

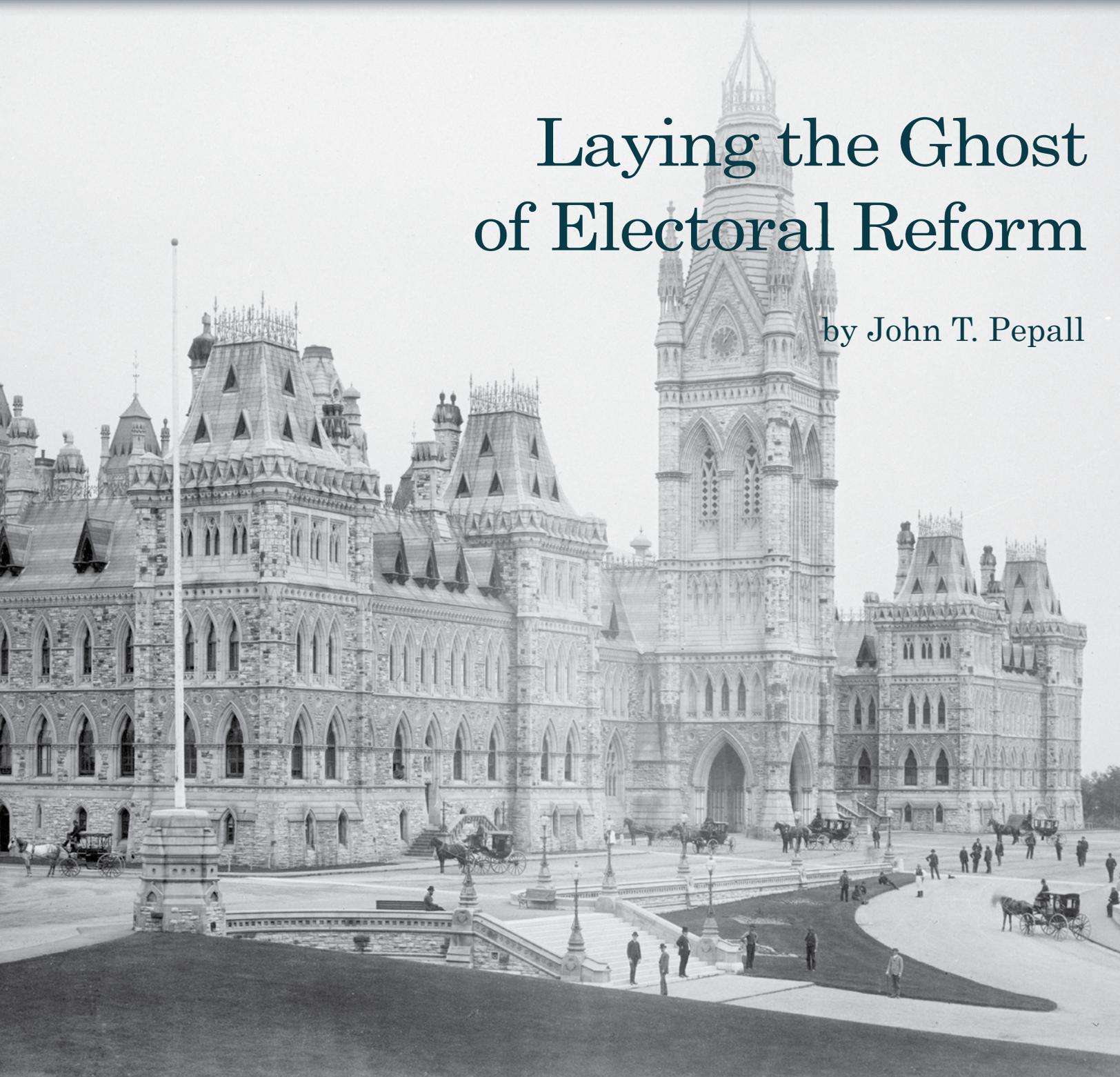
CANADA'S FOUNDING IDEAS SERIES



September 2011

Laying the Ghost of Electoral Reform

by John T. Pepall





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Executive Summary

The appeal of proportional representation is persistent; polling shows strong support for it. Yet elaborately prepared and promoted proposals for proportional representation were roundly rejected by voters in referendums in Prince Edward Island in November 2005, in Ontario in October 2007, and in British Columbia in May 2009.

We shall not hear the last of proportional representation specifically, and electoral reform generally, until we understand why it is an entirely bad idea.

The role of voting

To govern is to choose, to decide. In a democracy there are always winners and losers, whatever the electoral system. The principle of majority rule, notwithstanding concern about “the tyranny of the majority” and protection of minority interests, is practically universally accepted. Even legislatures elected by proportional representation proceed by majority rule. Majority rule is accepted because it produces a decision. Where there is a decision, there will be winners and losers. No electoral system can get around that fact or its results: that most people, most of the time, will be unhappy with much of what governments do. Decisions must and will be made, and by voting, the people can decide who will make them, and hold them accountable.

Proportional government is impossible. However, proportional representation can give parties disproportionate shares in government and power. In countries with proportional representation, most parties most of the time neither hope nor intend to form a government by themselves. A minor party that has no hope of forming a government is necessarily undemocratic. It cannot honestly promise to do anything because it will never, by itself, be able to hold power. It offers what it cannot deliver. Its goals can be achieved only with the help of others who share those goals and who are therefore equally worthy of the votes of its supporters. Conversely, it can get support from others who are prepared to support something they do not believe in for the sake of power, in effect making a corrupt bargain and allowing a minority to lever a balance of power in a fragmented Parliament to get what it wants against the will of the majority.

The concept of wasted votes

Advocates of proportional representation say that votes for losing candidates and excess votes for winning candidates in our elections are “wasted.” They argue that by “making every vote count,” proportional representation avoids wasted votes. Only by ignoring the point of voting, which is deciding, can proportional representation’s advocates concoct the concept of the wasted vote.

Under the current “First Past the Post” electoral system, votes for losing candidates or excess votes for winning candidates are not wasted. They are markers for the future. Those for losing candidates show a base from which future winners may come. Excess votes for winning candidates show strength to spare should unpopular decisions be necessary.

Why our current voting system works

It is the ability to “throw the bums out,” more even than the ability to choose a new government, that is the most striking practical virtue of our present way of voting. Yet throwing the bums out is almost impossible with proportional representation. Major parties have remained in government for decades under proportional representation despite wide fluctuations in their votes. Minor parties often seem to share in government in inverse proportion to their electoral success, turfed out when their vote grows and they look threatening, and brought in when it sags.

Under proportional representation the voter has to consider not just his choice of party, but the likely strength of that party’s possible coalition partners and what coalitions might be formed without the chosen party. Usually it is not just difficult, but impossible to foresee these things. What the coalition may be cannot be known until after the election. The voters can have no say in it. Parties haggle in secret over shares in a government that was not on offer in the election and could not be foreseen.

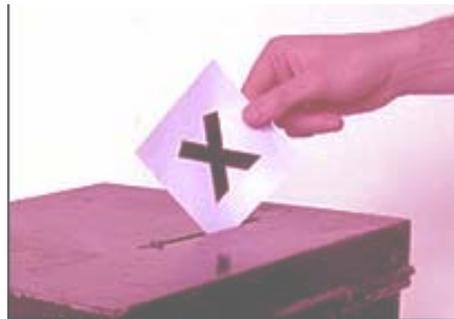
How proportional representation works

Proportional representation elections usually work by party lists. Each party offers an ordered list of candidates, the top X number of which are elected. In most proportional representation systems there are no by-elections; vacancies are filled by names lower down the list. So proportional representation necessarily breaks the connection between the voter and the member. At present, our MP represents everyone in the riding and hopes to win over those who voted for someone else. Under proportional representation, the MP represents only the party voters. Even keeping the party’s own voters happy is secondary to the MP whose future depends more on ranking on the party list decided by the party apparatus, than on popularity with the party’s voters.

The role of our MPs

It is not the role of MPs to represent voters as though they were a random sample of the people. And it is not the role of government to serve the people divided in their theories or interests, issues or cultures, genders or age groups, and so on. Government has to do with the common interests and affairs of the people. MPs must concern themselves with the common good and must try to represent voters in their common concerns, and not as they may be divided.

Elections have two sides, the voters and the candidates. The interaction between them in elections produces democratic government. Voters judge the candidates and parties not simply on their own thoughts, sentiments, and interests, but on the breadth of their appeal and their ability to lead, persuade, and govern effectively.



Voting the way we do now works. It gives voters the power to decide who will represent them, and who will govern. It enables voters to hold them accountable. On examination, all the alternatives fail.

Sommaire

L'attrait du système de représentation proportionnelle ne se dément pas: les sondages indiquent qu'il jouit d'un fort appui. Et pourtant, des propositions en faveur de la représentation proportionnelle minutieusement élaborées et qui ont bénéficié d'une importante campagne de promotion ont été rejetées par les électeurs lors de référendums à l'Île-du-Prince-Édouard en novembre 2005, en Ontario en octobre 2007 et en Colombie-Britannique en mai 2009.

Nous continuerons d'entendre parler de la représentation proportionnelle en particulier, et de réforme électorale en général, aussi longtemps que nous n'aurons pas compris pourquoi c'est une tout à fait mauvaise idée.

Le rôle du vote

Gouverner signifie choisir, décider. Dans une démocratie, il y a toujours des gagnants et des perdants, quel que soit le système électoral. Le principe de la règle de la majorité, nonobstant les préoccupations concernant la « tyrannie de la majorité » et la protection des intérêts des minorités, est accepté de manière pratiquement universelle. Même les législatures élues par un système de représentation proportionnelle fonctionnent avec la règle de la majorité. La règle de la majorité est acceptée parce qu'elle permet la prise de décision. Lorsqu'une décision est prise, il y aura toujours des gagnants et des perdants. Aucun système électoral ne peut contourner cette réalité ou ses conséquences, soit le fait que la plupart des gens, la plupart du temps, seront mécontents par une bonne partie de ce que fait le gouvernement. Les décisions doivent être prises et seront prises. Et en votant, les gens peuvent choisir ceux qui les prendront et les tenir responsables de leurs décisions.

Un gouvernement proportionnel est impossible. La représentation proportionnelle peut cependant donner à certains partis un accès disproportionnée aux postes de gouvernement et au pouvoir. Dans les pays où la représentation proportionnelle est en vigueur, la plupart des partis n'ont la majeure partie du temps aucun espoir ni l'intention de former eux-mêmes un gouvernement. Un parti marginal qui n'a aucune chance de former un gouvernement est nécessairement antidémocratique. Il ne peut honnêtement promettre de faire quoi que ce soit parce qu'il ne pourra jamais tenir les rênes du pouvoir par lui-même. Il prend des engagements qu'il ne peut remplir. Ses objectifs ne peuvent être atteints qu'avec l'aide d'autres partis qui les partagent aussi et qui méritent donc tout autant les votes de ses supporters. À l'inverse, il peut obtenir l'appui d'autres partis qui sont prêts à supporter des objectifs auxquels ils ne croient pas simplement pour être au pouvoir, ce qui constitue dans les faits un marchandage corrompu et permet à une minorité d'exercer la balance du pouvoir dans un Parlement fragmenté pour obtenir ce qu'elle veut à l'encontre de la volonté de la majorité.

Le concept des votes gaspillés

Les partisans de la représentation proportionnelle prétendent que les votes en faveur de candidats perdants et les votes au-delà de la majorité suffisante pour des candidats gagnants sont « gaspillés ». Ils soutiennent qu'en « permettant à chaque vote d'être compté », la représentation proportionnelle évite de gaspiller des voix. C'est uniquement en ignorant la pertinence même du vote, qui est de prendre une décision, que les défenseurs de la représentation proportionnelle réussissent à concocter ce concept de vote gaspillé.

Dans le système « majoritaire uninominal à un tour » actuellement en vigueur au Canada, les votes en faveur de candidats défaits ou les votes en surplus pour les candidats victorieux ne sont pas gaspillés. Ils sont des indicateurs de ce qui pourrait arriver dans le futur. Les votes pour les candidats défaits montrent l'existence d'une base à partir de laquelle un futur gagnant pourrait émerger. Les votes en surplus pour les candidats victorieux montrent la force électorale qu'ils peuvent se permettre de perdre s'ils devaient prendre des décisions impopulaires.

Pourquoi notre système électoral actuel fonctionne

C'est la capacité de « renvoyer les mauvais », bien plus que celle de choisir un nouveau gouvernement, qui est la vertu pratique la plus frappante de notre système actuel. Il est cependant presque impossible de renvoyer les mauvais avec la représentation proportionnelle. Les principaux partis sont restés au gouvernement pendant des décennies sous les systèmes de représentation proportionnelle, même si leurs résultats électoraux fluctuaient grandement. Les partis marginaux semblent souvent avoir accès au gouvernement en proportion inverse de leur succès électoral : ils sont appelés à participer aux gouvernements de coalition lorsque leur vote fléchit, mais rejetés lorsqu'ils obtiennent plus de votes et paraissent menaçants.

Dans un système de représentation proportionnelle, l'électeur doit prendre en considération non seulement le parti pour lequel il choisit de voter, mais la force potentielle des partenaires de coalition de ce parti et les coalitions qui pourraient être formées sans le parti choisi. Il est habituellement non seulement difficile, mais impossible de prévoir ces choses. Ce n'est qu'après l'élection qu'il est possible de savoir quelle coalition pourra être formée. Les électeurs ne peuvent l'influencer d'aucune manière. Les partis marchandent en secret sur le pouvoir qu'ils obtiendront dans un gouvernement qui n'a pas été proposé lors de l'élection et qui ne pouvait être prévu.

Comment fonctionne la représentation proportionnelle

La représentation proportionnelle fonctionne habituellement au moyen de listes de parti. Chaque parti propose une liste ordonnée de candidats, dont un nombre X parmi les premiers sont élus. Dans la plupart des systèmes de représentation proportionnelle, il n'y a pas d'élection complémentaire; les sièges vacants sont comblés par les noms qui viennent plus bas dans la liste. La représentation proportionnelle brise donc nécessairement le lien entre l'électeur et le député. En ce moment, nos députés représentent tout le monde dans la circonscription, dans l'espoir de gagner la confiance de ceux qui ont voté pour quelqu'un d'autre. Dans un système de représentation proportionnelle, le député représente uniquement les électeurs de son parti. Même la nécessité de garder ses propres électeurs satisfaits devient secondaire pour un député dont l'avenir dépend davantage de son classement sur la liste du parti, tel que décidé par l'organisation, que de sa popularité auprès des électeurs.

Le rôle de nos députés

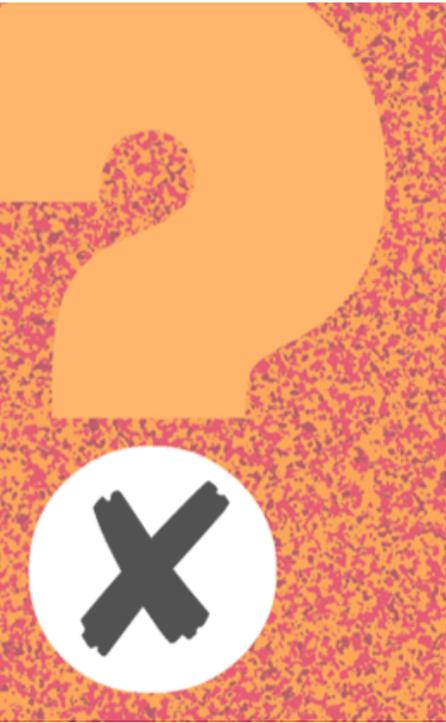
Ce n'est pas le rôle de nos députés de représenter les électeurs comme si ceux-ci n'étaient qu'un échantillon aléatoire de la population. Ce n'est pas non plus le rôle du gouvernement de servir un peuple divisé sur le plan de ses croyances et intérêts, sur des questions spécifiques, par genre, groupe d'âge, etc. Gouverner signifie se préoccuper des intérêts et des besoins communs de la population. Les députés doivent s'affairer à défendre le bien commun et doivent chercher à représenter les électeurs dans la mesure où ils partagent des préoccupations, et non dans la mesure où ils peuvent être divisés.

Les élections ont deux côtés, les électeurs et les candidats. Leur interaction pendant les élections produit



des gouvernements démocratiques. Les électeurs jugent les candidats et les partis non seulement à partir de leurs propres réflexions, sentiments et intérêts, mais aussi sur la base de leur attrait général et de leur capacité à diriger, persuader et gouverner efficacement.

Notre façon actuelle de voter fonctionne bien. Elle donne aux électeurs le pouvoir de décider qui les représentera et qui les gouvernera. Elle permet aux électeurs de les tenir responsables. Après examen, on constate que toutes les solutions de rechange ne passent pas le test.



The appeal of proportional representation is persistent but Canadian voters have roundly and consistently rejected such reform.

Introduction

The appeal of proportional representation is persistent. Polling shows strong support.¹ Fair Vote Canada is the most prominent and focused lobby promoting it.² Prominent figures in the major parties support it.³

And yet, elaborately prepared and promoted proposals for proportional representation were roundly rejected by voters in referendums in Prince Edward Island in November 2005, in Ontario in October 2007, and in British Columbia in May 2009. One might have thought we had heard the last of it. But it was raised again both before and after the New Brunswick election of September 27, 2010.⁴ Both the New Democratic Party and the Green Party included it in their platforms for the May 2, 2011 election.

The dramatic result of the May 2 election, though it was not exceptional by historic standards and actually gave the New Democrats 33.1% of the seats on 30.6% of the vote, often within the margin of error under proportional representation, started talk again.⁵ The two-to-one defeat of the Alternative Vote in the referendum in the United Kingdom on May 5, 2011 only set the CBC off seeking suggestions for electoral reform in Canada.⁶

The idea that parties should get seats in proportion to their popular vote has become a dogma beyond argument for the believers. They wrongly claim that most of the ills of our politics would be cured by proportional representation and the interest of small parties too weak ever to hope to win a majority is obvious. But chiefly they assume what is in issue, that proportional representation is “fair” and “democratic.” The most notorious cases of the disproportion between votes and seats are trotted out - New Brunswick in 1987 when the Progressive Conservatives got 28.59% of the votes and no seats, British Columbia in 2001 when the Liberals took 77 of 79 seats

¹ “New hard-hitting report details Prime Minister’s ‘assault on Democracy.’ Accompanying poll shows majority of Canadians want proportional representation.” <http://www.canadians.org/media/other/2010/15-Apr-10-2.html> Council of Canadians Media Release (April 15, 2010).

² Democracy Watch and the Council of Canadians are others.

³ “Rainbow Coalition of Pro-MMP Supporters Call Upon All Party Leaders.” Vote for MPP Press Release (September 21, 2007).

⁴ Daniel McHardie, “Electoral reform needed in NB: prof” CBC News (September 23, 2010). <http://www.cbc.ca/canada/nbvotes2010/story/2010/09/22/nbvotes-electoral-reform-1001.html?ref=rss>. Jane Taber, “Electoral-reform advocates decry New Brunswick ‘schmozzle.’” *The Globe and Mail* (September 28, 2010.)

⁵ “Election Results Have Canadians Calling for Reform” <http://www.examiner.com/political-buzz-in-calgary/election-results-have-canadians-calling-for-reform> (May 7, 2011); “NDP’s rising fortunes put talk of merger with Liberals on ice, for now” <http://www.thestar.com/news/canada/politics/article/987836--ndp-s-rising-fortunes-put-talk-of-merger-with-liberals-on-ice-for-now?bn=1> (May 8, 2011); “Liberals may be down, but not out” *Daily Gleaner* (May 10, 2011).

⁶ “Electoral reform in Canada: Your suggestions” (May 6, 2011). <http://www.cbc.ca/news/yourcommunity/2011/05/electoral-reform-your-suggestions.html>

with 57.62% of the votes - as if they were arguments for proportional representation. They mean nothing, unless you already believe elections should produce proportional representation.

We shall not hear the last of proportional representation and electoral reform generally, until we understand why it is an entirely bad idea. To do that, we must understand what voting is for and what parties are for.

Voting

Voting is a procedure for making decisions. This is not a dogma or a theory or an ideal. It is a simple statement of fact. When people say “Let’s put it to a vote,” they do not mean, “Let’s find out what everybody thinks.” They have likely already done that. A call for a vote is a call for a decision.

There are other procedures for making a decision, such as flipping a coin or drawing lots, but where a number of people have common affairs voting is generally considered the best. This might be because the option that attracts the most votes is supported by the largest number of rational consciousnesses and reason is the highest authority we have. More importantly, the option with the most votes has behind it the strongest force of popular will. Democracy means that the people’s business is decided by the popular will.

The principle of majority rule, notwithstanding concern about “the tyranny of the majority” and for protection of minority interests, is practically universally accepted. Even legislatures elected by proportional representation proceed by majority rule. Majority rule is accepted because it produces a decision. Where there are more than two choices, there may be no majority, but a plurality produces a decision and one as rational and defensible, and necessary, as a majority where there is one. Much of the impetus behind electoral reform is a futile attempt to concoct a majority where there is none, an impossibility leading to irrational and incoherent results.

When democracy reappeared in the modern world it was as representative democracy. The decision voters had to make was who would represent them. Whoever got the most votes was the answer. And in the House of Commons at Westminster and assemblies throughout the British Empire, in the United States, and here and there in Europe, that was how it was, and from India to Nunavut still is.

In elections where the position at stake is not a seat in a legislature but an executive position, as with the mayors in most Canadian cities, the issue of proportional representation is not raised. David Miller was elected Mayor of Toronto in 2003 with 43.58% of the votes against 38.33% for John Tory, 9.23% for Barbara Hall, 5.24% for John Nunziata, and 0.71% for Tom Jakobek. No one suggested they should have got to be mayor for a number of days, or hours, proportionate to the votes they got. The purpose of the election was to decide who would be Mayor, not to take subscriptions for shares in City Hall.

If proportionality and making every citizen’s vote count is the goal, why should we not apply it to policies? If 50% of the people oppose capital punishment, 40% support it, and 10% are undecided, why should we not give five out of ten murderers a life sentence, hang four, and keep one on death row until the undecided make up their

Voting is a procedure for making decisions. A call for a vote is a call for a decision. Majority rule is accepted because it produces a decision.

minds? Of course the suggestion is absurd. No one could defend such a result where murderers would hang randomly depending on the order of their convictions.

The point of such an absurd example is simply to confirm the old adage: To govern is to choose, to decide. In a democracy there are always winners and losers, whatever the electoral system, and even when direct democracy through referendums is practiced. No electoral system can get round that fact and what results from it, that most people, most of the time, will be unhappy with much of what governments do. Decisions must and will be made, and by voting the people can decide who will make them, and hold them accountable.

Government is not a jumble of discreet choices where some people can decide some things, and others, with different ideas and interests, can decide others. The choices must fit together. This is most obvious in a budget. We cannot cut taxes, raise spending and reduce debt, all at the same time. And we cannot have a right-wing foreign policy and a left-wing defence policy. Nor can we lurch back and forth through the year with the New Democrats in power for four months, the Tories for five, the Liberals for two etc., cutting taxes in February and raising them in July.

Proportional government is impossible. However, proportional representation can give parties disproportionate shares in government and power.

Parties

To govern is to choose,
to decide. In a
democracy there are
always winners
and losers.

It is political parties that advocates of proportional representation think should be the beneficiaries of proportionality. Why? What are parties for? What are they?

Parties are a paradox. The root of “party” means division. Seen thus and under the name of factions, they were suspect to the men who wrote the Constitution of the United States.⁷ Notwithstanding, parties emerged under George Washington’s first administration and were the subject of strictures in his Farewell Address.⁸ But parties serve a necessary purpose, not by dividing people, but by bringing them together.

Parliament had a long history before there were parties. MPs in a Tudor House of Commons may have seen things differently, depending on whether they represented London, or a borough, or a county seat. But there were no parties. Even when the divisions between Cavaliers and Roundheads, or Tories and Whigs emerged in the seventeenth century, there were no organizations and no labels beyond insults hurled across the political divides. Men ran as individuals, and at an election the voters might have to choose between two Whigs, or two Tories, and someone who did not know what he was.

It was only with the coming of what is now known as “responsible government” in the early eighteenth century that parties finally emerged. As responsibility for government came to be assumed by a ministry drawn from Parliament and supported by the House of Commons, it became necessary to organize that support and seek its continuance in elections. Nothing at all like modern party organization emerged until

⁷ James Madison, Alexander Hamilton, and John Jay, *The Federalist Papers* (London: Penguin Books, 1987), Papers IX and X, pp. 118-127.

⁸ Henry Steele Commager, ed. *Documents of American History*, 8th edition (New York: Appleton-Century-Crofts, 1968), p. 169.

well into the nineteenth century. But in Parliament, and at elections, parties finally emerged as the purpose for which they exist emerged.

Responsible government led naturally to growth of two parties: the party of those supporting the government and the party of those opposing it and hoping to replace it, the party of an alternative government. People of all opinions and interests found a place in one party or the other where they could work together in support of a government. Each party sought to encompass whatever opinions and interests it could work with to bolster its strength.

Once the House of Commons in effect decided who would be the government, the most important thing about a candidate seeking to be a member became, for most voters, whom he would support in government. For some voters, the character and standing of the candidate was still more important than his party. But by choosing a Whig or a Tory, the voter could effectively have a say in who would govern.

A party exists to form a government. It is a political association of people whose interests and ideas and confidence in each other make it possible that they should be able to work together to support coherent measures, a ministry, and, most importantly, a budget. No party has any value in politics unless it is a potential government.

A party exists to form a government. Again this is not a dogma. It is an historic fact. If it is not true, what is a party for? It is not enough to say that it exists to promote interests or ideas. There are all kinds of associations that promote the interests and ideas that are the stuff of politics. Historically many did, and some still do, support candidates in elections. During elections, candidates are faced with scores of requests from groups asking them where they stand on their issues. The responses are published with either explicit or implicit endorsements of the candidates who answer correctly. But to be a party as generally understood, an association must put up candidates selected by its own rules and run some kind of campaign on their behalf. Any association that does that assumes a responsibility for all that governments may do, even if the legalization of marijuana, or the independence of Quebec, or farmers' interests are what got them into politics, and even if their position on everything else is indifference, or that nothing should be done. That is a position in itself, and the one issue or one interest party will have to contend not only with those who oppose the legalization of marijuana, or whatever, but with those who insist that other issues have to be addressed and other interests weighed. MPs are called upon to deal with all our public business. They cannot choose to deal with only some of it. Nor can voters, in choosing an MP, safely limit themselves to some issues and interests. Government will not.

Any political association can call itself a party. If it promotes only one issue or interest, or if it so positions itself that it can never hope to form a government, it cannot serve the purpose for which parties exist.

If a party has got the goods, if, as the Green Party maintains and its supporters believe, it is on to the most important issue of our times and has the best answers and thoughtful and disinterested policies on all the issues government faces, why should it not be able to get close to 40% of the popular vote and form a government? Because people in all parties or none are just as concerned about the environment as Green voters and have just as good and disinterested ideas.

Responsible government led naturally to growth of two parties: the party of those supporting the government and the party of those opposing it and hoping to replace it.

In countries with proportional representation most parties most of the time neither hope nor intend to form a government by themselves. The same is true in Canada for the Green Party and, much of the time, the New Democratic Party, and in the United Kingdom for the Liberal Democrats.

A so-called party that has no hope of forming a government is necessarily undemocratic. It cannot honestly promise to do anything because it will never, by itself, be able to do anything. It offers what it cannot deliver. Its goals can be achieved only with the help of others who share its goals and who are therefore equally worthy of the votes of its supporters, or others who are prepared to support something they do not believe in for the sake of power, allowing a minority to lever a balance of power in a fragmented Parliament – fragmented most likely by proportional representation – to get what it wants against the will of the majority.

Once parties are understood in light of the purpose for which they exist, the absurdity of giving them seats in proportion to their votes is evident.

Votes and Parties

Once parties are understood in light of the purpose for which they exist, the absurdity of giving them seats in proportion to their votes is evident. Parties cannot be given a share of government in proportion to their votes. A government so constituted would be incoherent and paralytic. Giving seats in Parliament in proportion to votes for parties can be done, but it makes no sense. It proportions two means to a party's end of forming a government – votes and seats – and in so doing subverts the end. No party can any longer hope to form a government.

Proportional representation's assurance of seats to parties that can neither hope nor intend to form a government by themselves means that elections do not decide who governs. A coalition becomes necessary to form a government. What the coalition may be cannot be known until after the election. The voters can have no say in it. Parties haggle in secret over shares in a government that was not on offer in the election and could not be foreseen.

By making the candidate merely a counter for a party – a party incapable of governing by itself – proportional representation makes party affiliation the legal determinant of who gets elected, but the reason why it should matter – its effect on who governs – is gone, as the party can never govern.

Political scientists sometimes write as if our present way of voting was devised to produce majority governments. Some suggest a skewed proportional representation that would give bigger parties a disproportionate share of seats in order to try to produce majority governments while keeping some degree of proportional representation, a kind of proportional representation for the opposition. Something like it has been tried in Italy since pure proportional representation was abandoned in 1992. But our way of voting was not devised for majority governments, or parties, or government at all. It was devised to produce representatives from across England who could vote money for the king and pass laws as they were needed. The king governed.

When, after the conflicts of the 17th century, it was settled that the government should have the support of the House of Commons, a government majority formed naturally and practically (fueled by liberal patronage). It was not the application of a political theory. Common ground and mutual confidence sufficient to govern was found as it was needed. Elections were not designed to produce majorities. Majorities

In proportional representation, coalition becomes necessary to form a government. What the coalition may be cannot be known until after the election. The voters can have no say in it.

were needed for government once it became responsible to the House of Commons, and parties formed to produce them and sustain them. There was, and is, no point in accommodating and sustaining factions incapable of governing. It needed no theory to see that. It was a practical matter, as government is a practical matter. Proportional representation invites and encourages politicians to form hypothetical governments, theoretical governments. What they will do in practice they cannot say. They work that out after the elections.

Proportional representation's supporters argue as if the way we elect members now, what is colloquially known as "First Past the Post" was a terrible mistake, an archaic invention that modern ingenuity should leave behind. It is condemned because it does not yield proportional representation of parties, as if the purpose of Parliament was to serve the parties. But it is the other way round. Parties were formed to allow Parliament to work and to support a government. Parliament does not exist to allow parties to fragment government and haggle over it.

With proportional representation every interest, faction, tendency, ideology, ethnic or regional bloc, or theory has an incentive to break off and form its own party. The politicians, who are popularly supposed to oppose electoral reform for selfish reasons, are relieved of the responsibility to work together and set free to run their own shows, taking their chances in bargaining for power in coalitions, but assured of seats for the party insiders.

In Europe, where proportional representation is common, by the time effective parliamentary government came there generally already existed several political movements unwilling to accept anything that would have impelled them to coalesce into potential governing parties. Very sadly, proportional representation has been generally adopted in countries that have become democracies in recent years where, again, there have been various existing political movements.

Proportional representation has only become an issue where there are third or fourth parties, which, whatever their original ambitions, have evidently no hope of winning a majority of seats. We did not hear much of proportional representation from the CCF or the NDP when, buoyed by provincial victories, their faith was that they could one day form a government in Ottawa. Despairing of breaking out of the teens in the popular vote, Jack Layton demanded proportional representation. Now that he can dream of winning a majority with only a million or so more votes, he might think again. The Green Party, not able to appeal to most voters, wants a block of seats in Parliament with less than 5% of the vote.

Proportional representation takes time to do its work. After the Greens it might be years before another party emerged from a new political movement or a party split. But once it did emerge, proportional representation would see that it stayed. Proportional representation keeps small parties going indefinitely. They have no incentive to merge or seek broader support.



With proportional representation every interest, faction, tendency, ideology, ethnic or regional bloc, or theory has an incentive to break off and form its own party.

The Concept of Waste

Advocates of proportional representation say that votes for losing candidates and excess votes for winning candidates in our elections are “wasted.” They argue keenly that “making every vote count,” proportional representation avoids “wasted” votes.

The notion of the wasted vote is an artifact of proportional representation dogma. You could say you wasted your vote if you did not vote, as, if you had a ticket to a ball game and did not go, you would say you wasted your ticket. Or you could say you wasted your vote if you spoil your ballot. But to say you have wasted your vote if your vote does not count, in however minuscule a degree, towards a party winning a seat, amounts to saying that your vote is wasted if it does not produce a winner. With proportional representation in Canada every vote would count for 0.00002 seats. But the price of this tiny victory would be loss of control over who governs. It is only when you accept the proportional representation argument that every vote must count towards seats that the phrase “wasted vote” takes on meaning. When you vote for Jones for Mayor and Singh wins, or Jones wins by a landslide, you do not think you wasted your vote.

The concept of the wasted vote derives from proportional representation’s rejection of the purpose of voting, which is deciding. Where there is a decision there are winners and losers, and the winners may be by a majority or by a plurality. Only by ignoring the very point of voting can proportional representation’s advocates concoct the concept of the wasted vote. A vote becomes a straw vote deciding nothing.

Proportional representation does not assure that no votes are wasted or every vote counts in deciding who will govern, that every voter gets a say in government. Notoriously, the Communist Party of Italy, under perhaps the most famous example of proportional representation in practice, consistently got around 20 to 30% of the vote in elections, but for over forty years the Communists never formed part of the government. Governments were formed and fell, and elections were held, and none of the tens of millions of votes cast for the Communists had any direct effect. The votes cast for the Communists were as much wasted as are, under the theory of proportional representation, votes for losing candidates. If the measure of whether a vote is wasted is its impact on government, votes for parties that win seats but never enter government or for parties that are always in government, whatever the fluctuations of their votes, are as much wasted.

Most votes in our elections and in other countries that vote as we do are cast by voters who know that their candidate is either sure to win or sure to lose, but in the face of all the carping voters in their billions cast their votes anyway. They see the point when the proponents of proportional representation refuse to. Those proponents could not come up with the figures they are so fond of, showing what they claim are wasted votes, if voters were not so keen, as they see it, to waste their votes.

And votes for losing candidates or excess votes for winning candidates are not wasted. They are markers for the future. Those for losing candidates show a base from which future winners may come. Excess votes for winning candidates show strength to spare should unpopular decisions be necessary.

Voting is a procedure for letting the people decide. If they are not unanimous, any decision must involve one choice winning and another losing. Proportional represen-

The notion of the wasted vote is an artifact of proportional representation dogma and derives from its rejection of the purpose of voting, which is deciding.

tation's goal of "Everyone wins and all get prizes" means the voters do not decide. That is a real waste of voting.

Proportions of Power - An Example

Proportional representation's most notorious and perverse effect is a disproportionate influence for small parties. The transparent ambition of the Greens is to hold the balance of power in a Parliament in which no party could ever win a majority.

With the balance of power comes disproportionate power. A party for which only a few issues matter, like the small religious parties in Israel, can impose its will on those issues against the majority of voters by giving its support to whichever coalition is prepared to buy its votes by satisfying its demands. Parties with a less specific agenda can bargain for a more or less permanent disproportionate share in government. The German Free Democrats started out as a free market liberal party, arguably to the right of the Christian Democrats. In time they came to be a centrist party shifting their support to the Social Democrats so long as their oversized share in the government was guaranteed. Between 1949 and 1998 they were in the government for 41 years, always providing the Deputy Chancellor and holding a larger share of the cabinet than even their share of seats in the majority coalition indicated. With only about 6% of the vote, they decided who would govern, backing the second place Social Democrats in 1969 and shifting to the Christian Democrats in 1982, each time without an election.

Germany's system of proportional representation seemed for forty years to yield stable and effective government. It was held up as an ideal and happy medium, with a 5% threshold to keep out fringe parties and roughly half the members of the Bundestag elected in constituencies. In fact, Germany's proportional representation is real proportional representation. The 5% threshold is only a small protection against its dangers and the constituency elections are strictly subordinate to proportional representation. The German election of 2005 showed that it does not work.

The peculiar circumstances of post-war West Germany meant that the range of parties common in the rest of Europe did not exist and could not easily be started up. There resulted a kind of two-and-a-half-party system. The role of the Free Democrats was seen as a benign moderating influence on whichever of the big parties, Christian Democrat or Social Democrat, it chose to support. The role of the Free Democrats was an accident of German politics. In time the party weakened as it came to stand for nothing but holding onto a too large share of power. Its survival depended to some extent on the tactical votes of supporters of whichever major party expected it to be its coalition partner.

After the election of 2005 neither a Free Democrat/Christian Democrat nor a Green/Social Democrat coalition could achieve a majority. The Christian Democrats would have needed to include the Greens, to the left of the Social Democrats, as well as the Free Democrats, to achieve a majority. The Social Democrats, even with the Greens, would have had to depend on the Left Party, a mix of ex-Communists and renegade Social Democrats, to achieve a majority, giving that dodgy group with 8.7% of the vote a life-and-death hold over the government.

Votes for losing candidates or excess votes for winning candidates are not wasted. They are markers for the future.

Advocates of proportional representation brush aside arguments that the 2005 German election showed the faults in what had appeared to be the most successful proportional representation regime.

A “Grand Coalition” between the Christian Democrats and Social Democrats, who together won almost 70% of the votes, was formed under the Christian Democrat leader Angela Merkel. Polls showed that such a coalition was the third choice of voters with only 25% support, behind a Social Democrat/Free Democrat/Green coalition favoured by 27%, and a Christian Democrat/Free Democrat/Green coalition favoured by 33%.⁹ But under proportional representation the voters do not get to choose the government and what they told pollsters was meaningless.

Advocates of proportional representation brush aside arguments that the 2005 German election showed the faults in what had appeared to be the most successful proportional representation regime. They say that the Grand Coalition had the support of 70% of the voters. But no one voted for a Grand Coalition. Presumably those who voted Christian Democrat wanted a Christian Democrat government and those who voted Social Democrat wanted a Social Democrat government.

After the election some Christian Democrat and some Social Democrat voters may have felt that half a government was better than none. But some may not. Many must have voted Social Democrat precisely to keep the Christian Democrats out of power, or Christian Democrat to get rid of the Social Democrats. One is tempted to say that their votes were wasted.

The only important change in the voting between the previous election in 2002 and the election in 2005 was a surge in support for the Left Party, which went from 4% to 8.7% in the popular vote and won 54 seats. But under proportional representation a surge in support for a left-wing party produced in the Grand Coalition a government to the right of the one before the election.

The election had been a hard-fought contest between the Christian Democrats and the Social Democrats, each saying what fine things they would do and why the other’s plans and people would be bad for Germany. Several weeks after the election the two parties were wrapped in a 60,000 word Coalition Agreement that assumed rigid discipline in both parties, with all actions to be thrashed out in joint party committees. Polls showed that 74% of Germans thought that politicians negotiating the Coalition Agreement were concerned about their careers and personal development against only 20% who thought they were concerned with actual political issues.¹⁰

It says little for the probity of German politics that an election that was all about why one party rather than the other should govern produced an agreement that both should. The election showed that, while in our elections the voters effectively decide who governs, proportional representation takes the decision out of their hands. During the election German voters were offered a choice. After the election they learned they had none.

If asking voters in a poll what coalition they preferred was meaningless, asking them to vote for a party under proportional representation is also meaningless. What, one wonders, did the 9.8% of German voters who voted Green want? Did they actually want a Green government? The Green Party knew it could not form a government, and so did the voters. Or did they want a government 9.8% Green? They did not get it. To that end, many would have done better to vote Social Democrat, because there would be no Greens in government unless the Social Democrats remained strong.

⁹ “Jamaica’ Coalition Gains Support in Germany,” Angus Reid Global Scan (September 28, 2005).

¹⁰ “Germans Wary of Grand Coalition Talk,” Angus Reid Global Scan (October 10, 2005).

In the election of 2009, Merkel ran what was called a “valium campaign.”¹¹ The Christian Democrats and their rivals were still serving in government together. Merkel could not run on a record shared with the Social Democrats without implicitly endorsing them. She allowed that she hoped for a coalition with the Free Democrats, but she could not count on it and would not campaign vigorously against the Social Democrats with whom she might have to continue in coalition.

The only excitement in the campaign was attacks by the Social Democrats on the Free Democrats as rivals for a coalition under Merkel, and the Christian Democrats and Free Democrats on the prospect of a Social Democrat coalition with the Left Party, fore sworn by the Social Democrats despite their willingness to enter coalitions with the Left Party at the state level.

The German edition of the *Financial Times* endorsed Merkel but quixotically hoped for a Christian Democrat coalition with the Greens, and to that end urged voters not to vote Green lest the Greens should be strong enough to form a coalition with the Social Democrats.¹²

The English edition of the *Financial Times* pronounced the German voting system broken.¹³

Having learned how little control over government their votes gave them, voters cast over four million fewer votes in 2009 than in 2005. The result was that both coalition parties lost votes, the Social Democrats gaining the lowest share of the vote in their history, while all the parties excluded from the grand coalition gained votes. The Free Democrats, out of power for eleven years, made their best showing ever. Germany appeared to have returned to form with a Christian Democrat/Free Democrat coalition much like those that have ruled for most of the history of the Federal Republic. A marked increase in the right-wing parties’ share of the vote produced a more right-wing government. It was neither divine intervention nor a fluke. A strong enough trend in voting will produce a result even with proportional representation. But with five parties now contending for a share in government at both the federal and state levels, there will be fluke results and a need for divine intervention in the years to come.

In the first 49 years of the German Federal Republic no government was defeated in an election. Only the decisions of the Free Democrats brought down governments, without regard to any preferences shown by the voters.

Looking at shares in government over the long term, Liberals and Conservatives in Canada, and Labour and Conservatives in Britain have approached a rough proportion to their vote. Under German proportional representation, on the other hand, the Free Democrats in five decades had almost the same share of time in cabinet seats as the Social Democrats who had won four times as many votes.

In the first 49 years of the German Federal Republic no government was defeated in an election. Only the decisions of the Free Democrats brought down governments, without regard to any preferences shown by the voters.

¹¹ Patrick Saint-Paul, “Les Bavarois de la CDU dénoncent la campagne “au valium” de Merkel,” *LeFigaro* (September 17, 2009).

¹² “Grün für Merkel,” *Financial Times Deutschland* (September 21, 2009), p. 21.

¹³ Bertrand Benoit, “Broken voting system opens way for divine intervention,” *Financial Times* (September 1, 2009).

Voters Lose Control

It is the ability to “throw the bums out,” more even than the ability to choose a new government, that is the most striking practical virtue of our present way of voting. Our governments are responsible, must answer to the voters, and are regularly defeated. Joseph Schumpeter¹⁴ and Karl Popper¹⁵ saw the ability to get rid of an unsatisfactory government as the purpose and test of democracy and condemned proportional representation for not seeing this. To “throw the bums out” is almost impossible with proportional representation. In the fifty years after 1945 in 103 elections in Belgium, Germany, Italy, Japan, the Netherlands, Sweden, and Switzerland, the major governing party was only thrown from office six times.¹⁶ Major parties have remained in government for decades under proportional representation despite wide fluctuations in their votes. Minor parties often seem to share in government in inverse proportion to their electoral success, turfed out when their vote grows and they look threatening and brought in when it sags.

There is much talk in our elections of tactical voting, voting not for the best candidate or your favorite party but for the candidate most likely to defeat the candidate or the party you hate. The proportional representation enthusiast sees tactical voting as an attempt to avoid wasting a vote under a faulty electoral system. Under proportional representation, they argue, voting is simple. You just vote for your favorite party with the assurance that your vote will be reflected in the number of seats it will get. But, if the relation between votes and seats is made simple, all too simple, the relation between votes and government is not. You may choose to vote for party F and be part of a surge of support for that party, which, on the theory of proportionality, you might hope would give it more strength in government. But if parties necessary for a coalition government with party F weaken, perhaps partly because of party F’s strength, party F may end up with more seats but less strength, even out of government altogether.

Under proportional representation the voter has to consider not just his choice of party, but the likely strength of that party’s possible coalition partners and what coalitions might be formed without the chosen party. Usually it is not just difficult but impossible to foresee these things. If parties went into elections as coalitions this difficulty would be reduced, but that would effectively result in a two-party system, which it is practically the intention of proportional representation to avoid. Parties under proportional representation may say what they would do in government if they could, but cannot be held responsible for what they say during elections because elections do not decide who will govern. Post-election coalition bargaining decides who will govern and on election day the voter can have only the vaguest grasp of how the bargaining may go and how to influence it in voting.

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¹⁴ Joseph A. Schumpeter, *Capitalism, Socialism and Democracy*, 6th edition, with a new introduction by Tom Bottomore, (London: Counterpoint Unwin Paperbacks, 1987), Chapter XXII “Another Theory of Democracy,” 269 Proportional Representation dismissed at 272.

¹⁵ Karl R. Popper, *The Open Society and its Enemies*, (New York: Harper Torchbooks, 1963), vol. 1, chap. 7; “The Principle of Leadership”; and “The open society and its enemies revisited,” *The Economist* (April 23, 1988), p. 19.

¹⁶ Michael Pinto-Duschinsky, “Sending the rascals packing,” *The Times Literary Supplement* (September 25, 1998).

Under proportional representation coalition governments are the norm, but, come the election, the parties go their separate ways. If two or more parties can work effectively together in government, they should merge. To work together effectively in government is the point of parties. Proportional representation is blind to that. It encourages parties to remain separate, even to split. The parties to a coalition may wish to choose new partners for their next dance in government.

The best measure of how people will govern is their record in government. Manifestos, proclaimed principles, and policies mean little until put to the test of choosing in government and facing its day-to-day challenges, beyond anticipation in an election. Our governments are often said to run on their record and, conversely, it is a commonplace in our politics that governments defeat themselves, unable to satisfy the voters who may be rightly skeptical of the claims of the opposition, preferring the devil they know in government, until arrogance, incompetence, or corruption persuade them to take a chance on change. With coalition governments and multi-party elections no one owns the record. The government the voters have known is not running. If it gave satisfaction, there is no guarantee its components will coalesce after the election. However bad it was, much of it will likely be back after the election.

Where proportional representation does its work and sustains a large number of parties, coalitions can be unstable and governments will change often between elections without voters having any say. The instability of governments is a problem in itself, but what makes it worse is that it can be accompanied by stagnation. Italy had 47 governments between 1945 and 1995, but the Christian Democrats dominated them all.

The full range of parties encouraged by proportional representation's emphasis on parties and blindness to the purpose for which parties exist, best exemplified in Italy in the heyday of proportional representation, shows the absurd results of an absurd system. The parties were not a simple line-up of fine gradations along the crude left-right political spectrum with regional or sectional variations. The Christian Democratic Party was a broad tent, some of whose members might just as well have been moderate Communists, while at the other extreme its members stopped just short of neo-fascism. The Liberals, the Republicans, the Social Democrats, and the Socialists could all have found a comfortable home with the Christian Democrats, but personal rivalries, institutional histories, and the encouragement of proportional representation sustained them.

In Canada, we expect that if no party gets a majority there will be another election in about two years. In Italy and other countries with proportional representation, the instability of governments does not generally lead to frequent elections. Governments might fall four or more times between elections and each time a new government would be formed without the voters having any say. When they are held, elections do little or nothing to ease the formation of a stable government. Precisely because under proportional representation voters are deprived of the power of decision, voting shifts from election to election are not great and consequently the composition of Parliaments does not change much. Voters can neither reward nor punish parties that may have been in and out of government since the last election and can plead that it is some other party's fault if they did not do wonderful things. However much voters may want to get rid of a government, or establish it on a firm footing, there is little they can do to that end and voters tend to troop out from one election to another and vote for their team. In Canada, an election can produce a change in government or

In countries with proportional representation most parties most of the time neither hope nor intend to form a government by themselves.

end a parliamentary stalemate, as in 2011. In countries with proportional representation, elections change little.

Token MPs

As proportional representation sees votes as votes for parties rather than individuals, it has drastic implications for MPs. One theme of the democratic reform lobby is that MPs should be able to vote freely. For MPs this means free to vote as they wish, and for some voters free to vote as the voters instruct. But the logic of proportional representation reduces MPs to mere party tokens. Party X gets 17% of the vote and should be entitled to 52 tokens in the parliamentary game. In practice, there are politicians that have enough character to resist becoming mere tokens, and their room for manoeuvre varies in the various countries with proportional representation. But the logic of proportional representation, under which MPs only get into Parliament because they are on the party list, implies that they should always act strictly as a party tool. If they are allowed to stray, what proportional representation understands as the “will of the voters” will be frustrated. Instead of getting the 17% of party X in Parliament their votes in theory entitle them to, they get .3% Cohen, and .3% Lee, and so on.

Carried to its logical conclusion, proportional representation should do away with MPs altogether. Each party should simply get voting points in proportion to the votes cast for it, which could be carried to any number of decimal points. The party, in accordance with its own internal rules, by politburo decision or after grass roots consultation, could deploy its points as it saw fit. If it formed part of a governing coalition, it could provide ministers drawn from any walk of life and have local offices across the country to provide the services MPs try to provide through their constituency offices. Opposition parties could operate as think tanks.

Proportional representation elections usually work by party lists. Each party offers an ordered list of candidates and in the case of party X, the top 53 on the list are elected. The voters could be supposed to be voting, not for a party, but for the nice bunch of people on the X list. In some countries voters can indicate their own preference among the candidates on the party list. But in practice, in any proportional representation election the party machine decides who will sit in the legislature, depending on how many votes the party gets. As is implied by the principles of proportional representation, the individual member is the tool of the party. The internal workings of parties, which, however broad their membership, always involve obscurely only a small minority of voters, become dangerously important.

In most proportional representation systems there are no by-elections and vacancies are filled by names lower down the list. All attempts to give voters a say beyond what the party lists decree, if they have any effect, simply confuse the dogmatic simplicity of proportional representation, which is sold as a way of allowing the legislature to reflect precisely the party preferences of voters.

For some advocates of proportional representation, the parties’ control of who gets elected is appealing for a paradoxical reason. They want more women or members of ethnic groups elected and parties in preparing lists can engage in a little affirmative action. For these high-minded types, part of the appeal of proportional representation is that, under the guise of making every vote count, it gives party elites a chance

A party with no hope of forming a government is undemocratic. It cannot honestly promise to do anything because it will never, by itself, be able to do anything.

to choose the people who ought to be elected, when voters left to their own choices fail to do so.

Proportional representation necessarily breaks the connection between the voter and the member. As things stand, whether we voted for the winner or not, we all have our Member of Parliament. We know that and, perhaps more important, the member knows that, and will be solicitous of the voters to a fault. Our MP represents everyone in the riding, hoping to win over those who voted for someone else and fearing the loss of supporters from the last election. The MP under proportional representation represents only the party voters. Other parties' MPs must represent other parties' voters. Appealing to the voters generally is not important. Even keeping the party's own voters happy is secondary to the MP whose future depends more on ranking on the party list decided by the party apparatus, than on popularity with the party's voters.

Whether proportional representation's members are from one national list or several regional lists, the link with local voters is broken. Germany pretends to have the best of both worlds with half (roughly; it gets very complicated) the members elected in one-member ridings. A party with less than 5% of the vote can elect a member if one of its candidates wins in a riding. But proportional representation is strictly enforced, and a candidate who trailed in a riding poll may be elected if the party is entitled to enough seats.

Compromises

Several countries attempt to meet the objection that proportional representation leads to a proliferation of parties by stipulating a threshold of votes below which a party gets no seats. Germany's 5% rule is the best known example of this. This kind of rule and the possibility of voters expressing their preferences within a party list and the fact that members of legislatures chosen by proportional representation are still generally free to jump from their party – though they rarely do – are presented by advocates of proportional representation as answers to its critics. The implication is that the critics caricature proportional representation and its advocates show proportional representation with a human face, its edges softened.

But proportional representation rests on a dogma. If parties should get seats in proportion to votes cast, then in any legislature with more than 50 seats, getting 2% of the vote should mean getting at least one seat. If members get their seats only because of votes for the party, they should be expected to follow the straight party line. Any departure from the logic of proportional representation's dogma becomes a pragmatic calculation dependent on a likely temporary political conjuncture.

Some people advocate what the Law Commission of Canada calls “an element of proportionality.”¹⁷ They see the practical problems with proportional representation, but not the theoretical error. They want to be nice to proportional representation's unyielding proponents. “An element of proportionality” is certainly preferable to complete proportional representation. But it is like being “a little bit pregnant.” It would

A government where parties are given a share in the seats in proportion to their votes is incoherent and paralytic.

¹⁷ Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, (Ottawa: Law Commission of Canada, 2004).

lead to new parties in Parliament, minority government, and coalitions. If it did not, the true believers would not be satisfied. Proportional representation is wrong and we should have none of it. And, if you believe in it, why should you be content with only a third of seats allocated proportionally? “An element of proportionality” risks being a contrivance to produce a particular result in a particular conjuncture.

In Canada

There is a special argument made in Canada for proportional representation. Regional differences have meant that some parties dominate in some parts of the country and are practically shut out in others. The Liberals, or the Bloc, and now the NDP, have been dominant in Quebec and Reform, or the Tories, in Alberta. The Conservatives have been shut out in Quebec and the Liberals have been shut out in Alberta. Those who make the special case for proportional representation in Canada argue that our elections give a false representation of Canada, suggesting that there are no Conservatives in Quebec and only a handful of Liberals in Alberta. And that this false representation gives politicians with a strong regional bias too much influence, putting unnecessary strain on the country.

It would be a mistake to think that because there have been no Liberals elected in Alberta since 2004 there could only be a handful of Liberals there. Or to think that because there were no Conservatives elected in Quebec in 2004 there were none there. The popular vote figures and the second place finishes were all published. The recent history when the Tories swept Quebec twice in the 1980s, is well known. Even after the 2011 election we know that there are 129,415 voters in Alberta prepared to support a Liberal and the Tories won ten seats in Quebec in 2006 and 2008.

It would also be a mistake to think that the difference of Alberta and the difference of Quebec were simply artifacts of the way we run our elections. Quebec is a very different place from the rest of Canada. There has been no secure Conservative base there in roughly a century. It would not have helped, might even have been a liability for the Conservatives, if they could have counted on electing a handful of members on less than 10% of the vote in their lean years.

Alberta, too, is different. It has been ready to elect Liberals when the Liberals appealed to Alberta voters, but too often the Liberals would not, and they might have been even less likely to try if they could have counted on three or four seats from Alberta under proportional representation anyway.

The Paradox of Voting

The crude and immovable dogma that parties should get seats in proportion to their votes is only one of the forces behind electoral reform. Discomfort with elections won on a small plurality of the vote and an itch to find a majority when there is none are also at work. Party list proportional representation is only one of many alternative ways of electing Members of Parliament. Most tend to produce a more proportional representation of parties than First Past the Post, and are promoted on that ground, but they do not necessarily assign seats to parties on the basis of party votes. Their proponents claim they more accurately and effectively express the voters’ choices.

Nobel Laureate
Kenneth Arrow’s
insight into voting was
that no voting
system can convert
the ranked
preferences of
individuals into a
community-wide
ranking when three or
more alternatives are
available.

This claim is made in ignorance or defiance of social choice theory and what is known as the paradox of voting.

The paradox of voting can be simply illustrated in an example when three voters (1, 2, and 3) have to choose between three options or candidates (A, B, and C) using a preferential ballot:

1	2	3
A	B	C
B	C	A
C	A	B

What do we find? A majority (1 and 3) prefer A to B. A majority (1 and 2) prefer B to C. So we can eliminate C and choose A and B or have a runoff between them? NO! Because a majority (2 and 3) prefer C to A.

If an individual said he preferred A to B, and B to C, and C to A, we would say that he could not make up his mind. But this paradox lurks in all voting where there are more than two choices, in all the schemes intended to improve our elections. There is no issue when there are only two choices. There will be a majority for one and a majority is accepted. All alternative election schemes claim to enable voters to choose rationally and effectively between more than two options. But faced with more than two choices, as the paradox of voting illustrates, the people may not be able to make up their mind. They may not know what they want.

In 1951 the Nobel economist Kenneth Arrow published his General Impossibility Theorem, which by mathematics I do not pretend to follow and will not reproduce, proved that “there is no method of voting which will remove the paradox of voting... no matter how complicated.”¹⁸

Economists have argued about the importance of Arrow’s theorem and his proof has been reworked, but it has never been refuted. It was cited as the basis of his Nobel Prize in economics. There is a considerable literature in political science following Arrow’s work but, oddly, the bulk of academic, government, and popular writing about electoral reform simply ignores it. The failure of the proponents of electoral reform to advert to the paradox of voting, even long enough to dismiss it, can only be explained by their being like the promoters of perpetual motion machines, so wrapped up in the details of their invention, and blinded by the wonders it will perform, that they must ignore that what they are attempting is impossible.

The paradox of voting usually surprises people. They are discomfited that mathematics should intrude so unhelpfully into politics. But it should not be surprising. All the paradox of voting does is confirm that, where there is no majority, a majority cannot be contrived by summing up preferences, or voting in stages, or any other trick of electoral reform.

In 1951, Nobel economist Kenneth Arrow published his General Impossibility Theorem...”there is no method of voting which will remove the paradox of voting...no matter how complicated.”

¹⁸ Kenneth J. Arrow, *Social Choice and Individual Values*, (New Haven: Yale University Press, 1951), p. 59.

People tend to think it can be done because they imagine politics is all what the economist Duncan Black called “single peaked preferences.”¹⁹ A single peaked preference describes the graph that results when across a range of choices the voters’ choices always show a single peak with the second, third, and other preferences falling away to the side or sides. The classic example is the left/right political spectrum.

If we imagine that all there is to politics is where you stand from left to right, then any voter from far left to far right with moderate left and right and centrist in between will have preferences with a single peak somewhere along the way from left to right. Duncan Black showed that when voters’ preferences are single peaked, the paradox of voting is practically eliminated.

To return to our original simple example to illustrate the idea of a single peaked preference, if A were left, B centrist, and C right, and where one stood from left to right was all that mattered, no one would have the preference C, A, B. Such a voter would be a right winger preferring a left winger over a centrist for his second preference. But politics is not a simple question of left, right, and centre. It is often difficult to know what is left and what is right. Politics is multi-dimensional. In Canada, for instance, many voters have switched between the CCF or NDP and the Conservatives and never voted Liberal. In France, the working class vote has often been in play between the Communists and the far right National Front, with the moderate parties hardly getting a look-in. However perplexing we may find some voters’ choices, we cannot simply put them down to ignorance or confusion and arrange our elections assuming that there are only single peaked preferences. Politics no more than life can proceed in one dimension.

The paradox of voting does not mean that voting is pointless or democracy impossible. It means that we must understand what voting can do and how democracy can be effective.

The paradox of voting does not mean that voting is pointless or democracy impossible. It means that we must understand what voting can do and how democracy can be effective. Elections are proceedings to allow voters to decide who will govern. They are not simply an occasion for people to say what they would like. They are not an opinion survey. They must, if they are to serve their purpose, produce a decision. Our present elections do that. How people vote decides who will govern. Once the votes are counted we know who will govern.

The paradox of voting is an instance of a difficulty with all voting procedures. When there are two choices and one choice wins by 51% to 49%, it is only by convention that we can say that the people have chosen that one. Fifty-one percent have chosen that one and the other 49% must accept it. Voting procedures are ways of producing decisions, where they must and will be made, as in government. The true people’s choice, unanimity, is almost always impossible. So a majority, or failing that, a plurality, will have to do. It is a result, and the most popular possible. Accepting a plurality of 37% is no more arbitrary or unfair than accepting a majority. A voting procedure must produce a result and be sensitive to changes in people’s judgments. Only our present way of voting does and is.

¹⁹ Duncan Black, *The Theory of Committees and Elections* (Boston: Kluwer Academic Publishers, 1998), pp 8-13, 19-30, and passim.

Two Schemes

Simple party list proportional representation has never been strongly promoted in Canada, perhaps because, despite their willingness to endorse the principle of proportional representation in polls, voters are leery of parties and reformers realize that asking voters simply to vote for a party would not be popular.

Two elaborate schemes were put to voters in three provinces in the last decade and roundly rejected. Each illustrates the folly of trying to do better than best.

i) Single Transferable Vote

The Single Transferable Vote (STV) was proposed by the British Columbia Citizens' Assembly. It came closest to being adopted in Canada. Its seductive elaboration represents the reformist urge at its most obstinate and obtuse. The very highest claims have been made for it. Keen proponents of electoral reform have called it a cult.²⁰

It works like this: Ridings would elect more than one member. We shall suppose, for example, that in the riding of Fraser three members are to be elected. Voters would be asked to mark an order of preference among the candidates on their ballot. The number of ballots is divided by the number of members to be elected plus one, and the next full number above that is the "Droop quota," the number of votes needed to elect a member. We shall imagine that there are 10,000 ballots. Therefore 2,501 votes are needed to elect a member.

If a candidate gets 2,501 or more first preference votes, she is declared elected. If she gets more than 2,501 votes, say 3,000, then a transfer value is calculated for her second preferences by dividing the surplus votes by her total number of votes. So her second preferences are transferred at a value of $499/3000$.

If no candidate gets 2,501 votes, the candidate with the fewest votes is eliminated and the second preferences on the ballots on which he was the first preference are counted. The process of transferring votes goes on until three candidates each receive 2,501 votes and are declared elected. Votes for eliminated candidates can be transferred several times at full value if they do not land with a winning candidate, and surplus votes for winning candidates can be transferred at ever smaller fractions. The arithmetic elaboration of the single transferable vote encourages the hope that it makes every vote count, even when all but a handful of experts have lost track of what is happening to the votes.

Why are there to be three members elected in the riding of Fraser? STV supporters are torn on the size of ridings. They could not make up their minds in British Columbia. The theoretical ideal would be to make the whole province, or country, one big



²⁰ Leslie Sykes, *Proportional Representation: Which System?* (Leicester: Hornbeam, 1990), p. xii; Michael Dummett, *Principles of Electoral Reform* (Oxford University Press, 1997), p. 91.

By allocating seats according to the proportion of votes, proportional representation makes impossible the purpose of parties, which is to form a government.

riding, but even a five-member riding requires a dangerously long ballot. And STV supporters hope to persuade the voters that they will still have a local representative, which becomes harder as the ridings get bigger. Examples usually use figures such as I have, with a neat 10,000 voters. But the seven-member ridings contemplated in British Columbia would have had upwards of 200,000 voters.

STV needs multi-member ridings because it is a contrivance to allow the election of members by a small percentage of the voters. The bigger the riding, the smaller the Droop quota and the percentage of votes needed to elect a member. While the percentage of voters needed to elect a member declines, the number of members ostensibly elected to represent voters who do not support them, even vehemently oppose them, rises.

They say the voters of Fraser elect three members, but an individual voter is only, at best, electing one. Once a voter's preferences have "counted" towards the election of one member, they are cast aside. Any other member elected in the riding no more represents that voter than the member for Halifax represents a voter in Whitehorse. It is not a question of whether the voter likes or would have voted for that other member. She could not, no more than a voter in Halifax can vote for the member for Whitehorse. She may have placed the other member somewhere on her list of preferences, but that preference would not have been counted.

All the candidates' names are on the ballot, but the voter does not get to choose three candidates to fill the three seats. If the first preference candidate, the one with the real vote, is elected, the ballot may be cast aside. Conversely, it is possible to fill in all preferences so that, literally, the last person you would want elected, wins your vote.

STV makes a show of seeking the voters' will in exhaustive detail, but it is a contrivance designed to restrict the voters' say to what STV deems a fair share. STV may seem to ask which three would you like to see elected, but it is really only asking which one.

The transfer of votes to second and further preferences is intended to avoid "wasted" votes. Leaving aside those whose votes never count for a winning candidate, who may be almost 25% of the voters in a three-member riding, there will also be a great number of wasted preferences, if voters use them all, as they are encouraged to do. The voter who conscientiously decides between the Rhinoceros Party and the Natural Law Party for his 19th preference will be wasting his time. The greater part of preferences may never even be counted and recorded. At least under our present system, every vote is counted and recorded.

Conversely, anything between 25% and 49% support for a party, assuming, as in the end STV proponents do, that voters will follow party lines, makes no difference. Forty-nine percent Tory, 26% Liberal, and 25% New Democrat will elect one member for each party, as will 25% Tory, 37% Liberal, and 38% New Democrat, or 25% plus 1 for each with 25% minus 3 for the also-rans. This insensitivity to differences in the vote can be reduced by increasing the number of members to be elected. If seven are to be elected, 12.5% will elect one member, and 38% will elect three. But the more members to be elected and the larger the riding, the longer the ballot becomes and the more unreal the pretense that voters are making an informed choice among candidates. Better to go for straightforward proportional representation and ask each voter to choose a list, leaving the details of who gets in to the party.

STV is strongly sold as a means of achieving proportional representation but pretends to offer the best of both worlds by asking voters to choose between individuals. Independents can be elected. What it really does is allow the election of members with a small fraction of the vote. In a riding with ten members, just over 9% of the vote would be enough. There are complaints on our present elections that members are elected with as little as 30% of the vote. “How can they speak for their riding?” it is asked. Still more can it be asked how a member who got less than 10% of the vote can speak for his riding.

While barring the voter from the effective choice of all the members who are to represent him, STV asks for a range of choices that is unreal. The preference of the Liberal voter between the New Democrats and the Conservatives, and then between the individual New Democrat and Conservative candidates may be contrived, but cannot be serious. It may be mischievous. Voters evidently have some difficulty deciding how to cast a single vote. Their choice of multiple preferences of decreasing value must become meaningless. A preferential ballot asks for far more choice than voters can seriously make. And no votes against. Any vote may become a vote for a candidate at full value.

Irrationality

The mathematical complication of STV conceals a fatal flaw. Most startlingly, it can breach monotonicity, the surely basic principle that a candidate should be better off if he gets more votes. This is not, as it should be, necessarily so. This can simply be illustrated with an example from STV’s little cousin, the Alternative Vote, where voters electing a single member fill out a preferential ballot and the candidate with the lowest vote is eliminated until one candidate gets 50% of the votes.

Suppose three candidates and 21 voters with the following preferences:

	1st	2nd	3rd
7	A	B	C
3	B	A	C
5	B	C	A
6	C	A	B

On first preferences, B gets 8 votes, A gets 7, and C 6. C is eliminated. As all those who had C as their first preference have A as their second preference, their votes go to A on the second count and A wins.

13	A
8	B

Suppose the three voters whose preference was B A C had switched to A B C:

	1st	2nd	3rd
7	A	B	C
3	A	B	C
5	B	C	A
6	C	A	B

Proportional representation means that elections do not decide who governs.

Now B has the lowest number of votes on the first count and is eliminated. The B voters' second choice being C, on the second count A loses and C wins:

10 A
11 C

More votes for A, and no more votes for C, lead to A losing. It can also happen that a shift of votes between two candidates makes no difference to them but may cause one or more other candidates, whose votes remain the same, to win or lose.

STV's supporters say this rarely, if ever, happens.²¹ But in the face of the perversity of STV and any kind of preferential or elimination balloting, we must be careful what we mean by "happen." There is always a result. Some candidates win and others lose. The question is whether some who won might have lost with more votes, or some who lost might have won with fewer. To know that, one would have to count all the preferences, even those that may not have been counted, because there was a result before they could come into play.

Proponents of preferential voting have tried to demonstrate mathematically that a breach of monotonicity is only a remote possibility.²² To do that, they have to make assumptions about what voters' preferences are likely to be. If voters preferences are as orderly as they premise, the likelihood of a breach of monotonicity may indeed be low. But the claim for preferential voting is that its mathematical sophistication produces a rational result from widely dispersed and various preferences. In effect, it claims to overcome the paradox of voting and Arrow's Impossibility Theorem. And nothing can.

Even if a breach of monotonicity were only a remote possibility, the possibility itself, which is demonstrable, refutes the claim that preferential voting is somehow more rational than plurality voting.

In Australia, the Alternative Vote serves to accommodate the two branches of the conservatives, the Liberal and National Parties. Voters mark a Liberal and a National either 1 or 2 on their ballot and one of them, generally the Liberal, but in National strongholds the National, wins or comes second to the Labour candidate. Cases where in a three-way race (or with a Green Party now, a four-way race), the preferences are widely enough dispersed that there could be a breach of monotonicity are no doubt rare. But the Alternative Vote, like two-round voting in France, is not being used, as it is claimed it can be, to sort out a cornucopia of preferences. Allied parties are using it to save themselves the trouble of merging. Their supporters know what to do.

²¹ Charles Dodgson (Lewis Carroll), "A Method of Taking Votes on More than Two Issues": "I am quite prepared to be told, with regard to the cases I have here proposed... 'Oh, that is an extreme case: it could never really happen!' Now I have observed that the answer is always given instantly, with perfect confidence, and without examination of the details of the proposed case. It must therefore rest on some general principle: the mental process being probably something like this--'I have formed a theory. This case contradicts my theory. Therefore this is an extreme case, and would never occur in practice.'" Appendix to Duncan Black, *The Theory of Committees and Elections*, (Boston: Kluwer Academic Publishers), 1998, p. 263; David M. Farrell, *Comparing Electoral Systems* (London: Prentice Hall, 1997), p. 134.

²² Crispin Allard, "Estimating the Probability of Monotonicity Failure in a UK General Election" *Voting Matters*, Issue 5 (January 1996).

Post-election coalition bargaining decides who will govern in proportional representation and voters can have only the vaguest grasp of how the bargaining may go.

STV's elaboration suggests that it captures the voter's will with great precision, but only if the voter's will is precisely cut to STV's theory. Voting in a three-member riding, Mary lists the three Suede Party candidates 1, 2, and 3. STV registers a preference in that order. Very likely Mary has no preference between them, at least none between 1 and 2, or 2 and 3. The preference STV registers is an artifact. But it may be enough to elect 1 before the preferences of others who strongly prefer 2 to 1 come into play. Mary did not mean to give 1 an advantage over 2, but she did. Or 3 may be the one Suede candidate with a chance, but be eliminated before Mary's third preference is counted. As the counting goes on, things become even more complicated. She means, voting "sincerely" as STV wants her to do, that she prefers her 4th preference to all the others left in the race. But when Mary's 4th preference is counted, the real contest is between her 6th and 7th, and the 7th is elected while her 4th is eliminated.

By its contrivance and mathematics STV claims more effectively to express the will of the voters than any other system. In the end all that can be said is that STV produces the result that STV produces. When it can be demonstrated that STV gets the will of the voters wrong, that more votes can lose a candidate an election, STV's claims are demonstrated to be false.

ii) Mixed Member Proportional

The proposal before Ontario voters in October 2007, and PEI voters in November 2005, was so-called Mixed Member Proportional (MMP) voting, used most notably in Germany, but also since 1996 in New Zealand. As proposed for Ontario, 90 members of the provincial Parliament would have been elected in the old-fashioned way in single-member constituencies. A further 39 members would have been elected from party lists on the basis of proportional representation. Many may consider this is a kind of compromise with only partial proportional representation (39/129 proportional representation). Proponents of the scheme are content that they think that.

But under MMP, the list seats are not assigned in proportion to party votes. They are used to see that, as far as is mathematically possible, each party gets seats in proportion to its party vote. So a party none of whose candidates won one of the constituency seats, but that got 10% of the party vote would get 10% of the seats. A party that with 45% of the constituency vote got 45% or more of all the seats (easy enough, as we are continually reminded by proportional representation's fans) would get none of the list seats. The list seats would not "introduce an element of proportionality," in the Law Commission's phrase. They would impose proportional representation.

MMP's triumphant slogan was "One Ballot, Two Votes," offering the promise of more choice. But this misrepresents the reality. Each ballot asks for a vote for a constituency candidate and a vote for a party. The voter who votes for a winning candidate effectively cancels his second party list vote. Only the voter whose constituency vote is, in the theory of proportional representation, "wasted" can cast an effective list vote.

The only "mixed" element in MMP is the retention of single-member constituencies. We are assured that we should still have our local member for a riding, only a bit larger than now. Half or less of the members would come from party lists and not represent a riding. While so far as it goes the retention of local members is a good thing, even local members under MMP are necessarily more party creatures as their local success or failure would redound on the party list.

Scholars have criticized proportional representation for impeding the ability to get rid of an unsatisfactory government.

Proportional representation's most notorious and perverse effect is a disproportionate influence for small parties.

The belief that retaining local members while rigorously imposing proportional representation strikes a good balance results from an overly abstract analysis of voting in which our vote is broken down into a vote for a local representative and a vote for a government, a vote for a person and a vote for a party. When we vote now, we are not torn as academics suppose between these two or any other factors. We weigh them, and much more, in making a decision. Is Smith for gun control, lower taxes, withdrawal from Afghanistan, a good speaker but an indifferent servant of the constituents, famously accomplished, but a stranger to the riding?

We cannot split our votes for each consideration, a vote for someone to speak in the House, a vote for someone to serve the constituents, a vote on this issue and that. It is not simply impractical but wrong because, whatever the considerations of policy and principle, ability and character we may weigh, we are voting for a human being to represent us who will be called upon to do all that a member may do and to address all the issues that may arise.

Though independents can be elected in the constituency seats under MMP, most constituency members are elected for a party and the party is the prime consideration in voters' minds. But supporting a party in an election now means hoping that it will form a government. Under MMP there would be no hope of one party forming a government.

MMP would produce two classes of MP. Constituency members would have their constituency duties with the work and hope of local strength that they carry. List members would be free of local duties, but indentured party servants.

In Ontario a 3% threshold was proposed, below which a party would receive no list seats, just enough to exclude the Family Coalition Party, whose candidates received 2.7% of the vote in 1990. Or perhaps not. The Family Coalition Party ran only 68 candidates in the then 130 ridings in Ontario. With MMP, they could likely have got over 3% of the party vote with no more effort, and four seats. Under MMP small parties can forego local campaigning, not even run candidates, and pick up list votes and seats with a province-wide campaign giving economies of scale, a kind of bulk buying of votes.

Decoys

Advocates of MMP tout it as offering more choice. As we have seen this is misleading for the voter who votes for X party's candidate in a riding and X party's list. But you can split your vote, the MMP touts proclaim, vote for X party's candidate and Y party's list. Why would you want to do that? Can't make up your mind? If you voted for the X candidate, you must surely want X strong in government. The possibility that it is the X party candidate despite the X party that you want in government is an abstract analysis meaningless in concrete reality. If you vote for the X party candidate despite the party, party cannot mean much to you, and your party vote cannot mean much to you.

MMP fans think of splitting your vote as being broadminded, not bound to a party. But as proportional representation, which MMP is, is designed entirely to serve parties and entrench them, its advocates cannot pretend to such indifference to party.

If you decide to split your vote, the likelihood is that you are on to MMP and know your list vote may not count because your party already has as many seats as it is al-

lowed under proportional representation. So you vote tactically for the party most likely to ally itself with your real party choice. A risky vote, as post-election alliances can be unpredictable. Ideally you could vote to elect a candidate of one party in your riding and support the list of another party that would agree on everything with your riding candidate's party.

Thus is born the idea of a decoy party. Suppose a 200 seat house with 100 seats filled by riding candidates and 100 from party lists. Tories run in the ridings but no Conservatives. With 35% of the vote, the Tories elect 40 members in the ridings. There is no Tory list for the party vote, but there is a Conservative list. It gets 35% of the vote and 70 list seats. The Tory/Conservatives have elected 110 members, 55%, with 35% of the vote. Hard to do even with our present way of voting.

Blatant decoy parties could be banned by legislation. But the possibility of decoy parties shows a fundamental flaw in MMP. The two votes on one ballot are only useful or effective if there is something like a decoy party available. In practice, parties can become effective decoys without planning bold enough to be caught by legislation. In Germany, the Free Democrats have operated as a decoy for the Christian Democrats. The differences between them on policy were no greater than differences within the Christian Democrats and the relations between their politicians as cordial or bitter as those amongst Christian Democrats. In election after election, Christian Democrat voters, having elected a constituency member have given their list vote to the Free Democrats, accounting for roughly half their votes, often carrying them over the 5% threshold.

In the 1994 German election, for instance, the Christian Democrats²³ elected 221 constituency members with 45% of the vote, and the Free Democrats none with 3.3% of the vote. In the list vote the Christian Democrats fell to 41.4% and the Free Democrats rose to 6.9%, an almost exact transfer of 3.6% of the votes. The Christian Democrats got 73 list members and the Free Democrats 47. Overall the governing coalition got 50.7% of the seats with 48.8% of the votes. If there had been no shift of votes, the Christian Democrats would have picked up only 8 more seats while the Free Democrats would have got none. Even if there had been no 5% threshold and the Free Democrats had been awarded list seats for 3.3% of the vote, the coalition would have been worse off by about 20 seats and lost its majority. Such shifts partly account for the unusual stability of German politics despite proportional representation. In time, the Social Democrats found their decoy in the Greens.

Adventitious decoys like the German Free Democrats can only survive if they do not become blatant or formalized, risking legal challenge. They must be unreliable and ready to cheat those who use them, as the Free Democrats have done. Even without cheating, Christian Democrats have reasonably resented the Free Democrats' disproportionate role in German politics based on Christian Democrat votes.

The decoy problem is peculiar to MMP, but typical of the problems that arise with every contrivance to do better than best. Every complication intended to right imagined wrongs produces real wrongs.

Every complication
intended to right
imagined wrongs
produces real wrongs.

²³ I treat the Christian Democrats and their Bavarian sister party the Christian Social Union as one for the purpose of this analysis. The CSU is effectively a regional branch of the CDU.

Making the sorry best of MMP depends on a thorough grasp of how it works and a knowledge of what one's fellow voters will do that few polls can give. There is every reason to believe that many people will not understand how it works and what they should do. Surveys done in Scotland after MMP was adopted for elections to the Scottish Parliament showed woeful incomprehension. Under the slogan "Second vote Green" the Scottish Greens played on this, encouraging voters to see the list vote as a second preference, when of course for the overall result the list vote rules.²⁴

It is claimed that MMP was provided in Scotland to assure that the Scottish National Party would not be able to win a majority.²⁵ With three unionist parties, Labour, Conservative, and Liberal Democrats as well as the Greens, it was unlikely that the SNP would ever get a majority of the votes. But on May 5, 2011, the SNP did win 69 of 129 seats, a 53% majority, with only 45% of the vote. Scotland is divided into eight regions for purposes of the party list vote, each having seven seats. This creates an effective threshold of around 13% below which a party will get no seats from its list vote. The multiplicity of parties encouraged by proportional representation meant that many parties failed to reach this threshold in one or more regions and the major parties, principally the SNP, shared 100% of the list seats on less than 90% of the vote. All the major parties got fewer list votes than constituency votes, voters presumably wanting to give a lift to the minor parties with their 'second vote'.²⁶

Weighing Up

SMPV asks voters to decide and permits voters to decide. Other voting procedures suborn indecision.

Election by plurality in single-member constituencies, or Single Member Plurality Voting (SMPV), as our present way of choosing MPs can be technically described, always remembering that it is not the device of a theory, but simply seemed the natural and obvious way from the start, is riddled with faults for the theorists. But to find those faults, you have to accept their theories.

It is an obvious fact that SMPV does not produce proportional representation. The party with the most votes usually wins the most seats, and (regional parties like the Bloc excepted) parties usually wins seats in order of their popular votes. Perhaps people think that we should get proportional representation voting as we do now and something has gone wrong. But nothing has gone wrong. We should not want proportional representation. SMPV came before there were parties, and parties grew up to perform a function in a Parliament so elected, a function they cannot perform under proportional representation.

²⁴ Commission on Boundary Differences and Voting Systems (Arbuthnott Commission, *Putting Citizens First: Boundaries, Voting and Representation in Scotland* (Edinburgh: The Stationery Office, 2006), 31 paras, 412 et seq. The Arbuthnott Commission said, perhaps rightly, that the Greens were not to be blamed for campaigning to seek their best advantage from the voting system. But the system must be blamed if the Greens got half or more of their seats from voters who did not understand the consequences of their second vote, as appears to have happened. A change in the form of the ballot paper and voters understanding the system better perhaps led to the Greens falling from seven seats in 2003 to two in 2007. Stephen Herbert, Ross Burnside, Murray Earle, Tom Edwards, Tom Foley, Iain Mciver, 'Election 2007,' Scottish Parliament Information Centre (SPICe) briefing, May 8, 2007), pp. 42 and 46.

²⁵ Stephen Herbert, Ross Burnside, Murray Earle, Greig Liddell and Iain Mciver, 'Election 2011,' Scottish Parliament Information Centre (SPICe) briefing, May 10, 2011), p. 7.

²⁶ *ibid.*, p. 29.

SMPV does not generally produce a government backed by a majority of votes, but the paradox of voting shows that that a majority may not be possible with more than two choices. Systems designed always to produce an apparently majority winner, like the Alternative Vote, may produce perverse results. At least with SMPV, another vote for a candidate can only help that candidate, while with preferential balloting it may not.

Voting procedures can be analyzed under several mathematical schemes. But that way lies madness. Condorcet rankings, Borda counts, Copeland scores may all conflict. A candidate eliminated under STV may have been the second choice of most voters and would have won on a Borda count, which assigns points for preferences, 4 for first preference, 3 for second, and so on. Or a candidate elected under STV may have a lower Condorcet ranking than one eliminated, that is, the eliminated candidate may be preferred by most voters to the one elected.

Each scheme is valid only on its own terms and none can be shown to produce the “right” result. None overcomes the paradox of voting. SMPV may fail by any one of the schemes or produce the “right” result by them all.

STV, like all the other alternative electoral systems, including party list proportional representation, produces a result, it coughs up so many MPs, but it is not a decision. All the differences among the voters – and their own indecision – are carried forward unresolved. It fixes on them. It fails the purpose of an election, which is to let the voters decide. And beyond the back room bargaining, for which no one can be held accountable, what may emerge from an elected assembly divided several ways is itself subject to the paradox of voting and the impossibility of aggregating preferences, control of agenda, logrolling.

It will be said that we do not always get a decision as it is. The Canadian elections of January 23, 2006 and October 14, 2008 produced minority governments. The voters may be genuinely undecided even when SMPV offers them a chance to decide. With only two parties in contention, the result may be so close as to be practically a tie. But parties do not disagree on everything. A minority government can govern for a year or two getting a good deal done. The 2006 election produced a historic change in government. And where regional differences produce a party like the Bloc Québécois that holds back and is kept apart from the government of the country there is an inevitable problem that no electoral system can avoid. If proportional representation reduced the Bloc’s number of seats it would also increase its bargaining power in a further divided House.

But with SMPV, the voters, and the candidates, know exactly what happens with a vote. Under any other procedure preferences may come into play or not, and at an arbitrary value that the voter cannot understand or control, or parties take their block of seats and put them into play after the election. A voter under SMPV who votes for a candidate with no hope of winning knows what he is doing. He is neither wasting his vote nor throwing it away. If he cared which of the front runners won, he could vote for that candidate. He prefers not to.

Champions of electoral reform like to sum up the votes of opposition parties, usually close to 60%, and attempt to deny legitimacy to a government that a large majority voted against. But votes for parties that do not form a government cannot be construed simply as votes against the party that does. If voters were simply concerned

Voting procedures can be analyzed under several mathematical schemes. But that way lies madness. Condorcet rankings, Borda counts, Copeland scores may all conflict.

with whether the Conservatives, for example, should form the government, then a majority that did not want them to could easily enough vote for the non-Conservative candidate most likely to win and at least hold the Conservatives to a minority. If the non-Conservative MPs elected truly reflected the wishes of their voters as we are premising them, they could support an alternative minority government or form a coalition. But most voters are voting for something and against perhaps more than one alternative. So Liberal and New Democrat voters will vote for their candidates, at the risk of letting the Conservative in, and their votes cannot simply be totted up as votes against the Conservatives. If voters really were thinking “Anyone but the Conservatives,” then they should have voted accordingly, as I suggest. It is a fault of electoral reform that it makes voting against difficult or impossible.

Voters in Canada on May 2, 2011, could have held the Conservatives to a minority, whether the Liberals and New Democrats were likely to coalesce or not. They decided not to. Voters sometimes want a majority government. It was Stephen Harper’s principal appeal in the 2011 election and many of the 600,000 voters who voted for the Conservatives in 2011 and did not in 2008 may have been seeking a majority government. With proportional representation voters do not have that option.

SMPV tends to produce two competing parties as parties form in accordance with their purpose of forming a government or an alternative government. Canada has had third, fourth, and fifth parties because of regional strains. Even without these, history shows that there is no risk of two parties forming a duopoly. In Britain, the Liberals declined and the Labour Party emerged. In several Canadian provinces, United Farmers, Progressives, Social Credit, the CCF, the Union Nationale, the NDP, and the PQ broke in on apparently entrenched duopolies in a matter of years. In Ottawa, the Reform Party came from nowhere to become Official Opposition in a decade. SMPV is neither a barrier to serious new parties nor a protection for old parties. Rather, proportional representation perpetuates old parties in decline.

The huge change in British politics when Margaret Thatcher’s Conservatives won the election of 1979 led to a brief anxiety that SMPV with its ability to produce a decisive change in government could produce another kind of instability. It looked at times in the 1980s that Labour, seeming to move to the left, might get back into power and that Britain, having moved right under Thatcher, would lurch way to the left on her defeat.

But it is not the effect of SMPV to produce lurches. The more common complaint, more properly a compliment, is that it produces a competition for the centre. The circumstances of 1979 were exceptional. Labour, captive to the big unions and subject to infiltration by what people at the time referred to as “the loony left” was unable to address Britain’s problems. Cracks began to appear in the party, which led to the formation of the Social Democratic Party by breakaway Labour members. The Labour party could not adopt new policies for new problems. Only the Conservatives, coming to power after five years in opposition, had that freedom. By the time Labour returned to power in 1997, it had transformed itself and largely accepted the changes made under the Conservatives. There was no lurch.

The typical tendency of SMPV is to produce what was called “Butskellism” in Britain in the 1950s. R.A. Butler, “the best Prime Minister Britain never had,” was a long-serving centrist Conservative cabinet minister and Hugh Gaitskell was the moderate

SMPV tends to produce two competing parties as parties form in accordance with their purpose of forming a government or an alternative government.

leader of the Labour Party in opposition from 1955 to 1963. Butskellism described the closeness of mainstream Conservative and Labour policies.

In Canada, too, as in all countries with electoral systems similar to ours, the main parties have historically competed for the mainstream. Only proportional representation rewards those whose positions can never command the support of more than a fraction of the voters.

The sometimes shambolic free-for-all nominations we know, dominated by instant party members, leave much to be desired, but at least they involve some popular and local participation. With large ridings under STV, or lists under proportional representation, whatever show of grass roots participation the parties might put on, the candidates would be chosen by the party apparatus.

Making a show of nuanced and disinterested understanding, some academics suggest that different electoral systems may suit different countries and different political cultures. As the arguments for all the contrived electoral systems are abstract and technical, this is implausible. All that is true is that bad electoral systems may be less bad depending on circumstances. And whatever the faults of a country's political institutions, a political culture will develop to make them work as far as possible. These things argue against change in Canada. Canada is not a small country. And its political culture is adapted to our present way of voting.

It is sometimes suggested that the force of SMPV that makes "every vote count" for those contesting an election undermines the probity of our politics.²⁷ Politicians try to be all things to all people. But to compromise to seek a majority, or a plurality, to offer what common ground one can find in a possible government is not dishonest. What is dishonest is to say what an impossible government would do and ask people to vote for that. "Politics is the art of the possible." In our politics politicians are impelled to offer the possible. Under proportional representation, they paint pretty pictures, which can never come to life.

SMPV asks voters to decide and permits voters to decide. Other voting procedures suborn indecision.

Dynamics

Electoral reformers assume a one-way static relationship between voters and parties or candidates. They see only the voters and for them an election is about producing as exact as possible a reproduction of the notions and wishes of the voters. The voters have their ideas or interests and in an election these should be transferred to the legislature in a process somewhat like etching, so that the legislature will represent the voters rather as an etching represents a scene. In a campaign, the parties and candidates show what they are made of so that the ink of votes can adhere to them properly. But elections are a procedure for making decisions, on who will represent us and, indirectly, who will govern, and for making government responsible to the voters. Elections have two sides, the voters and the candidates. It is the interaction between

But it is not the effect of SMPV to produce lurches. The more common complaint, more properly a compliment, is that it produces a competition for the centre.

²⁷ Henry Milner, "Does Proportional Representation Boost Turnout? A Political Knowledge-based Explanation." Working Paper Presented at the Comparative Study of Electoral Systems (CSES) conference, University of Toronto, September 6, 2009. p. 9.

these in elections that produces democratic government. If elections simply produce a small scale model of the electorate, they decide nothing. All schemes for electoral reform aim futilely at this stasis. Our present way of voting, arising pragmatically over the centuries, produces a dynamic interaction between the candidates and parties, seeking the widest possible support, and voters judging the candidates and parties not simply on their own thoughts, sentiments, and interests, but on the breadth of their appeal and their ability to lead, persuade, and govern effectively.

In our elections at least candidates group themselves in parties and try to attract as many votes as possible in order to offer an effective choice of government. The dynamics of SMPV are two-way. The parties and candidates on offer and how voters vote are the result of an interaction that produces a government, not just a snapshot of the electorate. Voters, quite rightly, consider the chances of the parties and candidates winning and vote accordingly, deciding who will govern and who will represent them.

Tactics

Many reformers worry about tactical voting. They argue that we should be able to vote “sincerely” for whomever we think best, and that if the electoral system forces us to consider whether such “sincere” voting will produce the best outcome, it is faulty. They seek “sincere” elections in which we vote for exactly what we want and see the result in government. It is a delusion.

What is meant by tactical voting? Until 2011, a common example was a New Democrat who, fearful of a Conservative victory, voted for a Liberal as the one most likely to defeat the Conservative. What is wrong with that? How is it insincere? The voter sincerely feared the Conservatives, sincerely hoped the New Democrats would see better days, as they have, and sincerely chose the Liberal as the best option in the circumstances.

All voters must accept that there is no perfect choice. The only people who can vote with perfect enthusiasm, the reformer’s measure of sincerity, are pure partisans who identify themselves with a party without concern for what it is doing or may do. Such voters, like diehard Leaf fans, may always be with us, but they cannot be the model voters of reform.

Even when there are several parties or candidates to choose from, a sensible voter will make his choice of the best, all things considered, including the prospect of getting elected and being effective in government. He need not be so pessimistic as to see his choice as the best of a bad lot, but even if he is prepared to give his loyalty to a party or candidate over many elections or for life, he will be a realist and conscious of how far short his choice is from his ideal. The tactical voter does the same; and there is nothing wrong in principle with that and no reason why an electoral system should be designed to discourage it. Rather, it should encourage voters to make the best practical use of their votes, according to their lights. The tactical situation should always be considered.

In practice, tactical voting may be a mistake. The voter may be mistaken about the strength of the parties or the candidates. In Canada at least, he is likely unduly alarmed at the prospect of victory of whichever party he is seeking by tactical voting to defeat.

If elections simply produce a small scale model of the electorate, they decide nothing.

But he is doing his best to achieve the best result according to his lights. Any vote may be a mistake. No electoral regime can keep people from making mistakes.

How much tactical voting there is, nobody knows. The concept on examination becomes unclear. The picture of the staunch New Democrat, sick at heart, voting for a Liberal while quaking in fear of the Conservatives is implausible. The stauncher the New Democrat, the less likely he is to see much to choose between the Liberals and the Conservatives. If he allows Liberal attacks on the Conservatives to sway him, he gives the Liberals more credence than a staunch New Democrat should. What passes for tactical voting is more likely a floating voter who would be prepared to give the New Democrats a chance if they were serious contenders but likes the Liberals well enough.

Obviously, many voters vote for a candidate they know cannot win. For supporters of proportional representation, until the glorious day of proportionality comes, they are simply wasting their votes. The implication is that they should at least try to make their vote count by voting for a candidate who may win. But such voters are voting strategically. They know their party cannot win this time in this election, but by voting for its candidate anyway, they prepare the ground for a future victory. Such were the 275,767 who voted Reform in 1988. They did not care for the Progressive Conservatives, the Liberals, or the New Democrats. STV's demand that they express a preference amongst those they would have preferred not to see elected might take a third or fourth preference as a full vote, perhaps carrying a candidate over the quota and into a seat.

Looked at another way, the tactical voter is simply trying to choose a government, something that our present way of voting, uniquely, allows the voter to do.

No alternative electoral system actually overcomes what reformers see as the tactical voting problem. Pure, strict proportional representation comes closest only to the extent that it attenuates the control of the voter over the government so far as to make tactical calculation fruitless. But tactical voting occurs under proportional representation. In Germany, Christian Democrats voted for Free Democrats to keep them as a viable coalition partner.

In more elaborate electoral systems like STV, tactical calculations become more difficult as the actual effect of the multiple preferences becomes obscure. Voters simply cannot follow the consequences of their votes. But for those who can follow them, they can become sinister. Preferences can be used to promote opposition candidates who will be trouble for their own party or to skew the order in which candidates will be eliminated for tactical advantage. These are insincere votes indeed. Not votes cast for the best candidate likely to win, but possibly the worst candidate, or the candidate least likely to win, because the complicated working of the STV just might reward such perversity. In the 2007 Irish election, the opposition leader was encouraging voters to support minor party candidates with no hope of winning in the hope it would help his party.²⁸ Whether it did his party any good we cannot know. He lost anyway.

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²⁸ Doug Saunders, "Kenny urges voting for minor parties," *The Globe and Mail* (May 25, 2007).

Though difficult, such tactical voting under STV can hardly be blamed by advocates of a system that asks voters to express preferences amongst numerous candidates they do not like, preferences that may end up being counted as full votes for them.

The only protection against perverse tactical voting is the almost incalculable and chaotic working of STV. As we have seen, a slight shift in preferences between two candidates in a multi-member riding may make no difference to the result for either of those candidates, but change the result for several other candidates because of its effect on the order in which they are eliminated. A shift in preference against a candidate may even result in his election.

Representatives

All democracies are necessarily representative. We choose individuals to make laws and govern for us. We cannot do it ourselves. How can we best choose representatives?

In our elections the candidate who gets the most votes in each riding gets to represent us. It seems so obvious and sensible. Through much of history and over much of the world, that has been how it has worked and people have been content with it. Unprompted by the reformers' arguments that it is unfair, most people would probably still be content with it.

Making the candidate who gets the most votes the MP is not just a random way of deciding who should represent us, like drawing lots. The most votes is the best criterion of the representativeness of the candidate. And it is a criterion that will impel the candidate to be representative. The candidate who gets the most votes has the best claim to represent the generality of voters. The candidate seeking the most votes must seek them as widely as possible. For the candidate at least, in the phrase favoured by reformers, every vote counts.

And as long as every vote counts in that way, as candidates seek every vote, as members assiduously cultivate their constituents, every voter has some influence, whether his vote actually elects a member or not. All candidates want his vote. Under STV or proportional representation, candidates or parties are only interested in their pool of voters.

Reformers have a faulty understanding of democratic representation. They think Parliament should represent the people as a painting represents a scene, in all its hues and shapes. They think that all the theories or interests, issues or cultures, genders or age groups that could be found in a survey should be reproduced directly, with the faithfulness of a magic realist painting, through an election in which it is enough to get a fraction of the votes marshaled around a theory or interest, an issue or ethnicity or whatever, to get elected. But an MP is not to represent the voters like a brush stroke in a painting, but like an agent or attorney. The sense of representation is quite different.

STV and proportional representation encourages what the 19th century English political writer Walter Bagehot called "voluntary constituencies."²⁹ Criticizing the original version of what developed into the STV, Bagehot contrasted what he called com-

²⁹ Walter Bagehot, *The English Constitution* (London: Fontana Library, 1963), p. 163.

All democracies are necessarily representative. We choose individuals to make laws and govern for us.

pulsory constituencies with voluntary constituencies. Compulsory constituencies are the geographically defined ridings in which we vote, with the most popular candidate winning. As Bagehot pointed out, under reform proposals, voters could, as it were, voluntarily form their own constituencies to elect a member to their liking. Under STV, any group of voters large enough to reach the Droop quota can elect a member regardless of the preferences of the rest of the voters. In practice, it is parties that do this work. The member so chosen neither intends nor is intended to represent all or most voters, but only those who chose him. So elected, he would be expected and impelled to serve not the country, but the interest or cause that put him in Parliament. In practice, it is parties that constitute these voluntary constituencies, but there is a serious risk that ethnic or racial blocs could form under STV.

But it is not the role of MPs to represent voters in that way, to be, as it were, a random sample of the people. And it is not the role of government to serve the people divided in their theories or interests, issues or cultures, genders or age groups, and so on. Government has to do with the common interests and affairs of the people. MPs must concern themselves with the common good and must try to represent voters in their common concerns, and not as they may be divided. They are best able to represent us if they seek and get the most votes. If they only seek and get the less than 15% of the vote needed to get elected in a six-member STV riding, they may not even be able to represent that less than 15%, because they have not had to concern themselves with the good of the community.

In electing a Member of Parliament, we are choosing a person to serve us just as we do when we elect a mayor. A candidate's party affiliation may generally be an overwhelming factor in our choice, but it does not follow that we are simply voting for a party. We are not. The advocates of proportional representation attempt to obscure that fact with their emphasis on parties. Their comparisons of the popular vote for candidates of the various parties with the number of seats they win are misleading. Voters were not voting for parties and, if forced to by proportional representation, would vote differently.

It is assumed in most discussions of elections that voters practically speaking just vote for a party. Opinion polls are conducted on this assumption. A fair proportion of voters may not know who the candidates are when they cast their votes, or at least anything about them, attending only to the party affiliation now shown on ballots. But if voters are so in thrall to parties, it is a puzzle how independents like Chuck Cadman and John Nunziata can ever be elected.

Proponents of different voting procedures suggest that parties somehow get in the way of voters choosing the individual they would like best to represent them. But elections are not simply popularity contests. They would hardly work well if people simply voted for the person they would most like to meet at a barbecue. Polls sometimes show "approval ratings" and other questions designed to elicit the popularity of leaders apart from their party. What the candidates' politics may be must be a dominating factor and the parties roughly identify them with a brand name. If the party label, however, was all that mattered, a lot that goes on in politics would be inexplicable. Why do parties seek star candidates if candidates do not matter? Why do incumbents relentlessly curry favour with voters if all that will matter on election day is their party affiliation?

Government has to do with the common interests and affairs of the people.

Some political scientists, too keen on abstract analysis, see our elections as performing two distinct functions that may conflict: electing a representative and choosing a government. They imagine voters in a quandary where a candidate they admire runs for a party they revile or vice versa. The real world is different. If candidate Galahad is standing for the Dodgy Party, voters will either think Galahad is not such a shining knight after all, or his party not so dodgy if he is prepared to stand for it. If candidate Mordred is standing for the Party of Angels, they will think Mordred may not be so bad, or will be kept in line by the Angels, or the Angels have fallen.

Voters may greatly admire an individual without either wanting him as their MP, or a government formed from his party. They may think nothing of an individual but think he will make an adequate MP, better at least than the alternatives. Voters make their judgments after much thought or little, ignorantly or studiously well informed, but without abstract analysis, practically. Whether they analyze it in these terms or not, most voters just want what they would consider the good judgment of their MP. A well-run constituency office, fine speeches, a good newsletter, are incidentals, not noticed by most voters. A candidate's judgment will generally best be judged by party affiliation.

If it is a virtue of our present way of voting that it practically enables the voters to choose a government, is the representative, the MP, reduced to a mere token or lever to support a government? Should we do better to vote directly for a choice of government? No. The MP's role as the voter's representative remains essential. Only he can hold a government to its principles, scrutinize its conduct, and withdraw his confidence if incompetence or corruption or betrayal of principle indicate. We may be cynical about this happening, but it should at least be possible.

The MP's role as the voter's representative remains essential. Only he can hold a government to its principles, scrutinize its conduct, and withdraw his confidence if incompetence or corruption or betrayal of principle indicate.

If we elect an MP of the party that forms the government, elect him because that is his party, we still expect him to see that the government does what it said it would do, is honest and responds to developments consistently with its principles and the good of the country. Should new issues arise that may divide the party, even split it, we expect him to use his judgment in the interests of the country.

We do not in choosing a government in an election set up a party dictatorship. The government is responsible to and at the mercy of the House of Commons. We cannot govern ourselves. It is a delusion to think that the voters' will over the myriad decisions of government could be extracted by any system of voting. So we choose someone we can trust, influenced most by his commitment to a party, and leave it to him.

Other Schemes

The possibility of members being elected with a third or fewer of the votes when there are as many parties as there have been in Canada recently encourages thoughts of different ways of electing members, even in single-member ridings and without aiming at proportional representation. How can Jones the Liberal represent a riding where he got only 29% of the vote against 27% for the New Democrat, 25% for the Alliance candidate, and 19% for the Progressive Conservative?

The simple answer is that the 71% who did not vote for Jones cannot mind him much if they did not coalesce around one of his opponents. Very likely he was a popular second choice and would have won under one or another alternative election proce-

dure. But every other procedure for electing individuals runs up against the paradox of voting and can produce questionable results.

A series of ballots, or a preferential ballot in which a series of ballots is anticipated in one cast, runs the risk that an eliminated candidate may be the most popular second choice. I showed above how, with the Alternative Vote, more votes can lead to a candidate losing.

The French presidential election of 2002 famously illustrated the risks of runoff elections. Jacques Chirac led the first round with only 19.88% of the vote. Jean-Marie Le Pen of the National Front came second with 16.86% of the vote just ahead of the Socialist and former Prime Minister Lionel Jospin with 16.18%. Thirteen other candidates took the rest of the votes. In the runoff Chirac won with 82.21% of the vote. Had the runoff been between Chirac and Jospin, Jospin might very possibly have won. Had it been a preferential ballot, it might well have been a case of a breach of monotonicity.³⁰ If Chirac had done slightly better at the expense of Le Pen, he would have faced Jospin and possibly lost.

The election was also instructive about the dynamics, or lack of dynamics, in contrived electoral systems, and turnout. Voters and candidates in the first round felt they were safe. All who wanted to ran, and voters voted “sincerely” for their choice. But it did not work out. In the second round millions of voters had to hold their noses and vote for Chirac. Indeed, two and a half million more voted in the second round than in the first, despite its being a foregone conclusion. One of the plausible theories of voter turnout is that a close race encourages turnout. Not in France in 2002.

Had there been only one round, there would have been fewer candidates and voters would have moved to the leading contenders. Even the polls³¹ concealed what was going on, as they asked for first round voting intentions and were inaccurate, perhaps because they asked which of the sixteen candidates voters would vote for and the margin of error over such a field became dangerous. They apparently never asked how they would vote in any hypothetical runoff.

Another scheme is what is called an exhaustive vote, where no candidates are eliminated but the voting goes on until someone gets a majority, similar to the procedure used to elect a pope. In practice candidates are dropped or drop out after a poor early showing and the results and the problems may be the same as with an elimination ballot. Where an exhaustive ballot drags on until it becomes exhausting, a majority vote becomes an accident. On a further ballot there could be a different result.

Turnout

There has been much concern in recent years about declining voter turnout. Advocates of proportional representation generally claim that it leads to higher turnout. Some correlation can be shown between voter turnout and proportional representa-

While declining turnout is an interesting phenomenon, it is not self-evidently a symptom of ailing democracy.

³⁰ N.R. Miller, “The French Presidential Election, Instant Runoff Voting, Monotonicity Failure, and Spoiler Effects,” October 2006. <http://userpages.umbc.edu/~nmiller/RESEARCH/ELECTSYS.html>

³¹ Claire Durand, André Blais, Mylène Larochelle, “The Polls in the 2002 French Presidential Election: An Autopsy,” *Public Opinion Quarterly*, vol. 68, issue 4 (December 2004): pp. 602-622.



tion. But correlation is not causation. Turnout has declined in many countries in the last several decades, in those with proportional representation and those without. Turnout in Germany has fallen from 91% in 1972 to 70% in 2009.³² Many factors may affect turnout: the proportion of young voters, the proportion of immigrants. Many countries with proportional representation hold elections on Sundays. This may itself conduce to higher turnout and may reflect cultural differences that may be reflected in higher turnouts.

And while declining turnout is an interesting phenomenon, it is not self-evidently a symptom of ailing democracy. Rather the contrary possibly. If many voters are content to leave voting to the

party faithful and the earnestly independent, may it not as well be a passive vote of confidence in all politicians as skepticism at the use of voting? Opinion surveys can do little to explain why people don't vote. Political science is not the kind of science that can explain the behaviour of voters as chemistry can explain the behaviour of molecules.

There is a vast literature on voter turnout but it has settled little beyond the fact that compulsory voting fosters turnout.³³

In the end, the claim that proportional representation encourages voter turnout, which is made only by supporters of proportional representation, is, like so many of their arguments, circular. The reason why proportional representation encourages voter turnout is simply that it is better. And it is better because it encourages voter turnout.

Most votes cast in our elections are 'wasted' under proportional representation theory, either because they are cast for candidates who lose or because they are more than the candidate who wins needs. But most people vote knowing this anyway. Perhaps some people do not bother to vote because they know the only candidate they care for is bound to lose or bound to win. So what? No one voted in the riding of Burin-Burgeo in the 1957 election because Chesley Carter was acclaimed, the last acclamation in a Canadian general election. But it did not mean that democracy had died in Burin-Burgeo.

The argument that proportional representation encourages voter turnout assumes that many people do not vote because they think their votes will be "wasted." The implication is that the millions who cast "wasted" votes anyway are either stupid or mindless enthusiasts. The decline in turnout in recent decades would be because some

³² Statistisches Bundesamt Wahlberechtigte, Wähler, Stimmabgabe und Sitzverteilung bei den Bundestagswahlen seit 1949 – Zweitstimmen. http://www.bundeswahlleiter.de/en/bundestagswahlen/downloads/bundestagswahlergebnisse/btw_ab49_ergebnisse.pdf Wiesbaden 2009..

³³ André Blais, "What Affects Voter Turnout?" *Annual Review of Political Science* 9 (2006): pp. 111-25. Blais rejects the conclusion he had reached sixteen years before that "proportional representation does foster higher turnout" in André Blais & R.K. Carty "Does proportional representation foster voter turnout?" *European Journal of Political Research* 19 (1990): pp. 167-81.

voters have finally seen the light, except that turnout has also declined in countries with proportional representation, where no votes are supposed to be “wasted.”

In Their Dreams

The claims made for electoral reform, beyond the question begging claim that it is fairer in so far as it produces proportional representation, are wishful thinking without basis in evidence or reason. Whatever ails us, politicians untrusted, low voter turnout, policies people dislike, partisanship, party discipline, reformers claim that a new electoral system will cure it.

A faint plausibility appears in the claim that partisanship is reduced in multi-party politics. The constant need for coalitions forces some parties to work together in government. But there is no measure of partisanship or basis for verifying the claim. The most extreme political conflict in a democracy is in Taiwan, where a mishmash electoral system gives several parties seats in the Yuan and violent brawls have broken out several times.

More importantly, the smoothing out of conflict, the co-operation and consensus that reformers claim for their dream world, is not evidently a good thing. Politics is about real conflicts of ideas and interests. However empty and dishonest partisan slanging may be, it is the decay of a real and necessary part of politics. Politics where parties regularly in government settle things quietly between themselves, where there is no opposition as we know it, only marginalized parties like the Italian Communists, stifle debate and accountability.

There is still plenty of partisanship in elections in multi-party systems, but most of what goes on in elections is phony: claims made for policies that will only be implemented if shared with other parties; claims for the superiority of this party over that party when both will be cozy together in government after the election.

If parties in multi-party elections get on so well why do they not merge? Even in the days of mass membership parties the real party was, as it is now, the members of the party apparatus, the insiders. For them the party means jobs, influence, prestige that can be more easily had in an existing party, however small, than fought for in a big party. In Europe parties are largely state financed and as long as the money keeps coming the party leadership keeps going.

Indeed far from reducing partisanship, electoral reform fosters it. It breeds parties. Parties came into being in the House of Commons so that people, ideas, and interests could coalesce and be made to work together. Proportional representation perversely sanctions division. Some parties exist out of pure partisanship. Nothing in ideas, interests, or affinities distinguished Italian Liberals or Republicans from many in the Christian Democratic Party except their adherence to their separate parties.

It Matters

What does it all matter? There are prosperous peaceful countries with proportional representation. The rule of law, freedom, and some kind of democracy strongly correlate with peace and prosperity, but the technicalities of the electoral system?

The best measure of politicians is their record in government. With coalition governments and multi-party elections no one owns the record of the government.

“It does not much matter” is hardly the basis for a great reform movement. The reformers think it matters, very much. If their arguments are sound and proportional representation or the STV is “the thing,” as reformers believe, the results of every election in Canada’s history have been monstrously wrong and only the enthusiasts for reform have noticed. Surely people should be fighting in the streets over such an injustice and affront to democracy. But there is something unreal about the arguments for electoral reform. If people can be persuaded to tell pollsters that they favour electoral reform, they do not seem to think it very important. Only a tiny number of academics and enthusiasts promote it strenuously.

But it does matter. A country can take a great deal of strain. Canada has struggled to remain united for decades. The Netherlands, Italy, Austria, and Denmark have survived stagnant, confused, and unresponsive politics for decades. Should Canada add to its strains and adopt an electoral system that puts government beyond control of the voters?

F.A. Hermens argued persuasively in *Democracy or Anarchy*,³⁴ first published in 1941, that proportional representation led to dictatorship in Italy and Germany. His argument was widely entertained but later forgotten. Proportional representation’s advocates take it as an insult. Plainly proportional representation in most of Europe has not led to fascism since the war. It probably did facilitate Communist takeovers in Eastern Europe. Hermens did not argue that it led ineluctably to dictatorship. His argument was that the division, fostering of extremes, incapacity, and irresponsibility produced by proportional representation made countries under great strain, like Italy after World War I, or Germany in the depression, vulnerable to dictatorship.

Post-war European politics was heavily circumscribed. Pre-war fascist and authoritarian movements had often been extinguished or were banned. Recovery fueled by the Marshall Plan and the American alliance in the Cold War took priority over politics. Then a Europe of bureaucratic administration more and more superseded national politics as the source of law and policy and a place to find a career of influence. And Western Europe, at peace under American protection, and increasingly economically united, experienced unprecedented prosperity. Political institutions were never seriously tested.

France is a limited exception. An anti-Gaullist might argue that it was another case of proportional representation leading to dictatorship. Certainly proportional representation led to the crisis of 1958 as no government could deal with the strain of the war in Algeria. But De Gaulle was no fascist and the Fifth Republic is not a dictatorship.

To say that proportional representation is a perversion of elections and undemocratic may seem hard on the many fine democracies that use proportional representation. Proportional representation’s supporters argue from the prevalence of proportional representation that it must be best, pointing out that most democracies use some form of proportional representation. Counting voters rather than countries the balance shifts towards what they dismissively call First Past the Post. The world’s biggest democracy, India, uses First Past the Post. San Marino uses proportional representation.

³⁴ F.A. Hermens, *Democracy or Anarchy? A Study of Proportional Representation* (Notre Dame: University of Notre Dame Press, 1941).

In the end, the only argument that matters is that voting as we do now works. It gives the voters the power to decide who will represent them, and who will govern. It enables voters to hold them accountable. On examination, all the alternatives fail.

The argument that proportional representation is prevalent and so should be adopted is worthless. Party list proportional representation is the most widely used alternative to SMPV but it has never been seriously promoted in Canada. Only in recent times have most countries been any kind of democracy. The argument from prevalence would have favoured dictatorship and rigged elections. Even in 2010, according to the Economist Intelligence Unit, the commonest form of government was authoritarian.³⁵ And whatever the electoral system, the quality of democracy varies. Proportional representation is used by Norway and Russia.

In the end, the only argument that matters is that voting as we do now works. It gives voters the power to decide who will represent them, and who will govern. It enables voters to hold them accountable. On examination, all the alternatives fail

About the Author

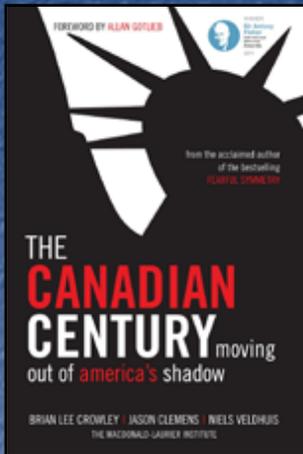
John Pepall took degrees in philosophy and politics at Trent University and law at York University. He was called to the Ontario bar in 1978 and practiced civil litigation in Toronto. He was a Progressive Conservative candidate in the Ontario election of 1990.



He has written on politics, history, the law and the arts for *The Idler* magazine, the *Literary Review of Canada*, the *Ottawa Citizen*, the *Times Literary Supplement* and others. He contributed a chapter to *Rethinking the Constitution* published by the Oxford University Press in 1996 and his *Against Reform* was published last year by the University of Toronto Press.

³⁵The Economist Intelligence Unit, *Democracy index 2010: Democracy in retreat*. The Economist..

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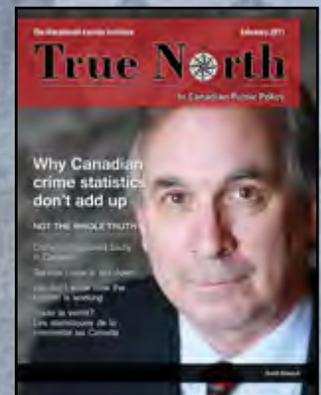
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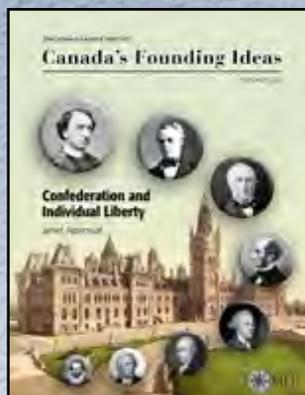
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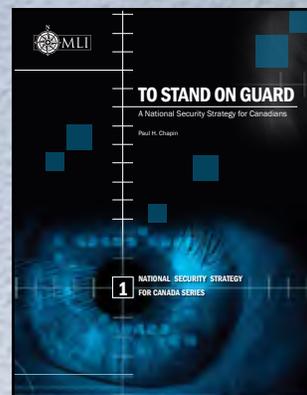
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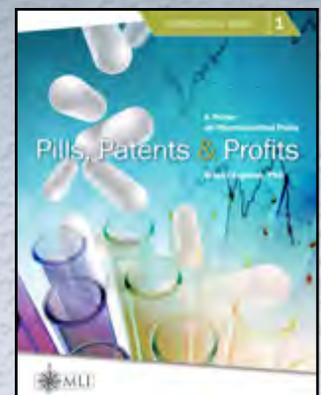
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