

Canada, sauf exception, c'est moins de la moitié des électeurs qui sont représentés par la personne pour laquelle ils ont voté. Il y a là une différence importante, sur laquelle on ne s'est pas suffisamment interrogé.

Cette différence renvoie à la fausse théorie de la représentation qui sous-tend la mécanique des scrutins dits majoritaires. Cette théorie est celle de Rousseau, voulant que suite à un vote les électeurs qui sont dans la ou les minorités reconnaissent qu'ils ont fait erreur et se rallient à la majorité, même relative, porteuse de la volonté générale. Autrement dit, même si 55 p. 100 ou 60 p. 100 des votants n'ont pas choisi le candidat élu, ce candidat deviendrait le représentant de toute la circonscription, et donc leur représentant. C'est là une vue idéologique qui n'a pas beaucoup de fondement, en pratique, dans les opinions et les comportements des électeurs minoritaires.

On peut voir les différents modes de scrutin comme des solutions parmi d'autres pour répondre, dans les sociétés politiques, aux exigences de la représentation et aux exigences de la gouverne. Les scrutins proportionnels subordonnent les exigences de la gouverne aux exigences de la représentation, alors que les scrutins majoritaires subordonnent les exigences de la représentation aux exigences de la gouverne. Dans une société politique de nature démocratique, les exigences de la représentation doivent être premières. La gouverne doit composer avec les contraintes de la représentation, et non pas contraindre la représentation de façon à ce qu'elle gêne le moins possible la gouverne.

À cet égard, les systèmes proportionnels qui, comme celui du vote unique transférable, accordent une prime modérée aux partis les plus populaires auprès des votants nous apparaissent les plus aptes à concilier les deux exigences, dans le respect de la priorité qui doit être accordée à la représentation. Comme nous l'avons montré, au début de l'article, le choix d'un mode de scrutin doit être adapté aux caractéristiques particulières de la collectivité où il est utilisé. La très grande variété des modalités qui composent un mode de scrutin rend possible cette adaptation.

Le peu de confiance que les Canadiens ont envers les politiciens semble indiquer que les institutions et les pratiques actuelles, dont celles qui sont reliées au mode de scrutin, n'ont pas suscité une adhésion très positive de leur part. Le mode de scrutin n'est qu'un élément parmi d'autres du système politique. Sa réforme serait vaine si elle ne faisait pas partie de modifications plus générales apportées aux institutions et aux pratiques touchant la représentation et la gouverne.

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by Nelson Wiseman

## SKEPTICAL REFLECTIONS ON PROPORTIONAL REPRESENTATION

*On trouve déjà dans certaines régions du pays des formules électorales qui s'écartent des normes traditionnelles, tels le scrutin à vote unique transférable et les circonscriptions à plusieurs députés. Cette expérience n'incite pas à endosser les arguments des partisans de la réforme électorale. Ceux-ci négligent souvent les facteurs institutionnels et autres qui influencent la façon dont nous sommes gouvernés et qui ont fait du Canada une démocratie prospère.*

Proportional representation is a noble idea whose time has not yet come. Familiar is the potent principle propounded by its proponents: pursuit of the democratic ideal requires constructing and embracing institutions that promise increased equity, accessibility and fairness. What better place to begin than with the defining hallmark of the democratic regime, its electoral system? Fair enough, but democracy also entails dialogue, debate, deliberation and the weighing of competing perspectives before firm and difficult-to-reverse decisions are made. So let us ask the partisans of PR, in the aftermath of the 1997 federal election which they may cite as having produced an unjust and debilitating distortion of the popular will: Did we hear a peep about PR from the parties and their leaders in their platforms, on the hustings or the televised debates? If PR is a transparently salutary idea, why did no one courting the pub-

lic's confidence promise or talk about it? What is democratic about introducing such a far-reaching and fundamental reform without having had a public airing and debate, a characteristic of democratic policy making? If you want PR, first get those who can make it happen behind it. Or get the public to demand it. Without either, your democratic credentials are tarnished.

The political parties have been hiding on the issue, and with good cause. They prefer unadulterated power. Why constantly fight over and share it with others if you can have it to yourself? The Parti Québécois promised PR after it was eviscerated by the distortions of the single-member plurality system in the 1970 and 1973 elections. Once elected, however, it jettisoned the idea. The federal Liberals naturally has never been keen on the idea. The position of the Conservatives is possibly flipping and operationally self-serving. On election night 1993, Kim Campbell noted somewhat lamentably that her party garnered roughly as many votes as Reform and the Bloc Québécois but were devastated by the electoral system. Right after the 1997 election, Jean Charest referred favourably to the German PR system. Both had been in the Mulroney government when it launched the Royal Commission on Electoral Reform and Party Finance. Its terms of reference did not preclude it recommending PR, but it was widely understood that is precisely what the government communicated informally to the Chief Commissioner (Pierre Lortie), a PC partisan. Indeed, the Commission widely circulated a letter to academics soliciting and offering remuneration for studies and proposals on all topics related to electoral reform except PR.

One would expect the NDP and its CCF forerunner to have been on the PR bandwagon. After all, that party has been the most consistently penalized by our first-past-the-post (FPP) system. Since its debut in the 1935 election it has never — in contrast to the Liberals, PCs, Social Credit, Reform and the BQ — had as many or more seats than its share of the popular vote would dictate. Historically, the CCF's lack of enthusiasm may be ascribed to its British roots and inclinations, supportive of the Westminster model including FPP. More recently, as the NDP, social democrats have savoured their provincial successes. PR would almost certainly not have produced NDP governments in Ontario, Manitoba or British Columbia. Even in its Saskatchewan stronghold, where politics have long been polarized in a left-right two-party dynamic, the CCF-NDP has won only three majority votes in its 10 victories through the 14 elections since 1944. The CCF-NDP has been chronically underrepresented in the House of Commons, but no one can claim that it has not had its share and more of influence in shaping the agenda of public policy in this century. The number of seats a party fills is a measurable but inadequate and incomplete indicator of its role and power. For ideological, if not strategic, reasons one would expect Reform to endorse PR, but it too has not. As a self-designated champion of populist expression through referenda, where 50 percent majorities are

required, Reform nevertheless accepts as legitimate policies passed by a Liberal government that cannot jump that bar. Reform believed its regional strategy — explicit in 1988 and 1993, implicit in 1997 — stood to benefit more from FPP than PR. Small parties like the Greens and the now defunct Nationalist Party did advocate PR but this obviously did not win them many votes.

While the parties that count have been hesitant to endorse PR, political scientists have tended to be its fans. They style themselves as professionally expert in institutional design and are attracted by PR's quantifiable and objective criteria: hard numbers. Democratic representation, however, is a less definite, less precise and more amorphous enterprise. PR may be heaven for statisticians but may prove to be hell for statesmen challenged with nation building and healing tensions. The majority of political scientists, unlike the bulk of historians who tend to be more circumspect, were also boosters and labourers in the ill-fated and hyperventilated constitutional reform industry. In the service of the political class, political scientists and lawyers produced the Meech Lake and Charlottetown Accords. They demonstrated how impolitic their handiwork can be. Whatever their technical qualifications, the prognoses by political scientists of what PR will produce is guesswork, more akin to reading tea leaves than science. In retort to skeptics who claim PR will mean unstable government *à la* Italy, proponents properly cite stable Germany or Switzerland. But let us also remember that, in the 1930s, PR was one factor among many — relative weights are immeasurable — that contributed to the demise of the Weimar Republic and the rise of fascism.

Globally in the past century and a quarter there have been over 300 catalogued variations of PR which have been devised, dissected, deployed or dismissed. Although never used federally, and few may realize it, various forms of PR have been adopted provincially and municipally. At one time or another virtually every province — Quebec is a notable exception — has used multi-member constituencies, a defining characteristic of PR. Between the 1920s and 1950s, Manitoba and Alberta used the Hare system of PR for their cities while the former, along with BC, used a further variant, the Single Transferable Ballot (STB). In BC, the function of Social Credit's dual-member constituencies after the 1950s was partisan gain: to hive off, concentrate and surrender a few bastions of CCF-NDP support while scoring narrow Socred victories in most other ridings. Multi-member constituencies in the Maritimes were concocted not so much to facilitate numerically fair or biased outcomes as to accommodate the representation of minority ethnic and religious groups in various regions. Newfoundland had an explicitly legal denominational basis of representation. For a long time one could not foretell with certainty which party in PEI would win, but one could be absolutely positive that the dual-member constituencies would return 21 Protestants and 9 Catholics because firm conventions arose over who could or should run where. These electoral

systems may be seen, imaginatively, as early forms of affirmative action that fell into disrepute. Informal rules in Manitoba ensured that, whatever electoral system was used, Slavs and Jews had no prospect of being invited into the cabinet no matter how popular they were at the polls. Were such *de facto* electoral systems more equitable and fair than FPP? Not if our concern is with the weight of each individual's, as opposed to each distinct group's, preference.

A circuitous point I am striving to make is that under our centralized and executive-driven form of British-style government, power resides much more with the prime minister or premier, who is free in constructing his cabinet and potent cabinet office, than it does with the parliamentary party and its MPs. If the rationale for PR is to reflect more faithfully public opinion in the selection of the state's power wielders, then changing the number of MPs each party returns does not by itself accomplish that. Logic would require that the cabinet, where true power resides in our system, mirror the public's preferences proportionately. This may or may not happen with PR which would almost certainly institutionalize minority, if not necessarily coalition, governments. In the 23 federal elections since 1921, when our multi-party system surfaced, there have been only two majority-vote governments, (even the Mulroney landslide of 1984, based on 50.03 percent of the valid votes, would have shrunk to a minority once the Speaker was selected). PR enthusiasts may welcome minority governments with good cause; minorities have tended to be more creative in policy innovation and more responsive to the public than ensconced, self-satisfied, majorities. To date, however, the Canadian experience with minority governments has generally been different from the continental European experience. Here minority legislatures have been temporary aberrations. The usual *modus operandi* is an informal alliance where one and only one party rules while another party may help to dictate the issues to be addressed (*e.g.*, the Ontario Liberal-NDP Accord of 1985). This is quite unlike a coalition of parties sharing cabinet power as in BC and Manitoba in the 1930s, 1940s and 1950s. These regimes were more notable for their conservatism than progressivism. With PR, coalition government would likely become the new Canadian order. The result might well be that some small parties would almost permanently sit at the cabinet table (*e.g.*, Israel's religious parties) while the largest, most popular party would have no governmental voice at all (*e.g.*, Israel's Labour Party). We could also expect some unsavoury log-rolling, with deals being struck that are far removed from the public's proportional party preferences.

**Some added proportionality in our system may be beneficial, but it will come with costs that cannot be accurately or precisely determined beforehand.**

An alleged virtue of PR is that it would reduce regional tensions by integrating and nationalizing politics. The current regional bunching of the parties, so goes the argument, would be mitigated because the federal parties would have more or at least some representation in provinces where they are currently shut out (*e.g.*, the Liberals in Nova Scotia, Reform and the NDP in Ontario). This analysis exaggerates one variable — the composition of federal caucuses — and neglects others in accounting for a deeply rooted, complex phenomenon. The problem of regional representation may not be that minorities within regions are inadequately

weighted in parliament but that regional majorities are inadequately weighted in the halls of power, the prime minister's office and the cabinet. During most of the 1980s and early

1990s, there was a healthy and diverse blend of MPs from the various regions in the party caucuses. That, however, did not dampen regional ardour. Witness the bitter tussle over Meech Lake and the fallout (the creation of Reform) from the government's CF-18 fighter contract decision. Within the Quebec-centric PMO both issues were designed to curry favour in Quebec. Institutional forces such as federalism, cabinet dominance and solidarity, and caucus discipline are arguably more vital in exacerbating regional grievances than is the electoral system. In the case of Meech Lake all three party caucuses, ones reasonably representative of the regions, endorsed it. Did that mitigate regional passions? It may well have fed them for dissenters felt shut out and unrepresented. Consider, too, socioeconomic factors: the uneven distribution of population, language groups and natural resources are unalterable generators of differing regional interests. Revamping the electoral system to PR will not change hard realities; Alberta will not become more bilingual nor PEI more industrial. Let us not claim too much for any electoral system's ultimate influence in shaping the tenor of national politics in a regionally heterogeneous state.

Supporters of PR are concerned that representation be equitable. Representation, however, has many dimensions. Under the most common PR proposal two classes of MPs would co-exist: those elected to represent constituents in the hundreds of current geographically defined ridings and those elected by virtue of being on a party list. The first class of MPs would continue to be saddled with the local concerns of their constituents while the latter, representing their province or the country as a whole, would be relatively free of such obligations. Like *prima donnas* they could remain aloof from the grit and grime of local concerns. Their electoral fortunes have more to do with where their party leaders position them on the ballot list. Tensions may

flourish between these different classes of MPs, with the list MPs devoting their energies to broader policy issues — foreign affairs, social security reform, trade, *etc.* Meanwhile, the local MP would be swamped grappling with the more restricted manifestation of policies such as pursuing a specific constituent's passport, pension or licence application.

Supporters of PR assume that voters' choices are straightforward and so, therefore, should be the results in terms of seats. A good example is the 1988 election. The party favouring free trade (the PCs) got fewer votes than the parties opposing it (the Liberals and the NDP). Devotees of PR could point to the "injustice" that free trade was inflicted in the face of majoritarian popular opposition. This interpretation assumes and imposes on voters a single interest or motive. Many may have voted on the PC record not on its promises or the promises of the other parties. Others may have voted for a party despite its position on free trade (I did). Yet others may have been guided primarily by their assessment of their local candidates or the party leaders. Some voters' preferences are determined at conception. The components of single, let alone collective, vote choice may be knotty to disentangle. PR's critique and prescription is not.

Put Canada's electoral system in comparative perspective. By international standards and opinion our political system is lauded as an outstanding democratic model. The PR lobby's assaults, however, would have us believe that the electoral system is inadequate and sports a democratic deficit. Is Canada less democratic than Greece because the latter has PR and we do not? In recent years some states have gravitated toward PR and others away from it. The Italians moved away from it in search of more governmental stability. Some cited Canada. New Zealanders voted in a referendum to switch to PR. The government obliged them, but a recent survey reveals that most of the public now regret it. Some are outraged by the antics of some list MPs and that a small party is exerting disproportionate influence on the government's direction. Too bad, reverting back to FPP may not be as easy. Solving one problem created others. No electoral system, no government, no citizen is perfect. If one electoral system were ideal there would be an international stampede to adopt it. Some added proportionality in our system may be beneficial, but it will come with some costs that cannot be accurately or precisely determined beforehand. Let us reflect on our history, look to our partners and use our common sense. Our political institutions have British roots and American influences. Neither of those states has PR at the national level. Are we in bad company? Let us wait and see if they change their systems. Then, perhaps only then, will we be out-of-step.

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par Jean-Pierre Derriennic

## UN SYSTEME ÉLECTORAL ADAPTÉ AUX BESOINS DU CANADA

*The author proposes that Canada adopt a combination of the single transferable vote with a moderate form of proportional representation. Voters would indicate their preferences over the full slate of candidates. Instead of 301 House of Commons constituencies, each with one Member, there would be 100 three-Member constituencies. This system would maintain many of the advantages, and overcome many of the disadvantages of the current system.*

Le mode de scrutin majoritaire uninominal auquel nous sommes habitués a la réputation de favoriser les majorités parlementaires stables et les liens directs entre les électeurs et les élus. Mais, pour qu'il donne des résultats qui ne trahissent pas trop les préférences des électeurs, il faut qu'il n'y ait que deux partis politiques importants et que la répartition territoriale des opinions ne soit ni trop uniforme ni trop inégale. Ces deux conditions ne sont pas remplies chez nous.

S'il y a plus de deux partis importants, un système majoritaire uninominal devient une loterie. Pour voter, l'électeur ne doit pas seulement décider quel parti ou quel candidat il préfère. Il doit aussi supputer les résul-