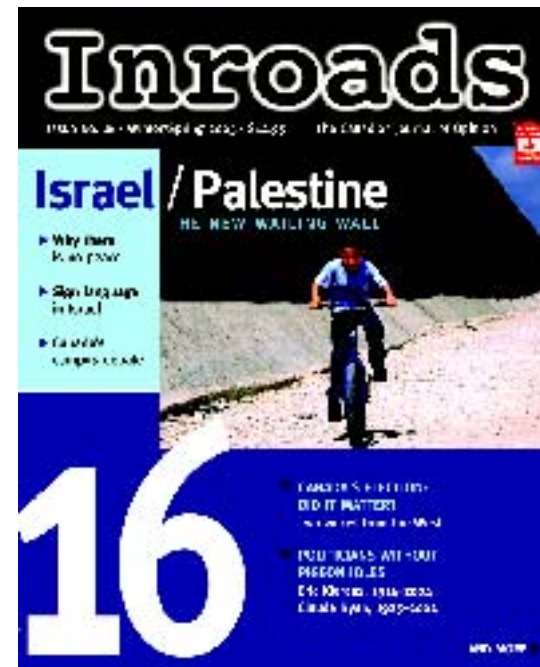


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## Two great forces

by Gordon Gibson

# What was it all about?

## West coast reflections on the 2004 federal election

An exchange between Gordon Gibson and Doug McArthur

**We** INVITED GORDON GIBSON AND DOUG MCARTHUR, TWO SEASONED observers of Canadian politics, to reflect on the outcome of last June's federal election. Gibson is convinced that regionalism and the "urge to democratic reform," two forces suppressed for a decade under Jean Chrétien's regime, are about to generate major change in how Canadians govern themselves. McArthur is skeptical. He doubts these forces are as powerful as Gibson claims. Instead, he draws two broad conclusions. First, the success of the Bloc Québécois means that Ottawa will continue to appease Quebec nationalists with subsidies and special deals. Second, values matter. The typical Canadian's attitude toward the role of government is based on broadly progressive values; if ever the Conservatives are to govern, they must show a greater respect for what the typical Canadian believes.

— The Editors

Gordon Gibson is Senior Fellow in Canadian Studies at the Fraser Institute, specializing in democratic reform, federalism and Aboriginal issues. He is the author of several books, the most recent being *Fixing Canadian Democracy* (2003). Over the years he has also written regularly for the *Financial Post*, *Vancouver Sun*, *Globe and Mail*, *Winnipeg Free Press* and *National Post*.

Doug McArthur is Professor of Public Policy at Simon Fraser University in Burnaby, British Columbia. At various times he has been Deputy Minister to the Premier and Cabinet Secretary in B.C. and Yukon, Deputy Minister of Agriculture and Deputy Minister of Northern Saskatchewan in Saskatchewan, and Minister of Education in Saskatchewan.

THE AFTERMATH OF THE JUNE ELECTION has ushered in the most exciting time in Canadian politics since the 1960s. At that time, Lester Pearson's two minority governments led to an explosion of new social policies, language controversies and federal-provincial cooperation. Those years culminated in the Trudeau election of 1968, and strong federal government reasserted itself.

Another minority government, pushed by the NDP after the election of 1972, adopted an inward-looking economic nationalism. Unlike Pearson's reforms, that negative dynamic was not to endure. It was smashingly reversed by the Canada-U.S. Free Trade Agreement only 16 years later.

But Trudeau's policy of centrism – the consolidation of power in Ottawa – was more durable. Centrism was a significant reversal of Pearsonian cooperative federalism. The centrist approach arguably stirred up another, more dangerous, sort of nationalist spirit. It helped elect René Lévesque as Quebec's first sovereigntist premier in 1976, and provided the energy for the first Quebec referendum in 1980, Meech Lake, Charlottetown and the second referendum with its near-death experience for Canada in 1995. Then all went unnaturally quiet. Jean Chrétien, who came within a whisker of being known as "the Prime Minister who lost Canada," could think of nothing better than hanging on and maintaining complete control.

Things are about to move again with the forces unleashed by the June election this year. The reinvigorated forces are two: regionalism and the urge to democratic reform. These two forces dramatically invaded the nation's capital in the election of 1993, when the rise of Reform and the Bloc Québécois signalled a whole new era. But both had been building for a long time. In the case of regionalism that is perhaps obvious, while the urge to democratic reform, in my view, was both signalled and encouraged by the huge victory of the people over the political class in the Charlottetown Accord referendum of 1992.

Jean Chrétien's foolish determination over a full decade to maintain the old ways of the big government and the big boss, instead of trying to relieve the pressure brought to bear by these two forces, has led directly to today's situation. The Chrétien government had the short-term ability to deny change because it had a majority in the House of Commons. No more.

Of the two great forces at play, take regionalism first.

Colour a political map of the country: the West is blue Tory, Ontario is red Liberal, and Quebec is another shade of blue thanks to the Bloc. The Atlantic region is mostly red, but with only 8 per cent of the country's population it will inevitably be a

taker rather than a maker of events to come.

While the regionally dominant party did not actually get a majority of the votes in any of these areas, in each it represents a strong regional sentiment. The simplest is to be found in Ontario: "I'm all right Jack, and Canada's fine." There is no real interest in change – Ontario owns Queen's Park and Ottawa, and the universe is unfolding as it should.

In Quebec, the sentiment was, is and will proudly be that of a "distinct society," no matter for which party Quebecers vote. The only issue is how to put meaning to those words. Gilles Duceppe claims that the last election added wind to his sovereignty sails,

**The reinvigorated forces are two: regionalism and the urge to democratic reform. These two forces dramatically invaded the nation's capital in the election of 1993, when the rise of Reform and the Bloc Québécois signalled a whole new era.**

and he is entitled to do so. For some reason the English-language press has taken to ignoring the polling regularly done by Léger Marketing on the 1995 referendum question. Immediately before the June election, the Yes (for sovereignty) stood at 52 per cent, an all-time high save just before the 1995 referendum which the Yes side almost won. This is not unimportant. Though of course this number goes up and down over time, it need be over 50 per cent only once at the time of a referendum to cause a lot of change. This issue is not going away.

In the West the regional mood may be consolidating. Manitoba has always felt closer to Ontario than to the remaining

western provinces, but the Liberals lost seats there, and in Saskatchewan they were shut out except for the redoubtable Ralph Goodale. British Columbia has always considered Ottawa part of the problem rather than part of the solution, but up until now we have been too busy enjoying this wonderful province to do anything about it. The province now has its most powerful federal ministers in a generation. This may draw B.C. closer to Ottawa, but B.C. also has more small separatist parties than ever.

In Alberta things are clearer. Elected "Senator-in-waiting" Ted Morton (about to enter provincial politics full-time, with his eye on the premier's job, some say) writes of the need for an "or else" strategy. For Morton and his many supporters, "or else" does not mean sovereignty; rather, it means a "firewall" strategy of transfer of power to the province and deep decentralization.

Premier Ralph Klein rejects the firewall, but he also made a calculated statement of Alberta's intention to go its own way by leaving the much-hyped September first ministers' conference on health care after only one day. And then the aforesaid conference unanimously approved a document endorsing asymmetrical federalism – for Quebec, to be sure, but also "for any province," said Prime Minister Martin.

Overall, we see congruence between a decentralized Canada as envisioned by most westerners and as envisioned by the Charest government in Quebec. Overlaps in interest, plus emotion, in due course lead to effective alliances. Just such an alliance is building in the new Council of the Federation. There are signs of the premiers now working together and hanging together, notwithstanding the traditional "divide and rule" tactics of the feds. This, if it endures,

will assuredly lead to a transfer of power from the centre.

As to the other great force, democratic reform, the sentiment for it is palpable. People are proud of their province, or of Canada, but they think the way government works is remote, uncaring, unrepresentative of their interests, unnecessarily adversarial, untrustworthy, wasteful and so on.

That is the impulse behind the long-frustrated but still strong movement to Senate reform. In 2003 two major new academic books were published on the Senate, a most unusual happening.<sup>1</sup> In September of this year the Fraser Institute released my study on the topic.<sup>2</sup> I first question whether fundamental Senate reform would actually be a good thing. Effective reform might legitimize Ottawa and reconcentrate power there, in the way that the introduction in 1913 of direct election to the U.S. Senate legitimized federal power south of the border. I then make the case that if, after sober second thought, you still want reform, a Citizens' Assembly is the only way to do it. The immense legitimacy of such assemblies can produce an irresistible political demand.

The general urge to democratic reform is the impulse behind the extraordinary support for the Citizens' Assembly on Electoral Reform in B.C. It is the most universally popular initiative I have ever seen in politics. Another reform, fixed-term election dates, is now a reality in B.C. and Ontario. Electoral reform is under active debate in Quebec and Prince Edward Island as well, and even broader change is being studied by a New Brunswick government commission.

Now, take these huge forces, newly supported, which Mr. Chrétien effectively denied for a decade. Then recall that there is

no longer a majority government in Ottawa. What does that mean?

Put simply, it means that deals are possible. Change is possible. And the government is no longer fully in control. Acting together, the three opposition parties control the House of Commons on many issues where they can agree. They cannot spend money or change taxes (money bills must originate from the government), but they can organize the business of the House and the membership and staff and work of committees to meet their ends.

It is unlikely they will act together on policy issues, where the government will retain control. It is not likely that the New Democrats, Bloquistes and Conservatives will be getting together on missile defence with the Americans, the legalization of marijuana, gun control or other such things. But through oversight powers, normally frustrated by government majorities on committees, the opposition parties share a common interest in continually embarrassing the government. Through changes in House rules, they will be able to bring forward pet projects that would normally never see the light of day because they are divisive. For the first time, control over "wedge issues" will rest with the opposition side of the House. We will see imaginative uses of this new freedom in the coming months, and Prime Minister Martin will have to take that into account.

From all of this we will have significant change. The form of reform is uncertain but – slowly in some areas, rapidly in others – the two great forces of regionalism and democratic reform will have their way. Mr. Martin will be far more comfortable with this than was Mr. Chrétien, and that should facilitate things as well.

The bottom line? Shifts in power. From the executive branch of Ottawa and the provinces to the respective legislatures. From the central government to the provinces. And of course, behind all of this

and assisting the change, lie the great currents of technology and globalization, continually empowering the individual – the real winner in what lies ahead. Heady times.

## Three intertwined victories

by Doug McArthur

HOW TO INTERPRET THE LAST FEDERAL election? Is it simply further evidence that the Liberal Party is the natural ruling party in Canada, and can only be forced to surrender its place by cataclysmic events? Is it a confirmation that the fragile right-wing coalition of economic conservatives, social liberals and Quebec nationalists dissolved in the early 1990s, never again to be put back together? Is it a confirmation that regional voting is now the rule, and that the decentralization sentiments of Quebec and Alberta are the dominant force in Canadian politics? Or is it – as I believe – simply a story of nationalist dominance in Quebec and vigorous party competition in English Canada within a system that favours two major parties, in which the one most able to execute an effective campaign wins?

Gordon appears to favour the third of these possibilities, in which we will now see Canadian politics dominated by an alliance of Quebec, Alberta and perhaps B.C. Like Preston Manning and a panoply of western populists before him, he concludes that the West has finally achieved real power.

This is largely wishful thinking. The provinces long ago bested the federal gov-

ernment in the competition for effective dominance over social programs. They have been winning this battle since Mulroney's government in the 1980s. This pattern actually accelerated in the 1990s and early 2000s. The Chrétien-driven children's agenda was conclusive confirmation of that. Huge dollops of federal money were handed out to the provinces with nothing more than a simple "trust us" in return, accompanied by a hollow declaration of victory for the federal role by the Chrétien Liberals. The recent health accord was not a new daring break with the past; it was more of the same.

The recent election establishes nothing new in terms of the power of the decentralizing westerners and Québécois. If the answer to the question, "What does the West want?" is dominance of social policy, it got what it wanted well before this election. For that westerners can thank Quebec, which they are not generous in doing.

Gordon also sees a victory for democratic reform in the election results. Since my best forensic skills can't detect even a trace of electoral reform stardust in the results, I simply chalk his enthusiasm on this theme to

fanciful exuberance brought on by preconceived illusions.

In my opinion, this election must be understood in more mundane ways, as a victory by the Liberals over the Conservatives, a victory by the Bloc Québécois over the Liberals and a victory by both the Conservatives and the Liberals over the NDP. These victories are intertwined, and must be disentangled before the results can really be understood.

The Bloc clearly triumphed in Quebec, confirming that the nationalist vote has become a permanent feature of the electoral landscape. The consequences of this are in some sense simple. Canada is going to be, as far into the future as one can see, held hostage to the threat of Quebec separation. Outside metropolitan Montreal, the other parties will never effectively compete in Quebec. Rather, the government of Canada and the provinces will have to pursue a policy of continuing appeasement – not a decentralization agenda as Gordon would like to see take place, but an agenda designed to placate Quebec nationalism. If Gordon sees this as an effective alliance with Alberta and B.C., as he seems to suggest, heaven help us. More likely it will simply mean an ever greater multitude of federal subsidies and special deals for Quebec (as in the case of the health accord and the sponsorship program).

More generally, the other parties lost in this election. This obviously includes the Liberals, who didn't get their cherished majority, lost ground in Quebec and made little progress in the West other than in central Vancouver. The NDP lost because it made only slight gains in the number of seats won, even though it nearly doubled its popular vote. The NDP captured neither

the progressives who should have voted for it in a time of Liberal weakness, nor the protest vote that it might have expected in the West. The Conservatives successfully retained disaffected populist western protest voters who had voted NDP before the rise of Reform.

The big losers, however, were the Conservatives. The stars were aligned for them after Paul Martin proved ineffective as the new Prime Minister. At an important time during the campaign, the Conservatives were ahead in the polls, and poised to form the government. But in the end they couldn't turn mistrust of Martin and the Liberals into even a minority government for themselves. The Conservative popular vote (30 per cent) rose somewhat relative to that of the Alliance in 2000, but fell well below combined Alliance-Tory support in that election (38 per cent).

The real question that needs to be addressed is why the Conservatives were so singularly unsuccessful in the face of such an opportunity.

The answer is threefold.

First, no more than three in ten Canadians trust the values they attribute to the Conservative Party. Canadians are fundamentally suspicious of any party that appears to equivocate about rights. The Conservatives fumbled the ball on this issue and scared people, including ethnic-minority voters who generally favour a more conservative agenda than that of the Liberals. Any defence of the notwithstanding clause was seen as a symbol of weakness on the issue of rights. So too was the Conservatives' disastrous handling of child pornography and same-sex marriage. They thought they were addressing narrowly crafted positions, but voters widely saw them as talk-

ing about broader values around rights. The core of the Conservatives' problem was that they are not certain about social rights, and this puts them out of step with a very large proportion of Canadians.

They were similarly seen as unreliable on value-oriented things that matter to middle-class voters, and particularly to women. They were not trusted on medicare, gun control and other fundamental Canadian institutions. Their apparent enthusiasm for a Bush-led United States signalled to people that they favoured the Iraq war, private health care, guns and a host of other matters that offend the Canadian middle class.

**The government of Canada and the provinces will have to pursue a policy of continuing appeasement – an ever greater multitude of federal subsidies and special deals for Quebec (as in the case of the health accord and the sponsorship program).**

Second, the Conservatives could not shake the impression that they are largely a western, rural and Christian fundamentalist party – in other words, that they are still the old Reform/Alliance party. The impression persisted because of their choice for leader and many of their candidates, the language they too often used and their failure to hold a policy convention that would have committed them to a “new national conservatism.”

Third, the Conservatives ran a disastrously bad election campaign. Canadians wanted change, and throughout the first half of the campaign signalled that they were willing to give the Conservatives a try in government. But the Liberals finally had

them for breakfast through the most basic and important of election tactics – fear.

The Liberal objective was simple: to define the election around fear of the Conservatives, their values and their likely policy on such things as charter rights, social programs and transfers to have-not regions. In short, the Liberals defined a Conservative government as one likely to be unfair and untrustworthy on values.

The Liberal tactics were brilliant, and the Conservatives had little idea what was happening and virtually no idea how to respond. In some respects they were trapped, because neither the party nor its core supporters nor its leaders support the values that they need to embrace to win in a Canadian election.

Meanwhile, the NDP got caught in a whirlwind that it couldn't handle. The Liberals reduced the election to a single question – vote Liberal or get the real Conservative agenda. The only effective NDP response would have been to target areas where the party's support was strong with a message that it was the best choice to block the Conservatives in those areas. Instead, the NDP made an inept attempt to make strategic voting a national question, and failed miserably. As a result, it never got the message through where it could have mattered.

So the Liberals were blessed with two incompetent competitors in English Canada. They saw the opportunity that the Conservatives opened up for them, and they made the most of it. Any strategist must give them full credit for taking control of their fading destiny when the other parties were largely paralyzed.

The message of the election is twofold. The first is that the best campaign won. So much for those who claim campaigns don't matter. The second message is very important, and

very different from that drawn by Gordon. It is that generally progressive values are deeply embedded with a large majority of the Canadian electorate. The Conservatives have a choice to make. Either they change how they see the world, or they languish as the stalwart defenders of socially conserva-

tive, rural, pro-American English Canada. If they ever want to govern, they will have to change. To change, however, will be a formidable task, for in most respects what they are seen as representing is exactly what their leaders, their activists and their core supporters want.

## A ho hum election ? I don't think so

DOUG SAYS THAT NOTHING MUCH IS NEW. For him, regionalization has been going on for so long that the war is won, except for further favours to Quebec. Democratic reform cannot be seen in the June election results. The results were driven by familiar politics that the Liberals get and the Conservatives don't. If the agnostic writing this reply to Doug can paraphrase the Book of Common Prayer without too much risk of a thunderbolt, the message is almost, “Canada as it was in the beginning, is now and ever shall be, world without end. Amen.”

I don't think so.

I begin with my last thought from the initial round – that the forces of globalization and technology are together simultaneously expanding the options of individuals and making more difficult their quest for identity. This quest privileges smaller governments closer to home, and it challenges the national state from below. The globalization force erodes the national state from above. And technology challenges all governments.

I contend that decentralization in Canada – subsidiarity, to be technically correct – is far from a completed process. Indeed, the coming battles over control of the spend-

ing power, shifting of tax points and control of appointments to the Supreme Court of Canada have hardly begun. The Council of the Federation will grow into a central player in these battles, as the provinces gradually develop a shared vision of the federation as it ought to be from their point of view.

A huge question is, will they be supported in this by the public mood? In the West and Quebec, yes. Ontario, where the spirit of Oliver Mowat may return at some point, will be crucial. But in any case the West and Quebec will in the long run not be denied.

In addition, cooperation with the provinces comes far more naturally to Paul Martin than it ever did to Pierre Trudeau or Jean Chrétien. (How curious to conflate a large man and a small one thus, but such are the particular facts.) This, I suspect, will be one of Paul Martin's legacies, and a good one. Federalism, after all, really is about diversity.

But the more remarkable contention in Doug's article is that the election results meant nothing for democratic reform. Of course they did! Begin – but only begin – with the fact that, again, Paul Martin is committed to such change. Even if he wasn't

committed, the election delivered an opposition capable of collectively changing the way the House of Commons operates – and it will do that. When the opposition can empower committees and in some cases direct House business, the world of Canadian politics changes.

But parliamentary reform is only one of several categories of democratic reform. Consider the others.

Electoral reform is now clearly on the national agenda. The official amendment of the Speech from the Throne, accepted by the government, confirms this. But even without such a symbolic nod, the demonstration effect of the B.C. Citizens' Assembly provides national electoral reformers with a huge boost.

Arguably the most important democratic reform lies in the areas of constitutional constraints and requirements. B.C. and Ontario have put fixed-term elections into law, and the Official Opposition has that in its program.

A much more muscular Freedom of Information law would be a democratic reform of great consequence. The opposition (produced by the aforesaid ho hum election) wants this, and it has the numbers to make it happen. There are no policy differences on this topic.

Yes, the June election mattered a great deal. It will either adopt or allow changes in the country of a kind that have been bottled up for years.

— Gordon Gibson

## Find what's there, not what you want

ELECTION ANALYSES SHOULD BE AS OBJECTIVE as possible in their assessments. It is important to set aside the early and still-to-be-assessed postelection developments, and to ask: what does the election itself mean? Gordon makes it hard to do this because of his tendency to find what he wants rather than what is in the results, and then to mix in the very early postelection politics whose meaning cannot yet be accurately assessed.

The first lesson to draw is that governance over the next years will be dominated by the appeasement of nationalist sentiment in Quebec. The clear and unambiguous success of the BQ means that the three other parties will be constantly pandering to Quebec sentiment, very often at the expense of sensible national policy. Bombardier, Air

Canada and the panoply of “Quebec losers” can rest comfortable that subsidies and favours will flow copiously. The West and other parts of the country will have to swallow their pride and accept it.

There will be special deals for Quebec in virtually every significant federal-provincial attempt at cooperation. There may very well be some kind of pharmacare plan in Canada, but Quebec will not play, and the rest of the premiers and the Prime Minister will happily claim to see no problem with that. Quebec will of course get our tax money to do its own thing. But it won't join any cooperative drug purchase arrangement, and it won't accept any form of national conditions or management.

Federal propaganda and vote-buying



In the end, the Conservatives couldn't turn mistrust of Martin and the Liberals into even a minority government for themselves. — DM

measures in Quebec will enjoy a continued privileged position. The sponsorship program will be replaced by some equally noxious scheme; “regional development” grants to Quebec will flourish and new forms of vote buying will be invented.

The second lesson is that none of these measures will contribute to a new decentralization of Canada. Sadly, given his need to find portents of big changes, Gordon will likely defend all of these measures as part of a new decentralized Canada until, unable to deny the truth any longer, he will once again become an embittered westerner.

Having inexplicably claimed a couple of times that electoral reform is his number one priority, Jack Layton will be bought off with process. There is no evidence that NDP voters cared about electoral reform or proportional representation. NDP voters clearly considered health care, tax reform, child care, the environment and education to be their priorities. Did Gordon snatch Jack Layton's brain long enough to implant it with a PR connector? Whatever the answer, don't credit or blame the election, of which any

attention to PR is at most an accidental consequence.

The third big lesson of the election is that values matter in Canada. If we accept the implications of Gordon's argument, the Conservatives must not and cannot take as theirs the majority Canadian values of today. This being the case, the election has set in play one of the most fascinating political projects ever in Canada.

The outlines are predictable. The Conservatives, taking the lead, will go flat out to convince Canadians to transform their values to conform more closely to those of the mainstream of the Conservative Party. The Liberals will in turn embrace current mainstream Canadian values like an impassioned lover, unrelenting in their defence of the good and beautiful. The NDP will fall into the trap of trying to be better Liberals than the Liberals, and will of course fail.

This contest has already begun. What is the likely result? A new Liberal dynasty is almost a certainty. The Conservatives? They will (helpfully to the Liberals) sound more and more like the mad uncle in the attic. And the NDP will be a sad and somewhat pathetic relic of what might have been. ■

— Doug McArthur

## Notes

<sup>1</sup> David E. Smith, *The Canadian Senate in Bicameral Perspective* (Toronto: University of Toronto Press, 2003); Serge Joyal, ed., *Protecting Canadian Democracy: The Senate You Never Knew* (Montreal: McGill-Queen's University Press, 2003).

<sup>2</sup> Gordon Gibson, *Challenges in Senate Reform: Conflicts of Interest, Unintended Consequences, New Possibilities*, Public Policy Sources No. 83 (Vancouver: Fraser Institute, 2004). Available online at <http://www.fraserinstitute.ca/admin/books/files/ChallengesInSenateReform.pdf>

# Now is it time for proportional representation?

by Finn Poschmann and Henry Milner

**In** THE 2001 ELECTION THAT ROUTED THE BRITISH COLUMBIA NDP government, the Liberals, with slightly over half the popular vote, won fully 77 seats in a 79-seat legislature; the NDP retained a little over a fifth of the vote, but won only two seats; and the Greens, who earned nearly a seventh of the vote, won no seats. It was a classic example of the tendency of our first-past-the-post (FPP) electoral system to overreward the frontrunner. In response to general dissatisfaction with the lopsided outcome, Premier Gordon Campbell invited Gordon Gibson (whose comments on the last federal election can be found on page 70 of this issue) to recommend a process whereby the province could consider alternative electoral systems. He recommended what became the British Columbia Citizens' Assembly on Electoral Reform. Just as we went to press, it reached a conclusion. Members of the Assembly recommended scrapping FPP in favour of the single transferable vote, or STV (see accompanying box). In the next provincial election, B.C. voters will decide between the assembly's recommendation and FPP. To change systems requires a supermajority of 60 per cent in favour of STV.

We invited two members of the Inroads editorial board to debate the pros and cons of change.

— The Editors

Finn Poschmann is a member of the Inroads editorial board and Associate Director of Research at the C.D. Howe Institute. The views expressed here are personal, and do not reflect the views of the Institute or its board of directors.

Henry Milner is co-publisher of Inroads. His edited book *Steps toward Making Every Vote Count: Electoral Reform in Canada and its Provinces* was published this summer by Broadview.

## That darned democratic deficit

by Finn Poschmann

MANY COUNTRIES AROUND THE WORLD have turned away from first-past-the-post election systems toward some flavour of proportional representation (PR). Is it time for Canada to take the leap, or is our status quo, the system that has selected Canada's federal members of Parliament since August 1867, muddling on well enough?

The June 2004 election starts the case for the status quo. Two parties were in the running to form a government: the Conservative challengers received a share of seats in the House of Commons all but indistinguishable from their share of the national popular vote, while the incumbent Liberals, owing to some regional concentration of voters among the minor parties, received a seat share higher than their popular vote. And owing to FPP, the minor parties (the Bloc Québécois and the New Democratic Party) did well enough in their strongholds to hold the balance of power in a minority parliament anchored by the Liberals. A deeply divided electorate selected a deeply divided lower chamber, in which every vote counts and every region will vigorously assert its interests. The result was a minority government that nonetheless has a mandate to govern.

And that is where a discussion of the merits of FPP, versus any particular implementation of PR, must be focused. An elec-

toral system must stand or fall on the basis of its systemic merits or demerits. In choosing an electoral system, the art is to produce results that facilitate governing, while not deviating too far from the distribution of voter preferences. Too large a deviation in too many elections will cost a democratic government first its legitimacy and ultimately its ability to govern.

Of course, many arguments heard for and against electoral reform are driven by tactical imperatives. When Paul Martin ran as an outsider for the leadership of the Liberal Party (despite its having been his lifetime home), his first formal pronouncements spoke of the need for democratic reform because he was aware of the intense regional animosity that had accrued toward the ancien régime. When it came to the general election, however, electoral reform was not front and centre for the Liberals. I find it hard to escape the conclusion that it suited his tactical fortunes to let the issue lie.

Not so for Jack Layton's NDP, he being able to read polls as well as anyone else. His party's relatively diffuse support meant that many votes would not turn into seats, and thus for him electoral reform became a call to arms. His call was loud enough that reform made it onto the agenda laid out in the fall 2004 Throne Speech. Layton has followed in the footsteps of the late Lord

Jenkins in the United Kingdom, whose Liberal Democratic Party was electorally eviscerated by Tony Blair. Asked to chair a review commission on electoral mechanisms that reported in 1998, Jenkins discovered that with a dose of PR the kingdom would elect — more Lib-Dem MPs, which he clearly saw as a good in itself. Presumably Jack Layton would sympathize.

Focusing on the systemic merits of electoral change instead of these tactical considerations lets us address more important questions. FPP tends to consign to defeat the unsavoury extremes, such as the nasty characters that have graced the Austrian and Italian political stages from time to time. Israel's experience with a 1 per cent threshold for entering the Knesset has produced numerous unholy parliamentary alliances and revolving cabinet games. Now, point-

ing to one or another embarrassing parliamentarian will not do as a critique of an electoral system, but it is legitimate to point out that, while dubious members inhabit every community, PR makes it easier for them to get elected.

The most common critique of PR is instability: the repeated collapse of the tenuous coalitions that PR tends to produce creates policy uncertainty and doubts about the long-term capacity of any particular government to govern. There is something to this critique, and Italy's numerous post-war governments and Israel's fractious cabinets are the usual examples.

PR's bigger problem is that it entrenches in power the leadership of the major parties. For most of the half century following World War II, no matter how Italian voters might twist and turn, they found themselves

ruled, after a fashion, by a government dominated by the Christian Democrats and the Socialists. Governments fell routinely but the same cast of characters shuffled cabinet chairs and rambled on as before. The end came with the emergence of a regionally dominant, business-friendly party that ran on an anti-corruption campaign. The Northern League exploited a sense of regional exclusion and disgust to muscle a place in government. It was important for Italy's political and economic growth that its aged and habit-encrusted power brokers be turned out, and it was regionalism that did it. However, PR made it harder, not easier, to turf out the broadly unwanted permanent governing parties.

Another strike against PR is the quality of policy choices that cohabitating governing parties make. This is a dynamic problem: a junior coalition partner that supports the dominant party's position is readily forgotten and electorally unrewarded. Coalition members may oppose socially preferred policy choices precisely *because* they are the right thing to do. From the perspective of the junior partner, to support the dominant party's policy choice may be counterproductive — such support demonstrates the irrelevance of the junior partner. This is a systemic flaw in coalition government, and one encouraged by PR.

Placing a high threshold for obtaining parliamentary representation partially addresses the problem of fringe parties' corrosive power under PR. But it cannot fix the dynamic ills of decision-making within a coalition or the inevitable impact of power politics and party entrenchment. For instance, political affiliation dominates a large part of cultural life in Israel. Certainly, PR in Canada could not be expected to reduce

partisanship or the rewards to aggressive regional political activism.

Electoral systems are part of the web of legal and civil institutions that societies construct to govern themselves. The parts of the web interact and co-evolve, and changing one part may have undesired consequences for another.

Thus, New Zealand's recent experience with PR has delivered a bizarre lesson in institutional change: what happens when members go rogue and the normal constraints of party power malfunction? After living with PR for one term, New Zealand's parliamentarians realized they needed a law forbidding themselves from crossing the floor. After all, they reasoned, if the share of the national vote a party wins should in principle fix a party's number of votes in the chamber, then crossing the floor cannot be allowed. But what to do when one of the list members peers into her heart and discovers herself conscience-bound to vote with other parties?

The answer so far has been to sue. Richard Prebble, the otherwise kind and sensible former leader of the ACT Party of New Zealand, is arguing before the Supreme Court that Donna Awatere Huata's votes and speeches outside the chamber have demonstrated that she is an unfit member, and that the country's voters deserve another who will vote as expected. It is an embarrassing spectacle, and no one yet knows the outcome. For elected members, what are the implications for the concept of free speech and voting one's conscience? I am glad that it is they and not we who are posing that question.

Perhaps Canada's electoral institutions do need repair — we have our share of political entrenchment, corruption and regional angst. What is missing is evidence that any particular flavour of PR, given its well-known sys-

The **SINGLE TRANSFERABLE VOTE** system (STV), as proposed by the British Columbia Citizens' Assembly on Electoral Reform, allows voters to rank candidates. The goal is to assure that the distribution of elected members follows more closely the public distribution of preferences than does FPP, while avoiding the danger of political parties exercising excessive power in choice of elected members. Under STV, each voter ranks all candidates in order of preference. When all votes have been cast, a winning quota is set. To be elected, a candidate must gather enough votes to exceed the quota. STV uses an iterative vote counting system, in which the votes of losing candidates and the excess votes of winning candidates are reallocated to accommodate voters' ordinal rankings. There are many variations on this system; the B.C. Citizens' Assembly has recommended a multimember-constituency form of STV, with some details still to be worked out.

The Law Commission of Canada proposes a **MIXED MEMBER PROPORTIONAL** (MMP) system to elect a 308-member House of Commons. The Commission's proposal is modelled on that used in the new Scottish Parliament and Welsh Assembly. Voters in each region (each province constitutes a region except Ontario, which is subdivided into four electoral regions, and Quebec, subdivided into two regions) would be given two votes, one for a candidate in a single-member constituency (two thirds of seats), the other for a party list (one third of seats), with candidates permitted to run both in a constituency and on the list. The list seats are allocated to the parties in a compensatory manner, to bring the combined (constituency plus list) party totals as close to proportionality as possible.

temic flaws, will provide the needed repair. Each step toward PR suppresses local voices and choices and elevates disparate and inchoate ones, which are of course manipulated by party insiders.

PR advocates argue that FPP denies adequate representation to marginal voices that are geographically dispersed. But a political party ought to walk before it runs. And FPP has not barred new voices: from the Parti Québécois and Saskatchewan Party at the provincial level to Reform at the federal level, FPP has allowed new parties to enter legislatures, and in some cases to govern. The recent emergence of the federal Conservative Party reflected the centre-right's acknowledgement of FPP's imperative to change from within, in search of broader public support in more regions. This was surely not a bad thing. Under PR

the accommodation would have been unnecessary, and the debates in the House of Commons more extreme.

Elements of PR have been used before in Canada's provinces and may again, but in recent years other jurisdictions have reduced their reliance on PR. Commissions on electoral reform, in Canada and elsewhere, have killed many acres of trees, yet I see no case, let alone a compelling one, for surrendering the requirement that a party command a majority in some geographically defined constituency – somewhere, anywhere – thereby demonstrating its ability to bring a community onside with its policies.

Until the case for change is made, if you want to win a voice in Parliament, convince your friends and neighbours you deserve one. Then the rest of us might hear you.

## We need a fair system

by Henry Milner

FINN BEGINS BY TELLING US THAT AN electoral system must stand or fall on its systemic merits or demerits. I agree. But I disagree that, on that basis, our FPP system stands and PR falls. Finn's accusations against PR apply mainly to Italy and Israel. The reasons for the failings he notes are either unrelated to PR or relate to some specific feature of PR as practised in these countries.

In Finn's account, PR stands accused of three sins: (1) allowing the election of the "unsavoury extremes"; (2) entrenching in power the leadership of the major parties; and (3) rendering coalitions unstable since

small parties need to distinguish themselves. The assertion that PR tends to produce policy uncertainty and weak government reflects conditions in Finn's two favourite examples, Italy and Israel. These are two countries with effectively no electoral thresholds for obtaining parliamentary representation. All serious PR advocates in Canada want a meaningful threshold – the report tabled in March 2004 by the Law Commission of Canada calls for an electoral support threshold of 5 per cent.

As for entrenching in power the leadership of the major parties, the example

brought forward is again Italy. It is true that Christian Democrats dominated post-World War II Italian governments. But this was due not to the electoral system but to the fact that, since the competing large party – the pro-Soviet Communists – was excluded from any role in government, numerically no meaningful government could be established without the Christian Democrats. Moreover, because Italy allowed secret votes in Parliament – a perverse provision unrelated to the electoral system – coalitions negotiated by party leaders were undermined by anonymous backbenchers. In short, judging PR by Italy is similar to judging FPP by India.

Turning to our own experience, Finn and other critics are prejudging the performance of parties under PR by FPP minority situations – like that in the current Parliament. Under FPP, parties know that minority governments are likely to be short-lived, and act accordingly; under PR, they know that provoking the premature fall of a minority government will not bring majority government, but it could very well bring punishment from the electorate.

Finn concludes that the offsetting benefits of PR are hard to see. Perhaps that is because he is not looking for them. Were he to do so, he might begin with FPP's inherent unfairness: the fact that votes do not count equally. He implies that fairness is more or less irrelevant. It is true that, in the Canadian context, the NDP will benefit from change, and the Liberals will lose, but most people find something deeply unfair in the fact that NDP voters have been consistently underrepresented in seats. To use an Italian metaphor, the leaning tower of Pisa always leans in the same direction.

Moreover, even when the overall result is not too far from overall proportionality – and

the 2004 result was unlike the three previous federal elections in this respect – regional distortions are large. For example, in 2004, the Conservatives and NDP, instead of being shut out in Quebec, would have won six and three seats respectively under the Law Commission's proposed PR model.

The political effects of these distortions should not be ignored. In close ridings, voters are often forced to act against their real preferences. Under a more proportional system, we could have avoided the dismal spectacle of Paul Martin appealing to New Democrats to vote Liberal not because his party's program was close to their objectives, but to keep out the dreaded Stephen Harper. To avoid FPP's effects on a divided right, the Progressive Conservatives and Alliance sacrificed their core principles and entered into a forced marriage. Under PR, they need not have done so.

The real advantage of PR is that, unlike FPP, it makes every vote count – even in areas where a voter's preferred party is weak. Adopting PR should at least slow down plummeting turnout, a problem not to be ignored: the June election, though one of the most competitive in years, drew a record low turnout. PR also tends to make Parliament more reflective of the population's ethnic and gender composition.

Finn pokes fun at New Zealand's difficulties in dealing with MPs elected from a party list who abandon their party. In 1993, New Zealand abandoned FPP and adopted the Mixed Member Proportional form of PR. Admittedly, MPs who cross the floor have posed a problem. Nevertheless, New Zealand parliamentarians, required by law to evaluate the new system a decade after having dispensed with FPP, did not consider returning to the status quo ante. ■

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