

# The promise to change the Canadian electoral system is a bold commitment, and one that will be tough to meet

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*The Canadian general election last week brought to power a new government with a comfortable parliamentary majority. As in the UK general election in May, the vote/seat ratios of all parties were distorted in varying measure by the plurality vote system. Unlike in the UK, however, the winning party has promised an ambitious program of electoral reform. **John Courtney** reflects on the election and the challenges the Liberals are likely to face in trying to replace the first past the post system.*



Canada now has its first “political dynasty” at the federal level. Justin Trudeau’s stunning victory of 19 October came 47 years after his father (Pierre Trudeau) won his first of four elections as Liberal leader.

Just before the 78-day campaign (the longest in over 100 years) got under way, things looked promising for the Liberals. For the two years following his selection as party leader in April 2013, Justin Trudeau and his Liberal party topped the great majority of public opinion polls as the electorate’s most preferred leader and party.

But victory was far from guaranteed for the Liberals when the campaign began. Negative ads directed at the neophyte Liberal leader by the governing Conservatives, together with the new leader’s uncertainties and mistakes on policy issues took their toll. With the Liberal Party of Canada’s dramatic slide from first to third place in the public opinion polls in mid-June 2015, it became an open question whether the Liberals could form the official opposition, let alone the Government, following the October federal election. The election looked as if it would be a two-way fight between the governing Conservatives and the official opposition party, the New Democratic Party.

The familiar maxim that “campaigns make a difference” was no truer than in Canada in 2015. With a strikingly upbeat and stylish campaign that contrasted vividly to the turgid ones of the Conservatives and NDP, an energetic and photogenic leader, and a campaign platform that included legalisation of marijuana and a three-year commitment to federal deficits in order to finance infrastructure projects, the Liberals carved out a distinctive style

and set of policies. Ideologically they were widely seen as having moved to the left of the NDP, thereby picking up support from progressive voters who were uneasy with the normally socialist NDP's echoing the Conservative's call for balanced budgets and no new taxes.

In the end the Liberals won 184 of 338 seats and 39.5% of the popular vote, compared with the Conservatives who held 99 seats (31.9% ) and the NDP who secured 44 (19.7%). The pro-sovereigntist Bloc Québécois and the Green Party won 10 seats (4.7%) and 1 seat (3.4%) respectively.

Once again, the plurality vote system showed one of its well-known features. The new Government was elected with a comfortable parliamentary majority but with fewer than half of the votes cast, and the vote/seat ratios of all parties were, in varying measure, distorted. The 2015 distortions between seats and votes were far from the most pronounced in Canadian history, but the die had been cast before the election got under way for a review of the Canada's plurality vote system. The Liberals made electoral reform a central part of their party platform.

At the Liberals' lowest point in the polls, with barely four months to go until Canada's 42nd election, party leader Justin Trudeau released a [document](#) entitled Real Change: A Fair and Open Government. The party promised that if they were to form the next Government they would undertake an ambitious program of parliamentary and electoral reform. Their stated objectives were "to restore democracy to Canada" and "to modernize how Canadian government works."

It was an impressive document, made more so for having included pretty well every hot-button item that defined the Conservative Government's narrowly partisan and often highly controversial approach to managing the country's parliamentary and electoral institutions over its nine-and-a-half years in power.

The Liberal document promised, among other things, to make Canada's Access to Information program more open and user-friendly; to subject MPs' and Senators' expenses to strict guidelines and audits; to strengthen parliamentary committees; to allow Members of Parliament more "free votes" in the Commons; to introduce a Prime Minister's Question Period along the lines of that at Westminster; to restore the independence of the Commissioner of Canada Elections to prosecute electoral violations; and to re-instate the widely missed mandatory long-form census.

Tucked in among the 32 reform proposals was one that captured the greatest media attention: the party's commitment to ensure that "2015 will be the last federal election conducted under the first-past-the-post voting system."

In Mr. Trudeau's words, a Liberal Government would ensure "that electoral reform measures – such as ranked ballots, proportional representation, mandatory voting, and online voting – are fully and fairly studied and considered." A special all-party parliamentary committee would carry out the study, and within 18 months of forming Government the Liberals would introduce legislation in Parliament to enact electoral reform. A cynic might argue that with an electoral system that translated slightly less than 40% of the popular vote into a commanding majority in the Commons, the Liberals – in third place in the polls when they released their proposal – will rue having promised to replace first-past-the-vote elections. But that is another topic for another day...

Changing the electoral system was a bold commitment not least because of its tight timeline. But it will be tough commitment to meet – both in terms of its deadline and the diverging arguments that changes to the electoral system can be expected to generate.

At a minimum, a thorough Parliamentary committee study of the assigned electoral topics would necessarily involve testimony of experts (who can be counted on to offer conflicting advice) and comparative examinations of electoral system proposals or actual changes in other Westminster-model parliamentary countries (the United Kingdom and New Zealand come readily to mind).

Furthermore, the recent experience of the provinces with their ultimately unsuccessful attempts to replace the first

past the post (FPTP) electoral system cannot be ignored in a country as mindful of its federal structure as Canada. What has happened on the electoral reform file in five of Canada's ten provinces over the past decade has already entered the post-election debate over the Liberals' reform package.

Since 2005, proposals to replace FPTP elections with the Single Transferable Vote or some variant of a Mixed Member Proportional system have either been shelved by provincial Governments (Quebec and New Brunswick) or defeated by sizeable margins in province-wide referendums (Ontario, British Columbia, and Prince Edward Island). In every case, the initial stage of the attempt to change the electoral system was marked by widespread public consultation by way of an independent commission, a select committee of a legislature, or a [Citizens' Assembly on Electoral Reform](#).

With no history of anything other than FPTP elections at the federal level in its nearly 150-year history, Canada's electoral system will be a challenge for the Trudeau Government to change within their self-imposed deadline. Some will argue that only a countrywide referendum will confer "legitimacy" on the move. Others will dispute that claim by asserting that the referendums held by three provinces have set no precedent for Ottawa to follow and that, in the final analysis, Parliament is master of its own electoral rules.

The next several months should provide clues about which of these two positions will prevail in Canada's upcoming electoral reform debate.

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