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Chair

The Honourable Don Boudria

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• (1535)

[English]

The Chair (Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.)): Order, please.

Colleagues, we are resuming consideration today of witnesses' testimony in relation to the motion that was adopted November 25, 2004. I read it to remind you, colleagues, that what we are studying is the following:

That, further to the Address in Reply to the Speech from the Throne, this House instructs 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.

That's the way the motion was drafted. Pursuant to that mandate, we have before us today a number of witnesses.

[Translation]

Pursuant to the Order of Reference of Thursday, November 25, 2004, study on electoral reform, we will be hearing today from professors Peter Aucoin, Professor of Political Science at Dalhousie University, Mr. David Smith, Professor of Political Studies at the University of Saskatchewan, and Mr. Louis Massicotte from the Department of Political Science in the Faculty of Art and Sciences at the University of Montreal.

Welcome to all our three witnesses.

[English]

I don't know if you've sorted out an order for who will make a presentation first. Have you thought of that, gentlemen?

Mr. Peter Aucoin (Professor of Political Science, Dalhousie University): We're not a troika.

The Chair: Professor Aucoin, do you want to go first, then?

Mr. Peter Aucoin: It's in alphabetical order. It might be best to do that.

The Chair: Thank you very much to the three of you for being here. Please make a brief statement, and then we will have colleagues intervening and asking questions.

I want to remind honourable colleagues that the bell will commence ringing at 5:15 p.m. There's nothing we can do about that, so we must have concluded our deliberations by that time.

Dr. Aucoin.

Mr. Peter Aucoin: Thank you, Mr. Chairman.

Thank you for inviting me here today. I want to speak to the following points, and I'll be as brief as possible. You have an outline of my presentation.

I want to start by saying that an electoral system that has to be assessed—and that's part of your terms of reference—should be assessed on two grounds. The first is how well it represents citizens, and the second is how well it promotes effective government. I say that because I think it's relevant to the question of the process you put in place. It's not neutral to it.

In terms of your mandate, it seems to me that a process of review has to include public education based on sound research; a dialogue with the public and political participants; and a well-informed and impartial assessment of the status quo against practical alternatives. Again, I remind you that it's an electoral process for parliamentary government, not just for electing people to the House of Commons.

I would argue that our Canadian experience demonstrates that a commission of inquiry is best positioned to do the following things. The first is to conduct a credible and respected research program. I think the best research programs that we've had on these sorts of matters in Canadian history are clearly those that have been associated with royal commissions.

Secondly, it's to educate citizens and political participants using various instruments, including interim reports, useful devices that have been used by several commissions.

Thirdly, it dialogues with citizens and political participants across Canada in a timely and meaningful fashion. I emphasize here especially the capacity to exercise a challenge function so that this is not just one-way speaking; so that commissioners can challenge the objectives and priorities that people put forward; and in particular on this subject, so that they challenge the various claims and facts that are made. One doesn't have to read very much in public deliberations about electoral system reform to find facts and errors punctuated all the way through these discussions.

Fourthly, I think the importance is both to be and be seen to be impartial in its assessment and recommendations about the electoral system.

Given all of that, and in particular the nature of this issue on electoral reform, which so fundamentally affects both elections and those who are candidates for elections, I think a commission should be complemented by a parliamentary committee that would do at least the following. It would review and assess the commission's interim report. It would dialogue with other MPs and representatives of those parties not represented in the House and at least talk to those two sets of people. Here in particular, I again think the challenge function is terribly important so that it's not just people talking into air but actually challenging each other. Thirdly, it would prepare a public report before the close of the commission's dialogue with citizens and political participants so that these matters can feed to the government, to the House, or to a referendum, however the next part of that process unfolds. But I don't make a recommendation along those lines, because I don't think that's in the context of your particular mandate for this committee.

I will say in conclusion, however, that I don't recommend the use of a citizens' assembly such as the one used in British Columbia. Various aspects of citizen dialogue, as has been suggested to you by previous witnesses before this committee, can be effectively used, but not the full citizens' assembly model. I don't think it's at all practical nationally, so you ought to just forget about it. It's not practical if you try to do the things it and only it can do well, so I just can't foresee that ever taking place. And there are other problems associated with it that I could perhaps address later, in discussion.

I'll stop there to stay within my allotted time.

• (1540)

The Chair: Thank you, Professor.

Next, Professor Smith.

Mr. David Smith (Professor of Political Studies, University of Saskatchewan): I'll just make a few preliminary points. The topic we're discussing is the voting system. That means the system by which ballots are cast and counted. At issue is changing the voting system. Just one of my peculiarities here is that I wouldn't use the word "reform", which I think actually has an implied meaning that really comes after you've examined it. I wouldn't talk about "reform".

I've set up my comments in three parts: research, consultation, and implementation.

With regard to research, Fair Vote Canada, which is an organization you may know, speaks in its literature of endless discussions and redundant studies with regard to electoral change. I would disagree with this. I think there's actually been very little study in Canada on the national voting system.

A decade or so ago the Lortie commission, the Royal Commission on Electoral Reform and Party Financing, specifically decided at the outset to retain the single member district plurality system or first past the post system, and it did not examine the voting system. There's no history in Canada of formal, institutionalized study of electoral matters as is found in the Hansard Society in England or comparable electoral bodies in Australia.

Fair Vote Canada and Democracy Watch are new phenomena in Canada in that they organize opinion on electoral and political matters. But unlike the Hansard Society, they are not research

organizations. They campaign for change to the voting system. If you look at the web page of Fair Vote Canada for March 1, 2005, it says that Fair Vote Canada is extremely disappointed with the democratic reform minister's speech; they're referring to his speech of a week or so ago. Fair Vote Canada says they want a citizen-driven, citizen-controlled electoral reform process with a specific deadline for a national referendum.

Yet research is needed on a number of matters on which any change in the voting system will have far-reaching consequences. These would include fairness among the political parties, effective representation of minority and special interest groups, effective aboriginal representation, political integration of the nation, effective representation of constituents, effective voter participation, effective government and effective Parliament, effective political parties, and finally legitimacy.

These are complicated issues because representation, the product of any voting system, is itself complex. As an example, let me note the executive summary of the Law Commission of Canada's report "Voting Counts: Electoral Reform for Canada". There, several concepts of representation, some of which I believe are mutually exclusive, appear in close proximity: one, representation as an activity, that is, the MP does something I ask him or her to do; two, representation as a mirror, where the MP looks like me or doesn't look like me; or three, even absent representation, where the MP is not the person I voted for. There are different ways of conceiving of representation and they're not necessarily compatible.

In any study of electoral change in Canada it's crucially important that balanced research of all options as they affect the issues I mentioned a moment ago be conducted. I do not think this research should be confined to Canadian scholars or to Canadian data. A large, authoritative literature exists in the United Kingdom and in the United States, countries that have used the first past the post system for several centuries.

I would also echo the caution noted by Philip Norton, a British scholar, in his brief to the Jenkins commission, that is, the United Kingdom Independent Commission on the Voting System: "Assessing the weaknesses of the existing system alongside the strengths of alternative systems would be intellectually dishonest and potentially disastrous."

So much for research.

With regard to consultation, I think there are really two models available. Professor Aucoin mentioned one, the citizens' assembly, which has been used most recently in British Columbia. It is really a constituent assembly, in this instance of two persons from each constituency grouped by gender and age to represent the provincial population. They used a mixture of seminars, creating a statement of progress, public hearings on that statement, submissions, deliberation, and a decision, and that decision will be put to the people of British Columbia in a referendum this May.

• (1545)

The citizens' assembly model is not logistically feasible for the whole country; it is too unwieldy. But philosophically, to my mind, it is also flawed because it removes the question of change to the voting system from where it should belong, that is to say, with Parliament.

The second model is a commission analogous to many commissions one might cite, the Romanow commission on health care most recently. There you have two stages, the first devoted to research and the production of an interim report, followed by a second Romanow commission, called a dialogue with the people and using the interim report as a basis for discussion, and that followed by a final report to Parliament.

The commission model would have a strong grounding in research and I believe would, taking into account the breadth and diversity of Canada, be better able than the constituent assembly model to do what the terms of reference of this committee say: engage citizens and parliamentarians in the examination of the electoral system. There's no doubt about the need to engage the public. No contemplated change of the electoral system today can do otherwise.

And finally, implementation. Expert research and public engagement are essential ingredients of any proposal to alter the voting system. Nonetheless, implementation should rest with Parliament. It is for Parliament to decide on the electoral system the country is to have, just as over the decades it is Parliament that has decided to extend the franchise, to alter the system of electoral redistribution, to introduce an electoral expense regime, and more. It would be an abrogation of Parliament's constitutional responsibility to delegate this decision to any other party, including the people of Canada.

Thank you.

The Chair: Thank you very much.

[*Translation*]

Mr. Massicotte, it is your turn.

Mr. Louis Massicotte (Associate Professor, Faculty of Arts and Sciences - Political Science, University of Montreal): Thank you, Mr. Chair.

[*English*]

I'll speak in French, and later I'll try to answer questions in either language.

[*Translation*]

The Chair: There's no need for you to justify using one language or the other.

Mr. Louis Massicotte: Of course it was just to warn you.

Ms. Pauline Picard (Drummond, BQ): We also appreciate it when French is spoken.

Mr. Louis Massicotte: I'm very pleased to have an audience.

Mr. Chair, ladies and gentlemen, I hesitated before accepting your invitation because the committee's mandate is to study the reform process and not its actual content, and my area of expertise is the content of the electoral reform. I do not have any original ideas on ways to carry out public consultations to suggest to you, but I will still attempt to provide you with a few thoughts on this subject.

Among people keen on electoral reform, two ideas have been making headway over the last few years, and given their substance, I would prefer to tell you right away that these ideas leave me feeling skeptical.

The first idea is that nothing is to be expected of Parliament, because Parliament is run by mean people called politicians, and that politicians, by definition, owe their seat to the existing electoral system. They will therefore maintain the status quo and sabotage any attempt at reform until the end of time.

The second idea is that an issue such as voting methods must be removed completely from the hands of parliamentarians and, in a democracy worthy of its name, be decided only by referendum. In fact, according to this thesis, no electoral reform can be carried out prior to being voted on by referendum.

These two theses are closely linked. If nothing is to be expected of parliamentarians, other than their glorification of the status quo, some will accept it, but many will draw the conclusion that politicians must be more or less completely excluded from the process and there must be more direct involvement by citizens if we want to bring the matter to a successful conclusion. These two ideas come up frequently in public debate, and according to some, are being looked upon as irrefutable evidence. Yet, when confronted with Canadian and world historical facts, both ideas, respectively, show themselves to be rather fragile.

Let us start with the first idea. There are certainly some situations where parliamentarians are opposed to any kind of reform. If on this point they are at odds with the public, the situation is regrettable. But if it were true everywhere and at any time, I would like someone to explain to me why in dozens of countries, for the last century and a half, parliamentarians have amended their electoral system on fundamental points and in some cases, have done so several times.

In Canadian provinces specifically, a good half dozen reforms to the electoral system was made between 1920 and 1960. In certain cases, a majority government imposed its will on the opposition. In other cases, the decision was more consensual. Everywhere, the process was strictly parliamentary. Therefore, it is certainly not true, in my opinion, to start from the premise that no change is possible through parliamentary means. Politicians do not necessarily represent, as some may advance, a compact block of hostile opponents to change. Some have an interest in keeping the status quo, others do not.

Now let us look at the second premise according to which a referendum is absolutely necessary. In principle, I am not opposed to referendums. If we decide to hold one on electoral reform, I would not go on a hunger strike on Parliament Hill. But are they indispensable? Let us look at that. Recently, I went through the world history of referendums with a fine tooth comb to see how many of them were on voting methods. You may have noticed that the same referendums are always cited for the same examples, and it's for good reason. Literally, one can count on the fingers of one hand countries in which a referendum on electoral reform was held at the national level. In other words, the vast majority of electoral reforms were carried out through the normal parliamentary channel.

In my humble opinion, one of the problems that arises with referendums on reforming the voting system, is that it is a subject that does not interest the masses. It is a subject that is of interest perhaps to professors like ourselves and MPs, but it is not to the masses. It is a common sense observation.

To win a referendum on this subject, voters have to get excited. In the heat of the action, we have to leave no stone unturned and, show the reform as some kind of panacea, a magic wand. We are told that party lines will disappear, that a majority of women will be voted to Parliaments, that voter turnout will skyrocket, and that overnight, politics will become a consensual exercise based on the one single rule of infinite love. It is said that proportional representation will give way to a loving world.

• (1550)

Believe or not, that was actually said. In other words, we run the risk of falling into the trap of a somewhat popularity-seeking rhetoric. If it were to succeed, the public would find out after the fact, that when it comes to empty promises, certain election reformers are not much behind certain politicians.

These two ideas, the static nature of Parliament and the popular head long rush are equal pitfalls to avoid in your work. You should be well aware that in one way or another, the first is conducive to the second. If, over the course of your work, you attitude and conclusions give us the impression that you are completely closed-minded, many will conclude that the only way the matter can be resolved is by resorting to what we can now call the BC model. It is a paradigm intended to find ways to bypass Parliament through the use of a citizens' assembly which would systematically excludes, almost proudly, any parliamentary contribution.

But be careful: if this paradigm wins over the minds of the public, one day a very high level politician may play the populist card and send a monkey wrench into the works. It was Gordon Campbell, in British Columbia, who launched the BC process, we must not forget this. Otherwise, when it comes to proposed reforms, we may find ourselves with a system that was shaped in complete ignorance of your concerns, even the most legitimate ones. In fact, a system that would be first designed to be sold to the population by referendum, and the main argument would be that since mean politicians were excluded from the process, this set-up can only be perfect.

Unfortunately, I do not have much time to talk to you about the measures being developed in Quebec on the provincial level with respect to electoral reforms, a project I have been involved in over the last few years as a technical advisor. It is an original project,

because it attempts to avoid the two pitfalls that I described earlier. The current government wanted to give representative democracy a chance to produce results. So rather than ignoring the questions and reservations parliamentarians have with respect to a mixed member proportional system or MMP we made a huge effort in providing documents to answer these questions.

The draft election's bill tabled on December 15, 2004 by Minister Jacques Dupuis was the fruit of consultations held by the Minister with members of the national assembly and other stakeholders. The tabling of this draft bill is a major accomplishment in this field simply because for the first time in the history of Quebec, a government was able to put forward a specific piece of legislation supported by detailed and thoughtful consideration, and submitted to caucus. This text will now be the subject of a public debate. Only the future will tell whether or not the government was right in taking this chance. We should know by the end of the year.

Thank you.

• (1555)

The Chair: Thank you very much, professor Massicotte.

Mr. Reid, of the official opposition, you have the floor.

[English]

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): May I just ask Mr. Massicotte to start with.... You said you could count them on the fingers of one hand, so I'm guessing it's five countries, one of which would be New Zealand, of course, and one would be Switzerland in 1919.

What were the other countries?

Mr. Louis Massicotte: I have a full list with me. I'll just be a second.

Mr. Scott Reid: While you're doing that, I might just mention that I'm not sure I agree 100% with you that this is something that doesn't necessarily engage the public. In Switzerland in 1919, the debate over what they called "*démocratie proportionnelle*" was in fact a very, very hot issue. Perhaps it is less so in British Columbia right now, but—

Mr. Louis Massicotte: The issue is, are we going beyond the norms of civilized democratic humanity if we do not hold a referendum on that? That's the issue, as I see it. My answer is, well, if that is true, there are lots of countries that are democratic outliers.

There are a number of countries. Let's start with Switzerland, which indeed is an example. There have been three referendums in Switzerland. Unfortunately, I can't find the paper, but from memory, there were three attempts through the constitutional initiative, which had been introduced in 1891. Attempt number one was in 1910. It was negative; the initiative failed. It failed also a few years later. It was successful only in 1918 or 1919.

The reason they had to go and use the initiative is that, in those days, the Radical Party was dominating Swiss political life. They were clearly in control. They were clearly favoured by the second ballot majority system, and they were sitting on the status quo, but the initiative allowed their opponents to use this channel and get the change, which they did.

Italy is another example, as you know, but Italy is very revealing. There are lots of people who tend to forget that, who overlook this specific fact. In 1992 there was an abrogative referendum initiative in Italy. The object of that initiative was to repeal one specific section of the election law for the Senate of the republic. The success of the referendum was understood as a signal, and the political class decided to pass new legislation for both houses. Neither piece of legislation was submitted to a referendum. The referendum was used only to launch the procedure, to send the message, but the final outcome was never put to a referendum. It was strictly a parliamentary enactment.

Mr. Scott Reid: We get only five minutes for questions and answers, so I apologize for this, but I just want to go to my central concern, which I've raised when I've talked about the situation in the past.

Inevitably, each of us, from each of the parties, can do the math and figure out which system is more likely to benefit us and which system is likely to be less beneficial to us. I think that is, at any rate, a problem. What I've struggled with is, how does one achieve a kind of what I would call the Rawlsian veil of ignorance, so that we go in not knowing who's going to be the beneficiary from a partisan point of view when we come out, so that we simply look at what is beneficial for the population as a whole? I don't know if you have any thoughts with regard to that specific question.

• (1600)

Mr. Louis Massicotte: You raise a very relevant point. Quite frankly, even after having scrutinized this area for years, I cannot tell with certainty what the interests of each party are in each situation, because we just don't know the future.

It is very easy to take the results, the outcomes of previous elections, and say what would have been the outcome with formula A, formula B, or formula C. That's the kind of thing we did within our proceedings.

It is relevant, and we are certainly quite satisfied with what has been done, but it is incomplete when it comes to making a decision for each party, because you just don't know what the outcomes of future elections will be. It's essentially unpredictable. So even for a party within a party, you have different....

A party is not a bloc—

[*Translation*]

Of course there is no pun intended.

[*English*]

Hon. Ed Broadbent (Ottawa Centre, NDP): The Bloc is a party.

Mr. Louis Massicotte: A compact entity composed of people who are entirely different.

I'm sure I'm well understood.

A party is composed of various individuals. Members do not see their own interest in the same way, so imagine what the public interest is. The general interest is also something very difficult to find.

In New Zealand, may I remind you that MMP passed only 54% to 46%, which means that lots of people saw the public interest in a way that was different from the one that prevailed.

[*Translation*]

The Chair: Thank you very much, professor. Ms. Boivin, you have the floor.

Ms. Françoise Boivin (Gatineau, Lib.): My question is for the three witnesses if they wish to discuss the matter. Not so long ago, we heard from experts who spoke to us about the importance of making a diagnosis at the outset. We are talking about reform—I don't know which one of you does not like the expression “electoral reform”, or reviewing our electoral system. Before mentioning different approaches, a diagnosis must be made, in order to identify what is wrong with our system.

I listened to Professor Aucoin and I felt that the impact on the public, the impact on Canadians would only appear at the end, once a report had been produced in which ideas were presented to the population. Did I understand what you said correctly? Should we not consult them earlier in the process? Perhaps I am the one who misunderstood what you said on this subject. When is the impact on Canadians going to be felt during this process, in your opinion?

[*English*]

Mr. Peter Aucoin: It's important to have people involved as early as possible in this kind of process. But at the same time it seems to me there's been some misconception about the way in which you proceed to obtain citizens' views on these sorts of issues. There has to be a sense in which you challenge citizens with their assessment of the status quo versus possible change.

There has been much talk in this committee about values and ascertaining them, but as David has pointed out, these values mean nothing until they become objectives that drive an assessment of reform. You have to bring them down from this high level—and many of them compete, remember, against one another. You have to have a process whereby you speak as early as possible—and not just to citizens; I think it's terribly important that you talk to the political participants. I'm not saying this because I'm in front of a parliamentary committee. The stakeholders here are everyone, but they're in particular those citizens who volunteer to participate in the political process, as you do. You have a role as a stakeholder here that other citizens don't have, because you volunteered in that way.

It also means you have a particular role, because going back to the point made earlier, you also have interests here, and that complicates things. It doesn't mean you're self-serving, but it does mean you have interests. That's why I think it's terribly important to have a commission to put forward a strong position on the system and then to allow people who have both views and interests, as you have, to take a position on it either for or against reform or a particular reform, the same way that you can put it to the public.

But there's not much point asking the public to participate unless you put some kind of document out. Otherwise, who do you get? You get people like ourselves or yourselves or people walking in off the street who have views on the issue. I think it's particularly important to put a document out. One of the documents I would like to see produced is a document that deals with a lot of the myths and inaccuracies. Every time you read a procedure on this system you go through it as a professor and say "wrong", "wrong", or else "right", but you don't quite understand it. I don't mean that in a condescending sense; it's just that the facts are wrong. It's not a difference of opinions, just facts. It is terribly important, I think, to get that straight.

If you want to have a dialogue with citizens, they have to be prepared to participate in that dialogue. You have to challenge them. I think this is one of the great strengths of royal commissions. The chairman of our royal commission, Pierre Lortie, dialogued with people, rather than just sitting back during the Lortie royal commission. When people made claims that were not substantiated, he'd challenge them on it. I think you want that kind of dialogue to go on in the process.

• (1605)

[Translation]

Ms. Françoise Boivin: Did some of you try to reach out to ordinary Canadians?

[English]

Other than you guys—the professors, the experts—how would you suggest to us that we reach these people?

Mr. Peter Aucoin: I think there are various things you could do, and you've had some witnesses before you who have expertise in how you do it. There are straight public hearings you can have, where you advertise and bring people in. You could have interim reports that could be prepared for people. You could try to select people on a random basis, almost like a survey basis. You could mimic some aspects of the B.C. assembly thing. Frankly, I think you have to do all those things these days, because you attract different types of people to come to this.... You want as many people involved as possible.

But everybody is not going to be involved. This is still a representative system, and the people who come forward will have interests. The citizens' assembly in B.C. wouldn't pass the charter test. You people were excluded, and there was nothing that could be demonstrated to be in the public interest to exclude people from that process. As Louis says, we're in a system where you have to turn some of that around. The political culture is out of whack here.

A voice: It definitely is.

[Translation]

The Chair: Thank you very much, Mr. Guimond.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Thank you, Mr. Chair. Gentlemen, thank you for appearing before us this afternoon. My question is for Professor Massicotte.

About two weeks ago, Mr. Claude Béland, Chair of the States General for the Reform of Democratic Institutions in Quebec,

appeared before this committee. He talked to us about the process used to gather information, the regional consultations and the states general.

Our mandate is to find a method of consultation. Would you recommend to us the approach being used by Mr. Béland and his team? If the two other professors are familiar with the work of the Béland commission, they may also comment. Perhaps you already answered... Normally we are not allowed to be absent when certain people appear, but unfortunately I had to be absent during your presentations, please accept my apologies. I was doing a telephone interview with a journalist.

Mr. Louis Massicotte: I observed from afar what Mr. Béland was doing. I did not participate because I felt that the commission was not overly interested in what experts had to say. They wanted to put experts on the sidelines and consult with the population directly. What do you expect, if the commission was not interested in hearing from us, we are certainly not going to pull up a chair around the table to make our point of view heard.

Nonetheless, I monitored this exercise closely. There were two important moments, first in the fall of 2002, when the regional hearings were being held, and at the beginning of 2003. The commission heard from people. One could sense that members of the organization wanted to hear from the largest number of people possible. Therefore, presentations were restricted to four minutes each. That must have been a bit frustrating for someone whose thinking was very structured and who had pondered over the subject for many years. But obviously, they wanted to...

• (1610)

Mr. Michel Guimond: Pardon me for interrupting you, Mr. Massicotte. Since I have the reputation of asking long questions and not leaving enough time to my colleagues, I would ask you to not go back to the process. Mr. Béland described it to us very well. I'd like your opinion. Can we use such a process for a possible reform of our democratic institutions and representation in Canada? I'm seeking your opinion on this subject.

Mr. Louis Massicotte: Quite frankly, as a populist, I prefer the citizens' assembly of British Columbia for all sorts of reasons. I believe they have more time to carry out their work and more resources. There was an interesting mix of popular involvement and expert knowledge. It is a model which is perhaps currently more in. One of Mr. Béland's handicaps is that he was obliged to work, as you know, at the end of a Parliament and had to submit a report on the eve of the elections. If you want to take that path, I would turn towards Vancouver.

The Chair: Mr. Broadbent, you have the floor.

Hon. Ed Broadbent: Thank you, Mr. Chair.

[English]

I'd like to ask each of your views about the issue of a referendum after something else, after work was done by another process to get to a referendum.

As a person who was once a fan of the B.C. process until I found out that politicians were excluded, which is a little like designing a medicare system without consulting doctors, I have favoured a model of looking at different provinces where things have been done and reading about what was done elsewhere, a model that would combine both expertise and MPs, on the one hand, and citizen consultation on the other. I'd like to put this question to all three of you.

One possibility is to have a committee of MPs going across the country, which would have input from the usual suspects, including political scientists and others who have expertise and interest. And then the other possibility would be similar to what was done in the Romanow commission, which would not be connected with MPs, not made up of MPs. It would be an attempt to get at citizens' values on what they wanted to see represented in the electoral system.

After both of these were running on parallel tracks, so to speak, the final thing that could be desirable, as I would see it at this point, is that the commission, or whatever we call it, looking at values would report to the MPs' committee. After having consulted the usual suspects and others, that committee would then take into account the values report—a document I would also see as desirable to be made public even before the MPs receive it—and make a recommendation to Parliament, say, for change. Then we may or may not come to the question. I'd like to ask you about that process. So then Parliament adopts something, finally.

I would welcome your comments on that process I've roughly outlined, and I'd add this question. After Parliament adopts it, should it have a referendum on that conclusion?

Mr. Peter Aucoin: I've read your previous comments on this, Mr. Broadbent, and I considered them carefully in coming to my own conclusions. I think you need a parliamentary process because of the nature of the subject, and I agree with the points you have made in that regard. I also think you need an independent process precisely because of the nature of the subject as well. Louis was talking earlier about the difficulty we have in our country with this myth that you people can't get beyond your own self-interest and that therefore there will be no reform. That is a view you have to deal with. It may be wrong, but it's there. I think in this area it's particularly important that you have those two parallel processes going on.

I think the MP process can go across the country, but you have a limited time to do that. Logistically, there's only so much you can do as a parliamentary committee. A commission has a much greater capacity to travel. That isn't to say that an MP committee shouldn't travel. But the bulk of talking to a lot of people, which is the point that was mentioned earlier, has to be done by the commission. It can practically do that.

I wouldn't make the radical split between values and the other issue, but I think there is a twist that could be there. The MPs would not report to the commission, but the report would be available publicly so that the commission could consider it. At the end of the day, I think it's important that there be a report from a body that is seen to be independent of Parliament at the same time, even though there is a report by Parliament as well. One might say it really doesn't make much difference because they both report, and in a certain sense that may be true, but again there is the symbolic impact here,

because in a way, the commission probably has done a lot of work too.

• (1615)

Hon. Ed Broadbent: Professor, I don't want to be rude, but I have a point of order.

How much time do I have? I want to hear from the other two witnesses.

The Chair: You have already run out of time. But let's hear briefly from the other two.

Hon. Ed Broadbent: I'd appreciate that.

Mr. David Smith: As I said in my own comments, I think it's vitally important that it be perceived to be independent and impartial. I think there has to be expert research on all manner of issues with regard to what effect a change in the electoral system would have in terms of national unity and representation. It's not clear to me why this is an issue, except for the one argument that the current electoral system does not translate the proportion of vote into the proportion of seats. But electoral systems do much more than that, and it seems to me that's the kind of research you want to have. Members of Parliament obviously have a legitimate opinion here, and it's one that citizens of the country need to hear. But we need to hear from the citizens of the country.

My own point about the referendum is that I find it hard to understand why this should be put to a referendum. If this is put to a referendum, why isn't every other decision put? If the charter of rights was not put to a referendum, why would a change in the electoral system be put? What is the rationale for doing that? Whatever the rationale is, it seems to me there will be no rationale in future to say no to another referendum, putting aside the whole logistical expense problem. I think this is the historic role of Parliament, as it has in all other areas of electoral matters.

[*Translation*]

The Chair: Mr. Massicotte, would you like to add something?

Mr. Louis Massicotte: What you are suggesting resembles in large part what was done in Quebec in the fall of 2002. On the one hand, there was the Standing Commission on Institutions, made up of members of the National Assembly. The usual suspects were summoned to appear, in this case four political scientists, including your humble servant. Unfortunately, it was all that the parliamentary committee had time to do. People were very busy: they had other mandates to fulfil. They came to hear the witnesses at the beginning of March 2003, I believe, then as you know, at the time elections were eminent.

In the end it was the B eland committee that took on the second role. There were two parallel consultations, and even though the meeting with the members was remarkable, there was no report. In addition, what the public history retained was not so much the contribution of the members than the "Romanow committee" aspect of their presentation.

In short, one of the disadvantages of parliamentary committees is that they are not special committees dealing with the issue. You run the risk of having your time monopolized by other mandates.

The Chair: Thank you, Professor.

Before beginning another round of questions, I would like to ask a question.

[*English*]

Professor Aucoin, the royal commission that you're advocating, or a commission of some sort... You were the researcher or the principal person behind the Lortie commission some years ago, if I'm correct, and you did not recommend at that point. Can you, in two minutes or so, just remind us of the rationale behind Lortie for saying don't touch it, if that's what it said? Those aren't the right words, but essentially, that was the result. Lortie did not recommend PR, of course. What was the rationale at the time, and in your view, if I can ask you that, is it still valid?

Mr. Peter Aucoin: At the time, there was a widespread perception that the Lortie commission either didn't have it in its mandate or was told not to do it. That was not the case. They decided fairly early on not to do it. They thought the mandate was a very comprehensive one and would have been complicated by trying to write, essentially, two mammoth reports with different electoral systems. That's the first point.

There was a point, however, when I joined the commission as the research director—which was shortly after, but not at the very beginning—that I was asked whether we should revisit that question. At that point I did not see why we should. There was no public demand for it. None of the usual suspects were demanding it at that point in time. Secondly, I was also a research coordinator for the Macdonald commission, and we made several recommendations about that issue to the House of Commons and to the Senate and they had not been taken up. At that point—that was only two or three years prior to that—I said, why revisit it? I just didn't see the point of doing it. I think at that point it wasn't a mistake.

• (1620)

The Chair: Thank you. That's helpful.

[*Translation*]

Yes, Professor Massicotte?

Mr. Louis Massicotte: I'd like to add something, Mr. Chair.

I was working for Parliament at the time. I was not a part of the decision-making process, but I can tell you that among the reasons that could be factored in, there's the fact that ultimately, the commission's report had to be submitted to parliamentarians. Yet, everyone knew at the time that members absolutely did not want any possible reform of the voting system.

The Royal Commission on electoral reforms and financing of political parties would have wasted its time had it gone down this path, whereas there were a lot of issues, perhaps of less importance, which required immediate action.

The Chair: Yes. But we still have to be informed. If I understood Professor Aucoin correctly, it's not that people didn't want to be informed, but rather that, on the one hand, a similar exercise had been undertaken shortly prior, and that on the other hand, it was

clearly not part of the commission's mandate. Contrary to what Professor Massicotte told us, it is not because we did not want to hear what they had to say.

Mr. Louis Massicotte: It is an assumption on my part, but I can tell you that in 1983-1984, the Special Joint Committee on Reform of the Senate, made up of MPs and senators from all parties, received recommendations from all academic witnesses to set up proportional representation system for a directly elected Senate. The deliberation was absolutely and totally negative, from all sides.

The Chair: All right. At the Senate.

Mr. Louis Massicotte: And the members.

The Chair: Okay.

[*English*]

Mr. Dale Johnston (Wetaskiwin, CPC): Thank you, Mr. Chairman.

In listening to Professor Aucoin's presentation, he said he wasn't a big fan of the process they used in British Columbia. One of the reasons I heard, subsequent to that, was that there was no opportunity for input by the people who would be most affected by it, and those were the politicians. Would you care to elaborate on other reasons why you weren't a big fan of that process? How would you modify that process, then, to make it ideal?

Mr. Peter Aucoin: In the first place, I think the citizens' assembly can work if you can do it the way you did it in British Columbia. There are a number of things you have to do to make that process worthwhile, and they were able to do it: jurisdictions small enough; 25 things that had to go right, in a way, went right; and, partly, the novelty.

In addition to the exclusion of MPs, I think there are a couple of other problems. The idea that a randomly selected group is necessarily a virtuous group because it doesn't have interests is wrong. All those people brought their interests to the table. The fact that they weren't organized as political parties is beside the point. That's one concern.

The other is that many people like to think of it as a grand jury, and it has that merit. I know that out there they were told this was not a jury. And it isn't. First of all, there's no adversarial process. There's no prosecutor; there's no defence. Second, there's no decision on the evidence before law. So what is it? It's not a grand jury; it's like a mini-legislature that assembles to do one law.

As David and others have said, it's not practical nationally, so I'd just say to forget it. If you do a rundown or a mini-version of a citizens' assembly, it's going to blow up in your face.

The Chair: Professor Smith, do you want to comment on that?

Mr. David Smith: Just on this point, if you did follow the British Columbia model, you'd have 616 just to follow it directly.

According to the reports, they actually say they had gender and age balances conform with the provincial population. I think there would be some real problems in trying to do that nationally. For one thing, besides gender and age, there are other criteria to think of in a national body. There's also the fact that the way the redistribution in Canada is structured.... In my own province we have 14 seats, but if you take it by population there should be 9. You'd end up with a real skewing if you tried to follow those rules and inflate them to a national level. With that problem, and without getting into the philosophical question, I think that practically there are just some real difficulties in how you work it.

They went out; they would go out to the different constituencies in groups of eight, or something. Well, again, how would you do that from Ottawa throughout the whole country?

•(1625)

[Translation]

The Chair: Would you like to add something?

[English]

Mr. Louis Massicotte: I have a few quick points.

The first one is never to lose sight of the fact that an assembly like that is somewhat biased against the status quo. People are empowered to decide whether something should be proposed directly to the people, short-circuiting the legislature. Quite frankly, people placed in that position are very much inclined to do that: "We're not just going to consecrate the status quo, but we must come to do something. If we just conclude that the status quo is best, our role is over and there won't be any referendum." So it empowers them immensely, and that tends to put the result in a single direction.

My second point would be that it's true, as Peter said, that the process is not adversarial with a prosecution and defence. Yet I would say in defence of the process that a great effort was made by the research staff of the assembly to present both sides of the issue. I was struck by the balance they tried to maintain between the various perspectives. That was a very good example of how expertise can be used to help enlighten the assembly, not to drive people in a specific direction.

[Translation]

The Chair: Thank you very much.

[English]

Mr. Casey, did you have a question?

Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC): I don't.

[Translation]

The Chair: Okay.

Mr. Broadbent.

[English]

Hon. Ed Broadbent: I'd like to go back to the issue.

I was a little surprised that Professor Smith seemed to think that the only reason electoral change was being talked about was the absence of proportionality. A lot of other systems in the world, indeed, about 90% of them, if I understand the democratic reality,

either have pure PR or mixed PR with first past the post.... Among other reasons for having it, as the advocates of those systems include, are concerns about gender and concerns about visible minorities, in addition to proportionality. In a country like Canada, the New Brunswick commission was very concerned about the role of francophones and anglophones. At the national level, there is the value of regional representation, for example, which may be desirable in each of the caucuses elected in the House of Commons. That has certainly concerned me, to be precise, for 50 years now.

Don't you think there are a lot of values that are missing in the present system?

Mr. David Smith: Certainly, there is the one about proportionality. I think that's true.

I think with regard to, let's say, the percentage of women or minorities in the population and their representation in Parliament, that is a fact. How an electoral system might be constructed to alter that fact is a question that I think needs to be examined. It's my impression from reading about electoral systems that it's not the electoral system, but it's the political parties very often with regard to nomination.... So it's not just a question of changing the electoral system. If you look at the list system, it's a question of where the candidates are on the ballot, and that has to do with the political parties—unless one wants to go farther and have some legal requirements with regard to the composition of the ballot.

These may be problems, which is for others to decide. But if it's decided these are problems, then in dealing with them, it seems to me, it is not immediately evident that a change in the electoral system will secure the result you're seeking. I think that's something that research might be able to answer or give more reason to be confident in the answer.

•(1630)

Hon. Ed Broadbent: I think there's a lot of academic work that shows that alternative systems to ours provide much better representation on all these variables that I've indicated, and the first past the post.

Although all three of you are here primarily to talk about process—and I certainly understand and respect the fact that you've put your emphasis on that—I'd like to ask each of you, because you're all respected political scientists, to give us one or two phrases about whether you think we need change or not. Do you think the status quo as a system, on balance, in terms of your own experience, is good? Should we just keep it? If you think we need change, broadly speaking, what direction should we be heading in?

The Chair: We have to kind of limit that, given where we are time-wise. I'm sure you could give us all a lecture on that.

Mr. Peter Aucoin: Could I try to fit it into the process part, just very quickly?

The Chair: Okay.

Mr. Peter Aucoin: On the question of gender, the evidence is not outstanding either way. On the question of visible minority or ethnicity, there's not a lot of evidence. Where it really hits home is on the proportionality and the gender imbalance. If you were going to worry about Canada, that's what you would be worried about.

I suggest there is a third factor as well. The third factor is the concentration of power in the system and the lack of checks and balances. Canada has the least number of checks and balances of all the Westminster systems, for reasons I won't go into, but that's a concern.

Whether or not you're going to necessarily solve your problem by any of those other systems we now have in place leads one to be cautious about it. That's why I think you really have to look at it carefully. I think both Louis and David are right that we haven't had a really thorough study of the situation in the Canadian context. We have lots of literature, etc., but I think you need a good process to tease a lot of this out.

The Chair: Mr. Smith.

Mr. David Smith: I wouldn't want to say yes or no with regard to the present system. It seems to me the question is, what is it we want from the electoral system? I would put at the top the historic one of national unity. Is one form of electoral system going to get that better than something else?

How is the west's sense of grievance going to be altered by changing the electoral system? Will it? I don't know. Someone has to study that. Those are very important questions.

Aboriginal—it's very important. Is a change in the electoral system going to help?

I think we need to be clear about the objective. If someone could tell me that electoral system A will achieve those three things better than system B, I would be quite persuaded to look seriously at A.

[*Translation*]

The Chair: Professor Massicotte.

[*English*]

Mr. Louis Massicotte: You were inquiring about which side we're on. I'm on the side of reform. It has been a growing conviction with me for years. The kind of reform approach I tend to prefer is MMP. I'm one of the architects of the reform project that was unveiled last December in Quebec. We proposed a 60-40 ratio, with 40% of the list seats being compensatory, not just additional or parallel. There has to be real compensation.

It's not a full-fledged proportional electoral system. We took into account very much the geography of Quebec. There are some theoreticians who would like to have a full provincial list PR system. Quite frankly, I'm afraid they don't realize we have one of the hugest territories in the whole of North America, with the exception of the three territories with a big "T". So it's unreal, in my view, to propose a provincial list system. You have to be regional, with regions preferably small because of how huge the territory is and how dispersed the population is. I would suggest that this kind of approach is probably more likely to fly.

I've been struck by the debate that is taking place on our formula. Of course, you have people who are for the status quo and you have a few people who say it has to be full-fledged PR. But I'm quite pleased that we have been able to find a solid middle ground of people who say it's really a step in the right direction. It's more proportional than what you have, and it avoids, at the same time, something that would multiply the parties and make it too easy to have access to Parliament, taking into account the fact that you don't determine whether a country is democratic depending on the highest number of parties you have.

• (1635)

The Chair: Good.

Professor Aucoin, you wanted to add a little something else, and then we'll move on to the next question.

Mr. Peter Aucoin: I want to add a point to emphasize why process is so important. I think if you're going to think of change to the process to have any kind of proportionality in the system, you have to think of a much larger House of Commons. That has to be on the agenda, and Mr. Casey, in the previous meetings, talked about it. Canada's geography won't allow us to reduce and increase the size of constituencies and the number of people represented.

The Chair: Thank you.

Mr. Reid.

Mr. Scott Reid: I'm generally very sympathetic to the last point Professor Aucoin just made. I think if we want to deal with the fundamental inequality that exists right now where certain constituencies, particularly in Ontario, B.C., and Alberta, are simply much more populous than those in provinces like Saskatchewan or New Brunswick, you have to increase the size of the House of Commons given the constitutional restrictions on taking away seats from other provinces. So on that basis alone I think there is a good argument for it.

I wanted to go back actually to the whole question of regions. It seems to me one of the things that would be an advantage to some form of citizens' assembly model—somewhat like the British Columbia model—is it would actually ensure there would be people coming from different provinces of the country. And one of the things I think we have to face up to is that in Canada, as in Switzerland, the widely varying size, in our case of provinces and in their case cantons, means that if you have one system it will have very different effects in a small province as compared to a large province. You will get much less proportionality from a system in Prince Edward Island than you would in Ontario, for example. And it seems to me that's an advantage. It's just more of a comment, although you can comment back to me on whether I'm right or wrong.

On the question of referenda, it seems to me that in British Columbia one of the things they're doing wrong—and I saw this when I lived in Australia and they were having their referendum on whether or not to abolish the monarchy and replace it with a republic—was that you have the whole citizens' assembly model done and then it goes off to the bureaucrats. In the case of Australia they had the legislation drafted prior to when the citizens voted, and it was the complexity of the legislation they voted against.

In British Columbia, as I understand it, the legislation is not going to be completed until after the referendum, which means that some people, at least, I think would be reticent about voting in favour because they're not 100% sure of what they're going to get. I might be wrong on that point, but I'm looking for comments on what might be the best way to handle things if there were a referendum in the process.

Mr. Peter Aucoin: I'm sorry. I didn't get the last part of the question.

Mr. Scott Reid: If we were to use a referendum as part of our process, ought we to try to have it at the final stage after all the legislation is designed and people know exactly what they're voting on, or ought we to have it earlier on at a more conceptual stage? I'll leave it there.

Mr. David Smith: I suppose my immediate response is that the difficulty if we have a referendum on changing the electoral system is we won't know what we're voting on. Maybe we can get people to understand if it's the STV, or AV, or whatever, but as Professor Massicotte said, nobody knows when you change the electoral system what the effect is going to be. Nobody knows even what the next election will look like, let alone the fourth election down the line. That's where the change comes about.

I was in Australia for the republican referendum, but I was also there when they were celebrating—at least the 50 people in Australia who were interested in this matter—the 50th anniversary of the introduction of PR in the Senate election in 1999, and there was a meeting at the Parliament buildings. But one of the interesting things I learned from this is that PR was introduced in 1949 in Australia and it was introduced by the Labor Party because they knew they were going to lose the next election so they wanted to get some seats in the Senate and they thought they could do this through PR—and they were right because they did—but at that time there was just a two-party system in Australia. It took 30 or 40 years before the intricacies of the PR system began to manifest themselves, when you ended up where no party...it's true that the current government does have a majority in the Senate, but that's just the first time in about 25 or 30 years.

Once they realized that third parties in the Senate could really determine the legislation that came through Parliament at Canberra, then it really changed, but that took a long while. The penny didn't drop for some decades.

The point is, I think with electoral reform you don't know what's going to happen and it really is a leap of faith.

• (1640)

Mr. Louis Massicotte: I'll try to do justice to the two points you raised.

On the first one, about Switzerland—Switzerland indeed proves your point that if you have a very diverse country with small units and big units, it makes a hell of a difference when it comes to the electoral system. In Switzerland, the last time I checked, there are four or five cantons where nominally PR exists, but the reality is they are all single-member districts—so you may say it's PR, but in the end it... So you have almost two different electoral systems, simply because Switzerland has lots of very, very small units, and you can't do otherwise, unless you raise the number of members of

the Conseil national to something like 1,000, which of course would be laughable.

The second point you raised was about the Australian experience with the constitutional convention, the constituent assembly. I spent six months in Australia around that time, so I had a very good motivation to look closely at that experience. One of the lessons I derived from the Australian republic referendum is that even if the proposal put to a referendum is the outcome of a more populist process, it does not guarantee success by any means. As you know, the outcome of that convention was it went down to defeat. It was defeated in each and every one of the six states, plus the northern territory. Only the Canberra people apparently saw wisdom to it—the majority, at least.

The reason it failed, to my understanding, was not because the politicians within the constitutional convention twisted the result. The convention was composed of two equal houses, and the two houses were in agreement—the politicians appointed and the people who had been directly elected. The problem is they all agreed on a specific republican model—a president elected by Parliament—and unfortunately that was not the model most Australians wanted, so right from the start there was a hiatus, a gap, between what was proposed and what the people wanted.

The only hope for getting a yes at the vote was to use nationalist rhetoric—"we Australians" repeated 40 times in four pages—and hope it would carry the day. As somebody said, Australians were invited to close their eyes and think of England, and the necessity of cutting the links with England, but it didn't work. I hope reformers in B.C. will have more success.

[*Translation*]

The Chair: Professor Aucoin.

[*English*]

Mr. Peter Aucoin: New Zealand, it's important to remember, had a major royal commission on the subject before they had two referendums, one on whether they should have change and the second on whether to adopt the proposed model.

It's important to emphasize that in that context, the first referendum arose because of a particular circumstance in New Zealand—a government was elected and there was a huge surprise. People were very offended by that kind of model, and they didn't have the other kinds of checks that are in other systems.

But the issue you also have to consider is if you want to kill reform, have a referendum. On these sorts of things, that's often the outcome, because what the citizens do is broaden the debate. They don't stick to the debate; it becomes a broader debate, and then it becomes the sort of debate....

Now, it's a legitimate political debate, but look at Australia. If you want to get a constitutional change through, don't follow their model. We probably have some of that experience in Canada as well.

Mr. Louis Massicotte: Out of 44 attempts, 36 failures.

The Chair: Mr. Broadbent, you have another? Please go ahead.

Hon. Ed Broadbent: I'd like to get back to this suggestion of the Quebec model of 60-40. I support the idea in two senses. One, every province has to deal with its own circumstance, and whatever the split may be, it's going to vary, in my view, from province to province in provincial legislatures. But I got the suggestion... someone mentioned if we're going to have PR at the national level at all, we're going to have to increase the number of seats significantly.

I thought the law commission did a pretty good job in arguing the breakdown should be on a provincial basis and a one-third, two-third split at the national level, as opposed to 60-40. I'd like your comment, if you would like to comment on that idea.

• (1645)

Mr. Peter Aucoin: I was the one who said you would have to increase the size of the House.

If we have a PR system in Canada, it's important to remember that if one party gets 20% of the vote, you can't say they're going to get 20% of the seats, because we don't run our elections nationally; we run them within provinces. All our boundaries are within a province, so first you have to respect that. There is going to be a distortion right away, because P.E.I. has four seats. If you're going to have a mixed system, you're going to have boundaries to the provinces, so that is going to restrict it, because they're not going to be mathematically exact.

I suggest what's going to happen there is the seats are going to be huge in some places, because you have to take other seats out to put them on the list. So if you want to use a mixed system, it's one thing if you do it in tiny little New Zealand; it's another thing if you do it in this huge country we call Canada. That's why, if you wanted to do it well—

Hon. Ed Broadbent: Two-third, one-third in each province—what's wrong with that?

Mr. Peter Aucoin: It would work okay in Quebec and Ontario, but otherwise it doesn't.

The Chair: You're creating a problem for the interpreters. You'll have to speak one at a time.

Hon. Ed Broadbent: I'm sorry.

The Chair: Go ahead, please.

Mr. Peter Aucoin: If you wanted to have a good PR system, you would want to increase the number of seats in the House so that some seats were not too big in terms of their population and you got the proportionality you want. If you have too small a House, you're not going to get the proportionality you want out of this system. It will be only marginally better, and you'll still be making the same complaint about national proportionality and regional proportionality.

Mr. Louis Massicotte: One weakness I see in the law commission model is that it would create a two-speed proportional system,

[*Translation*]

a two-tier proportional representation.

[*English*]

What I mean is that in the provinces of Ontario and Quebec, for example, the regions within which the compensation would be made would be very huge, so that you would have an almost perfect proportional system in these two provinces. On the other hand, in the other provinces, which have a smaller number of seats by definition, even if you used the whole province as a unit for compensating, the compensation will be very imperfect, and when you go to Prince Edward Island, it will be very, very imperfect.

That's one of the dilemmas we faced when we devised our model for Quebec. We considered five different territorial scenarios. One extreme was some 26 districts, most of which were five-member districts. At the other extreme, the full province was a single unit, the dream of all supporters of PR. We had a number of scenarios in between. One of these scenarios was to have a very big region for Montreal and very small regions outside of Montreal. This would square with the province's administrative boundaries. It would be a very unfair system because Montrealers would be entitled to near-perfect PR, and outside of Montreal you would have something much less perfect.

I think there is a good case for going beyond what the law commission did and to fracture Ontario and Quebec as well, if you want to have smaller regions everywhere.

The Chair: Thank you.

Say we had a two-ballot system, hypothetically, and you have Prince Edward Island and you have three single-member districts and one proportional one. The minute you elect three members in the single-member districts, whoever loses in those districts by 45% of the votes against 55% and gets no seats at all of the single-member seats, aren't they going to say, "Wait a minute, we have 45% of the seats in the single-member seat category and we got 0% of the representation. Aren't we right back where we started?"

Mr. Peter Aucoin: That's my point about small jurisdictions. It just doesn't work. The mathematics won't work out. You have to get a certain number, and even then it can be, as Louis has pointed out, pretty crude.

Remember, the Canadian system is not totally disproportionate. At the Lortie commission, we looked at its record compared to PR systems. The PR systems were in the nineties on an index of proportionality, with the best one being Germany, which is up around 99% because of the compensation. Canada was 89%. So it was not as proportional as other systems, but it wasn't entirely out of whack with the distribution.

It has gotten a bit worse, I think, and it's the concern that has been addressed here. There always was the regional issue. But you have to get the numbers up to get the proportionality in the system.

•(1650)

The Chair: How do you deal with the following point? In my constituency, some people might have voted for the Liberal Party, some people might have voted for the Liberal platform, some people might have voted because they like the Prime Minister, and the odd one might have voted because they like Don Boudria, but I have no idea what proportion is in each category. All I know is that the sum total is required to get me to the House of Commons.

If that's the case, why is it, then, that we have the right to assume that on the losing side, 100% of the votes belong to the political party in question and that nobody ever had an intention of voting for the individual?

Mr. Peter Aucoin: If you want the short answer to that, we do have some surveys that suggest that the vote for you, which is called the personal vote, is usually down around 6% to 7% maximum.

The Chair: I've heard five.

Mr. Peter Aucoin: That's pretty much an international phenomenon where you're using parties.

There are other things that people vote for: the party leader, the party platform, or the party ideology. And that's not an insult to individuals.

The Chair: No, no. You're saying the correction is about 7%.

Mr. Peter Aucoin: On average, yes, for the individual. The other thing is that when people vote against you—as some people say, you get 40% of the vote and 60% voted against you—they didn't vote against you; they voted for candidates of other parties. And if you introduce a different kind of electoral system, they will vote strategically differently as well. One of the things that people have said is that you don't want to go to a system where you go to second preferences, because the second preferences are so hugely in favour of the Liberal Party that they'd be in power forever.

Unless that dynamic changes, you want to think of other kinds of electoral systems to tease out proportionality. But you've got to be careful about the way in which you think of representation here, I think, as David has said.

Mr. David Smith: If you go to STV or something, there are preferences there. The only way you get rid of the argument about wasted votes is if the voter can indicate his or her preference. In our system there is no preference.

Historically, to my knowledge, no one particularly was concerned about this, and it was not the fact that X won and I voted for B, so I'm not represented. That's not the way, historically, representation has worked in the Anglo-American system. And I'm not sure that the traditional way is still not that way. But you do get people who will say, if we have a proportional system my vote is not wasted.

But I'd like to see some more research as to how widespread or deep that sentiment is, aside from a kind of academic analysis of it. [Translation]

The Chair: Mr. Massicotte, would you like to add something?

Mr. Louis Massicotte: Mr. Boudria, Peter spoke the exact and disappointing truth when he mentioned the percentage of votes because of the candidate identity. All research has led to the same conclusion.

Some people look negatively upon the possibility of someone being defeated in a riding and still being elected because his or her name appears on the list. Such is the case, for example, of the New Brunswick Commission on Legislative Democracy which decided, as you know, to establish a firewall between the ridings and the list.

In our research on Quebec, we dealt with this issue at length. In my opinion, double candidacy—to appear as a candidate for the constituency, and on the list—is not only desirable in an MMP system, but practically indispensable.

Don't hesitate to ask questions during your visits, especially in Germany. You will see that this practice is very, very current. Ultimately, it is the best way to avoid having two classes of members. The best way to avoid having two categories of members is to make sure that candidates may appear on both lists.

[English]

Maybe I could switch to English. This is something of general interest.

When Germans are repeatedly asked by foreign visitors, “You must have a terrible problem with your two classes of MPs”, the standard reaction of Germans is, “What are you talking about?” In my experience, they are almost annoyed by the question.

All the literature suggests that there is no problem of two warring classes of MPs within the German Parliament. Why?

I suggest that part of the explanation—and it's the conclusion of experts—is that the mixing of the two categories starts right at the beginning. Every individual tries to be a constituency MP and a list MP. Some are more successful than others.

So what kind of list MPs do you come up with at the end? A typical list MP is a defeated constituency candidate. In order to become a constituency candidate, he cannot afford just to be on the list and to sleep throughout the election campaign, counting on the success of his party. He or she has to fight in a constituency. He or she has to be selected as a constituency candidate right from the start. Even as list MPs, they tend to have constituency duties because they expect to be reelected as a constituency candidate the next time.

Another interesting feature...and this is original research, which I'm afraid has never been done even in Germany. We had the curiosity to ask ourselves the following question: How frequently throughout their parliamentary career do you find the pattern of an MP switching from one category to the other? In one election you're lucky; you get elected in a constituency. In the next election, bad luck; you end up as a list MP, and so on. Over a 50-year period, fully 20%—one out of five—of all the members of the Bundestag had been a switcher throughout his or her career.

Can you imagine the tremendous effect this had? You don't start to denigrate the other category if you have a 20% chance of ending up in that category yourself, if you haven't already been a member of the other.

These are the kinds of nice balances that are important, and it's why they don't have that problem.

•(1655)

[*Translation*]

The Chair: Thank you.

We have enough time for one or two questions, if need be.

Mr. Broadbent, go ahead.

[*English*]

Hon. Ed Broadbent: Going back to this numbers question in the House of Commons, everyone would acknowledge that if PR, and only PR, is your agenda, then you abolish individual constituencies entirely. Once you start mixing, you're going to affect proportionality. If you regionalize it, it's going to do the same thing.

So to be a practical process for us in Parliament, if there is reform, it's probably going to be some mix of the two—individual MPs plus a certain degree of proportionality.

And it seems to me the other practical consideration we have to face politically is whether it is politically acceptable to increase the number of seats in the House of Commons, especially increase them significantly. So acknowledging that with the present number of seats.... Some of us say, let's have change. You don't need a constitutional amendment, nor do you necessarily have to increase the number of seats.

So I go back to the question, if we don't increase the number of seats...in full acknowledgement that you're going to reduce the proportionality if you're going to have individual seats and regionalize it. It's complicated, of course, by the fact that P.E.I. has to have four seats.

I'm asking you to in a sense think out loud in the way I am doing here, given that the country is more complex, obviously, than any individual province. I go back to the two-thirds, one-third, which I think still holds. It wasn't my idea; it was the law commission's.

But what's so bad about...take our chairman's example of P.E.I. As I recall what they recommended, you'd have one individual constituency, but three would come in on a PR basis out of P.E.I.

The Chair: It's the other way around. Otherwise one ends up being the same as the other.

Hon. Ed Broadbent: No, I thought it was one individual seat, because they had that problem and they had to get PR. They did the two-thirds, one-third for all the provinces, but when they came to P.E.I., they flipped it over—I thought. If so, would it be so bad? If you're interested, we parliamentarians, those who want a mixed system, who want to deal with political reality and have reform in this century rather than waiting another 50 years....

•(1700)

Mr. Peter Aucoin: Actually, you stated the pure PR would be the ideal, and a mix is not.

Hon. Ed Broadbent: No, not for me, it's not.

Mr. Peter Aucoin: No, I know, I understand, but the way in which...in fact, it's actually not the case. The mixed systems will get you the greater proportionality in the real world. If you don't go to

308 constituencies and no provincial boundaries, which you can't do....This is the Israeli system. The mixed system actually performs better. New Zealand and Germany are higher up in the scale because they compensate, you see; they compensate for the deficiencies.

Hon. Ed Broadbent: Oh, right.

Mr. Peter Aucoin: So your mixed system is always better. The problem with Canada is geography, again, and that's why if you're going to take 20%, 30%, 40%, or 50% of the seats out, you're going to make every constituency in the country right now twice as big.

I understand there may not be public enthusiasm for a larger House. That's part of your problem, in that sense.

But I don't think you should perceive this as an argument against PR. I'm not saying that. If you wanted to be concerned and wanted to have a really good process to tease this out—PR versus the status quo—your major concern, to my mind, is the one David identified: national unity. The PR has a divisive kind of effect that won't replicate what you have talked about in your previous papers—making sure you have Liberals from Alberta and Conservatives from Ontario.

If it worked out that way, you might say it's a great thing, but you can't be absolutely certain it would be the case. That would be my big concern.

The Chair: Professor Smith, you wanted to ask—

Mr. David Smith: It's really more asking a question, because I think you need research; maybe Professor Massicotte knows the answer. If you had a one-third, two-thirds, in a province like Saskatchewan, or any province, does it mean the one-third—that PR one, that outcome—is going to be determined by the urban vote? Does that seat all of a sudden become an urban seat, because the urban vote is going to be the one that decides it?

That makes a big difference, right? As opposed to all these countries in Europe, Canada is not only huge in territory, but most of it has very few people in it. Those areas, it seems to me, might well be swamped. I don't know. Is this a false concern? What happens there? If Regina and Saskatoon are casting their votes for the one or two PR seats, aren't they going to swamp the rural vote?

Say there were three or four. Would they not swamp that? I don't actually know the answer, but it seems to me if it's just done on a....

Since their population is almost half the province—

Hon. Ed Broadbent: Well, it may be very democratic.

Mr. David Smith: But, you see, that's a very different.... It would lead to an outcome different from what people might think. Right? You might want to be clear about its urbanizing effect on representation.

The Chair: Okay, let's stop there.

Dr. Massicotte, do you have research on what has just been suggested by Professor Smith? If not, then we'll go right away to Mr. Reid for the last question, because we're going to have to go to our vote.

Mr. Louis Massicotte: Simply, to answer Mr. Broadbent's concern, it is almost mathematically impossible to have exactly the same ratio between constituency and list seats everywhere throughout the country. In fact, in our proposal in Quebec, we have one district—yes, that's the term, the regions—with four plus three. Most are three plus two—three constituencies plus two list seats. We have four districts in remote areas; there, we've had to bow to the physical realities of the province and accept that it would be two plus one, which of course means two-thirds, one-third. So it varies to some degree.

In your travel in Germany, you will discover that indeed, within each *länder*, for reasons too long to explain, the 50-50 ratio officially in force for the whole country is not in force in each *länder*. In the eastern *länder*, the real ratio is something more like 60-40.

The Chair: Okay. Monsieur Reid, the last question is to you, and then we'll have to be off to our votes.

Mr. Scott Reid: Okay. Very briefly, I was very intrigued, Professor Massicotte, by your talk about Germany and the application of the model to Quebec. When you talk about the model in Quebec and how you're trying to design different systems—essentially to take into account how rural or urban an area is, how widely spread people are on the ground—how do you decide where...? In a way that prevents us politicians from turning it into a gerrymander at some point in the future, how do you draw those boundaries to genuinely take into account the problems of remote areas—and I understand the problems of northern Quebec, they're so extraordinary—versus the problems of the urban areas, while drawing the boundary lines in a way that does not favour one party over another? I assume if the proportion is stronger—more even in areas that tend to favour party A and less even in areas that tend to favour party B—assuming rural and urban people vote differently, you could potentially, to some degree, affect the number of seats party A or party B gets in the House under that system.

• (1705)

Mr. Louis Massicotte: We do not know, at this stage, what the boundaries will be if the project is adopted in the future. We simply do not know. All we have is a mathematical exercise, a modest exercise of transposition that I did, based on the 1998 and 2003 election results. We certainly did not take into account the party vote patterns. What we did is ask the authorities of the Chief Electoral Officer to transpose the provincial electoral results within the 75 federal electoral districts. Of course, this arrangement had not been predetermined according to the interests of provincial parties.

Then in preparing the regions, what we did was simply regroup single-member districts, putting three districts together to which we added two list seats, and that was the area. It was not very difficult for most of the cases to determine what the boundaries should be, because there are so many regions in Quebec that are natural five-member regions: the Saguenay-Lac Saint-Jean, the Mauricie, the Outaouais. There was a perfect fit in most of these cases. All the decisions that were made—these were mathematical decisions—to have two plus one instead of three plus two were based strictly on remoteness. Everybody understood instinctively that with the Abitibi or the Côte-Nord regions or the Gaspésie—regions with a huge population that is very scattered—it was imprudent to have two large districts.

[Translation]

The Chair: That's good.

We have perhaps two minutes; the bell has not gone off yet. Go ahead.

Mr. Michel Guimond: Would other colleagues from the Liberal Party like to ask questions?

The Chair: A liberal member has already asked one.

Mr. Michel Guimond: Would anyone else like to ask questions? I am willing to hand over my time to liberal members.

The Chair: No, I have no further questions, Mr. Guimond.

Mr. Michel Guimond: You are the chair. You are not a member of the Liberal Party, you are the chairman. Do your colleagues have any questions?

The Chair: If you have a question, that's fine. Obviously, the others have left to go and vote.

Mr. Michel Guimond: Are we not voting?

The Chair: We are going to leave immediately after your question.

Mr. Michel Guimond: No, I have no further questions.

The Chair: I'd like to thank our three witnesses, professors Massicotte, Aucoin and Smith.

[English]

Thank you very much for coming. This has been very enlightening for us.

I want to remind colleagues that at the next meeting, at the end, I will need some time to consult you about the agenda for the future. And as well, because we're just before our trip, at the end of the meeting tomorrow I think it would be highly recommended that we discuss some things. Furthermore, when we come back from our trip, we will need to discuss who else we speak to on this topic. There are a few organized groups that have asked to appear. There's also a political party that has asked. We have to decide whether to listen to political parties or not, and if so, whether we ask them all, and so on. How do we deal with this? Anyway, start thinking about all these things and we can dispose of them tomorrow.

With that, I would entertain a motion that we adjourn.

An hon. member: Mr. Chair, I so move.

The Chair: The committee is adjourned.

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