



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
OTTAWA, CANADA  
K1A 0A6

The Standing Committee on Procedure and House Affairs has the honour to present its

## **FORTY-THIRD REPORT**

The Committee is pleased to table this report pursuant to the Order of Reference of November 25, 2004 from the House of Commons:

That, further to the Address in Reply to the Speech from the Throne, the House instruct the Standing Committee on Procedure and House Affairs to recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options.

Canada's current electoral system is the result of cumulative changes that have been made since the time of Confederation. Our parliamentary and electoral systems trace their origins to the Westminster system of Great Britain. Today's electoral system, however, bears little resemblance to the one that was in place in 1867. In the years following Confederation, the administration of elections was a haphazard and highly politicized process, and the right to vote was severely limited. Today, the electoral system has evolved to the point where there is universal suffrage; elections are run by a professional, independent, non-partisan agency governed by highly specific procedures; and candidate and party finances are carefully regulated.

An electoral system is never rigid or static; it must continually evolve to meet new circumstances and challenges. Moreover, electoral reform can also not be seen in isolation. In introducing reforms to the electoral system, care must be taken, as changes in one area may have implications elsewhere. Changes to the electoral system will invariably affect how Parliament operates. There are issues that impinge on electoral reform, but may, for various reasons, be difficult or impossible to deal with: Senate reform, the guarantee of seats to individual provinces, the size of the House of Commons, fixed election dates, direct democracy, mandatory voting, and so forth.

Various concerns and criticisms have been voiced about the Canadian electoral system. A major source of worry for many Canadians, and many Parliamentarians, is decreasing voter turnout in Canadian elections. It is a particular concern that young people, and certain ethnic and social groups, are less likely than others to vote. This problem is not unique to Canada – it is shared by many other countries – but its implications are profound. Another concern for many people is the lack of representativeness of Canada's elected politicians: women and other minority groups are under-represented in the House of Commons, despite efforts in recent years to include these groups. Other Canadians are concerned at the lack of proportionality between the votes cast in an election and the representation of parties in the House of Commons (and in provincial legislatures). Some feel that this leads to voter apathy, because voters feel that their

votes do not count, and that it can also exacerbate regional differences and tensions. Public cynicism generally towards the political process and Parliament is an over-arching concern for many people.

No electoral system is ever perfect, and there is always room for improvement. The Canadian system has many positive attributes yet there are numerous areas where reform and changes have been urged.

In recent years, there has been discussion about the introduction of some form of proportional representation (PR). Since the 1960s, some political scientists, having identified flaws in the Canadian electoral system, have been advocating the adoption of proportional representation. In 1979, the Task Force on Canadian Unity (the “Pepin-Robarts Task Force”) recommended that a degree of proportional representation be added to the Canadian electoral system, by the addition of seats to the House of Commons. This proposal was made in the context of redressing regional alienation. In 1985, the Royal Commission on the Economic Union and Development Prospects for Canada – the Macdonald Commission – considered alternatives to our present system, including proportional representation. In 1992, the Royal Commission on Electoral Reform and Party Financing (the “Lortie Commission”) published a comprehensive four-volume report on the federal electoral system. It did not discuss replacing the single-member constituency, plurality voting system (often referred to as “first-past-the-post”).

The momentum for electoral reform has increased in recent years, particularly at the provincial level. In all four of the provinces that have completed their studies of electoral reform, a form of proportional representation has been recommended.

- British Columbia adopted an innovative approach with the creation of a Citizens’ Assembly on Electoral Reform. It had 160 members, selected by draw from a list of names that reflected the gender, age and geographical make-up of British Columbians. The Assembly spent nearly one year deliberating on whether British Columbia should change its electoral system. In December 2004, it submitted its final report, in which it recommended the single transferable vote (STV) system for British Columbia. The proposal was put to the voters of British Columbia as a referendum question during the provincial election held on May 17, 2005. Although the proposal was approved by a majority of voters, it did not attain the required 60% approval of ballots cast province-wide and by a “simple majority” of the ballots in 60% of the 79 electoral districts.
- In New Brunswick, the government established a Commission on Legislative Democracy in December 2003. The eight-person Commission was given a broad mandate “to examine and make recommendations on strengthening and modernizing the electoral system and democratic institutions and practices in New Brunswick to make them more fair, open, accountable and accessible to New Brunswickers.” In its final report, released on January 19, 2005, the Commission recommended a regional Mixed Member Proportional system that would combine 36 single-member riding seats with 20 list PR seats, elected within four approximately equal-sized, multi-member, regional districts. In order to implement this change, the Commission advised that the Government of New Brunswick hold a binding referendum no later than the next provincial election so that,

should the change be accepted, it could be in place in time for a provincial election in 2011. The Commission made recommendations about many other matters, including the adoption of fixed election dates.

- In March 2003, the Estates General on the Reform of Democratic Institutions (the B eland Commission) presented its report to the Quebec government. In addition to studying the reform of the voting system, the Commission looked at such issues as lowering the voting age and fixed election dates. The Steering Committee for the Estates General visited twenty communities in Quebec and held 27 public hearings. The Estates General was held in February of 2003 where 1,000 people were brought together to deliberate on these issues. The Commission recommended a change in the voting system to a form of regional proportional representation that would add compensatory measures to correct for proportionality while maintaining the link between the citizen and the representative. While the Quebec government has not adopted the recommendation of the Estates General, it introduced a draft bill in the National Assembly in December 2004, which, among other reforms, proposes a mixed electoral system in which voters would have one vote. A committee of the National Assembly will undertake extensive public consultations on the changes recommended in the draft bill.
- In January 2003, the Government of Prince Edward Island appointed a retired Chief Justice of the Supreme Court of Prince Edward Island to examine options for reform of the Island's electoral system. The Commissioner's report in December 2003 recommended a Mixed Member Proportional system, as well as further study of the issue, including more public consultation. On December 16, 2004, the Legislative Assembly passed a motion directing the Standing Committee on Legislative Management to appoint an eight-person commission to be known as the Commission on Prince Edward Island's Electoral Future. The Commission is required to develop and conduct a public education program to increase understanding of first-past-the-post and the Mixed Member Proportional systems, develop a clear and concise plebiscite question, and to make a recommendation on when the plebiscite on this matter should be held.
- In Ontario, the provincial government announced on October 23, 2003 the creation of the Democratic Renewal Secretariat, to be located within the Ministry of the Attorney General, with a mandate "to modernize Ontario's democratic institutions so that they more fully reflect 21<sup>st</sup> Century realities." This includes such elements of the electoral system as Internet and telephone voting, transparent and effective limits on money in politics, fixed election dates, and ways to get more young people involved in the democratic process. In November 2004, the government further announced that a citizens' assembly will be created to examine the first-past-the-post electoral system and to recommend possible changes, with a referendum to be held if an alternative electoral system is recommended. On March 7, 2005, the government tabled democratic renewal legislation. If passed, the legislation will give Elections Ontario the ability to select volunteers for the Citizens' Assembly on Electoral Reform.

The issue has also been placed on the agenda at the federal level. In March 2004, the Law Commission of Canada published a report *Voting Counts: Electoral Reform for Canada*, in which it recommended that Canada adopt a Mixed Member Proportional system for elections to

the House of Commons. This report was based on extensive research and a multi-faceted citizen engagement strategy. This engagement process included public consultations, special events and forums, contact with local community groups, and a web-based questionnaire, in addition to a program of research. The goal of the Law Commission was to ensure that a broad and diverse cross-section of citizens had an opportunity to share their thoughts and provide feedback. In order to facilitate the process of reform, the Law Commission recommended that the federal government prepare draft legislation on the Mixed Member Proportional system recommended in the report. The report further recommended that once legislation was drafted, a parliamentary committee could use the legislation to initiate an extensive and inclusive public consultation process.

Our Committee approached this study by hearing from a number of witnesses. These included representatives of the Law Commission of Canada; representatives from various groups involved with public policy; academics who have studied issues relating to electoral reform and public consultations; and representatives of various provincial initiatives involving reviews of electoral systems. A complete list of witnesses is annexed as an Appendix to this report. All of these individuals and groups have been extremely helpful in providing members of the Committee with valuable insight on how to approach the issue of electoral reform, the ways in which to review the existing electoral system, and how best to consult with and engage citizens.

In March 2005, members of the Committee divided into two groups and travelled to several countries in order to examine at first hand the experience of electoral reform and to see how those countries had consulted and engaged citizens in the reform process. Seven Members travelled to Edinburgh, Scotland; London, England; and Berlin, Germany, while six other Members travelled to Wellington, New Zealand, and Canberra, Australia. During these trips, the Members had the opportunity to meet with a wide variety of politicians, academics, representatives of political parties and electoral commissions, and persons involved with electoral reform, among others, and to study at close hand the systems in these countries, and the processes of reform that were utilized, where applicable.

As the Order of Reference makes clear, our mandate is to recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options. In undertaking our study, it was inevitable – indeed, it was necessary and desirable – for us to examine some of the types of reforms that could be made. Many of the witnesses and the people that we met discussed the advantages and disadvantages of proportional representation, and various changes that could be considered to the Canadian electoral system. In the final analysis, however, this report is necessarily concerned with the process for examining the electoral system, rather than with the examination itself.

Despite different approaches to the study of electoral reform, it is clear that no contemplated change can be done without citizen engagement. A successful consultation strategy will ensure that the process is, and is seen to be, objective, transparent and accountable. Citizen engagement also gives legitimacy to the recommendations that are made. The electoral system must reflect the views, the priorities, and the values of Canadians, and their involvement is essential.

At the same time, the Committee feels strongly that Parliamentarians also have an integral role to play in any evaluation of the electoral system and of any proposed changes. Ultimately, any decision to change the electoral system is a political one. Many of the Members of the Committee have strong views on the necessity for electoral reform, and types of changes that should be considered. The witnesses that we heard from, and our visits abroad, provided considerable insight into the alternatives that are available, and their relative strengths and weaknesses. In particular, the applicability of proportional representation to Canada, including its different elements, is an issue on which all Members have perspectives based, in part, on their political experiences and their study of different electoral systems. The views and experiences of Members are an important component of approaching electoral reform.

After careful consideration of all of the issues and perspectives, the Committee has decided to recommend the following process for examining our electoral system and the options. Our proposed system is designed to engage both citizens and Parliamentarians, and attempts to do so in a timely manner. It does not presume that any particular reform will be adopted, or, indeed, whether the current system should be reformed. It is, however, intended to provoke a public discussion and debate on the merits of electoral reform. Careful scrutiny of our electoral system is more important than ever, and will ensure that it continues to mirror the values of Canadians and promotes our commitment to democratic institutions.

**The Committee recommends the following process:**

- 1. That the government launch a process of democratic and electoral reform to begin no later than October 1, 2005 and to be completed by February 28, 2006;**
- 2. That the process involve a special committee of the House of Commons, and a citizens' consultation group;**
- 3. That the purpose of both the special committee and the citizens' consultation group is to consider and make recommendations on strengthening and modernizing the democratic and electoral systems. The citizens' consultation group would make recommendations on the values and principles Canadians would like to see in their democratic and electoral systems. The special committee would make recommendations on the specific components of Canada's democratic and electoral systems. Each would take into account an examination of the role of Members of Parliament and political parties; citizen engagement and rates of voter participation, including youth and aboriginal communities; civic literacy; and how to foster a more representative House of Commons, including, but not limited to, increased representation of women and minorities, and questions of proportionality, community of interest and representation;**
- 4. That the special committee hold hearings across Canada, including at least one hearing in each province that has, as of October 1, 2005, begun a review of reforms to its electoral system, and at least one meeting in one of Canada's territories, and invite to its hearings the head of each of the provincial commissions or groups that is, or has been, reviewing electoral reform;**

5. That the special committee invite to its hearings at least one representative of the government party and one representative of each of the opposition parties represented in the legislative assembly of each province of Canada, and where possible, ensure that these representatives are the spokespersons for their parties on the subject of electoral reform;
6. That the special committee also consult with, among others, experts, citizens' associations, business and trade union groups, academics and other organizations interested in the electoral system and its reform;
7. That the special committee and the citizens' consultation group hold a joint session in mid-November, at which time they would share their preliminary findings;
8. That the special committee complete its out-of-Ottawa hearings no later than Friday, December 16, 2005;
9. That no later than January 30, 2006 the citizens' consultation group would present its report to the special committee, which would make it public, and to the Government. The Government would make the report public if Parliament is not then in session. The report of the citizens' consultation group would summarize the values and principles that Canadians would like to see embodied in their electoral system;
10. That the special committee table its report in the House of Commons no later than February 28, 2006. After taking into account the report of the citizens' consultation group, it would make recommendations on Canada's democratic and electoral systems.

**APPENDIX  
LIST OF WITNESSES**

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<i>Organizations and Individuals</i>	<i>Date</i>	<i>Meeting</i>
<b>Law Commission of Canada</b> Steven Bittle, Senior Research Officer  Bernard Colas, Acting President	01/02/2005	17
<b>University of Ottawa</b> Nathalie Des Rosiers, Dean, Faculty of Civil Law	01/02/2005	17
<b>Canadian Policy Research Networks</b> Judith Maxwell, President  Mary Pat MacKinnon, Director, Public Involvement Network	08/02/2005	19
<b>Institute for Research on Public Policy</b> Leslie Seidle, Senior Research Associate	08/02/2005	19
<b>Public Policy Forum</b> Jodi White, President	08/02/2005	19
<b>Royal Roads University</b> Anne Dale, Professor, Faculty of Science, Technology and Environment	08/02/2005	19
<b>As an Individual</b> Claude Béland, Mouvement démocratique et citoyenneté du Québec	22/02/2005	23
<b>Government of New Brunswick</b> David McLaughlin, Deputy Minister, Commission on Legislative Democracy	22/02/2005	23
<b>Dalhousie University</b> Peter Aucoin, Professor, Political Science	09/03/2005	24
<b>University of Montréal</b> Louis Massicotte, Associate Professor, Faculty of Arts and Sciences - Political Science	09/03/2005	24

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<i>Organizations and Individuals</i>	<i>Date</i>	<i>Meeting</i>
<b>University of Saskatchewan</b> David Smith, Professor of Political Studies	09/03/2005	24
<b>The Fraser Institute</b> Gordon Gibson, Senior Fellow in Canadian Studies	10/03/2005	25
<b>University of British Columbia</b> Ken Carty, Professor of Political Science	10/03/2005	25

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## **REQUEST FOR GOVERNMENT RESPONSE**

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant Minutes of Proceedings (*Meetings Nos. 17, 19, 23, 24, 25, 28, 35, 36, 37, 39, 40 and 41*) is tabled.

Respectfully submitted,

*Hon. Don Boudria, P.C., M.P.*  
*Chair*

## **SUPPLEMENTARY OPINION OF THE CONSERVATIVE PARTY OF CANADA**

Conservative members of the Committee on Procedure and House Affairs support the process recommended by the committee, and played a significant role in ensuring that the proposed process would be as open to multi-party input and as sensitive to regional concerns as possible.

However, Conservative members of the committee would have preferred to establish a national Citizens' Assembly on the model of the one that was used to design electoral reforms for British Columbia. We regard the Citizens' Assembly model as being distinctly superior, by every measure of inclusiveness and openness (geographic balance, gender balance, etc.) to the process that has been advocated by the committee.

The BC Citizens' Assembly produced a proposal for electoral reform that—setting aside any consideration of the proposal's specific merits—was supported by 57% of participating voters in a province-wide referendum, and by majorities in all but two of the province's 79 electoral districts. This is a greater level of popular support than has been achieved by any previous electoral reform proposal at the federal or provincial level, of which we are aware.

Part of the reason for the popular success of the electoral model proposed by the Citizens' Assembly is that it had been designed by a representative, randomly-selected group which nobody could accuse of being motivated by partisanship, a desire to protect any specific special interest or group of special interests, or by pressure to achieve elite accommodation at the expense of the general good. It is perhaps for this reason that the Citizens' Assembly model is now being discussed with interest in a number of provinces by advocates of electoral reform (most notably in Ontario, which is preparing to establish a Citizens' Assembly of its own).

Conservative members of the Committee on Procedure and House Affairs also note that under the schedule proposed in this Report, it is possible that a Conservative government will be charged with the responsibility of acting on the recommendations produced by the process proposed in the Report.

Bearing this in mind, we note that we would be unwilling to make any changes to the electoral system that would weaken the link between MPs and their constituents, that would create unmanageably large ridings, or that would strengthen the control of party machinery over individual Members of Parliament. As well, we note that a Conservative government would not implement any proposal for substantial change to the electoral system, until the change is endorsed in a national referendum.

**SUPPLEMENTARY OPINION**  
**OF THE BLOC QUÉBÉCOIS**

The Bloc Québécois would very much have preferred to endorse the Committee's report unreservedly, but unfortunately we are not entirely satisfied with the Committee's conclusions on how to proceed with reform of the electoral system. While the Bloc Québécois Members of Parliament are not in Ottawa to defend the federal system, or to reform Canada's electoral system, we accept that such reform is necessary.

The Bloc Québécois supports the recommendations for the striking of a special House of Commons committee, but we have concerns about the creation of a citizens' consultation group. The Bloc Québécois recognizes the necessity of consulting the people of Quebec and Canada on any reform of the electoral system, but it deplores the lack of precision about such a group's mandate and the way it should be set up. For the moment at least, it appears that the Committee has given the government a blank cheque to form the group however it likes.

For a very long time now, the Bloc Québécois has been criticizing partisan appointments of returning officers for federal elections. That is why we tabled Bill C-312, designed to make such appointments impartial. The Committee's recommendations do not prevent the government from appointing members of the advisory group arbitrarily. Nor has the Committee indicated what the group's mandate would be. The Bloc Québécois thus has no choice but to be sceptical about the creation of this citizens' consultation group.

The Bloc Québécois supports most of the report's recommendations, and especially those dealing with the striking and mandate of a special House of Commons committee, but it would have liked more time to determine how the consultation and direct participation of the public in the reform process are to be provided for. Quebeckers and Canadians have an important role to play, and the Bloc Québécois is afraid that giving the federal government carte blanche to decide how they are to be involved will defeat the whole purpose.

Michel Guimond, MP  
Montmorency—Charlevoix—Haute-Côte-Nord  
Chief Bloc Québécois Whip