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BACKGROUND PAPER



Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview

Publication No. 2016-06-E
11 January 2016

Andre Barnes
Dara Lithwick
Erin Virgint

Legal and Social Affairs Division
Parliamentary Information and Research Service

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(Background Paper)

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Ce document est également publié en français.

CONTENTS

1	INTRODUCTION.....	1
2	CANADA’S FEDERAL ELECTORAL SYSTEM.....	1
2.1	Canada’s “First-Past-the-Post” Electoral System	1
2.2	Legal Basis.....	2
2.3	Strengths and Critiques of the Status Quo	2
2.4	Voter Turnout	3
3	CHANGING CANADA’S ELECTORAL SYSTEM: WHAT OPTIONS EXIST?	3
3.1	Plurality or Majority Systems.....	4
3.2	Proportional Representation Systems	5
3.3	Mixed Electoral Systems.....	7
4	VOTING SYSTEMS IN SELECTED JURISDICTIONS.....	9
4.1	The United Kingdom’s House of Commons: First Past the Post	9
4.2	The Australian Parliament.....	9
4.2.1	Senate: Single Transferable Vote	9
4.2.2	House of Representatives: Alternative Vote.....	10
4.3	New Zealand’s House of Representatives: Mixed Member Proportional Representation	10
4.4	The Germany Bundestag (or Lower House): Mixed Member Proportional Representation	11
5	CANADIAN ELECTORAL REFORM INITIATIVES AT THE FEDERAL AND PROVINCIAL LEVELS	12
5.1	Early Reform Initiatives	12
5.2	Reform Proposals at the Federal Level (2004–2007).....	13
5.3	Reform Proposals in British Columbia (2003–2009).....	13
5.4	Reform Proposals in Prince Edward Island (2003–2007).....	14
5.5	Reform Proposals in Ontario (2003–2007)	14
5.6	Reform Proposals in Quebec (2004–2007)	15
5.7	Reform Proposals in New Brunswick (2003–2006)	15

6	OTHER ELECTORAL REFORM INITIATIVES	15
6.1	Mandatory or Compulsory Voting	15
6.1.1	Arguments For and Against Mandatory Voting	16
6.1.2	Canadian Proposals for Mandatory Voting.....	16
6.2	Online Voting.....	17
6.3	Lowering the Voting Age.....	17

APPENDIX – VOTING AROUND THE WORLD (MAP)

ELECTORAL SYSTEMS AND ELECTORAL REFORM IN CANADA AND ELSEWHERE: AN OVERVIEW

1 INTRODUCTION

Over the years, the system Canada uses to elect members of Parliament has been a frequent subject of discussion and examination. The electoral system Canada currently uses, known as a plurality or first-past-the-post system, has been employed for every federal election since Confederation.

An understanding of the operation of Canada's electoral system, along with its alternatives, is important for ensuring that the way citizens elect their representatives continues to reflect public expectations and demands.

Recently, the government committed to establishing a special parliamentary committee to consult on electoral reform, including preferential ballots, proportional representation, mandatory voting and online voting.¹

This paper provides an overview of Canada's electoral system, a description of the main alternative electoral systems used in other countries, a review of past Canadian federal and provincial electoral reform initiatives, and information on mandatory voting, online voting and lowering the voting age.

The appendix contains a map showing electoral systems and voter turnout – one indicator of the efficacy of electoral systems – around the world.

2 CANADA'S FEDERAL ELECTORAL SYSTEM

2.1 CANADA'S "FIRST-PAST-THE-POST" ELECTORAL SYSTEM

The electoral system used in Canada at the federal level since Confederation is the "single-member plurality" system, commonly referred to as the "first-past-the-post" (FPTP) system.

Every province and territory is allocated a certain number of seats in the House of Commons according to a formula set out in section 51 of the *Constitution Act, 1867*, along with other historical seat guarantees found in the constitution. The allocation of House seats, presently 338, to each province and territory is based on relative population size.

The area within each province² is divided into separate electoral districts, or ridings, each represented by a single member of Parliament. During an election, the successful candidate is the individual who garners the highest number of votes (or a plurality) in the riding, regardless of whether that represents a majority of the votes cast or not. The leader of the party that secures the largest number of seats in the House, and can therefore hold its confidence, is generally invited by the Governor General to be the prime minister and form government.

2.2 LEGAL BASIS

The main body of Canadian federal election law is contained in the *Canada Elections Act*. This Act details the conduct of the election of members to the House, including various administrative, financial and communication matters related to the electoral system. Various sections of the Act make reference to one individual, or candidate, being returned to represent an electoral district in the House of Commons. For example, section 313(1) states that after the validation of voting results, a returning officer “shall declare elected the candidate who obtained the largest number of votes.”

Parts of the Canadian electoral process are also provided for in numerous other statutes, including the *Constitution Act, 1867*, the *Electoral Boundaries Readjustment Act*, the *Broadcasting Act*, the *Parliament of Canada Act*, the *Income Tax Act* and the *Criminal Code*.

Of note, Canada’s constitution does not contain any specific reference to what electoral system should be used to elect members to its House of Commons. The Constitution does, nonetheless, contain sections that have some application to the operation of the electoral system. As examples, section 52 of the *Constitution Act, 1867*, provides that Parliament may act alone to increase the number of seats in the House only if the increase does not disturb the proportionate representation between provinces. Section 51A of the *Constitution Act, 1867*, also known as the “senatorial clause,” sets out that a province can under no circumstance have fewer seats in the House than it does in the Senate.

2.3 STRENGTHS AND CRITIQUES OF THE STATUS QUO

The performance of Canada’s electoral system has been a frequent subject of study and examination. Among the chief strengths often attributed to Canada’s FPTP system are these:

- It favours the installation of majority governments able to carry out a legislative agenda.
- It is easily understood. A person casts a vote for a candidate to represent his or her riding, and that candidate either wins the seat or does not.
- The results can be counted quickly.
- A popular government can be given a new mandate at the next election and one that falls into disfavour can be ousted.

These are the chief drawbacks often cited in regard to Canada’s electoral system:

- There is a high relative disproportionality in seats awarded compared to vote share received. Indexes that measure such disproportionality generally rank Canada’s electoral system as among the most disproportionate of those used by western democracies.³
- Only those votes that go to the eventual winner count towards electing a representative, which may discourage people from voting or promote disaffection with the system.⁴

- The system tends to reward regional political parties or regional strongholds within parties. Conversely, political parties with diffuse support nationally tend to have difficulty winning seats.
- Having an outcome in which the winner takes all favours the nomination of candidates considered “safe,” and contributes to the challenges faced by women, Aboriginal people and minority groups in being nominated as candidates and elected as members of the House.⁵

2.4 VOTER TURNOUT

The participation rate in federal general elections has varied over the years. With the exception of the October 2015 election, with a 68.6% turnout, in the past quarter of a century, beginning in 1988, voter turnout has been trending downward.

In the six elections held since 2000, four have had the lowest voter turnouts at the federal level in Canadian history, with less than 62% of eligible voters casting ballots. The highest voter turnouts were in 1958, 1962 and 1963, when over 79% of eligible voters cast their ballots.⁶

Reasons for the decline in voter turnout at Canadian federal elections have included attitudinal and behavioural factors, such as a lack of political interest among non-voters, a perception that their vote does not affect the outcome, and a lack of ownership of the system.⁷ Another frequently cited factor is the decline in the turnout rate of young voters.⁸

3 CHANGING CANADA’S ELECTORAL SYSTEM: WHAT OPTIONS EXIST?

This section provides a description of the major electoral systems employed at the national level around the world. Some important characteristics that differentiate electoral systems from one another include:⁹

- **The ballot:** Does the elector place a mark beside a single candidate’s name (making more than one mark spoils the ballot), or must the elector rank or order candidates or parties from a list on the ballot?
- **Number of candidates per riding:** In each riding, is one candidate elected or are multiple candidates elected?
- **Procedure to determine winners:** How many steps are there, and therefore how simple or complex is it to determine how many seats each party has won and which candidate has won which seat?
- **Threshold for determining winners:** What is the percentage of votes needed for a candidate or party to obtain a seat?

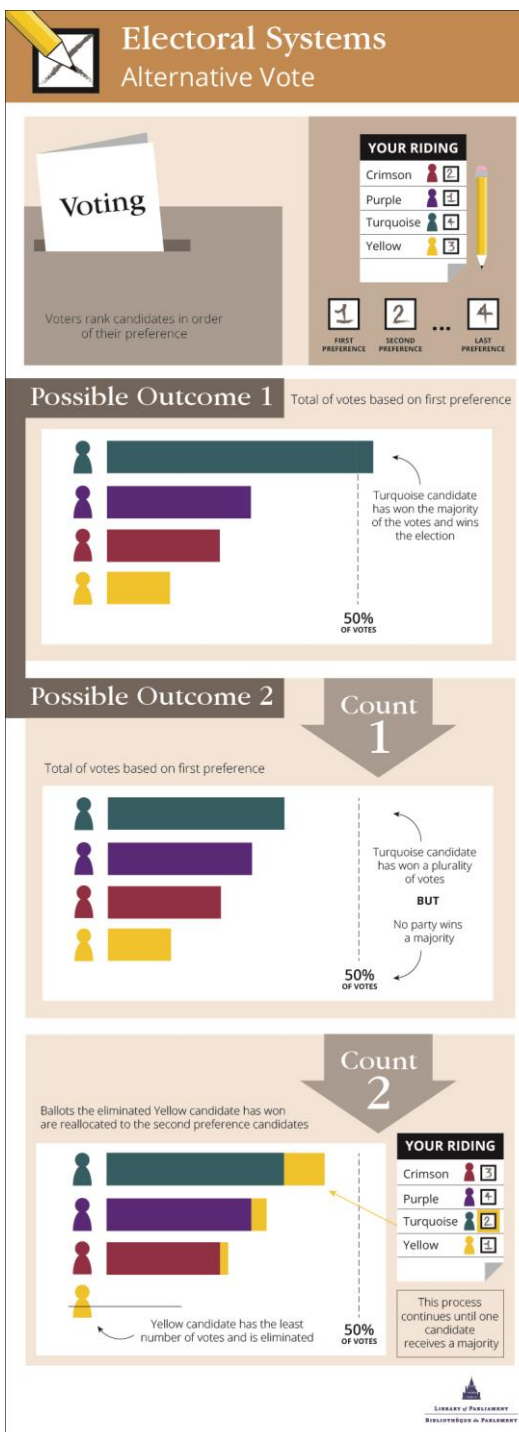
In this paper, electoral systems are grouped in three categories:

- plurality or majority;
- proportional representation; and
- mixed plurality/majority and proportional representation.

A description of each type of system is provided below.

3.1 PLURALITY OR MAJORITY SYSTEMS

- Description:** In plurality or majority electoral systems, the winning candidate is the individual who garners the most votes in an electoral district. Depending on the particular rules of the system, the winner may need to receive a plurality (or more votes than the other candidates) or a majority (over 50% of the votes cast).
- Names and Variations:**
 - First Past the Post (FPTP):** Under FPTP, an elector casts a single vote for a candidate to represent the electoral district in which the voter resides. The winning candidate must gain a plurality of votes to be elected.
 - Alternative Vote (AV):** This system is also known as preferential voting. On the ballot, voters rank the candidates running in their riding in order of their preference. To be elected, a candidate must receive a majority of the eligible votes cast. Should no candidate garner a majority on the first count, the candidate with the fewest votes is dropped, and the second preferences on those ballots are redistributed to the remaining candidates. This process continues until one candidate receives the necessary majority.
 - Two-Round:** Also known as the run-off system, elections have not one but two election days, generally held weeks apart. The system used for the first round of voting is largely similar to FPTP, except to win a candidate must take a majority of the votes cast and not simply a plurality. Should no candidate garner a majority after the first round of voting, a second election is held with only the top two candidates from the first election results. The candidate with the higher number of votes in the second round is elected.

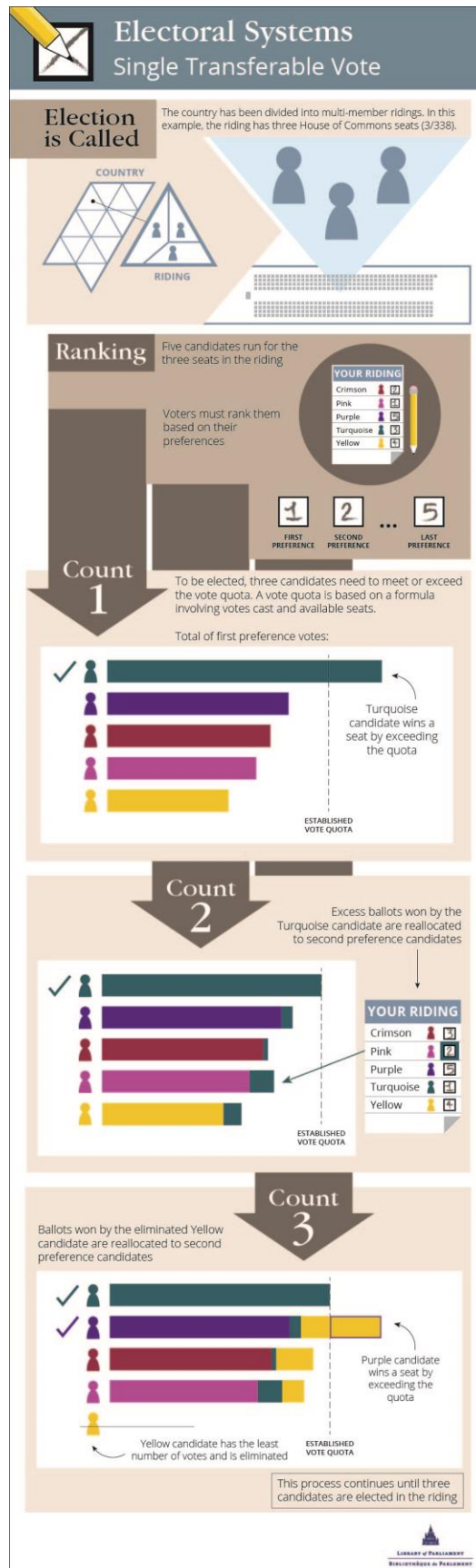


- **Block Vote:** In essence, this system is FPTP but with multi-member constituencies. In each electoral district, voters may cast as many votes as there are seats. For example, if 10 seats are available in a riding, the 10 candidates with the most votes will be awarded seats.
- **Origins:** Plurality or majority systems can be traced back to historical British parliamentary practice. FPTP continues to be employed to elect members to the United Kingdom (U.K.) House of Commons, and is also the system used today in most countries that were once part of the British Empire or have historical connections to England.¹⁰
- **Strengths and Critiques:** Plurality or majority systems are easy to use and understand, favour the formation of stable majority governments, maintain a geographic link between constituents and members, and encourage broad-based parties. Critiques of plurality or majority systems include that the seat allocation is disproportionate to the popular vote, exaggerates regionalism, and wastes votes. Further critiques of the Two-Round system are that it is the most expensive electoral system, and voter turnout may decrease between the first and second round.
- **Current Use:** Australia – lower house (AV), Canada (FPTP), France (Two-Round), U.K. (FPTP) and the United States (FPTP).

3.2 PROPORTIONAL REPRESENTATION SYSTEMS

- **Description:** As its name suggests, proportional representation (PR) systems seek to closely match a political party's vote share with its seat allocation in the legislature. PR tends to be varied and flexible, and the method for calculating seat distribution can be quite complex, with some systems requiring that a minimum threshold of vote share be earned in order for any seats to be allocated. Citizens generally vote for several candidates, or a party, and the results determine which individual members will sit in the legislature, as well as the overall distribution of seats belonging to each party.
- **Names and Variations:**
 - **Single Non-Transferable Vote:** Citizens in multi-member ridings are given only one vote. The candidates with the highest vote totals are elected. For example, in a constituency where 20 candidates are vying for 10 available seats, the top 10 candidates will all be elected.

- Single Transferable Vote (STV):**
 Citizens in multi-member ridings rank candidates on the ballot. They may rank as few or as many candidates as they wish. Winners are declared by first determining the total number of valid votes cast, and establishing a vote quota (or a minimum number of votes garnered); candidates must meet or exceed the quota in order to be elected. Candidates who receive the number of first-preference votes needed to satisfy the quota are elected. Any remaining votes for these candidates (that is, first-preference votes in excess of the quota) are redistributed to the second choices on those ballots. Once these votes are redistributed, if there are still seats available after the second count, the candidate with the fewest first-preference votes is dropped and the second-preference votes for that candidate are redistributed. This process continues until enough candidates achieve the quota to fill all available seats.



- **List Proportional Representation (List-PR):** Prior to election day, each party draws up a ranked regional or national list of its candidates running in each constituency. Citizens vote for a party, not a specific candidate. Once all votes are counted, each party is awarded seats in proportion to its share of the national vote. The winning candidates are chosen according to their placement on the party list. This electoral system is very flexible and has been adapted by the countries using it.
- **Origins:** Discussion of proportional representation can be traced back to the late 1700s. Its first public use was in 1840 during an election held in Adelaide, Australia.¹¹ Some observers have suggested that the implementation of PR systems, especially throughout Europe, was driven by a response to unrepresentative electoral results, with others suggesting economic transformations and the growth of social democratic parties were a driving force.¹²
- **Strengths and Critiques:** PR systems produce the most proportional results with very few wasted votes, permit greater representation of smaller parties, women and minorities, provide for greater choice, and can encourage power-sharing within a Parliament. Critiques of PR systems include that they can be difficult to understand, they tend to create coalition governments, the geographic link between constituent and member is less prominent, they increase the possibility of electing parties with extreme views, the ballots can be long and complicated, and the counting of results time consuming.
- **Current Use:** Australia – upper House (STV), Austria (List-PR), Belgium (List-PR), Denmark (List-PR), Finland (List-PR), Ireland (STV), Netherlands (List-PR), Norway (List-PR), Russia (List-PR), South Africa (List-PR), Sweden (List-PR) and Switzerland (List-PR).

Electoral Systems
List Proportional Representation

Party Lists Before election day, parties create ranked party lists

Voting Citizens vote for a party, not a specific candidate

YOUR RIDING

Crimson	<input type="checkbox"/>
Purple	<input checked="" type="checkbox"/>
Turquoise	<input type="checkbox"/>
Yellow	<input type="checkbox"/>

Outcome Turquoise party has won a plurality of votes and thus wins the most seats

PARTY	NUMBER OF VOTES	% OF VOTES	% OF SEATS	NUMBER OF SEATS (OUT OF 338)
		38	38	128
		26	26	88
		20	20	68
		16	16	54

Conclusion Each party's share of the seats is proportional to the share of votes it received in the election

Winning candidates are chosen according to their placement on the ranked party list

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3.3 MIXED ELECTORAL SYSTEMS

- **Description:** Mixed electoral systems combine elements of a plurality or majority system with proportional representation. Citizens in a riding cast two votes: one to directly elect an individual member to serve as their representative, and a second for a party or parties to fill seats in the legislature allocated according to the proportion of the vote share they receive.

• **Names and Variations:**

- **Mixed Member Majority (MMM):** Citizens in single-member ridings cast two votes: one for a candidate to represent their riding according to the FPTP system, and one for a party. Each party presents a previously established list of candidates, similar to the List-PR system. A predetermined portion of the legislature's seats are filled using the plurality vote, while the remaining seats are filled by the party list vote. The two votes under MMM are fully independent of one another; the party seats will not compensate for any disproportionate result in the constituency elections.

- **Mixed Member Proportional (MMP):** The system operates in the same way as MMM, except a citizen's second vote, which allocates seats to parties according to List-PR, attempts to compensate for any disproportionate results in the FPTP constituency elections. Additional seats are awarded to qualifying parties where the number of constituency seats won by a party fails to reflect overall voter support. There are variations among the various MMP systems in how this allocation is made.

- **Origins:** Mixed electoral systems can be traced back to Germany's adoption of an MMP system following the Second World War.¹³ Observers have noted that the system represents a compromise, or third way, between plurality or majority systems, and proportional representation.

- **Strengths and Critiques:** Mixed electoral systems provide for fairly proportional outcomes, maintain the geographic link between constituents and members, provide for greater choice, and allow the opportunity for smaller parties, women and minorities to be represented in Parliament. Critiques of mixed electoral systems include that they are difficult to use and understand, and they create two classes of members (riding versus list).

- **Current Use:** Germany (MMP), Italy (MMP), Japan (MMM), Mexico (MMP), New Zealand (MMP), Philippines (MMM), Scotland (MMP), South Korea (MMM) and Wales (MMP).

Electoral Systems
Mixed Member Proportional

Nominations and Party Lists Before election day, parties nominate candidates to run in each riding, and they create ranked party lists

Voting Citizens get two votes on election day

VOTE FOR ...
1: A LOCAL MP
2: A POLITICAL PARTY
IN YOUR REGION/RIDING

Outcome Turquoise party has won a plurality of seats and thus wins the election

PARTY	RESULTS	% OF VOTES	% OF SEATS	NUMBER OF SEATS (OUT OF 338)
Turquoise	[Bar chart showing 38% of votes]	38	38	128
Yellow	[Bar chart showing 26% of votes]	26	26	88
Red	[Bar chart showing 20% of votes]	20	20	68
Purple	[Bar chart showing 16% of votes]	16	16	54

■ NUMBER OF SEATS
 ■ NUMBER OF DIRECTLY ELECTED MPs
 ■ NUMBER OF "TOP UP" SEATS

The seats added go to candidates from the party list to provide a proportional result

Conclusion Each party's share of the seats is proportional to the share of votes it received in the election

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4 VOTING SYSTEMS IN SELECTED JURISDICTIONS

4.1 THE UNITED KINGDOM'S HOUSE OF COMMONS: FIRST PAST THE POST

A first-past-the-post system is used to determine the membership of the U.K. House of Commons. This system dates back centuries; it was in place when the Acts of Union brought together England and Scotland to form Great Britain in 1707. As in elections for Canada's House of Commons, citizens vote for a single candidate in their riding, and the candidate who receives the most votes is elected to represent that riding in the House.

In 2011, the U.K. held a referendum on switching from FPTP to an AV system. A switch to AV was rejected by 67.9% of the voters.¹⁴

Holding such a referendum counted among a number of democratic reform pledges outlined in the plan of the Conservative–Liberal Democrat coalition government which was formed following the 2010 general election.¹⁵

4.2 THE AUSTRALIAN PARLIAMENT

4.2.1 SENATE: SINGLE TRANSFERABLE VOTE

In Australia, each state and territory acts as a single, multi-member constituency (called an "electorate"). States are represented by 12 senators, and territories are represented by two senators. Senators are elected through a single-transferable vote system.

Ballots for Senate elections are divided into two sections by a line. Electors can vote "above the line" or "below the line." Voting "above the line" requires voters to mark a single preference for a party by putting the number "1" in the box associated with their party of choice. By casting a vote this way, voters are allowing the order of their candidate preference to be determined by the party they are voting for.

Voters who choose to vote "below the line" must rank candidates in order of preference, until all candidates listed on the ballot are ranked. Failing to rank each candidate and/or marking preferences above and below the line result in spoiled ballots, which are not counted.

To win, candidates must secure a quota of votes. To calculate the quota for a particular election, the total number of votes cast is divided by the number of candidates to be elected plus one, and one is added to the result. Although counting of first preferences begins on election night, the full count cannot be completed until several weeks after the election. Ballot papers are sorted according to which candidate or party receives the number "1" preference on each ballot paper. Candidates who receive the quota, or more, of first-preference votes are elected. Any surplus votes from elected candidates (votes in excess of the quota), are transferred to the candidates who were the second choice of voters. This process is carried out until the required number of candidates meets the quota.

The single-transferable vote system used to elect Australian senators was established in 1948. Before that, Block Vote was used from 1903 to 1919, and Preferential Voting from 1919 until 1949, both of which resulted in a disproportionate number of seats being awarded to the party that gained a majority of a state's or a territory's vote. According to the Australian Electoral Commission, both systems were abandoned because they often produced "lopsided" results.¹⁶

4.2.2 HOUSE OF REPRESENTATIVES: ALTERNATIVE VOTE

The alternative vote system is used to elect members of the Australian House of Representatives. Australia is divided into 150 single-member electoral divisions. Voters are required to rank each candidate on the ballot until each candidate has a ranking.

To win, candidates must attain an absolute majority of votes. In the event that no single candidate wins more than 50% of the votes after the first preferences are counted, the candidate with the least votes is eliminated, and his or her votes are redistributed among the other candidates. The process continues until a majority by a single candidate is acquired.

Australia's House of Representatives has been elected through the preferential vote system since 1919. Following the establishment of the Commonwealth of Australia in 1901, Parliament enacted the *Commonwealth Electoral Act 1902*, which provided for a first-past-the-post voting system for the House of Representatives. The Act was rewritten in 1918 to provide for preferential voting to elect members of the House. Historians hold numerous views on the reason for Australia's electoral reforms. Some suggest the reforms were brought about by idealism, the seeking of political advantage, and the need to deal with faulty electoral system arrangements.¹⁷ The Australian Electoral Commission notes, for example, that the 1918 reform was:

in response to the rise of the Country Party in the aftermath of the First World War, and the consequent prospect of loss of seats to Labor through a split in the non-Labor vote.¹⁸

4.3 NEW ZEALAND'S HOUSE OF REPRESENTATIVES: MIXED MEMBER PROPORTIONAL REPRESENTATION

New Zealand's Parliament employs a mixed member proportional representation system to elect its members. Under this system, voters elect 63 members from single-member constituencies, 50 members from nationwide party lists, and seven members from single-member Maori electoral districts.

The electoral system employed to decide both constituency seats, known as "electorate seats," and Maori seats is the first-past-the-post model. Parties are first allocated seats according to the results of this vote. A proportional representation system is then used to apportion the party list seats; this vote is called the party vote. To be eligible to receive a share of the party vote seats, a party must garner at least 5% of the national vote or win one electorate seat.

Seats are apportioned to each party according to its share of the total national party vote. A party that receives fewer electorate seats than total party votes is apportioned list seats to compensate for this difference. If a party wins more electorate seats than its share of seats as determined by the party vote, it is permitted to keep the extra seats, or overhang seats.

The first election under MMP was held in 1996. Prior to this, national elections had been held under FPTP. A Royal Commission in 1986 recommended the switch as part of its inquiry into various matters related to the electoral system and Parliament.¹⁹ The process of change entailed two referenda. A two-question non-binding referendum was held in 1991. The ballot asked citizens first to indicate whether they desired to retain or change the country's electoral system and, if they desired change, to select one of four voting systems.²⁰ A majority of voters indicated a desire to change systems (84.7%) and also indicated a preference for the MMP system (70.4%).²¹

A follow-up, binding referendum was held in 1993. It found voters preferred switching to MMP (53.9%) over retaining FPTP (46.1%). Following the adoption of MMP, a referendum was held in 2011 to review the switch. Voters were asked whether MMP should be retained or a new system adopted, with a majority voting in support of keeping MMP (57.7%).²²

4.4 THE GERMANY BUNDESTAG (OR LOWER HOUSE): MIXED MEMBER PROPORTIONAL REPRESENTATION

The electoral system employed to elect the minimum 598 members of Germany's lower house, or Bundestag, is a mixed member proportional representation system called personalized proportional representation; it combines elements of the first-past-the-post model with proportional representation. Personalized proportional representation is a rather complex system, as will be outlined below.

The country is divided into 299 constituencies, allocated to each of 16 states (or Länder) in proportion to relative populations. Each elector casts two votes: one vote directly for a candidate in his or her constituency using the first-past-the-post model, and a second vote for a party list established using a proportional representation system. These party lists are organized by state and are closed; electors cannot alter who is on a party's list, or the order in which the party has listed the candidates.

First, seats are allocated in each constituency according to the result of the first vote (or the first-past-the-post result). This result is compared to the result of the second vote (or the proportional representation vote). Note that the calculation for allocating seats in the second vote is the Sainte-Laguë/Schepers method of proportional representation.²³

In order to be entitled to win proportional representation seats in the second vote, parties must garner at least 5% of the second set of votes cast nationwide or at least three seats under the first-past-the-post vote.

Where, in the first-past-the-post vote, a party or parties exceed the number of seats they ought to obtain according to the proportional representation vote, they are nonetheless permitted to keep these seats (so-called “overhang” seats).

The number of seats each qualifying party garners following this initial count is the minimum they are entitled to receive. To compensate for any overhang seats, additional compensatory seats are added to the parties that did not have overhang seats in order to ensure complete proportionality of the share of votes for all parties nationwide.²⁴

5 CANADIAN ELECTORAL REFORM INITIATIVES AT THE FEDERAL AND PROVINCIAL LEVELS

Since Confederation, reforms to the federal and provincial electoral systems have been considered and in some cases implemented. At present, all provinces and territories employ the first-past-the-post system.

5.1 EARLY REFORM INITIATIVES

It is perhaps not widely known that in the late 1910s to early 1920s, a number of municipalities in Alberta, British Columbia, Manitoba and Saskatchewan adopted single transferable vote systems (STV), and in one case an alternative vote system (AV). Some observers cite the extension of the right to vote to non-property owners, the working class and women, and the subsequent growth in popularity of progressive and united farmers’ parties, as the reason for the adoption of these systems.²⁵ In all cases, these systems were later repealed.

Table 1 shows some of the municipalities that adopted STV and AV systems.²⁶

Table 1 – Electoral Reform in Canadian Municipalities

City	Duration of Single Transferable Vote Systems	Duration of Alternative Vote System
Calgary	1916–1961	1961–1973
Edmonton	1922–1928	–
Regina	1920–1926	–
Saskatoon	1920–1926	–
Vancouver	1920–1923	–
Victoria	1920–1921	–
Winnipeg	1920–1971	–

Source: Table prepared by the authors using information in Dennis Pilon, *The Politics of Voting – Reforming Canada’s Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81.

Provincially, from the 1920s to the 1950s, Alberta and Manitoba both adopted STV for elections held in rural ridings and AV for elections held in urban ridings.²⁷ In British Columbia, the governing Liberal–Conservative coalition adopted AV for the 1952 provincial election. The system reverted back to first past the post after the Social Credit Party won the 1953 election.²⁸ Observers have commented that these changes were brought about by the mainstream parties as a result of the rise in

popularity of the Cooperative Commonwealth Federation, which following the Second World War became the official opposition in British Columbia, Ontario and Saskatchewan.²⁹

5.2 REFORM PROPOSALS AT THE FEDERAL LEVEL (2004–2007)

In March 2004, the Law Commission of Canada concluded a three-year study on electoral reform and published its report, entitled *Voting Counts: Electoral Reform for Canada*, to the Minister of Justice. The report examined the different electoral options and evaluated which would, in its view, best fit Canada's Westminster traditions. The report recommended the adoption of a mixed member proportional system.³⁰

In its October 2004 Speech from the Throne, the government pledged options for reforming Canada's democratic institutions. The matter was studied by the House of Commons Standing Committee on Procedure and House Affairs, which tabled a report on electoral reform in June 2005.³¹ The committee recommended that the government launch a special House of Commons committee and create a citizens' consultation group that would work between October 2005 and the end of February 2006. Parliament was dissolved before a special committee could be established or the consultation process could begin.

In March 2007, the government held a citizens forum on democratic reform in each province and territory, along with one national youth forum. From these forums, the government prepared a report entitled *Public Consultations on Canada's Democratic Institutions and Practices*.³² The report indicated that, among other things, Canadians appeared to prefer the current first-past-the-post system to a system that includes proportional representation. However, the consultations also found that respondents were "open" to considering change, including a voting system in which every vote for a party counts.³³

5.3 REFORM PROPOSALS IN BRITISH COLUMBIA (2003–2009)

In April 2003, British Columbia's government established a Citizens' Assembly on Electoral Reform, an independent, non-partisan assembly of citizens with the mandate of examining the provincial electoral system and making recommendations on reform.³⁴ In December 2004, the Citizens' Assembly recommended the single transferable vote (STV) system as the best choice for the province, and in May 2005 the STV proposal was put to the voters of British Columbia as a referendum question in the provincial election. In order for the proposal to pass, it needed to be approved by 60% of all voters, and by a simple majority of voters in 60% of the 79 constituencies.

In the referendum, the STV proposal received 57% support – short of the required 60% majority – and was therefore not approved. However, as a result of the considerable support across the province for the proposed STV system, the government indicated that another referendum on STV would be scheduled. In April 2006, the government announced that the referendum would be held at the same time as the 2009 provincial general election, and that the STV system would be implemented for the scheduled 2013 general election provided there was sufficient voter support in the referendum.³⁵ The referendum was held in May 2009;

the STV proposal was supported by 39% of all voters and received sufficient support in only 7 of 85 electoral districts, far short of the 51 required to ensure its implementation.

5.4 REFORM PROPOSALS IN PRINCE EDWARD ISLAND (2003–2007)

In December 2003, the Prince Edward Island Electoral Reform Commissioner recommended that the province adopt a mixed member proportional system. However, the Commissioner also recommended further study of the issue, including more public consultation and public education, and he directed that any changes to the province's electoral system be made by referendum.³⁶ In December 2004 the Legislative Assembly established the Commission on Prince Edward Island's Electoral Future, with the task of developing a clear referendum question and recommending a date for holding the referendum.³⁷ In May 2005, the commission released its proposal for an MMP system for the province. The referendum was held in November 2005, with a threshold for voter approval set at 60%. The proposal for electoral reform was approved by 36% of the voters. The province's Special Committee on Electoral Boundaries recommended that another referendum, exclusively on the question of fixed election dates, be held at the same time as the next provincial general election in 2007. However, no referendum was held.

5.5 REFORM PROPOSALS IN ONTARIO (2003–2007)

The Democratic Renewal Secretariat of Ontario was created in October 2003 to review the provincial electoral system. The *Election Amendment Act, 2005* received Royal Assent in June 2005, allowing for the selection of a Citizens' Assembly on Electoral Reform to examine the current electoral system and recommend possible changes.

In March 2006, Ontario's Minister Responsible for Democratic Renewal announced the formation of an Ontario Citizens' Assembly on Electoral Reform.³⁸ Operating independently of the government, the assembly's mandate was to

assess Ontario's current electoral system and others, and recommend whether Ontario should keep the current system or adopt a new one. If the Assembly recommends a change, the government will hold a referendum on that alternative within its current mandate.³⁹

In May 2007, the assembly released a report entitled *One Ballot: Two Votes – A New Way to Vote in Ontario*, which recommended a mixed member proportional system. A province-wide referendum to decide whether to implement this new system was held in conjunction with the provincial election in October 2007. The proposal did not receive the requisite voter support – at least 60% of the total referendum ballots cast *and* more than 50% of the referendum ballots cast in at least 64 electoral districts – as prescribed in section 4 of the *Electoral System Referendum Act, 2007*.⁴⁰

5.6 REFORM PROPOSALS IN QUEBEC (2004–2007)

In December 2004, the Quebec government introduced a draft bill in the National Assembly that, among other reforms, proposed a new mixed electoral system that would combine elements of the existing first-past-the-post system and a new proportional representation approach. In June 2005, the National Assembly adopted a motion to appoint a nine-member parliamentary committee to study and make recommendations on the draft bill.⁴¹ Public consultations were held across Quebec beginning in January 2006.

The Citizens' Committee reported its findings to the National Assembly in April 2006. Its report rejected the government's draft bill and proposed a system of mixed member proportional representation similar to that of Germany. The Committee's main criticism of the government's draft bill was that the proposed one-ballot system did not accurately reflect the wishes of the voters and would encourage strategic voting.

In December 2007, the province's Chief Electoral Officer released a report that discussed the characteristics of a "compensatory mixed system" and compared different scenarios through simulations and analyses.⁴² No actions resulted from this report.

5.7 REFORM PROPOSALS IN NEW BRUNSWICK (2003–2006)

In December 2003, the New Brunswick government established the Commission on Legislative Democracy and instructed it to propose an appropriate proportional representation model for New Brunswick. The commission held public hearings and community roundtables, received online submissions and responses to questionnaires, and conducted independent research and analysis. In January 2005, its final report recommended a regional mixed member proportional system and advised that a binding referendum be held no later than the 2007 provincial election.⁴³

The provincial government responded to the commission's final report and recommendations by issuing *Improving the Way Government Works* in June 2006.⁴⁴ After a change of government in the fall of 2006, a new response to the commission's recommendations was released in June 2007. Entitled *An Accountable and Responsible Government*, it included 20 initiatives the province planned to undertake to improve and enhance legislative democracy in New Brunswick between 2007 and 2012.

6 OTHER ELECTORAL REFORM INITIATIVES

6.1 MANDATORY OR COMPULSORY VOTING

Mandatory voting, also referred to as compulsory voting, requires citizens to register as voters and to present themselves at their polling stations on election day. Those who refuse to do so are usually subject to a fine (unless they have an acceptable explanation, such as illness). Although it is known as "mandatory voting," this practice does not actually require citizens to *vote*. They must register and present themselves at their polling stations; however, those who do not wish to vote may still

exercise the option of spoiling their ballots or registering an abstention. In fact, several countries provide a box on the ballot for those who wish to mark their vote for “None of the candidates.”

Mandatory voting legislation exists in a number of countries, including Australia, Belgium, Cyprus, Luxembourg and Brazil. Belgium was the first country to introduce mandatory voting legislation, in 1892, while Australia has arguably the best-known mandatory voting system (first introduced in 1915 by the State of Queensland and adopted nationally in 1924).

6.1.1 ARGUMENTS FOR AND AGAINST MANDATORY VOTING

Several arguments are consistently put forth by proponents of mandatory voting, including the following:

- There is increased voter turnout.
- The views of the electorate are better represented in Parliament.
- Voting is considered a civic duty similar to jury duty, payment of taxes, etc.
- Election campaigns can place more focus on issues, rather than on getting citizens out to vote on election day.
- Voters are not forced to vote; rather, they are obliged to turn out to vote.
- If they are required to participate, voters may become more involved in the political process.

Arguments against mandatory voting include the following:

- Forcing a person to vote is undemocratic and interferes with an individual's Charter rights.
- Mandatory voting does not address the issue of educating the electorate to ensure that citizens are making informed choices on political issues.
- Although mandatory voting may increase voter turnout, it may not necessarily increase the representation of the views of the electorate or lead to more informed voting.
- Mandatory voting does not address the question of why citizens are not voting.
- Enforcing the penalties against those who fail to vote can be expensive.

6.1.2 CANADIAN PROPOSALS FOR MANDATORY VOTING

In December 2004, Senator Mac Harb introduced Bill S-22, An Act to amend the Canada Elections Act (mandatory voting), in the Senate. The bill would have required all registered voters to vote in all federal elections or be subject to a fine. Voters would still have had the option of refusing the ballot, voting for “none of the candidates,” or providing Elections Canada with an acceptable reason for not voting. The bill did not proceed beyond second reading in the Senate, and died on the *Order Paper* when the 38th Parliament was dissolved in November 2005.

6.2 ONLINE VOTING

As society's use of the Internet has become commonplace, consideration continues to be given to the possibility of enabling Canadians to vote online. In Canada, Internet voting has been employed at the municipal or regional level, namely in Markham and Peterborough, Ontario, and in Halifax and Truro and in Cape Breton, Nova Scotia.⁴⁵

A number of jurisdictions internationally, at various levels of government, have studied or implemented online voting systems. For example, Estonia has offered online voting at the national level in some form since 2005.⁴⁶

Research conducted for Elections Canada found that "a moderate proportion of electors would be likely to vote over the Internet, and that this proportion is increasing from one general election to the next."⁴⁷ Elections Canada's research also examined the required legal framework to establish online voting,⁴⁸ as well as consultations with European jurisdictions about their experience with online voting.⁴⁹

Those in favour of online voting suggest that it may expand the accessibility of elections and, in turn, increase voter turnout. Those against Internet voting cite reliability and security concerns.

6.3 LOWERING THE VOTING AGE

Currently, Canadians aged 18 years or older on or before the day of a federal general election may vote. Until 1970, the minimum voting age at the federal level was 21 years. When the proposal was made to lower the voting age to 18 years, concern was expressed by some as to whether 18-year-olds were sufficiently well informed or mature to vote responsibly.

Of all groups of eligible voters, young Canadians have the lowest voter participation levels. According to studies commissioned by Elections Canada, not only are young people participating less in the electoral process than older generations, but their willingness to participate is also in decline. One proposal put forth to counter this trend is the lowering of the voting age from 18 to 16. Proponents of this initiative argue that instilling democratic values in young people while they are still in school will encourage the development of lifelong voting habits. Opponents believe that 16-year-olds lack the maturity to make an informed political decision and that the novelty of being eligible to vote would eventually wear off.

When the Royal Commission on Electoral Reform and Party Financing, chaired by Pierre Lortie, published its final report in 1991, it recommended that the voting age be set at 18 years of age. It also said that Parliament should revisit the question periodically. The issue was studied during the 36th Parliament by the House of Commons Standing Committee on Procedure and House Affairs, and its June 1998 report recommended that the minimum voting age remain at 18.

In Quebec in March 2003, the Comité directeur sur la réforme des institutions démocratiques, chaired by Claude Béland, presented its report on citizen

participation in Quebec's democratic institutions. On the question of lowering the voting age, the Bélard Commission stated that the positions on the issue were not clear enough and that the impact of lowering the voting age should be studied further. In the meantime, it recommended that the voting age be kept at 18 years.

In May 2004, the Alberta Court of Appeal ruled against two Edmonton teenagers who argued that their rights under the Charter had been violated by Alberta's *Elections Act*.⁵⁰ The Court agreed with the trial judge that a voting age limit was, in principle, a violation, but that it was justified in order to maintain the integrity of the electoral system.

In November 2004, a private member's bill was introduced in the House of Commons by Liberal MP Mark Holland to lower the voting age to 16 (Bill C-261); it was defeated in June 2005 after second reading debate.

Recently, Scotland lowered its voting age to include 16- and 17-year-olds in its September 2014 referendum on independence, and there was high turnout in the new age bracket.⁵¹ Subsequently, the British Prime Minister agreed to set a separate voting age, of 16 rather than 18, for all elections to the Scottish Parliament and local Scottish authorities.⁵² In the United Kingdom, the Labour Party, the Scottish National Party, the Liberal Democrats and the Green Party all support voting at 16.⁵³ As well, a November 2014 report on voter engagement by the U.K. House of Commons Political and Constitutional Reform Committee suggested that the Government lead a national discussion on reducing the voting age and that a free vote on the issue be allowed in the House of Commons.⁵⁴ Finally, most recently, on 18 November 2015, the House of Lords, at Report Stage of the *European Union Referendum Bill 2015–16*, voted in support of an amendment to extend the franchise for the EU referendum to 16- and 17-year-olds.⁵⁵

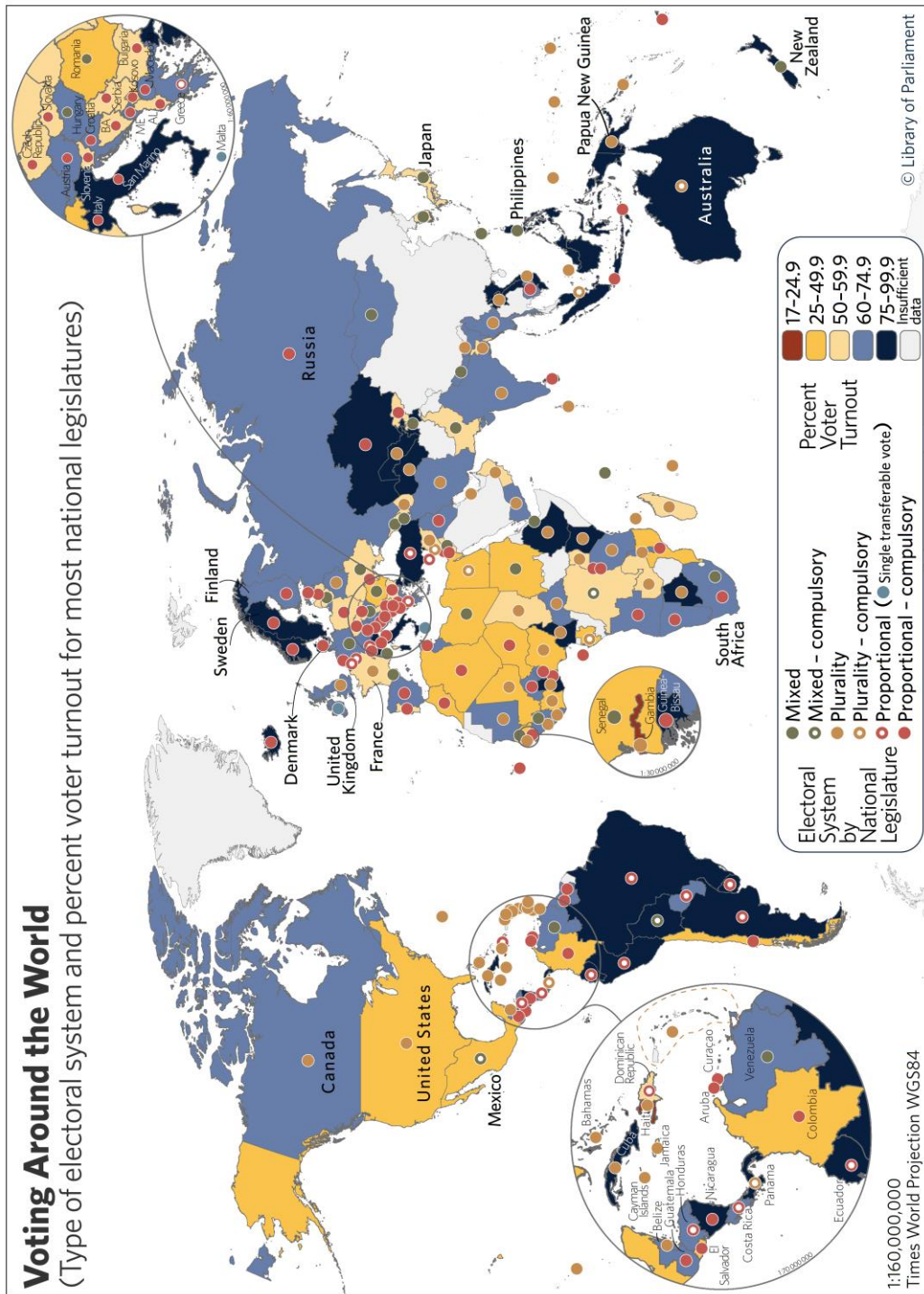
NOTES

1. Prime Minister of Canada, "[Minister of Democratic Institutions Mandate Letter](#)," November 2015.
2. Each Canadian territory is currently represented by a single member of Parliament.
3. Dennis Pilon, *The Politics of Voting – Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 57.
4. Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, 2004, p. 10.
5. Ibid.
6. Elections Canada, [Voter Turnout at Federal Elections and Referendums](#).
7. Jon H. Pammett and Lawrence Leduc, [Explaining the Turnout Decline in Canadian Federal Elections: A New Survey of Non-voters](#), Elections Canada, 2003.
8. Sharanjit Uppal and Sébastien LaRoche-Côté, [Factors associated with voting](#), Statistics Canada, 4 March 2012.
9. Heather MacIvor, "A Brief Introduction to Electoral Reform," in *Making Every Vote Count – Reassessing Canada's Electoral System*, ed. Henry Milner, Broadview Press, Peterborough, Ont., 1999, p. 21.

10. Michael Wilkinson, "[What is the First Past The Post voting system?](#)," *The Telegraph*, 5 March 2015.
11. Proportional Representation Foundation, [History of Proportional Representation](#).
12. Lucas Leemann and Isabela Mares, *The Adoption of Proportional Representation*, Princeton University online, 2012.
13. "Politicians in proportion," *The Economist*, 1 December 2012.
14. United Kingdom [U.K.] Electoral Commission, [Referendum on the voting system for UK parliamentary elections: Report on the May 2011 referendum](#), October 2011.
15. U.K. Cabinet Office, [The Coalition: our programme for government](#).
16. Australian Electoral Commission, [A Short History of Federal Election Reform in Australia](#).
17. Scott Bennett and Rob Lundie, [Australian electoral systems](#), Research Paper no. 5, 2007–08, Parliamentary Library of Australia, 21 August 2007.
18. Australian Electoral Commission, [A Short History of Federal Election Reform in Australia](#).
19. New Zealand Electoral Commission, [Report of the Royal Commission on the Electoral System 1986](#).
20. New Zealand Electoral Commission, [Referenda](#).
21. Ibid.
22. New Zealand Electoral Commission, [Results of the Referendum](#).
23. The Sainte-Laguë/Schepers method is a mathematical formula for distributing seats under a proportional representation system. For more information on this, please see Electoral Panorama, [Germany's Reformed Electoral System](#), 15 September 2013.
24. Inter-Parliamentary Union, "[Germany: Deutscher Bundestag \(German Bundestag\)](#)," *IPU Parline database*.
25. Law Commission of Canada (2004), p. 26.
26. Pilon (2007), p. 81.
27. Ibid.
28. Law Commission of Canada (2004), p. 28.
29. Ibid.
30. Law Commission of Canada (2004). The report also made recommendations on how to increase diversity in the House of Commons by ensuring better representation of women, minorities and Aboriginal people.
31. House of Commons, Standing Committee on Procedure and House Affairs, [Report 43 – Electoral Reform](#), 7 June 2005.
32. Government of Canada, [Public Consultations on Canada's Democratic Institutions and Practices](#), 10 September 2007.
33. Jack Aubry, "Poll shows voters favour winner-take-all system," *Ottawa Citizen*, 16 September 2007.
34. The Assembly included 160 eligible voters (80 women and 80 men) chosen from each of British Columbia's 79 constituencies, and 2 Aboriginal representatives.
35. British Columbia, Legislative Assembly, [Debates of the Legislative Assembly](#), 2nd Session, 38th Parliament, 27 April 2006, p. 4127.
36. Prince Edward Island Commissioner of Electoral Reform, [2003 Prince Edward Island Electoral Reform Commission Report](#), p. 98.

37. Legislative Assembly of Prince Edward Island, [Motion No. 32: Prince Edward Island's Electoral Future](#).
38. Government of Ontario, Democratic Renewal Secretariat, "[McGuinty government moves forward on historic electoral reform initiative](#)," News release, 27 March 2006. The assembly was made up of 103 members (52 women, 51 men) representing each of Ontario's constituencies, randomly selected by Elections Ontario from the Permanent Register of Electors for Ontario.
39. Ibid. See also the website of the [Citizens' Assembly on Electoral Reform](#).
40. [Electoral System Referendum Act, 2007](#), S.O. 2007, c. 1.
41. The select committee, which began its proceedings in November 2005, was assisted by an eight-member Citizens' Committee, made up of four men and four women.
42. For more information on the report, see Chief Electoral Officer of Quebec, "[Press release No. 2 – Report of the Chief Electoral Officer on the voting system](#)," 21 December 2007.
43. Government of New Brunswick, Commission on Legislative Democracy, [Final Report and Recommendations](#), December 2004.
44. Government of New Brunswick, Executive Council, "[Province releases response to Commission on Legislative Democracy report](#)," News release, 20 June 2006.
45. See, for example, Jon H. Pammett and Nicole Goodman, [Consultation and Evaluation Practices in the Implementation of Internet Voting in Canada and Europe](#), Research study prepared for Elections Canada, November 2013, pp. 25–35; Canada–Europe Transatlantic Dialogue, [A Comparative Assessment of Electronic Voting](#), Report prepared for Elections Canada, February 2010, pp. 23–32; and Leslie MacKinnon, "[Elections Canada drops plan for online voting due to cuts](#)," *CBC News*, 1 May 2013.
46. R. Michael Alvarez, Thad E. Hall and Alexander H. Trechsel, "[Internet Voting in Comparative Perspective: The Case of Estonia](#)," *PS: Political Science and Politics*, Vol. 42, July 2009.
47. Pascal Barrette, "[Conclusion](#)," *Interest of Canadians in Internet Voting (2004, 2006, 2008 and 2011) – Research Note*, Elections Canada, February 2013.
48. Bryan Schwartz and Dan Grice, "[Executive Summary](#)," *Establishing a Legal Framework for E-voting in Canada*, Report prepared for Elections Canada, September 2013.
49. Jon H. Pammett and Nicole Goodman, [Consultation and Evaluation Practices in the Implementation of Internet Voting in Canada and Europe](#), Report prepared for Elections Canada, November 2013.
50. [Fitzgerald v. Alberta](#), 2004 ABCA 184.
51. John Curtice, [So How Many 16 and 17 Year Olds Voted?](#), *What Scotland Thinks*, Economic and Social Research Council, 16 December 2014.
52. "[David Cameron accepts Scottish Parliament votes at 16](#)," *BBC News*, 15 December 2014.
53. Isobel White, "[Voting age](#)," *Briefing Paper*, Number 1747, U.K. House of Commons Library, 24 November 2015.
54. U.K. House of Commons, Political and Constitutional Reform Committee, [Voter engagement in the UK: Fourth Report of Session 2014–15](#), November 2014.
55. White (2015).

APPENDIX – VOTING AROUND THE WORLD



Sources: Figure prepared by Library of Parliament, Ottawa, 2016, using data from International Institute for Democracy and Electoral Assistance [IDEA], [Voter Turnout Database](#) and [Electoral System Design Database](#) (Stockholm, Sweden, 2016; © International IDEA); United Nations, Food and Agriculture Organization, "Global Administrative Unit Layer G2015_2014," [GeoNetwork](#); and Natural Earth, [1:10m Cultural Vectors](#). The following software was used: Esri, ArcGIS, version 10.3.1. Some information is licensed under [Open Government Licence – Canada](#).