

Presentation to the Citizens' Assembly on Electoral Reform by Adriane Carr, Leader of the Green Party of British Columbia Victoria BC - June 10, 2004

Thank you for giving me this opportunity to speak to you as Leader of the Green Party of BC regarding my party's views on changing BC's voting system. As you probably can guess, we are in support of change. We have been outspoken in our support of a mixed member proportional representation voting system for BC.

I first became interested in electoral reform in 1982. I was part of a group involved in starting the Green Party of BC—North America's first Green Party. We were inspired by the first-ever election of Green Party representatives to the German parliament. Some people here told us that there was no point in starting a Green Party in BC. "You'll never elect anyone. We don't have proportional representation as they do in Germany." That was the first time I had heard about this kind of voting system.

Knowing the tough odds of getting elected under BC's first-past-the-post system, in February of 1983 we formed the Green Party of BC anyway, dedicating ourselves to slowly building public support for our principles and sustainable solutions.

Achieving a fairer, proportional representation voting system in this province has been a fundamental plank in our party platform right from the start.

The BC Green Party has been an enthusiastic supporter of the Citizens' Assembly. As Leader of the party I attended all six of your weekend learning sessions this spring and found them exciting and informative. This May and June I attended five of your public hearings as an observer.

The BC Green Party was one of six political parties that backed the Initiative that I undertook in 2002, not as leader of the party but as a private citizen under BC's *Recall and Initiative Act to Establish a Proportional Representation Electoral System in BC*. I presented to your first public hearing in Vancouver on May 3 from my viewpoint as the citizen proponent of this Initiative, describing how, in the summer of 2002, 4002 volunteer canvassers collected 98,165 signatures of BC voters endorsing a mixed member proportional representation voting system similar to the one they have adopted in New Zealand. These canvassers are amongst the core supporters and proponents for electoral change in BC. Details can be found in my first submission to you now tabled on your website: www.citizensassembly.bc.ca.

Cynics have said to me "Of course the Green Party is keenly interested in electoral reform. You have the most to gain!" I counter this by saying that all political parties will gain, because inevitably every party gets an unfairly small share of seats compared to their share of vote, or maybe even loses an election despite getting more of the vote than another party. But most importantly, the citizens of BC will benefit, especially those who have felt frustrated by their vote "not counting", because their votes will count and the legislature will faithfully reflect how they vote.

While observing your Assembly's educational sessions and the public hearings this spring, I couldn't help but notice peoples' negativity, anger and cynicism towards political parties and the suggestion that maybe it would be better if there were no political parties and simply independent politicians in our legislative assembly.

I'm worried that some of you may share this negativity towards political parties and make it your first priority to try to "weaken party control" in the mistaken belief that the problem with our democracy is political parties.

In fact, political parties came into being in the 19th century because of the corruption, pork barreling and abuse of power that was rampant amongst individual independent politicians. Parties were originally formed to provide more transparent, fair and accountable politics: to give ordinary people access to candidacy and to give information to voters about platforms so they could hold parties accountable.

Political parties are not inherently evil. But many are not functioning very democratically. One big reason why is that our voting system is flawed. Our voting system is the democratic means by which voters delegate their power. Every vote should count. The power of a party should not be less nor more than voters determine in the ballot box. Power corrupts. Unfair power creates unfair governments. Changing to a more fair and democratic voting system in BC will change political parties and governments for the better.

If old parties keep getting more power than by their vote they deserve, or they begin thinking they have power wrapped up, they get more and more arrogant, corrupt and self-serving. They start paying less attention to what voters actually want and more attention to the tactics of how to win under our unfair voting system.

I urge you to make it your priority to recommend a new voting system that never delivers an unfair majority government—a government that wins less than 50% of the vote yet gets a majority of seats and virtual dictatorial power.

I urge you also to recommend a new voting system that gives young new parties with fresh new ideas a chance to get elected. People want new parties. For example, an Ipsos-Reid poll conducted a year and a half ago revealed that two-thirds of British Columbians want Green Party MLAs elected in 2005. But unless Green Party voters are concentrated in certain electoral districts instead of being relatively evenly spread out across BC, our voting system can't give expression to that public desire.

By stifling smaller parties and thwarting their electoral chances, our current system reinforces the older parties' grip on power. The only thing that ultimately forces parties to examine their platform, their performance in office and their appeal to voters, is the competition for votes. Effective and electible new parties help keep old parties honest and accountable to the public.

We need more checks on those in power. According to Elections BC officials, our election laws place very few controls on political parties, but there is nothing stopping you from including

some controls in the changes you recommend making to our voting system. You could, for example, **require that all political parties nominate all candidates by publicly registered transparent democratic processes. Our party recommends that you do this.**

There are other checks on political parties' abuse of power that are beyond your mandate. Two in particular are changing electoral financing laws to replace corporate and union funding with public funding, and parliamentary reforms that give more power to the legislative assembly and less power to the cabinet and premier's office. I'd suggest these reforms be pursued by future Citizens Assemblies.

The mandate of this Citizens' Assembly on Electoral Reform is to consider whether or not to change how votes are translated into seats in our provincial legislative assembly and if you recommend change, to clearly spell out the details of a new voting system and write a referendum question for our May 17, 2005 election—only 340 days from today. I congratulate the BC Liberal government for putting this power into your hands. As your Assembly chair, Jack Blaney says, "This really is power to the people." You are required to work within our Westminster parliamentary system. I found it helpful to be clear about what this really means. The Westminster system is a system of democracy based on political parties. Parties nominate candidates who, if elected, theoretically at least, act as representatives of those that elected them. If a party wins enough seats it forms government. If not, it forms the opposition with the role of holding government in check. The will and power of the people is expressed through the voting system.

The most fundamental question you need to address is: does our current voting system fairly and accurately translate the will of voters in terms of which parties form government and opposition?

The answer is clearly: No.

Our first-past-the-post voting system worked when there were just two parties. It does not work when there are multiple parties. Votes get "split" in capricious ways and our voting system delivers unfair results, including "wrong winners" as happened in 1996 when the NDP won a majority government with 39% of the vote—less of the vote than the Liberals. The results in 2001 were also unrepresentative of voters' wishes, giving 58% of voters 97% of the representatives (the Liberals), 22% of voters just 3% of the representatives (the NDP) and 20% of voters (including 12.4% of Greens) no representatives at all.

Please do not let any other issue take precedence over achieving fair election outcomes. I urge you to deal with the greatest of integrity and priority with this most fundamental issue: changing our voting system so that election outcomes and our legislative assembly—particularly which parties form government and opposition—accurately reflect the will of the people.

If you make this your priority, you will undoubtedly come to the same conclusion as the vast majority of citizens who have presented to you: to recommend a proportional representation system so that a party's share of seats equals as closely as possible its share of votes.

The most popular recommendation made to your Assembly is for Mixed Proportional Representation. It is popular for good reason: people want the fairness of proportional representation and, especially in rural BC, they want local representation, too.

In consort with these people, the Green Party of BC recommends that you develop a Mixed Member Proportional Representation (MMP) voting system for BC, incorporating list-PR with a province-wide party ballot giving people two votes: one for a local representative and a second vote for the party of their choice. This is the most fair and democratic option. It maximizes voter representation. Every British Columbian's vote, whether they live in Burns Lake or Burnaby, will count equally in determining the election outcome.

In terms of the specifics of designing a “made-in-BC” MMP system, we recommend that you:

1. **Allocate list seats to parties as a “top-up” to ensure overall proportionality** between seat share and vote share.
2. **Structure the ballot so that voters can vote separately for a party.** This allows voters to “split their vote” between a local candidate and the party of their choice and avoids the dilemma of whether to vote for the party or the person. A separate vote for the party of choice is the most fair and transparent way to ensure voters can directly express their preference as to which party they want in government.
3. **Split the 79-seat legislature as equally as possible between constituency and party list seats**, which would minimize the chance of unfair electoral outcomes. We understand that this will mean larger local constituencies, but feel that the advantages of fair electoral outcomes and the additional representation provided by list MLAs outweigh the disadvantages of larger constituencies. It is regrettable that a better case in your educational process has not been made for the role of list MLAs. List MLAs, who are elected from party lists to “top up” a party's share of seats in the legislature so their overall share of seats is proportional to their share of vote, will help better represent rural as well as urban voters. **List MLAs will represent constituencies of interest that cut across geographical boundaries. They will represent the people who vote for their party.** Typically, parties open offices throughout a province so that people who voted for their party and who may not feel well represented by their constituency MLA, can come to them for help.
4. **If you opt for a ratio of more constituency than party list seats** so that constituencies do not have to increase too much in size, **we recommend that you allocate no less than 1/3 of the overall legislature as party list seats.** This ratio was recently recommended for Canada by the Law Commission of Canada. In BC, a 2/3 to 1/3 ratio would mean 53 constituency seats and 26 party list seats in our 79-seat legislature.
5. **Consider a preferential ballot for election of local constituency MLAs.**
6. **Consider a closed list or a “flexible list” for the party vote**, where a voter can choose either to accept the list as ranked by the party or choose only one candidate on the list be placed at the top – as recommended for Canada by the Law Commission of Canada. A candidate that gets 8% of the party's votes province-wide goes to the top of the party's list. This actually has a greater chance of changing the ranking compared to voters' re-ranking the full party list.

Just as we regret the lack of information provided to you about the representation offered by party list MLAs, we feel there has been inadequate information regarding the advantages of

closed party lists. **Closed lists give parties a chance to balance their candidate team in terms of gender, ethnic background, age, expertise and regional representation.** It gives a party the opportunity to put its best people forward. Parties know: if people don't like their list, they don't vote for their party. **In countries with closed list-PR, significantly more women and people of different ethnic backgrounds are elected. This is good for democracy.**

The problem with open lists is that voters can express prejudice and “bump off” candidates of certain ethnic backgrounds that parties have thoughtfully decided to include. This has happened in some countries with open lists.

In our party-based democracy, almost all candidates are nominated by parties. We wish more citizens would join political parties—especially our own—and get involved in this part of democracy. The closed list system is an extension of this. Recent cases of undue influence and exercise of power by party leaders in some constituency nominations has justifiably made people nervous about things like party lists. Undemocratic, backroom processes for candidate nominations—whether at the constituency level or for party lists—is unacceptable.

7. **Require that parties use a democratic process to nominate all candidates, for local candidacy or party lists, and register the process they use with Elections BC so it is open to public review.** In addition, we recommend you define what you mean by “democratic process” (e.g., a balloting process involving every member in the appropriate jurisdiction with one member getting one vote). It was suggested to your Assembly that you do this by Professor Margaret Blakers, who came to talk to your Assembly about the New Zealand system.
8. **Incorporate a threshold of a party winning 5 percent of the party vote or one constituency seat in order to be awarded party list seats.** A threshold of 5% avoids the “Italy” and “Israel” situations of too many parties leading to difficulties in forming and maintaining coalition governments. Countries with 5% thresholds, like Germany and New Zealand have effective, stable governments.

Because a significant number of citizens have recommended a Single Transferable Vote (STV) system to you, although far fewer than those recommending MMP, I felt it important to spell out why the BC Green Party does not favour this system.

1. STV is not designed to deliver proportional representation. This was confirmed to me in a conversation with the author of the text used for the Assembly's educational process, Dr. Farrell, who said that STV achieves proportional outcomes by chance, not design. In Malta, STV has delivered a “wrong winner” government. Why recommend a system that leaves what people fundamentally want the most—fair and proportional election outcomes—to chance?
2. Even in its most egalitarian form in BC (12 six-member electoral districts and one seven-member electoral district), STV cannot be counted on to deliver very proportional results. In a six-member district, a candidate still needs 14% of votes to win. Smaller parties still get excluded. Too many peoples' votes still don't count. Knowing this, in Tasmania, the Labour and Liberal parties joined forces to change their ridings from 7 to 5 members to try to exclude the Green Party from being elected.
3. Competition for “first preference” votes is fierce amongst candidates, even within the same party. To get around this, smaller parties often strategically run only a few candidates in

multi-member ridings. Few women get elected. In Ireland, the National Women's Council calls STV politics there "jobs for the boys". In Australia, parties issue "how to vote" cards directing their supporters to mark their ballots in the same way to try to maximize the chance of getting as many of their party candidates elected as possible. This obviously negates STV's advantage of "voter choice". It also belies the myth that STV weakens party control.

4. A six-member riding in the north could literally encompass half of BC – all of BC north of Prince George. If you make these northern ridings smaller, or keep them as single-member ridings while creating multi-member ridings elsewhere in BC, it could be argued that you are acting unconstitutionally, in that all votes will not be equal in their ability to achieve representation.
5. If you ask people, virtually everyone will tell you that they want their first choice of candidate or party to count. Many do not want to elect representative of their second choice party. That's what happens now when people succumb to the pressure of "not splitting the vote", or voting for the "least worst alternative" to kick out the party they really dislike.
6. The "voter choice" offered by STV—ranking a list of candidates in a multi-member riding—is likely not the choice that most people want. Some people cringe at the thought of ranking long lists of candidates, most of whom they don't know. The choice that is fundamental to our democracy—and that is not offered by STV—is a citizen's opportunity to vote not only for a candidate but also for the party of their choice, knowing their party vote will count towards determining the real election outcome—which parties form government and opposition.
7. People do not find STV vote-counting easy to understand. They find it hard to rationalize why voters who already got their first choice candidate elected but whose ballots were in excess of the quota needed to get that person elected are considered "wasted votes" and have their second choice redistributed and counted first. People also can not understand why people who voted for the least popular candidate (the one that got the fewest first choices) should have their second choice counted next and so on in an ascending order towards the most popular candidate until a full roster of candidates exceed the quota and get elected. A fairer system of allocating second and subsequent preferences that has recently been developed is called the Meeks system. This counting system requires the use of a computer. Since the last U.S. presidential election and the Florida balloting, there is huge public antipathy to the use of computers to count the ballots. People will not opt for a voting system if they can not easily understand the way the votes are counted or that necessitates the use of a computer to determine the outcome.
8. STV is very difficult to sell to people. Even Nick Loenen, an ardent advocate of STV, said to the Citizens Assembly public hearing in Richmond, "you can't sell STV for the whole province. People won't buy into it." STV is used only in two countries and a few provincial assemblies. In a referendum held in New Zealand in 1992, after an extensive government-funded educational process, voters were asked whether they wanted to change their voting system and, if so, to indicate support for one of four options: Mixed Member Proportional (MMP), Single Transferable Vote (STV), Supplementary Member (SM) or Preferential Vote (PV). 55% of New Zealand electors participated in that referendum. An overwhelming 85% voted to change their electoral system. 70% favoured MMP. Only 17% selected STV. In my opinion, if the Citizens Assembly ignores the large majority support being expressed through your public input process for a mixed member proportional (MMP) electoral system and instead selects some form of STV, the Citizens Assembly recommendation is doomed to

failure. Just as they did in New Zealand, I believe the voters will surely reject any recommendation for STV.

In summary, the recommendations of the Green Party of BC are to:

1. Change BC's voting system.

So far, 98 percent of the submissions to your assembly are calling for change. Honour the will of these good citizens and recommend the system that most of them prefer.

2. Choose a Mixed Member Proportional Representation (MMP) voting system, combining list-PR with local constituency representation. This system is most faithful and fair in translating the will of voters into election outcomes and the make-up of the legislative assembly, which is the fundamental goal of a democratic voting system.

MMP is also the choice most widely supported by citizens in your public input process. It gives voters more effective representation than any other voting system—retaining local representation and providing representation for “constituencies of interest” so that every voter, in every part of BC, is represented by the election of some MLAs to whom they can turn for help and to whom they feel akin as their politically aligned advocates. MMP leaves out the fewest voters. It gives us the greatest chance to get effective government and effective opposition over the long-term.

The success of the Citizens' Assembly process rides with you. You have to design not just a detailed system that works for BC and is more fair, but also one that people can easily understand and vote “yes” for in a referendum in May of 2005.

I thank you for your diligence, your hard work and your commitment to revitalizing BC's democracy.

Respectfully submitted,

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