

**THE GERMAN ELECTORAL SYSTEM
AND ITS POTENTIAL APPLICATION TO CANADA**

BY

49

RUSSELL J. MEDVEDEV

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MASTER OF ARTS

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Abstract

Canada has had a history of regional protest, pre-dating Confederation. This tension manifested itself in the 1993 Federal Election when almost one-half of the electorate supported protest parties. A strong level of alienation and anger exists with the traditional parties' inability to articulate the interests of disenfranchised regions. This thesis argues that the first-past-the-post (FPP) electoral system in a country as large and diverse as Canada is flawed and only allows representation of the few largest or more powerful groups in the decision making process. It argues that this stress and instability within the system can be reduced if the system was more representative of Canadian society. This thesis suggests that changing the electoral system would be a step in the direction of providing more effective and representative government.

Governments have tried several methods to become more inclusive, including Senate reform, but have achieved limited success. Many of these institutional methods of change were discussed when Canada was still basically a nation centred around French and English Canada. Canadian society has become even more diverse since the 1980s when many previously excluded groups, such as women and Aboriginal people, have become empowered. Profound societal changes are happening yet decision makers, constrained by institutional parameters, are not effectively responding to new demands.

This thesis proposes an electoral system based on the German model which implements a mixed first-past-the-post/proportional representation electoral system. Unlike the German system, this proposal would guarantee aboriginal representation. This thesis applies the model to the 1980 and 1993 Federal elections and found that the system does increase representativeness, especially among regions. Seats attained by political parties are also more accurately reflective of popular vote. By virtue of the nature of Canada and its size, some parties would maintain stronger presences in certain regions of the country but all regions would have strong voices in most caucuses, accurately reflecting Canadian society, its regions and its diversity.

Abbreviations

FPP	First-past-the-post electoral system
PR	Proportional Representational electoral system
NDP	New Democratic Party
CCF	Cooperative Commonwealth Federation Party
PC	Progressive Conservative Party
MP	Member of Parliament
PQ	Parti Quebecois
BQ	Bloc Quebecois
FDP	Free Democratic Party
SPD	Social Democratic Party
CDU	Christian Democratic Union
CSU	Christian Social Union

Introduction

The latest Canadian General Election was very telling, not only because it reflected the democratic will of Canadians at that point in time but, also because it demonstrated two important points. The first is that the historical tension between regions in Canada still exists. The second is the strong level of alienation and anger with the traditional parties' inability to articulate the interests of disenchanting regions. This has resulted in the two most vocal regions, Alberta and Quebec, each electing parties based on regional loyalties, expressing protest with old-line brokerage parties.

These themes have persisted throughout Canadian history pre-dating Confederation. It is especially interesting that regional tensions have grown stronger despite many efforts, such as institutional changes and accommodations, which have failed to release tension and gain the trust of the disenchanting regions.

The strength of the two regional protest parties, the Reform and the Bloc Quebecois, reflect a natural reaction to extreme discontent and an almost total rejection of the party in power, with the exception of the election of one Quebec PC MP. What is alarming about this voter reaction is its resemblance to what may happen in a proportional representation-based system where narrower interests, usually expressed as movements or political parties, have institutional methods ensuring that their level of support receives representation. This contrasts with the current system. Canada's first-past-the-post (FPP) system has been based on two major parties historically brokering for

political advantage. Parties often persuade various narrow interests to support them, only to ignore many of these interests once in power. Since the FPP system tends to reward larger, broader-based parties, narrower interests vote for these parties, in part, out of fear that a vote for a narrow party that could voice their concerns more articulately would not ensure some decision making influence.

Although discontent has been evident throughout Canadian history, the election results of 1993 parallel the rejection of major political parties which took place during the first quarter of this century, a time that proportional representation was in world-wide favor. This thesis argues that the FPP electoral system in a country as large and diverse as Canada is flawed and only allows representation of the few largest or more powerful groups. As evident by the 1993 election results, almost half of the electorate supported protest parties, showing a lack of confidence in the status quo and a desire for change. The electorate tried to express their will within the confines of the current system in a way that proportional representation (PR) would allow. The FPP system is still limited.

Some may argue that calling for major systemic changes would be premature, as the mood expressed in 1993 may be simply reflective of discontent at one period of time. By next election, it could be argued, the electorate will revert to supporting traditional political parties. This paper does not believe that change, as evidenced in 1993, can be discounted so swiftly. Major societal shifts, such as the implementation of the Charter

of Rights and Freedoms combined with awareness of political efficacy by groups previously located on the fringe of decision making, have resulted in profound effects on Canadian society with long-lasting implications. Until the late 1980s, decisions centred around linguistic and regional issues with a focus on English and French Canada. During that decade, however, groups representing Aboriginal people, women, and the cultural and regional segments of society became aware of their popular support and the legal rights to make louder and more forceful demands on the decision makers. Today, viewing decisions within an English-French frame of reference, alienates many voters. Jeffrey Simpson notes how these "new thrusts - populist, rights-driven and Aboriginal - clashed with the more traditional preoccupations of French-speaking Quebec...and these preoccupations over language and jurisdiction were central to the country's old political culture."¹ Profound societal changes are occurring yet decision makers, constrained by institutional parameters, are not effectively responding to new demands. The 1993 election demonstrated the frustration of a large segment of the electorate in the inability of the system to respond to these demands.

This paper argues that more effective representation is needed in the political system and the best way to achieve this is through the electoral system. Specifically, this paper proposes changing the electoral system from FPP to mixed FPP-PR. This paper argues that a mixed FPP-PR electoral method will allow representatives to

¹ Jeffrey Simpson, *Faultlines, Struggling for a Canadian Vision*, (Toronto: Harper Collins, 1993), page 5.

accurately reflect voting intention while retaining the existing institutional framework. Only representatives and the parties they represent would drastically change. Two Canadian political scientists offer the following to explain why the electoral system is viewed as a forceful instrument in bringing change.

Electoral systems do not determine the nature of party systems, nor the type of government, majority or minority, single-party or coalition, in any country. Governmental outcomes are largely a function of the balance of party forces: The party system, in turn, is largely shaped by a country's political culture and social structure and by the electoral behaviour of its citizens. However, the electoral system...is a powerful intermediary force, modifying the competition among parties, distorting or faithfully reproducing the electoral preferences of the voters. Since elections are key institutions in modern democracies and provide the chief mechanism of political participation for most people, the means of translating individual votes into political representation is ... an important factor in a country's political system.²

Advocating change to the Canadian electoral system, this thesis will cover the following chapters. Chapter one will demonstrate that regional tension and a sense of exclusion from power has been a constant theme since before Confederation. In response, regions, particularly the west, have elected reformist, reactionary political parties to power. This tension is still evident today. The FPP system maintains that power remains in central Canada at the exclusion of the west and, until the past few decades, Quebec. These two regions have historically rallied around parties that

² Brian O'Neal, *Electoral Systems*, Background Paper, Political and Social Affairs Division, (Ottawa: Library of Parliament, May 1993), page 23.

protected their interests, from the farmers parties of the early century to today's Reform Party in the west and the Parti Quebecois and Bloc Quebecois in Quebec. The only way to correct this imbalance is change the way representatives are selected from a FPP to a mixed FPP-PR system.

The second chapter will outline various electoral systems used today and offer Germany's mixed FPP-PR electoral system as a basis from which to institute a similar system in Canada to address concerns of representativeness. Germany has had a history of discontent and has searched for a system that offered fair representation and stable yet effective government. Their system has provided that stability and effectiveness. With similar institutional structures and similar cleavage patterns, the German model seems a logical starting point for applying change to the Canadian context. Implementing a pure PR system in Canada, by contrast, may not be most effective. Such a system in Canada, based on population, could increase regional bias, secure power in central Canada and muffle demands placed by less populous regions or groups. A FPP element in a mixed system would, however, offer strong regional affiliations within the system and also maintain an important British link to a political system based on the Westminster model. The PR element would help provide an accurate translation of voting intention into seat attainment. With a solid FPP system in place, transplanting a mixed FPP-PR system to Canada should also be relatively easy.

Chapter three outlines Canadian attempts to bring about change within the system. These attempts range from the use of PR at the provincial and municipal level in the first half of this century to institutional changes. These recent institutional changes have included reforming the Senate, altering Federal arrangements and institutions, changing political party functions and altering existing political boundaries, which have proven to be relatively unsuccessful in increasing the representativeness and effectiveness of government. Yet, problems persist in the Canadian context and there are signs that indicate that change is needed and that the public would welcome it.

The fourth chapter discusses recent Canadian proposals to change the electoral system. These fall under two basic groups, those which base themselves on the FPP system and those that advocate using a type of PR system. This thesis's electoral proposal, based on the German model, will be detailed and applied to the 1980 and 1993 general elections to demonstrate its success in increasing representativeness and building consensus within the political system.

Chapter One

This chapter will outline how and why the current Canadian political system does not allow the most efficient form of representation. The regions have not been adequately represented, as Confederation was initially designed as a pragmatic exercise to benefit Ontario, not to develop the regions into integral, equal participants in the union.

Resulting discontent can be traced along regional and linguistic lines. Early protest movements achieved electoral success with the hope of reforming the system within existing systemic parameters. The problem, however, is compounded because the cleavages in Canada can be mutually reinforcing, magnifying this stress. Major parties have been able to practise brokerage politics to accommodate these regional demands, but only with partial success.

Major societal, economic and institutional changes which occurred in the 1980s and 90s, however, have prevented the successful practise of brokerage politics. The old system has allowed as much flexibility as it could. Still, regional, narrowly-focussed parties secured significant representation in the national Parliament in 1993. The first-past-the-post electoral system does not allow for an accurate dispersal of seats relative to the percentage of popular vote achieved. This inequity has prompted some protest parties to attempt to change the system. Because of these added stresses on the system, and the increasing strength of cleavages in Canadian politics, this paper argues that there has to be a new way to play politics in Canada. The first-past-the-post system has been working but at a cost - continual strain on the political and societal system. As a

result, there is too much system instability. This paper argues that the only reasonable alternative designed to increase representation and consequently reduce systemic stress is to adopt some form of proportional representation at the Federal level.

In Canada, institutions have enjoyed success in articulating and aggregating the demands of the country. In fact, some observers have attributed the success of Canada as a nation to its political institutions and its federal structure. Lower and Scott comment that "Federalism has proved the saving element in situations in which sheer size, involving the separation and divergence of communities has been the dominating feature."¹ Seymour Martin Lipset also credits the influence of institutions in shaping society and politics both on a national and provincial level. He argues that "the nature of Canadian political institutions, especially the federal Parliamentary system, was the most significant factor in the development of one-party politics in Alberta."²

Other observers offer an alternative view to the institutionalists. They place the political culture as the driving force in shaping the political system. The political system works best when the demands within society are articulated and aggregated accurately by the institutions. If this is not happening, they argue that the institutions

¹ A.R.M. Lower and F. R. Scott, *Evolving Canadian Federalism*, (Durham: Duke University Press, 1958), page 3.

² Walter Young, *Democracy and Discontent: Progressivism, Socialism and the Social Credit in the Canadian West*, (Toronto: The Ryerson Press, 1969), page xii.

will be forced to change.

To test their assumptions, these observers note the influence of ideology and the interaction of elements such as cleavages in offering inputs to the system. As an alternative to the institutionalists, for example, Christian and Campbell argue that the major influences in shaping the political system have been the influences of ideological fragments from parent societies in Europe. In Canada, the liberal and tory fragments have been transplanted. The resulting dialectical reponse produced socialism.³

These ideological elements alone produce unique demands on the political system. The demands, however, become stronger when combined with cleavages such as language but also become narrower when combined with region. In Canada, this interplay is particularly salient. In "Regional Political Cultures in Canada", Richard Simeon and David Elkins demonstrate that there is significant variance among regions on a similar issue. For example, in researching basic orientations to politics, they found that "there are strong differences among the citizens of Canadian provinces and among those of different language groups." On one measure, political efficacy, the variance was striking. The percentage of Newfoundlanders who felt powerless in changing a government decision was 88 per cent. The corresponding figure in British Columbia

³ William Christian and Colin Campbell, *Political Parties and Ideologies in Canada*, third edition, (Toronto: McGraw-Hill Ryerson, 1990), pages 6,7,23.

was 22 per cent.⁴ Institutions in Canada must be sensitive to these regional differences. If it is ineffective in aggregating regional demands and acknowledging their differences, it will be the institutions, not the cultural forces behind the demands, that will change.

Regional differences in demands and attitude have led to discontent within the country and placed a strain on the political and societal system within Canada. One major reason for this strain is lack of adequate representation. The electoral method does not allow all regions the opportunity to be best represented in the governing bodies. As such, some regions are not able to best articulate their interests and have them aggregated.

The relationship between society and the political system is organic. All elements within society should work together to produce an effective, representative and stable political system. Ideally, the political system represents cultural values and societal beliefs.⁵ Enid Lakeman takes the discussion one step further by noting that institutions (including the electoral system) should match the needs and abilities of the people in

⁴ Ian Stewart, "Putting Humpty Dumpty Together: The Study of Canadian Political Culture," pages 89-105 in *Canadian Politics: An Introduction to the Discipline*, James Bickerton and Alain-G Gagnon, eds., (Scarborough: Prentice Hall, 1989), page 92.

⁵ Gabriel Almond and James S. Coleman, "Introduction", pages 1-55 in *The Politics of Developing Areas*, eds. Gabriel Almond and James S. Coleman, (Princeton: Princeton University Press, 1960), page 32.

order for democracy to be successful.⁶ When political institutions do not reflect the values of the political culture and articulate the wishes of its citizens, an unstable situation can occur.

Confederation has not allowed full expression of the dynamics within the Canadian context and, as a result, pressure and discontent have been inherent. The purpose of Confederation helps to explain why discontent has been strong and sustained throughout Canadian history. Confederation is seen by many Canadian political scientists and historians, such as Edwin Black and Peter Waite, as "the product of a purely pragmatic exercise".⁷

Originally, Confederation was devised to bring economic benefits to Eastern Canada and to prevent the annexation of the west to the United States.⁸ David Bercuson adds that even though Confederation brought provinces together, it "could not unite them spiritually. (The provinces) had...been cajoled into union by wily and ambitious local politicians...or fell victim to the lure of a Canadian treasury ready and able to bail them out of their foolhardy railroad debts." It can be argued that the Canadian political

⁶ Enid Lakeman, *How Democracies Vote*, (London: Faber and Faber, 1970), page 270.

⁷ Peter J. Smith, "The Ideological Origins of Canadian Confederation." pages 1-29 in *The Canadian Journal of Political Science*, XX:1, (March 1987), page 1.

⁸ David Jay Bercuson, "Canada's Burden of Unity: An Introduction", pages 1-17 in *Canada and the Burden of Unity*, David Jay Bercuson, ed. (Toronto: Copp Clark Pitman, 1986), pages 1 and 2.

system does not totally "fit" the demands of its culture. In fact, it can be argued that Confederation came into being as a result of the fear of United States expansionism, the desire to preserve British tradition, and the intent of Eastern Canada to maintain and strengthen its position of dominance.

Confederation was no marriage of love and affection; it was a union of convenience and, in the case of the Canadas, not even a union but a divorce."⁹ In fact, Goldwin Smith attributed the unity of Canada in the late 1880s to the strength of Sir John A. Macdonald's personality commenting that "when this man is gone who will take his place? Who else could make Orangemen vote for Papists, or induce half the members of Ontario to help in levying on their own province the necessary blackmail for Quebec? Yet this is the work which will have to be done if a general breakup is to be avoided. Things will not hold together on their own."¹⁰

It can be argued that the system outlined by Confederation was, and is, in effect, designed to suppress the concerns of regions outside of Ontario. Harold Innis noted in 1923 that "Western Canada has paid for the development of Canadian Nationality, and it would appear that it must continue to pay."¹¹ As a result, Peter Brimelow adds that

⁹ *Ibid.*, page 2.

¹⁰ Peter Brimelow, *The Patriot Game, National Dreams and Political Realities*, (Toronto: Key Porter Books, 1986), page 74.

¹¹ *Ibid.*, page 245.

the west has historically resented this treatment by Ontario. Western Canada has voted against Ottawa historically with a vengeance so strong that it is impossible to dismiss the thought that they are trying to send a message.¹² Donald Smiley elaborates by saying that "unlike Americans...in the eighteenth century...Canadians have never experienced the kind of decisive break with their political past which would have impelled them to debate and resolve fundamental political questions."¹³ As a result, the concerns and resentments of the past continue to influence Canadian politics today.

From the onset, the ability of the system to represent all regions of the country is suspect. Bercuson adds that from Canada's beginnings, the "limited identities" of Canada's regions flourished and were strengthened by "the growth of mutual suspicion and rivalries."¹⁴ Even from the point of Canada's birth, the strains on the system due to the effect of cleavages were ever-present.

To understand the interplay of institutions and political culture in Canada, it is necessary to examine the cleavages that play a significant role in Canadian society.

¹² *Ibid.*, page 243.

¹³ *Ibid.*

¹⁴ *Ibid.*

The predominant cleavages in Canada are region and ethnicity/culture.¹⁵ Ian Stewart takes ethnicity/culture one step further by referring to language as having a major effect in Canadian politics and society.¹⁶ Reg Whitaker comments that the systemic effect of economics is salient when measured with regionalism.¹⁷

With cleavages mutually reinforcing each other, their effects become exponentially stronger. Under the smothering effects of Confederation, the principal regional cleavage, enhanced by economics and culture/ethnicity/language has not been accommodated. In fact, "the experience of regionalism remains prominent and distinctive in Canadian history - and time has tended less to erode it than to develop it".¹⁸ Garth Stevenson sees a real societal strain by warning that Canada "is in danger of falling apart on regional-ethnic lines."¹⁹

Canadian political parties have been able to reduce the strain placed on the system by these cleavages by successfully practising brokerage politics. Brokerage politics is a means of playing pragmatic politics of "canvassing and delineating the varied interests

¹⁵ Garth Stevenson, *Unfulfilled Union: Canadian Federalism and National Unity*, third edition, (Toronto: Gage, 1989), page 89.

¹⁶ Ian Stewart, *op. cit.*, page 92.

¹⁷ Reginald Whitaker, *The Governing Party: Organizing and Financing the Liberal Party of Canada 1930-58*, (Toronto: University of Toronto Press, 1977), page 402.

¹⁸ David Bercuson. *op. cit.*, page 1.

¹⁹ Garth Stevenson, *op. cit.*, page 89.

of the electorate in a process of coalition-creation or 'brokering' ...and Canadian brokerage parties differ in several ways from those in most other advanced industrial societies. Rather than having well-defined support from one election to the next based on long-term loyalties of social groups, brokerage parties re-create coalitions at each election."²⁰ Politics then becomes, "a study of political rationality from an economic point of view"²¹ whereby political parties allocate resources amongst the voters for maximum utility to achieve the primary task of securing election victory.

Throughout Canadian history, political parties have adjusted within this brokerage framework to achieve power. David Smith outlines the different forms of brokerage politics played throughout Canadian history as:

"the incorporation of people and territory through local patronage supervised personally by leaders like Macdonald and Laurier; the accommodation at the centre of multiple interests and communities by Mackenzie King and St. Laurent; and the nationalization of individual Canadians into a single community (through two languages and many cultures) through policies enunciated first by John Diefenbaker and later by Pierre Trudeau."²²

To gain and maintain electoral support, political parties have accommodated some

²⁰ Harold Clarke, Jane Jenson, Lawrence LeDuc and Jon H. Pammett, *Absent Mandate*, second edition, (Toronto: Gage Publishers, 1991), page 9.

²¹ Anthony Downs, *An Economic Theory of Democracy*, (New York: Harper and Brothers Publishers, 1957), page 14.

²² David Smith, "Party Government, Representation and National Integration in Canada", pages 1-54 in *Party Government and Regional Representation in Canada*, Peter Aucoin, Research Coordinator, (Toronto: University of Toronto Press, 1985), page 52.

cleavage elements within this political framework. Andrew Cohen credits Federal Liberal success since Laurier to the party's ability to deal with the linguistic issue. "The Liberal party has been the place of conciliation between the two groups (French and English)." In fact, Cohen adds, one reason for the electoral failure of the Liberals in the mid to late 1980s was the split within the party on linguistic lines.²³

Because the Liberals could win electoral victory without substantial support in other regions of the country, areas outside of Quebec and Ontario were not treated equally. "In the past, Quebec, to a greater extent than elsewhere, had been treated differentially."²⁴ On the surface, while it appears that the Liberals were catering to cleavage lines within the country, the reality is that areas were treated differentially based on their importance in forming a national government.

"Because of the continuing ethnic and linguistic conflicts and the importance of regional inequalities, there was potential for any party to fail if it tried to mobilize the electorate around a single cleavage or difference. Moreover, the very existence of so many cleavages forced parties to take responsibility for integrating the nation by finding a combination of voters that would prevent the pieces from flying apart."²⁵

Because of brokerage politics, "the challenge to Canadian parties has been to assert and

²³ Andrew Cohen, *A Deal Undone, The Making and Breaking of the Meech Lake Accord*, (Toronto: Douglas and McIntyre, 1990), page 146.

²⁴ David Smith, *op. cit.*, page 52.

²⁵ Harold Clarke et al., *op. cit.*, page 10.

make firm their claim to be national."²⁶ In this environment, however, the task of effectively representing all regions of the country is daunting.

At the time preceding and immediately following Confederation, political parties were able to practise brokerage politics yet represent the major communities within the country, primarily the English in Ontario and the French in Quebec. The Conservative Party consisted of business, professionals and the Anglican elites in Ontario and "ultramontane French Catholic and Anglo-Saxon business and financial oligarchies in Quebec". The Liberal Party represented "rural and small town, non-established church and moderate reform groups in Ontario, and anti-business, anti-clerical, relatively radical reform elements in Quebec".²⁷

As time progressed, the Dominion grew to include provinces representing different regions, ethnicities and cultures, and new cleavages became apparent. Not willing to adjust accordingly, the national parties were not able to deal with these new demands. Hugh Thorburn noted that the election of 1911 "marked a turning point in Canadian party politics. The old, simple, two-party system was modified by the complexity of

²⁶ David Smith, *op. cit.*, page 52.

²⁷ Allan Kornberg, William Mishler and Harold D. Clarke, *Representative Democracy in the Canadian Provinces*, (Scarborough: Prentice-Hall Canada, 1982), page 136.

regional discontent in both Quebec and the West: the former for cultural reasons and the latter for economic ones. The empire based on the St. Lawrence valley's great economic interests had matured and was showing signs of strain: there was the beginning of significant class, regional and cultural conflict."²⁸ The cleavages were beginning to become salient and the demands from the regions they represented were getting louder.

While political parties were playing brokerage politics, discontented regions of the country were organizing into political protest movements. Because brokerage politics seemed to benefit Eastern Canada, these movements were more pronounced in the west.

At the turn of the century, farmers were one of the first groups to organize politically. In 1919, the United Farmers of Alberta was formed. In 1921, the UFA captured 38 of 58 provincial seats in the legislature.²⁹ Discontent was fuelled by unhappiness with policies dictated by Eastern Canada, notably railway regulation, reduction of railway rates, and regulation of the grain trade.³⁰ The basic cause of this unhappiness remains a

²⁸ Hugh G. Thorburn, "The Development of Political Parties in Canada", pages 2-19 in *Party Politics in Canada*, sixth edition, Hugh G. Thorburn, ed., (Scarborough: Prentice-Hall, 1991), page 6.

²⁹ Walter Young, *op. cit.*, page xi.

³⁰ C. B. Macpherson, *Democracy in Alberta*, *op. cit.*, pages 8, 9, 38.

lack of effective western representation in government and a lack of having its interests aggregated. Walter Young notes that the west was "a debtor region... and the farmer was worse off than the labourer in Ontario" and the farmer was powerless. As a result, farmers, in particular, developed a "distrust of politics and politicians and viewed the party system as obsolete and degenerate."³¹ In the 1921 general election, the protest vote reached a record level and captured 29 per cent of the Parliamentary seats and 29 per cent of the vote.³²

The Progressive Party transformed the Canadian party system to the extent that Christian Leithner calls it "perhaps the most important third party in the country's political history."³³ The Progressives ended the existence of Canada as a two-party system and have been referred to as the precursor of the Social Credit League and the Co-operative Commonwealth Federation.

Success of the Progressive Party in precipitating change can be traced to how it was different from the mainstream parties in Canadian politics. One important difference was the party goal. While main stream parties were concerned with achieving power

³¹ Walter Young, *op.cit.*, pages 4 and 5.

³² Joseph Wearing, *Strained Relations: Canada's Parties and Voters*, (Toronto: McClelland and Stewart, 1988), page 43.

³³ Christian Leithner, "The National Progressive Party of Canada, 1921-1930: Agricultural Economic Conditions and Electoral Support". pages 435-453, in *The Canadian Journal of Political Science*, XXVI:3, (September 1993), page 435.

through whatever means pragmatically possible, "the Progressive Party did not (necessarily) want power, they merely wanted representation."³⁴ The purpose of this goal can be traced to the root of the problem - the system does not allow for proper regional representation based on cleavages, such as region.

The Progressives were similar to main stream parties in that they worked within the existing parameters of the system in order to bring about change. They had faith in the system to adjust to the demands of a significant segment of the electorate. After the rise of the protest movement in the 1910s and 20s, the movement branched into two segments, the provincial and the federal. After capturing 65 seats in 1921, the Progressive Party was virtually non-existent federally by the end of the decade. The movement, however, proved a provincial political force in Manitoba and Alberta. In Manitoba, "the Progressives did not want to oppose the (governing) Liberals - they only wanted to reform them."³⁵ In Alberta, the Social Credit party included many former Progressive and United Farmers of Alberta members who backed William Aberhart and who governed continuously for 36 years.³⁶

Historically, achieving power at the provincial level has proved to be an effective

³⁴ Walter Young, *op. cit.*, page 31.

³⁵ Walter Young, *op. cit.*, page 33.

³⁶ Allan Kornberg et al., *op. cit.*, page 137.

means by which regions can express their discontent within Canada. Alan Cairns notes that third parties have been able to gain control of provincial governments in Alberta, Saskatchewan, Manitoba and Quebec³⁷ (and we can now include Ontario). This expression, in turn, has taken pressure off the main stream parties to respond to regional demands and to continue playing the brokerage politics game. Importantly, provincial power has provided a power base from which regions can voice their concerns and have the federal government listen. A good example is the Progressive Conservative government of Peter Lougheed in the 1970s and 1980s. Governing with a majority, strengthened by skyrocketing government revenues from record petroleum industry profits and having the country face high petroleum prices upon import, Lougheed's government was in a powerful position from which to deal with the federal government. Ottawa needed Alberta's less expensive petroleum and Alberta had some bargaining power.

Federally, the Progressive movement served as a precursor for the establishment of the Co-operative Commonwealth Federation (CCF). The CCF was able to gain federal seats in the 1930s and maintain representation in the federal Parliament to this day.

While the CCF/NDP has enjoyed a continuous presence in Ottawa, some argue that it has conformed to the rules of the game as defined by the dominant political parties. By

³⁷ Alan C. Cairns, *Constitution, Government and Society in Canada*, (Toronto: McClelland and Stewart, 1988), page 97.

adhering to these rules, the party is destined to remain a minor player. Brodie and Jenson argue that the only way the CCF\NDP could gain power in Ottawa and implement their policy agenda, is by changing the rules of the political game.³⁸ In their opinion, the CCF/NDP cannot operate within the system, as the Progressives attempted to do, in order to bring about substantial change. The current rules favour larger pragmatic parties, such as the Liberals, who are able to build coalitions from groups representing various and often diverse interests throughout the country. Smaller more narrowly-defined parties, such as the NDP, are at a disadvantage for it is more difficult to attract support from diverse groups, that often vary in ideology, while trying to maintain an ideological party focus. In fact, parties have grown to become similar under the current rules of brokerage politics to become competitive. A study conducted in 1990 shows that the public perceives little difference among the major parties in domestic issues.³⁹

Discontent in other areas of the country has also been pronounced. Despite the efforts of the major parties to bargain for Quebec support in forming the national government, third parties also have a history of strength in Quebec. This third party strength can be traced to the cleavages of region, culture and language. David Milne notes that since

³⁸ M. Janine Brodie and Jane Jenson, *Crisis, Challenge and Change: Party and Class in Canada*, (Agincourt: Methuen Publications, 1980), pages 3-10.

³⁹ Richard Nadeau and Andre Blais, "Do Canadians Distinguish Between Parties? Perceptions of Party Competence", in *The Canadian Journal of Political Science*, XXIII:2, (June 1990), pages 330-331.

the English conquest of the French, Quebec's place in Canada has remained an issue because of its striking differences with English culture and language. In fact, when determining the numbers of seats allocated in the House of Commons at the time of Confederation, Quebec's ratio was used as a benchmark in an attempt to preserve French tradition.⁴⁰

As in the west, much of the protest vote in Quebec has been confined to politics at the provincial level. Again, this protest vote releases pressure on the system and offers an instrument by which the concerns of Quebec can be voiced within the system. For example, between 1936 and 1985, third parties ruled Quebec for 32 of 49 years by electing Union Nationale and Parti Quebecois governments. Even over the past 50 years, Quebecers have elected Bloc Populaire and Social Credit members of the Federal Parliament⁴¹ before the slate of Bloc Quebecois MPs elected in 1993.

With strong representation in legislatures, the disenchanting regions of the country were able to articulate their demands on a national level, but economic and institutional developments have placed considerable strain on the system and have again renewed cries for change. Interestingly, some of these cries are new, made by actors who have

⁴⁰ Norman Ward, *The Canadian House of Commons Representation*, (Toronto: University of Toronto Press, 1950), page 23.

⁴¹ Joseph Wearing, *op. cit.*, page 43.

also been historically ill-represented. These demands became especially salient in the 1980s and 90s. In fact, the combination of old pressures and new pressures as well as the societal, economic and institutional changes that happened during this time have had a profound effect on the way Canadian politics will be played.

Over the past several decades, one new source of disenchantment has been minority groups. "For example, the 1960s witnessed the rise of Aboriginal people's and women's groups as important actors on the federal and provincial political scenes. Although both types of groups made claims that were novel, these were accorded a respect...they hitherto had not received."⁴² In the 1960s, however, these groups lacked a political weapon to legitimize their demands. In the 1980s, they received their weapon, the Canadian Charter of Rights and Freedoms.

Minority groups have derived their newly found basis of power from the Charter of Rights and Freedoms. The constitution reinforces the consciousness of these minority groups in a society whose heterogeneity can only increase.⁴³ "By codifying rights and providing a means for enforcing those rights, the Charter has encouraged the political mobilization of certain individuals and societal groups, and has legitimized their

⁴² Allan Kornberg et al., *op. cit.*, page 13.

⁴³ Alan C. Cairns, *Disruptions, Constitutional Struggles, from the Charter to Meech Lake*, (Toronto: McClelland and Stewart, 1991), page 180.

demands on government."⁴⁴ The values reflected by the Charter, including the recognition of the collective rights of language groups, of multicultural groups and of the Aboriginal people have, "greatly expanded the range of constitutional issues and the range of groups prepared to mobilize around them."⁴⁵ These demands are new demands, unlike demands political parties have been forced to deal with in the past.

One minority group seeking power through the Charter is Aboriginal people. Since Canadian political institutions have inadequately represented Aboriginal people⁴⁶, the Charter has armed them with legitimacy for inclusion in the political system. The Charter complements treaty rights, rights protected in Acts, such as those for the Metis in the Manitoba Act, and Aboriginal people's inherent rights as outlined in s. 35.1 of the 1982 Constitution Act. Aboriginal people are demanding "that the political institutions be more representative of the diversity in Canadian society and that the norm of equality be respected and applied more rigorously than in the past."⁴⁷

⁴⁴ K. L. Brock, *Fairness, Equity and Rights*, a draft paper for the Royal Commission on Electoral Reform and Party Financing, (April 25, 1991).

⁴⁵ Richard Simeon, "Why did the Meech Lake Accord Fail?" pages 15-40 in *Canada: The State of the Federation 1990*, Ronald C. Watts and Douglas M. Brown, eds., (Kingston: Queens' University Press, 1990), page 18.

⁴⁶ Roger Gibbons and Rick J. Ponting, "An assessment of the Probable Impact of Aboriginal peoples Self-government in Canada," pages 171-246 in *The Politics of Gender, Ethnicity and Language in Canada*, Alan Cairns and Cynthia Williams, eds., (Toronto: University of Toronto Press, 1986), page 225.

⁴⁷ K.L. Brock, *op. cit.*, page 10.

Several reports have argued for greater Aboriginal autonomy. Hawkes and Morse have suggested Senate reform, guaranteed representation, and an Aboriginal Parliament.⁴⁸

The February 1992 Beaudoin-Dobbie report on a Renewed Canada has included provisions for increased Aboriginal involvement in the political process. Some proposals for constitutional amendment include institutional changes such as guaranteed Aboriginal representation in a reformed Senate. Most importantly, this proposal views representation as a "logical extension of Aboriginal self-government, and the details of this representation should be negotiated with Aboriginal peoples."⁴⁹ These reports acknowledge the legitimacy of the Aboriginal demands as well as recognizing their unique needs.

A second group using the Charter to legitimize their demands is women. Using the Charter as a tool is particularly evident when examining how the face of feminism has changed. Governments recognized the collective needs of women and responded with the creation of special agencies responsible for the status of women.⁵⁰ Initially, these

⁴⁸ David C. Hawkes and Bradford W. Morse, "Alternative Methods for Aboriginal peoples Participation in Processes of Constitutional Reform," pages 165-187 in *Options for a New Canada*, Ronald L. Watts and Douglas M. Brown eds., (Toronto: University of Toronto Press, 1991), pages 178-180.

⁴⁹ Hon. Gerald Beaudoin and Dorothy Dobbie, *A Renewed Canada, Report of the Special Joint Committee on a Renewed Canada*, (Ottawa: Supply and Services Canada, February 28, 1992), page 52.

⁵⁰ Sandra Burt, "Women's Issues and the Women's Movement in Canada Since 1970," pages 111-170 in *The Politics of Gender, Ethnicity and Language in Canada*, Alan Cairns and Cynthia Williams, eds., (Toronto: The University of Toronto Press, 1986), page 111.

agencies represented the interests of predominantly white, middle-class feminists. In recent years, however, "the concerns of women more marginalized from the centres of power", such as the poor and various minority groups, have been surfacing.⁵¹

In witnessing this divergence of interests reflected by the women's movement, weaknesses in the system become apparent. Structures have been unable to effectively articulate and aggregate the interests of women. Women, for example, are under-represented in the political system. In 1984, 14 per cent of all candidates for federal office were female. Less than 10 per cent of these female candidates were elected.⁵² These numbers were reaffirmed in 1993. In effect, it can be argued that the "growth of the women's movement was partly due to the unwillingness of political parties to deal with women's issues."⁵³

While the pressures from the original cleavage structure still exist, the system is also having to deal with a growing number of these new demands. Despite the emergence

⁵¹ Jeri Dawn Wine and Janice L. Ristock, "Introduction: Feminist Activism in Canada," pages 1-19 in *Women and Social Change*, Jeri Dawn Wine and Janice L. Ristock, eds., (Toronto: James Lorimer and Company, 1991), page 3.

⁵² Jane Brodie, "The Gender Factor and National Leadership Conventions in Canada," pages 172-187 in *Party Democracy in Canada*, George Perlin ed., (Scarborough: Prentice-Hall), 1988, page 172.

⁵³ Sandra Burt, *op. cit.*, page 35.

of what Jeffrey Simpson calls a new political culture in Canada,⁵⁴ political parties have still attempted to appease these new sources of concern by playing the old rules of brokerage politics. Brokerage politics has been ineffective. One reason for this ineffectiveness is the lack of economic incentives that the governing party has to offer. The Canadian economy is not strong enough to allow the freer spending of past governments. Beginning in the 1970s, governments have been recording budget deficits, unlike the surpluses of the past. Instead of having the ability to expand present government programs and incentives and add new ones, governments are now forced to make substantial cuts. This circumstance has been enhanced by two recessions in the early and late 1980s. With growing unemployment, government has had to increase welfare expenditures while at the same time, it has had to deal with less tax revenue. Old-style brokerage politics is proving increasingly ineffective. Correspondingly, the cries of discontent are becoming more pronounced.

The inability of the system to solve problems is especially evident with the Quebec question. In the 1980s and 1990s, two federal governments spent concerted efforts to bring Quebec into the Canadian constitutional fold. In 1982, Trudeau could not persuade Quebec to sign the Constitution Act. Determined to succeed where Trudeau could not, Brian Mulroney attempted two rounds of negotiations, with Meech Lake in 1987 (the Quebec round of constitutional talks), and the Charlottetown Accord in 1992,

⁵⁴ Jeffrey Simpson, *Faultlines, Struggling for a Canadian Vision*, (Toronto: Harper Collins, 1993) .

to reach a constitutional reconciliation. Provincial legislatures killed the Meech Lake Accord and a national referendum defeated the Charlottetown Accord proposals. Interestingly, one major reason for the defeat of the Meech Lake Accord was its lack of attention to women's and Aboriginal people's concerns.

What is perhaps most frightening with the events in Quebec is the level of discontent with the current Canadian system. In the past, Quebecers have attempted to encourage change from within the system, while now, they are seeking solutions outside of the system. Most notable is the rise of the separatists. The Parti Quebecois was the first party to seek political power with a platform of sovereignty association. After achieving provincial power in 1976, it worked towards separation from Canada, citing the need to protect Quebec's interests and culture. Like the farmers of the west, Quebecers were also experiencing a distrust with the current system, its main stream political parties and its politicians. Unlike the farmers, Quebecers have complemented their political action with violent terrorist action in the 1960s. Support for change remains strong. Although Quebec separatists lost the 1980 referendum, a significant 40 per cent of ballots cast supported sovereignty association.

The struggle for independence did not end with the referendum. With the death of the Meech Lake Accord, disgruntled Tory MPs from Quebec broke party ranks to form a new political party, the Bloc Quebecois (BQ), designed specifically to speak for Quebecers. Like the Parti Quebecois, they are dissatisfied with the current political

system and the manner in which their interests have been aggregated. Also like the Parti Quebecois, they feel that Quebec cannot work within the current political and social framework and place an independent Quebec as their goal. In the 1993 Canadian General Election, the BQ were able to win 52 of 75 Quebec seats. This represents a major turning point in Canadian politics as Quebecers, who have historically voted for the federal party who were the best "brokers", have now turned to a party intent on separation as their major interest articulator. This situation mirrors that of western Canada's Progressives decades earlier.

Economics has also taken a new role in reinforcing regionalism. Along with the Charter of Rights and the failure to bring Quebec into the constitutional fold, economic factors have also increased the effects of regionalism in Canadian politics. Unlike the development of east-west trading patterns, as Confederation intended, the focus has been on continentalism. Indeed, reciprocity has been a major political issue since Confederation. Since World War Two, Canadian trade has become increasingly dependent on the United States economy. In fact, Glen Williams notes that provincial trade with the U.S. has grown at a faster rate and exceeded levels of trading patterns between provinces.⁵⁵ This economic clout of the provinces and their desire to have greater control over their economic sovereignty has increased regionalism within

⁵⁵ Glen Williams, "Regions within Region: Canada in the Continent", pages 3-22 in *Canadian Politics in the 1990s*, third edition, Michael S. Whittington and Glen Williams, eds., (Scarborough: Nelson Canada, 1990).

Canada. There is perhaps no better example of this discrepancy than Pierre Trudeau's National Energy Policy (NEP), which intended to secure the nation's energy supply. The NEP was perceived by Alberta as an unnecessary intrusion into their resource as well as interfering with the fair market value they could command. It is not coincidence then, that one of the major economic thrusts for the Quebec sovereigntists in their fight for independence is the potential opportunity through free trade, rather than through inter-provincial trade or through economic policy formulated in Ottawa. This desire for provincial control, combined with the problem of central Canadian power manifested through Federal policies and National institutions, has increased regional discontent.⁵⁶

The current economic arrangement is not conducive to the unity of the country. Paul Phillips warns that systemic adjustments must be made. He explains that

"the significance of this (economic) change is that the Canadian government has lost the policy tools to attack the problem of regional disparity, and without the active participation of the central government the hinterland regions are unable to combat the economic forces that produce and reinforce these disparities."⁵⁷

⁵⁶ David Bercuson, *op. cit.*.

⁵⁷ Paul Phillips, "National Policy, Continental Economics, and National Disintegration," pages 19-43 in *Canada and the Burden of Unity*, page 20.

He cites the need for a new national policy to deal with this issue.

This combination of regional and economic disenchantment has also led to the formation of a strong protest party in Western Canada. Unlike the BQ, the Reform Party is attempting to bring about change within the parameters of the current system. Like western protest movements of the past, the Reform Party hoped that change would also occur within current political parties. Originally, the Reform Party "thought that the election of a national conservative government with strong (western) representation would fundamentally alter Canadian politics". But, as Reformers became disenchanting with the outcome and felt neglected by central Canada, they organized to voice their narrower-defined concerns. It is no surprise that 76% of Reform Party members identified themselves as disgruntled Progressive Conservative supporters.⁵⁸ Correspondingly, they advocate right-wing economic policies like the federal PCs. Unlike the federal PCs, however, their concerns revolve around interests of the west. Like the BQ in Quebec, the Reform Party also enjoyed electoral success in the 1993 general election winning 50 seats, all but one in western Canada.

The new demands of the past few decades have profoundly changed the Canadian political culture and casts doubt as to whether the current system can meet society's demands. Canadians, however, are expressing their discontent and their demands

⁵⁸ Murray Dobbin, *Preston Manning and the Reform Party*, (Toronto: James Lorimer and Company, 1991), pages 73, 74 and 216.

within the constraints of the current system. Garth Stevenson warns, however, that these expressions, primarily in the form of the establishment of and strong support for the BQ and Reform Parties are the result of a low level of stability in the system. There are highly unstable groups in Canada, he adds, who are unhappy with the current system and its ability to articulate their interests.⁵⁹ Many commentators argue that these changes are here to stay, identifying "tribalism" and "confrontation" as the new buzzwords of the Canadian political culture. If the current system cannot meet the demands placed on it, the system will have to change.

In France, Maurice Duverger observed that a multiparty system results from irreconcilable antitheses, or conflict, within a society. Segments of the society contain demands or concerns that are so deeply engrained that they form a political party to protect and/or articulate their interests. With such a narrow focus, many parties begin to emerge.⁶⁰ This contrasts with the "catch-all" attitude of traditional Canadian political parties who try to "broker" for support. As similar, narrowly-focussed parties emerge in Canada in the 1990s, however, questions remain. Will Canada become a multi-party system? Is a multi-party system the most effective way to express Canada's numerous voices? Will the current first-past-the-post electoral system allow adequate representation for these voices in the party system?

⁵⁹ Joseph Wearing, ed., *Strained Relations: Canada's Parties and Voters*, (Toronto: McClelland and Stewart, 1988), page 59.

⁶⁰ Maurice Duverger, *Political Parties*, (London: Methuen, 1964), page 239.

Even with the gains of regional protest parties in the 1993 election, manifestations of a flaw in the first-past-the-post system still exist. The percentage of popular vote attained by the political parties across the country are still distorted relative to the number of seats each party won. There is still a need in the system to accurately reflect the will of the people in the House of Commons. The current system, although it has existed since Confederation, has within it, a significant amount of stress. What Canada needs, this paper argues, is an electoral system that can translate voter percentages into a corresponding number of seats, while accurately expressing the concerns of the nation and its various constituencies. Such a system should decrease the amount of stress and increase the political stability of the system as a whole.

Chapter Two

Looking for an alternative electoral system to apply effectively to the Canadian context is not easy. One cannot simply take a system that has been successful in one country and automatically assume that it will be successful in another. Each country brings its own culture and flavour, based on its history, cleavages, and institutions. These factors must be taken into account when first selecting then applying a new electoral method to a different country.

This chapter will first discuss different electoral systems employed in various countries around the world today. Second, this chapter will advocate that the German system would be a more appropriate model than some of the alternatives to apply to the Canadian context to make the Canadian situation more representative and effective. To understand the political system and the electoral methods employed in Germany today, this chapter will discuss why the German electoral method is effective, flexible and representative and would be an electoral system that would be effective if applied to Canada. This chapter will discuss the cleavages that make up the political and social culture of Germany. Because the German political and electoral systems are, in part, products of German history, the chapter will also provide brief historical background. The Basic Law of 1949 will be discussed. The chapter will outline the electoral method employed in Germany today and the party system that has since evolved.

Today, the electoral systems in use in representative democracies can be divided into

two basic groups, the majoritarian systems and the proportional representation systems.

Majoritarian electoral systems are those characterized by winning candidates having attracted the most votes in an electoral district. The type of majoritarian system most familiar to Canadians is the single member plurality system. This form has its roots in the British parliamentary system. One representative is selected from one electoral district. The candidate that receives a plurality of the votes, ie. more than any of the challengers but not necessarily a majority of the votes, wins the seat. Because of its nature, it is often referred to as a "first-past-the-post" or "single-member plurality" system. This system is found in Canada, the United States, New Zealand and Great Britain.

Another type of majoritarian system is the multi-member plurality system. This system is similar to the single member except that more than one member is sent to represent a constituency.

A third type of majoritarian system is the single-member majoritarian system. Here, single members are selected to represent a constituency. The difference with the plurality system is that the winner must achieve an absolute majority of the votes cast. There are two ways to conduct the election. The first is by employing an alternative vote, or preferential voting system, whereby voters rank order their preferences. If, after the first count, no clear winner emerges, the candidate with the least number of

votes is dropped with his/her votes being distributed according to the second choice. If there is still no clear winner, the process continues. A second way to choose a winner is by having more than one ballot, also called the two-ballot or second-ballot system. Voters are asked to select one candidate on the first ballot. If there is no clear winner, a second ballot takes place with the two candidates that secured the most votes in the first ballot. This system is used in France.

Many countries employ a proportional representation electoral system . This system is designed to offer seats to parties in direct proportion to the amount of popular vote received. PR systems are now the most frequently used electoral system in western democracies.

One type of PR system is the Party List. In this system, voters express support for a particular party. The number of seats achieved is directly proportional to the percentage of popular vote attained. For example, if a party gets 30% of the popular vote, then it would send 3 of a total 10 representatives to the legislature. The names of the representatives would usually be derived from party lists, determined before the election. The top three names would be offered the seats. Israel is one example of a country that utilizes this system.

Some countries, such as Switzerland, use a variation on the party list. These countries offer the voter the choice of candidate as well. This is to help circumvent the power of

political parties in forwarding candidates of their choice, without voter approval. One form allows voters to select names from a list from one party alone. The second form, like that in Switzerland, offers voters the opportunity to select their representative, regardless of party. Parties are allocated seats based on popular vote received.

There are three basic formula used in PR systems to allocate the number of seats attained from the popular vote. The first is the largest remainder system. Under this system, a quota is selected. The "Hare" quota, for example, is determined by dividing the number of votes cast by the number of seats to be filled. Other quotas such as the Hagenbach-Bischoff and the Droop quotas offer slight variations. This quota is used to determine how many votes are needed to gain one seat. If, for example, five seats are to be filled and there are 40,000 votes, the quota needed to gain one seat would be 8,000 votes. In a second step, the remaining seats, if any, are allocated based on which party or parties have the highest number of votes.

A second method to allocate seats is the highest average system, also called the d'Hondt version. This system divides the party's total number of votes by divisors and allocates seats to them in descending order of the quotients. Parties with the highest remaining quotients would receive seats in order. Party A with the highest quotient would receive the first seat, party B with the second highest quotient would receive the second seat and so on. This system has been criticized because it does not always provide a large measure of proportionality.

A third method to allocate seats is the highest average system, otherwise referred to as the Sainte-Lague and modified Sainte-Lague versions. These versions are similar to the d'Hondt but do not use 1.0, 2.0, 3.0, 4.0, etc. as divisors. These versions use 1.0, 3.0, 5.0, 7.0, etc. or 1.4, 3.0, 5.0, 7.0 as in the Scandinavian countries. This modified divisor tends to favour medium size parties in a multi-party system. Other methods combine the ones noted above.

An alternative to the party list system of PR is the single transferable vote system (STV). This system emphasizes the individual candidate rather than the general party. Voters rank order their choice of candidates. To be declared the winner, the candidate must win a minimum threshold of first place selections. Once the threshold is reached, the candidate is elected and its "surplus" votes are redistributed. A second count takes place. If any candidate achieves the threshold, he/she is elected. This process continues until all vacant seats have been filled. The STV system is used in Australia, Malta and Ireland.¹

Those in favour of the majority electoral system list the following as advantages. They note that the system tends to result in clear majority governments which offers strong, decisive government. The majority system maintains accountability of members and

¹ The above descriptions of the majoritarian and proportional representation electoral systems have been derived from:
Brian O'Neal, *Electoral Systems*, Background Paper, Political and Social Affairs Division, (Ottawa: Library of Parliament, May 1993), pages 3-11.

fosters strong political parties. The relationship between the member and the constituency is clear and closer than in PR. Lastly, the system is simple and easy to understand.

The disadvantages of the majority electoral system have been outlined to some extent in the first chapter of this thesis. Basically, the major disadvantage is that this system does not allocate seats to parties on a representative basis proportional to percentages of the popular vote. This often leads to governments winning larger majority governments with a smaller popular vote than would be expected. For example, in 1984, Brian Mulroney won the largest majority ever in Canadian history. He won 211 of the 282, or approximately 74% of House of Commons seats with only 50.03% of the popular vote. This problem has been particularly acute in Canada, a country that prides itself on its cultural and geographic diversity. Not all segments of the population are represented effectively and this has produced a tremendous amount of strain on the system and its stability.

Arguments supporting a proportional representation electoral system include the following. There is a definite fairness of representation in the legislature as seats are allocated in direct proportion to votes cast. There is also an improved representation of women and other under represented groups. Ambiguity in voting is eliminated. There is no question if you are voting for the party or for the individual. There is a greater number of candidates, opening up the political process and making it inherently more

democratic. The third parties and other smaller parties can enjoy improved representation. There is an effective opposition in the legislatures. The system also allows fairer representation by regions and facilitates cabinet formation.

The major disadvantages of the PR system include the following. There would be a greater chance of electing minority governments and a problem of accountability in coalition governments. There could also be a possibility of members being selected from the same geographic centre that could neglect some regions.²

This thesis is proposing instituting a PR electoral system to Canada to increase inclusiveness. More segments of the population and the regions would be more effectively represented under PR. Also, instead of the current adversarial nature of Canadian politics traced to the British tradition, PR would encourage a consensual style of politics. Coalition building both within the political party and within groups and regions in Canada would increase. This would be particularly important considering the diversity in this country. A PR style would encourage participation by smaller parties, allowing more interests to be articulated. With a more representative method of transferring votes into seats, drastic swings, such as the one that nearly wiped out

² the discussion of advantages and disadvantages of both majority and PR electoral systems come from:
Territorial Proportionality, A Fair Approach to Voting, Report of the Commission on Electoral Representation, (Quebec City: Province of Quebec, 1984), pages 63, 66, 67.

the former ruling Progressive Conservatives in 1993, would be avoided. Only Canada, the United States, New Zealand and Great Britain use the rigid FPP electoral method. Other countries have adopted some form of PR, for the reasons stated above.

The specific electoral system that this thesis advocates as an alternative for Canada is the German system. The German electoral system provides a good model for several reasons. Firstly, the German system is a mixed FPP-PR system that draws from strengths of both systems. By balancing the two electoral systems, their weaknesses are also less evident. Voters are allowed both a constituency representative and also party representatives selected on a proportional basis. The number of parties is increased allowing greater participation but the number of parties in the system is manageable, thanks to the inclusion of a threshold needed to gain representation. Coalition governments are common but are formed with two parties, usually sharing some principles or platforms. This situation provides strong, stable government. There would not likely be a situation with a large number of parties involved in a coalition. The system also allows greater regional representation.

Secondly, Canada and Germany share similarities in institutions and in cleavage patterns. Both countries are federal in structure and have federal upper and lower houses with strong regional governments. As well, the changes to the electoral system would not be total. The mixed FPP-PR system would build on the existing FPP framework and boundaries. Some of the same cleavage characteristics have affected

politics in Canada as well as Germany. Both have attempted to accommodate regionalism and other culture specific characteristics. In Canada, these include linguistic characteristics and in Germany, these include religious characteristics. The German system has been more successful in accomodating problems associated with cleavages, however. These similarities would allow the German electoral system to be applied to Canadian context in a relatively easy fashion.

In order to analyse the effectiveness of a political system, a background of the political culture is a necessity. This background helps to assess whether or not the 'rules of the game' work effectively with societal makeup and demands. A good starting point is to examine the cleavage pattern, or major forces at work, that have an effect on societal or political behaviour in a particular country.

Canada and Germany have both had to deal with complex, mutually reinforcing cleavage patterns. Both have enjoyed success but both have also experienced stability-threatening failure in dealing with the demands or inputs these forces have placed on the decision-making system. Germany has historically experienced failure and has modified its system successfully to allow a greater degree of representation and effective interest articulation. This success has, in turn, moderated the negative effects and potential systemic instability that could result. Canada, on the other hand, has not dealt successfully with these forces. As a result, many of the serious problems that have historically threatened to separate the country are still facing the nation today.

Before discussing the specifics of the current electoral system and its applicability to Canada, it is imperative to provide some background on German cleavages, its history and its constitution of 1949. Over the last few hundred years in Germany, specific cleavages can be identified as having an impact on societal interest articulation and on corresponding effectiveness of the political system to respond to demands.

One major cleavage is class and its ties with ideology. This was particularly evident in the 1800s with three major forces at work: the rise of the working class; the importance of the liberal merchant middle class; and the traditional conservative elite. In some cases the conservative elite defended the divine right of princely power. The workers in Germany never achieved power and the liberals were unable to gain concessions in the late 1800s and early 1900s. Instead, these groups supported measures that surrendered their religious and political liberty.³ This inability of the working class and liberals to achieve power at a time when their peers in neighbouring countries were playing a larger role in changing the way political decisions were made, combined with the continuing strength of traditional elites, affected the development of the party and political system in Germany. The current system illustrates remnants of all three groups but, in recent history, these forces have played an integral role in both the success and in the failure of the German political system.

³ Richard Hiscocks, *Democracy in Western Germany*, (London: Oxford University Press, 1959), page 14.

A second major cleavage is rural/urban. This cleavage is of particular interest in the predominantly rural strongholds of the east, such as Franconia, Northern Hesse or North Wurttemberg.⁴

Related to the rural/urban factor is regionalism or nationalism. Before unification in 1871, Germany consisted of individual principalities. After 1871, some political parties persisted, particularly in Bavaria, Wurttemberg and Hanover. Modern German political parties, especially, those which Otto Kirchheimer calls, the "catch all" parties such as the CDU have been effective in appealing to these regional constituencies; however, parties such as the Bavarian Party and the German Party of Lower Saxony have demonstrated electoral strength.⁵

A fourth feature defining political culture in Germany is religion. The two major groups in Germany are the Catholics and Protestants. Again, this cleavage played a divisive role in the 1800s. The differences are evident, for example, in the unwillingness of the Catholics to trust the Prussians. Today, religion plays a smaller role in German politics. Although the CDU/CSU still enjoys the support of a majority of Catholics, for example, Catholic support has swung to other parties, such as to the

⁴ Klaus von Beyme, *op. cit.*, page 49.

⁵ *Ibid.*

SPD in the 1960s.⁶

Along with Canada sharing a similar cleavage structure with Germany, another reason for adapting Germany as a model of study is that "German politics offers the student a laboratory in which to study political change. Within the last century not only specific governments but also the entire regime or form of government has been subject to frequent and sudden change."⁷ This following section will outline systems in Germany that preceded the current one, and demonstrate how the system based on the 1949 Basic Law has improved on its historic weaknesses. The section will offer brief historical background including the Weimar Republic which collapsed with World War One, the resulting 1919 republic and its replacement by a Nazi dictatorship in 1933 and its subsequent replacement with two German states, to unification in 1989.

According to David Eastman, for a political system to be effective, government must be able to take societal or cultural inputs, analyze them and then deliver appropriate outputs. Although several other factors play a role in this process, the basic premise holds true. Germany has gone through several systems of government, basically

⁶ David P. Conradt, "The West German Party System: An Ecological Analysis of Social Structure and Voting Behaviour, 1961-1969", in *Sage Professional Papers in Comparative Politics*, vol 3, (Beverly Hills, CA: Sage Publishing, 1972), page 25.

⁷ David P. Conradt, *The German Polity*, fifth edition, (White Plains: Longman, 1993), page xxi.

because of a "lack of compatibility between the political system and the political culture of Germany".⁸ Although Tony Burkett is commenting specifically about Weimar, this thesis argues that this reason holds for other systems, as well. Despite failures of previous systems, all have contributed to the effectiveness of the current political system.

With the pressures of World War One, political tensions in Germany weakened the Second Reich, leading to the formation of the Weimar Republic (1919-1933). This republic saw compromise by the ruling elites, allowing Germany to experiment with liberal democracy. The Weimar Republic built on the strengths of and allowed for the weaknesses of its 1871 predecessor.

One strength of its predecessor was its creation of a bi-cameral structure of government that gave increased representation to various segments of society. This change provides the basic structural framework for the government of today. Weimar offered more democratic powers, complementing the nature of its structures. The Republic instituted proportional representation (PR) electoral system, universal suffrage and provisions for referenda. It also transferred civil rights protection to national government from the regional governments. One weakness of Weimar's predecessor was the virtually unchallenged "monarchical" powers of the Chancellor in a society attempting to be

⁸ Tony Burkett, *Parties and Elections in West Germany, The Search for Stability*, (London: C. Hurst and Company, 1975), page 12.

increasingly democratic. Weimar clearer defined the powers of the Chancellor.

Along with an economic downturn and German defeat in WWI, however, the Weimar Republic also demonstrated systemic weaknesses in its ability to handle societal inputs. One weakness was the specific PR electoral method used. While allowing a wide range of representation, the method began to have an adverse effect on the working of government. It allowed too many parties to participate. In 1930, for example, 15 different parties had won representation in the Reichstag. This multiplicity of parties resulted in wide ideological diversity and a lack of ability to govern effectively. Parties were too narrowly defined, either by ideology, issue, or both. To form a government, 50.1 per cent support is the minimum needed for a majority. Building a coalition when power is dispersed among as many as 15 parties is a difficult task. Even more difficult is holding the coalition together when decisions and compromises are made.

This diversity of political parties was also a major reason for the collapse of the Weimar Republic. There were too many inputs for the society to deal with. The system was arguably too liberal for its time, at least for its time in Germany, which maintained a strong, underlying conservative element. "German political and interest-group organizations, and especially the leader who guided them, were not well adapted to functioning within a democratic system. Unduly influenced by outdated ideological systems and/or narrow concern for special interest, they were unable to grow beyond their earlier subordinate positions and to produce leaders who could define, shape, and

confront the larger issues."⁹ The elites were most active in expressing their antagonism toward this new "liberal" political climate.¹⁰ While the conservatives were unwilling to adopt parliamentary democracy and allow political power to the left, they unknowingly allied themselves with a leader who would seize the moment and precipitate Weimar's collapse - Adolf Hitler. ¹¹

Burkett notes that, in the end, the viability of a political system is just as dependent on the link that binds the people to their political system as it is to institutions and economics. "Passive or active the legitimate acceptance of a state and its laws is usually based on the nation's political culture - its beliefs, values, attitudes and norms which in turn are part of its overall social culture...Weimar failed because its political and social values were at variance with the form of the state; the electoral system encouraged a plethora of parties and the social cleavages which divided them. This led to parliamentary instability, executive weakness and the growth of radical and non-democratic movements...This experience was enough to deter Germany's new democrats from making the same mistakes again. The new system they evolved was to have constitutional devices to strengthen the executive and reduce the political effects of regional, economic or religious cleavages."¹²

⁹ Heidenheimer, *op.cit.*, page 25

¹⁰ Burkett, *op.cit.*, page 4.

¹¹ Heidenheimer, *op.cit.*, pages 24-25.

¹² Burkett, *op.cit.*, pages 32-33.

After their defeat in WWII, the Germans set out to devise a system that would remedy problems inherent in previous political systems. The process to achieve this end was not simple or easy. The resulting political, economic and social system is, in large part, due to two dynamics. The first is the negotiating between the four occupying powers after World War Two: the United States of America; the Soviet Union; France and Great Britain. The second dynamic is the visionary leadership of Konrad Adenauer.

To understand the emergence of the current West German political system, it is imperative to examine the circumstances surrounding the birth and designed purpose of West Germany. After the war, Germany was devastated physically and psychologically. In *Doktor Faustus*, Thomas Mann described the Germany which emerged immediately after the war with its predecessor.

At that time (he wrote) Germany, with her cheeks feverishly flushed, reeled drunkenly at the height of her empty triumphs... Today, girt round with demons, a hand over one eye but staring with the other into horrors, she plunges from despair to deeper despair. When will she reach the bottom of the abyss? When, out of the ultimate hopelessness, will the light of hope dawn, a wonder that passes all belief?¹³

Because of the vacuum created by this despair, the Allies were eager to take control

¹³ Gordon A. Craig, *From Bismarck to Adenauer: Aspects of German Statecraft*, (Baltimore: The Johns Hopkins Press, 1958), page 124.

and generate stability in the region. The major question was which political, economic and social system would take root. At this time, Germany was divided into four occupied zones, each controlled by a different country and each offering a different plan for renewal. Under the Potsdam Agreement of August 1945, three of these countries, the United States of America, the Soviet Union and Great Britain, agreed, in order to facilitate recovery in Germany, that the four occupied zones be treated as a single economic unit.¹⁴

The division of Germany took place for several reasons but two that were dominating concerned the reconstruction of the economy and the satisfaction of reparations claims.¹⁵ The first can be explained by the Communist Soviet Union differing from the other three on fundamental ideology. The second can be partially explained by the reluctance of the Soviet Union to offer an accounting of products and materials they were taking from their zone, as requested by the other three countries. The other three countries also insisted on common utilization of resources and on import-export conduct for the whole of Germany.¹⁶ The Soviets refused to comply and a division resulted.

¹⁴ James K. Pollock, Henry L. Bretton, Frank Grace and Daniel S. McHargue, *German Democracy at Work*, (Ann Arbor: The University of Michigan Press, 1955), page 1.

¹⁵ John Ford Golay, *The Founding of the Federal Republic of Germany*, (Chicago: The University of Chicago Press, 1965), page 1.

¹⁶ *Ibid.*, page 3.

While the other three countries shared some common concerns and objectives towards the rebuilding of Germany, there was not agreement on how to reach their goals. The Americans and British shared a common view of German renewal and stressed reconstruction of the economy. To this end, in 1947 they united their zones under joint administration by American and British military representatives. In this administrative venture, the Americans and British included indirectly elected Germans to assist. At this point, a political structure was also beginning to form. To avoid another strong nationalist movement, the allies were attempting to establish strong regional governments. They, however, also established central administrative agencies for economics, food and agriculture, transport, communications, civil service, and finance, acting under military supervision.¹⁷

It was on this point that France, the fourth occupying country, was in opposition. Its government was particularly concerned over the establishment of central German authority. France wanted controlled supervision of German post-war development. "The French repeatedly vetoed moves by the other three powers to establish central German administrative agencies, on the ground that this would prejudice settlement of the question of control of the Ruhr and the Rhineland and the future organization of government in Germany. Self-government in Germany, they held, should be resumed first at the local and state level and be restored at the center only at a later stage and

¹⁷ *Ibid.*, page 4.

under restricting conditions."¹⁸ These concerns were addressed at the 1948 London Conference, which brought trizonal fusion and the establishment of a West German government, but only after concessions were made by both sides. The Americans and the British maintained the idea of a relatively effective central government but the French gained some limits on that authority and requested strong powers for the Lander.

A second dynamic that heavily influenced the shape of today's Germany is the leadership of Konrad Adenauer. As with other countries losing a war, Germany's fate was dictated by others. In this case, the allied forces defined zonal boundaries and constitutional details. Unlike other defeated countries, however, Germany was able to grow at an alarming rate and with a level of cooperation and confidence by its former adversaries unseen arguably at any other point in history. This was in large part due to the vision and progressive leadership of Konrad Adenauer.

Adenauer led West Germany with a policy described as "a blend of strategic realism and high-minded idealism".¹⁹ With this, he intended to lead his country from the depths of destruction and into the modern world. To achieve this end, Adenauer

¹⁸ *Ibid.*, page 4.

¹⁹ Gordon Craig, *op. cit.*, page 137.

advocated cooperation with the allies and, for the time being, the downplaying of reunification. The following quotation summarizes the circumstances surrounding Adenauer's strategy.

He (Adenauer) might have decided to devote all his energies to pursuing the idea of national unity and seeking the liberation of the seventeen million Germans in the soviet zone. But, in 1949, the problem of reunification seemed less pressing than it does today, partly because recent Soviet actions made any accommodation seem impossible (the Berlin blockade was fresh in memory), partly because the questions that affected most citizens of the Federal Republic were bound up with the penalties still imposed on Western Germany by the Allies. It even seemed possible that any real attempt to press the reunification issue in 1949 might actually aggravate those problems, by annoying the British, by alarming the French, and even by reducing the Marshall aid upon which the German people were so dependent.²⁰

With his leadership geared toward the Allies, Adenauer faced much opposition from his fellow countrymen. Several opponents advocated German nationalism. The strongest of these advocates was Kurt Schumacher, the leader of the SPD. In the Weimar Republic, the SPD were outflanked by the right in appealing to public sentiments of nationalism. This time, Schumacher was determined to lead on this position.²¹ Unfortunately for Schumacher and the SPD, public sentiment was with Adenauer on the issue of Germany's place within a changing Europe. Schumacher's position was further weakened with his party geographically losing areas of socialist

²⁰ *Ibid.*, page 136.

²¹ Kitzinger, *op. cit.*, page 8.

support to the Soviet occupied zone. The loss of this voter base along with public support swaying to Adenauer resulted in electoral defeat for the SPD. After achieving electoral power, Adenauer and the CDU/CSU controlled the legislative agenda and the direction of West Germany.

With allied agreement and strong internal leadership, Germany developed political stability. At the same time, the ideas encompassed in its constitution were coming to fruition. The Basic Law was designed to accomplish several objectives. Among these objectives were: a decentralization of the basic governmental system which divided power between the central and Land governments, a clearer set of rules to define the process of government in order to curb the abuse of power by one man, a limit on the power of the executive, especially the President, making him/her more accountable to the democratically elected and representatively appointed structures of government, and an electoral method designed to reflect the diversity of German society but also an electoral method that limited an overwhelming myriad of various political and societal interests to the point of inhibiting effective government.

To achieve a representative, yet effective government, Germany did not abandon the successes of Weimar. Instead, they opted to modify them. U.W. Kitzinger noted that West German electoral law "is an attempt to get the best of all possible worlds: and in a surprising measure it succeeds. It is designed to meet the chief objections levied both

against single-member constituencies and against proportional representation; and it squares the circle by a system of 'personalized PR'" ²²

The German electoral system was initially drafted to include the following three important points:

1. it attempted to establish a link between a locality and a member of the Bundestag, by allotting two-thirds of its composition to be selected by a relative majority in single-member constituencies;
2. in 1953, the electoral system added a second ballot to avoid a potential grossly unrepresentative Bundestag, one weakness of the pure "British" First Past the Post (FPP) system. The remainder of the lower house is filled based on proportional representation where the number of seats is allotted based directly on the percentage of popular vote attained. Members are selected from party lists. Party lists are devised by the Lander party officials which would, in effect, offer a form of representation from both levels of government in the federal structure; and
3. to institute a 5% threshold of popular vote required to achieve representation in governmental decision making structures. This would circumvent Weimar's problem

²² U.W. Kitzinger, *German Electoral Politics, a Study of the 1957 Campaign*, (Oxford: At the Clarendon Press, 1960), page 17.

of an overrepresentation of parties.²³

In practise, there have been few changes in the working of the German electoral method over the past 40 years. One major change, however, is the number of seats selected by a relative majority in single-member constituencies. This number has decreased from 2/3 to 1/2 of total seats.²⁴ The remainder are still drawn by PR from party lists. In 1983, there were 248 constituencies ranging in size from 120,000 to 220,000 electors.²⁵ In 1990, Germany was divided into 328 single-member constituency seats and an additional 328 Bundestag seats were allocated for members elected by PR.

Since the institution of the Basic Law, there have also been some minor changes to the five per cent threshold. One change allows a party representation in the lower house with less than 5 per cent of popular vote if that party has attained at least three seats on its first vote.

A second change saw the 5 per cent threshold waived during the 1990 election, the first election of a unified Germany since 1932, to allow parties from the former East

²³ Kitzinger, *op.cit.*, page 18.

²⁴ William E. Paterson and David Southern, *Governing Germany*, (Basil: Blackwell, 1991), page 184.

²⁵ von Beyme, *op.cit.*, page 26.

Germany to gain representation. While parties, such as the Party of Democratic Socialism (PDS), were strong in the former East Germany, winning 10% of the popular vote in 1990, that figure only represents 2.4% of the popular vote nationwide after reunification. Instead of not being allowed any representation under "normal" rules, this one time exemption to the minimum 5% threshold allowed the PDS its 17 seats.

The selection of representatives involves giving the elector two votes. The first vote is cast for a specific individual which decides who wins the constituency seat. These ballots are counted within each constituency. The second vote is cast for the party and it is from this vote that the PR seats are distributed. The allocated number of members per Lander are selected from previously drawn rank-ordered party lists.²⁶

The following illustrates a German ballot whereby the column on the left denotes the candidate for the single-member constituency. The column on the right allows the

²⁶ David P. Conradt, *The German Polity*, fifth edition, (White Plains, N.Y.: Longmans, 1993), page 124.

voter a party selection.²⁷

Stimmzettel

für die Bundestagswahl im Wahlkreis 129 Fritzlär
am 3. Oktober 1976

Sie haben 2 Stimmen

hier 1 Stimme
10r die Wahl
eines Wahlkreisabgeordneten
(Erststimme)

hier 1 Stimme
10r die Wahl
einer Landesliste (Partei)
(Zweitstimme)

1	Dr. Kreuzmann, Heinz Reg.-Direktor a. D. Boiken Kellerwaldstraße 7	SPD Sozialdemo- kratische Partei Deutschlands	<input type="radio"/>	<input type="radio"/>	SPD Sozialdemokratische Partei Deutschlands Leber, Bömer, Frau Dr. Timm, Matilöfer, Wuttke	1
2	Stahlberg, Hermann Prokurist Fritzlär 1 Paulstraße 3	CDU Christlich Demo- kratische Union Deutschlands	<input type="radio"/>	<input type="radio"/>	Christlich Demokratische Union Deutschlands Dr. Dregger, Zink, Dr. Wallmann, Dr. Schwarz- Schilling, Frau Dr. Watz	2
3	Kohl, Heinrich Staatssekretär Frankenau 1 Bärenmühle	F.D.P. Freie Demokratische Partei	<input type="radio"/>	<input type="radio"/>	Freie Demokratische Partei Mischnick, Wurbe, von Schoeler, Hoffla, Dr. Solma	3
			<input type="radio"/>	<input type="radio"/>	AUD Aktionsgemeinschaft Unabhängiger Deutscher Schlingelhof, Frau Fleißig, Krauß, Frau Bomke, Dolenschall	4
			<input type="radio"/>	<input type="radio"/>	AVP Aktionsgemeinschaft Vierte Partei Dr. Consillus, Kayser, Hambech, Dr. Lips, Frau Pesina	5
6	Pschera, Otto (jun.) Elektrinstallateur Burgwald-Bottendorf Wolkersdorfer Str. 21a	DKP Deutsche Kommunist ische Partei	<input type="radio"/>	<input type="radio"/>	Deutsche Kommunistische Partei Mayer, Knopf, Frau Dr. Weber, Schröder, Frau Schuster	6
			<input type="radio"/>	<input type="radio"/>	EAP Europäische Arbeiterpartei Frießecke, Frau Leffek, Schauerhammer, Rumpf, Frau Horn	7
			<input type="radio"/>	<input type="radio"/>	KPD Kommunistische Partei Deutschlands Harterich Horiemann, Frau Koch, Beck, Dr. Schneider	8
			<input type="radio"/>	<input type="radio"/>	KBW Kommunistischer Bund Westdeutschland Klocke, Frau Mönich, Koenen, Geike, Ohmer	9
10	Hoffmann, Ralph Student Gießen Großer Steinweg 21	NPD Nationaldemo- kratische Partei Deutschlands	<input type="radio"/>	<input type="radio"/>	NPD Nationaldemokratische Partei Deutschlands Quintus, Dr. Buck, Frau von Woizogen, Dr. Anrich, Fuhirott	10

Seat totals are determined using the Neidermeyer method (introduced in 1984, before which the D'Hondt formula was used) whereby:

²⁷ Paterson and Southern, *op.cit.*, page 183.

Party's total # votes X # of seats available

total # of votes of all parties polling > 5% of popular vote ²⁸

This formula will allocate all the seats in the lower house to the appropriate political parties. If a party fails to achieve the 5 per cent threshold, its mandated seats are given to parties that have secured parliamentary representation.

"Once each party has been allocated its share of the seats in the Bundestag, its votes are divided up into Lander totals and the Neidermeyer calculations are used to determine how many of these seats each party is entitled to in each Lander. The number of seats that each party has won in the constituency elections is then subtracted from the total entitlement in each Lander and each party is then allocated additional seats from their party list to make up the total number."²⁹ For example, if a party is allowed 20 seats in Lander X and it has been determined that 13 constituency members have already been elected by that party in Lander X, the party adds the remaining 7 members it is allocated by taking the first seven names from its party list.

The following table outlines the results of the last two German Bundestag elections in

²⁸ Paterson and Southern, *op.cit.*, page 184.

²⁹ *Ibid.*

1990 and 1994.

Coalition	1994		1990	
	%	seats	%	seats
CDU/CSU	41.5	294	43.8	319
FDP	6.9	47	11.0	79
Opposition				
Social Democrats	36.4	252	33.5	239
Greens	7.3	49	5.1	8
PDS	4.4	30	2.4	17
Republicans	1.9	0	2.1	0
Others	1.7	0	2.1	3

Often, the total number of seats in the lower house fluctuates. Because of the flexibility of the German electoral system, a party can achieve more seats than the total for that Lander. This situation occurs when "a party gained more seats on the first vote than the share of seats it would have won with the second vote. The number of extra seats gained by each party was determined by the difference between their showing in the first and second votes."³⁰ For example, in 1987, the CDU won 36 of 37 total constituency seats in Baden-Wurttemberg. The party also garnered 46.7% of the list votes, entitling it to 35 of the Lander's 74 seats. However, the CDU had already gained in excess of the allowed 35 seats. In this case, the extra seat is added to the

³⁰ *Facts on File*, (October 20, 1994), page 780.

party's total Bundestag number.³¹ The total number of seats in the Bundestag is expanded correspondingly. In 1990, for example, the CDU was awarded an extra six surplus mandates (Uberhang-mandates). In the 1994 election, 16 seats were awarded in this manner with the CDU gaining nine and boosting the number of seats in the Bundestag from 656 to 672.

One notable advantage of the German system is the opportunity to exercise "tactical voting". Because an elector casts two votes, there has been a rise in "vote splitting" whereby one vote is cast for one party, and the second for a different party. This was particularly evident during the SPD/FDP coalitions whereby electors could usually vote for the SPD with their first and the FDP with the second vote, expressing qualified support for one party, and/or expressing a preference for a coalition government³² The FDP has traditionally been the party holding the balance of power in a coalition government and has supported both the SPD and the CSU on separate occasions. It is not surprising then that the FDP also receives its greater support on the second ballot. In the 1990 German election, the FDP received 7.8% of the votes on the first ballot and 11.0% of popular vote on the second. In contrast, the SPD achieved 35.2% of support on the first ballot and 33.5% of support on the second ballot.

³¹ Leslie Sykes, *Proportional Representation Which System?*, (Leicester: The Hornbeam Press, 1990), 64.

³² Paterson and Southern, *op.cit.*, page 182.

Germany's mixed FPP-PR electoral system also encourages representativeness in a way that the Canadian electoral system does not. One way is through the party machinery. The Basic Law requires that parties be internally democratic. The selection of candidates demonstrates this. To run in a constituency, a candidate must be selected by the local constituency selection conference. For a candidate to be on a party list, the Lander delegate conference that draws up the rank-ordered list, must approve. Party procedures for selection can vary by party and by Lander. Generally, the process has proved to be relatively open and representative on an individual level. For instance, many groups, such as women are well represented as candidates in all areas and by all parties.³³

This representativeness stands in contrast to Canadian elections. There have been recent complaints and studies demonstrating that women are often under-represented and, when they are selected to run, they are often nominated in constituencies as a token or where they have only a remote chance of winning. Also, grassroots selection processes have also been vetoed by party executives in Canadian elections that have affected the representativeness of the candidate. A recent example comes from the 1993 Federal election where in visibly ethnic areas of Toronto the grassroots ethnic candidate was defeated or his nomination was overruled by the party executive in place of their preferred candidate, almost always a stereotypical white, Anglo-Saxon,

³³ Kitzinger, *op.cit.*, page 71.

Protestant.

The German electoral system not only allows greater representativeness for the candidate but also for the political party. Often in first-past-the-post elections, as noted, a party can only gain seats if a candidate wins a constituency seat.

Unfortunately smaller parties that can gain a significant percentage of the popular vote yet not win a seat remain without representation. If this were the case in Germany two significant parties that represent clear societal voices would have arguably been weakened long ago.

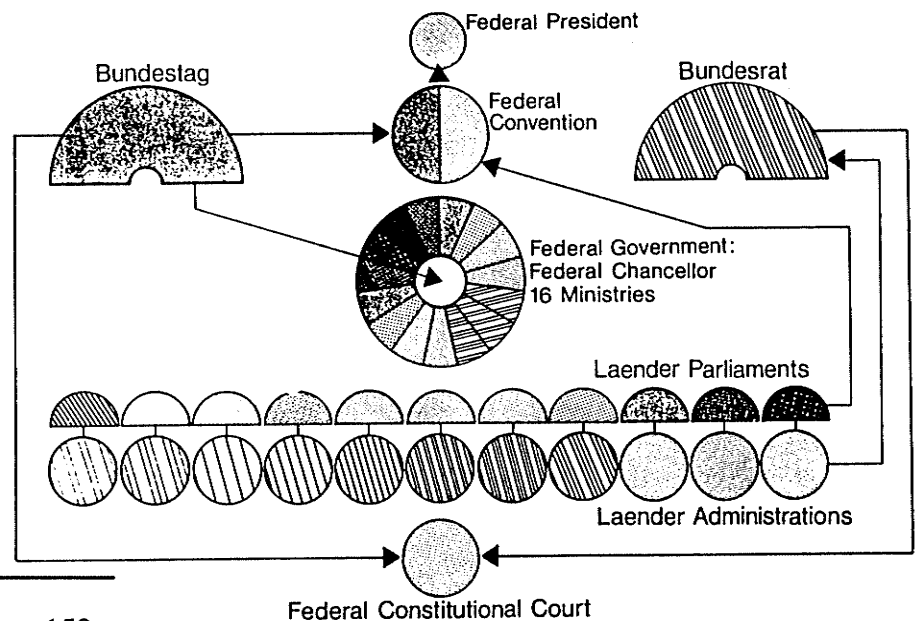
The Greens and the FDP have maintained strong voting bases and played important roles yet derive their power from a strong percentage of the popular vote rather than through large numbers of constituency seats. Both gain almost all of their representation from the PR component of the electoral system. In 1990, the FDP had 79 total seats in the lower house. Of these seats, only one was attained through a first ballot win in a constituency. The East Greens, with support of the Alliance 90, had 8 seats, all of which were attained from the second ballot based on percentage of popular vote, not victories in specific constituencies.

In 1990 with reunification, the electoral system did not change; instead, the system was expanded. The following diagrams the current Lander system in Germany, incorporating Lander of the former Eastern Germany.



At this point, it is important to note that the Basic Law also maintains Germany's federal structure. This system is designed to offer safeguards against abuse of power by the central government. This fear stems from history, where central governments have been overpowering. Within the political structure, for example, the Bundesrat acts as the main safeguard "against over-centralization and the piecemeal weakening of the federal character of the republic".³⁴ Within the electoral method, two safeguards have been instituted to prevent abuse by central authorities. Firstly, the West German electoral system is not controlled by an agency of the central government; it is under the supervision of the governing political parties. Also, the Land executive and their constituency committees have final authority on the adoption of party candidates, with constituency selection committees having final veto.³⁵ This federal character is outlined in the following diagram.

The Constitutional Branches of the Federal Republic of Germany



³⁴ Hiscocks, *op.cit.*, page 150.

³⁵ Kitzinger, *op.cit.*, pages 30 and 34.

With a mixed FPP-PR electoral method, the role of political parties in Germany has remained important. Because of a minimum threshold, narrowly-defined parties have been replaced by larger organizations. This consolidation has had two effects. The first is the blurring of the ideological spectrum as parties have had to try to gain support, or broker, from a larger segments of the electorate. The second effect is the existence of narrower interest parties, but their interests must be able to maintain a degree of political success. Some parties, such as the labour-driven SPD have maintained support and achieved power. Others, such as the environmentally friendly Green party, have flirted with both electoral success and extinction.

Generally, the major political parties in Germany such as the CDU and the SPD, have adapted to systemic changes by becoming "catch-all" parties, which Kirchheimer defines as a party not necessarily of ideology "but one of which the electoral appeal, programme and personnel are based on the party's 'non-ideological' values. It is one of the manifestations of the decline... in the class character of politics, and the development of consensus politics in Western democracies, in response to the changing social and economic conditions of advanced industrial societies."³⁶

Unlike Canada, however, German political parties cannot sway too far from principle.

³⁶ Burkett, *op.cit.*, page 42.

The smaller parties make sure that the larger parties maintain some focus. If larger parties fail to do so, the more defined platforms of the smaller parties can attract the disgruntled supporter of the larger party. Consequently, if the larger party ventures too far from its base of support, it is threatened to lose it. Larger parties are also forced to focus because of coalition building associated with the German system. Coalitions are built on policy and shared values as well as pragmatism. To bargain effectively, it is best to have focus, policy direction and to know who your supporters are.

Despite the differences between parties, several post-WWII factors have tended to homogenize political forces in Germany. The Communist left was discredited with the beginning of the Cold War. A single Christian political party was formed. This party overcame conflict that had caused tension between Catholics and Protestants.

Regionally-based parties were in decline as a result of territorial resolutions and population mixing. Agrarian interests were assimilated into the larger political parties. Within this context, there was less opportunity for extremist parties to flourish.³⁷ These factors, combined with the growth of liberalism and its emphasis on the individual, had a homogenizing effect on Germany culture and politics.

The party that was most able to take advantages of political, societal and economic

³⁷ Klaus von Beyme, "The Power Structure in the Federal Republic of Germany", pages 77-106 in *Contemporary Germany: Politics and Culture*, Charles Burdick, Hans-Adolf Jacobsen and Winfried Kudszus, eds., (London: Westview Press), pages 90 and 91.

change after the end of WWII was the Christian Democratic Union (CDU). With strong leadership under Adenauer, an economic plan and a strong organization, the party was able to achieve power in 1949 and hold it, through a coalition government, for 32 of the last 46 years. Although the party possessed particular appeal to Catholics in the early years, it has evolved into a clear "catch-all" party appealing to diverse groups such as the Protestant Working Circle, the Catholic trade unions and to the Wirtschaftsrat, an employer's association that also provides strong financial support to the party. Although most of the regional parties declined after WWII, this is not the case in Bavaria. Regionalism has remained strong in this area and resulted in the formation of the Christian Social Union (CSU), an independent successor of the Bavarian People's Party that is affiliated with the CDU.³⁸

The major party of the left is the Social Democratic Party (SPD). The party has maintained its labour roots which can be traced back to the 1840s. The party grew as the labour movement gained social and economic strength. In fact, many thought that the SPD would be the party best positioned to achieve a majority position in government after WWII. Due to conditions mentioned above, among other reasons, the SPD was unable to acquire political power until the 1960s. The success of the CDU has forced this former mass party, in Burkett's words, to catch-all. To broaden its appeal and to distinguish itself from ideologies of the East, the SPD dropped its

³⁸ Paterson and Southern, *op.cit.*, pages 190-198.

Marxist tone from its constitution and platform. These strategies, outlined clearly in the Bad Godesberg programme of 1959 were successful.³⁹ The party was in government from 1966-82.

The Free Democratic Party (FDP) is smaller than the other two parties but has historically held the balance of power (The increased popularity of the Greens in the 1994 election is pushing them towards this role). The FDP's unique position in the centre of the political spectrum, has offered it several functions in the system. Among these, it is a majority provider. In the German system, governments must form coalitions to gain a majority in the lower house. Secondly, the party has served as an agent of transition. Here, the FDP is important for both the CDU and the SPD have relied on FDP support to maintain power since 1949. Also, the party has served as an ideological balancer in governmental coalitions Helmut Schmidt, for example, used the FDP to curb the strength of his SPD left. Similarly, Helmut Kohl used the FDP to contain the CSU.⁴⁰

Of these three parties, the FDP is the most liberal, in the classical sense. Supporters of the FDP tend to be economically conservative and in favour of a free-enterprise economy with little state intervention. They tend to focus on the individual and as

³⁹ *Ibid.*, pages 199-201.

⁴⁰ *Ibid.*, pages 210-211.

such, find strength among small traders and professionals who may think that the CDU/CSU is the party favoured by big business. FDP supporters also tend to favour the separation of church and state and may be tend to be Protestant, fearful of clericalism.⁴¹ The CDU/CSU by contrast derives strength from bigger business and from agrarian areas. Because of its historic ties to the Catholic Church, it also finds support from that segment.

One strength of the German mixed FPP-PR electoral method is its flexibility. Despite the larger parties' success at broadening their ideological appeals, there are still mechanisms and space allowing growth of movements by those who feel that the current parties are not listening to their concerns. One such movement was the Green Party. Originally formed in the late 1970s and early 1980s to protest the aggressive nuclear energy plan of Helmut Schmidt, the Greens have developed into a heterogeneous band comprised of many disenfranchised groups including women and environmentalists. A difference from Green members relative to, say, a member of the FDP is "that while the typical FDP member is career-oriented and has opted in to the system, the typical Green is more likely to have opted out."⁴²

⁴¹ John H. Herz, *The Government of Germany*, (New York: Harcourt, Brace and World, Inc., 1967), pages 80 and 81.

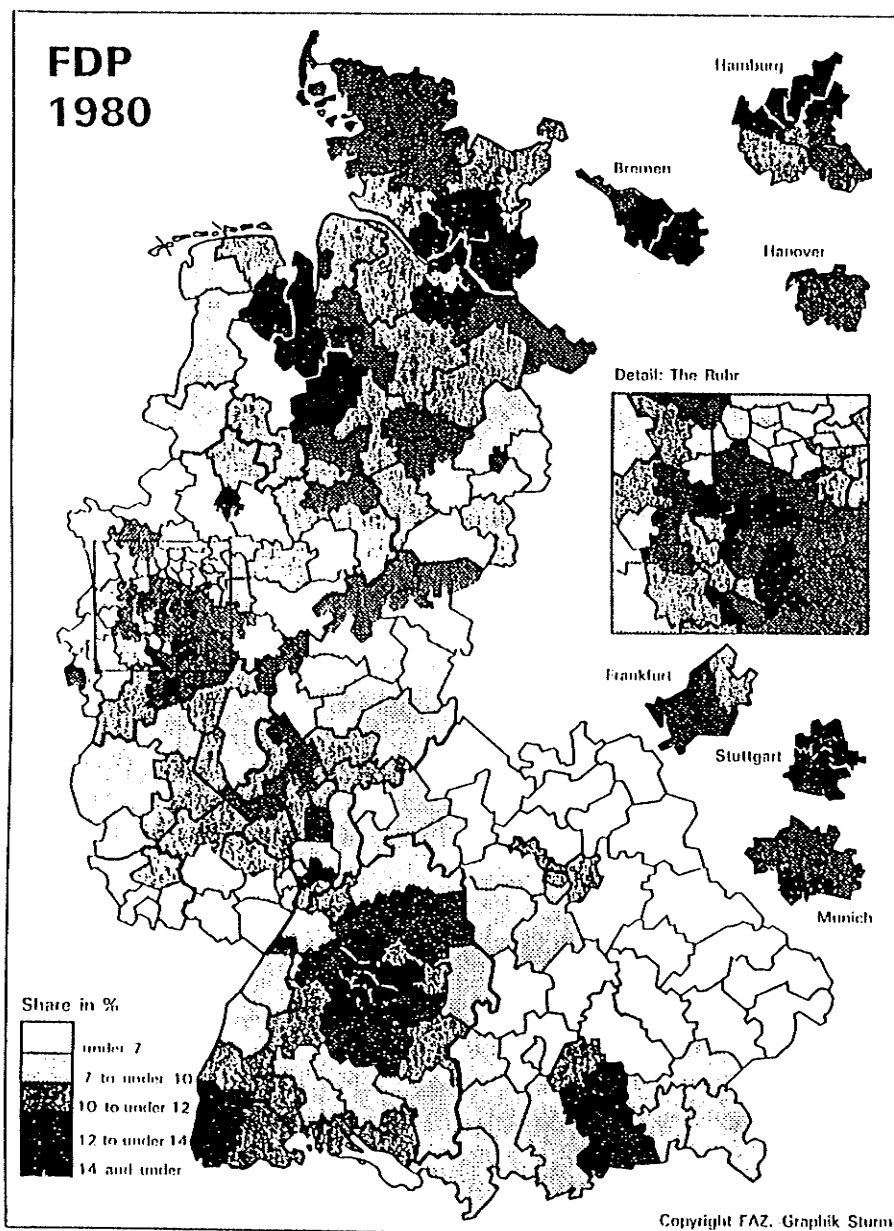
⁴² William M. Chandler and Alan Siaroff, "Parties and Party Government in Advanced Democracies", pages 191-265 in *Canadian Political Parties, Leaders, Candidates and Organization*, volume 13 of the Royal Commission on Electoral Reform and Party Financing, Herman Bakvis, ed., (Toronto: Dundurn Press, 1991), pages 244-245.

This situation has been changing in recent years, however, as the Greens have emerged as a strong voice of opposition. In fact, with their alliance with Alliance 90 of the former East Germany, the Greens demonstrated considerable strength in the 1994 election. It increased its popular vote and its seat count increased from eight seats to 49. Although the FDP is in official coalition with the governing CDU/CSU, the strength of the Greens could likely make them a potential holder of the balance of power in the near future. In the last election, the Greens received greater support in both popular vote and seats attained than the FDP.

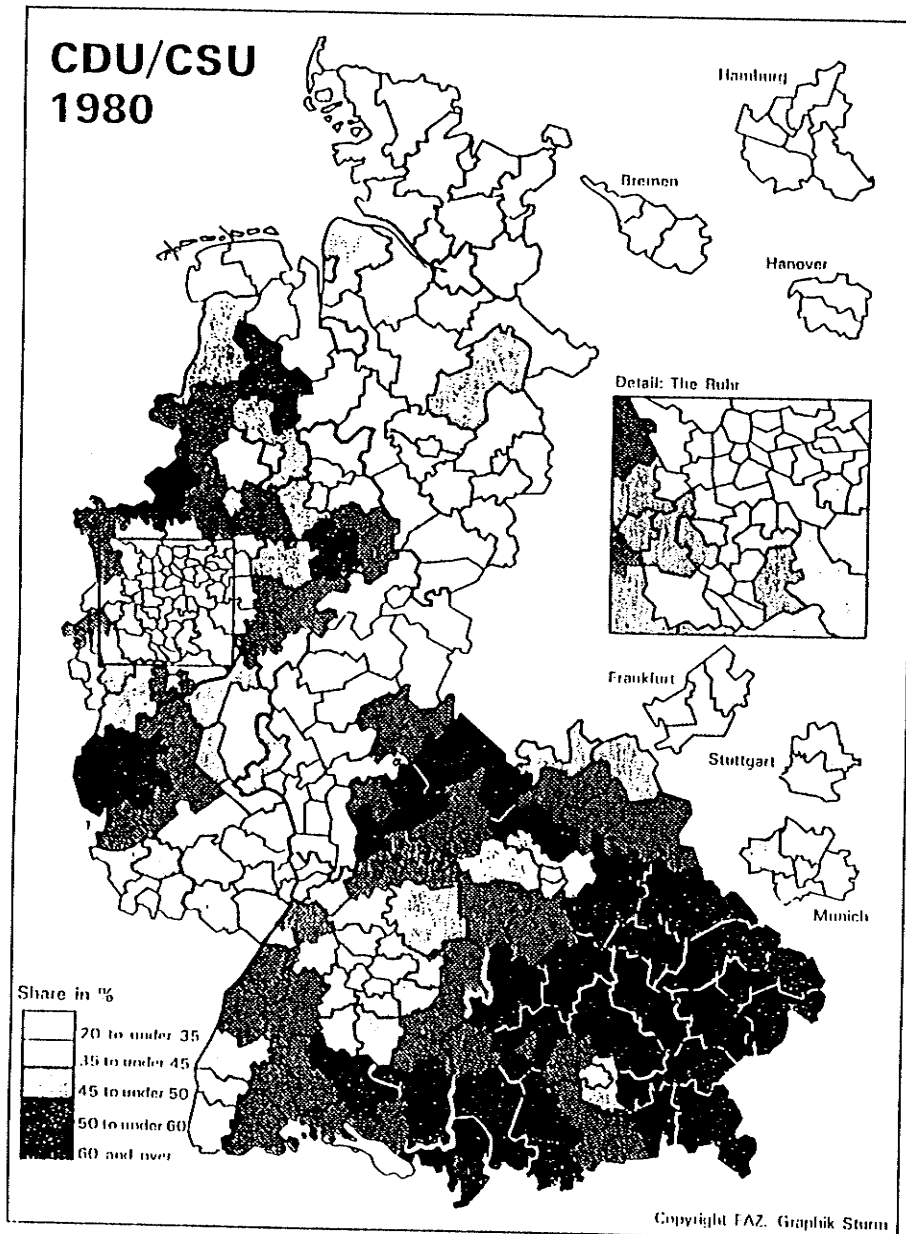
The following table and diagrams illustrate the level of party support in Germany and the regions where support is strongest.

Seats won in general elections 1949-87											
	Aug. 14 1949	Sept. 6 1953	Sept. 15 1957	Sept. 17 1961	Sept. 19 1965	Sept. 28 1969	Nov. 19 1972	Oct. 3 1976	Oct. 5 1980	March 6 1983	Jan. 25 1987
Communist Party	15	0	—	—	—	—	0	0	0	0	—
Greens	—	—	—	—	—	—	—	—	0	27	42
SPD	131	151	169	190	202	224	230	214	218	193	186
FDP	52	48	41	67	49	30	41	39	53	34	42
CDU/CSU	139	243	270	242	245	242	225	243	226	244	223
NPD	—	—	—	—	0	0	0	0	0	0	0
Others	65	45	17	0	0	0	0	0	0	0	0
<i>Total seats</i>	402	487	497	499	496	496	496	496	497	498	497

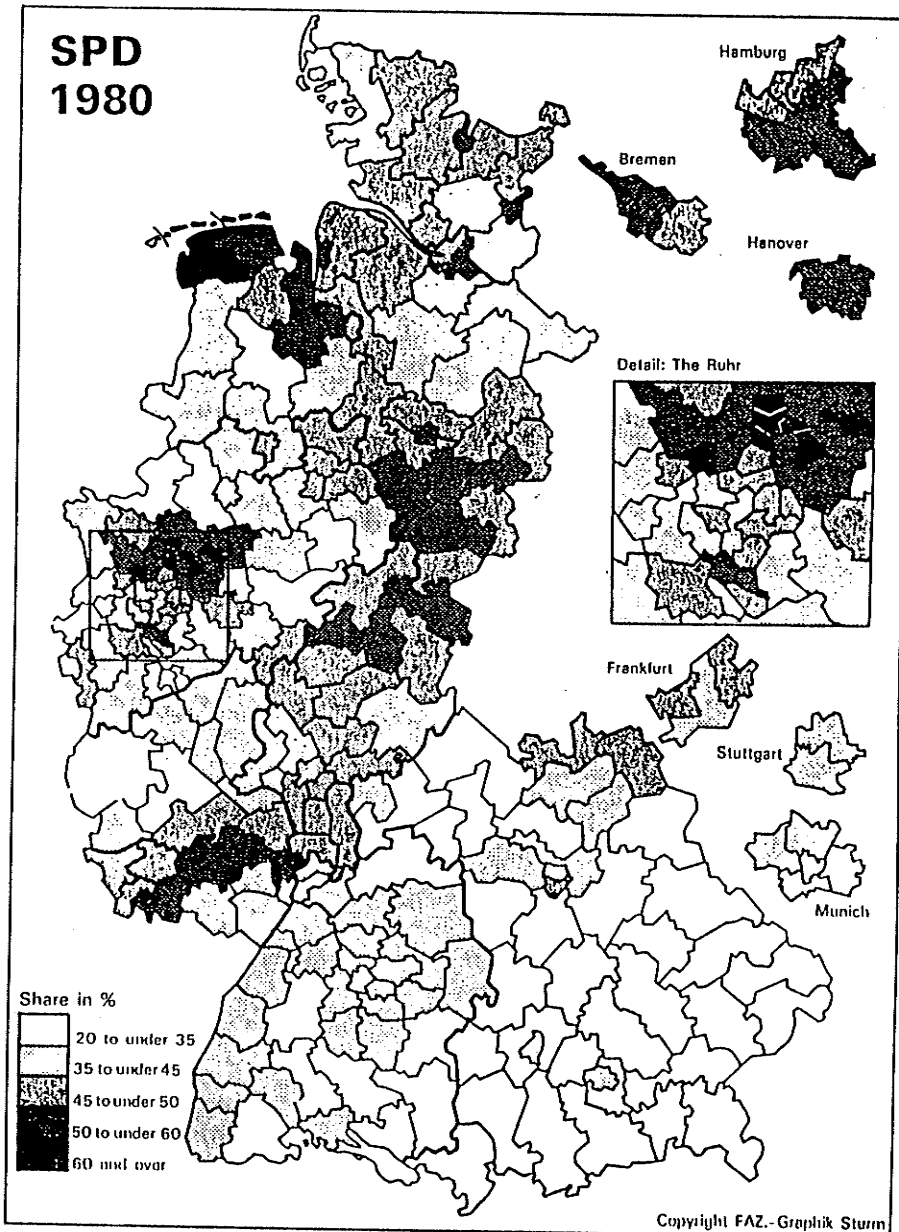
Percentages of votes won in general elections 1949-87											
	Aug. 14 1949	Sept. 6 1953	Sept. 15 1957	Sept. 17 1961	Sept. 19 1965	Sept. 28 1969	Nov. 19 1972	Oct. 3 1976	Oct. 5 1980	March 6 1983	Jan. 25 1987
Communist Party	5.7	2.2	—	—	—	—	—	0.3	0.2	0.2	—
Greens	—	—	—	—	—	—	—	—	1.5	5.6	8.3
SPD	29.2	28.8	31.8	36.2	39.3	42.7	45.8	42.6	42.9	38.2	37.0
FDP	11.9	9.5	7.7	12.8	9.5	5.8	8.4	7.9	10.6	6.9	9.1
CDU/CSU	31.0	45.2	50.2	45.3	47.6	46.1	44.9	48.6	44.5	48.8	44.3
NPD	—	—	—	—	2.0	4.3	0.6	0.3	0.2	0.2	0.6
Others	22.2	14.3	10.3	5.7	1.6	1.1	0.3	0.3	0.1	0.1	0.7
<i>% turnout</i>	76.5	86.0	88.2	87.7	86.8	91.1	90.7	87.8	88.3	84.4	84.3



Source: Frankfurter Allgemeine Zeitung, from *Das politische System der Bundesrepublik Deutschland*, by Klaus von Beyme, Serie Piper, 1981.



Source: Frankfurter Allgemeine Zeitung, from *Das politische System der Bundesrepublik Deutschland*, by Klaus von Beyme, Serie Piper, 1981.



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One criticism of the German political system is its focus around the centre of the political spectrum. Critics note that the coalition government system coupled with the broader base of the major parties has forced major parties to the centre, to the point where they do not reverse the policies of their predecessors, and partners trade places for political power.⁴³ Although this may seem to be the case, this gathering to the centre could be considered a global trend, such as George Grant or Francis Fukuyama argue.

Other German observers, however, would argue that this focus around the centre has not happened. They contend that "society is today less narrow-minded, more pluralistic and more diverse in aims and values than 15 years ago. Nevertheless, those who constituted the infantry of change -- never a very homogeneous cohort -- dispersed in ever more divergent directions."⁴⁴ In fact, Peter Pulzer adds that 70% of German voters support three parties in the Bundestag. He interprets this as meaning that a minority of voters want absolute majorities and are reluctant to see the "alternation of power institutionalized."⁴⁵

⁴³ Peter Pulzer, "What the 1980 Election Did Not Solve", pages 124-133 in *The West German Model, Perspectives on a Stable State*, William E. Paterson and Gordon Smith, eds., (London: Frank Cass, 1981), page 124.

⁴⁴ *Ibid.*, pages 127-128.

⁴⁵ *Ibid.*, page 132.

One other objection to this criticism of the concentration of power to the centre is the large number of parties seeking political representation in the lower house. In the German system, many other parties, such as the Communist Party and various regional or nationalistic parties still compete, but the five per cent minimum threshold has made it difficult to both attain and to maintain them as a strong presence. Despite these barriers, they continue to run candidates in national and regional elections.

In summary, this chapter has attempted to outline the German political and electoral system . Because Germany shares similarities to Canada including a mutually-reinforcing cleavage structure, regionalism, and a propensity to "catch-all" parties, this paper argues that a mixed FPP-PR electoral method would be an appropriate model to apply in Canada to increase flexibility and representativeness in government. This thesis will attempt to apply a version of the German mixed FPP-PR electoral method to the Canadian context.

Chapter Three

The idea of changing the electoral system in Canada to increase representativeness is not new and, in fact, has been proposed, debated, and attempted. This chapter will address several attempts at reforming the Canadian political system. First, the historical use of proportional representation in Canadian politics will be outlined. Second, other institutional reforms designed to achieve more effective representativeness will be discussed and demonstrated to be relatively ineffective. Third, recent major proposals advocating electoral reform will be outlined and serve as a background and a basis of comparison for the application of a German-like system to the Canadian context. This thesis's proposal for electoral reform will then be detailed and applied to the results of the 1980 and 1993 federal general elections.

There are many reasons for the selection of a PR system. In the Canadian context, these reasons included discontent with old-line parties and partisan political advantage. With a propensity that encourages a larger number of political parties in the decision making process, PR has often been used as a means to allow participation by a greater number of groups. This has also been the case in Canada. At the same time in history, PR was in fashion throughout the globe illustrating the general dissatisfaction with political parties. Ways to circumvent the influence of political parties within the political system were sought and PR offered an effective method to increase participation and to maintain political stability in a seemingly unstable world.

In Canada, throughout the first half of the twentieth century, there were many examples using PR as an electoral method at the municipal and provincial levels. At the municipal level, many cities adopted the Hare system of PR. These included Winnipeg, Vancouver, Victoria, Calgary, Regina, Saskatoon, Moose Jaw, North Battleford, Port Coquitlam, West Vancouver and Mission.¹ At the provincial level, Alberta and Manitoba employed a system of proportionality for over thirty years, the former from 1926-1955 and the later from 1924-1955. British Columbia's experiment from 1952-1953 was shortlived and adopted for different reasons.

B.C.'s primary reason for adopting a PR system was to allow the Liberals and Conservatives to stop the CCF from gaining a plurality in constituencies where the two older parties saw their support splitting. The strong showing of the two older parties combined should keep the CCF from power. However, the creation of and strong support for the Social Credit Party prevented the scenario from happening.²

Alberta and Manitoba employed PR to express their discontent. Residents were disenchanted with the Liberals and Conservatives (at both the national and provincial levels), who were thought to be Eastern-dominated and working against the best

¹ "More Victories in Canada", pps 6-7 in *Proportional Representation Review*, Third Series, No. 57, (January 1921), page 6.

² David Elton and Roger Gibbins, *Electoral Reform: The Need is Pressing, The Time is Now*, (Calgary: The Canada West Foundation, 1980), page 21.

interests of the West. Also, there was a reformist desire evident in these provinces to use the democratic political system to achieve an egalitarian ideal.³ To express discontent with the East and to seek their egalitarian ideal, the Hare system was employed in urban centres whereby a single transferable vote (STV) allowed voters to rank candidates according to personal preference. In rural areas, candidates were elected by a preferential ballot.

The PR system proved relatively successful in encouraging participation and offering voters the candidates of their choice. The STV worked well in urban centres. Voters were given maximum choice and political parties received their fair shares of provincial representation. In rural areas, MLAs were the candidates who received preferred choice status from a majority of voters.⁴

As political pragmatism, the fear of one-party rule with the encouragement of a multiplicity of parties, and the fashionability of PR aided its popularity during the first half of this century. Later, political pragmatism and the desire for stronger one and two party political systems assisted in the decline of PR's popularity. PR was then replaced by the plurality system. On a global scale, the antagonists of World War Two represented one-party states, a situation opposite to that of the early twentieth century.

³ M.S. Donnelly, *The Government of Manitoba*, (Toronto: The University of Toronto Press, 1963), page 75.

⁴ Elton and Gibbins, *op. cit.*, page 23.

As a result, support for strong political parties, like those found in the one and two party states who were victorious in the war, increased.

Correspondingly, support for a small number of strong political parties in Canada increased. The major parties in power at this time used the opportunity to solidify their electoral advantage by replacing PR with the plurality system. They received little opposition. In BC, for example, "the ability of the party to obtain a plurality in a larger number of constituencies than which it could obtain a majority was undoubtedly reason enough to convince (Premier) Bennett to abolish preferential voting and return to the single candidate plurality system."⁵

This re-entrenchment of the plurality system in Canada has not been without problems. Others have tried to increase representativeness and/or effectiveness by suggesting changes within the existing institutional structures. Four examples included: reforming the Senate, altering federal arrangements and institutions, increasing the scope and role of political parties and altering existing electoral boundaries. The ineffectiveness of these proposals to bring about change will also be discussed.

One of the most popular means to increase the representativeness of federal structures and the effectiveness of government is to reform the Senate. One of the first studies

⁵ Elton and Gibbins, *Ibid.*

that generated notable support for Senate reform was the 1981 Canada West Foundation Task Force Report, *Regional Representation, The Canadian Partnership*, prepared by Peter McCormick, Ernest Manning and Gordon Gibson. In their report, the basic aspects of a "Triple E" Senate began to take shape. The three "Es" - elected members, effective powers and equality for all provinces of Canada - are the main proposals in the report. With these changes, regional disparities, in their opinion, would be lessened and regional voices would be heard.⁶ Other studies soon followed, such as the January 1984 *Special Joint Committee on Senate Reform* report and the 1985 *Royal Commission on the Economic Union and Development Prospects for Canada (the Macdonald Commission)* report, that reiterated the need for Senate reform and shared many of the basic proposals as the Canada West Foundation study.

Many arguments do not support the idea that a reformed Senate would increase representation and effectiveness of government. Firstly, these proposals would not make provinces "equal". Unlike the United States, which serves as their model, all provinces would not have the same number of representatives in a reformed Senate, regardless of size or population. The Canada West Foundation report, for example, calls for provinces to elect between six and ten Senators, depending on size and population.⁷ Assuming Quebec and Ontario each receive ten representatives, it appears

⁶ Peter McCormick, Ernest C. Manning, Gordon Gibson, *Regional Representation, the Canadian Partnership*, (Calgary: Canada West Foundation, September 1991), pages 108-129.

⁷ Peter McCormick, Ernest C. Manning and Gordon Gibson, *op. cit.*, page 111.

that certain regions of the country would still be outvoted.

Others maintain that a "Triple E" Senate would not be strong enough to affect policy that reinforced regional discontent, such as Pierre Trudeau's National Energy Policy. That being the case, a reformed Senate would not be strong enough to effectively increase regional representation at the Federal level.⁸

These discussions do not even fully explore the other implications of a reformed upper house. One such implication would be defining the official voice of a province or region. Would the Senator(s) speak for their province or would the premier? How would these jurisdictions relate to the authority of the MP(s) for that province?

A second implication includes the complications when dealing with overlapping powers between upper and lower houses and even provinces. Although most Senate proposals leave the power of financing to the federal government's lower house, the upper house will need some fiscal power if it is to have any power to make proposals or draft policy. If jurisdictions overlap or are shared with provinces, this extra decision maker adds to the confusion of the current situation. One possible example of an area of confusion would be health care, defining and enforcing standards and financing the

⁸ David Laycock, "Reforming Canadian Democracy? Institutions and Ideology in the Reform Party Project", pages 213-247 in *Canadian Journal of Political Science*, XXVII:2 (June 1994), page 232

system.

A third implication of a reformed upper house would involve defining veto or amending powers. Canadians know about the confusion involved with amending formulas during the past decade of constitutional proposals. If more bodies are allowed to make decisions then more bodies would have the right to veto decisions or to make amendments. This would expose the Canadian system to one of the elements of the US system that it first attempted to avoid - a complicated system of checks and balances.

A fourth implication of a reformed upper house would be the possible kingmaking role of a Governor General. This was the case in Australia in 1975 when the government in the lower house had its confidence questioned by the Senate over a money bill. The Governor General dissolved the government and forced an election. As a consequence, the government fell and was replaced. This incident is frequently cited over the actual role of the Governor General. It could also be used to demonstrate the instability caused by a powerful upper house with an activist Governor General in a parliamentary democracy.

Another suggestion to improve representation within the current political system is by altering Federal arrangements and institutions. The last ten years have produced two excellent examples, the Meech Lake Accord and the Charlottetown Accord.

The Meech Lake Accord was Brian Mulroney's first attempt to define a new form of federalism for Canada. It outlined several basic points. Among these were: a reformed Senate; annual First Ministers conferences to discuss the economy and other pertinent matters; a re-evaluation of federal-provincial powers with a focus on decentralization; and changing the amending formula.⁹ The Accord failed to come into law as not all legislatures were able to pass it before the deadline and other issues were raised, particularly by Aboriginal leaders.

The Charlottetown Accord of 1992 was Brian Mulroney's second attempt to define a new form of federalism for Canada. The report "proposed a substantial modification to the character of Canada's federal institutions, most notably in relation to the Senate. Those proposals included a creative approach to the reconciliation of parliamentary and federal institutions and to the accommodation within a bi-cameral federal legislature of a fuller realization of the principles of representation by population in the House of Commons, an added voice for smaller provinces through equal representation in the Senate, and an adequate representation of Canada's major linguistic minority through guaranteed Quebec representation in the House of Commons."¹⁰ The Accord also suggested provincial lists from which to draw Supreme Court judges as well as

⁹ Thomas J. Courchene, *Meech Lake and Federalism: Accord or Discord?*, (North York: Robards Centre for Canadian Studies, 1987), pages 1-4.

¹⁰ Ronald L. Watts, "The Reform of Federal Institutions", pages 17-36 in *The Charlottetown Accord, the Referendum, and the Future of Canada*, eds. Kenneth McRoberts and Patrick J. Monahan, (Toronto: The University of Toronto Press, 1993), page 33.

guaranteeing Quebec a minimum of three of the nine judgeships. Increasing Aboriginal representation in the House of Commons was also to be discussed and the amending formula to be changed.¹¹

While the Meech Lake and Charlottetown Accords attempted to bring some constructive reforms to the forefront, they also exacerbated basic areas of contention within Canada. When examining the proposed number of representatives in federal institutions, the disenfranchised regions remained disenfranchised and the traditional sources of political clout maintained their strength. For example, in both Accords, the Senate proposal would allow central Canada to maintain its majority with the west still at a disadvantage. Unlike an American-style Senate where each state has an equal number of representatives regardless of population, all proposed changes to the Canadian Senate are based on population. All provinces would not be equal.

This asymmetry is more evident when examining the House of Commons. The Charlottetown Accord proposed that Quebec would maintain 25% of the Commons seats regardless of whether its population held steady, which in light of its declining birthrate would seem unlikely. Also, the Accords guaranteed that Quebec would be represented by a minimum of three of the nine total judgeships on the Supreme Court.

¹¹ Gerald-A. Beaudoin, "The Charlottetown Accord and Central Institutions", pages 73-84 in *The Charlottetown Accord, the Referendum, and the Future of Canada*, eds. Kenneth McRoberts and Patrick J. Monahan, (Toronto: The University of Toronto Press, 1993), pages 77-79.

This total is also disproportionate when compared to the judgeships allotted to the rest of Canada. These proposals reinforce the arguments that Brian Mulroney's motivation was not to make the country stronger but rather to finally succeed where Pierre Trudeau had failed - bringing Quebec into Confederation, even at the expense of other regions of the country.

Although Canadians, generally speaking, rejected the Charlottetown Accord during the 1992 Referendum, the loudest cries of protest came from the West. Again, they saw history repeat itself whereby central Canada gained at the expense of western interests. The results of the referendum showed that a significant number of "No" supporters in the referendum were influenced by negative regional or ethnic motivations. Well over 40% of the respondents cited "Quebec received too much" or "opposition to Mulroney" or "fear" as a major reason to oppose the proposed Accord. The regional vote reflected these negative sentiments. While the eastern provinces tended to favour the Accord, the western provinces were united in opposition. In fact, the "No" vote in Manitoba, Alberta, and British Columbia comprised over 60% of the total vote in each province. This figure is well above the national average.¹² It seems that reform of political institutions means solidifying the status quo and maintaining the divisions that have been allowed to grow since Confederation.

¹² *Maclean's*, November 2, 1992.

A third institution through which representation and effectiveness can be increased is the political party. Political parties in Canada take pride in their ability to play brokerage politics, or to build coalitions within regions or target groups. But throughout Canadian history, political parties have consistently proven that, albeit effective within the current political context, they have been unable to represent the interests of many Canadians. One analyst even commented that "Canada's major parties have failed to accommodate the country's diverse regional and cultural interests and are being superseded (or should be) by other, more effective, institutions."¹³

The *1991 Royal Commission on Electoral Reform and Party Financing* offered hundreds of recommendations to political parties to broaden and strengthen their role in the Canadian political system. Some of these recommendations dealt with political parties as a vehicle to encourage more participation from women, minorities and other groups not currently represented effectively at the provincial and federal political levels. After some examination, however, it becomes apparent that political parties do not want to be inclusive. In fact, recent measures seem to suggest the opposite.

Historically, political parties have not accurately reflected Canadian demographics.

Despite constitutional additions such as Diefenbaker's Bill of Rights and the Charter of

¹³ Alain G. Gagnon and A. Brian Tanguay, "Introduction: Canadian Parties in Transition", pages 2-22 in *Canadian Parties in Transition*, eds. Alain G. Gagnon and A. Brian Tanguay, (Scarborough: Nelson Canada, 1989), page 3.

Rights and Freedoms, political parties have remained unrepresentative and exclusive. Party membership and candidate selection provide two examples of how the current political system allows political parties to maintain their power base and deliberately shut out large numbers of Canadians from taking an active part in the political process.

Party membership remains an exclusive process. Party hierarchies remain predominantly anglo-saxon and male. Females generally lack a strong structural base within the party. Women are excluded from a significant role in policy decisions and leadership roles. In fact, at the 1983 Progressive Conservative leadership convention, the 619 male delegates outnumbered the 193 female delegates. The majority of the female representatives were youth delegates.¹⁴ With recent political regimes centred in Quebec and Ontario, it would also stand to reason that the parties have a bias towards central Canada, as well.

Candidate selection also demonstrates how political parties remain exclusive. With a primarily Anglo-Saxon and male hierarchy, minorities are also excluded from a strong voice in decision making. As such, many disruptions have occurred at nominating meetings where ethnic candidates have often lost the nomination to their Anglo-Saxon

¹⁴ Jane Brodie, "The Gender Factor and National Leadership Conventions in Canada", pages 172-187 in *Party Democracy in Canada*, ed. George Perlin, (Scarborough: Prentice-Hall, 1988), pages 178, 186, 187.

counterparts.¹⁵ When minorities do win a nomination, "the majority run in ridings where their party lost during the previous election. In addition, the defeated candidates generally lose by more than 5000 votes.¹⁶ Lacking a structural framework within Canadian political parties, minorities attempting to use the party as an effective vehicle to express their concerns are often disappointed. This lack of structural support, in turn, does not reinforce minority support, but rather, discourages it.

Systemic bias towards non-ethnic candidates is reflected in the makeup of the House of Commons. After the 1988 General Election, Daiva Stasiulis and Yasmeeen Abu-Laban noted that 83 percent of the MPs in the House of Commons were of British or French origin. This is significantly higher than the 50 per cent of the general population who make up the same demographic. Correspondingly, these two groups were also dramatically over-represented in the highest ranks of civil service, judgeships and senators.¹⁷

¹⁵ Daiva Stasiulis and Yasmeeen Abu-Laban, "Ethnic Minorities and the Politics of Limited Inclusion in Canada", pages 580-608 in *Canadian Politics: An Introduction to the Discipline*, eds. Alain G. Gagnon and James P. Bickerton, (Peterborough: Broadview Press, 1990), pages 585-589.

¹⁶ Alain Pelletier, "Politics and Ethnicity: Representation of Ethnic and Visible-Minority Groups in the House of Commons", pages 101-160 in *Ethno-Cultural Groups and Visible Minorities in Canadian Politics, The Question of Access*, vol. 7, Royal Commission on Electoral Reform and Party Financing, ed. Kathy Megyery, (Toronto: Dundurn Press, 1991), page 146.

¹⁷ Daiva Stasiulis and Yasmeeen Abu-Laban, "The House the Parties Built: (Re)Constructing Ethnic Representation in Canadian Politics", pages 3-100 in *Ethno-Cultural Groups and Visible Minorities in Canadian Politics, The Question of Access*, volume 7, Royal

A fourth way by which to increase representativeness in the political system is to alter existing electoral boundaries. Canada has been lenient when it comes to following a "one person, one vote" democratic ideal. In part because of its diversity and because of its partisanship, Canadian boundary determinants can depend on legislation and circumstance.

Legislation governs the intervals between and methods of conducting boundary revisions but also provides rules to try to ensure a reasonable regional voice in federal institutions. For example, provinces cannot have fewer representatives in the House of Commons than in the Senate. As a result, a small province like Prince Edward Island has four Commons seats even though its total island population is approximately 125,000. Correspondingly, some Toronto seats can serve as many as 200,000 constituents.

Provinces can also vary in size because of its "deviation quotient". This coefficient "allows a 25 per cent fluctuation in the population of any riding from a provincial quotient before boundary changes are considered. The quotient is found by dividing the total population of a province by the number of federal ridings."¹⁸ Donald Blake

Commission on Electoral Reform and Party Financing, ed. Kathy Megyery, (Toronto: Dundurn Press, 1991), pages 14-15.

¹⁸ Dan Lett, "Ottawa Scuttles New City Riding", *Winnipeg Free Press*, (Friday, May 12, 1995), page A2.

notes that this quotient is extremely lenient, more so than many of its democratic counterparts including the United States which allows only a two or three per cent fluctuation and Australia, which allows 10 per cent.¹⁹ Canada allows a larger fluctuation for sensitivities such as large rural areas with sectional identities and little population.

The legitimacy of these demographic and geographic sensitivities in the Canadian voting context was reinforced in a June 1991 Supreme Court ruling. Ironically, this ruling has taken Canada further from the democratic ideal of the "one person, one vote" principle. The 1991 decision overturned a Saskatchewan Court of Appeal ruling that the changes to Saskatchewan's electoral boundaries did not violate section 3 of the Charter of Rights. The changes to the boundaries did not take into account the increasing population of urban centres and favored the rural voter, whose vote, critics claimed, was worth more than a vote in the city. This ruling runs counter to the ideal that all votes are equal and that boundaries should change according to population change. Supreme Court Justice McLachlin ruled that "section 3 of the Charter protected 'relative parity of voting power.' Relying on the context set by Canadian electoral traditions, she concluded that 'the purpose of the right to vote enshrined in s.3 of the Charter is not equality of voting power per se, but the right to 'effective representation' ...Factors like geography, community history, community interests and

¹⁹ Government of Canada, "Implications of the Charter for Electoral Distribution", pages 18-21, Canadian Study of Parliament Group, 1990, page 18.

minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic."²⁰

Despite these drastic allowances in boundary changes, they have not been successful in protecting and encouraging minority interests. Many boundary changes have happened yet the patterns inherent in the FFP system prevail. The large established parties tend to achieve a plurality of the votes in a constituency, gaining the seat. Smaller parties with significant voter appeal yet no plurality are rewarded with no seats for their support. It is highly unlikely that this situation will change without any significant change to the electoral system.

The above four methods address the problem from a "top down" or institution-driven approach and are not successful at increasing representation. Even if many of these institution-driven proposals were implemented, large numbers of Canadians including Aboriginal people, women, minority groups and citizens of marginalized regions, such as western Canada, would still be excluded from having a strong voice in the political process. If the current political system, its structures and its electoral method are failing a large segment of the population and discontent is growing, it seems that one effective alternative allowing greater inclusion to the system is to alter the electoral

²⁰ Kent Roach, "One Person, One vote? Canadian Constitutional Standards for Electoral Distribution and Districting", pages 3-92 in *Drawing the Map, Equality and Efficacy of the Vote in Canadian Electoral Boundary Reform*, volume 11 of Royal Commission on Electoral Reform and Party Financing, ed. David Small, (Toronto: Dundurn Press, 1991), page 63.

method. Changing the electoral system would allow for greater participation from the grassroots level, the voter. The PR based system would more accurately reflect voters' intentions, with little distortion of the translation of the popular vote into seats. The electoral system would allow the voter to directly shape the composition of the major decision making body. This contrasts with the FPP method that distorts the translation of popular votes into seats, often favouring the larger "establishment" parties. In effect, with the FPP method, the intention of the voter can be manipulated by institutions. The "bottom-up" or society-driven approach that PR offers would allow institutions to remain basically intact but the players will change, more fairly reflecting the constituents and regions of Canada.

Data and polls seem to suggest that the general Canadian public is dissatisfied with the current electoral method and is willing to examine changes to their electoral system. When examining voter turnouts, it becomes clear that Canadians are not as participatory as both their counterparts in other democracies and as Canadians were 20-30 years ago. Crewe's (1981) study examined turnouts in 24 democracies with populations over 250,000 during their most recent election and found that Canada came in 19th place with a 69.3 per cent voter turnout. In fact, voter turnout in Canada has been steadily declining since the 1960s. In the 1960s, voter turnout averaged 77.3 per cent compared with the 1980s average dropping to 73 per cent.²¹ For comparison, the

²¹ Jerome Black, "Reforming the Context of the Voting Process in Canada: Lessons from Other Democracies", pages 61-171 in *Voter Turnout in Canada*, volume 15 of the Royal

German turnout rate is notably higher. In the 1994 election, 78.1 per cent of eligible voters cast ballots. In 1990, 77.8 per cent of eligible voters exercised their right, a record low.²²

One reason for lower voter turnout is an increasing dissatisfaction with the political system and the results generated by the FPP electoral method. Recent studies offer support for this view. A *Royal Commission on Electoral Reform and Party Financing* report discussing attitudes towards the plurality system found that, 42 per cent of Canadians said that they did not find the FPP electoral method acceptable. Not surprisingly, the regions with the lowest satisfaction rates were Quebec and Alberta, the most vocal regions in expressing their discontent.²³ A 1984 Government of Quebec Commission on Electoral Representation report mirrored the Royal Commission. 57 per cent of respondents reported support for electoral reform. More surprising was the overwhelming support for the alternative types of electoral methods. While only 7 per cent of respondents favored the current FPP method, 49 per cent preferred a strict PR

Commission on Electoral Reform and Party Financing, ed. Herman Bakvis, (Toronto: Dundurn Press, 1991), pages 78-84.

²² *Facts on File*, (October 20, 1994), page 781.

²³ Andre Blais and Elisabeth Gidengil, "Attitudes About the Representative Process", pages 51-80 in *Making Representative Democracy Work*, volume 17 of Royal Commission on Electoral Reform and Party Financing, eds. Andre Blais and Elisabeth Gidengil, (Toronto: Dundurn Press, 1991), page 53.

method and 29 per cent preferred a mixed FPP-PR electoral method.²⁴

In summary, it appears that institution-driven proposals for change either have not or would not seem effective in increasing representation or increasing the effectiveness of government. Even with these changes, the problems inherent with the FPP system - discontent, unrepresentativeness and the lack of structures to cause real change - remain. From this, it appears that to achieve real change, changes must be made to the electoral method and its subsequent structural changes that would facilitate increasing representativeness and effectiveness. The next chapter will outline electoral system reform proposals of the recent past and detail this thesis's proposal and its application to the Canadian situation.

²⁴ Government of Quebec, *Territorial Proportionality, A Fair Approach to Voting*, Report of the Commission on Electoral Representation, 1984, pages 59, 64.

Chapter Four

The inequalities that the electoral system in Canada seem to accentuate have been the object of much discussion, debate and proposals for change, especially within the past 25 years. This chapter will outline these proposals and detail the proposal for electoral reform based on the German model that this thesis puts forth. To demonstrate how this proposal would attempt to correct inequalities, it will be applied to the Canadian context during the 1980 and 1993 Federal General Elections and the comparisons will be discussed.

Generally, the problem with Canada's first-past-the-post, single-member plurality system is that it can cause serious distortions in the way that votes translate into seats. These distortions in this translation "can weaken elections as mechanisms of descriptive representation; after all, the hallmark of a representative body is 'accurate correspondence or resemblance to what it represents, by reflecting without distortion.'"¹

Professor Alan Cairns's observations in 1968 on the divisive effect of Canada's electoral system is considered groundbreaking and has generated much discussion and further study. Criticism has indeed focused on 'the tendency of the electoral system to

¹ Andre Blais and Elisabeth Gidengil, "Attitudes About the Representative Process"; pages 51-80 in *Making Representative Democracy Work, The Views of Canadians*, volume 17 Royal Commission on Electoral Reform and Party Financing, eds. Andre Blais and Elisabeth Gidengil, (Toronto: Dundurn Press, 1991), page 53.

make the parliamentary parties grossly inaccurate reflections of the sectional distribution of party support', says Cairns. The 'winner-take-all' nature of our electoral system has worked, historically, to shut major parties out of particular provinces. In Alberta, for example, the federal Liberal party has on occasion won as much as 22.2 per cent of the vote and not been rewarded with a single seat."²

Cairns's basic approach is that

"the party system, importantly conditioned by the electoral system, exacerbates the very cleavages it is credited with healing. As a corollary it is suggested that the party system is not simply a reflection of sectionalism, but that sectionalism is also a reflection of the party system (which is derived by, in large part, the electoral system)³. ...Sectionalism has been rendered highly visible because the electoral system makes it a fruitful basis on which to organize electoral support. Divisions cutting through sections, particularly those based on the class system, have been much less salient because the possibility of payoffs in terms of representation has been minimal."⁴

Cairns ends his study by recommending that proportional representation be examined as a means to correct some of the discrepancies resulting from the current FPP, single member constituency system.

² *Ibid.*

³ phrase in parentheses added by author.

⁴ Alan C. Cairns, "The Electoral System and the Party System in Canada, 1921-1965", pages 55-80 in *The Canadian Journal of Political Science*, volume 1, no. 1, (March 1968), page 64.

Following Cairns in the late 1970s and early 1980s, other observers forwarded proposals offering changes to the electoral method. These proposals could be generally defined as belonging to one of two basic categories. One category consists of proposals that use the current FPP system as a base and add a small form of PR to offer some equity. The second category is based on a mixed FPP-PR system whereby the two electoral systems are used relatively equally in calculating seat attainment.

An example of a proposal that builds on the current FPP system is the 1979 Task Force on Canadian Unity proposal. Here, the basic plan was to add 60 members to the House of Commons. These members would be elected on the basis of provincial popular vote and selected from prepared party lists. The task force, however, did not clarify how the 60 MPs would be distributed across the regions of Canada.⁵

A second example of the first group is the Ed Broadbent proposal of 1978. He proposed the creation of a regional component that added 20 extra MPs distributed according to regions defined by Bennett and Ryan. Again, these MPs would be selected according to percentage of the popular vote achieved in that region and taken from a pre-prepared party list. The Broadbent proposal also would guarantee a minimum level of regional representation within each caucus. One problem with specific details of this particular proposal, however, lies in its author's bias, as leader

⁵ David Elton and Roger Gibbins, *Electoral Reform: The Need is Pressing, The Time is Now*, (Calgary: Canada West Foundation, 1980), page 38.

of the NDP at the time of the report, towards increasing the number of seats for his party, particularly in Ontario and B.C. where his party enjoyed its highest share of the popular vote.⁶

A third example of a proposal that basically modifies the FPP system was forwarded by Professor Donald Smiley in 1977. He proposed adding 100 seats to the House of Commons allocated proportionate to population. Unlike the other proposals, these seats would be awarded to candidates who "had received the highest proportion of popular votes to the winning candidates."⁷ This system would increase competitiveness, as a strong candidate who did not achieve a plurality but, nonetheless, achieved a large percentage of the popular vote could be elected from these additional seats. One major disadvantage of this system is the possibility of double representation in the House and the question of which MP takes priority responsibility for the constituency. In effect, a two-tiered system of MPs could be established.⁸

William Irvine elaborated on the possible consequence of a two-tiered system of MPs. He notes that some active federal politicians were apprehensive of such distinctions. These distinctions, the politicians add, could be divisive for parties' internal cohesion

⁶ *Ibid.*, page 41.

⁷ *Ibid.*, page 41.

⁸ *Ibid.*, page 42.

and also differentiate MPs on the basis of status. For example, because Canada bases its political system on a representative democracy that values this connection between constituent and representative, a PR electoral method could lead to an elite class of MP. The representative closer to the constituency could claim a more direct line of voter support than the MP that represents a larger territory. Also, former or current federal candidates could and would probably seek election from the provincial party list. This could be perceived as a lesser status means by which to gain a Parliamentary seat⁹.

Proponents of bringing a PR element, especially a provincially-based party list, into Canada's current electoral method argue that the status issue could, in fact, be viewed as having the opposite effect. The number of MPs selected from party lists is directly related to the popular vote attained by that party, thus being totally representative. In this way, this selection could be interpreted as being closer to achieving the democratic ideal. MPs elected from individual constituencies could achieve victory with a relatively low popular vote, especially in Canada where the opposition vote is split between one and two parties.¹⁰

⁹ William P. Irvine, *Does Canada Need A New Electoral System*, (Kingston: Institute of Intergovernmental Relations, 1979), pages 56-57.

¹⁰ *Ibid.*, page 57.

A fourth example of this type of electoral proposal was forwarded by David Elton and Roger Gibbins for the Canada West Foundation in 1980. Their proposal called for a reduction of the representatives elected by FPP to 255 with the addition of 75 new MPs to be elected by PR. Again, these new MPs would come from provincial constituencies selected from party lists with numbers corresponding to the percentage of popular vote attained in that province. Despite these changes, the basic premise of this proposal still retained the FPP system as dominant with 77% of seats in the Commons elected by this method. The authors selected this percentage so as to increase the possibility of obtaining majority governments, which they believe is the preferred method to a minority-based coalition.¹¹ PR is implemented in as minimal form as possible to correct regional disparities, while attempting to maintain the current system.

One major criticism of this proposal is that the PR element is not strong enough to direct change in the electoral method to correct disparities. A second weakness is that the old-line parties would continue to dominate politics by controlling membership selection and candidate selection. There would not be enough structural change to bring about real reform.

In summary, this first group of electoral reform proposals does not address the

¹¹ *Ibid.*, pages 24-28.

problems adequately. They assume that small changes in representation will lead to other changes, such as a larger voice in caucus. These small additions are merely additions selected within the current constricting confines of the current system. Without major changes that would allow greater participation of the marginalized, such as increasing the number of political parties or changing their membership and candidate selection practises, the marginalized will remain excluded. Many proposals within the first group begin the reform process by recognizing the use of PR as an effective tool to correct regional disparity. Maintaining the current system with a small addition of PR will do little to address the problem of unrepresentativeness.

The second set of electoral reform proposals advocates using a mixed FPP-PR system. These, like the proposal to be outlined shortly in this thesis, base themselves on the German electoral system. Two examples of this type of proposal originated from Professor William Irvine and the Province of Quebec.

In 1979, Professor Irvine proposed increasing the size of the House of Commons to 354 members. 188 MPs would represent intra-provincial constituencies and be elected by FPP. The remaining 166 MPs would be elected by PR and would represent regions designated by provincial boundaries. The 166 new seats would be allocated to provinces on the basis of population. The constituency votes "would then be aggregated at the provincial level, and the proportional representation seats would be assigned in such a fashion that each party's total share of seats (constituency +

proportional representation) would approximate its share of the provincial popular vote."¹²

The proposed Quebec system of 1979 more closely resembles the German system. This system proposed sub-dividing Quebec into 28 ridings, similar to the Lander, where each would elect 3 to 5 members for a total of 110. A further 100 representatives would be elected by FPP following current convention. This would result in a house with roughly equal regional and constituency representation. The total number of seats gained by a party would be determined by its popular vote. In general, "regional seats would be allocated so as to compensate for any underrepresentation arising from the operation of the plurality system."¹³

This thesis is interested in the implementation of an electoral system based on the German model that takes the Quebec proposal a few short steps further. The electoral system proposed by this thesis (herein referred to as "this proposal") will attempt to implement its system on a national macrocosmic scale, then on a microcosmic scale focussing on two provinces of interest, Quebec and Alberta for their history of discontent with the current system. This proposal will utilize a mixed FPP-PR system

¹² *Ibid.*, page 39.

¹³ William P. Irvine, "A Review and Evaluation of Electoral System Reform Proposals", pages 71-109 in *Institutional Reforms for Representative Government*, ed. Peter Aucoin, (Toronto: University of Toronto Press, 1985), page 81.

with roughly half of the Commons seats selected by each method, respectively. The regional boundaries would be the existing provincial lines. Seats would be calculated according to the German formula as outlined in chapter two. One important difference between this proposal and the others, including the German, is that it will attempt to make structural allowances for Aboriginal representation.

When attempting to employ a method borrowed from another country, it is imperative to examine specifics to each country in question and make comparisons. When examining the German and Canadian situations, it is important to examine characteristics common to both countries, as well as characteristics specific to each country. Since the purpose of this thesis is to address the unrepresentativeness that the Canadian electoral system reinforces, the focus in the transplanting of the German electoral system will be on two main sources of this unrepresentativeness, regional and linguistic. It is assumed that with the implementation of PR, more parties will participate and allow greater participation of all demographics in the system.

Both Canada and Germany have provincial or Lander boundaries that encompass groups based on cleavages. If there is some unrepresentativeness within the constituency, the larger boundary would assist in correcting this oversight. In Canada, for example, the linguistic cleavage is strong in affecting political decisions. The primary linguistic cleavage is English-French. With the majority of francophones in the province of Quebec, the provincial boundary provides a good territory to represent

francophone interests on a scale larger than each individual constituency. Here, a francophone minority in the riding of Mount Royal, could still see their vote used in the PR process of selecting MPs on the provincial scale. The provinces help define the different regions across Canada. This proposal will treat provinces in Canada as the Germans treat their Lander in their electoral system.

This proposal basically follows the German model as outlined. The electoral system would be a mixed FPP-PR system. The House of Commons would double with half of its members being elected by each method. For the two elections studied, 1980 and 1993, the House of Commons would increase from its present 282 and 294 respectively. The FPP members would represent a constituency while PR members would be selected from party lists as devised in the German method, by provincial party organizations. One ballot would be used as in the German system.

One area that should be addressed when implementing an electoral system change based on representativeness is the Aboriginal issue. Aboriginal people in Canada lack a territory from which to base their representation, but this should not deter them from possessing effective representation in federal decision making structures. This Aboriginal issue has taken on significant proportions in the recent decade. Tension between Aboriginal populations and the decision makers has been more vocal in recent years as demonstrated by the Oka crisis and currently the standoffs in BC and Ontario. Aboriginal people do not feel included in the decision making process.

Particularly after Aboriginal leaders, such as Elijah Harper, assisted in halting the Meech Lake Accord, major changes to politics in Canada have started to include Aboriginal concerns, primarily of representation and of self-government. There have been some proposals dealing with the question of Aboriginal representation at the federal level. One example is the Charlottetown Accord. Here, discussions advocated a non-territorial level of Aboriginal representation and possibly the creation of another level of government to deal with Aboriginal concerns. Other proposals have been more concrete. For example, Augie Fleras suggested implementing a system similar to that of the Maori seats in New Zealand that basically divide the country into four Maori electoral districts.¹⁴ Roger Gibbins follows this example and proposed dividing Canada into six Aboriginal electoral districts.¹⁵ David Small, in another study, proposed dividing Canada into seven Aboriginal electoral districts.¹⁶

¹⁴ see Augie Fleras, "Aboriginal Electoral Districts for Canada: Lessons from New Zealand," pages 67-104 in *Aboriginal Peoples and Electoral Reform in Canada*, volume 9 Royal Commission on Electoral Reform and Party Financing, ed. Robert A. Milen, (Toronto: Dundern Press, 1991).

¹⁵ see Roger Gibbins, "Electoral Reform and Canada's Aboriginal Population: An Assessment of Aboriginal Electoral Districts," pages 153-184 in *Aboriginal Peoples and Electoral Reform in Canada*, volume 9 The Royal Commission on Electoral Reform and Party Financing, ed. Robert A. Milen, (Toronto: Dundern Press, 1991).

¹⁶ see David Small, "Enhancing Aboriginal Representation within the Existing System of Redistricting," pages 307-343 in *Drawing the Map, Equality and Efficacy of the Vote in Canadian Electoral Boundary Reform*, volume 11 Royal Commission on Electoral Reform and Party Financing, ed. David Small, (Toronto: Dundern Press, 1991).

This thesis advocates increasing Aboriginal representation within current federal decision making structures, using current provincial electoral boundaries. The rationale for this method comes from two sources - the 1992 round of constitutional discussions and the Committee for Aboriginal Electoral Reform, formed in 1991.

The 1992 Charlottetown Constitutional discussions were important because they demonstrated how Aboriginal people now enjoy an important role in any proposals that could change the Canadian constitution. Prior to this point, it can be perceived that constitutional talks centred around provinces and the federal government and the special status of Quebec. With the failure of the Meech Lake Accord, which contained many concessions to bring Quebec back into Confederation, a new era in constitutional negotiations has begun. The Charlottetown Accord is evidence of this change. The Charlottetown discussions did include Quebec but they also included other previously marginalized groups. The inclusion of Aboriginal seats in federal decision making structures is one suggestion coming from these discussions¹⁷. Although the Charlottetown Accord advocated creating Aboriginal seats in both the Senate and the House of Commons, this thesis will focus on the House of Commons, as the most effective decision making body, for reasons noted earlier.

Critics argue that many Aboriginal people are apprehensive about such inclusion in the

¹⁷ *Our Future Together, Fact Sheet*, Supply and Services Canada, Ottawa, 1992, pages 2-3.

mainstream process out of fear that they may lose their status. Consequently, many Aboriginal people may not want to participate, even if they are guaranteed representation in a remodelled House of Commons. This fear can be traced to 1960 when voting rights were fully extended to Aboriginal people. "The basic fear of many (Aboriginal people) was that the vote was the beginning of an attack on their treaty rights. Spokesmen for Aboriginal people pointed out that since they had been told for decades that the franchise was incompatible with their status, it was scarcely surprising that they were suspicious of a sudden reversal of federal policy which implied their complete compatibility."¹⁸

This argument is contested, however, by those who maintain that a most effective Aboriginal voice can only be obtained by full participation in the decision making process. These sentiments were strongly outlined by the Committee for Aboriginal Electoral Reform who argued that Aboriginal people would benefit if Aboriginal MPs were more numerous. Aboriginal representation would not take away from self-government, as feared, but would in fact, enhance it, the committee also claims. The representative could "be the pivot point between the Aboriginal government and the overall self-government of Canada."¹⁹

¹⁸ Robert A. Milen, "Aboriginal Constitutional and Electoral Reform", pages 3-66 in *Aboriginal Peoples and Electoral Reform in Canada*, Robert A. Milen, ed., volume 9, Royal Commission on Electoral Reform and Party Financing, (Toronto: Dundurn Press, 1991), page 42.

¹⁹ *Ibid.*, page 43.

The Commission and subsequent consultations with Aboriginal groups found that current Aboriginal representation in the Commons is not effective and revealed strong support among Aboriginal leaders for "measures to effectively improve the representation of Aboriginal people in the House of Commons."²⁰ The Committee for Aboriginal Electoral Reform reaffirmed these sentiments by stating the following.

There has been a general feeling among Aboriginal people that the electoral system is so stacked against them that (Aboriginal Electoral Districts) are the only way they can gain representation in Parliament in proportion to their numbers. Direct representation of Aboriginal people would help to overcome long-standing concerns that the electoral process has not accommodated the Aboriginal community of interest and identity.²¹

The best way to achieve effective guaranteed electoral representation is by reforming the way that MPs are selected and elected. The Commission endorsed this view. "If Canadians are serious about building bridges with the Aboriginal community, the electoral process must be designed to ensure that Aboriginal people not only have the opportunity to participate, but also the right to participate effectively."²²

²⁰ *Ibid.*, page 46.

²¹ *Ibid.*, page 47.

²² *Ibid.*, page 47.

The proposal of this thesis recognizes the distinct demands of the Aboriginal population, but argues that increased Aboriginal representation can be attained through the mixed FPP-PR system. This thesis proposes to offer Aboriginal people representation through both FPP and PR, because the regional PR vote is designed to correct some imbalances of the single-member constituency-based plurality system.

This proposal will use a model put forward by David Small for the Royal Commission on Electoral Reform and Party Financing in 1991 as a starting point for enhancing Aboriginal representation. This model advocates the basic idea of creating "Aboriginal-influenced electoral districts...combined with existing Aboriginal-influenced electoral districts in the Yukon and the Northwest Territories." This seat total in the House of Commons would then be in direct relation to the percentage of Aboriginal people in Canada as a whole.²³

Like Small, this thesis proposes that Aboriginal people are offered representation by territory. Unlike Small, this thesis opts to use provincial boundaries as the territorial boundaries. Also like Small, this thesis argues that Aboriginal people receive a number of seats in the House of Commons directly related to their population and to popular vote attained. To achieve this equity in representation, this model proposes that Aboriginal people elect representatives based on both FPP and PR. Aboriginal

²³ David Small, *op. cit.*, page 339.

representatives will be offered constituency seats as a proportion of Aboriginal population to total population in the province. By doubling seats under a PR-FPP system, one constituency would represent approximately 45,000 citizens generally across the country, relative to one seat representing approximately 75,000 citizens under the current FPP system. Aboriginal seats would be offered on that ratio per province. To ensure that Aboriginal people from all regions of the country are represented in the Commons, Aboriginal people would be guaranteed one seat per province, if population does not offer one seat. As a result, Aboriginal seats would be distributed as follows, using the Royal Commission on Electoral Reform and Party Financing's definition of Aboriginal people as identified as Indian, Metis or Inuit.

	total population	Aboriginal population	percentage of total	guaranteed Aboriginal seats
Nfld	573,000	10,260	1.8	1
PEI	131,000	1,310	1.0	1
NS	889,000	14,475	1.6	1
NB	722,000	9,635	1.3	1
Quebec	6,736,000	82,390	1.2	2
Ont	9,668,000	171,965	1.8	4
MB	1,087,000	89,935	8.3	2
SK	1,002,000	81,105	8.1	2
Alta	2,449,000	110,225	4.5	3
BC	3,106,000	129,120	4.0	3
NWT	52,020	31,540	60.6	1
Yukon	23,360	5,055	21.6	1
total	26,500,000	737,015	2.7	22

source: Royal Commission on Electoral Reform and Party Financing²⁴

²⁴ Roger Gibbins, "Electoral Reform and Canada's Aboriginal Population: An Assessment of Aboriginal Electoral Districts," pages 153-185 in *Aboriginal Peoples and Electoral Reform in Canada*, volume 9 Royal Commission on Electoral Reform and Party

Although it may appear that Aboriginal representation in such a Parliament would be greater than its percentage of the total Canadian population, the difference is consistent with goals and practises of federations. One goal of a federation is to allow smaller, identifiable entities to maintain their uniqueness. There are many examples of this allowance. In Germany, smaller Lander are over-represented to guarantee that voices are heard in the decision making structures. This is also the case in Canada. PEI, for example, is allowed a significantly larger number of seats than its percentage of total population warrants. In discussing the Quebec question during the 1992 constitutional accord, one important item was a guarantee that Quebec would maintain at least 25% of the House of Commons seats regardless of whether their population falls below that percentage of the country total. This thesis proposes that Aboriginal people be slightly over-represented in order to achieve effective representation from all areas of the country. This proposal also maintains current representation levels from PEI and Quebec as the following table demonstrates.

Representation in House of Commons

	% total population	% of seats in current electoral method	% of seats in new electoral method
1981			
PEI	0.5	1.4	1.4
Que	26.5	26.6	26.0
1990			
PEI	0.5	1.4	1.5
Que	25.4	25.5	24.8
Aboriginal	2.7	n/a	3.6

Because of the complexity of incorporating these new seats with existing results, this thesis will advocate that the 22 Aboriginal seats be added to the seat total when doubled to accommodate the new FPP-PR electoral method. As a result, the 1980 election would involve a House of Commons with 586 seats ($282 \times 2 = 564 + 22 = 581$) and the 1993 election would be contesting 610 seats ($294 \times 2 = 588 + 22 = 610$).

One problem when selecting representatives for seats targeted for specific demographics groups is the actual process. In this instance, the demographic is Aboriginal. Ideally, this segment could speak with one voice through an Aboriginal party. In this case, the constituency seat(s) could be offered accordingly. This situation, however, is highly unlikely. As a contingency, this thesis would propose that the Aboriginal representative be selected from a list, with the highest vote-achieving

Aboriginal candidate(s) offered the Aboriginal seat(s).²⁵ With a minimum threshold of five per cent required for party representation in Parliament, this process could encourage more Aboriginal grassroots participation in the decision making process.

With the exception of this amendment to accommodate Aboriginal voters, this proposal will follow the German electoral system. The ballots and seat distributions were outlined earlier. To provide more detail, during an election, all of the votes would be added to make provincial totals. From this, the provincial totals would be added to make a national total. This national total decides the total number of seats that a political party will have in the House of Commons.

These seat totals are determined using the Neidermeyer method whereby:

party's total # votes X # seats available

total # of votes of all parties polling > 5% of popular vote and/or winning

three direct, constituency seats

²⁵ The methods of defining Aboriginal people and determining populations and territory for Aboriginal ridings in this proposal are offered purely for the purpose of arithmetic simulation. This thesis was designed as a starting point for discussion. The actual method of detailing and implementing the electoral process for Aboriginal people should be ultimately responsible to Aboriginal people.

The German formula is based on the total of the two votes on each ballot. These votes, due to vote splitting, are not necessarily cast for the same party in both instances. In applying this type of formula to the Canadian situation, however, voters cast only one ballot for one party. From this, we must assume that in a two vote ballot, both votes were cast for the same party. This, of course, would not necessarily be the case if this electoral method were implemented. For the implementation of this formula to the 1980 and 1993 general elections, some adjustments will be made.

Seats are allocated by subtracting the number of constituency seats won in the province from the determined number of total seats the party is entitled to within that province. The remainder of seats are allowed by PR and these members are selected from the party lists. For example, as is the case in the German system, if a party is allowed 20 seats in a province and it has been determined that 13 constituency members have already been elected by that party in that province, the party adds the remaining seven members it is allocated by taking the first seven names from its party list for that province.

If party support exceeds the number of seats previously defined, the lower house is expanded to add the extra seats. The example that was used in chapter two happened in the 1987 West German election whereby the CDU won 36 of 37 total constituency seats in Baden-Wurttemberg. The party also garnered 46.7% of the list votes, entitling it to 35 of the Lander's 74 seats. However, the CDU had already gained in excess of the

allowed 35 seats. In such a case, the extra seats(s) are added to the party's total Bundestag number.

This thesis proposal will be applied to the 1980 and 1993 Federal General Elections. The 1980 election was selected because of the excellent example it provides of sectionalism caused by the FPP electoral system. Here, especially in Alberta and in Quebec, the discrepancy between the popular vote received and the seats attained was grossly distorted. The 1993 election was selected because of regional discontent expressing itself in a form reminiscent of a PR system. The marginalized regions both elected reformist party representatives in large numbers. Albertans elected Reform Party MPs and Quebecers sent a large number of Bloc Quebecois MPs to Ottawa. The Commons, with its multiplicity of parties, resembles a PR system but at the same time pushes the FPP system to its limit. The electorate voted for a change but to be successful, votes had to be concentrated to be effective in translating votes to seats in the current system. Now, the system cannot act fully as one method or the other. The system is producing a multiplicity of parties, resembling a PR system, yet this representation does not accurately correspond to general national or provincial popular vote. At the same time, the FPP system demonstrated its strength by electing a majority Liberal government. It also showed its glaring weakness by virtually wiping out the Progressive Conservatives, leaving them with two seats, despite receiving almost 18 percent of the popular vote.

As noted, this proposal will outline how the Commons would appear under this new mixed system both nationally and provincially in Alberta and Quebec . The following tables illustrate the seats attained by political parties in each province under this new electoral proposal for the two elections relative to actual results.

1980 Actual Results1980 Results by new electoral method²⁶

	PC	Lib	NDP	SC	PC	Lib	NDP	SC	Aboriginal
Nfld	2	5			4	8	2		1
PEI	2	2			3	3	1		1
NS	6	5			8	9	5		1
NB	3	7			7	10	3		1
Que	1	74			20	105	15	10	2
Ont	38	52	5		68	80	42		4
Man	5	2	7		11	8	9		2
SK	7		7		11	6	10		2
Alta	21				27	9	4		3
BC	16		12		25	13	20		3
NWT	1		1		1	1	2		1
Yukon	1				1	1	0		1

totals	103	147	32		186	253	113	10	22
% seats	36.5	52.1	11.3		31.8	43.3	19.3	1.7	3.7
% pop vote (actual)	32.5	44.3	19.8		32.5	44.3	19.8	1.7	2.7

²⁶ Because of approximations, rounding and the difficulties of conducting an arithmetic simulation for both elections, some national seat totals and/or provincial seat allocations may seem slightly distorted or not add exactly to 100%.

One of the most noticeable observations of the 1980 actual results is the huge discrepancy between the seats attained and the popular vote. The Liberals with 52.1% of seats attained overrepresents its 44.3% of the popular vote. The NDP on the other hand, are drastically underrepresented with their 11.3% of total seats representing 19.8% of the popular vote. These differences are partly explained by the regional breakdowns. The Liberals, for example, attained 74 of the 75 seats in Quebec yet had no representation west of Manitoba. Electoral proposals based on the FPP system would not change the situation drastically. The Elton and Gibbins Canada West proposal, for example, would have increased western representation in government by 6 seats. Their proposal would increase opposition seats in Quebec to 6 but also increase Liberal representation to 80 from 74. Discrepancies would remain as seat totals would appear more equitable but the main point of dominance by regions and large brokerage political parties would remain because their system maintains the FPP method as the basis of the electoral system. PR is added to bolster some regional support, but not enough to drastically affect the overpowering tendencies and inequalities resulting from FPP.

The proposal of this thesis still would not allow a region, such as the west, enough seats to outnumber central Canada, but it would change the seat to popular vote ratios. This would change the make-up of the Commons. The above table also outlines results for the 1980 election if this proposal were implemented. The most noticeable difference is how the percentage of the popular vote gained is directly related to the percent of

total seats attained. By virtue of Canada and its size, some parties will maintain stronger presences in certain regions of the country. In these results, would remain the case such as the strong PC presence in the west and strong Liberal presence in Quebec. The difference is that the minority voices from these regions are strong as well and all major parties are represented. In Quebec, the Liberals would have 105 seats but the other parties would have a combined force of 49 seats, large enough to represent other interests of that province. The same happens in the west where there would be strong representation from all parties in each caucus, helping to ensure that all concerns are heard. The Liberals would enjoy strong representation rather than being totally blanked out by a strict FPP outcome. One other interesting note is the performance of the NDP party. Under the current system, the party is relatively regional in nature, confined to Ontario and the West. Under a new system, the party becomes truly national in scope.

This NDP strength exemplifies another effect of a new electoral system with a strong PR component. With a purer translating of votes to seats, the new proposal would likely offer a greater number of political parties with narrower, often issue-specific approaches to attract their specific supporter. The supporter, in return, knows that casting a vote for a smaller party, for example, will not be throwing a vote away. Some seats will be selected by plurality, but others will be selected on the basis of pure popular vote. Not surprisingly, a greater number of parties are found in PR systems. This multiplicity of parties, as referred to by Duverger, stands in contrast to the FPP

method, that rewards larger, "catch-all" parties. With a PR component, the party make-up of the Commons would change. This alone would alter the dynamic of decision making and discussion and offer great choice for the voter and result in more diverse representation.

The representativeness of a mixed system is illustrated when compared to electoral system proposals that maintain a predominantly FPP presence. The Elton proposal, as discussed in the last chapter, maintains the FPP system but adds a small PR element. When applied to the 1980 election results, these differences are not significant. These results are found in the table below.

	Actual 1980 Results				1980 Results Recalculated By New System			
	PC	LIB	NDP	SC	PC	LIB	NDP	SC
Nfld	2	5			3	5	1	
PEI	2	2			2	3		
NS	6	5			6	6	1	
NB	3	7			4	7	1	
Que	1	74			3	80	2	1
Ont	38	52	5		44	58	8	
Man	5	2	7		6	3	8	
Sask	7		7		8	1	8	
Alta	21				22	2	1	
BC	16		12		17	2	14	
North	2		1		2		1	

Western Canada	51	2	27		55	8	32	

Canada	103	147	32		117	167	45	1

% Seats	36.5	52.1	11.3	-	35.5	50.6	13.6	0.3

All parties gained seats, but this gain is at the same ratio as each others. As such, the disparities still exist. Both the Liberals and the NDP have gained representation in areas previously unrepresented. The Liberals gained seats in the west, with the NDP gaining seats in the east. This representation, however, remains weak and could arguably be considered ineffective. General seat numbers have increased but the ratios are the same. However, the representativeness of this thesis's electoral proposal is demonstrated when applied to the 1993 Canadian General election, as outlined below.

1993 Actual Results1993 Results using new electoral method

	PC	Lib	NDP	Ref	BQ	Ind.		PC	Lib	NDP	Ref	BQ	Ind.	Aborig
Nfld		7						4	9	1				1
PEI		4						2	5	1				1
NS		11						5	12	2	3			1
NB	1	9						6	11	1	2			1
Que	1	19			54	1		21	50	3		75	1	2
Ont		98		1				36	108	13	41			4
Man		12	1	1				3	13	6	6			2
SK		5	5	4				3	9	8	8			2
Alta		3		23				8	14	2	28			3
BC		6	2	23				9	18	10	27			3
NWT		2						1	3					1
Yuk			1					1		1				1

totals	2	176	9	52	54	1		99	252	48	115	75	1	22

% seats	0.68	59.7	3.1	17.6	18.3	0.34		16.2	41.2	7.8	18.8	12.3	0.17	3.6

% popular vote	16.0	41.3	6.9	18.7	13.5	-----		16.0	41.3	6.9	18.7	13.5	----	2.7

Again, in 1993 as in 1980 actual election results, there are huge discrepancies in the number of seats gained by parties relative to popular vote. Here, large parties with steady support from all regions of Canada can be penalized if the distribution of votes is not strategically located. PC support is evidence of this phenomenon. In 1993 they received 16.0% of the popular vote yet gained only 2 seats or 0.68% of total seats. By contrast, the BQ, a strong regional party with its votes concentrated in one geographical region, gained 18.3 % of total seats on 13.5% of the total popular vote from across the country. The NDP suffered the same fate as the Tories, gaining 3.1% of total seats on 6.9% of popular vote. The big winners were the Liberals with their votes strategically located across the country achieving 59.7% of total seats on 41.3% of total popular vote.

When election results are applied to this thesis's electoral method, the results are drastically different. As in the 1980 election, the parties' percentages of total seats gained would resemble the total percentages of popular vote, and in fact would be almost equal. Notably PC and NDP support would be drastically stronger. By contrast, BQ and Liberal support would be in proportion to their regional or national strength. This electoral method would still show a definite clear victory for the Liberals, but not as massive as the FPP system seems to suggest. And all parties with a national support base would be rewarded. Unlike the actual 1993 results where the Liberals appear to be the only national party, the amended results reflect that the PC,

Liberal, NDP and Reform Parties would enjoy electoral success in most, if not all, regions of the country. As such, all regions would again have strong voices in all caucuses. These results show that a substantial number of non-BQ MPs would represent a large number of Quebec voters. Accordingly, the presence of PC, Liberal, NDP and Aboriginal representatives in Alberta show that the Reform Party would not be the only voice speaking on behalf of that region.

A FPP-PR electoral system would likely result in both strengthening and weakening relations between Quebec and the Rest of Canada. As is the case with the current delegation BQ MPs in Ottawa, Quebecers would receive a strong voice, which helps them articulate their concerns more forcefully and effectively. While this may appear to point to increasing concessions to Quebec, as in the past, to remain a happy member in Canadian confederation, this does not appear to be the case. Quebec's concerns are being articulated more strongly, but within the scope of Parliament and as such, they are playing Ottawa's rules and dealing with national issues as official opposition party, instead of pressing only with Quebec issues. Relations between Quebec and the rest of Canada could be weakened, however, as focus is directed to other previously marginalized groups, such as Aboriginal people and women.

Because of input from more actors in the system, a PR element would increase the need for consensus and compromise from government. With a larger number of parties representing narrower defined groups, coalitions to form government would be more

common. This consensus government style has been effective in Germany and signs indicate that it could be effective in Canada as well. There are many elements to cause division in Canada and FPP has exacerbated these differences. Elton and Gibbins vehemently advocate the FPP system in part because of its tendency to result in majority governments, which they view as stronger government. They prefer this to a PR system which Duverger noted has a propensity to foster a multiplicity of parties and leads more frequently to minority governments. With a propensity to majority governments, however, FPP has resulted in governments that have deliberately and shamelessly ruled with the best interests of privileged regions in mind. A type of government that fosters consensus in a land of division can only lead to greater effectiveness. A PR type of system tends to foster this type of government.²⁷

In Canada it means that brokerage politics would be played at a different level, one that is more open than the current Canadian system allows. Currently, the brokering occurs within the larger, closed, catch-all framework of the party system that the FPP system fosters. With this situation, the exclusiveness of the party results, as has been discussed earlier. With increasing the number of political parties, more groups and regions have different vehicles with which they can include themselves in the decision-making process. Instead of coalition building occurring behind closed doors, a PR

²⁷ In fact, the German mixed PR-FPP has offered stability. For opposition or a disgruntled minority government coalition member to forward a non-confidence vote on the government, they must be able to offer an alternative government. This protects executive stability

system would allow more opportunity for others previously disillusioned and not included to take part in the decision-making process. In a country as geographically and culturally diverse as Canada, this thesis advocates the PR system for representativeness but also for its inclusiveness..

Conclusion

Overall, this paper has explored one method by which to raise the level of representativeness in the House of Commons, the main federal decision making body. The basic objectives of this thesis are to demonstrate the need for change and to suggest that changing the electoral system would offer a step towards increasing representation and bringing about healthy change within the Canadian political context.

The first chapter attempted to demonstrate that historical tensions have existed in Canada since before Confederation and have not been effectively dampened. These tensions, primarily regional in nature, have persisted and most recently manifested themselves in the 1993 Federal Election. In 1993, two parties rose from obscurity to positions of power. It is no coincidence that these parties, the Bloc Quebecois in Quebec and the Reform, achieved electoral support by forwarding strong regional platforms.

This thesis focussed on increasing representation of various voices in the country as a means to alleviate this tension, which places a heavy strain on political and societal stability. Other ways to increase representation were examined, such as reforming the Senate, altering federal-provincial power arrangements, changing political party operations, and altering existing political boundaries, but these options did not appear to be as effective as changing the electoral system - the way MPs are selected and elected.

Other studies have made recommendations as to how to make the electoral system more effective yet many, such as those proposed by the Canada West Foundation, Professor Don Smiley, and Ed Broadbent, do not offer systems that provide sufficient change in electoral outcomes to increase representation. These proposals were found to either base themselves on the current FPP system and offer little real change in representation or they can be argued to contain noticeable bias to a region or political party. Several other proposals, such as those put forth by Professor William Irvine and by the Quebec government, were used as a starting point for the proposal of this thesis. Irvine and the Quebec government emphasize the PR component of an electoral system and the diversity it brings. The Quebec government green paper also based itself on the German system. It is from this point that this thesis forwards its proposal to reform the electoral method.

This thesis has argued that substantial changes are needed to the electoral method to bring about increasing representation in the federal decision making process. This thesis proposes that a mixed PR-FPP system based on the German model would be the most effective. Unlike other proposals, this thesis includes a component guaranteeing representation for aboriginal people, as discussed during the Charlottetown Accord. This way, the proposal attempts to systemically include all regions and cultures within Canada.

There are many aspects that have been touched on in this paper but are deserving of

more research or explanation. Because a model such as this is essentially new, much more discussion would be interesting, especially the changing role of larger "catch-all" political parties in a PR based system. They would have to operate differently both in the way they recruit membership and promote both candidates and platforms. A transformation should occur from recruiting and marketing both a "catch-all" type of candidate and platform to a targeted approach, as competition, such as for Aboriginal, and other representation and issue delineation to separate themselves from other, more numerous sources of opposition will be essential. Because this thesis can only simulate, the true dynamic is not predictable. It would also be interesting to see if a mixed PR-FPP system would drastically increase the number of parties or just strengthen those who achieved representation in 1993.

A second dynamic would be interaction between decision making bodies. As one decision making structure undergoes major reconstruction, dynamics in the process, such as coalition building to form government, and relations with other structures such as the Senate and provincial governments would be interesting. Again, the German model could provide a starting point.

One strength of this model is its flexibility. This electoral model is able to accept both external and internal change. As a starting point for change, the electoral model can alter the makeup of the Commons and the party system, but it can also be applied to other institutions, such as the Senate. Or the PR-based Commons can complement the

current Senate. The goal of the PR method is to increase representation. As it would be, in essence, an experiment if applied, it must be open to feedback. If implemented, a review would be useful to note strengths and weaknesses and make changes accordingly. This is what is currently happening in Germany. Although the system has been essentially in place since WWII, it is adjusting to new societal demands. It has embraced the Lander of the former East Germany after reunification. With a focus on representativeness, the system fosters, and is flexible, to allow change. One current example is the problem with a lack of women legislators. This is prompting discussion by one major party, in particular, to guarantee that a minimum percentage of its candidates be female.

Things have not changed drastically in Canada since 1968 when Cairns observed that "the party system, importantly conditioned by the electoral system, exacerbates the very cleavages it is credited with healing."¹ The same problems that Canada has experienced since 1968 still exist today. And in fact, tension between regions has grown worse, with the election of regional parties to the House of Commons, the continuing cries by regionalists for Senate reform and a second referendum on Quebec sovereignty in the last two decades planned for Fall 1995.

¹ Alan C. Cairns, *op. cit.*

Jeffrey Simpson warns that these voices of discontent will not fade unless issues are faced. He discounts current attempts at conciliation, especially the "illusion that the undeniable and remorseless demands for change can best be accommodated by constitutional change. These pressures (for change) will not disappear" Simpson includes Aboriginal people, women, Quebec's restlessness, language tensions and globalization among groups or forces that are pushing for change. He adds that the "trick will be for Canadians and their leaders to understand that these pressures will remain with the country, but that they cannot effectively be dealt with within the ambit of constitutional reform without risking yet another divisive failure that will highlight again the faultlines running through Canadian society. The 'paradigm' therefore needs to be shifted back toward accommodating diversity and managing change."²

The thesis argues that many of these marginalized voices would be heard in a Commons elected by a mixed PR-FPP system. It is ironic that voters in 1993, fuelled by discontent, elected a Commons that resembles one in a country of PR than one based on a FPP system. The will of the people is mirroring PR. Voters are unhappy with mainstream "catch-all" parties because they are not advocating interests which are focussed on voter concerns. General catch-all platforms are not effectively addressing and have not effectively addressed specific, issue-oriented concerns. It is not coincidental that many supporters of the Reform Party, for example, come primarily

² Jeffrey Simpson, *Faultlines*, *op. cit.*,. pages 359-360.

from one major mainstream political party, the Progressive Conservatives. The coalition building that takes place inside of party structures in a FPP system has begun to take place outside of party structures. Both of these points were recently illustrated with a proposed agreement between the current PC provincial leader of Ontario, Mike Harris, and the federal Reform Party leader, Preston Manning. One can only assume that this has happened because the Reform Party better advocates their policies on specific issues such as deficit reduction and health care. By contrast, federal PC policies on these issues still remain vague. This alliance also is a sign that the changes to the Canadian party system may be long-term and not an aberration.

Secondly, such a visible "coalition" building exercise is also not common to Canadian politics. With an increase in the number of narrower-focussed issue oriented political parties and the emergence of extra-party coalition building, it appears that a preference for a PR system has begun, demonstrated by the will of the electorate. Only the constraints of the FPP system are restraining this movement. It would seem logical that the time is prudent to consider a change to a mixed PR-FPP electoral system.

In conclusion, more effective representation is direly needed at the federal level, and changing the electoral system is one alternative that this thesis suggests should be seriously considered as one step to bringing Canada closer together. When applied to the Canadian context, a mixed PR-FPP model offers more effective representation from regions and various segments of Canadian society than the current situation allows.

This Parliament, offering a proportionate representation of Canadian society should, in turn, decrease tension between regions in Canada and result in increasing governmental stability and confidence in the decision making process.

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