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Submission to the Citizens' Assembly on Electoral Reform By Adriane Carr, Proponent of the 2002 Initiative to Establish a Proportional Representation Electoral System in BC

Introduction

Thank you for giving me this opportunity to speak to you regarding the efforts I made as the Proponent of the *Initiative to Establish a Proportional Representation Electoral System* under BC's Recall and Initiative Act during the summer of 2002.

But first I would like to commend **Citizens' Assembly** members for your dedication and enthusiasm in undertaking the task of considering electoral reform in BC. As you may have noticed, I have attended every one of your six weekend-long "learning sessions". It's like a free university course. I am impressed by the breadth and substance of education you've been given and by the depth of your questions. The process you are engaged in gives me hope for BC.

I am often asked what motivates me to be so passionate about electoral reform. My motivation stems from the fact that I cherish democracy and believe it is the cornerstone of a fair, just and healthy society. I believe that my children will have a better future if our democracy works well.

Equally, I believe our democracy in BC is broken (the last few weeks have made this all too evident). Election outcomes are unfair, voters are unhappy, our legislature is unrepresentative and our politics have become increasingly adversarial and polarized.

How does an Initiative under BC's Recall and Initiative Act work?

I would like to make it clear that I am appearing before you tonight as the citizen proponent of the "Pro Rep Initiative" and not in my capacity as Leader of the Green Party of BC. Under BC's *Recall and Initiative Act*, groups or political parties cannot launch initiatives; only individual citizens can. An *Initiative* tests BC-wide voter support for a citizen-written piece of legislation through the signing of a formal petition. It is the only vehicle we have in our democracy for a citizen to directly force government to pay attention to an issue. In order to be successful (which means that government must then either introduce the proposed legislation into the house or put to a referendum vote the question of introducing the legislation into the house), 10 percent of the registered voters in BC in every one of BC's 79 electoral districts must sign the official *Initiative* petition. There are actually 79 versions of the petition—one for each electoral district—and voters can only sign the petition for the electoral district in which they are a registered voter. Every signature must be witnessed by a volunteer (unpaid) canvasser who must be a registered voter and pre-registered as a canvasser for the *Initiative* with Elections BC. This all has to be completed in 90 days. Because it is a formal Elections BC process, people take it seriously.

Broad public support is needed

To even have a faint hope of gathering enough signatures, a proponent has to gain broad non-partisan support across the whole province. It is a massive job of public education. We produced a newspaper titled *Free Your Vote*, explaining to citizens who were considering canvassing and signing the petition why the need for electoral reform, how our proposed Mixed Member Proportional voting system would work in BC and how it would fairly translate a political party's popular vote into an equivalent share of seats. (A copy of this newspaper is attached.) *(Note: the key elements of our MMP proposal were to achieve overall proportional election results based on voters getting two votes—one for a local representative and one for the party of their choice. The legislature would comprise 50% local constituency seats and 50% party list seats. The electoral districts would be larger, using Federal Riding boundaries (currently 36) for the local seats. The other 36 seats would be filled using province-wide closed party lists, submitted by political parties before the election, with candidates ranked by that party in order of who would fill the party list seats first, not subject to change by the voters. Party list seats are allocated to parties to ensure that their overall share of seats in the legislature equals their overall share of party ballot vote. If a party deserves more seats than they won locally, their seats are “topped up” with candidates from their party list. To gain a proportional share of party list seats, a party would have to pass a ‘threshold’ of winning 5% of the province-wide party vote or winning at least 1 local constituency seat.)*

By the end of the process we had distributed 280,000 of these educational newspapers; handing them out at public meetings, inserting them into various newspapers and magazines throughout BC and putting them into the hands of canvassers to use. Our outreach was especially successful through the hard work and dedication of the *Initiative's* 4,002 volunteer canvassers. Many of these people spent the summer of 2002 (May 13 to August 12) collecting signatures. Quite a few collected over 1,000 signatures. Six political parties, including the BC Unity Party, BC Marijuana Party and the BC Green Party endorsed the proposal. A number of citizens groups, unions (such as the BC Nurses Union and Pulp, Paper and Woodworkers of Canada) and businesses endorsed it as well. Ultimately 98,165 registered BC voters signed the petition sheets.

Although my *Initiative* failed to get the needed 10 percent of registered voters in each electoral district (212,483 signatures in all), we did achieve the 10 percent in 9 electoral districts (Comox Valley, Kelowna-Lake Country, Malahat-Juan de Fuca, Nanaimo, Nelson-Creston, North Island, Powell River-Sunshine Coast, Saanich North and the Islands and Victoria-Beacon Hill). Following the *Initiative*, a core group of volunteers formed the Free Your Vote – Pro Rep Society to continue to keep the volunteer canvassers informed and involved in the process of achieving electoral reform in BC.

An Initiative requires draft legislation

BC's *Recall and Initiative Act* requires the proponent to draft workable legislation. It took a team of volunteer lawyers several months to draft the 35 page proposed legislation to amend BC's *Elections Act* and change our current First-Past-the-Post voting system into a Mixed Member Proportional voting system. Elections BC vetted the proposed legislation several times before they approved it as “workable”. This process forced me into thinking concretely about a fairer voting system and fashion a “workable model” from an endless list of complex, theoretical possibilities -- not unlike the task you have to do.

Why choose Mixed Member Proportional for BC?

Many people approached me after the 2001 election, expressing interest in working on electoral reform. Amongst them was the late Dr. Brahm Wiesman, who for years before he retired, was head of the UBC School of Planning. He volunteered to do the background research, analyzing the pros and cons of voting systems used elsewhere in the world. Our priorities were to maximize fairness (in terms of peoples' votes counting and proportionality between a party's share of votes and share of seats), retain local electorate representation and achieve more cooperative politics which could result in more effective legislation. Dr. Wiesman concluded that a Mixed Member Proportional voting system, similar to the one adopted in New Zealand by referendum in 1993, was the one best suited for BC.

Checking out New Zealand's experience

Before advocating such a system I decided I had to see first-hand how the system was working in New Zealand, a commonwealth country about one-third the size of BC with a similar range of minority groups and about the same population as BC. They also had a recent history of unfair electoral results, unpopular governments and smaller parties that deserved but did not get their fair share of the seats. Despite some continued disgruntlement with politics (confirming that changing the voting system doesn't resolve all problems related to politics) I found solid support for the new voting system, especially when I described the 2001 BC election results.

The first thing I learned was that New Zealand had undergone a long process including a Royal Commission and two referendums to arrive at the change in their voting system. Despite the Royal Commission recommending a Mixed Member Proportional voting system for New Zealand in 1986, the major political parties were reluctant to implement it. Citizens had to campaign for another five years for electoral reform. Finally, voters were presented with a complicated, non-binding two-part referendum in which they were asked whether they wanted to change the existing voting system, and then to indicate support for one of four voting system options: Mixed Member Proportional (MMP), the Single Transferable Vote (STV), Supplementary Member (SM) or Preferential Vote (PV). The government promised to hold a binding referendum on the most popular reform option the following year if there was majority support for change. Although only 55% of electors took part, an overwhelming 85% voted to change the electoral system. In the second part of the poll 70% of those who wanted change favoured MMP. Only 17% voted for changing to STV.

While in New Zealand I met with the Clerk of the House of Parliament who explained how MMP had resulted in more effective parliamentary checks on government, a stronger role for parliamentary committees in modifying and improving legislation and overall more cooperative government. He also explained how MPs elected from party lists served constituents by opening regional offices and representing country-wide "constituencies of interest". By offering choice to local constituents, list MPs actually improved the overall accountability of MPs to the electorate. I met with legislative reporters who told me that MMP had resulted in more interesting politics and an obligation for them to cover a wider range of political views.

I also met with the electoral reformers who for years had been advocating a change to a fairer system. They stressed the need to be concrete in detailing an alternative system, the importance of public education, and the threat of an anti-electoral reform campaign well-funded by forces that benefit from the current voting system. In New Zealand the “no” campaign was funded by big business. In the end, MMP passed by just 54% of the vote in a referendum attached to the 1993 general election.

Voter response to the *Initiative*'s proposed MMP voting system

We found the appetite for electoral reform in BC to be very strong. Many people who signed the “Pro Rep” *Initiative* petition told us they had stopped voting because their vote didn't count. Many didn't like the 1996 BC election results. Most didn't like the 2001 election results. Even voters who wanted the change in government in 2001 didn't like the exaggerated outcome of 97 percent of seats in one party's hands.

There is no doubt in my mind, that if the rules for an *Initiative* petition were different, especially if we had more than the allotted 90 days and didn't have to use 79 different petition sheets, we would have easily got the required number of signatures.

Voters who signed the petition frequently noted the following “pros” to MMP:

- **Proportional election outcomes.** People liked the fact that MMP is designed to be proportional and deliver fair election outcomes with a party's seat share equaling its vote share.
- **Almost all votes count.** People hope that youth and non-voters will be inspired to get involved if their votes count, and hope this may lead to higher voter turnouts.
- **Two votes** (one for a local representative, one for a party). People described it as a good balance between the limited choice now and too much choice with long lists.
- **More balanced legislatures.** People want a better balance between government and opposition, smaller party representation, and more women and minority voices elected.
- **Less adversarial politics.** People liked the idea of minority and coalition governments forcing parties to be less adversarial and more cooperative. They hope that this will lead to **better, longer-lasting legislation.**
- **5% threshold.** People want a threshold that will help avoid the “Italy” situation of too many parties being elected.

Voters raised the following questions and concerns, especially in the over 100 public meetings I held in conjunction with the *Initiative*:

- Will MMP deliver “unstable governments” like in Italy and Israel?
- Aren't coalition governments ineffective governments that can't make decisions?
- Federal riding boundaries are too large in BC.
- Will closed party lists give party leaders too much control?
- What do party list MLAs do and to whom are they accountable?
- No one mentioned “zombie” politicians.

Voters also asked about other electoral reform options like preferential balloting and single-transferable vote. Almost universally, people did not favour changing to a system

that did not maximize proportional outcomes and voters' first choices counting. People also found STV very difficult to understand.

Most of peoples' concerns about MMP were allayed by explaining the role that a "threshold" plays in limiting the number of parties elected; explaining how list MPs have the same duties and obligations as constituency MPs; offering examples of how coalition and minority governments deliver good legislation and more cooperative politics in other countries (and Canada, too); and explaining how closed party lists achieve better representation for women and minority groups.

Some suggestions for changing the proposed MMP voting system

The MMP model proposed for the "Pro Rep" *Initiative* could be changed to accommodate outstanding concerns. For example:

- Keep 79 MLA seats in BC's legislature and change to a ratio of two-thirds constituency seats and one-third party list seats. This would mean 53 constituency seats and 26 party list seats for all of BC.
- Require political parties to run candidates in at least 50% of the constituency seats in order to qualify for list seats.
- Require political parties by law to select list candidates in a democratic way that grants every party member a say in the selection process and require that they file with Elections BC a detailed description of how their party's selection system works.
- Have flexible lists where a voter can choose either to accept the list as ranked by the party or choose one candidate on a party's list to be placed at the top of the list (as recommended for Canada by the Law Commission of Canada). If a candidate exceeds a threshold of 8% of the party's voters placing that person first, the candidate moves to the top of the list.

Confidence in the Citizens Assembly Process

I have confidence in the process underway and the members of the Citizens Assembly in reaching a decision that will be in the best interests of British Columbians. I am concerned that naysayers will try to convince people that involvement in the process is not worthwhile. The public commitment of all major political parties to implement a positive referendum result would help allay peoples' concerns. Finally, I believe that, should you choose a new voting system for BC, the BC government must adequately fund an independent, well-structured public education campaign for the five-month period prior to the May 17, 2005 election. It is my experience that, if people are given the opportunity to learn about how a fairer voting system would work in BC, they will vote for it.

Respectfully submitted,

Adriane Carr, Proponent

2002 Citizen's Initiative to Establish a Proportional Representation Electoral System in BC