CanadaWatch

Myths, damn myths, and voting system change

HOW CANADIAN POLITICAL SCIENTISTS MISREPRESENT DEMOCRATIC REFORM

ABSTRACT

"Myths, Damn Myths, and Voting System Change" argues that the debate over voting system reform in Canada is all wrong—and that political scientists must bear most of the blame. Academics have framed the debate on the issue as a kind of popularity contest, one where the public is encouraged to take sides on the basis of the values they prefer their institutions embody. They claim that different voting systems reflect value trade-offs on issues like simplicity, stability, local representation, and accountability. But these are myths. This essay examines each of these claims as well as arguments that insist referenda should be required to effect change, and finds that all lack compelling evidence. By contrast, "Myths, Damn Myths, and Voting System Change" argues that voting system reform is really an attempt to apply democratic values of inclusion, equality, and equity to Canadian electoral institutions, and offers a sounder, historically informed, evidence-based way to do it.

INTRODUCTION

The contemporary discussion of voting system reform in Canada is dogged by myths about how different voting systems work, how they came to be used in various locales at different times, and what factors should matter in making any decision to change them. These claims can be reasonably dubbed "myths" because they are often asserted without evidence or any proper contextualization where facts are provided. And these myths then get used to insist on a process for change that

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is both rigged against reform and unsound on democratic grounds. Who is responsible for all this mythmaking?

A good deal of the blame belongs to a predictable crowd of self-interested political actors: politicians of various stripes, corporate media, and a variety of dubious "think tanks." That powerful elite actors want to maintain institutions that advantage them should come as no surprise, but one group that has been complicit in confusing the public debate may be unexpected: Canadian political scientists. Let me be clear, I do not say the latter do so out of any immediate or partisan self-interest. Indeed, most are well-meaning and sincere in their efforts to guide public discussion. Nor would I cast every Canadian political scientist speaking to the issue as a mythmaker. Nevertheless, in a variety of research papers, contributions to government panels, and comments to the media, an arguably critical mass of Canadian political scientists fundamentally misrepresent the debate over voting system reform, framing the discussion in misleading and—frankly—incorrect ways while insisting that a host of issues be given consideration that are largely based on myths about Canada's existing voting system as well as the proportional alternatives. In doing so, they have inadvertently given support to those who oppose reform for self-interested rather than principled reasons, and have weakened the public's ability to grasp what is really at stake in the debate. This needs to be challenged and changed.

Calls to reform Canada's traditional electoral processes are part of a century-long struggle to bring democratic values into the institutional workings of Canadian politics. And the voting system is today perhaps the most important site of this struggle. Because the voting system determines how votes cast in an election become representation, it is arguably *the* key institution regulating political contestation in western societies. The voting system is the aperture through which claims for representation and influence must pass. The particular choice can

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affect how people are represented, how parties compete for influence, how government and opposition behave and interact, and how governments are formed. Yet this crucial set of rules is practically invisible to the public.

Indeed, voters typically know very little about voting systems despite using them at every voting opportunity. It is an institution effectively "hidden in plain sight" because, historically and in the contemporary era, voting systems have been the product of elite interest and influence and, once established, are rarely talked about or revisited. That means that Canada's many recent reform efforts at the provincial and national levels represent both highly unusual historic events as well as a rare opportunity to redefine our electoral institutions to better reflect contemporary democratic values such as equality, equity, and inclusion rather than simply elite self-interest. In the last two decades, reform pressure has led to three referenda on the voting system in British Columbia, one in Ontario, three in Prince Edward Island, and promises of reform in Yukon, Quebec, New Brunswick, and at the federal level.

Unfortunately, these episodes have been marred by a *realpolitik* opposition to reform involving elite manipulation of the process, active misinformation campaigns from self-interested organizations and the media, and partisan-fuelled, anti-reform mobilizations. But these efforts have also been aided by a general and fairly uniform discourse from political scientists that frames voting system reform as an exercise in choosing among values in what I call the "preference" model. The gist of their claims is that choosing a voting system is matter of weighing competing values about representation and government, values that represent trade-offs in performance in terms of voting simplicity, governing stability, representation, and governing accountability. While this pitch may sound reasonable, even commonsense, it is simply wrong, both empirically and in terms of sound democratic theory.

There are three key problems with how most Canadian political scientists are currently framing the voting system debate. First, historical and contemporary examples of voting system reform do not match their claims about how voting system reform works as a process. Second, there is little evidence to support their claims that the value trade-offs they identify actually exist. Third, their focus on "choosing" ends up granting legitimacy to what are sometimes highly undemocratic and exclusionary decision-making processes (such as referenda).

In what follows, I deconstruct the logic and evidence supporting this dominant approach to voting system reform among Canadian political scientists, arguing that voting system reform in Canada should be understood not as an exercise in choosing among competing preferences but as a democratic struggle to shape our electoral institutions to do the job Canadians need it to do. To that end, this work is organized into five parts: a discussion of the competing frames for understanding voting system reform processes, a critical investigation of the factual claims of the dominant preference approach to voting system reform, an exploration of the alternative democratization approach that focuses on what voters do, an exposé of the factual and democratic shortcomings of referenda as means of choosing voting systems, and a proposal for a way forward with voting system reform that doesn't involve myths.

1. FRAMING THE DEBATE OVER VOTING SYSTEM REFORM

In the debate over voting system reform, there are two broad approaches to framing the process. The dominant approach among political scientists is what I have dubbed "the preference approach." Here, the problem is how to decide between various kinds of voting systems. Addressing the substance of the issue involves identifying the different values that allegedly inform the different voting systems based on a variety of typical outcomes they produce. The question of how to proceed involves working out how to allow voters to register their preference for one system over another in terms of the values they support.

A less common approach is what I am calling "the democratization approach." Here, the problem is how to assess the degree to which the institutions that voters use in elections facilitate recognizably and defensibly democratic outcomes. Addressing the substance of the issue involves working out what voters are trying to do when voting and then judging to what extent any given voting system helps or hinders their efforts to achieve those goals. The question of how to proceed involves choosing institutions that best facilitate such results, assessing and addressing both historical and contemporary barriers to reform, and then simply making the change.

Ideal types versus party self-interest

In the course of my extensive historical and practice-oriented research on voting systems, I have found little empirical support for the preference approach. Simply put, it lacks an appreciation of the actual historical origins and struggle over electoral institutions, while the values it claims undergird or inform different voting systems are not supported by the evidence of what actually occurs with the use of different systems. [1] It is a popular approach among political scientists because they tend to take up what social scientists call an "ideal type" approach to studying institutions. In other words, they deduce the purpose of institutions from what appears to be their apparent function, and typically do so in a non-historical way. [2]

For example, in assessing why Canada uses single-member ridings, political scientists might reason that they exist to provide local representation, a link between a local area and an individual in the legislature. They might even conduct surveys with voters that appear to confirm such reasoning. [3] But this does not mean that such institutional configurations were created with that intent in mind. In fact, we know they were not, given the widespread use of multi-member ridings in Canadian

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provinces in the 20th century. When we analyze most of the values that are claimed to undergird Canada's voting system, we discover they are, at best, post hoc rationalizations for an institution that was introduced and maintained for quite different reasons.

By contrast, the more historical, fact-based orientation of the democratization approach leads us to explore how different voting systems have worked, the kinds of results they have produced over time, and the political reasons for which they have been introduced, sustained, or reformed. A historical study of Canadian political institutions confirms that, far from representing the realization of the kind of normative values claimed by the preference approach, our electoral institutions were largely the product of partisan self-interest and broader social and political struggle. Whether we are talking about changes to the franchise, the introduction of the secret ballot, the conduct of election administration, or reforms to districting rules or campaign finance, all have been heavily influenced by self-interest, defined as party self-interest, with decisive weight accorded to those parties in control of the executive. (4)

Not surprisingly, historical debates over Canada's voting systems have also been defined by the triumph of party self-interest rather than service of the public good. Attempts to recast such struggles as merely choices between competing values are what the dean of Canadian electoral studies Norman Ward once described as "notions and theories masquerading as principles" and legal scholar Brian Studniberg dubbed "politics masquerading as principles." (5) In other words, public actors may claim their choices are for the public good, but it would be naive to accept such claims at face value, especially when there is so much evidence to the contrary. Now, saying that institutional rules are seldom simply the product of a normative values-based discussion does not mean that institutions and institutional reforms cannot sometimes also serve the public good. The shift to an independent boundary commission approach to designing federal ridings is a good example of how a process fuelled by party self-interest inadvertently also ended up serving the public interest. (6)

The way we talk about voting system reform matters. The preference approach focuses public attention on things that do not matter and/or do not deserve legitimate consideration while obscuring what is really at stake in the recent push to gain voting system reforms. By contrast, the democratization approach is backed by historical precedents and a concrete examination of what voters are actually doing in elections. In what follows, the myths of the preference approach will be exposed as lacking historical and contemporary evidence. On the other hand, evidence will be marshalled to support claims that our voting system conversation should be primarily about bringing democratic values to bear on our electoral institutions.

2. DEBUNKING THE MYTHS OF THE PREFERENCE APPROACH

The preference approach has become an appealing way to introduce people to the voting system issue over the last 20 years in part because (a) it represents the choices and trade-offs involved in a clear and simple way, and (b) it builds off whatever partial knowledge people may already possess about Canada's existing electoral institutions. (7) However, in doing so, it misrepresents what is and is not important in the debate and mischaracterizes the workings of the different systems. As a result, its presentation of the choices, the reasons for choosing them, and the rationale for how to make the choice itself cannot be supported by recourse to evidence. In this section I will first review how the preference approach tends to present the issue and then go into detail about the problems with its claims.

The preference approach begins by suggesting that all voting systems are democratically defensible, and that all have their advantages and disadvantages. For our existing, single-member, first-past-the-post voting or single-member plurality (SMP) system, they claim its strengths include that it is simple to understand, connects a local representative to the legislature, and tends to produce stable, single-party majority governments. Some also suggest that the strengths of the SMP system include the way it limits the entry and influence of small parties and instead encourages the creation of big-tent brokerage parties. On the weakness side, they note how the SMP system routinely distorts the relationship between votes and seats, usually favouring larger and/or regionally concentrated parties, results in a considerable number of "wasted votes" (that is, votes that do not contribute to the election of anyone), discourages the formation/entry of new parties, and responds slowly to demands for representational diversity.

For proportional representation (PR) systems, the preference approach suggests that PR strengths include more proportional outcomes for parties, a more competitive environment for new parties, and a better track record in representing social diversity. On the weakness side, they point to the lack of legislative majority governments, the disproportionate influence of smaller parties (particularly as part of a governing coalition),

the difficulty in voting a party out of power, the lack of a local representative (in some cases), and the complexity in producing results from the votes casts.

With these basic differences between the systems now established, the preference approach suggests that voters can decide which voting system they prefer by reference to what they value—local members, majority governments, more accurate and/or diverse representation, etc. And given that the preference approach is predicated on the normative value of choosing, it makes sense for these actors to want to leave the decision in the hands of the voters themselves via referenda.

The overall effect of these claims is to frame the discussion of voting system reform in particular ways, highlighting what the

for example. Second, any voting system that is unfamiliar to voters, including single-member plurality, can lead to confusion. In practice, the successful use of any voting system by voters requires effective election administration and an active mobilization of voters by political parties. Third, there is no evidence that voters in PR countries find their systems too confusing to use. In fact, their ballot spoilage rates (that is, the percentage of ballots marked incorrectly) are low and comparable to Canada's. (8)

Finally, the claim that Canada's voting system is simple typically refers only to how ballots are marked and tabulated, but ignores evidence suggesting that Canadians struggle to understand how the system produces its overall results. For instance,

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proponents of the preference approach think should be considered important in the discussion. However, as we shall demonstrate, many of the claimed issues are not problematic issues at all, let alone important to voters. We can break down the various problem areas into claimed concerns about simplicity, stability, representation, and accountability.

2.1 Simplicity

We often hear that Canada's SMP voting system is "simple," meaning that it is simple for voters to use (they need only make a mark next to their choice), and it is simple when it comes to tallying the votes and determining a winner. By contrast, we hear that PR systems are "complicated" and "confusing," meaning that they require more from voters to indicate their choice and that determining the winners from the votes cast is a more involved, sometimes mathematically complex process. Thus, the issue of the simplicity versus complexity of a voting system is raised as a value trade-off in voting system choice, the implication being that the complexity of the ballot may have a negative impact on voting outcomes, perhaps contributing to confusing and/or frustrating voters. However, these claims are not accompanied by any evidence to demonstrate that a real trade-off exists.

There are a number of responses to these concerns. First, PR voting systems are not really that complicated to use; most involve perhaps two choices (such as a local candidate and a party choice) or the need to rank more than one candidate. Compared to processes most people engage with every day, PR voting is nowhere near as complicated as using a smart phone,

few voters could explain how the federal Liberal party was able to convert 39 percent of the votes in the 2015 election into 54 percent of the seats. Or, on the nature of "majority governments," evidence suggests that many Canadians are confused about what they represent. In a 2001 survey, roughly half the respondents thought that legislative majority governments in Canada also represented a majority of the voters, even though they seldom do. (9) Thus, the issue of the simplicity of the ballot is really a non-issue in that it does not emerge as a problem anywhere with any consistency that would suggest it could be linked to the use of any specific voting system. It appears that voters everywhere understand little about the mechanics of voting systems but nevertheless still manage to use them without making mistakes.

2.2 Stability

In the preference approach, the tendency to produce single-party majority governments is seen as a positive for the SMP voting system, while the lack of single-party majority governments in PR systems is seen as a weakness. The implication here is that stability is a value trade-off and that SMP systems provide more stability by having a single party in control of the executive, while PR systems are less stable because they are typically governed by a coalition of parties that share executive power. The thinking here is that people who "prefer" more stability may be willing to sacrifice more proportional results in making the choice over a voting system. But, as with claims about the importance of simplicity in voting, no evidence is provided to sustain these claims. When we turn to the practice of governing

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in western PR systems, it is hard to see anything distinctively unstable going on compared to non-PR countries. On a host of measures—life expectancy, economic growth and development, quality of life—these countries appear to be stable, successfully governed locales.

One way to address this issue is to compare the frequency of elections over time in PR and non-PR countries, the thinking being that more elections might suggest instability, such as an inability to govern for a full term, breakdown in coalition relations, etc. However, in comparing PR with non-PR countries, we find that both have had a roughly similar number of elections over the post-war period. For instance, between 1945 and 2018, Germany and Italy had 19 elections, Sweden had 21, while Canada had 22 (10). Since stability does not appear to be an issue connected to the use of any specific voting system, it does not really represent a trade-off in the choice of a system.

2.3 Representation

When it comes to questions of representation, the preference approach to voting systems raises concerns about the presence or absence of a geographically local member and the possibility of undue influence from small parties in coalition governments in PR countries. The implication of the first point is that uniquely local interests are an important part of what is represented in democratic systems, and that without some form of local voice embedded in the voting system the quality of representation may be judged as deficient. The implication of the second point is that PR systems allow small parties to have an influence on executive decisions while part of governing coalitions that is out of proportion with their popularity.

The first question will be taken up in more detail in section 3, where we examine what voters are trying to do when vot-

ing. Here, we address to what extent representation in western countries is defined by local issues by examining what elected members do—specifically, to what extent elected representatives vote in legislatures along local lines rather than in some other way. Looking at the evidence, the answer is clear and consistent across both the federal and provincial levels in Canada: elected representatives overwhelmingly vote along party lines. (11) Indeed, it is highly likely that this is what local voters want their representatives to do, at least for those who supported the elected member. The point is, when we look at how elected members function as representatives in Canada, there is little evidence that anything local trumps their primary role in supporting their party.

The second question concerning undue influence from small parties in governing coalitions under proportional representation is often raised by North American political scientists but seldom explored in terms of what concretely happens in western European or Anglo-American countries with PR systems. Given that we have more than a century of experience of coalition governments elected with PR systems in western Europe and over 25 years using proportional representation in New Zealand, this seems a surprising oversight.

In examining the practice of coalition government formation in these locales, what we find is that PR-using countries have developed various norms to work out the influence accorded to parties joining a governing coalition, with the precise mix in each case being the product of negotiation and an assessment of the public support for the different players as reflected in the voting results. For the most part these negotiations produce workable, stable coalition governments. Occasionally disputes arise, sometimes with a particular party choosing to leave the coalition. What voters think about the coalition arrangements

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and/or the behaviour or demands of any particular party is often registered at the next election in terms of increasing or decreasing support for the coalition partners as a group or in terms of shifts in support among the coalition members, with some gaining and some losing support.

All these changes in voting patterns are used by parties to judge what voters think of the balance of policies reflected in the previous governing coalition agreement, with changes in the balance of influence effected accordingly. (12) Rather than raising speculative fears of the "tail wagging the dog" in PR systems, that small parties gain undue influence, we would be better served by looking at what parties in countries with PR systems actually do to create workable coalition governments and how they share influence among themselves. On balance, the claims of inflated small-party influence are not supported by reference to what occurs in practice.

2.4 Accountability

Accountability is held to be one of the key strengths of Canada's existing SMP system, according to the preference approach. The basic argument is twofold. On the one hand, the prevalence of single-party majority governments is held to clarify the lines of accountability for voters, in that voters know whom to hold accountable for government actions and the government cannot attempt to duck its responsibility by blaming other parties, as allegedly could occur in a coalition government. On the other hand, the tendency of the SMP system to exaggerate the support for the largest party means that a shift in support from one major party to another major party can effectively "throw the governing party out," effecting what political scientists call an "alternation in power."

By contrast, the concern with elections under PR systems is that the tendency to have coalition governments means that it is possible for parties to avoid taking responsibility for governing actions and instead blame their coalition partners for anything the public does not like. Another concern with election accountability under PR systems is that there is a less direct relationship between how voters vote and who forms the government, with the possibility that a party could lose support but still manage to secure a spot in a coalition government.

The notion of "accountability" as it is applied to debates about voting systems in the preference approach is a poorly developed concept that fails to connect in a realistic way with the power that voters have either individually or collectively or the way that voters make choices in elections. First, depending on the nature of party competition, the SMP system can produce unclear and counterintuitive results when one tries to match seat gains and losses with judgments about voter intent. Depending on how a vote splits among parties in a given riding, an elected member could lose their seat with more support than they won it with in the previous election. (13) Or in the election as a whole, a party may lose office with more support than they won office with in the previous election.

In 1975, the British Columbia NDP lost power with more votes than they won office with in 1972. In 1935, the federal Liberals won office with pretty much the same support that they lost power with in 1930. And in 2006, the governing New Brunswick Conservatives gained more support than in the previous election, as well as more votes than the opposition Liberals, but still lost the election. (14)

Second, the notion of accountability used in the preference approach assumes that voters judge governing performance simply on the basis of perceived administrative ability rather than on the basis of ideology and/or a sense of strong policy differences. Thus, in examining polities where parties are aligned along a loose right-to-left axis, it hardly makes sense to suggest that right-wing voters will make their government "accountable" by electing a left-wing government or vice versa. (15) At the local level, this notion of undifferentiated accountability also makes little sense. To whom is a local member accountable—the 40 percent that supported them or the 60 percent that supported other candidates? Is it realistic to suggest that a Conservative supporter will make their Conservative representative accountable by voting for a non-Conservative candidate?

The structure of the voting opportunity under single-member plurality works against the kind of accountability claimed for it by the preference approach, for two reasons. First, voters in SMP systems can only vote for a local candidate, so their influence on the overall electoral outcome is weak. Second, because the character of electoral competition within a single-member

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riding is constrained, party voters do not really have a choice among candidates that could be said to create realistic policy accountability in terms of what they actually support.

A more realistic concern relates to government alternation and the extent to which any given electoral system might contribute to stasis in both the party system and those who control government. However, when we examine the results produced in PR and non-PR countries, we find examples of both, depending on the different political contexts. Thus, we can find long periods of one-party dominance in PR-using countries like Sweden. And we can find examples of regular periods of governing-party alternation in post-war Germany and, more recently, in New Zealand. So too we can find examples of long periods of one-party rule in jurisdictions using single-member plurality (for example, Ontario 1943-1985) as well as a more regular alternation of parties in government. If there is a difference between the two systems, it is that one-party dominance in PR systems typically requires considerably more support (for example, in Sweden, where the social democratic party long registered roughly 50 percent of the voting support) than in SMP systems, where a party can dominate with much less than 50 percent owing to vote splits between other parties (for example, British Columbia 1952-1972).

Concerns that governing parties in PR systems can avoid taking responsibility, or that parties can remain in a government coalition even when they lose support, are claims that, again, would be best explored empirically rather than raised as speculative fears. What we see going on in western PR countries does not match this caricature. Instead, it appears that different countries have developed different norms to address these concerns. On responsibility, it should be clear that politicians in all voting systems may try to avoid blame, but shifts in voting support suggest that voters do make judgments about their actions. (16) On elections and joining or leaving a governing coalition, many PR countries have norms that see parties lose seats in cabinet or participation in the governing coalition following a weakened electoral performance, or, inversely, an increase in cabinet representation or an invitation to join a governing coalition in the wake of an improved electoral performance. (17) However, these factors are also influenced by the nature of the party system, where parties fall within it, and the outcome of negotiations among parties. And voters sometimes disagree with the outcomes of those negotiations and make their views known in the next election.

The preference approach to voting systems makes several broad claims about how different voting systems work and what the implications would be in considering them in terms of trade-offs, but many of the claims are not supported by any evidence. Indeed, they are primarily speculative in nature and evince either a lack of awareness of how different voting systems work in practice or offer a rather uncritical take on their workings, both at home and abroad. In the end, many of the issues claimed to be of importance to voters are not really issues at all, and thus do not represent trade-offs that should be considered in the choice of a voting system.

3. THE DEMOCRATIZATION APPROACH: MATCHING INSTITUTIONS TO ACTIONS

At Confederation in 1867, the Canadian governing and representative system was not democratic by any reasonable standard. Voting was restricted to property-owning men, balloting was not secret, and the rules governing elections were manipulated by those in power in an arbitrary manner to help them retain power. (18) Over the next century, working-class men, women, people of colour, ethnic minorities, and Indigenous peoples organized politically and fought for the right to vote. They wanted the vote because it represented a kind of influence. They thought that by voting they might be able to affect the power of the state and, by extension, the state's power over their own lives.

However, in gaining the right to vote, such groups were not able to redesign all the institutions through which their vote might have impact. That power remained in the hands of the traditional political organizations, the dominant parties, who were the very forces that had resisted extending the vote to these groups in the first place. Not surprisingly, such traditional political elites made decisions about all manner of electoral institutions, to keep or reform them, on the basis of protecting that power rather than effectively including these new participants. This is the actual historical story of our electoral institutions, one animated by struggle and inequality and partisan self-interest. (19)

This history and an evidence-based democratization approach to voting systems present a quite different account from the origin story implied in the preference approach, where institutions appear to be chosen on the basis of values. What this means is that recent attempts to reform Canadian voting systems afford, by historical standards, a rare opportunity to re-evaluate traditional political institutions, assess what they are meant to accomplish, and apply democratic standards in making decisions about reforming them. To get the institutional fit right—to assure that the voting system does the job Canadians need it to do—we need to understand what voters are trying to do when they cast a vote.

3.1 What voters say

One way to work out what voters are doing by voting would be to ask them. Such an approach would probably produce a wide variety of answers that would certainly be illuminating but hardly conclusive. And simply asking people questions about voting is not as straightforward as it might appear, in part because particular contexts and personal experience influence how people understand and interpret the questions. For instance, studies often ask people about the appropriate role of

a local elected member, but seldom provide them with a context or basis of comparison to evaluate their responses. (20) Since a local, service-oriented type of representation is all that people have known, not surprisingly they respond in ways that reinforce conventional ideas about them.

3.2 What voters do

Another way to take up the question would be to examine how people vote. But here we run into a different problem, because the vote in an SMP system is simultaneously a vote for an individual and a vote for a party (in nearly all cases). So which factor is more important? Which could we say has more influence on the vote? One study attempted to sort this out by asking people how important the local candidate was in making their voting decision, with 40 percent indicating it was important. Then researchers asked respondents a follow-up question about whether they would still consider any local candidate important if the candidate were not also running for the party they supported. This time, only 5 percent of respondents were prepared to say that the candidate choice mattered. (21)

Other research has supported these findings, noting how voters often report support for a local candidate basically as a post hoc agreement with their party. In other words, they decide to like the candidate their party has already chosen rather than evaluate candidates on the basis of individual qualities separate from or unrelated to party affiliation. (22) On local influence, there is research that claims that local campaigns matter in an election and can account for small differences in the vote achieved locally versus the national average. However, this should not be understood to mean that people are voting on the basis of a local candidate. It often means that extra effort in a local area makes a national campaign look more competitive and thus leads more local voters to support it. (23)

The most reliable way to work out what voters are doing by voting is to examine what they vote for and ascertain the pattern of the choices they make over time and across jurisdictions. What we find is that people voting in Canadian federal and provincial elections almost exclusively vote party. By contrast, candidates running without party affiliation, particularly major-party affiliation, generally do not succeed. In other words, locally focused, independent candidates are not what people are voting for. Indeed, such candidates generally gain far less than 1 percent on average in Canadian elections. When "independent" candidates do manage to gain election, they are almost always disaffected major-party politicians who were initially elected under a party banner. And in most cases, even those candidates lose. (24)

There are other things we can glean from voting results about what voters are and are not voting for at election time. For instance, from the pattern of results we know that they are not voting on the basis of a rural-versus-urban identity, or racial or ethnic identity, or gender identity. We know this because we

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have not seen individuals claiming to be rural or identity representatives as their primary identity (as opposed to party) gain election. This is not to say that these issues and identity concerns do not influence voting—they do. They influence voting around how the parties respond to such concerns rather than form the basis of separate representational claims. Or they sometimes contribute to the emergence of new parties, as when regionalism gave rise to the Reform party or when French language/identity issues helped spur the creation of the Bloc Québécois.

3.3 Why voters choose parties

The uniformity with which Canadians vote party may seem surprising, given the past few decades of apparent public disaffection with politics and parties specifically. But there are particularly good reasons why people still turn to parties when it comes to elections. The major reason is that parties help people participate by simplifying their perception of what the choices are and how to distinguish them from one another. (25)

Canadians may not think of themselves, or of politics generally, in terms of "left" or "right," but they can connect the policies they support to the parties that are closest to them, and those parties do fall on the left-to-right ideological continuum. (26) What voters then do is use parties as a proxy for how to respond to new political issues or as knowledgeable policy actors that they can trust. Without cues from parties about policy issues, it is hard for most voters to work out where they stand on a wide range of political issues. This is why locales without parties, like municipal government, generally have much lower levels of voter turnout and register very low levels of public knowledge about their political issues, processes, and actors.

Thus, by combining a critical approach to research on voters with a commonsense reading of the consistent results produced in Canadian elections across space and time, it should be clear that voters are primarily voting for parties. As a result,

the voting system should be judged primarily by how well it facilitates what voters are trying to do. Here, there is considerable evidence that the SMP voting system (a) places barriers in the way of a significant number of voters being able to translate their support for different parties into representation, (b) exhibits its bias in the treatment of voters depending on their geographic locale, (c) routinely distorts the representation of political parties in numerous ways, (d) creates unnecessary strategic dilemmas for voters in making their vote choice, (e) contributes to roughly half of the votes in any given election being "wasted" or not contributing to the election of anyone, and (f) unduly constrains party competition, particularly the emergence of new parties. By contrast, any PR voting system would address and resolve these problems for voters and parties. A detailed treatment of the arguments and evidence sustaining these claims can be found in chapters 3, 4, and 8 of my book *The Politics of Voting: Reforming Canada's Electoral System*.

What emerges from all this research is a clear demonstration of the inability of the SMP voting system to treat voters fairly in terms of a voter's "power to elect." This idea encompasses both the view that all votes should contribute to the election of something the electors prefer, if indeed their choice is popular enough with others to warrant representation, and that that power should be as equal as possible. In the Canadian context, the courts have suggested that some limited departures from pure voter equality can be acceptable under certain circumstances. (27) But it bears noting here that in making this allowance, the courts still underlined that voter equality should remain the pre-eminent value in the Canadian electoral system and that departures from voter equality must be justified.

In a similar vein, proponents of the preference approach to voting system choice have argued that a host of issues must be added to concerns about representation in considering whether to change the voting system. However, as they have failed to justify the importance of these concerns with compelling evidence or demonstrated that they are important to voters, that leaves representing what voters say with their votes as the main concern that should be considered in assessing how to reform Canadian voting systems.

4. CRITICALLY ASSESSING REFERENDA

It has become common in discussions of voting system reform for some participants to strongly assert that any proposal for changing the voting system must be submitted to the public in a referendum. Indeed, suggestions to the contrary are often met with an animated sense of shock and derision, the implication being that changing a voting system without a referendum would be obviously undemocratic. (28) Some have even gone so far as to claim that the recent trend in submitting voting system decisions to public referenda in New Zealand, the United Kingdom, and Canada has created a kind of constitutional "convention" requiring their use going forward. (29) Here again, we confront a host of unsubstantiated myths, this time about what is and is not acceptable democratic process in making decisions about voting system reform.

These responses are curious for several reasons. First, they appear to demonstrate no awareness of the significant debates over the use of majoritarian decision rules when it comes to issues of representation. Second, they ignore the relevant historical contexts that have informed voting system choice in Canada and elsewhere, few of which involved referenda. Third, they fail to appreciate that partisan interests rather than normative values have decisively shaped the more recent referendum processes in New Zealand, the United Kingdom, and Canada. Fourth, they rely on assumptions about voters and how they cope with issue complexity that are not supported by the evidence of what we know voters actually do. Fifth, the position assumes a degree of value-based choice over voting systems in both the past and the present that is not confirmed by actual historical and contemporary processes of voting system reform. Sixth, since many of the alternative values claimed to be relevant for the debate over voting systems have proven to be unfounded, it should be underlined that what referendum proponents are left calling for is a vote focused on issues of representation, defined primarily

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in terms of letting people choose more or less inclusion and fairness, which is a highly problematic position from a democratic standpoint. Let us take up these concerns in more detail.

4.1 Majoritarian decision rules and representation

The assumption that simply taking a vote makes any decision democratic ignores key debates in democratic theory and practice. In the context of modern polities, this assumption collapses two distinct but related processes: how to represent the voting public, and how that representative group should take decisions. While majoritarian approaches are recognized as valid in most cases for the latter, they run into immediate problems with the former. To subject decisions about representation to majoritarian decision rules risks allowing a majority to limit or exclude

and 1990, only Switzerland adopted a proportional voting system this way, in 1918, and it is a country with an unusually high use of referenda. Since 1985, France, Italy, Japan, and New Zealand all changed their voting systems, but only New Zealand used referenda to choose its new system. (33) In Canada, there have been 10 instances of provincial voting system change historically, all of which were enacted by a legislative majority vote. Referenda have also been used, sporadically, to change voting systems at the municipal level in Canada, and such processes have been subject to high levels of partisan manipulation, particularly from higher levels of government. (34)

It should also be noted that the insistence that referenda are now a necessary component of voting system reform processes introduces a different standard for reform than existed when

> The assumption that simply taking a vote makes any decision democratic ignores key debates in democratic theory and practice.

a minority from participation rather than simply defeating them on any decisions such a representative body might make. Democratic theorists would support the right of majorities to outvote minorities in most situations (with some caveats), but would not support majorities using their majority voting power to limit or exclude minority representation itself. (30) Yet this has been a key battle in the struggle for fair and equitable representation across western countries over the last century.

Here, we can turn to the long history of American jurisprudence about the necessary limits of majoritarianism as regards minority voting rights, issues of voter suppression, and minority vote dilution, all of which culminated in the 1965 *Voting Rights Act*, which attempted to prevent state legislatures from putting limits on minority voting rights, despite having majority legislative support to do so. (31) The historical role of referenda in giving such exclusionary decisions a democratic veneer should also be highlighted, for instance, with the suppression of women's voting rights in Switzerland until 1972. (32) Thus, the question of whether a referendum is the appropriate way to choose a voting system depends on the character of the question that voting system reform is meant to address. If the view set out here is accepted, namely, that the issue of voting system reform is primarily about more or less fair and accurate representation, then it is not clear that a referendum is a normatively defensible way to make such a decision.

4.2 Voting system reform and referenda

Very few western countries have chosen their voting system by referendum, either in the past or in a more recent period. Among western European and Anglo-American countries between 1890

such systems were first introduced. This represents a procedural and normative inconsistency that arguably biases things in favour of the status quo institutional arrangements.

4.3 Normative versus partisan interests and referenda

The recent use of referenda to make decisions about voting system reform has been credited by some observers to long-term changes in political culture across western countries, specifically a general "decline of deference" on the part of voting publics to defer to politicians and experts, as well as positive evidence of a shift in institutional responses to public demands for greater consultation and democratic input. So, choosing a voting system by referendum tends to be characterized by academics and public commentators alike as a normatively good thing, both giving the public what it wants and demonstrating institutional responsiveness. The problem is that such characterizations can be sustained only by ignoring the actual political processes that moved political elites to use referenda for these purposes and the clearly partisan and self-interested motives that shaped their use.

In New Zealand, a government-appointed royal commission endorsed a switch from single-member plurality to a form of proportional representation in 1986, but recommended using a referendum to gain public input on the decision. However, there was clearly a strong element of *realpolitik* in the referendum suggestion considering that the voting system was an entrenched "reserved provision" of the country's election law and thus required the approval of either 75 percent of members of Parliament or a public referendum to change it. No doubt the

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referendum route appeared a more likely avenue to change, given the known hostility of the major New Zealand parties to proportional representation. Indeed, the report and its recommendations were shelved by the government that sponsored them.

The promise to hold the referendum re-emerged only by accident in a televised debate, when the prime minister misread his notes and offered something he and his party were actually opposed to. When his re-elected government then failed to act on the promise, the opposition took up the issue. (35) When they came to power, they initiated a referendum process, but critics complained that the governing party tried to rig it to fail, opting for an initial indicative ballot that they hoped would either prove inconclusive or confuse voters, and then a final vote between one option and the status quo that could benefit from the status quo bias in most referenda. (36) That these tactics did not ultimately work in this case does not negate their bad-faith intent.

In British Columbia, a "wrong winner" provincial election result in 1996 created pressure within the opposition BC Liberal party to commit to voting system reform. When the Liberals came to power in 2001, they commissioned a third party to produce a model process to publicly evaluate the voting system and recommend alternatives, if necessary, that would then be subject to a public referendum. Perhaps learning from the New Zealand experience, or drawing from his experience with voting system reform at the municipal level in British Columbia, Premier Gordon Campbell added a number of conditions to the referendum process, most crucially a supermajority rule for any new system to be successfully adopted. Thus, despite gaining

nearly 58 percent of the popular vote—5 percent more than the winning referendum in New Zealand had achieved—the 2005 BC referendum result was declared a failure. (37)

Subsequent provincial referenda on the voting system in Ontario, Prince Edward Island, and again in British Columbia in 2009 kept BC's initial barrier to reform and added new ones, like regulations in Ontario preventing political parties from participating in the referendum process, or PEI's last-minute changes to their referenda rules in 2005 and their repudiation of the successful reform vote in 2016. (38) However, British Columbia's third provincial referendum in 2018, sponsored by the NDP government with support from the Green party, reversed some of the more egregious and arbitrary barriers to reform, including the supermajority rule previously in place, and created what was the most fair and balanced referendum process the country had seen up to then. (39) Yet despite these welcome changes, reformers still faced an uneven playing field for reasons having to do with various built-in biases associated with referenda, which are explored in more detail below.

4.4 Voters, issue complexity, and referenda

Claims that a referendum must be used to decide any change in voting system rely on a host of assumptions about voters—specifically, that they have defined views about voting system choices and that they are keen to be involved in the decision-making process. But such claims are not supported by what we know about how voters have reacted to the choices and opportunities presented in previous voting system referenda. Basically, most voters know little about voting systems or, for that matter, any other political institutions. This is really not surprising given

What needs to be recognized is that the push for referenda on voting systems is not really coming from voters but from political partisans with a clear stake in the outcome.

the public's low level of engagement with them. This creates a problem, because to justify the use of referenda to make key decisions on matters of public policy, there must be a realistic likelihood that the public will be able to become informed on the choices under consideration.

Some have argued that public education campaigns or increased media attention could change this, but the evidence from recent experience with referenda and voting systems in Canada and the United Kingdom suggests that such an outcome is highly unlikely, for several reasons. First, conventional print and broadcast media have proven either unable or unwilling to function as a deliberative public forum for the issue, failing to provide effective coverage or a fair and balanced treatment of the different sides. (40) Second, government information campaigns and funding to civil society groups have not led to improved outcomes in terms of voter knowledge; instead, they have typically just added to the noise surrounding the campaigns. (41) Finally, these efforts do not realistically connect with how most voters typically cope with issue complexity. It is this latter point that is most revealing about how and why referenda are both inappropriate and largely superfluous in making voting system choices.

The image of the ideal voter that is often touted or implied in political science textbooks and media is an individual who is informed and who actively weighs the pros and cons of different policies. In reality, though, most voters know little about any specific policies. Thus, when faced with a complex and confusing topic, voters may simply ignore the issue or choose to not participate, which is one reason participation in referenda is often lower than in general elections. Another response is the well-documented "conservative bias" in public responses to referenda questions. Basically, when faced with an issue that voters know little about, and in the absence of reliable cues about how to respond to the issue from civil society or political parties, voters tend to simply vote "no." (42) Another response from voters in these circumstances is that they use what analysts call "information shortcuts" to compensate for their low levels of information on any given topic. These often amount to using their political party choice as a proxy for doing their own research on policy issues, although high-profile, civil society organizations can also play this role at times. (43)

For instance, in the 2005 BC voting system referendum, the province's political parties did not weigh in officially on the issue, thus giving their supporters little clear public direction

about how to decide. In the absence of party cues, many voters used the Citizens' Assembly recommendation in favour of a new voting system, essentially deciding to "trust" them, even though research suggested that the public understood little about how the new system might work. (44) By 2018, party choice had become the key factor influencing support for or opposition to voting system reform in British Columbia, with "no" support in the referendum being closely correlated with constituencies that strongly supported the BC Liberal party in the previous provincial election. (45)

The irony here is that the referendum was supposed to allow voters to decide on the voting system choice directly, bypassing political parties. But as most voters cope with issue complexity by taking direction from the party they support, voter choices in the referendum just reflected what their favoured political party had decided, suggesting that the referendum process was an enormous waste of both time and money.

Some have tried to dismiss these concerns about voting system referenda, arguing that if voters can work out which party to support, they can also work out which voting system they prefer. However, a considerable amount of research suggests that choosing a political party to support is a qualitatively different challenge for voters than weighing in on the details of a policy area. The former allows voters to bring multiple experiences and values to bear in linking their approach to politics to a particular political party. Research shows that while voters may not use terms like "right" and "left," they nevertheless can identify which parties are closest to the issues they care about. And, as noted, once voters have linked their politics to a party on the basis of certain known policies and values, they may extend that connection to a level of trust in the party for direction on policies the voters are not acquainted with.

By contrast, weighing in on a policy debate is a much greater challenge for voters. Now, instead of being able to convert their own experience and values into a means of connecting with a party, they must engage with narrow and specific expert knowledge about a topic they likely know nothing about, which is a daunting and alienating experience for most voters. This is why voters use information shortcuts and proxies to cope with such issue complexity and information deficits. (46)

What needs to be recognized is that the push for referenda on voting systems is not really coming from voters but from political partisans with a clear stake in the outcome. And in the same way that the choices in voting system referenda are mostly just a

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reflection of the political position of a voter's preferred party, so too are "public" demands for voting system referenda typically motivated and mobilized by partisan forces.

In the Canadian context, we can see that right-wing think tanks like the Fraser Institute, the Frontier Centre, and the Macdonald-Laurier Institute, along with the federal Conservative party, have made the most strident demands for referenda and attempted to give credence to the view that the use of referenda for voting system choice has become a kind of "convention." (47) They do so primarily because they see referenda as the most reliable way to defeat such initiatives. Here, despite public claims to the contrary, their reasons are clearly self-interested. Research shows that conservative parties tend to be advantaged by the use SMP voting systems as compared to PR ones. (48)

4.5 Values and voting system choice

Normatively, the focus on using referenda to choose voting systems is justified in the broader preference approach to the topic by recourse to their claim that different voting systems embody different values, with the implication that different countries use different systems because they value different things. Accordingly, any change of voting system should also reflect a change in values, and the best way to register and confirm that is through a referendum. But the claim that values have determined voting system choices is not supported by any historical or contemporary evidence.

The earliest western voting system reforms (Belgium 1899, Finland 1906, Sweden 1907) were designed to sustain conservative regimes in the face of challenges from both democratic and non-democratic challengers. A second wave of voting system reform emerged during and after the First World War (Denmark 1915, Netherlands 1917, Germany 1918, Switzerland 1918, France 1919, Austria 1919, Norway 1919, Italy 1919) as western countries faced demands to open their political systems more fully, specifically to working-class influence. Again, voting system reform emerged largely as a conservative measure attempting to limit this new mass influence. Thus, the "values" undergirding the choice of new voting systems historically was partisan self-interest, defined largely in class and anti-democratic terms. (49)

A similar self-interest dynamic informed the voting system reforms adopted and discarded in the Canadian context as well. Farmers in Alberta and Manitoba adopted hybrid voting systems in the 1920s that inflated their support while assuring division among their opponents, and a Liberal-Conservative coalition in British Columbia introduced a majority voting system in 1952 explicitly designed to favour the governing parties. (50) More recent reforms do not depart from this script, with changes in voting systems in France, Italy, Japan, and New Zealand largely motivated by party-system instability and party self-interest. (51)

In the same way that the historical introduction of proportional voting systems in western countries was not an expression of values (other than political self-interest), it is hard to find any countries "choosing" single-member plurality under conditions that appear democratic. Instead, single-member plurality is typically imposed on jurisdictions by colonial powers or upper levels of government or simply held in place by non-democratic elites as they concede to some demands for democratic inclusion. (52)

Where a western polity is adopting a voting system and no political competitors have an embedded or structural advantage, no one adopts single-member plurality. In fact, not a single one of the re-democratizing European nations in the 1970s (Greece, Spain, Portugal) or the post-Soviet and post-Yugoslavian regimes in the 1990s or the devolved assemblies in the United Kingdom opted for a plurality system. (53) It is also worthwhile to note that countries that shift away from single-member plurality seldom shift back, except under conditions where one party can force a change through because they have a legislative majority. This was the case in the three Canadian provinces using hybrid semi-proportional and majority voting systems in the 1950s. (54)

4.6 The problem of "choosing" unfairness

The preference model suggested that selecting a voting system involved choosing from among several competing but equally valid values that represented trade-offs—for example, one could have more proportional results for parties, but it would come at the expense of single-party majority governments and, depending on which result voters valued more, they could make their choice accordingly. But in examining what actually occurs in both SMP and PR countries, it was established that most of the claimed competing values were myths or based on myths about how Canadian politics works. They could not be shown to be either factually true or important to voters.

Instead, from an examination of what voters actually do when voting and the kind of results that they consistently produce, as well as the consistent legislative behaviour that results from these voting patterns, it was demonstrated that elections are really about party choices. That left only representation and the question of voter equality and equity standing as defensible qualities to be considered in deciding on a voting system choice. Is such a choice amenable to being decided in a referendum? In a 2017 op-ed for the *Vancouver Sun*, published before the BC government had committed to putting the voting system issue to a referendum, I asked people to think about it this way:

> You arrive at your neighbour's house for a friendly game of cards, but at the door he tells you the other players have decided you will have to score twice as many points as anyone else to win the game. It's all above board, he tells you, because most of the players voted in favour of the rule. But is this way of making the rules fair? Of course not. No one would agree to play a game on such terms. And yet this is basically the argument from those who say that B.C. cannot have a more democratic voting system without putting it to a public vote. (55)

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In the card game example, the fact that the other players voted to saddle one player with an unfair rule does not make the decision "democratic." So, too, voting system referendum proponents argue that if enough people endorse a demonstrably less accurate and less fair voting system, that makes the decision democratic. This is both faulty logic and normatively suspect, based on a serious misreading of what voters are trying to do when they vote and how such knowledge should be brought to bear on the design of political institutions connected to representation.

5. A MORE DEMOCRATIC PROCESS OF VOTING SYSTEM REFORM

We need a democratic approach to voting system reform. To date, "democratic" has been equated with getting people to take sides for this or that voting system choice and then holding a vote to determine which is most popular. That is a pretty limited understanding of what democracy involves. The rules of a democracy cannot simply be judged by how popular they are, but must be assessed on the basis of how fair they are and how well they do the job that democratic rules need to do. To put it another way, democracy is not merely about voting for or against things, it is an approach to governance characterized by inclusion, equality, and deliberation, as well as—yes—eventually taking decisions on specific issues.

Treating voting system choice like a popularity contest reduces democracy to the final act and ignores how a democratic space must address the first three values as well. In other words, designing a voting system requires us to assess how it will perform in terms of democratic values that Canadians support—inclusion, equality, and deliberation. (56) This is crucial, because the voting system helps define the democratic space, setting the stage for who is present, what influence they may have, and the kind of conversation that may result when they get there.

So, what should inform such a decision? To say it should be informed by democratic values still leaves a lot of questions about just how voters take up such challenges concretely. As we've reviewed in this essay, voters themselves have little to say about voting systems concretely. They do not know very much about them and, as a result, cannot be said to have any preference among them. Even when voters do make choices (as in recent referenda), they are often simply reflecting their preferred party's position. So, polls of voters' opinions are not the way to go. Instead, we need to look at what voters *do* for guidance. By examining patterns of what people do in elections and assessing what they are trying to accomplish, we can get a sense of how they "do" democracy and match institutional design to best allow them to do what they are trying to do. And here we can turn to a considerable amount of research from political science to aid in that work.

This might seem a curious recommendation in an essay that has spent its time debunking what it has called myths as pro-

> **Without all the myths clouding the discussion, the way forward is both clear and undeniable: Canada should adopt some form of proportional representation.**

moted by political scientists, but this just highlights the gap that can emerge between research and analysis. In fact, this work has relied on a lot of political science research to debunk those political science-promoted myths. What I've shown here repeatedly is how often political scientists let deeply held myths get in the way of what their research is actually telling them. With those myths out of the way, we can form a more realistic analysis of what that research tells us about voters and voting systems.

As reviewed here, political science research paints a pretty clear picture of what voters typically do in elections. They vote party. If we subtract all the issues political scientists added that we've shown to be irrelevant, then representing party choices is pretty much "it" when it comes to what a voting system should do. On this basis, the evidence is clear that PR voting systems are more democratic than Canada's SMP voting system on any and all of the four themes set out above: inclusion, equality, deliberation, and decision taking.

Without all the myths clouding the discussion, the way forward is both clear and undeniable: Canada should adopt some form of proportional representation. What makes this choice democratic is not that it has been subject to a poll to choose it, but that it meets the conditions for a more fully democratic outcome by using it. That is the whole point of voting system reform—to examine which voting system would be more substantively democratic by its use. This involves evidence-based analysis, not partisan-mobilized support or opposition. To not adopt the more empirically demonstrable democratic option would itself be undemocratic.

Of course, the present state of the debate over voting system reform has been decisively shaped not by values or facts but by partisan-mobilized opposition to any reform at all. Our dominant governing parties and their supporters in the media use their influence to insist on the democratic credibility of our present voting system and have latched on to the preference model offered up by political scientists as a means of defending its use. Most political scientists promoting this approach thus

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have become unwitting enablers of a highly undemocratic campaign. (57) This is why it is crucial that political scientists abandon the myths they are helping sustain and instead use the facts from their research to support those forces in Canadian society that are trying to add more democratic substance to our political institutions.

Just getting the issue on the agenda is a major struggle because everything about the rules governing our political process is highly politicized. Past processes of voting system reform in western countries and Canada did not occur through value- or evidence-based discussions of what is best for any given democratic polity, but emerged in times of acute social disruption and political instability. In the early 20th century, it was the challenge of gaining democracy itself that had traditional elites scrambling for a way to diminish democracy's impact, and voting system reform proved a key strategy. In the mid-20th century, voting system reform became a means of managing the battle between left and right political forces amid a superpower cold war. And in the late 20th century, voting systems were central to democratizing efforts in former authoritarian and communist countries. (58)

The recent debate over voting systems in Canada has taken on a different tone from the more hard-nosed political brinkmanship that characterized efforts in the past, in that everyone today at least pretends it is about values and what is best for the country. But behind the rhetoric and grandstanding, we can see the usual partisan motives and self-interest. Still, this discourse of a public good could be leveraged to help create processes that might lead to genuine reform.

There are a number of steps that should be taken to help assure that this happens. First, political scientists need to get off the fence about voting system reform and its relationship to democratizing efforts historically and in the present. Research shows that historically proportional voting systems were widely recognized as being more democratic than the alternatives, from the late 19th century and for most of the 20th. Or they should be frank that they support our present system precisely because it is not very democratic, rather than pretend it is just differently democratic. Second, political scientists should help clarify that choosing a voting system is not about popularity but performance. It is about matching what an institution does with what a society needs it to do. Third, the design of a made-in-Canada proportional voting system should not be left to parties overrepresented in our current system. That's like letting the wolf design the sheep pen. The design should be taken up by a citizens' assembly appointed for that purpose, which could take input from all parties without being beholden to any side but the public good.

CONCLUSION

Canadian political scientists have crafted an approach to voting system reform that claims that our existing voting system reflects and privileges certain values—simplicity, stability, local representation, and accountability—and that efforts to alter the approach to favour different values must grapple with the trade-offs that would result from any change. To that end, they have encouraged the public and policy-makers to engage with these conflicting values to sort out which ones they prefer to help them decide whether to retain Canada's existing voting system or opt for something else. And with so much focus on "choosing," they have explicitly or inadvertently given support to those who insist that any change in voting system requires a referendum to be democratically legitimate. The process appears to be basically neutral on the choices, according them all democratic legitimacy in the name of pluralistic tolerance and in the fact that the choosing has involved the public through referenda.

But, as has been argued here, this approach is fundamentally misguided. It is misinformed about its basic claims, wrongheaded in its understanding of what the problem is that should be addressed, and ultimately undemocratic in its process and outcomes. Historically, Canada's voting system was the product of political self-interest, not values. And looking at evidence, none of the values touted by political scientists can be shown to be significant. They are essentially myths. Perhaps the most dangerous myth they have spawned is the idea that the voting system choice itself should be subject to a vote. The voting system has a job to do, and it should be judged by how well it does it, not by whether some people would "prefer" that it do it poorly.

The problem that voting system reform should be addressing is not how to frame a public debate and decision based on a consideration of these myths, but to uncover what voters are trying to do in elections and then design institutions that best allow them to do it. With that knowledge in hand, putting the final decision to a referendum is both unnecessary and undemocratic. It basically amounts to giving voters a chance to "choose" inequality, exclusion, and unfairness, which is hardly a very democratic position.

What Canada needs instead is an approach to voting system reform that takes as its goal the advancement of the democratic substance of its electoral institutions. The way to proceed is to take what we know about what Canadian voters are trying to do when voting and then to adapt the electoral institutions to facilitate that. The values undergirding such a process should be limited to those that can be established as demonstrably valid for democratic circumstance—that is, maximizing voter equality, equity, and inclusion. As the evidence is overwhelming that voters vote party, from both an academic and commonsense appreciation of the pattern of elections results over time and place, the priority for reformers and political scientists alike should be to get more accurate and fair results for the party choices that voters are making. For those whose judgment is not clouded by myths, that obviously means adopting some form of proportional representation.

The time for myths is over. Let the real work of voting system reform begin. 🍁

NOTES

1. For an evidence-based comparison of the operation of Canada's voting system with the pattern of concrete results produced in comparable western European countries using proportional voting systems, see Dennis Pilon, *The Politics of Voting: Reforming Canada's Electoral System* (Toronto: Emond Montgomery, 2007). For a comparative historical overview of more than a century of voting system reform in 18 western countries, see Dennis Pilon, *Wrestling with Democracy: Voting Systems as Politics in the Twentieth Century West* (Toronto: University of Toronto Press, 2013). For a more recent historical and contemporary overview of voting system reform efforts in Canada, see Dennis Pilon, "Voting Systems and Party Politics," in Alain-G. Gagnon and A. Brian Tanguay (eds.), *Canadian Parties in Transition: Recent Trends and New Paths for Research*, 4th ed. (Toronto: University of Toronto Press, 2017), 217-49.

2. The problems with this approach to studying politics and institutions specifically are explored in Dennis Pilon, "Beyond Codifying Common Sense: From an Historical to Critical Institutionalism" (2021) 102:2 *Studies in Political Economy* 101-18.

3. For illustrative examples of this approach, see Bruce Cain, John Ferejohn, and Morris Fiorina, *The Personal Vote: Constituency Service and Electoral Independence* (Cambridge, MA: Harvard University Press, 1987); Nick Ruderman, "Canadians' Evaluations of MPs: Performance Matters," in Elizabeth Gidengil and Heather Bastedo (eds.), *Canadian Democracy from the Ground Up: Perceptions and Performance* (Vancouver: UBC Press, 2014), 41-61; and Nick Vivyan and Marcus Wagner, "What Do Voters Want from Their MP?" (January-March 2015) 86:1 *Political Quarterly* 33-40.

4. For research tracking the historical struggle over Canadian electoral institutions, see Norman Ward, *The Canadian House of Commons: Representation* (Toronto: University of Toronto Press, 1950); D.G.G. Kerr, "The 1867 Elections in Ontario: The Rules of the Game" (December 1970) 51:4 *Canadian Historical Review* 369-85; Norman Ward, "Electoral Corruption and Controverted Elections" (1949) 15:1 *Canadian Journal of Economics and Political Science* 74-86; Gordon Stewart, "John A. Macdonald's Greatest Triumph" (1982) 63:1 *Canadian Historical Review* 3-33; Khayyam Z. Paltiel, *Studies in Canadian Party Finance: Committee on Election Expenses* (Ottawa: Queen's Printer, 1966); and K.Z. Paltiel, "Party Finance Before World War I," In R.K. Carty (ed.), *Canadian Political Party Systems* (Toronto: Broadview, 1992), 122-27.

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5. Norman Ward, "The Basis of Representation in the House of Commons" (November 1949) 15:4 *Canadian Journal of Economics and Political Science* 477-94, at 490; and Brian Studniberg, "Politics Masquerading as Principles: Representation by Population in Canada" (Spring 2009) 34:2 *Queen's Law Journal* 611-68.

6. See John C. Courtney, *Commissioned Ridings: Defining Canada's Electoral Districts* (Montreal and Kingston, ON: McGill-Queen's University Press, 2001).

7. Key examples of the preference approach can be found in the influential 2004 Law Commission of Canada report *Voting Counts: Electoral Reform for Canada*, the background material used for the British Columbia and Ontario citizens' assemblies that examined voting systems, the 2016 Canadian House of Commons Special Committee on Electoral Reform report *Strengthening Democracy in Canada: Principles, Process and Public Engagement for Electoral Reform*, and in various contributions contained in Andrew Potter, Daniel Weinstock, and Peter Loewen (eds.), *Should We Change How We Vote? Evaluating Canada's Electoral System* (Montreal and Kingston, ON: McGill-Queen's University Press, 2017). However, it should be noted that in most cases commissions and citizens' assemblies were more critical in approaching these discussions about values than the legislative special committees and political science texts cited here.

8. Research into how complicated voters find different voting systems has not uncovered any serious problems. David Farrell's research on ballot spoilage across a broad range of countries in the 1990s found that Canada (SMP), Ireland (single transferable vote [STV]), and Germany (mixed member proportional representation [MMP]) had nearly the same level of spoiled ballots—between 1.3 percent and 1.5 percent of the total votes cast. Longer-term studies of STV use in Ireland and Canada also suggest that voters did not find the system too complicated. For instance, voters in Manitoba and Alberta used STV for three-and-a-half decades and most had no trouble marking their ballots. In that period, ballot spoilage in Winnipeg ranged from 0.9 percent to 1.8 percent of the total votes. See David Farrell, *Electoral Systems: A Comparative Introduction* (Houndsmill, UK: Palgrave, 2001), 202; Harold Jansen, "The Political Consequences of the Alternative Vote: Lessons from Western Canada" (2004) 37:3 *Canadian Journal of Political Science* 647-69; and Paul McKee, "Ireland," in V. Bogdanor and D. Butler (eds.), *Democracy and Elections: Electoral Systems and Their Political Consequences* (Cambridge, UK: Cambridge University Press, 1983), 167-89.

9. See Darrell Bricker and Martin Redfern, "Canadian Perspectives on the Voting System" (July-August 2001) 22:6 *Policy Options* 22-24.

10. For a comparison of the number of elections in PR- and SMP-using countries, see Pilon, *The Politics of Voting*, supra note 1, at 63.

11. See Jean-François Godbout and Bjorn Hoyland, "Unity in Diversity? The Development of Political Parties in the Parliament of Canada, 1867-2011" (2017) 47:3 *British Journal of Political Science* 545-69.

12. For insight into the varied practices of government formation in western European countries using proportional representation, see Lieven De Winter, "The Role of Parliament in Government and Resignation," in Herbert Doring (ed.), *Parliaments and Majority Rule in Western Europe* (New York: St. Martin's Press, 1995), 115-51; Wolfgang C. Müller and Kaare Strom (eds.), *Coalition Governments in Western Europe* (Oxford, UK: Oxford University Press, 2000), particularly their introductory essay "Coalition Governance in Western Europe: An Introduction," at 1-31; and Torbjörn Bergman, Hanna Back, and Johan Hellström (eds.), *Coalition Governance in Western Europe* (Oxford, UK: Oxford University Press, 2021).

13. Given that a candidate in an SMP voting system can conceivably gain a seat with far less than 50 percent of the vote, "winning" depends not only on who votes for the winner but also how the overall vote splits among the remaining candidates. A winner with 35 percent of the vote in one election could lose in the next with 40 percent if voters were to settle on a single rival candidate in the second contest.

14. Pilon, *The Politics of Voting*, supra note 1, at 44.

15. See Thomas Quinn, "Throwing the Rascals Out? Problems of Accountability in Two-Party Systems" (2015) 55 *European Journal of Political Research* 120-37.

16. Kaare Strom, "Democracy, Accountability and Coalition Bargaining" (1997) 31 *European Journal of Political Research* 47-62.

17. The diversity of these norms and the contextual factors that condition their application are explored in De Winter, supra note 12; Müller and Strom, supra note 12; and Bergman et al., supra note 12.

18. See Dennis Pilon, "The Contested Origins of Canadian Democracy" (2017) 98:2 *Studies in Political Economy* 105-23.

19. Canadian political scientists tend to assume the existence of democracy throughout Canadian history rather than explore it concretely in terms of when and how it was accomplished and by whom. However, historians have recently taken up the study, highlighting how its origins were shaped by political struggle rather than values and showing that this process continued well into the 20th century (and in some ways continues in the present). For an introduction to these complexities, see Julien Mauduit and Jennifer Tunnicliffe (eds.), *Constant Struggle: Histories of Canadian Democratization* (Montreal and Kingston, ON: McGill-Queen's University Press, 2021); and Joan Sangster, *One Hundred Years of Struggle: The History of Women and the Vote in Canada* (Vancouver: UBC Press, 2018).

20. For instance, see Cameron D. Anderson and Elizabeth Goodyear-Grant, "Conceptions of Political Representation in Canada: An Explanation of Public Opinion" (December 2005) 38:4 *Canadian Journal of Political Science* 1029-58.

21. See André Blais, Elisabeth Gidengil, Agnieszka Dobrzynska, and Neil Nevitte, "Does the Local Candidate Matter?

Candidate Effects in the Canadian Election of 2000" (July 2003) 36:3 *Canadian Journal of Political Science* 657-64.

22. Research from 2019 found roughly the same percentage of voters prioritizing a local candidate in their vote choice as Blais et al., supra note 21, found in their 2003 research. See Benjamin Allen Stevens, Md Mujahedul Islam, Roosmarijn de Geus, Jonah Goldberg, John R. McAndrews, Alex Mierke-Zatwarnicki, Peter John Loewen, and Daniel Rubenson, "Local Candidate Effects in Canadian Elections" (2019) 52:1 *Canadian Journal of Political Science* 83-96. On choosing to like a party's candidate post hoc, see Michael Marsh, "Candidates or Parties? Objects of Electoral Choice in Ireland" (2007) 13:4 *Party Politics* 501-28.

23. See R.K. Carty and M. Eagles, *Politics Is Local: National Politics at the Grassroots* (Toronto: Oxford University Press, 2005).

24. See Tamara A. Small and Jane Philpott, "The Independent Candidate," in Alex Marland and Thierry Giasson (eds.), *Inside the Campaign: Managing Elections in Canada* (Vancouver: UBC Press, 2020), 197-206.

25. See Arthur Lupia and Mathew D. McCubbins, *The Democratic Dilemma: Can Citizens Learn What They Need to Know?* (Cambridge, UK: Cambridge University Press, 1998); and Arthur Lupia, *Uninformed: Why People Know So Little About Politics and What We Can Do About It* (Oxford, UK: Oxford University Press, 2016).

26. How this works is spelled out in Christopher Cochrane, "Left/Right Ideology and Canadian Politics" (2010) 43:3 *Canadian Journal of Political Science* 583-605; and Christopher Cochrane, *Left and Right: The Small World of Political Ideas* (Montreal and Kingston, ON: McGill-Queen's University Press, 2015).

27. For a discussion of the court's findings, see David Johnson, "Canadian Electoral Boundaries and the Courts: Practices, Principles and Problems" (1994) 39 *McGill Law Journal* 224-47.

28. For instance, see Scott Reid, "Electoral Reform Must Go to a Referendum," *Ottawa Citizen*, December 28, 2015; and Tim Naumetz, "Conservative Party Sets Ultimatum for Electoral Reform: No Agreement Without Referendum," *The Hill Times*, October 14, 2016.

29. See Patrice Dutil, "The Imperative of a Referendum," in Lydia Miljan (ed.), *Counting Votes: Essays on Electoral Reform* (Vancouver: Fraser Institute, 2016), 81-103.

30. For a sample of this broad debate, see Thomas Christiano, *The Rule of the Many: Fundamental Issues in Democratic Theory* (New York: Routledge, 1996); Arend Lijphart, *Thinking About Democracy: Power Sharing and Majority Rule in Theory and Practice* (New York: Routledge, 2008); and Carlo Invernizzi-Accetti, "Does Democratic Theory Need Epistemic Standards? Grounds for a Purely Procedural Defence of Majority Rule" (2017) 4:2 *Democratic Theory* 3-26.

31. The political and legal struggle for minority voting and civil rights in the United States is reviewed in Robert W. Mickey, "The Beginning of the End for Authoritarian Rule in America:

Smith v. Allwright and the Abolition of the White Primary in the Deep South, 1944-1948" (Fall 2008) 22 *Studies in American Political Development* 143-82. For the role of referenda as an instrument for the suppression of minority rights in the United States, see Barbara S. Gamble, "Putting Civil Rights to a Popular Vote" (January 1997) 41:1 *American Journal of Political Science* 245-69; and Sylvia R. Lazos Vargas, "Judicial Review of Initiatives and Referendums in which Majorities Vote on Minorities' Democratic Citizenship" (1999) 60:2 *Ohio State Law Journal* 399-556.

32. For details of the Swiss experience, see Brigitte Studer, "Universal Suffrage and Direct Democracy: The Swiss Case, 1848-1990," in Christine Fauré (ed.), *Political and Historical Encyclopedia of Women* (New York: Routledge, 2003), 687-703.

33. Details of these reform processes can be found in Pilon, *Wrestling with Democracy*, supra note 1, chapter 7, "The Neoliberal Democratic Realignment, 1970-2000," 190-226. Italy did see a referendum used to effectively abolish its post-war PR voting system in 1993, but the design and choice of new voting systems later that year, and again in 2005, 2014, and 2017, were all made by Parliament. See Alessandro Chiaramonte, "The Unfinished Story of Electoral Reforms in Italy" (2015) 7:1 *Contemporary Italian Politics* 10-26; and Alessandro Chiaramonte and Roberto D'Alimonte, "The New Italian Electoral System and Its Effects on Strategic Coordination and Disproportionality" (May 2018) 13:1 *Italian Political Science* 8-18.

34. For a review of Vancouver's use of plebiscites as a means both to the elite imposition and the prevention of voting system reform at the municipal level, see Dennis Pilon, "Democracy, BC-Style," in Michael Howlett, Dennis Pilon, and Tracy Summerville (eds.), *Politics and Government in British Columbia* (Toronto: Emond Montgomery, 2010), 87-108, specifically at 92-93 and 96-99.

35. See Paul Harris, "New Zealand Adopts PR: A Research Director's View" (July-August 2001) 22:6 *Policy Options* 31-36; and Keith Jackson and Alan McRobie, *New Zealand Adopts Proportional Representation: Accident? Design? Evolution?* (Aldershot, UK: Ashgate, 1998).

36. See Spencer McKay, "The Politics of Referendum Rules: Evidence from New Zealand (1893-2016)" (2022) 50 *Politics and Policy* 137-53, at 145-46.

37. See Dennis Pilon, "Assessing Gordon Campbell's Uneven Democratic Legacy in British Columbia," in Tracy Summerville and Jason Lacharite (eds.), *The Campbell Revolution? Power, Politics and Policy in British Columbia from 2001 to 2011* (Montreal and Kingston, ON: McGill-Queen's University Press, 2017), 37-60.

38. See Pilon, "Voting Systems and Party Politics," supra note 1.

39. See ibid.

40. See Dennis Pilon, "Investigating Media as a Deliberative Space: Newspaper Opinions About Voting Systems in the 2007 Ontario Provincial Referendum" (September 2009) 3:3 *Canadian Political Science Review* 1-23; and Alan Renwick

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and Michael Lamb, "The Quality of Referendum Debate: The UK's Electoral System Referendum in the Print Media" (June 2013) 32:2 *Electoral Studies* 294-304.

41. See Lawrence Leduc, "The Failure of Electoral Reform Proposals in Canada" (December 2009) 61:2 *Political Science* 21-40; and Holly Ann Garnett, "Lessons Learned: Referendum Resource Officers and the 2007 Ontario Referendum on Electoral Reform" (2014) 8:1 *Canadian Political Science Review* 63-84.

42. For an overview of these issues, see Alan Renwick, "Referendums," in Kai Arzheimer, Jocelyn Evans, and Michael S. Lewis-Beck (eds.), *The SAGE Handbook of Electoral Behaviour* (Los Angeles: Sage, 2017).

43. See Cheryl Boudreau and Arthur Lupia, "Political Knowledge," in James N. Druckman, Donald P. Green, James H. Kuklinski, and Arthur Lupia (eds.), *Cambridge Handbook of Experimental Political Science* (Cambridge, UK: Cambridge University Press, 2011), 171-83; and Lupia, supra note 25.

44. See Fred Cutler and Richard Johnston, with R. Kenneth Carty, André Blais, and Patrick Fournier, "Deliberation, Information, and Trust: The BC Citizens' Assembly as Agenda Setter," in M. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly* (Cambridge, UK: Cambridge University Press, 2008), 166-91.

45. This shift from using the Citizens' Assembly as a cue for voting in 2005 to using more traditional partisan cues was apparent in the 2009 BC referendum campaign, though political party responses to the issue were still somewhat muted publicly. However, by 2018 British Columbia's three main parties had clear public positions on the choice of voting system, with the BC Liberals actively campaigning against change and working closely with various civil society groups opposing reform. For a comparison of the 2005 and 2009 campaigns, see Dennis Pilon, "The 2005 and 2009 Referenda on Voting System Change in British Columbia" (June-September 2010) 4:2-3 *Canadian Political Science Review* 73-89.

46. See Lupia and McCubbins, supra note 25; and Lupia, supra note 25.

47. See Tim Naumetz, "Conservative Party Sets Ultimatum for Electoral Reform: No Agreement Without Referendum," *The Hill Times*, October 14, 2016; and Lydia Miljan (ed.), *Counting Votes: Essays on Electoral Reform* (Vancouver: Fraser Institute, 2016).

48. On the tendency of single-member plurality to favour conservative parties, see Holger Döring and Philip Manow, "Is Proportional Representation More Favourable to the Left? Electoral Rules and Their Impact on Elections, Parliaments, and the Formation of Cabinets" (January 2017) 47:1 *British Journal of Political Science* 149-64.

49. See Pilon, *Wrestling with Democracy*, supra note 1, chapter 3 ("Prologue to the Democratic Era") and chapter 4 ("Facing the Democratic Challenge, 1900-1918").

50. See Dennis Pilon, "Explaining Voting System Reform in Canada: 1874 to 1960" (Autumn 2006) 40:3 *Journal of Canadian Studies* 135-61. Some scholars have argued that Canadian reforms were the simply the product of specifically western Canadian progressive influence in the First World War era rather than political party self-interest, but such explanations tend to ignore the timing of the reforms and fail to account for cases at different levels of government. For a sense of this debate, see Jack Lucas, "Reaction or Reform? Subnational Evidence on P.R. Adoption from Canadian Cities" (2020) 56:1 *Representation* 89-109; and Dennis Pilon, "Reform *and* Reaction: Voting System Reform in Canadian Cities: A Response to Lucas" (2021) 57:4 *Representation* 551-59.

51. See Pilon, *Wrestling with Democracy*, supra note 1, chapter 7, "The Neoliberal Democratic Realignment, 1970-2000."

52. For instance, Blais and Massicotte highlight the strong association of former British colonies with the use of plurality voting systems. See André Blais and Louis Massicotte, "Electoral Formulas: A Macroscopic Perspective" (1997) 32 *European Journal of Political Research* 107-29. For American historical manipulation of plurality electoral systems, particularly over the partisan imposition of single- versus multi-member districts, see Erik J. Engstrom, *Partisan Gerrymandering and the Construction of American Democracy* (Ann Arbor, MI: University of Michigan Press, 2013).

53. For a review of voting system adoptions in most of these countries, see the relevant chapters in Josep M. Colomer, *Handbook of Electoral System Choice* (Houndsmill, UK: Palgrave Macmillan, 2016). For Portugal, see David Corkill, "The Political System and the Consolidation of Democracy in Portugal" (October 1993) 46:4 *Parliamentary Affairs* 517-33. For eastern Europe, see Sarah Birch, *Electoral Systems and Political Transformation in Post-Communist Europe* (Houndsmill, UK: Palgrave Macmillan, 2003). For the UK experience in Scotland specifically, see Alan Convery and Thomas Carl Lundberg, "Rational Choice Meets the New Politics: Choosing the Scottish Parliament's Electoral System" (2020) 55 *Government and Opposition* 114-29.

54. See Pilon, "Explaining Voting System Reform in Canada," supra note 50. In fact, no western countries have shifted back from a proportional voting system to any kind of majoritarian voting system, barring France (an outlier to these trends). The reasons for French exceptionalism on this are reviewed in detail in Pilon, *Wrestling with Democracy*, supra note 1.

55. See Dennis Pilon, "Change the Voting System Without a Referendum," *Vancouver Sun*, May 29, 2017.

56. It is conventional for academics to refer to "democracy" as an "essentially contested concept"—that is, one for which there is no agreed-upon definition. But such an approach ignores history, where the struggle for democracy tends to make its meaning much clearer. When we examine Canadian struggles for democracy, it is easy to see that voting and representation alone were not enough to constitute democracy. Indeed, both were established long before the democratic era could be said to have emerged, in the early to mid-20th century. Instead, the path to Canadian democracy is defined by struggles for inclusion (voting

rights for working-class men, women, people of colour, and Indigenous peoples), equality (various court cases challenging unequal riding sizes and the use of multi-member ridings, or regulations establishing limits on campaign finance), and deliberation (the transition from part-time to full-time legislatures from the 1970s on). Thus, a historical analysis makes clear that Canadian democracy involves much more than simply voting. Some of this story can be found in Dennis Pilon, "The Search for Canadian Democracy: Transnational Insights into Democratization," in Mauduit and Tunnicliffe, supra note 19, 33-57.

57. For a critical examination of such partisan-influenced arguments and the academic work that unwittingly sustains it, see Dennis Pilon, "Review Essay: Democratic Leviathan—Defending First Past the Post in Canada" (2018) 12:1 *Canadian Political Science Review* 24-49.

58. The details of this historical process can be found in Pilon, *Wrestling with Democracy*, supra note 1.