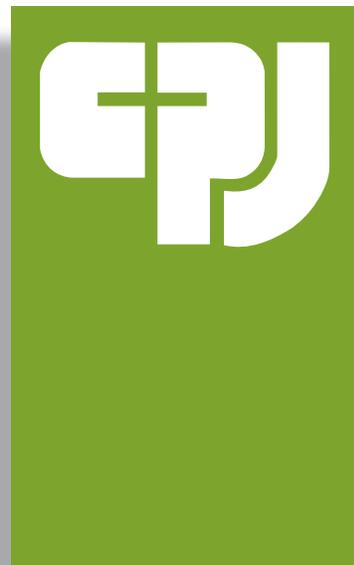


Fair, Proportional, Effective: The Need for Electoral Reform in Ontario

Submission to the Ontario Citizens' Assembly on Electoral Reform

January 31, 2007

CITIZENS *for* PUBLIC JUSTICE





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Our Vision

- CPJ is committed to seek human flourishing and the integrity of creation as our faithful response to God's call for love, justice and stewardship.
- We envision a world in which individuals, communities, societal institutions and governments all contribute to and benefit from the common good.

Our Mission

- CPJ's mission is to promote *public justice* in Canada by shaping key public policy debates through research and analysis, publishing and public dialogue.
- CPJ encourages citizens, leaders in society, and governments to support policies and practices which reflect God's call for love, justice and stewardship.

Public Justice

- Public Justice is the *political* dimension of loving one's neighbour, caring for creation and achieving the common good, and is particularly the responsibility of government and citizens.

229 College Street
Suite 311
Toronto, Ontario
M5T 1R4

T 416-979-2443
F 416-979-2458
cpj@cpj.ca
www.cpj.ca

Executive Summary

Citizens for Public Justice is a national Christian faith-based membership organization devoted to developing public policy proposals which uphold the common good. Half of our membership is located in Ontario, and many have been active promoting public justice issues at the provincial level for over 40 years.

We are committed to a pluralistic perspective which recognizes that people from different cultures and with different beliefs all contribute to Canadian society. We therefore believe that if our democratic institutions are to meet the authentic needs of Canadians, they must include as many perspectives as possible and allow all citizens to be equally represented in the legislature. The current first-past-the-post system fails to properly represent our citizens and in doing so mutes many voices, causing people to turn away from political processes and become cynical about the possibilities of solving major societal problems through consultation and consensus.

We therefore urge the Ontario Citizens' Assembly to recommend an alternative way of electing MPPs which incorporates a strong proportional representation component as a first step towards broader democratic renewal. While we do not have a strong opinion about the merits of any particular electoral system (say Single Transferable Vote *versus* Mixed Member Proportional), we call for you to choose a system which is fair (citizens should have a representative that they voted for), proportional (a party or representative's influence in the legislature should be in proportion to the support garnered) and effective (all representatives should be empowered to influence legislation based on the principles by which they were elected).

About Citizens for Public Justice

Citizens for Public Justice is a faith-based national organization that engages in serious reflection on core values and faith perspectives and their implications for our public life together – the common good. We aim to make the public sphere a place where all citizens can come to meaningful consensus on how to address important public justice issues rather than competing to achieve each of our own particular interests. We define public justice as the political dimension of loving one’s neighbour, caring for creation and achieving the common good. We believe that public justice is particularly the responsibility of government and citizens.

During our 44 year history, we have addressed many pressing public issues including child and family poverty, obstacles and unjust policies faced by refugees, the plight of First Nations communities, environmental stewardship, and problems with political representation.

Our mode of action is through thoughtful, research-based analysis and critique of public justice issues, development of workable and just proposals, and engagement with government. Four of our key characteristics are:

- We are welcoming. CPJ provides an opportunity for people and organizations to connect with others sharing common concerns, regardless of their religious, cultural or political backgrounds.
- We do our homework. We look at the structural reasons why people are in need, analyze how those conditions can be changed and propose new policy directions that are carefully supported and true to our core values. Our analyses and reflections are in-depth and richly grounded.
- We are strategic. CPJ works by exposing the deeper directions under current policies, putting important issues on the table that are ignored, asking probing questions, and proposing alternatives that do greater justice.
- We are pluralistic. We recognize that Canada is a thoroughly multicultural society and that living in harmony with one another requires an attitude of respect and a willingness to hear one another’s stories and perspective. To us, pluralism means that we should publicly recognize that different people have different beliefs and have the legal right to live in different ways.

Some have argued that persons must deny their religion, ethnicity, and culture to participate fully in Canadian life. Some have a deep distrust of religion and a tendency to regard public life as distinctly secular – having no room for faith perspectives. CPJ believes that differing faith convictions should be acknowledged as key elements of how individuals and communities can best contribute to the common good. Learning how to do that in a multi-cultural and multi-faith society is crucial to the common good.

For CPJ, our faith calls us out beyond apathy or powerlessness to our common humanity and to our calling to love God by loving our neighbour in and through our political life together.

History of Positions on Electoral Reform

Out of our historical commitment to pluralism, CPJ has long supported electoral reform (since the 1960s). Some of our most notable position papers on this topic are the following:

- 1992: "A 'Triple E' House of Commons: Effective and Equitable Through Election by Proportional Representation.
- 2003: "CPJ for Proportional Representation"; a letter sent to Nathalie Des Rosiers, President of the Law Commission of Canada during the Law Commission's review of the electoral system.
- CPJ members have also independently supported electoral reform. For example, Alberta members, Dr. John Hiemstra and Dr. Harold Jansen outlined a detailed case for PR in their chapter "Getting What You Vote For", in *Contemporary Political Issues*, edited by Mark Charlton and Paul Barker, (Scarborough: Nelson, 2002). Several BC members were strongly involved in that province's Citizen's Assembly on Electoral Reform as well.

CPJ's interest in electoral reform grows out of our strong belief in the value of pluralism and respect for diversity. We believe that is not enough to simply allow Canadians the freedom to express a wide range of opinions and for our society to include people with a wide range of values. Those values and opinions also need to find expression in the institutions of our society, including our political institutions. Our legislatures and governments need to reflect the diversity of opinion found in the country.

In particular, we have argued for over 40 years that people with different beliefs need to be given public room to order their lives differently, in keeping with their fundamental perspectives on life.

Our respect for diversity and pluralism forms the basis of CPJ's longstanding belief that our current "first past the post" (FPTP) system of political representation is fundamentally flawed and should be replaced by a proportional representation (PR) model. Our current system does not, in our view, make room for the diversity of public philosophy and policy positions found within Canada and in Ontario. This is an issue of basic justice and of treating Canadian and Ontario voters justly. It's thus one with which we are deeply concerned. Justice and equity create compelling arguments for changing our current electoral system.

Therefore since the 1960s, CPJ has proposed implementation of proportional representation (PR) on numerous occasions at both federal and provincial levels.

Electoral Shortcomings

The shortcomings of the current FPTP model, in which the candidate in a given riding who wins more votes than the other candidates wins a seat, have become glaringly apparent in recent years. It amounts to a "winner take all" system, in which the dominant party grabs the electoral spoils at the expense of smaller parties.

The results of the 2003 provincial election in Ontario serve as a case in point. The Liberals won 70 percent of the seats in the Ontario Legislature (72 of the 103 seats), with a minority of the popular vote (46.5 percent). Looking at the number of votes cast for each party and the number of MPPs elected for that party shows that the notion that all parties are treated equitably under our current system is a myth. Each Liberal MPP needed an average of only 29,028 votes to get elected. Yet it took an average 64,966 votes to elect each of the 24 Conservative MPPs and an incredible 94,390 votes to elect each of the 7 New Democratic MPPs. The Greens who received 126,651 votes (2.8 percent of the popular vote) did not have a single MPP elected.

The Ontario Legislature should reflect the diversity of political opinion that exists within the country. Yet our current system discriminates against political parties which take distinctive stands on issues. In order to win under the "first past the post" system, a candidate usually needs about 40% of the vote in their constituency. The easiest way to win those votes is to adopt a middle-of-the-road stance. A party that runs a platform that only appeals to 15 or 20% of the voters runs the risk of winning few or no seats. Yet under PR, such a party would win some seats. The result would likely be more principled parties, thus improving the quality of representation. Voters would have a more clear idea of the mandate they are giving to MPPs, and thus be better able to hold MPPs accountable for their policies and political actions.

In effect, many Ontarians waste their votes by casting them for candidates with no chance of winning. Thus it's not surprising that voter turnout in Ontario has been declining. In the 1990 provincial election about 64.4% of eligible voters cast ballots. The number dropped to 62.9% in 1995, and in 1999 to 58.3%. Turnout sank further in 2003, to 56.9%.

This is a distressing trend. While we do not believe that a new voting system would in itself reverse this trend completely, we do believe that it is an essential ingredient for revitalizing Canadian democracy.

Given the shortcomings of our current FPTP system and declining citizen involvement in elections, it is no accident that support for electoral reform has been growing in Ontario and the rest of Canada. Nor do we believe that it is an accident that a growing number of Canadians, from across the political spectrum, are calling for the adoption of some kind of proportional representation system in our country. The referendum on STV proportional representation in the most recent provincial election in British Columbia is one example of this. PR is the fairest and most effective way to involve Canadians and Ontarians in a representative democracy.

Deficits with First-Past-the-Post

The key deficits of the first-past-the-post system are:

- Does not make room for the diversity of public philosophy and policy positions found within our society.
- “Winner takes all” – one party typically gains nearly complete control of the political agenda with a minority of the popular support (sometimes as little as 35-40%). That is, in a typical election, more people vote against the government than for it – sometimes almost twice as many.
- Dramatic suppression of alternative voices in our society – ‘third’ parties typically receive well under half the number of seats their numbers would warrant and independents have virtually no chance of being elected. Women are significantly underrepresented.
- Vote-splitting forces voters to vote tactically, rather than in accordance with their true convictions, so the actual distortions in the electoral outcomes are likely even greater than they appear to be.
- Regionalization – while perhaps more relevant at the national level, FPTP tends to aggravate regional divisions (e.g., rural/urban).
- Vote wasting – with FPTP, roughly half of all votes cast do not help elect a representative. Since we have a local representative system, this means that half the voters are effectively unrepresented (other than for non-partisan-related constituency affairs such as help with obtaining a health card).

Principles for Electoral Reform

There are certain principles to which we believe our electoral system should adhere. CPJ recommends that any proposed reform must be fair, proportional and effective:

- **Fair:** Citizens should get what they vote for. If they vote for a candidate of a certain party, that person’s representative should be from that party.
- **Proportional:** Representation in the legislature should be in proportion to the support garnered. Parties should be able to exercise legislative power only in proportion to their popular support.
- **Effective:** Citizens should be able to expect that an electoral system will enable representatives to faithfully carry out the agreed upon principles and election promises to which voters lent their support.

Addressing Criticisms of PR

Critics of proportional representation systems make several arguments which we reject:

- **PR will lead to unstable minority governments.**

It is true that FPTP does occasionally produce minority governments (more often now at the national level), that minority governments are more unstable, and that PR will be less likely to produce majority governments. However, the instability of current minority governments is mainly due to the fact that under FPTP a small swing in the popular vote (say from 35% to 38%) may be enough to turn a minority government into a majority. Similarly, the official opposition may hope for a small increase in their fortunes (say from 32% to 36%) which would enable them to form the government. Both of the two major parties are therefore motivated to provoke one another and trigger an early election. In contrast, the normal result of a PR election will be a stable coalition government, precisely because neither of the two largest parties can expect any significant change in their number of seats following an election. This promotes stability and avoids the dramatic policy swings that occur when FPTP gives the former opposition party a majority.

- **In a PR coalition government, small ‘single-issue’ parties will be the ‘tail wagging the dog’.**

We believe this concern is greatly exaggerated. Under FPTP, there are firm dividing lines between parties and interparty conflict is the rule. Under PR systems, there is generally more cooperation between parties and there are more options for partnerships to get particular pieces of legislation passed. Given the lack of incentive on the part of the main opposition parties to bring down a government early, a small party cannot exact more accommodation than their numbers warrant – the largest party in government always has the option to seek cooperative members of its main opposition party to get legislation passed and will not compromise their own position to such an extent that they risk losing their own supporters in the next election. In some circumstances (e.g., Germany 2006), the two largest (generally centrist) parties will form a ‘grand coalition’ if they share sufficient common interests. It may well take Ontario’s political parties an election cycle or two to understand that cooperation is more effective than opposition, but we believe that this is the direction we should be moving in.

- **PR versions of Mixed Member Proportional and Single Transferable Vote will have long lists of names on their ballots, which will confuse the voters.**

Under both Single Transferable Vote and open-list Mixed Member Proportional systems, voters only have to be able to identify those candidates for whom they wish to vote. Typically, this is a much smaller number of names than appears on the list – often on the order of two to five names. Voters in countries which use these kinds of proportional representation systems do not express any particular distress at the number of names on the ballots. Indeed, many city voters already have the experience of casting ballots with 30 or more names on them. We regard any purported inconvenience as minor at best.

Summary

In summary, CPJ identifies many failings of the current first past the post electoral system. We have no strong position on precisely which form of PR should be recommended. CPJ believes that some form of proportional representation is clearly needed, and asks the citizen's assembly to recommend a system which is fair, proportional and effective.

For further information, please contact:

Harry Kits
Executive Director
harry@cpj.ca
416-979-2443, x24

Bruce Voogd
Membership Development Coordinator
bruce@cpj.ca
416-979-2443, x26