

## Using Electoral Reform Discussions to Enhance Women's Political Representation: Steps in the Right Direction

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With women holding 27.2 per cent of the seats in the House of Commons, Canada ranks sixty-fourth among 193 countries in the world in terms of women's legislative representation as recorded by the Inter-Parliamentary Union. Twenty years ago, when I first began to compare Canada's position to that of other countries, we ranked closer to twentieth (1997), and just over five years ago we ranked forty-fourth. This is a long way to drop in a relatively short period of time, especially for a country that prides itself on how far we have come in other areas of gender equality. If the focus was more specifically on where New Brunswick would place, the situation would be even more depressing. With women only holding 16.3 per cent of the seats in the New Brunswick legislative assembly after the 2014 provincial election, the province, if it were an independent nation, would rank 123<sup>rd</sup> in the world.

Typically, Canada scores well on those aspects of the Global Gender Gap Index (used by the World Economic Forum to measure gender equality among world nations) that measure economic participation and opportunity (e.g., salaries, workforce participation, and access to skilled employment opportunities), educational attainment, and health and survival (life expectancy)—and the province of New Brunswick would not fare that much differently on these measures. However, it falls far short of other countries on indicators of political empowerment, most of which focus on women's representation in political decision-making structures. As a result, in 2016 Canada ranked thirty-fifth on this global index, a significant drop from our 2006 rank of thirteenth place. Since New Brunswick's levels of women's political representation in the provincial legislative assembly are even lower than those in the House of Commons, we could expect to be ranked much further down on this index if we were assessed.

A major reason for this downward slide in these two rankings is the single-member plurality (SMP) electoral system that we use at both federal and provincial levels in this country. Given that the majority of those countries who have surpassed Canada in terms of political representation have adopted a proportional representation (PR) or mixed-member proportional (MMP) electoral system, it is hard to question the conclusion that electoral systems matter in terms of representation. Since Wilma Rule's influential 1987 paper on the impact of electoral systems on the opportunity for women's election to office, study after study has shown that SMP systems typically result in lower numbers of women being elected than do more proportional systems (Rule 1987; Kittilson and Schwindt-Bayer 2010). While in some cases this is related to the more egalitarian political culture of countries with PR systems (for example, countries in Scandinavia), in other cases this is due to the fact that in a single-member system, parties who need to choose only one candidate to carry their standard are going to look for the "best" and most "winnable" candidate. Frequently these individuals look like those who have won in the past—typically men.

Proportional systems tend to have greater central party control over which individuals they put forward as candidates and where they are ranked on the party's list. Even MMP systems allow for the representation of women and other under-represented groups through their list seats. These can be used by parties to top up those groups who are under-represented in district seats. It is also possible to hold parties to higher representational standards in PR systems as it is easy to challenge a party's list when the majority of the list is male or men are ranked in most of the top positions. It is more difficult,

however, to challenge a party whose individually nominated candidates, selected by local riding associations, are primarily men. For these reasons, many at both the federal and provincial levels in Canada have pointed to the need for significant electoral reform involving changing our electoral system from an SMP system to a PR or a MMP system as a way to address the democratic deficit in terms of women's political representation.

However, a major complaint against the campaign for PR or MMP is that these systems present significant challenges to an important aspect of Canadian political culture. This is the need for territorial or local representation. Canadians are used to having an MP or MLA to go to for help when they need it. We like being able to identify our local representative, something which is not possible to do in a PR system where the top candidates are not necessarily chosen to be regionally representative. This is even more the case in small provinces such as New Brunswick where citizens' likelihood of actually knowing their local politicians is higher than it is in larger urban centres. Provincial ridings in Ontario have on average over 125,000 voters, with ridings in the Greater Toronto Area being even larger. Conversely, provincial ridings in New Brunswick are less than 10 per cent of that size with just over 11,000 voters. As a result, the local awareness of and importance of the role of provincial politicians is greater in provinces with smaller populations. To some extent, this principle of local accountability is kept with an MMP system, but because of the two different types of seats, there can often be confusion about which part of the electorate the list members represent. The result is that any significant electoral change to address principles of gender equality is likely to come in conflict with an equally important Canadian principle of local representation and accountability.

I argue, however, that it is possible to improve women's political representation without engaging in full-fledged electoral reform. All it would take is steps to persuade more women to run for office and more efforts by the parties to run them in winnable seats. National organizations like Equal Voice and the New Brunswick group Women For 50% have drawn public attention to women's seriously under-represented status and advocated for increased female representation at federal and provincial levels across the country by encouraging parties to nominate more women. Unfortunately, despite these efforts, it takes more than just urging parties to do better for them to do so. Unless the parties are ideologically predisposed to view this as a concern themselves, or unless their leaders decide to take a more interventionist role in the nomination process, simply relying on encouragement or shaming, as the case may be, is likely to have little effect (Everitt 2016).

Numerous studies have indicated that it is at the nomination stage that women and other under-represented groups within Canadian society face the greatest barriers to political election (Thomas and Bodet 2013). This is because, although voters do not discriminate against female candidates, party gatekeepers often do, deeming them to be less likely to win. As a result, they often seek out and nominate men to run without giving women serious consideration. This is particularly the case in a place like New Brunswick where the more static, blue-collar, and working-class culture can create an environment that places an "emphasis on the continuity of elite control in social, economic and political affairs" (Darcy, Welch, and Clark 56). As I have noted elsewhere, these and other factors result in local politicians assuming a patron-client role within their community and producing a more traditional political culture, which is less open to the election of women (Everitt 2013). Added to this is the role that language, and still to a large extent religion, play in New Brunswick politics. The continued importance of accommodating these identity-based cleavages downplays the attention awarded to gender representation in the province (Everitt 2013).

The tendency of party elites to give less consideration to potential female candidates is exacerbated by the fact that men are more likely than women to seek out party nominations of their own volition. Women often need to be approached and persuaded to run despite their objective qualifications; men are more likely to self-nominate. This is even more likely to occur in ridings where parties are stronger and more likely to win a seat. As Sylvia Bashevkin (1985) noted several decades ago, the more competitive a position is, bringing with it more power and influence, the more likely it is to be held by a man. Women are more likely to be recruited or self-nominate in ridings where the chance of electoral success is smaller. Thus, if more men actively step forward and if party nominating committees do not actively seek out female candidates, particularly in winnable ridings, it is unlikely that much will change.

In fact, not much has changed. In the 2014 New Brunswick provincial election, 16.3 per cent of the seats in the legislative assembly were won by women, only 0.3 per cent higher than the number won by women in the 1995 provincial election almost twenty years earlier. However, while only 21 per cent of the candidates in the 1995 election were women, by 2014 that number had increased to 33 per cent, indicating that although more women are running, they were still not being run in their party's safe and secure seats. Instead, they were located in swing ridings such that after the election half of the sitting Conservative women had lost their seats and all of the new female Liberal members came from areas where the Liberals were not guaranteed success.

If this was an issue that governments felt strongly enough about, rather than just relying on public concern and suasion, they could employ other measures to ensure that parties work harder to seek out and nominate women in ridings where they are likely to be elected. This could be done by providing political parties with both some carrots and some sticks (in other words, incentives and penalties) to increase party gatekeepers' willingness to nominate women, particularly in winnable ridings (Everitt and Pitre 2007; Everitt forthcoming). While penalties and fines have been used in countries such as France, Argentina, Croatia, and Costa Rica, their impact is variable due to the nature and size of the penalty, the likelihood that they will actually be enforced, and the calculated trade-offs parties make in deciding whether to ignore them or not (Everitt and Pitre 2007).

A more rewarding approach that would receive less backlash and probably do more to encourage parties to step up their efforts to recruit women in winnable ridings involves increasing the financial incentives to parties whose female candidates win more votes. This is an approach that was first recommended in the report of the federal 1991 Royal Commission on Electoral Reform and Party Financing (Arscott 1995). It is also one that I proposed over a decade ago to the New Brunswick Legislative Democracy Commission, which had been established by the Bernard Lord government to consider options for electoral reform and enhancing democratic engagement in the province (Everitt and Pitre 2007), and that I more recently encouraged the 2016 New Brunswick Commission on Electoral Reform to consider. It should also be noted that it had been unsuccessfully proposed in 2016 in a federal private member's bill by Kennedy Stewart, an opposition NDP member of Parliament.

The beauty of this strategy is that it can be accomplished through the current electoral rebate program already in place. For years candidates and parties have been able to recoup a certain percentage of their electoral expenses if they meet a minimum threshold of votes. This rule was put into place several decades ago at the federal level and adopted more recently at the provincial level because Canadians believed that it was important for all legitimate voices to be heard regardless of the deepness of the pockets of those who were backing them. This policy has had a significant impact on the

diversity of parties who now seek to run for office, ensuring that more ideas are represented in political debates during campaigns.

It is only a small step further to argue that if Canada, and in this case New Brunswick, were really committed to ensuring the participation of all Canadians, and in particular female Canadians, more could be done to use the rebates as a way to encourage parties to nominate more women. For example, parties can get a slightly higher rebate if they nominate a certain percentage of women and an even higher rebate based on the number of women who get elected. Similarly, parties could be penalized by having their rebates reduced if they do not meet certain thresholds. Such policies could also be applied to increase the ethnic diversity of our parliamentary representatives. These are reforms that would not result in significant changes to the electoral system, but might result in parties approaching the system in different ways. If they knew that they would receive higher rebates simply by nominating female candidates and that these refunds would increase with the number of votes these candidates received, there would be strong incentives for them to nominate women in the ridings where they would get the most votes, and thereby likely get elected. The effect would be to enhance representation while maintaining the other principles driving these discussions on electoral reform.

While this policy does not go as far as changing the electoral system to a mixed-member plurality or proportional representation system, it is one that has been advocated by feminist scholars for some time (Everitt and Pitre 2007; Bashevkin 2011). Given this, I was extremely pleased to discover that it was included in the Electoral Reform Commission's report, *A Pathway to an Inclusive Democracy*. This report recommended that "The government create a temporary special measure in the Political Process Financing Act to provide a financial incentive for parties to nominate as candidates more women" (34). I was even more pleased when shortly thereafter, on 5 May 2017, the Gallant Liberal government passed legislation that amended the formula for public financing of political parties so that votes received by female candidates are weighted 1.5 times greater than votes received by male candidates.<sup>1</sup>

In enacting this policy, New Brunswick will be the first province in Canada to adopt such an approach and will serve as a case study for the rest of the country in terms of its potential to change the representative composition of our legislature. Instead of being "a province at the back of the pack," as I once referred to it (Everitt 2013), this policy may serve to catapult New Brunswick into a position more comparable to other provinces in terms of women's legislative representation, without the political upheaval that would come with full-out electoral reform.

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## Endnotes

- <sup>1</sup> This change can now be found in S 32(2) of the *Political Process Financing Act* (D.N.B. 1978, c. P-9.3).