

by Henry Milner

THE CASE FOR PROPORTIONAL REPRESENTATION

L'auteur préconise un régime d'inspiration allemande qui repose sur la représentation proportionnelle à députation mixte. Si ce régime avait été en place lors des deux dernières élections fédérales, les résultats auraient été moins soumis aux influences strictement régionales et auraient davantage reflété le vote populaire. On aurait sans doute assisté à la naissance d'une coalition pour former le gouvernement, ce qui aurait amené celui-ci à faire preuve de modération et à adopter des compromis intelligents inspirés par la volonté éclairée de la majorité.

No better case can be made for changing Canada's electoral system from first-past-the-post (FPP) to proportional representation (PR) than the outcome of the June 2 federal election. As most editorialists noted at the time, the Liberal government owes its bare majority to a sweep of Ontario and English Quebec.

But, as the more perceptive of the editorialists also noted, the "quartering" was inflicted more by Canada's electoral system than by the will of its electorate: had the election been fought under PR, the result would have been very much different. Indeed, the results of Canada's last two federal elections are becoming political science textbook cases of the distortions under FPP.

An argument in favour of PR for Canada at this juncture quite naturally starts with these results, comparing them to what would have resulted from an election fought under the PR electoral system best suited for Canada. This is the German-style system recently

adopted in New Zealand known as Mixed Member Proportional. MMP gives each party winning at least five percent of the popular vote an overall number of seats in parliament proportional to its share of the vote. And yet, since half those seats come from single-member districts, each citizen still has his or her own MP.

The German electoral system is described in the insert. In unitary New Zealand, apart from the five MPs elected in separate Maori districts, the electoral system differs from that in federal Germany only in that the parties provide single national lists for the party vote and not provincial (*Länder*) lists. Given Canada's federal system and far-flung territory, we would clearly keep this aspect of the German system if we were to adopt MMP in Canada. Despite this, I refer mainly to New Zealand in this article since New Zealand has just gone through the transition to MMP, and New Zealand is, like Canada, a country with inherited British-style "Westminster" institutions and traditions.

The German Electoral System

When a general election is held, one-half of the members of the German parliament — the Bundestag — are nominated in local party meetings and are elected from 248 single-member constituencies (Wahlreise) in which a simple plurality suffices for election. In what is often referred to as the "second vote," the other half of the Bundestag members are nominated in state-wide conventions and are elected from a party list in each Land (state). These members of the German Bundestag are elected from multimember party lists, an electoral structure commonly associated with European parliamentary systems. The list of candidates cannot be altered; no preference voting exists. Candidates may run for office in either or both electoral systems.

Seats to the Bundestag are allocated in the following manner: First, the percentage of votes a party receives in the second vote determines the overall number of seats to which that party is entitled — unless it receives less than 5%, in which case it receives no seats whatsoever. In other words, a party that receives 25% of all the second votes in Germany will receive 25% of the parliamentary representation. Somewhat misnamed, the second vote is the most important to the party. The party list is critical to the competing political parties, because a drop in votes here directly translates into a loss of parliamentary seats. Second, seats are given to all individuals who won a plurality in the Wahlkreis. Third, returning to the second vote, individual candidates are elected from the party list, in the order listed by the parties, until the overall percentage or proportion of seats to which that party is entitled, based on the second vote, is allocated. Normally, there will also be 248 seats awarded to candidates from party lists, although occasionally additional seats, referred to as an "overhanging mandate," are allocated to maintain proportionality....

Thomas D. Lancaster and W. David Patterson, "Comparative Pork Barrel Politics: Perceptions from the West German Bundestag," *Comparative Political Studies*, Vol. 22, No. 4, January 1990, pp. 458-477.

A thought experiment: the 1997 Canadian election under MMP

In the 1997 election, of the 301 seats in Parliament, the Liberals won 155, Reform 60, the Bloc Québécois 44, the NDP 21 and the Tories 20. Had people voted as they did on June 2 but under MMP, the overall numbers would have been very different — especially for the Conservatives. They would have come in third with 58 seats just behind Reform's 59, with the NDP up and the Bloc down to 33 each. The Liberals would have been left with 118.

But the contrast between an MMP Parliament and Canada's recently-elected "rainbow" Parliament would have been even greater in its composition than these overall numbers suggest. Liberals, Conservatives and NDPers would have won seats in all provinces or regions; Reformers in all but Quebec. Indeed, to state this is still to understate the contrast, for the campaign itself would have been very different in an MMP environment. Unlike under our present system, the parties would have had no incentive to concentrate their efforts and resources in the regions where they were doing well, since under MMP every vote counts equally toward electing an MP. The Conservatives would have put far more effort into the West. The NDP would have worked much harder for support in Quebec. So would Reform, and it would have been rewarded with seats for its efforts. The Bloc might even have been tempted to run candidates outside Quebec, since any votes garnered could only help it win seats.

Voters in these regions would have been far more receptive to such appeals since they knew they would not be wasting their votes. Indeed, there can be no doubt that the dismal turnout of only two-thirds of registered voters is linked to the fact that in most ridings only one or two of the parties were real contenders, with supporters of the others effectively disenfranchised.

Moreover, where you seek votes affects what you say. Once parties concentrate less on regional strongholds and more on the country as a whole, they have every incentive to moderate the divisive elements of their platform, and emphasize the unifying ones. Clearly Reform — and maybe even the Bloc — would have sung a different, more harmonious, tune under MMP.

Forming a government

This moderating tendency would have affected government formation as well. Rather than being a force for disunity, as Jean Chrétien warned us, a Liberal minority could very well have been far more a force for unity than the present majority one so rooted in Central Canada. With just under 40 percent of the seats spread out over the entire country, the Liberals would have had the choice of ruling as a minority or forming

a coalition with another party.

Opponents of PR warn us of the dangers of such outcomes. Yet a minority Liberal government would have had little fear of being defeated in Parliament since the other four parties have so little in common. A situation in which opposition disunity allows for long-term stable minority government is not all that uncommon these days — just look at Norway — and try to imagine the wording of a vote of non-confidence that would have been supported by the Bloc, Reform, the Tories and the NDP. Of course, a minority government would have had to work harder, having to turn to its left or its right, to centralizers or decentralists, for support in Parliament, depending on the legislation in question. The probable outcome, the historical record shows, would not only have been better legislation but legislation with a degree of popular legitimacy that numerical majority government cannot achieve.

Better still, and perhaps more likely, the results could have produced a coalition government — most probably — with the Conservatives. Such a coalition would have far greater legitimacy for coming up with a comprehensive plan (along both tracks "A" and "B") to deal with the "national unity" question than the present government — a minority government in everything but the number of seats. Imagine, to put it in concrete terms, if the national unity dossier were in the hands of Jean Charest rather than Stéphane Dion.

Moderation need not only be of a regional variety; PR

TABLE 1 Results of the 1996 New Zealand Election

Party	District seats		List Vote	List Seats	Total	
	percent	number			percent	number
National	46.1%	30	34.1%	14	36.7%	44
Labour	40.0%	26	28.3%	11	30.8%	37
NZ First	9.2%	6	16.1%	11	14.2%	17
Alliance	1.5%	1	10.1%	12	10.8%	13
ACT	1.5%	1	6.2%	7	6.7%	8
United	1.5%	1	0.9%	0	0.8%	1
Other	0.2%	0	7.3%	0	0.0	0
Total	100%	65	100%	55	100%	120

Note that there is a five percent threshold which, notably, kept the Christian Coalition from converting its four percent of the party votes into seats.

fosters ideological moderation as well. Consider the last two Ontario elections. They produced, in both cases, governments ideologically more extreme than the majority of Ontario voters — first to the left, then to the right. Mike Harris' "common sense revolution" is highly reminiscent of the policies of the National (Conservative) government of New Zealand when it returned to power in 1990. In 1993, New Zealanders endorsed MMP in a referendum, and National took little time to open itself to more middle-of-the-road policies, policies implemented under the present centre-right coalition government elected under MMP in 1996. Table 1 sets out the results of that election.

The superiority of PR

We now have many years of experience from the large majority of democratic countries that use PR, and

the political science literature, notably the work of Arend Lijphart and his colleagues, is quite definitive. PR systems elicit higher voting turnout and representation of women and minorities, and they are usually more effective in providing government performance that is both efficient and linked to commitments made in electoral campaigns.

This is no accident. By assuring them that the number of seats the parties will be accorded will reflect the parties' popular support, PR frames incentives and disincentives for political actors so as to result in a reduction of the cost of political information. With disparities in their support not exacerbated by the electoral system (as in FPP), political parties know that they will have to cooperate to govern, and part of that cooperation consists of undistorted transmission of information among political actors. Where compromise and coalition is a visible, built-in feature of the political process, opponents can collaborate even when they disagree.

Moreover, PR works against distortion in the flow of information from top to bottom by reducing the cost to political leaders of making the electorate more aware of the alternative positions on salient policy options, and of how they, as opposed to their opponents, view their likely effect, if implemented. Under FPP, in contrast, the governing party is expected to implement its program as if supported by a majority of the population, rather than seek and build broad-based support for needed, but controversial, reforms. It knows that the other parties have nothing to gain by co-operating, that their political interest lies in denouncing (by exaggerating the likely effects of) unpopular policies, even ones they know to be necessary. The overall effect is a misinformed and increasingly alienated electorate.

Time for a Canadian debate

It is never easy to change an electoral system, since politicians have a vested interest in maintaining the system that elected them. Yet, unlike in Britain, in Canada we have not even brought the issue to public discussion. Apart from the fact that few Canadians' horizons stretch beyond the US and Britain, the explanation lies probably in a general sense of institutional vulnerability as far as the federal distribution of power is concerned, and a sense that tampering with electoral institutions could only exacerbate the situation. Jeffrey Simpson of the *Globe and Mail* is typical in his attitude. Simpson wrote two columns just after the election which, in their titles, dismissed PR as "a delicate flower that will wilt again," and which, in the unlikely case of its implementation, would "make regionalism worse."

In fact, as our simulation based on the June 1997

election shows, Simpson is wrong in suggesting that MMP strengthens the hand of small regional parties. MMP will help small pan-Canadian parties (the Greens, possibly) able to attract a reasonable number of voters. We will find ourselves with four to six parties in Parliament, their party status secure — rather than regularly threatened by the possibility of losing their regional base — and thus in a position to take a longer-term perspective on appropriate policies and possible partners for achieving them.

Of course, habits do not change overnight, as New Zealand experience demonstrates. From the reports we get, many members of the first MMP Parliament are as partisan as they were under FPP. But this is not surprising since they learned politics under FPP; and so did the journalists who write about them. Changing our electoral system, especially if we do it only at the federal level and ignore the provinces and municipalities,

will not bring a fundamental transformation in party strategy and parliamentary behaviour, certainly not right away.

So if change is only gradual and the threat to national unity immediate how do I justify my claim that PR should be put on the table now? It is to spread the word that

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there is a better way than FPP with its built-in polarization, us *versus* them, the "ins" who have all the answers, and the "outs" who denounce them all. MMP moves government toward moderation — away from the extremes, whether they be ideological or constitutional — toward a system potentially capable of finding intelligent compromises based on the informed wishes of the majority.

I began with a thought experiment — a mental simulation of the June 2 federal election under MMP. But reform need not begin at the federal level. I end with another mental experiment: imagine how much more consultation and cooperation would be taking place in Ontario if the parties had to position themselves for an upcoming election under MMP rather than winner-take-all. Or consider if the next Quebec election were to be held under MMP: the Action Démocratique, whose leader Mario Dumont has called for a 10-year moratorium on referenda in Quebec, could be expected to hold the balance of power. The entire "national" debate in and with Quebec would surely be very different.

Conclusion

It is one thing to lament the polarization that seems to plague our political system; it is another to insist on maintaining the very institutions that exacerbate it. Yet, perhaps that is all we can expect from our politicians. Does that mean there is no hope at all? Someone writing only 10 years ago in New Zealand would have made

the same pessimistic prognosis. But it did not happen that way. An aroused public opinion would not let the politicians shelve a royal commission report that recommended MMP.

While Canadians are hardly likely to look to New Zealand as an example, Britain is another matter. Though Tony Blair is skeptical about PR, key members of his cabinet are not. In July, Blair has put aside his personal skepticism about PR and authorized the introduction of a Bill to bring PR to British elections to the European Parliament in 1999, and to devolve power to PR-based parliaments in Scotland and Wales. In September, the Scots and Welsh voted to set up their parliaments, whose members will be elected through MMP in 1999. Meanwhile, by the time this article is published, Blair will have made good his promise to the Liberal Democrats to set up a commission to examine and propose alternative voting systems for Westminster itself.

If the “mother country” is prepared to seriously consider changing the electoral system we inherited from it, perhaps Canadians might follow. After all, of the 36 liberal democracies with at least two million people, only three remain — Canada, Jamaica and the US — that do not use a form of PR to elect an important representative body.

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by Thérèse Arseneau

THE REPRESENTATION OF WOMEN AND ABORIGINAL PEOPLES UNDER PR: LESSONS FROM NEW ZEALAND

L'auteure se demande si l'adoption d'un système de représentation proportionnelle aurait pour effet d'accroître la représentation des femmes et des Autochtones à la Chambre des communes. Elle examine le cas de la Nouvelle-Zélande, où une forme de représentation proportionnelle a récemment été adoptée.

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Since Confederation there has been much discussion of the struggle between two competing visions of representation: representation by population *versus* representation of the constituent units of the federation, be it the representation of regions or provinces, on an equal or equitable basis. There is, however, a third vision of representation now fighting for recognition — the representation of non-territorial groups. This version of representation is gaining strength and voice in Canada. We see it in the demands for Aboriginal self-government, in the recommendations of the Lortie Commission, in the Charlottetown Accord's suggestion of a proportional representation (PR) electoral system in a reformed Senate, in the peoples' demands to be admitted to the constitutional process, and in the demand for more women, visible minority and Aboriginal MPs. Yet women and Aboriginal peoples are consistently underrepresented in the House of Commons. This calls into question the legitimacy of this “representative” institution and the electoral system.

Choice of electoral system is crucial to this discussion. The focus here will be on PR's capacity to give voice to this third vision of representation as it regards women and Aboriginal peoples. The theory, based on