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Let the People Decide
The Case for a Voter-Centred Electoral System for BC

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Introduction

I have observed the assembly's six weekend learning sessions so far, and I've been very impressed with the work the members have done. Please let me throw in my two bits...

When we talk about an electoral system for BC, we are talking about the way we choose who will represent us in the legislature from a pool of candidates. Since there are 4 million people in BC, and only 79 MLAs, each MLA acts as a voice for around 50,000 British Columbians. The work of the Citizens' Assembly is to come up with an electoral system that at each election can best answer two questions: **Which of the candidates will become MLAs, and which 50,000 will each of them represent?**

Local Representation

Our current single-member plurality system tackles these questions by simply chopping up the province into ridings of about 50,000 residents and assigns them the candidate with the most votes in that riding as their representative. This is an attempt to represent groups purely by geographical area, and it isn't working as well as we'd like, even at doing what it was seemingly designed to do, representing local concerns. **We need a system that not only gives more effective local representation, but that allows for other types of representation as well.**

Proportional Representation

One particularly desirable way of grouping voters under representatives, as long as political parties are important in our system, would be by political party. This is what proportional representation means, representation of groups by political party preference. A proportional system in BC would assign each party one MLA for each 50,000 votes it receives (if everyone voted – less in reality).

Notice that the vote is for the party, and not for the person. This is even true for open-list PR systems like the Finnish system, where voters can indicate which candidate within the party they prefer. The vote counts first for the party to determine how many seats it wins, and then for your favourite candidate within the party to see if she wins one of the party's seats. Your vote is used to elect more popular candidates from the party before it is used to elect the one you voted for. **It is not possible to indicate support for only one candidate without implicitly supporting every candidate within the party.**

The Tradeoff

Not every person within a 50,000-person single-member riding will support the same party, and so you can't have proportional representation without increasing the size of ridings. The larger the riding, the more proportional the seat assignments can be, and the more smaller parties can win seats. But, as the district magnitude increases, it becomes likely that some areas within the district that had their own single-member riding will not be home to any representatives.

This is true even under open lists, since party support could easily be evenly distributed throughout a large district, in which case the votes in more densely-populated areas would decide who gets elected from each party. With the outlying area not having enough of any single party's supporters

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to elect a candidate, no party need pay them any attention, and they will be powerless to elect one of their own, despite having 50,000 residents.

The Balance

Mixed Member Proportional systems, as in Germany, try to achieve a balance by having two tiers of representatives, one elected by local area and one by party-list, to give overall proportional results. By having two votes, one for a local candidate and one for a party, every voter can claim both a local representative and possibly a whole list of party representatives, depending on how many seats their party received. The voter's voice is split between the local and the party representatives, with only some of the representatives owing their seat to their local voters, and the rest owing their seat to their party and its voters. This split is imposed by the electoral system by the ratio of local seats to party seats.

Voters who supported a popular party will find that their party representatives will mostly also be local representatives in other districts, but could possibly have a local representative from their own party. Voters who supported smaller parties will find that their local representative is from a large party, but that their party representatives do not belong to a district at all. This may not be ideal under all circumstances, but would certainly be much better for BC than the system we have.

MMP can also be done by giving the voter only one vote, for a local candidate, and then interpreting that vote as an endorsement of that candidate's entire party. However, this doesn't allow voters to support a party different from that of the candidate they support.

There is even a method used in some parts of Germany and being considered for Quebec that builds party lists from a party's defeated local candidates, with the most popular at the top, after the voting is completed. This might work as a limited open list for MMP, where your vote could help your local candidate be elected in her party's list if she didn't win the local riding outright, and you could still cast a separate vote for the party of your choice.

Other Kinds of Representation

The assembly has talked a lot about local representation, which means representation of groups by geographical area, and proportional representation, which means representation of groups by political party preference. But there are many more types of representation that could be considered for an electoral system, such as representation by gender, culture, ethnicity, profession, income level, age, religion, a specific political issue, or representation by any other criteria imaginable. Many of these overlap, and all interact with the others by a complicated set of tradeoffs, just like the tradeoff between local and proportional representation.

Voter Empowerment

The most important value when considering an electoral system isn't the type of representation it will provide. It is voter empowerment. **Will the system work to empower all the voters of the province to have a real say in their own affairs?** Proportionality and local representation may help this goal, but they must be implemented for the voter's sake, not for their own sake. For example, local representation is strong in theory under the current system, but in practice it does not work to empower voters because of excessive party discipline and "safe seats." As a result, representatives speak more for their parties than for their constituents. **Voters must be offered meaningful choice**.

Inevitably, there will be tradeoffs between any kind of representation voters may wish to have. What you need to do for the citizens of BC is not to make these tradeoffs for them, but to **give them a system that allows them to decide for themselves at each election what kind of representation they want, and what tradeoffs they are willing to make to get it.**

Voting for the Party or for the Person?

Voter empowerment dictates that voters be allowed to decide for themselves to what degree they will cast their vote based on the party or the person. Forcing them to do both, as in Mixed-Member Proportional, is a compromise solution. Under MMP the party vote is what determines the overall composition of the legislature â€" the local vote just works to spread some of the representatives around more evenly on a geographical basis.

As mentioned before, even open-list proportional systems still interpret votes as being first and foremost for the party. The problem is that when the voter is limited to simply marking an X beside only one candidate, it is impossible to interpret whether that vote is in support of the entire party, or just in support of the one candidate as a person. One of the problems with the BC political culture currently is that votes are being largely interpreted as party votes, with the individual MLAs and the concerns of their constituents being relegated to background roles.

The inability of voters to communicate at election time a distaste for tight party discipline means that there is very little to check the growing power of political parties under our system. Forcing voters to vote for a party under a proportional system might allow for smaller parties to gain some seats, but it would only further entrench power in the hands of parties.

An open party list might alleviate this a little, but would still not give voters a very sophisticated choice. Perhaps a voter might support some candidates in a party, but not others. Perhaps she also supports candidates in other parties, and maybe would even like to see an independent member elected. A party vote would not help her to express any of these preferences.

Preferential Ballots

Preferential ballots can be a tool of great voter empowerment. Even the nonproportional Alternative Vote system empowers voters more than our simple first-past-the-post system by introducing a more subtle mechanism for determining the most popular candidate in each riding to stop vote-splitting. Do not ask why we should have a preferential ballot; ask instead why we should not have one. Why should any voter ever have to abandon his preferred candidate just because he suspects that she may not get elected, or abandon his preferred party because that party might not make the threshold required to win any seats? Why should voters not be empowered to indicate as many preferences as they have?

There may be good reasons why we cannot empower voters in this way. Perhaps the voting process will become too complicated. Perhaps we will have to compromise proportionality or local representation in such a way that takes away more power from the voters than it gives. Judge this for yourselves.

The Single Transferable Vote

If you've read between the lines, you've already guessed where this is going. STV is a system designed to empower the voters to decide, at every election, their own criteria for which candidates will earn a seat, and which 50,000 British Columbians each will represent. The STV formula for

counting preferential ballots dynamically sorts voters into groups around each candidate in a way that satisfies as much as possible each voter's criteria for the kind of representation he or she wants.

Thomas Hare, the inventor of STV, is said to have explained it something like this: Suppose you had to elect several representatives for a large school class. You could have all the candidates line up at the front and ask every student to stand next to their preferred candidate. Soon all the students would be standing next to someone. A candidate with many supporters would realize that she has more than she needs to guarantee election, and send some of her extra supporters to stand beside their next favourite candidate. And the candidate with the fewest supporters would realize that he couldn't win, and bow out by letting his supporters go stand beside another candidate if they wished. After a bit of shuffling like this, only the required number of candidates would be left, and each would have about an equal number of supporters. Many supporters would be standing next to a candidate that was not their first choice, but they only would have moved on after either seeing that their preferred candidate already had enough votes, or accepting that their preferred candidate did not have enough support to be elected, and if they had a preference among the remaining candidates.

STV and Voter Empowerment

An example serves to show how STV empowers voters. I mentioned above how the large ridings in a proportional system could leave large areas inside ridings without a local representative, with the voters in those areas unable to remedy the situation. Under STV, this could happen as well, **but only if the voters allowed it to happen**. For example, by voting strictly along party lines, voters can make STV behave just like a regional open list system (albeit with a much more sophisticated say in the ordering of candidates within each party), and risk missing out on local representation for the sake of proportional party representation. On the other hand, STV offers voters a simple remedy for a perceived lack of local representation by allowing them to cross party lines and rank local candidates above all others, regardless of party. STV guarantees that any geographical area that has at least 50,000 people (in the case of BC) within the same electoral district, wants a local representative, and votes accordingly, will get one, no matter how large the district is.

This voter behaviour has been observed in Ireland. Many voters cross party lines to rank local candidates highly, and every district elects members from the different communities within that district.

Now here's the punchline: The electoral powers available to a geographical group under STV are available to any large enough group of people, whether they define themselves along party lines, gender lines, cultural, ethnic, or religious lines, by income level, age, profession, or in any other manner whatsoever. If any group of voters within a district can meet the quota (for example, in an 8-member district, one-ninth, or 11%, of the total district vote), then STV empowers them to elect a candidate to represent them. In addition, if any large enough group is seen to be lacking representation, candidates wanting to represent their interests will almost certainly seek them out and present themselves at the next election.

These groups do not have to be organized groups â€“ they do not even have to be aware that they are a group. STV does all the work. If enough farmers prefer a farming candidate, if enough youth prefer someone young, if enough women (or men!) want a female representative, then it will be done.

Local Representation under STV

Since STV is designed to respond to the concerns of voters, the quality of local representation under

STV is decided by how voters themselves choose to weigh local issues against other concerns such as provincial issues or ideological partisan issues. If inadequate information and an excessively complex ballot were no obstacles, I would say why not have one gigantic province-wide open list to elect MLAs by STV? Then no area would be forced to choose a local candidate, but every area would be free to do so if they wanted.

This is important to understand. You could assign single-member districts in the North, to be elected by Alternative Vote (which is what STV boils down to when only one person is to be elected), but doing so would force Northern voters to select a "very local" candidate, as they do under the current system. Putting them in a larger, spread-out multi-member district gives those voters the same choice a Southern urban voter has to prefer either neighbourhood candidates or ideological candidates (or any other kind of candidates), and gives all minorities a chance at proportional representation, not just geographical minorities. You might argue that Northern voters would always select more localized candidates, and you might be right. But why force them to do so? STV empowers voters in such a way that large, spread-out districts need not fear losing out on their current level of local representation if that is what they want.

In fact, multi-member ridings are crucial for improving the quality of local representation in the district, because having several candidates running for each party allows voters to pick and choose which one they like without having to hold their noses and vote for another party. As it is, voters are often stuck with party-line incumbents due to a lack of options. And as we all know, the party line does not often lead to effective local representation.

To sum up, **large districts under STV cannot harm voters' ability to choose effective local representation.**

Proportionality under STV

As I mentioned, if inadequate information and an excessively complex ballot were no obstacles, then I would suggest one giant province-wide district to elect members using STV, since this does not bar small outlying areas from choosing local representation. Unfortunately, though, we are limited in the number of candidates we can reasonably expect voters to know anything about, and so a ballot with 300 candidates is out of the question. However, the larger we can make the districts within the limitations of ballot complexity, the more proportional the results will be. I would think that a ballot to elect somewhere between 5 and 10 members in a single district would be small enough to avoid alienating or confusing voters and still provide adequate proportionality.

While 10 may seem a little high at first, remember that this doesn't mean the voter has to rank 10 candidates. Ranking as many as she knows about will almost certainly allow her ballot to come to rest on a relatively popular candidate.

The Droop Quota provides a built-in threshold. A 5-member district would exclude candidates and parties who couldn't get one-sixth (16.7%) of the vote after transfers. A 6-member district would exclude those that couldn't get one-seventh (14.3%) , and an 7-member district would exclude those that couldn't get one-eighth (12.5%), and so on. It is important to note that these thresholds apply to votes received after transfers from eliminated candidates. A candidate might receive only 4% of first preferences, but could easily end up with 13% of the vote after transfers.

STV is technically not as proportional as other PR systems, such as MMP, that use longer, closed lists. However, I urge you not to get caught up in putting mathematical proportionality ahead of real-world voter empowering choice. What good is it to me if my party gets the exact number of seats it deserves, but all their representatives are beholden to the party elite who dominate the system? STV doesn't get caught up with making sure parties are treated fairly -- **the**

proportionality that comes from STV counting derives from the desire to see that all voters are treated fairly. STV is more concerned with "personal representation" than "proportional representation": Every voter should be able to somehow direct their vote towards their most suitable representative, given a limited number of members to be elected.

Party Discipline and Independents

To my eyes, STV would do the most of any electoral system in allowing local constituents' concerns to trump the party line when there is a conflict between the two. As mentioned above, STV's multi-member districts give voters a choice of which of their party's candidates will best represent their interests. This allows candidates more freedom in developing their own platform, and in treating their party as simply a group of people that they will cooperate with in the legislature. **Candidates might feel empowered to focus more on what they stand for rather than who they stand with.** As such, STV allows the greatest chance for the election of independents, if that is what voters want.

A Mixed-Member System Revisited

One of the major problems with a two-tier system like MMP in BC is that the number of local representatives would have to be reduced to have enough second-tier MLAs to ensure proportional results. This is because, in the case of MMP, the lower-tier is based on single-member districts, which gives very disproportional results, and so we need lots of top-up party-list members to achieve proportionality.

If the assembly decides that it wants a greater measure of proportional represetation by party than a single-tier system of regional multi-member districts can provide, I would suggest adding a provincial top-up tier. In this case, since the first tier is already quite proportional, the second tier would only require a small number of members, perhaps 10, leaving 69 members at the local level. Of course, I would argue that the first tier should be elected by STV. The second tier however, since it is used to give proportional results by party, would have to use some other system, likely a party list.

Unfortunately, it would be difficult to make this an open list without prohibiting candidates from running at both levels, otherwise the list would have to be very long to allow for replacements for candidates that got elected locally and had to be removed from the party list. One way the party lists could be formed in a relatively open fashion is from unsuccessful candidates at the local level, ordered by how many first-place votes each received in their riding. This would still require either a second, party vote, or interpreting each voter's first preference as indicating his party preference.

How to Explain STV Voting

While the counting process may be somewhat complicated, the voting process is simple to understand. A voter need simply know that they must rank as many candidates as they can, and that their ballot can only ever be used to help a more-preferred candidate defeat a less-preferred or unranked candidate, and never the other way around.

Ballot Form

Political parties would like the candidates to be grouped by party to simplify party voting. But in BC, voters might prefer to have candidates grouped by city or town to facilitate local voting in large

multi-member districts. The assembly could recommend that candidates be grouped both by party, horizontally, and by community, vertically, so that voters could navigate a large ballot with the greatest ease. I feel the ballot form could be very important in selling a powerful system like STV to the voting public.

Importance of Randomizing Preferential Ballots

Since voters may want to rank all the candidates from one party or one area, but not really have much preference between them, it is important to have the candidates listed in different orders on different ballots, to negate the effect of the "donkey vote", i.e., ranking the candidates of one party from top to bottom. It may also be a good idea to list the parties and communities in different orders as well, to avoid favouring one party or community with our unconscious preferences for beginning at the top left.

Lesson from the Australian Senate

Do not require voters to rank all candidates, and thereby tempt governments to give voters the option of "above-the-line" voting to make the exercise easier (and "coincidentally" empower parties over voters).

Avoiding Future Government Tampering

Future governments may decide to tamper with the system that you recommend. They may decide to "improve" local representation by reducing the district magnitudes from 5-10 to 2-3, which would kill most of the proportionality offered by STV and revert us back to essentially a two-party system. One way to avoid this would be to explicitly require that districts have a magnitude of at least five. Another way, if you decided (against my advice) to have smaller districts in the North, would be to require a local referendum to shrink the magnitude of any district.

I trust that some of the more paranoid assembly members will be able to foresee many other ways that governments might want to rework the new system subtly to their advantage, and will include language in your recommendation to prevent such actions.

A Word on "None of the Above"

The NOTA option might be a little beyond your mandate, but I think it would be a nice idea to add an independent candidate named "None of the Above" to every ballot. If NOTA happened to win a seat, it could be filled by the same process used to select the Citizens' Assembly. Really give the voters the power to choose a system free of political parties. Chances are they'll never use it, but politicians might lose a little sleep knowing it's there. Put it in your recommendation. Why not?

Conclusion

STV is a system that doesn't dictate to voters the terms of their representation, whether it will be local or by party. Instead, it lets the voters dictate what the terms of their representation will be. STV is the best system for BC.

Thank you for reading my submission. I hope it helps you in your deliberations. I'm happy to clarify any points. Contact Ryan Fugger <rafspam@yahoo.ca>. Please remember that almost any

system is better than the one we have, and not to let the details get in the way of this big picture. Whatever decision you collectively make will be the right one. Thank you for your hard work on behalf of all British Columbians.

More STV Information

http://www.ark.ac.uk/elections/gstv.htm (many good links)