parts in the Liberal promise in their campaign that we have to grapple with at this point now. The first was, obviously, the clear statement that this election will be the last one under the first past the post system, but I think there's also an implication in the statement that was made. They made the statement that they would be setting up a parliamentary consultation process. I think there's an implication in this that it would be a thorough process that would involve proper consultations. I think we're coming to the point where we're starting to realize here that those two things are competing and it may not be possible to accomplish both.

I guess my question to you would be, which part of that promise is more important to keep? Is it more important to keep the part of the promise that the next election not be conducted under first past the post, or is it more important to make sure the process is thorough and that there's proper consultation and that we get this right? Is it more important to do it quickly or to get it right?

Mr. David McLaughlin: Get it right. I didn't make the promise—

Mr. Blake Richards: Fair enough.

Mr. David McLaughlin: —but I do believe there is great merit in studying our electoral system. As somebody who has studied it but also as a voter citizen, I'm open to change for it. I do see the inadequacies of the system. I don't want to stand on ceremony here, but I do think you have to allow a process that is inclusive enough, expansive enough, and timely enough. Give yourself some more time, if you can, to get your own deliberations right. I do feel that December 1 is rushed. I know you're working very hard, harder than Canadians perhaps recognize and appreciate, but there you are.

At the end of the day, my point is that it's still a Canadian system, and we want to know that this work has been done. We want to know that we have a chance to reflect on it. We also want to know what the consequences are of the change. We get the consequences of no change. It's status quo. Life goes on. We have managed. But with regard to the consequences of change, if they're not illuminated, if they're not brought forward in some way, then I think you will have a lot of explaining to do. I think that's unfair to our democracy, to our society.

I would absolutely encourage you to take more time. I know that then does impinge upon the timing for the next election, but we gave ourselves two elections in New Brunswick. The evidence is there: everybody who has made fundamental change has either given themselves time or has at least allowed a safety valve, if you will, of a referendum, in terms of the people's vote, to do that. We will accept the results of that referendum, I'm sure, even if it's squeezed in that time.

Therefore, in the spirit of offering up something, perhaps as a compromise solution, I suggest perhaps a validating referendum after we've had a chance to see the system. Canadians will want to know that they have a chance to opt out, not just be forced to opt in. It's that distinction that I know you're wrestling with. I don't think you've arrived at a satisfactory solution thus far, but you still have some time.

• (1050)

The Chair: Mr. Richards, you have about 10 seconds left.

Mr. Blake Richards: Then I guess we'll save the rest for the next round.

The Chair: Sorry about that, Mr. Richards.

[*Translation*]

Mr. DeCoursey, your turn.

Mr. Matt DeCoursey (Fredericton, Lib.): Thank you, Mr. Chair.

I would like to thank our three witnesses for their remarks and their wisdom.

[*English*]

Mr. McLaughlin, I appreciate the levity in answering Ms. May's question. I think it reminds us that we can't predict the outcomes of elections. I know that the election in 2006 was called early in New Brunswick, I assume with some thought of partisan advantage, which turned out the other way.

It gives me an opportunity to clarify the record for my friend Mr. Reid, who I believe adds a lot to this conversation as well, that Harold Jansen, yes, did opine that perhaps the AV system would lead to a certain result in perpetuity, but then came to this committee and essentially contradicted himself, saying, no, we can't predict the outcomes of elections not knowing what a different system will deliver to us and not knowing what other issues will be in play at that time.

I do have a question about the process, which I'll get to in my second question, but I want to talk to you, Mr. Scott, about a comment you made about the importance of campaign promises. I would say that this could be an arguable merit of the system now, that parties deliver platforms, visions for how they want to steer the country. Voters vote, hoping to see those commitments enacted. We've had some testimony that in different systems of PR, you muddle some of the campaign visioning or the platform visioning that takes place. That's one thing I'd ask you to comment on, where you see the relative trade-off there and how we should present that to Canadians.

The second question is about this idea of fairness and equality of the vote. I'll agree that elements of PR allow for votes to be counted in fair ways. Have you seen any of the testimony from Dr. Maskin, who presented to us the idea of the majority rule, where effectively each winning candidate is preferred to all the other candidates in a particular riding? Do you think it would be fair to present both an MMP system as a way of achieving fairness in the vote as well as this system when we speak to Canadians?

Prof. Craig Scott: Yes, the last one was interesting. I'm not sure I will have a good answer.

On the first one, I think you've seized on a very important structural issue, but we also can't indulge in myths. So, yes, there are platforms and there are promises and people do vote hoping their party would generally, for those who know what are in the platforms...would like to see. But people do know minority governments can happen in our current system and we've already just briefly touched on how that can be a somewhat dysfunctional way of figuring out which campaign promises do get attended to and which don't and what kinds of compromises are made.

If you have a system where people know in advance that campaign platforms do have to end up in some kind of a more compromising collegial environment, it might not be a bad idea to start pushing parties to be a bit more clear on exactly what their top priorities are, in a way that basically tells people what might happen if this party and this party start talking about a coalition government. I think there is an issue of not knowing exactly what to count on when two parties start talking together who haven't indicated in advance that they would form a coalition. In most PR systems, you do know in advance what the likely coalitions are going to be—not always—and that can play itself out in how the platforms get presented.

I wrote something recently on this. I think it is an important issue and more generally we have to be more attentive to how easily we make promises and how many promises we make in campaign platforms. I actually think we have a kind of debased electoral process right now. The platforms are too huge and too unrealistic.

On the second one, if the two can fit together and produce proportionality and there's independent merit to the majoritarian model that was being discussed, then I would never rule it out.

•(1055)

Mr. Matt DeCoursey: Thanks very much.

Mr. McLaughlin, the question I want to ask you, and maybe we'll explore it more continuing on the second round of questioning, is about the nomination process for list candidates that was proposed within your New Brunswick model. My read of it is you're trying to balance competing tensions of having the party be able to offer a diversity of candidates as well as allow the electorate to see some transparency and openness in the way that those candidates were selected. Can you speak to the thought process or the conversation that took place in developing that list PR recommendation?

[Translation]

The Chair: I'm sorry, but we'll have to come back to that question later.

Mr. Boulerice, your turn.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you very much, Mr. Chair.

I would like to thank our three witnesses for being here with us this morning for this fascinating study. In particular, I would like to thank Mr. Scott for returning to see us again. I have to say that I really wish he could be in my shoes.

Mr. Fox, you said something very interesting just now. You said that people have to understand the problem before they can talk about how to fix it. That makes perfect sense. You're right because

really, who gets up in the morning thinking, "The first-past-the-post system creates distortions. Single transferable vote could be the solution, but Canadian geography would result in tensions between rural and urban areas". People don't spend a lot of time thinking that way.

Even so, people feel that their votes are wasted. They don't always do the math, but nine million of the votes cast in last year's election are not represented in Parliament. On Vancouver Island, 21% of the people voted for the Liberal Party and 21% for the Conservative Party, but not a single MP from either of those parties was elected. In the Maritimes, NDP and Conservative supporters voted for their parties, but not a single Conservative or NDP MP was elected. I'm not even going to talk about what happened in Toronto.

On the ground, people ask us, "Why should I vote if it won't make a difference? My vote doesn't matter".

In 2008, when I ran for the first time and was not elected, people told me, "Why should I vote for you, Alexandre? You're not going to win". People feel that there's no way to make their vote matter in Parliament.

Mr. Fox, how do you think we should tackle this issue?

Mr. Graham Fox: I agree with you.

There probably is no such person, and that might be a good thing.

The fact that some votes cast don't count or don't affect the outcome of an election means that, for some people, in their part of the country, the party they support is under-represented and does not end up in Parliament. Others, such as youth and seniors, feel that applies to their whole demographic, and still others perceive the problem as one that affects people of a particular gender or minorities of all kinds, be they linguistic, ethnic or otherwise.

That's why it makes sense to start by clarifying what we mean by a vote that doesn't count. We all have a slightly different perspective on that. People are frustrated about this for different reasons, reasons that can affect their preference for a particular voting system over others. That's why I think it makes sense to address this issue first before confusing people with all kinds of voting systems and mechanisms.

•(1100)

Mr. Alexandre Boulerice: Thank you.

Mr. McLaughlin, during your presentation, you made some intriguing comments about distinct groups and minorities. I would like you to expand on that.

You said that a mixed-member proportional system would be beneficial to New Brunswick francophones. What did you mean by that?

[English]

Mr. David McLaughlin: What we meant by that in the report was that the way regional boundaries could be drawn under an MMP system could very much safeguard and protect communities of interest where you have significant minority communities located. You could actually craft boundaries that have the largest population centres for francophone voters, and that in turn would ensure that changing the system would not result in a dilution, if you will, of a number of self-styled francophone MLAs in the legislature. That was an obvious concern in New Brunswick. Among the commission members, we were equally balanced toward francophones and anglophones, so it was a way to do it. Our experience showed that change in the electoral system should not be a barrier to that. You could find ways to address it. I just wanted to bring that to your attention because it is a key issue, I think.

[Translation]

Mr. Alexandre Boulerice: Thank you.

The committee heard from Jean-Pierre Charbonneau. Once upon a time, he was involved in an attempt to reform Quebec's voting system. At the time, regional representatives in Quebec were concerned that they would be less represented or less well-represented in government. Mr. Charbonneau said that a mixed-member proportional system could produce the opposite effect if regional members worked together.

Mr. Scott, you talked about this earlier. Mr. Charbonneau said it would force members of both governing and opposition parties to work together in the interest of their region. What do you think of Mr. Charbonneau's idea?

The Chair: Mr. Scott, please keep your answer brief.

Mr. Alexandre Boulerice: I can pick this up again later, Mr. Chair.

[English]

Prof. Craig Scott: I think, again, that political culture will be so important. Transition will take time, but yes, the idea of regional MPs from different parties working together is real in Germany, for example, although they have less of a service culture when it comes to their constituents than we do, so it is not tested the same way. Nothing precludes a very different way of interacting professionally as parliamentarians.

The Chair: Thank you.

Mr. Rayes, go ahead.

[Translation]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

I would like to start by thanking our three witnesses for being here with us today.

As my colleague mentioned earlier, those who want to change the voting system to a proportional system, mixed-member or otherwise, always talk about how people regularly tell them their vote doesn't count.

Yesterday, however, the Institut du Nouveau Monde representative talked about a survey that revealed the real reasons people gave for

not voting. Survey respondents said that they were too busy, that they were dealing with a problem with voter registration, that they felt cynical or uninterested in politics, that none of the planks in the candidates' or parties' platforms interested them, that they did not trust the parties, that they were out of the riding, that they had health problems and so on.

I get the feeling that people saying their vote doesn't count has more to do with the fact that their political party didn't win the previous election. That frustration can carry over from one election to the next. Am I right about that?

Regardless of the voting system in place, voter turnout is down worldwide. That's why changing the voting system will not, in and of itself, motivate people to vote in greater numbers or develop a greater interest in election issues. I think what we really need is a culture- and education-based change.

You said it well. The three young people who came to talk to us really emphasized the importance of civic education about politics. Is that right?

Would you please comment on that?

Mr. Graham Fox: I think you're right about the importance of understanding all of the reasons why people don't vote. It's true that some of those reasons have nothing to do with the voting system. However, it is clear that quite a few of their reasons are indeed related to the voting system.

You raised what I think is an important point: we cannot expect that changing the voting system will meet everyone's needs or fix all of the problems with our democracy. There are other things we can do to increase voter turnout. I agree with you on that.

● (1105)

Mr. Alain Rayes: Do the other witnesses have anything to add?

[English]

Mr. David McLaughlin: The evidence shows that PR systems tend to have higher voter turnout, so I think that is probably reflective of a sense that the votes do count. But by itself, it's probably insufficient as an explanation. There are other factors that go into play. We do know that voter turnout goes up in a change election, for example, in this country. Why? Because people think their votes do count. There is something more at stake, I would presume. Even with an inadequate system in terms of equality of vote, people still come out to vote. There are going to be a myriad of factors, but it's the motivation vote that we're really talking about here, not the barriers. You will have to address them, barriers to vote, and all those administrative things. You still have to make that work. But people will come out to vote if they think it matters and if they think their vote counts in that kind of integration of the issues.

The electoral system will clearly make a play in it because you know that sometimes a seat that just always elects a Conservative, always elects a Liberal, always elects an NDP will always be an outlier. Parties and campaigns don't pay much attention to it. They don't send the incentives out to voters to come out to vote. It's contested seats, swing seats, that parties focus on and where voters get the education, information, the messaging to go out and vote, and sometimes then that results in a higher turnout.

Prof. Craig Scott: I would only add that I think it's important to understand that changing the electoral system and the 5% to 8% increase that creates for turnout, by most studies, isn't just about people knowing my person can be elected more easily. It's associated with producing a better political process too. I think part of the outreach to Canadians needs to talk about the connections between the electoral system and what Parliament and the House of Commons could look like that you could reasonably project would be different. My experience in three and a half years as an MP was that I think we underestimate how much people care about the way Parliament works and parliamentarians act. It might not be at the top of their list, but they care.

The Chair: Thank you.

Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): My mind is going in a hundred million directions right now, and which one I should take.

Mr. Fox, you had raised the point about the next step of our process. We should really go prepared to people with a main concern in mind. We feel a sense of urgency on this committee. The government feels a sense of urgency because they have made a commitment to look at this and to change it. How do we get people to feel that sense of urgency? We've been talking about this issue for years and years, and we know there are issues at stake that are important to people, but how do we get them to understand? What would you think is the main concern we should be addressing to people? I know you were talking about whether we've discussed and come up with a main concern. I think we have many concerns, but we can't figure out how to get people concerned about this issue.

Mr. Graham Fox: I'm not sure it's up to me to propose an articulation of the problem. On the process, though, if we knew how to get citizens engaged in the manner in which we all hope they

would on all things at all times, political life would be considerably easier in Canada. It's a challenge we all face in a host of ways.

But two things came to mind as you were putting your question that I think are important. The first one, and I think the committee is off to a good start on that, is to deliberate in full view of the public. I think if you are not just genuinely open but are seen to be open and doing things in full view, that helps. I think a process that is explicit about the fact that you don't have a preconceived view about the outcome will also encourage different views to come to your table. It's not a perfect answer, but it's the one I have now.

• (1110)

Mr. David McLaughlin: I wrote a piece for Graham's publication that offers up some suggestions as to how you might consult more and improve the process.

In short, I suggested things that were done previously under the constitutional process, under Joe Clark, such as a bigger conference, citizen conferences, if not a citizens' assembly; independent academic research that the public could see and that you could put out to people to show that you are considering the trade-offs and the issues; and a series of online things that you are starting to do. There are a number of things that you can do to engage people beyond just the traditional committee process.

I would encourage you, if you are going to go down that path, to do it sooner rather than later because of the time constraint, obviously, that you are working under, whether it is December 1 or whether you give yourself some more time. It is not a lot of time.

Second, to really make that work.... When do Canadians focus? They focus when it matters, or when they think a decision is coming. Right now, you are in a fairly broad, expansive learning mode. At some point, you have to be in a deliberation mode, and you are going to be deliberating specific options or specific choices. At that point, I would really encourage you to go public with a shorter paper or some specifics to say, "This is what we are thinking. This is where we are heading. It really does matter, and now we want your input on this." Then you have to find some way, again, to get input on those specific things.

Until you put something out that is more explicit, more specific, and more real to Canadians, I think it will be an interesting notion, but everybody has other things to do. We have struggled with that in New Brunswick, even with a dedicated process, and we had lots of engagement in terms of devices. It is still very tough. This is an off-the-top-of-the-head recommendation, but feel free to read the piece as well, if you would like.

Prof. Craig Scott: All I would say is, get the Tragically Hip to do a bunch of town halls with this committee and then call the CBC, and you have your engagement right there. I am only half-joking. The CBC has started doing town halls outside of election cycles, for example with the Prime Minister and a minister or two. It is a completely legitimate thing to approach a public broadcaster about a completely pan-partisan parliamentary process and whether or not they might be interested in that dimension of your work in terms of publicizing through town halls.

The Chair: Thank you for that idea. It is a good one.

[*Translation*]

We'll start the second round of questions.

Mr. Aldag, it's your turn.

[*English*]

Mr. John Aldag: Mr. McLaughlin, in your opening comments you made a statement about the model that was developed, that you couldn't have both the list MPs and the constituency MPs in the mixed member proportional model. I am curious about the reasons for that. We have heard from other witnesses, in other jurisdictions, that they allow that. It is interesting that you excluded it, and I am just wondering what the thinking was behind that.

Mr. David McLaughlin: Let me take advantage of this to perhaps answer Mr. DeCoursey's question about the closed list as well. They all sort of come together.

Mr. John Aldag: Yes.

Mr. David McLaughlin: First, we chose the closed list because of the feeling that, if the lists were closed, then the parties would make a bigger effort to put more women in particular on the list. That was a concern of the commission at the time, to try to increase the number of female representatives in the legislature.

Second, we were concerned that open lists would result in real intra-party competition as candidates vied for share of voice relative to others to move up the list and get votes, and therefore this would put parties in a position of being overly competitive, and would demean the political process a bit.

Third, perhaps peculiar to New Brunswick, was the sense that large population centres could overpower smaller communities. If you had a list member from one city or bigger town within a community, then they would get more votes relative to others. There was a sense of unfairness. Those are the things that drove us there.

Again, with that process, it's not a far leap to say let's not allow the candidates to be on lists as well as local member candidates. We were concerned about two things.

One was this potential gaming of the system, that they would say that you got elected on the list. They saw you put your name there. Partly what was of concern to us was creating two-tier MLAs. It's

not a guarantee, but how you arrive in office, or how you arrive in your legislature, your House of Commons, does have a bearing on how colleagues treat you and react to you, and potentially more importantly, how citizens or constituents would react to you. That was a feeling that it would be better from a non-gaming perspective, that the public would see the system as your choice, you won or you didn't win, end of story.

Remember, the systems, especially New Zealand's, were relatively new. We did hear evidence, from talking to New Zealand folks, about this sense of second-class or first-class MPs or MLAs. It was a way to try to address that.

Over time you guys work things out in your daily business, but that was what motivated us.

•(1115)

The Chair: Mr. Scott.

Prof. Craig Scott: Briefly, there's a politico-cultural dimension to it. In Wales there was that kind of resentment, to the point that they did try to have a rule along the lines of the New Brunswick proposal, and Westminster overrode it. In Germany they basically almost forced everybody to be running locally as well as to be on the list. Apparently, a high percentage of German members of their legislature served in one or the other capacity over the course of their careers. One thing the German approach does is it actually gets people to understand that there isn't such a great difference between the two sets of MPs, and it produces more continuity.

Some people would say, in a "throw the bums out" culture, that's not a good thing. Obviously, I'm sitting on the wrong side of the table to be saying this, but in Canada we probably have too much turnover. We have, probably, the highest turnover in comparable legislative processes. We could benefit from, probably, having more continuity, especially in collegial, consensual legislative environments. If people who are completely new are constantly coming in high numbers, you do lose something. Germany has more continuity, and I think being able to be on both is part of it.

The Chair: Thank you.

Mr. Reid.

Mr. Scott Reid: Following up with that, I agree with Craig's observation about the high turnover here. It's striking. I've been here for 16 years, and I'm one of the 15 most senior people on Parliament Hill. If I were in the United States Senate, I would still be struggling to get—

Prof. Craig Scott: A second term.

Mr. Scott Reid: —a junior chairmanship of a subcommittee on something nobody wants to do, and I'd be surrounded by octogenarians who've been there since President Truman or something—or McKinley, maybe. That is a realistic problem that exists, for sure.

I want to go back to a theme that has just been discussed but that may not have been addressed directly. Mr. McLaughlin, right at the very end of your presentation you mentioned there can be issues with how you design MMP. What I thought I heard you say, but I'm not sure I heard you say it so I want your confirmation, is that if this committee were to, for example, just recommend MMP but give no specifics, the government could then take it. The cabinet, after all, designs and produces a system, which has a different outcome from that which might have been imagined, at least in some respects that are significant from a partisan point of view, and from what the committee thought it was sending to the government. I may have misinterpreted that, so I want to hear your comments on it.

Mr. David McLaughlin: I would agree with your interpretation. That would be a concern. We were tasked with recommending an electoral system that met certain principles, but we felt very strongly in our commission work that we had to spell out what that system would be and all the details; that we were charged with figuring it out; that the details did matter; and that the potential for unintended consequences for the various actors in the system, all of whom were legitimate, needed to be thought through as best we could. We had to come up with recommendations. Where we could, we came up with precise legal text as a way to encourage both the government and the opposition to actually move it along. We didn't want to leave very much to chance that things would get muddled at the other end.

So yes, to use your example, Mr. Reid, if you proposed MMP and had some rationale for it and gave no detail, I think you would be leaving yourself open to perhaps a different kind of system in important respects from what you had contemplated or desired.

If you're going to do your work, do your work. Do the detailed heavy lifting in order to help move the process along.

• (1120)

Mr. Scott Reid: It's perhaps unfair to push you further on this point, but I'll do it anyway; you can just say, no, it's illegitimate, if you feel this way. Would it be your recommendation, then, or would you accept it as a good recommendation, that we ought to actually be working on selecting, if it's feasible or if there's enough of a consensus, an actual model, and then trying to fill in the details as part of our report?

Mr. David McLaughlin: Yes. I would very much encourage that, and for a number of reasons. One is that this is the only way, in my view, for this file to progress within at least a shot at your time frames. I'd try to be respectful of that. Second is that I think it would show Parliament working. I think it would show the committee process working, and I would argue that you'd probably, as a group, find it more fulfilling in terms of having that kind of engagement and that kind of commitment. So yes, on a number of levels; absolutely.

Mr. Scott Reid: Okay.

I have to ask this question, because the committee has not made a decision to go in favour of one system versus another. Let's say, for the sake of argument, we were drifting in the direction of STV.

Would you make the same recommendation in terms of trying to pin down the details?

Mr. David McLaughlin: Yes. Again, I think it's system-agnostic, so I think you would have to show it, and you would have to show how it would work. You would start with principles, but people also want to know how it would work.

I go back to the outcomes. In a way, you're doing a long game in a very short period of time. The long game is to improve the legitimacy of our governments and of our system, etc., and that will flow from the outcomes. If at first people are maybe not so sure about this but over time grow accustomed to and like the system, that's a good change and good progress for the country. The legitimacy of the outcomes and the details do matter.

Frankly, in the short period of time you have, if you're proceeding on that, to give direction to Elections Canada but also parties, how do you then organize yourself for an election campaign? Just think of the questions that go back and forth to Elections Canada now on funding rules and so on from your local campaign manager, where people supposedly know. They're volunteers, right? Your CFO's a volunteer. Now you have a new system. Where's the boundary? It used to be they voted at the church down the street, but wait a minute, this town is out, this town is in.

All of those things will matter. Help Canadians come to grips with that. This would be my strong advice.

[*Translation*]

The Chair: Thank you.

Mr. Cullen, it's your turn.

[*English*]

Mr. Nathan Cullen: This is interesting. I've been here a couple years. I like deadlines. I've seen Parliament kick around ideas forever, with everybody stating the importance of the issue, and why it matters to everybody and we should really do that. As soon as I hear the word "should", I start to lose faith: we "will" do this or that.

I take your comments, David, about moving from an expansive to a deliberative focus. I'm a visual learner. I went through the B.C. process as an observer, and needed to see maps. Maybe it's because I'm engaged in politics in this way, but I just want to see how it will look. Until I see that, it's theoretical and perhaps confounding.

Mr. Fox, you're nodding. Does at some point the committee get to that point for Canadians where we say, just to pick a number, here are the three choices we're looking at, and here's how it might look in New Brunswick, in Toronto, in Vancouver, in rural Canada? Is this important for us in terms of that engagement level, and then raising the level of legitimacy of all this work?

Mr. Graham Fox: I think it is. I think the more you can get to actual, concrete details around your models, the more it will increase public confidence that you've done the homework and that you have come to a common view. When you think about what happens after your report, the more you all agree on the greater number of details, the more it might be interesting or beneficial for the government to follow through on your leadership, because this is where the national conversation has happened.

• (1125)

Mr. Nathan Cullen: We've also heard from elections officials that as the committee—or Parliament, more importantly—starts to narrow down, they begin their work as an elections commission. If they can tell Parliament is headed towards one of these models, then that whole idea of this being too rushed and then there's a panic, and then the next election doesn't come off coherently, if I can put it that way, is diminished if Elections Canada is given early signals. These are a couple of paths that were taken.

David, you would agree?

Mr. David McLaughlin: Absolutely. They are the ones who administer the election and they're responsible for its proper administration at the end. So yes, they've got to get going.

Prof. Craig Scott: Can I just—

Mr. Nathan Cullen: Sure.

Prof. Craig Scott: I'll make it two sentences. One is this that this goes back to that CBC suggestion. At some point, having this committee in a deliberative mode, with the institutional design choices of an MMP—there are 15 main institutional design choices and maybe seven are crucial—having the different models in play where you're all working through together in maybe a slightly hypothetical way, because you're not all committed to each of these or maybe any of them, in a well-moderated way, where you can possibly film it, it could possibly be done in public, you could consider something like that. I just taught it last term. Make yourselves like a mini citizens' assembly in the way you interact.

Mr. Nathan Cullen: This is what, back in February, we had suggested to the government. It was to have a parallel citizens' assembly process, working through some of that on-the-ground truth-telling of what a system would mean. What does this mean for me in Mississauga, etc.?

You talk about trade-offs a lot here. This is what it's going to be. It's always the case whenever we redraw boundaries in the country that there are always trade-offs. One of the trade-offs I'm concerned about is this list thing. I've got to tell you, I'm not a huge fan of the closed list system, just in terms of legitimacy in the eyes of the voters. Who's on the list? How do they get on the list? Is it just knowing the leader of the party? Are you a fundraiser? There's the notion that the voter has got to be involved. We've seen some models come forward that say that list is derived from the next most popular candidate in that region, as a way to legitimize their place and not

have two-tiered MPs. So the voter chooses that person and that person goes ahead, not somebody in a back room.

Do you have any thoughts on that model versus the other in the trade-off question?

Mr. David McLaughlin: You've absolutely hit the issue on the head and we wrestled with it. It was one of the final pieces of the puzzle that we actually worked through, and then we came to a choice on it. It was a unanimous report, so we understood it, but we had a companion piece, because of our large mandate covering all these aspects of democratic reform in New Brunswick, for changes to party democracy.

One of the ways to get at that was that we had legislative changes proposed for how parties conducted nominations. It was, for some, perhaps seen as more interventionist but we required open nomination processes and things to avoid the top-down process. This is not to say that the parties would have liked that, but it was our way of trying to get at the kind of concern you raised, to try to make it more transparent and try to make it more open.

[Translation]

The Chair: Thank you.

Mr. Thériault, it's your turn.

Mr. Luc Thériault: Thank you, Mr. Chair.

I would like to touch on three subjects.

First, Mr. Fox, if I understood you correctly, you would rather do things properly than hastily. I gather Mr. McLaughlin feels the same way.

It seems to me that, on this file, the worst-case scenario would be for the legislative branch—which we represent—to finish its work on December 1 and let the executive branch decide what happens next. I don't think that three weeks is enough time to get a clear sense of what voters from coast to coast want.

That being said, it would be good for the committee to agree on the recommendation to leave the matter in the hands of the legislative branch and perhaps a citizens' assembly. There has to be a second stage before the executive deals with this issue. The executive branch might well decide that the lowest common denominator is that everyone wants change, and it might make a unilateral decision—backed by its parliamentary majority—about what that change should be. That would be a complete failure. I see you nodding, so I guess you agree with me.

Let's talk about gender parity.

Judging from what has happened in Quebec, some mechanisms have a greater impact on parity. However, no system, not even ours, can provide absolute control over gender parity.

I've done recruitment, and I've observed that merely getting a woman to run in a safe riding is not enough. The problem is everything that being in politics at the federal level represents.

It would be great for Parliament to address work-life balance. I have been a member of the Quebec National Assembly, and I can tell you that work-life balance there is much better than it is here. If we don't make things better, we won't be able to do that kind of recruitment and achieve parity even if we have lists. We would miss out on some excellent candidates in certain age groups.

What are your thoughts on that?

• (1130)

Mr. Graham Fox: I think Mr. Scott talked about that earlier. I think it's very important to consider not only the mechanics of reform, but its impact on how the House of Commons works. How can Parliament foster work-life balance in light of the added challenges of geography, particularly compared to provincial legislatures? This is an extremely important issue, for sure.

Mr. Luc Thériault: Mr. Scott, on the subject of cultural change, you said that the transition would take a long time. I agree. Just changing the mechanism does not mean that, from one day to the next, people on the ground will start working together. If the proposed Quebec model had passed, then when I was elected in 2003, my rival would have been elected as well, but he would have been a list member. He would probably have become the Minister of Transport.

Imagine what collaboration would have looked like in that scenario. I think it would have led to—this was actually my experience—four years of partisanship. We would have had the government representative on one side and the opposition representative on the other.

Wouldn't the cultural change mean focusing more on the legislative branch, on how we decide who represents the people in the House and on the ideological plurality that's represented to ensure that every vote counts? If we want to push cultural change even further, why not elect the executive with a majority of two-thirds of the representatives in the House?

The Chair: That's a very good question.

Mr. Craig Scott: It's a very good suggestion. It might be a good idea, but we don't have time to comment.

The Chair: We have 15 seconds left, and it's a very good question.

Ms. May, it's your turn.

[English]

Ms. Elizabeth May: Thanks very much.

By a bit of preamble, when you were talking, Craig, about the fact that this has been an issue since 2000, going back through parliamentary records, it may interest you to know that the first parliamentary committee looking at electoral reform was in 1921, when Ireland had just gotten single transferable vote in order to protect minority rights in Ireland. It has been a topic that has come up, and it seems, as far as I can determine, when every commission, federal or provincial; every citizens' assembly; every law commission; every review of electoral reform since 1921 in Canada comes to a conclusion, it comes to a conclusion that we should move to some form of proportional representation. It does seem to me that the time is right and that this is a once in a generation opportunity.

But in my questions to you, I wanted to focus on the harms of first past the post, because you raised one that Professor Peter Russell identified. When you combine a Westminster parliamentary democracy such as Canada, where the executive has rather more power than even in other Westminster democracies around the world, and certainly more than in the U.S. where the executive has checks and balances, it's rather important to know that the majority of Canadians support the general direction of a majority government. You referenced this rather tangentially in your opening remarks. I wondered if you wanted to revisit the question of the power of the executive and the harms that can be done when you have what Professor Russell calls a false majority. And I don't think it's partisan; I don't know how else you'd describe it.

• (1135)

Prof. Craig Scott: Yes, we tend to address the false majority notion as in a party simply gets more seats in the legislature than their popular vote would warrant, and that seems unjust; and it's a voter-centred perspective and that's good, that's fine to say that's a problem. But the fact is you're giving the majority of seats to a single party in a system where there's a fused executive-legislative arrangement that in any Westminster system already gives a lot of power to the executive. In our—I wouldn't say political system—political culture, we have a much greater degree of internal party unity, party discipline. I think the localization pressures on our MPs, because of the size of the country and other things like that, also mean that the extent to which parliamentarians can be legislators, as opposed to members of a party, taking direction from good advice, etc.... We have a culture where once you give a majority to one party, you are partly at the mercy of how that government runs itself because you can have more and less willingness to engage with the rest. The rest could be not just the opposition but the 60% who didn't actually vote for the party that now has 100% of the power.

Ms. Elizabeth May: And it's a sensitive topic because it's raw, because we just had a change in government, and I apologize to my friends in the Conservative ranks here, but Gérard Deltell actually put the question to Professor Russell, "What harm has ever come from first past the post?" To my surprise he said climate change. We didn't act for 10 years, and 80% of Canadians since the early nineties, by polling, have always wanted action on climate change, and I know a lot of Conservatives wanted action on climate change. Unfortunately, one of them wasn't the former prime minister.

So for me, that's not just a theoretical or academic harm. It's real and it has damaged our reputation in the world, and it was not something supported by most Canadians. So forgive me for mentioning that one, but I'll turn to my friend David McLaughlin, and I don't want to put you on the spot. Obviously, you are a Conservative. You've made that clear. You were chief of staff to our friend, the late Jim Flaherty.

Do you have any comments on this executive power in the situation of a false majority? You were a victim as CEO of the national round table of omnibus Bill C-38, which I don't think was the will of Canadians.

Do you have any thoughts on this aspect of first past the post?

Mr. David McLaughlin: One of the ways that we tried to get at that issue in the New Brunswick commission...again, we had a broader mandate...but I do want to refer you to our section where we talked about making the system work. We did look at improving or enhancing the role of MLAs as individual legislators, enhancing the role of the Legislative Assembly as an institution, and rebalancing power and authority away from the executive branch back to the legislature. We proposed a number of things for strengthening legislative committees, higher funding allowances for MLAs, more extensive committee work, just a broader role for the legislature in what had traditionally been defined as government life.

That allowed us to do that, independent, if you will, of the electoral system piece. But yes, there's no question that Canada...and I agree with Craig, as a political cultural issue, we have very strong executive power authority. I've been in the Prime Minister's Office. Some days were better than others. Some days you liked it; some days maybe not.

The Chair: Thanks very much.

We'll go to Ms. Romanado, please.

Mrs. Sherry Romanado: I'm just going to address one issue and then move to my question. I know that people have been questioning the timeline. I know that when we had our Chief Electoral Officer here, he said that this is absolutely possible. We're hopeful that this committee will come up with a report that will have a consensus, that we'll be able to put into action. I just wanted to reiterate that.

One thing this committee has been trying to do, and I've used this term earlier, is to take a voter-centric approach. As parliamentarians, we have our own ideas. What does it mean to have a legitimate process? What does it mean to have a simple process? Is it from our perspective or from the perspective of the voter? I think that's something we need to be mindful of when we're communicating with Canadians. We have done the first phase of this process, where we've heard from experts and so on, and now we're going on the road.

Given your expertise on this file, we know there's some low-hanging fruit that could address the *bobo* we have in our system, that's not necessarily a different voting system—for instance changing the voting date to Sunday or a day that people are not working, and so on. Keeping voter-centric in mind, what would you recommend, when we are engaging with Canadians on the road, so that we are making sure that whatever system or any recommendations that we put forward are reflective of what they are looking for?

• (1140)

Mr. David McLaughlin: Let me start. I'll let my colleagues reflect a bit more.

Force them into some trade-offs. You have to do it. Find out what they value most. Come up with your series of principles, explain how they can work in comparison to others. I suspect that local representation will be very close to the top of the list. They'll want to know who their MP is. They want to know where you live, because it's that accountability and that possibility of throwing you out afterwards, the blunt democratic instrument, that's fine.

That would be one example that I think would jump up to the top, but try to force them a bit on that. Then, if you can, find out what they really want from an electoral system in this sense, and let me rip off what Elizabeth May said in terms of the central authority, the executive authority. Do they think it will cure this versus something else?

You may have a role in helping to address myths as well as improvements. Don't let the myths stand out there, that if we change the electoral system we can fix A, B, C, and D. Help them understand what those absolute choices are and help them appreciate where this is an improvement but not a panacea, if you will.

Off the top, that would be something that you could think about.

Mrs. Sherry Romanado: Before the other two go, I'm just going to probe a little more on that. You mentioned that if what they value most is to know their MP and know where their MP lived—and trust me, I have people showing up on my lawn—that being said, why would we ever recommend a closed list? I'm just throwing it out there. If people want to know who they're voting for, the person, not just the party but the person, why would we ever put forward a closed list?

Mr. David McLaughlin: Again, the closed list is a mechanical process or step to get to the electoral outcome. You would have a closed list. The reasons I gave are what were populating our minds at the time, and it can seem there's a lack of transparency, it's unaccountable, etc., but it was the outcome we were more concerned about along the way. I'm talking about how “Where do you live?” is a euphemism for afterwards, when you are elected. They want to know who to go to to help solve their problems, and of course, represent their broader interests. At the end of the day I'm not convinced a closed list or open list is absolutely germane to that. I think it's a way station en route to it.

Mrs. Sherry Romanado: I'll let the two of you go.

Prof. Craig Scott: I will just answer briefly.

I think Dave was sort of predicting what might rise to the top. In terms of the closed list, keep in mind that there is a direct analogy. People are actually already faced with closed lists in our current system. It is a one-person list, but the party is the one that generates the only person you can vote for. If you are leaning toward a particular party or a set of principles, you know who is on the list generated by the Conservative Party, the Liberal Party, the NDP, the Greens, etc. It is all transparent, and the ability to then tick is an added element.

You know who you are voting for on these lists, and then you can evaluate: “How did they produce that list? I am not going to vote for a party that produced the list this way. I am more inclined to vote for a party that produced it that way.” “Closed list” doesn't mean they are closed in all senses; it just means you can't go in and change them.

The last thing is that, when I went on a tour as official opposition critic—I think about 12 different sessions across the country—I started with a list of something like 10 or 11 different principles or variables. They had to be a lot more specific than the ones for the mandate of the committee. I got people to fill out at the beginning, before there was any discussion at all, where they were on that. It took about five to 10 minutes, then there was whatever the session was, and then I had them do it again.

This was slightly biased, because people were coming knowing I was NDP, knowing we are already in favour of PR, etc., so it didn't represent Canada, but it represented where people started—that was most valuable—and then it represented change. The change wasn't so great, but for your group the changes could be quite important.

• (1145)

The Chair: Thank you.

Mr. Richards, go ahead.

Mr. Blake Richards: Mr. Fox, I have a question or two for you. You made the comment in your opening remarks—I think I am quoting this accurately, because I was trying to keep up writing it down, so I am pretty close, if not bang-on here—that Canadians themselves must participate meaningfully and their collective wisdom must be part of the process.

I take that to mean that you think the current process isn't succeeding in that, and I want to get your opinions and thoughts on what this should look like. What would give Canadians that meaningful participation? What would allow their collective wisdom to drive or push the process?

Mr. Graham Fox: You are reading me correctly, in the sense that I don't think the process is doing that yet, but I am not sure the process needed to do it at this stage, in the sense that it is important to do the research and get to facts and essays and papers. As you think about what you do with the meetings you are going to be holding on the road, reinforcing the last two comments, you will be limited in your options because of the travel schedule and the calendar, but I would try....

To David's point about asking people to make choices, I think there is a lot to that. Part of the limit of hearings like this is that I get my five minutes and then I leave the room; someone else comes in, they get their five minutes, and then they leave the room. I don't get the benefit of hearing the person before or after me, or signal to you that maybe I have changed my mind based on what I have heard. Relaunching questions in a certain city.... If there was a theme emerging as an element of consensus in Winnipeg, test it in Halifax: "We heard this in Winnipeg, and we heard it a lot. What do you people think?"

Try to get to how you would bring all those views together in a way that isn't just a long list because, frankly, if it is going to be monologues in rapid succession, you might as well just ask for emailed submissions.

Mr. Blake Richards: Okay, that is fair enough. I appreciate that.

You have written fairly extensively on parliamentary reform as well, and I think that ties to what we are doing here. We have heard a lot of testimony that talks about the different trade-offs there are with the different electoral systems, and certainly I think it is almost

universally held, if not universally, that there is no perfect electoral system. Obviously, we have heard from a lot of people that we have to be looking at what the values or the goals are that we are trying to achieve. You mentioned yourself that the public doesn't seem to really be aware yet of what the problem is that we are trying to solve.

I guess what I am trying to get at here is that the electoral system, and changes to our elections, can be one of the things we can do to try to solve some of the issues there might be, but parliamentary reform may solve some of the issues, and maybe solve all the issues that might exist.

My question for you is, what do you see as some of the other potential changes that we could be looking at on a parliamentary level, and could some of those meet some of the challenges we face?

Mr. Graham Fox: That's an excellent question.

I'm not sure I would go all the way to say that parliamentary reform or other reforms would fix all the issues because, frankly, we have to worry first about the men and women we send to the Commons before we worry about what they do once they get there. For the last 15 years, it's been more of an interest of mine looking at what happens here once people get here. My hope is, if we are to change the mode of election and if we are to have a House that is more reflective of popular vote, that this diffusion of who gets to decide may also have an impact on committee independence and with votes in the Commons.

I understand the imperatives of needing to drive messages tightly. People don't like disagreement because it's messy and those who cover politics will make it seem a weakness or a flip-flop, but I would genuinely like to see governments rediscover white papers and asking committees to conduct some preliminary work long before they've decided what they want to do. That's independent from electoral reform, but I think one may feed into the other and facilitate it.

Mr. Blake Richards: That's great, thank you.

• (1150)

The Chair: Thank you very much, Mr. Richards.

Mr. DeCoursey.

Mr. Matt DeCoursey: I have one more point of clarification on the issue of the closed party list. I understood well the reasons for that and you applied it to Mr. Aldag's question and Mr. Cullen's question as well.

Achieving representational equity is the main idea behind the closed party list. The party produces the list. How does the open convention that gives the party licence to produce the list work in this recommendation in the report?

Mr. David McLaughlin: The way it worked is that we thought the parties were legitimate actors. They had the right to incent and choose the folks they wanted to represent them, but we wanted to create an incentive and a public pressure on them to do so.

Let's go back to how you operate. You operate in a competitive environment. You are seeking a political advantage in the best sense of the word relative to your competitors, putting your best foot forward in one way, showing that you are more in favour, on one issue or another, showing your representation. In how many campaigns in the past while have we had party leaders showcasing candidates behind them, a number of women, a number of visible minorities, etc.? This is the party's way of adapting to a new reality and a new pressure within the country under a first past the post system, and we show the candidates that we have to say we look like Canada, if you will.

Again the issue you raised was one we wrestled with and there were strong opinions on both sides. But the trade-off we made was that we wanted to have more women elected as MLAs. There were other issues there and that seemed to us, the commissioners, to trump the other kinds of concerns.

I don't want to diminish this, but Mr. DeCoursey, as you raised the issue of transparency and democratic legitimacy, it was something that we wrestled with. In the end, we made a choice based on the trade-offs. It's a legitimate example of how you will have to work through the stuff as well. And we did hear from parties too.

I'll reinforce what I said earlier. Parties are legitimate actors here. We need strong political parties. They are the partisan vehicles in the best sense of the word to allow views and issues and ideas to be debated. I'm in favour of partisanship if it allows for clarification of ideas, if it gives choice. I think that's a good thing in democracy.

So a bit of perhaps going the other way on the closed list, I get it, but that was our reasoning.

Mr. Matt DeCoursey: But effectively as opposed to having party members vote for the preferred candidate as would happen in a constituency, would the party essentially trot out the candidates on the list and say this is our one, two, three, four, and then have it vetted through the party membership? Is that how that works?

Mr. David McLaughlin: No. We knew that this was a possibility, absolutely, parties being parties and leadership being leadership of parties. We encourage a primary process as well and as a way to do that. That's why I mentioned we had companion recommendations and improvements for greater party democracy to go hand in hand with changes to the electoral system. Again, that's part of thinking through the consequences of changing the system without thinking through what the companion actors are or the issues that go with it. Changing an electoral system creates a cascade of effects that you will need to wrestle with.

Mr. Matt DeCoursey: Mr. Fox, you talked a little bit about rallying Canadians to some sort of consensus on what malaise or what issue we're trying to resolve here. One of the issues that I believe have the potential to rally us together is the idea of better engaging Canadians in the way they see themselves reflected in Parliament, particularly Canadians who feel disengaged from the system. I know there are Canadians who feel that their vote isn't represented in Parliament, but there are also Canadians who don't vote, and therefore are completely disengaged.

Is that a spot where you think we can start? How best do we engage those people who have not traditionally seen themselves as a part of the process?

Mr. Graham Fox: As much as I don't worry about mandatory voting, I'm not sure that's a convincing, long-term way of fixing one's commitment to the system. Turnout was high at elections where people felt like there was something at stake, which usually coincided with a change in government, but not necessarily. In 1988, the first example, there was a genuine issue of fundamental public policy choice that drove people from both points of view out to the.... So I think part of trying to get citizens interested in political life and democratic life is to make sure they understand that their input matters, that you didn't decide before you showed up, that they do, in their interventions, have an opportunity to move the yardsticks. I think that goes a long way. If I don't feel like there's a point, why would I go?

• (1155)

The Chair: Okay, thanks.

We'll go to Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

Before I ask my question, I would like to point out that Mr. Cullen and I do not embody a great deal of diversity in many respects.

Yes, we are both men, and we are both white. One of us has a beard; the other is clean-shaven. However, we are very different in one very important respect that is typical of our electoral system. Mr. Cullen's riding covers 330,000 square kilometres. It is larger than Poland. Mine is 11 square kilometres. The circumstances governing our work as MPs are extremely different.

When we look at the systems in Germany, New Zealand, Denmark and the Netherlands, we see a number of very interesting things. However, we can't just copy-paste. That's why I like Jean-Pierre Kingsley's suggestion about being informed by what is happening elsewhere but coming up with a made-in-Canada system. I feel we should really think about that.

If we want to achieve proportionality, I think there are three ways to do that. We could have provincial lists, regional lists within provinces—some provinces are larger than others—or amalgamated ridings, which would result in multi-member ridings with three, four, five or six members representing the same small region.

Obviously, that would work well for Montreal, but it would not work as well in Mr. Cullen's riding or the Northwest Territories. We have discussed this with witnesses who expressed differing opinions on the subject.

Can we have a system with first-past-the-post ridings in some cases and amalgamated ridings in cities and suburbs allowing for a degree of proportionality?

I would like to hear from all three of you.

Mr. Craig Scott: I think we could have a system like that, and I don't foresee any constitutional issues with it. There would really have to be exceptions for northern ridings and maybe for very large ridings closer to cities in the south.

Like the NDP, we considered a mixed corrective system designed for Canada. I think that Mr. Kingsley's suggestion has a lot of merit. However, I don't know that it's such a good idea for ridings with smaller populations to have just one member. They could be combined, except in the north, where they should remain as they are.

[English]

Mr. David McLaughlin: It's a great question, and I would concur heartily with a "made in Canada" system. You'd be informed by electoral systems elsewhere, but we have different realities. It's language, of course, and other things, but geography is perhaps the biggest defining thing.

In New Brunswick it meant that...to do the proportionality that we came up with, without increasing the size of the House. That meant that the single member ridings were a bit larger; they were very tiny, but they were larger. It was what some of the people wanted. You have to think about that if you're going to go this way to try to address this issue, which I think is very legitimate. Do you want a bigger House of Commons? How do you allow for that, because you will have these kinds of inequities, and you will still want to keep the variances down to a manageable level in terms of representation of population, which is part of a process of redrawing boundaries, which you will, by necessity, have to go through here.

I don't know if some kind of hybrid system is the right system. Again, I go back to my presentation; we haven't had that kind of study here. We've had studies of mixed member proportional. We've looked at the key principles, but the application of it with maps, with boundaries, thinking about the roles of members of Parliament, how many in one province or region versus others, that's really quite consequential and matters a lot to voters. It's an interesting notion, and I encourage you to pursue it and see. You may end up saying, we need a larger House of Commons, and the euphemism for MMP becomes "many more politicians".

Voices: Oh, oh!

Mr. David McLaughlin: It goes from there. It's not to be pejorative or anything.

• (1200)

[Translation]

The Chair: We have just a few seconds.

Mr. Graham Fox: I agree with that.

The Chair: Thank you.

Mr. Rayes, it's your turn.

Mr. Alain Rayes: In 2003, when I entered politics for the first time at the provincial level, a person whom I consider to be very wise gave me some advice. He may be listening now via the web. He always told me that, as long as I treat the voters as intelligent people, they will respond intelligently. The fact is that the people, the citizens, are always right when given a chance to express

themselves. That flows naturally from us taking the time to ensure they are well-informed.

Changing the voting system is really the centrepiece of reform, but we all agree that there are many other things we can do, so there is something I would like all three witnesses to explain to me.

When consulted haphazardly via opinion polls or referenda on this issue, people—in Canada especially—rejected the proposed option or preferred to keep the status quo most of the time. That's true despite everything those pushing for change say about voting systems, all of the lip service about changing the system, and even the fact that governments have the financial means to educate people through the Chief Electoral Officer. I'm not talking about consulting interest groups because, when they present their proposals, apparently everyone completely agrees with them.

Mr. Graham Fox: I may be mistaken, but I think that in British Columbia, there was a simple majority in favour of change.

Mr. Alain Rayes: Right.

Mr. Graham Fox: But it did not reach the pre-set threshold.

Mr. Alain Rayes: It was 57%.

Mr. Graham Fox: Exactly.

Mr. Alain Rayes: There could be 50% plus one who want change.

Mr. Graham Fox: Exactly.

Mr. Alain Rayes: I'm not saying that people reject the proposed system, not at all. People don't reject an option simply to reject it. Maybe, on some level, they like the existing system.

Mr. Graham Fox: That is definitely possible.

Mr. Alain Rayes: I would like to hear your opinion on this trend, except with respect to what we saw in British Columbia.

Mr. Graham Fox: The same thing happened in Ontario during an election in which I myself was a candidate.

The referendum was held in 2007 at the same time as the provincial election. The government of the day said that it would not campaign for or against change. I was a candidate for the official opposition, and its position on the issue was vague as well. The party let each candidate take his or her own stance.

When people have to choose between the status quo and the unknown, I think they are likely to choose the status quo. In some situations, if nobody explains why the change should happen, people are comfortable keeping what's familiar to them.

You said that we need to treat voters properly and give them information. I agree completely. They do not make bad decisions.

[English]

Mr. David McLaughlin: I'm in favour of the default position of letting voters decide because that works for us. At the end of the day that typically works for the system.

One of the reasons is that we accept the results. We have good winners and good losers. Good losers around the table, if you will, who then participate in a different way, not having won the main prize, the main chance, but agreeing to participate as loyal opposition, or as members of the opposition, etc. That's the nature of the system, so we accept it and we move on.

I've been involved in referendums. I was involved in the constitutional referendum in 1992 with Prime Minister Mulroney. I travelled everywhere with him on that basis. And yes, I saw first-hand where the animus toward him personally helped colour the results, etc.

So other things can come in, but to say that the public didn't know about the issues, didn't know all the things that were in Charlotte-town.... They liked Charlottetown as a package; they didn't like individual elements. So perhaps too much was put forward, so that's learning.

We do know as well from elections why it is that, as practising politicians, you tend to go out door to door with your literature and hammer one message—and I've been a campaign manager—to the exclusion of others because you try to simplify it, and you try to put it in terms that matter to the public. You haven't yet found that sweet spot on this issue. Perhaps it will emerge in the process.

In the absence of a compelling argument to change—something that Graham said at the outset—or in advance of a concerted, independent effort of education, of information that in my view would have to accompany a referendum process, then the public will, I suspect, revert to they're not certain they trust this, or they're not certain, etc., and then probably that's more of a vote for the status quo.

• (1205)

[Translation]

The Chair: Thank you.

[English]

Mr. David McLaughlin: If you are making a change you've got to make the case for change very strongly.

[Translation]

The Chair: Thank you very much.

We will conclude our week of work with comments from Ms. Sahota.

[English]

Ms. Ruby Sahota: Thank you.

I want to move toward finding other ideas, a made-in-Canada solution, and then I think we could adopt a lot of these systems to perhaps fit into our country.

We have vast differences from a lot of other countries. Redrafting boundaries is going to be a big hurdle; it would be complex. Having ballots that have far too many options would be a problem. We've

been talking about a lot of these different issues that we're facing, as well as the values that are important. I know fairness keeps coming up when we want to move toward PR.

And then there are also these other issues that we've been talking about throughout the week. I feel we haven't created a really concrete causal connection to PR, which is female representation, diversity, and other things. Because so many factors are in play when you look at those things I don't think any electoral system—and you can correct me if I'm wrong—but from all our witnesses we don't have a direct link at this point that gives cause and effect.

I would like to take a look at some slightly different options.

Mr. Scott, you had mentioned the Jenkins commission and an option that they proposed because they didn't want to increase the number of their members, and didn't want to perhaps redraft boundaries. They went beyond AV but tried to make it more proportional; I'm not quite sure. Could you lay out the differences between what they had come up with and MMP? Is it the same, or how does it differ?

Prof. Craig Scott: Yes, some call it AV-plus, and some call it MMP-plus.

I call it MMP-plus because it's MMP but when you're electing on the local side, instead of using first past the post as we do, you use the ranked ballot, so you produce the locally elected MPs that way. That's the only difference.

But they also were quite fierce in their criticism of AV as a stand-alone reform where you just keep single member districts and use AV. I don't know what the compromise dynamics were whereby they must have seen a separate set of good reasons why having more general support—even if some of it is second preferences it counts for something—and they embraced it. I can't quite remember their reasoning. That was the only difference from MMP.

Ms. Ruby Sahota: Okay.

We saw from this panel we had from Scotland, and we've heard testimony, that once people go toward PR they don't go back. But I'm just a little perplexed why that referendum in the U.K. didn't work since so many regions and their municipalities have changed toward a different system, but—

Prof. Craig Scott: I think their referendum was on alternative vote, not on PR.

Ms. Ruby Sahota: So it was the question. It was the choice that was presented to people that they didn't like.

Prof. Craig Scott: And it wasn't tied to the Jenkins commission report. It was separate. Alternative vote was the proposal, and it was voted down.

Mr. David McLaughlin: It was the coalition agreement with the Liberal Democrats. I think, as part of the agreement to form a coalition, the Conservatives agreed to have a referendum on this preferred system. That was the price of a coalition. There are prices to be paid in forming coalition governments.

Ms. Ruby Sahota: Interesting.

Mr. David McLaughlin: On your comment, Ms. Sahota, about “made in Canada” or a different system, etc., I would encourage you, encourage anybody in this business, because it is what animated us and drove us, to consider that the more it looks like a system that Canadians are familiar with, the easier it will be to find acceptance of change. With the idea of a whole new system, from stem to stern, as we say back home in the Maritimes, you're going to end up running against the view of that's a lot of change. Why that? What's the problem, etc.?

Part of MMP, why we moved that way, is it still has single member plurality, everybody still did the same vote for a local member, the way they did before. It introduced a degree of proportionality. The amount of proportionality depends on the splits. We went two-thirds and one-third, and there are other design features there. We didn't think it was that big a step for people.

It's just some advice, in terms of cautioning you, as you think about the way you want to go ahead. A big new system may deal with all the trade-offs, may deal with all the principles, but it just may be a step too far for Canadians to accept, given we do have an attachment to this system because, in part, we're comfortable with it and because we see that generally it seems to work. We know, as

experts, and you're living in it, that there are certain flaws with it. I'm not certain that very many Canadians see that on a day-to-day basis.

So just some gratuitous advice, if you like, in response to what I think was a good question you asked.

● (1210)

[*Translation*]

The Chair: Thank you very much.

Thus ends our discussion.

I would once again like to thank the witnesses for joining us. They shared some very well-thought-out perspectives very clearly with us.

As I said before, it's a pleasure to see you on the Hill again, Mr. Scott.

[*English*]

We need about five minutes in camera for some future business. It will go very quickly.

Thank you very much.

[*Proceedings continue in camera*]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>