# The Seat Shortage: Changing Demographics and Representation in the House of Commons

## By Ben Tomlin

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The principle of equal representation by population in Canada, while never perfect in practice, is under increasing duress. To ensure that each province's representation in the House of Commons reflects its population, Canada's Constitution requires that the number of seats allocated to each province be recalculated after each decennial census — the next being 2011. Census data and a formula determine how many seats each province receives. However, as it stands, the formula does not account for the provinces' very different population growth rates and, if it is applied after the next census, the result will be a continued erosion of the voting power of citizens in Canada's fastest growing provinces: Ontario, Alberta and British Columbia.[1]

The average riding in these three provinces is already significantly more populous than those in the other provinces, and my estimates show that by 2021 this imbalance will worsen considerably, with average riding populations in British Columbia, for example, being twice those in Newfoundland and Labrador. Strict adherence to the idea of equal representation by population — that is, each representative is voted in to the House by population blocs of equal size — is difficult given the size of Canada and its dispersed, heterogeneous residents. Nevertheless, deviation from this principle should be minimized in a democracy, and this means rethinking the process by which seats are distributed across provinces.

## Determining Representation in the House of Commons

To facilitate the reallocation of seats in the House of Commons after each decennial census, the *Constitution Act, 1867*[2] originally outlined a simple formula for

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1   Recently introduced federal legislation would produce modest increases in the number of seats allocated to those three provinces — Bill C-56, An Act to Amend the Constitution Act, 1867 (Democratic representation), First Reading May 9, 2007.

2   The *Constitution Act, 1867* was known as the *British North America Act, 1867* until the Constitution was patriated in 1982.

determining seat apportionment. Several subsequent updates reflect population changes and movements, and the *Constitution Act, 1985*[3] defines the latest formula (see Box 1), which was designed, in part, to curb future growth in the number of seats in the House of Commons.[4] The 1985 Act also established the "grandfather clause," ensuring that each province has no fewer seats than it had in 1976; previous legislation had enacted the "senatorial clause," guaranteeing provinces at least as many seats in the House as they have in the Senate.[5] The 1985 formula, subject to the grandfather and senatorial clauses, and applied to 2001 census data, drives the current seat assignment.

Once the formula establishes the number of seats available for each province, the ridings within each province are readjusted — under the *Electoral Boundaries Readjustment Act* — to bring the population of each riding close to the provincial quotient (the provincial average riding size). Divergence from this rule is intended to be within 25 percent of the provincial quotient.[6] Following a review process, changes come into effect on the first dissolution of Parliament that occurs at least one year after the revisions are announced (see Box 2).

The readjustment process is designed to reduce within-province dispersion in riding size; however, because the readjustment process is centred on the concept of the provincial quotient, it does little to offset differing provincial growth rates. Addressing inequality in voting power therefore requires reassessing how seats are allocated in the House.

## Methodology

To study the implications of using the 1985 formula following the next census, I assume:

- each province's total fertility rate remains at its 2005 level through the projection period;

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3   The *Constitution Act*, *1985* is an amendment to article 51 of the *Constitution Act*, and a reference to the *Constitution Acts 1867* to *1982* is deemed to include a reference to the *Constitution Act, 1985*.

4   At the time, it was determined that the use of the formula defined under the *Constitution Act, 1974*, known as the "amalgam" formula, would result in significant future increases in the number of seats in the House of Commons.

5   The senatorial clause came into force with the *British North America Act, 1915*.

6   Exceptions are permitted in order to respect a community of interest, or to maintain a manageable geographic size for districts that are sparsely populated.

- life expectancy at birth rises similarly to rates in Statistics Canada's
  "medium" assumption for improvement in life expectancy;
- interprovincial migration continues at the 2000–2004 average[7]; and
- net international migration for each province continues at the 2000–2004
  average.

I applied the 1985 formula to the 2011 population estimates to determine the
number of seats each province would get if the reallocation proceeded on the
current schedule. This makes it possible to estimate average riding size in each
province from now until 2021, which would mark the beginning of the following
readjustment process.[8]

## Results

What would happen under status quo rules? Only Ontario and Alberta would be
given more seats following the 2011 census; four and one, respectively (Table 1a).
British Columbia would receive the same number of seats it has now and the
grandfather and senatorial clauses would then ensure that the other provinces
maintained their current number of seats.

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7   The analysis was also done assuming inter-provincial migration goes to zero over 10 years. The
    results were not significantly different.

8   2021 was chosen for illustrative purposes, though it is likely that the changes based on 2011
    census will be in place beyond 2021.

**Table 1a:** *Provincial Seats in the House of Commons Under Current Rules and Projected Population Growth Rates*

|  | House Seats 1976 | Senate Seats 2007 | House Seats 2001–2011 | House Seats 2011–2021(p) |
|---|---|---|---|---|
| Newfoundland & Labrador | 7 | 6 | 7* | 7* |
| Prince Edward Island | 4 | 4 | 4** | 4** |
| Nova Scotia | 11 | 10 | 11* | 11* |
| New Brunswick | 10 | 10 | 10** | 10** |
| Quebec | 75 | 24 | 75* | 75* |
| Ontario | 95 | 24 | 106 | 110 |
| Manitoba | 14 | 6 | 14* | 14* |
| Saskatchewan | 14 | 6 | 14* | 14* |
| Alberta | 21 | 6 | 28 | 29 |
| British Columbia | 28 | 6 | 36 | 36 |
| **Total** (with territories) | 282 | 105 | 308 | 313 |

\* Bound by the grandfather clause

\*\* Bound by the grandfather clause and the senatorial clause

Source: Statistics Canada (data adjusted for net census under-coverage) and author's calculations as described in the text.

Differing provincial population growth rates from 2001 through the present and to 2021 illustrate the problem (Table 1b). In each period, Alberta and Ontario have significantly higher growth rates than all other provinces, a *prima facie* justification for allocating extra seats.

However, a few extra seats would do little to offset population growth in Alberta and Ontario. The average riding size in Ontario and Alberta will have grown by 2021 to well over 130,000 people — approximately double the size of the average riding in Newfoundland and Labrador, New Brunswick, and Saskatchewan, and almost four times the size of the average riding in Prince Edward Island (Table 2a). Voters in British Columbia will find themselves at a similar disadvantage, as the average riding in the province will have just over 123,000 citizens.

At present, the average ridings in Ontario, Alberta and British Columbia are considerably larger than those in other provinces, and the current rules will ensure continued, rising disparities.

## The Importance of Acting Now

To avoid these increasingly wide deviations from the principle that a person's vote should have the same weight regardless of where he or she lives, the allocation formula should be reviewed immediately so that changes are in place by the time of the next census. If we delay, and the electoral readjustment process is put on hold for review in 2011, the current ridings could remain in place for some time.[9]

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9　In 1994, the electoral readjustment process was suspended, and the Standing Committee on Procedure and House Affairs was instructed to consider a new formula for determining the number of seats in the House of Commons and to review the riding readjustment process. The Committee did not recommend a change in the manner of assigning seats, but did table ....

**Table 1b:** *Provincial Growth Rates*

| | Growth Rate (%) 2001–2011 | Growth Rate (%) 2011–2021 (e) |
|---|---|---|
| Newfoundland & Labrador | -5.4 | -9.6 |
| Prince Edward Island | 2.9 | 2.1 |
| Nova Scotia | 0.5 | -0.8 |
| New Brunswick | -0.4 | -2.5 |
| Quebec | 6.2 | 4.5 |
| Ontario | 13.6 | 11.7 |
| Manitoba | 4.4 | 4.3 |
| Saskatchewan | -2.3 | -3.0 |
| Alberta | 16.0 | 14.0 |
| British Columbia | 7.5 | 5.1 |

Source:  Statistics Canada (data adjusted for net census under-coverage) and author's calculations.

**Table 2a:** *Average Riding Size*

| | 2001 | 2007 (e) | 2011 (p) | 2021 (p) |
|---|---|---|---|---|
| Newfoundland & Labrador | 73,500 | 71,500 | 69,500 | 62,900 |
| Prince Edward Island | 33,800 | 34,400 | 34,800 | 35,500 |
| Nova Scotia | 83,100 | 83,500 | 83,500 | 82,800 |
| New Brunswick | 73,200 | 73,200 | 72,900 | 71,100 |
| Quebec | 96,700 | 100,400 | 102,700 | 107,300 |
| Ontario | 108,400 | 117,400 | 118,800 | 132,700 |
| Manitoba | 80,500 | 82,700 | 84,000 | 87,700 |
| Saskatchewan | 70,100 | 69,100 | 68,500 | 66,500 |
| Alberta | 106,800 | 117,000 | 119,600 | 136,300 |
| British Columbia | 109,400 | 114,700 | 117,600 | 123,600 |

Source:  Statistics Canada (data adjusted for net census under-coverage) and author's calculations.

Because inferences about future riding migration patterns are speculative, it is difficult to make population projections for individual ridings. However, if ridings continue to grow at their 2001–2006 rates, and timely change does not happen, there will be many extremely large ridings by 2016. Alternative systems for reallocating seats in the House are needed immediately.

## Policy Implications and Conclusions

While the prospect of broader electoral reform is on the horizon,[10] changing the way that seats are allotted to the provinces may be an easier way to achieve equitable representation in the House of Commons.

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*footnote 9 cont'd*

.... Bill C-69, *Electoral Boundaries Readjustment Act, 1995* which proposed changes to the riding readjustment process (including a recommendation that the boundaries of constituencies be readjusted after each quinquennial census). Bill C-69 eventually died on the Order Paper, and the post-1991 redistribution and revision boundaries came into effect for the 1997 federal election.

10  Following plebiscites on electoral reform in British Columbia and Prince Edward Island, a planned plebiscite in Ontario, and possible votes in Quebec and New Brunswick.

**Table 2b:** *Possible 2011 Seat Allocation with "Growth Clause"*

| | Seats 2011-2021 | Avg. Riding Size 2011 (p) | Avg. Riding Size 2021 (p) |
|---|---|---|---|
| Newfoundland & Labrador | 7 | 69,500 | 62,900 |
| Prince Edward Island | 4 | 34,800 | 35,500 |
| Nova Scotia | 11 | 83,500 | 82,800 |
| New Brunswick | 10 | 72,900 | 71,100 |
| Quebec | 78 | 98,800 | 104,500 |
| Ontario | 131 | 99,700 | 112,300 |
| Manitoba | 14 | 84,000 | 87,700 |
| Saskatchewan | 14 | 68,500 | 66,500 |
| Alberta | 35 | 99,100 | 112,900 |
| British Columbia | 43 | 98,400 | 103,500 |
| **Total** (with Territories) | 350 | | |

One change that would retain the grandfather and senatorial clauses would be to guarantee that no province's average riding will exceed a given size — call this the "growth clause." Suppose for example that, after the 2011 census, seats were to be reallocated as usual, but with a growth clause requiring that no province have an average riding size greater than 100,000 people — what would this look like? The result would be three extra seats for Quebec, seven for both British Columbia and Alberta, and 25 for Ontario (Table 2b). The total number of seats in the House would then be 350 — or 37 more than the current system would stipulate.[11] While that system would reduce disparity across provinces, equality would still not be realized, notwithstanding the significant costs of increasing the size of the House of Commons.

Alternatively, eliminating the grandfather and senatorial clauses could achieve the dual objective of approximating representation by population and curbing growth in the House. If, in 2011, the total population of the provinces was divided by the current number of provincial seats (305) to get a Canada-wide average riding of approximately 108,400 people, seats could then be reallocated with the goal of having each province's average riding population closer to this number. In this scenario, the total number of seats in the House would remain the same, three extra seats would be given to British Columbia, four to Alberta, and 14 to Ontario, while every other province would receive fewer seats than now (Table 2c).

The government's current proposal would add seats in the three most populous provinces, but not as many as under the "growth clause," (Table 2d). Bill C-56, therefore, would leave disparities among average provincial riding sizes.

While the alternatives I describe could require constitutional change[12] — not an appealing prospect — the population projections show that Canadians are

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11  To make the electoral boundaries readjustment process amenable to dealing with so many new seats in some provinces, a tighter band around the provincial quotient (or at least a lowering of the upper bound) would make it easier to identify ridings that need to be redistributed.

12  The current government is proceeding on the assumption that its proposal to amend the *Constitution Act*, will not require provincial ratification.

**Table 2c:** *2011 Seat Allocation without Grandfather or Senatorial Clauses*

| | Seats 2011-2021 | Avg. Riding Size 2011 (p) | Avg. Riding Size 2021 (p) |
|---|---|---|---|
| Newfoundland & Labrador | 5 | 97,300 | 88,000 |
| Prince Edward Island | 2 | 69,500 | 71,000 |
| Nova Scotia | 9 | 102,000 | 101,200 |
| New Brunswick | 7 | 104,200 | 101,600 |
| Quebec | 71 | 108,500 | 113,300 |
| Ontario | 120 | 108,900 | 121,600 |
| Manitoba | 11 | 107,000 | 111,700 |
| Saskatchewan | 9 | 106,600 | 103,400 |
| Alberta | 32 | 108,400 | 123,500 |
| British Columbia | 39 | 108,500 | 114,000 |
| **Total** (with Territories) | 308 | | |

Note:    Prince Edward Island is assigned two seats to avoid one extraordinarily large riding.

**Table 2d:** *Possible 2011 Seat Allocation Under Bill C-56*

| | Seats 2011-2021 | Avg. Riding Size 2011 (p) | Avg. Riding Size 2021 (p) |
|---|---|---|---|
| Newfoundland & Labrador | 7 | 69,500 | 62,900 |
| Prince Edward Island | 4 | 34,800 | 35,500 |
| Nova Scotia | 11 | 83,500 | 82,800 |
| New Brunswick | 10 | 72,900 | 71,000 |
| Quebec | 75 | 102,700 | 107,300 |
| Ontario | 116 | 112,600 | 125,800 |
| Manitoba | 14 | 84,000 | 87,700 |
| Saskatchewan | 14 | 68,500 | 66,500 |
| Alberta | 33 | 105,100 | 119,800 |
| British Columbia | 43 | 98,400 | 103,500 |
| **Total** (with Territories) | 330 | | |

Note:    The proposed formula in Bill C-56 would assign 10 more seats to Ontario, 7 to British Columbia, and 5 to Alberta.

moving inexorably toward inequity. Either we accept further deviation from the principle of representation by population along with a growing House, or we take action to address these issues. The latter is preferable, in the interest of equity. The two models I discuss have costs, such as a very large House or Constitutional change, and benefits — more representative voting for all Canadians.