

# *The Politics of Seat Reductions in Canadian Legislative Assemblies*

How do Canadian parliaments determine the correct number of representatives required for their assemblies? There is really no objective answer. In this article, the author explains common reasoning used to promote or oppose proposals to reduce the number of seats in a legislature. He concludes that whether a person believes a legislative assembly warrants more or fewer private members, what matters is whether those members have a meaningful role. This article synthesizes information presented in “Fewer politicians and smaller assemblies: how party elites rationalize reducing the number of seats in a legislature – lessons from Canada,” an article the author published in a recent issue of the *Journal of Legislative Studies*.

**Alex Marland**

Perhaps the most subjective aspect of any legislative assembly is the number of representatives. Periodically, members of Canadian legislatures and electoral boundaries commissions work towards a new representation order. The redistribution of electoral districts to reflect population changes sometimes broadens to discussing adjusting the total number of seats. Occasionally, the discussion turns on reducing the seat count.

It is easy to form an opinion about whether there are too many politicians. Debates get heated as democratic theorists and practitioners take entrenched positions. Marginalized communities lobby for special treatment to ensure ample representation while taxpayer groups criticize government largesse. Throughout, public opinion polls show enthusiasm for a smaller legislature, but there can be public empathy for ensuring that women and minorities are appropriately represented. The polarization reveals plenty of reasons why more representatives is better for democracy and just as many reasons why a smaller assembly is desirable.

This article looks at the political motivations behind diminishing the number of members in provincial legislative assemblies; all Canadian provinces have

done so at least once (Table 1). A wave of reductions occurred during the Great Depression in the 1930s, then after the 1990s economic recession and again following the late 2000s Great Recession. Accordingly, as will be shown, the main reason that premiers want to reduce the number of politicians is to assist the government with pursuing austerity. It is unlikely that a proposal to eliminate seats will proceed in the absence of dire economic circumstances, or that a leader will be interested unless it is a precursor for a more ambitious agenda.

## **Reasons for More Politicians**

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A democratic appeal for more politicians reflects a belief that better government will result. Members of a legislative assembly hold the cabinet to account. But the principle of responsible government can be shaky when many elected representatives are either ministers or ensconced into quasi-government appointments, such as parliamentary secretaries. This is common in Canadian provinces where membership in assemblies ranges from a low of 27 in Prince Edward Island to a high of 124 in Ontario. The reduced autonomy that comes with “executive creep” contributes to centralized power in the premier’s office.<sup>1</sup> Executive creep is especially dire in small provinces where the cabinet outnumbered the opposition. Critics are tasked with monitoring multiple ministers and the smooth function of legislative committees is compromised. Conversely in a large legislature more business can be referred to committees for study. Organized interests have more difficulty exerting influence and legislation is less likely to rush through.

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**Table 1: Seat Reduction Events in Canada Provincial Legislative Assemblies**

Province	Party in Power at Time of Proposal	Year in Effect	Provincial Population*	Seats Before	Seats After	Seats Reduced
Manitoba	Conservative	1915	461,000	49	47	2 (4.1%)
Alberta	United Farmers	1926	588,000	61	60	1 (1.6%)
British Columbia	Conservative	1933	694,000	48	47	1 (2.1%)
Nova Scotia	Conservative	1933	513,000	43	30	13 (30.2%)
Ontario	Conservative	1934	3,432,000	112	90	22 (19.6%)
Saskatchewan	Conservative	1934	922,000	63	55	12 (12.7%)
Saskatchewan	Liberal	1938	922,000	55	52	3 (5.5%)
Quebec	Union Nationale	1939	2,875,000	90	86	4 (4.4%)
Alberta	Social Credit	1940	732,000	63	57	6 (9.5%)
Alberta	Social Credit	1963	1,332,000	65	63	2 (3.1%)
New Brunswick	Liberal	1995	746,000	58	55	3 (5.2%)
Saskatchewan	New Democratic	1995	1,003,000	66	58	8 (12.1%)
Newfoundland	Liberal	1996	580,000	52	48	4 (7.7%)
Prince Edward Island	Liberal	1996	130,000	32	27	5 (15.6%)
Ontario	Progressive Conservative	1999	11,083,000	130	103	27 (20.8%)
Nova Scotia	New Democratic	2013	944,000	52	51	1 (1.9%)
New Brunswick	Progressive Conservative	2014	756,000	55	49	6 (10.9%)
Newfoundland	Progressive Conservative	2015	525,000	48	40	8 (16.7%)

\*Census data immediately prior to election year that seat reduction came into effect. Rounded figures.

Source: Modified from Table 1 in Marland (2019), p.154.

A compelling reason for more seats is diverse representation. Electoral districts with a high concentration of Indigenous or ethnic populations can warrant their own representatives. The reduced competition to win a party nomination makes it easier for a larger array of people to run as a party candidate and potentially be elected. The result is an assembly whose composition features a greater variety of socio-demographic characteristics and political parties. Diversity persists in government because a first minister has more choice when assembling a cabinet. If there are more politicians, there is a greater opportunity to appoint women and members of minority populations to decision-making roles.

A further reason for a higher number of elected representatives is spreading out the workload. A lower constituent to representative ratio enables more individualized attention for constituents. Personal contact can be especially important in rural areas with large travel distances, limited municipal representation and a culture of political intimacy.

### **Reasons for Fewer Politicians**

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Electors routinely complain that there are too many legislators; they never suggest a need for more. A populist appeal for fewer politicians taps into public disgruntlement with out-of-touch elites and frustration with government mismanagement.

The prevailing argument in favour of reducing seat counts is cost savings. The obvious economies are a politician's direct costs (e.g., salary, benefits, pension), as well as travel expenses, support staff, office space and election costs. Less obvious is that smaller legislatures contribute to smaller government because there are fewer members to lobby for more money and they can better withstand localized pressures for funds. Whether private members deliver value for money is the crux of the argument. With the expansion of government, backbenchers have evolved from lawmakers to case workers, and the vibrancy of message scripting creates a public impression that most of them are little more than party mouthpieces. The number of sitting days has been declining in most legislatures<sup>2</sup> and some backbenchers can be underworked even when they meet. Politicians themselves observe that some of their peers are superfluous. Regimented party discipline can cause the most active members to question their own purpose.

An associated rationale is that higher quality representation can result from more intense

competition in party nomination contests and elections. It is easier for political parties to recruit quality candidates and to run a full slate in elections. Parachuted candidates who do not canvass are less common. Once elected, a smaller number of parliamentarians have a more pronounced role. Industrious members gain greater opportunity to hold the leader to account and the uninitiated have more difficulty shirking their duties. They can collectively make decisions more quickly. Productivity is improved because there is less haranguing. The business of the legislature improves with better decorum, tamer partisanship and increased individual accountability.

### **The Cube Root Formula**

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There is no consistent formula for setting the number of members of a legislative assembly. Canada's federal and provincial electoral boundaries commissions are guided by census data that inform seat changes every 10 years. In academic studies, a guideline for the ideal size of a legislative assembly is to calculate the cube root of the population.<sup>3</sup> The formula works well with the House of Commons. Canada's population is approximately 37.6 million. The cube root of 335 aligns with the 338 Members of Parliament. But the calculation is misaligned with Canadian provinces or municipalities which have much smaller populations. The number of members of provincial assemblies would double if the cube root rule were followed.

The legal obligation to redistribute electoral boundaries to reflect fluctuations in population counts can propel conversations about over-representation. Almost all elected representatives experience tumult during redistribution as they gain and/or lose electors and communities. Setting a representation formula that lowers the number of seats usually requires that an electoral boundaries commission receive a mandate from the government and members of the assembly. Invariably there are complaints about the commission and the process. Concern about the adverse effects on certain communities (e.g., northern, rural, Indigenous, ethnic) is countered with information about how communications technology is changing and how variances from a standard quotient would compromise the one person, one vote principle. The prospect of a court case about excessive population variance between heavily populated and sparsely populated districts always looms, as do court challenges to protect communities of interest. The politicking simultaneously lays bare the harms and virtues of mathematical equations.

## Why Provincial Governments Cut Seats in Legislative Assemblies

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To reveal the political motivations behind seat reductions, 18 politicians were interviewed who were involved with the impromptu reductions that took effect with the provincial elections of 1995 in Saskatchewan (-8 MLAs), PEI in 1996 (-5 MLAs), New Brunswick in 1995 and 2014 (-3 and -6 MLAs, respectively), Newfoundland and Labrador in 1996 and 2015 (-4 and -8 MHAs, respectively), and Nova Scotia in 2013 (-1 MLA). Participants included former premiers, chiefs of staff, ministers of finance and justice, house leaders, vocal backbenchers and others.<sup>4</sup> Ontario was excluded because it is the only instance where plans to shrink the assembly membership (-27 MPPs in 1999) were specified in the governing party's campaign platform. That province appears to be the only case where a party that went on to form government openly pledged to prune the number of parliamentarians.<sup>5</sup>

Reducing the number of politicians appears to be most contentious when the policy is abruptly announced without public notice. For example, the Ontario government's decision to reduce the size of Toronto city council less than one month after taking office in 2018 was met with significant criticism from some political observers who noted the issue was not mentioned in the recent general election. An action which disputes the constitutionality of this legislation is currently before the Ontario courts.<sup>6</sup> Although not equivalent to proposing changes in the number of seats within a parliamentary assembly, the idea of making changes to democratic representation without extensive public consultation was controversial.

The circumstances surrounding seat reductions are typically a public appetite for cost savings in an unstable economic environment. In the early 1990s, election platforms warned of the need for financial restraint; in the 2000s, platforms talked of a need for efficiencies. Public discussion about government downsizing, controlling the budget deficit and debt, dealing with a lower credit rating by bond agencies and the overall economic reputation of the province are pre-conditions for austerity agendas. A static or shrinking population may be a factor. There is an echo effect as the idea of seat reductions catches on in other provinces that are similarly grappling with financial exigency. An opposition party that wins an election or a new premier seeking to put a fresh stamp on a tired government are particularly willing to tackle problems.

Political deliberations travel many routes. There is no consistent order as discussions pass back and forth between cabinet, the caucus, the assembly, electoral boundaries commissions, lobbying by interest groups and public consultations. Anti-politician rhetoric that plays well on the campaign trail is gradually replaced by policy analysis. Concerns about variances in the sizes of electoral districts and the constitutional obligation to respect the principle of one person, one vote are evoked. Overrepresentation compared with other provinces is identified. Above all, the decision is spun as a democratic response to public sentiments that government is too large and promoted as modernization of outdated institutions.

The nexus is a premier's determination. The resolve to pursue fewer seats is usually rooted in a personal conviction that for quite some time the province has had too many politicians. It is a view that has been percolating with colleagues who have heard public complaints and arrived at similar opinions. It might come up in a caucus retreat or perhaps the political will was lacking when the previous electoral boundaries commission broached the idea. It can be a response to media stories about political bloat. Just as cutting politicians' salaries or pensions has symbolic value, or a slimmer cabinet sends a message of efficiency and aversion to political perquisites, a premier recognizes that a smaller assembly can demonstrate a commitment to financial belt-tightening. Taking a figurative axe to the legislature conveys a sense of fairness and sacrifice by showing that everyone is sharing the burden.

A nervous cabinet can spot the political capital to be gained by making an initial foray into contracting the size of government. Selling government assets, announcing tax increases and imposing public sector wage reductions and layoffs are all under active consideration. A health minister expecting to close hospitals, or an education minister planning to amalgamate school boards, recognizes that setting a budgetary example is necessary to ease the way for difficult decisions. Reducing seats can be positioned as saving money to help minimize the impact on government services. It shows that the government is serious about leaner administration.

The justice or finance minister is normally the one who promotes the policy. The unequivocal backing of the premier is essential in order to persuade nervous colleagues. As with many policy proposals, a critical mass of private members must get on board, but here there is particular potential for caucus disgruntlement.

A unified public stance is difficult when politicians are worried about losing their jobs. The normal levers to encourage a caucus to internalize its frustrations wither away as details emerge that a parliamentarian's seat is being eliminated and incumbents will need to face off in a nomination battle. Further, the executive members of an electoral district association stand to lose their status positions and can pressure their member to oppose the change. Certain members are forced to weigh caucus unity versus self-preservation whilst other colleagues face no such dilemma.

An inquisitive member can point to the minimal cost savings and raise alarm about negative implications for representation. Reasonable suggestions can be vocalized about maintaining the same number of representatives or even contemplating an increase. A free vote may be necessary in order to avoid negative media stories about the government's anti-democratic behaviour. Faced with pushback from the cabinet, caucus and/or public, a premier who is keen to truncate seat counts may compromise with a smaller sacrifice or may forego the issue altogether.

Ultimately the political symbolism of final numbers triumphs over other numerical reasoning. Ontario sought to replicate the number of MPs in the provincial assembly. The New Brunswick premier's office focused on a 10 percent reduction and getting the number down to below 50, settling on 49 as of 2014. The Newfoundland and Labrador government initially proposed a reduction of 10 members to 38 for the 2015 election, but ultimately settled with the official opposition on the round number of 40 seats. Those advancing the cutback are likely motivated to achieve political impact that mathematical formulas cannot offer.

Proposing to minimize the number of elected officials has further political value because it is a wedge issue. Opponents get boxed in to supporting the government's position or else will be labelled as out of touch spendthrifts. Opposition caucuses experience similar internal divisions. Additional political opportunism can involve redistricting that confounds a well-organized opponent who already held candidate nomination contests. Furthermore, seat reductions can be a tool for the premier to delay requesting an election so that an electoral boundaries

commission may carry out its work. In this light, the formula for the government pursuing seat reductions is one part economic straits and one part political advantage.

## Conclusion

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There is no correct answer about whether a legislative assembly warrants more or fewer private members. What matters is whether those members have a meaningful role. On whatever side one falls on this debate, it must be conceded that politicians who harness public anger towards the political class expose serious problems with the parliamentary system of democracy. A government that pursues fewer seats without discussing the topic during an election campaign or subjecting the idea to a referendum opens itself up to criticism that it has demonstrated disregard for democratic principles. More ominously, the underlying reason why an agenda of fewer politicians can be pursued is their perceived lack of value.

## Notes

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- 1 Paul E.J. Thomas and J.P. Lewis, "Executive creep in Canadian provincial legislatures." *Canadian Journal of Political Science* 52, no. 2 (2019): 363-383.
- 2 Jeff Gray and Tom Cardoso, "Provincial and territorial legislatures spend fewer days in session than a decade ago, Globe analysis finds." *Globe and Mail*, July 4 (2019). URL: <https://www.theglobeandmail.com/canada/article-provincial-and-territorial-legislatures-spend-fewer-days-in-session/>
- 3 Kristof Jacobs and Simon Otjes, "Explaining the size of assemblies: A longitudinal analysis of the design and reform of assembly sizes in democracies around the world." *Electoral Studies* 40 (2015): 280-292.
- 4 This article synthesizes information presented in Alex Marland, "Fewer politicians and smaller assemblies: how party elites rationalize reducing the number of seats in a legislature – lessons from Canada." *The Journal of Legislative Studies* 25, no. 2 (2019): 149-168.
- 5 For more about Ontario's seat reductions, see David Pond, "Imposing a neo-liberal theory of representation on the Westminster model: A Canadian case." *The Journal of Legislative Studies* 11, no. 2 (2005): 170-193.
- 6 Jeff Gray, "Ford's court win sets off fresh battles in Toronto civic election." *Globe and Mail*, September 19 (2018). URL: <https://www.theglobeandmail.com/canada/toronto/article-ontario-court-of-appeal-sides-with-premier-ford/>