

POLITICAL REPRESENTATION IN CANADA:  
Theoretical and Empirical Considerations

Produced for the Law Commission of Canada

by

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## **Executive Summary**

The purpose of this study is to examine the notion of representation in terms of ideas and practices. It is based on a principal idea: that representation consists of finding an interpretation that generates public confidence in political leadership. The first chapter demonstrates that representation is not a singular concept, but is born of ideas and, therefore, interpretations. From era to era, representation has been conceived in varying ways, which can be summarized in three models: one-to-one representation, where individuals in turn govern and are governed; many-to-one representation, essentially an aggregate process; and, finally, many-to-many representation, with a view to flexibility and complexity. Despite these various interpretations of representation over the ages, it is associated with essential ideas, such as sovereignty of the people, consent and majority rule.

Chapter Two describes some of the models that allow political representation to be applied to daily life: models based on territory, presence and finality, causes (or identities) and, finally, a model that promotes relationships between individuals with a mandate to represent and those being represented. These models are not mutually exclusive. On the contrary, they work together and complement each other. No model is better than another. Instead, they reflect different normative realities. In fact, their relevance depends on the profile of each political community – on its history, values and what it wants to become.

Chapters Three, Four and Five examine representation in practice. Three main elements govern representation in the field of law: the Constitution, ordinary parliamentary laws and case law. These elements bear values that testify to interpretations of representation throughout history and its ability to adapt to new conditions. Chapter Four provides an overview of the various voting methods used to translate voter preferences into seats in the legislative assembly. This

transition from votes to seats is a sign of the values of a society (e.g., a reflection of social diversity). There are two main types of voting methods, majority and proportional, from which stems a third type, mixed. Canada has a single constituency majority system. Finally, Chapter Five examines some electoral alternatives for Canada. Although a majority single constituency system has long dominated Canada's electoral landscape, some alternatives have been tried. Universities and government institutions have also proposed other electoral scenarios for Canada, proposals stirred by the fact that Scotland and New Zealand have recently adopted mixed voting systems, thus breaking with British tradition.

The conclusion pleads in favour of reforming the Canadian model of political representation, beyond simple modification of the voting system.

## **Introduction**

### **Democracy, Representation and Governance: Terms of Reflection**

Democracy and representation are intellectually and collectively rich ideas that have generated much discussion and stirred many a crowd. This multiplicity invites the observation that the ideas of democracy and representation cannot be reduced to a single interpretation—possibly due to the very ideals of liberty and equality that they attempt to convey. Moreover, a brief overview sheds light not only on their complexity, but also on the dilemmas to which they give rise.

The term "democracy" first appeared in Athens in the 5<sup>th</sup> century BC. It designated a specific manner of organizing a city state, where, in Greek etymology, the people (*demos*) led the system of government (*kratia*). Herodotus (484–452 BC) also compared it to government by one (monarchy) and government by a few (aristocracy and oligarchy). Many centuries later, in 1863, Abraham Lincoln, the US President at the time, would define it in terms that would be etched on our collective memory: democracy is "government of the people, by the people and for the people."

The apparently simple equation [demos/kratia = (people) + (government)] raises many questions and criticisms. Begin with the "people": what are the people – an entity or a galaxy of fragments? Who is included in it, who is excluded and on what grounds? What is the basis of its authority? Now consider the concept of "government": what is its nature – direct, representative or something else? What is its area of jurisdiction, its function? What is its authority? What are the limitations of its authority? Finally, the interaction of these two concepts also raises questions: are all citizens fit to govern? How are leaders selected from the people – at random, by election or by other means? Upon what principles are the government's decisions based – consensus, majority rule or the informed opinions of a few experts? What rules limit the excesses of democracy – such as tyranny by the majority and oppression of the minority?

Representation also has many meanings. From the mathematical standpoint, statistics, for example, are the basis of its authority in a society in which numbers are seen as truth. From a qualitative standpoint, art serves first and foremost to represent—an interpretive representation. "Woman" is not at all rendered in the same way by French artist Edgar Degas (1834–1917) and Spanish artist Pablo Picasso (1881–1973).

The same reasoning applies to politics: representation (from the Latin *representare*) is subject to a wide range of interpretation. In its most common sense, representation means providing a presence on behalf of something (i.e., a person, idea or object) that is not in fact present, by means of an intermediary (animate or inanimate). Abroad, the Canadian flag represents Canada, a substitution that can also be assumed by the Governor General, an ambassador or the Prime Minister. In a representative democracy, parliaments are the favoured theatre of representation: parliamentary assemblies being composed of actors chosen by the people by means of an election process for a limited mandate.

Like the idea of democracy, representation by means of elected assemblies raises many questions. Who or what is represented? A parcel of land or the entire nation? A population or a political party? Interests or identities? In terms of substance, what criteria suggest effective representation? How independent is the elected individual from the public? Is majority rule compatible with representation for minorities? Does representation still exist when an increasingly large part of the population does not vote and expresses increasing cynicism about representatives?

This is where governance offers a potential for renewing representative democracy. Historically, parliamentary assemblies and governments have been given a role of quasi-exclusive leadership in managing public affairs. Since the 1980s, the legitimacy of the State's dominant position (particularly legislative authority) has been questioned under international pressure often targeted as globalization. The State has had to adapt to this new global environment and

call on other actors (particularly from civil society and the economy) to participate in shared management of public affairs. According to Peters (2000), governance has gone from a perspective in which the State overrides, manages and controls the economy and civil society to one in which it interacts with a wide range of stakeholders in order to reach consensus on public decisions. Governance in a democratic system challenges traditional interpretations of representation. It questions the appropriateness of the Canadian model of political representation and raises the possibility of reform.

This study is based on a principal idea: that representation consists in finding an interpretation that generates public confidence in political leadership. The study is divided into two parts. The first serves to examine various philosophical and normative readings on representation: representation by interpretation of values. The second purposes to shed light on the principal components of representation in Canada, a process that puts forth an interpretation of representation that is increasingly in competition with alternative readings.