



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: *Figuroa 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 Quebeckers 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>