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SOME ARE MORE EQUAL THAN OTHERS

Canadian Political Representation
in Comparative Context

Matthew Mendelsohn

This *Mowat Note* examines how closely Canada's system of political representation adheres to the principle of representation by population. It compares Canada's performance in this area to other advanced democracies with federal systems. The research shows that the Canadian approach does not live up to internationally accepted democratic standards. The principle of citizen equality, according to which citizens should have roughly comparable voting power, is violated to a far greater extent in Canada than in Australia, Germany, Switzerland or the United States. Unless Canadian laws are changed, the inequality of the current system will worsen and the voting power of citizens will increasingly depend on which province they live in.

The principle of representation by population (rep-by-pop) is a cornerstone of most modern democracies. The principle is based on the idea that citizens should have an equal say in choosing their political representatives. The fact that this idea is now broadly accepted around the world is one of the remarkable human achievements of the 20th century.

In Canada, as in most democratic states, some deviations from the principle of rep-by-pop are seen as acceptable. The core commitment to the political equality of citizens must sometimes be measured against other competing principles, such as the need to ensure that sparsely populated regions still have a voice or to protect minority communities. In most democratic states, however, only the most compelling of reasons can ever justify deviations from this principle.

Yet, the violations of the rep-by-pop principle in Canada now go beyond what is considered acceptable under international democratic norms. This *Mowat Note* examines the extent to which the principle is violated in Canada as well as in four other industrialized, democratic federations. The numbers show that the distortions in the Canadian House of Commons are far worse than in the legislatures of the United States, Australia, Germany or Switzerland.

The reality today is that 61 per cent of Canadians are underrepresented in the House of Commons, and Canada's visible minority communities are particularly underrepresented.

REPRESENTATION ISSUES IN CANADA

The seats in Canada's House of Commons are allocated by province. The fairness of this initial allocation is what largely determines whether Canada can live up to the internationally accepted standards of rep-by-pop. Each province's share of seats in the House of Commons should be roughly equal, in proportional terms, to its share of the national population.

But the formula for divvying up seats in the House does not adhere to the standard of rep-by-pop, as required by the Canadian Constitution. Instead, the formula is distorted with a number of historical seat-count guarantees. The current rules guarantee that no province can have fewer seats than it has senators, and that no province can have fewer seats than it had in 1985 (for a more detailed description of the character and evolution of the current allocation formula, as well as evidence that it may violate the Constitution, please see Andrew Sancton, "The Principle of Representation by Population in Canadian Federal Politics," *Mowat Paper*, March 2010).

As Table 1 illustrates, those two rules have created serious distortions in representation across the provinces. Only Quebec is represented proportionally according to its population. The residents of Ontario, British Columbia and Alberta are significantly underrepresented, while the residents of all other provinces and territories have more representatives than their populations would warrant under a strict rep-by-pop standard.

Table 1. Seat and Population Distributions and Relative Vote Weight by Canadian Province and Territory

PROVINCE/ TERRITORY	POPULATION*	% OF CANADIAN POPULATION	# OF ACTUAL SEATS	ACTUAL % OF SEATS RECEIVED	# OF SEATS REP-BY-POP	RELATIVE VOTE WEIGHT
Ontario	11,410,046	38.02	106	34.42	117.12	0.91
Quebec	7,237,479	24.11	75	24.35	74.29	1.01
British Columbia	3,907,738	13.02	36	11.69	40.11	0.90
Alberta	2,974,807	9.91	28	9.09	30.53	0.92
Manitoba	1,119,583	3.73	14	4.55	11.49	1.22
Saskatchewan	978,933	3.26	14	4.55	10.05	1.39
Nova Scotia	908,007	3.02	11	3.57	9.32	1.18
New Brunswick	729,498	2.43	10	3.25	7.49	1.34
Newfoundland and Labrador	512,930	1.70	7	2.27	5.26	1.33
Prince Edward Island	135,294	0.45	4	1.30	1.39	2.88
Northwest Territories	37,360	0.12	1	0.32	0.38	2.61
Yukon	28,674	0.09	1	0.32	0.29	3.40
Nunavut	26,745	0.08	1	0.32	0.27	3.64
CANADA	30,007,094	100.00	308	100.00	308	

* Population figures based on the 2001 census (<http://www12.statcan.ca/english/census01/home/index.cfm>)

The final column in Table 1 shows the relative vote weight in each province. A score of 1.00 indicates that the weight of an individual's vote in that province is proportionate to the average weight of individuals' votes cross the country. The more a province deviates from 1.00, the more under- or overrepresented it is in the House of Commons. A score of less than 1.00 indicates that the residents of that province get fewer seats than they deserve and the population of the average riding in that province is larger than the national average.

Consider the examples of Alberta and Prince Edward Island (PEI). The average riding in Alberta is more than three times larger than the average riding in Prince Edward Island. As a result, a vote in Alberta carries significantly less weight in deciding who forms the federal government than a vote in PEI.

Granted, in a country as large and diverse as Canada, some deviation from pure rep-by-pop is to be expected. Sparsely populated provinces must be assured a voice in national debates; national minorities such as the Québécois or First Nations expect their influence and voices to be protected. Accommodating these legitimate demands while also upholding the democratic principle of voter equality requires a delicate balancing act.

Has Canada managed to achieve such a balance? One way to find out is to compare Canada's system of representation to those of other democratic federations around the world.

The average riding in Alberta is more than three times larger than the average riding in Prince Edward Island.

One of the Worst Violators of Citizen Equality

Canada does not do well in such comparisons. In fact, compared to Australia, the United States, Switzerland and Germany, Canada stands out as the worst violator of the rep-by-pop principle. Table 2 reports standard deviations to illustrate the extent of deviations from voter equality in the five countries. The more a country deviates from "0" in the final column, the more the sub-national units of that country experience a deviation from the ideal of rep-by-pop. A quick glance at the Table shows that Canada's deviation from the ideal is more than three times greater than that of the second worst violator, Switzerland, and more than 10 times greater than that of the United States.

The numbers in Table 2 are based on an examination of sub-national units. They show that the variation from perfect equality in voter weight is very high when provinces are compared to each other. But this might actually exaggerate the extent to which inequality is experienced by individual citizens. Table 3 gets at this issue

Table 2. Standard Deviation in Weighted Vote by Jurisdiction

JURISDICTION	# OF SEATS	NATIONAL AVERAGE CONSTITUENCY POPULATION	STANDARD DEVIATION
Canada	308	97,426	.96
Switzerland	200	36,020	.28
Germany	323 ^a	254,845	.19
Australia	150	132,353	.19
United States	435	646,952	.09

^a The German Bundestag is comprised of 622 members; 323 are elected directly through geographical constituencies, the other 299 via party list. This analysis is concerned with the former.

by presenting weighted results, which show the extent to which individual Canadians suffer from unequal representation. In this case, the more a country's results in the final column deviate from "0," the greater the inequality in the weight of the votes among individual citizens.

The inequality experienced by Canadians is more than twice as great as that experienced by Germans, about three and a half times greater than that felt by Swiss or Australians, and approximately seven times greater than what Americans experience.

Table 3. Standard Deviation in Weighted Vote by Population

JURISDICTION	# OF SEATS	AVERAGE CONSTITUENCY POPULATION	NATIONAL POPULATION	STANDARD DEVIATION
Canada	308	97,426	30,007,094	.28
Germany	323	254,845	82,314,906	.11
Switzerland	200	36,020	7,204,055	.08
Australia	150	132,353	19,852,969	.08
United States	435	646,952	281,424,177	.04

Out of the 113 sub-national units in the five federal countries examined here, Ontario, British Columbia and Alberta rank first, third and fifth, respectively, in terms of the extent to which their residents are underrepresented. Table 4 shows that Ontario's deviation from the ideal far surpasses that of all the other sub-national jurisdictions.

Table 4. Ten Most Extreme Deviations from Rep-by-Pop

	NUMBER OF SEATS REQUIRED TO REACH REP-BY-POP	SUB-NATIONAL JURISDICTION	COUNTRY
1	-11.11544503	Ontario	Canada
2	-5.74398694	Nordrhein-Westfalen	Germany
3	-4.109958798	British Columbia	Canada
4	-3.020629799	Bayern	Germany
5	-2.534131562	Alberta	Canada
6	-2.357288545	Berlin	Germany
7	-1.581462694	Sachsen-Anhalt	Germany
8	-0.997343081	Brandenburg	Germany
9	-0.667070837	Valais	Switzerland
10	-0.612232972	Ticino	Switzerland

Out of the 113 sub-national units in the five federal countries examined here, Ontario, British Columbia and Alberta rank first, third and fifth, respectively, in terms of the extent to which their residents are underrepresented.

Our system is no longer compatible with internationally accepted democratic norms.

Canada's Unique Position

Most would agree that achieving perfect representation by population in Canada is neither politically feasible nor desirable. But the situation as it now stands is seriously undermining the principle that all citizens should have an equal say in choosing their government. Although the current rules were put in place to ensure that Canada's sparsely populated provinces had a voice, they have also had the unintended effect of undermining the voting power and equality rights of visible minorities and newcomers to this country, given that these voters are more likely to be concentrated in Canada's most populous ridings.¹

Other federal states have managed to respond to the challenges of guaranteeing effective representation in a much nimbler fashion than Canada. The United States, like Canada, has some sparsely populated jurisdictions, but it has so far adopted only one constitutionally-mandated deviation from pure rep-by-pop for its House of Representatives—namely, the requirement that each state be allowed at least one representative.

Seats in Switzerland's National Council are allocated among the country's 26 cantons on the basis of population, although each canton is guaranteed at least one seat. It is worth noting that Switzerland is much closer than Canada to fulfilling the ideal of rep-by-pop even though, like Canada, it is characterized by linguistic and cultural diversity and wide deviations in the population of its sub-national jurisdictions.

Australia has a provision that guarantees all six of its states a minimum of five seats, but this does not have a dramatic effect on representation in that country.

Canada is unique in that it has two guarantees to protect the number of seats in more slowly growing provinces, one of which could easily be changed by the federal government at its discretion.

Moving Forward

Canada's system of representation has evolved over decades as an effort to balance competing democratic values, but this has led to a slow erosion of political equality in Canada. Today, our system is no longer compatible with internationally accepted democratic norms.

¹ See Michael Pal and Sujit Choudhry "Is Every Ballot Equal? Visible Minority Vote Dilution in Canada," *Policy Options*, 13(1), January 2007. Available online at <http://www.irpp.org/choices/archive/vol13no1.pdf>

In the March 2010 Speech from the Throne, the Canadian government pledged to address this inequity. The Constitution requires that changes be made to the regional composition of the House of Commons after each census. The next census is scheduled for 2011.

The proposed changes that were put forward in 2007 by the federal government, in the form of Bill C-56 and Bill C-22, would not bring Canada into line with internationally accepted democratic norms. In fact, Bill C-22 would put Canada even further out-of-step with such norms.

Discussions of this issue over the past three decades have focused on protecting the representation of Canadians in provinces with slower population growth. There has been less focus on those Canadians who have seen their voting rights weakened as a result of those protections. Likewise, little attention has been paid to the fact that Canada has drifted further away from internationally accepted democratic norms.

The last time this issue was raised in the courts in 1987, it was found that certain deviations from the principle of representation by population were acceptable. Since that time, the deviations from rep-by-pop have increased dramatically. Given the clear commitment in the Canadian constitution to rep-by-pop amongst the provinces, the fact that with every passing census our electoral boundaries attain violations of the rep-by-pop principle unknown in Canada previously, and the increasingly anomalous situation in Canada when compared to other federations, it is not clear that courts today would find the same way. The constitutionality of current practice is even more dubious when one considers that Canadians whose votes count for less are more likely to be visible minorities and new Canadians. This was not the intent of Canada's allocation formula, but it is the result. The federal government has an opportunity to redress this during the present parliamentary session. [MC](#)

About the Mowat Centre

The Mowat Centre for Policy Innovation is an independent, non-partisan public policy research centre located at the School of Public Policy and Governance at the University of Toronto.

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School of Public Policy & Governance
UNIVERSITY OF TORONTO

525 University Avenue, Suite 820 Toronto, ON M5G 2L3 **T** 416.978.7858 **F** 416-978-7203 **E** info@mowatcentre.ca