

## David O. Marley

---

1507 Inglewood Avenue, West Vancouver, BC, V7V 1Y8, Canada

Telephone: 604-926-8994 / Facsimilie: 604-926-8950

E-Mail: [dmarley@uniserve.com](mailto:dmarley@uniserve.com)

June 30, 2004

Citizens' Assembly of BC,  
555 West Hastings Street,  
Vancouver, BC  
V6B 4N6

By Hand

Dear Assembly Members:

Re: Submission to Citizens' Assembly concerning Electoral Reform

Please accept this letter as constituting my submission to the Citizens' Assembly of British Columbia concerning the question of whether the current electoral system of our province ought to be replaced and, if so, by what alternative.

Firstly, as a founding director of "Fair Voting BC", an organization formed, in October, 1998, for the express purpose of promoting the consideration of electoral reform in British Columbia, I was delighted to see the Citizens' Assembly come into existence and I thank you for the time and effort that each of you, and your support staff, are contributing to this historic and extremely valuable endeavour. Secondly, as someone who has been both an activist in and a keen observer of the BC and Canadian political processes for over thirty years, I am confident that having a reasonable number of dedicated, disinterested citizens consider the issues, and potentially make one or more recommendations, respecting a subject central to the functioning of our democracy is a very wise approach.

My submission is as follows:

### Introduction:

The state has a monopoly over the legitimate use of force in our society. It constrains or directs many aspects of our lives. It appropriates a significant portion of our incomes. It is, therefore, essential to the continued existence of a stable and free social order that the process by which power is attained in our political system be widely perceived by the citizenry as being acceptable.

A certain degree of tension is inherent in relations between the governed and those who govern. Democratic governmental institutions must deal effectively with the issue of control that is central to human relationships generally. This is crucial because, as noted social scientist, Seymour Martin Lipset, has opined, “The stability of any given democracy depends not only upon economic development, but also upon the effectiveness and legitimacy of its political system...Legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society”.

#### First-Past-The-Post:

Has our current “first-past-the-post” electoral system become so discredited in recent years that there is a perception widespread amongst the electorate that political power is being attained by illegitimate means in BC? I do not believe this to be so. Which is not to say that there is no room for improvement. The failure most often attributed to our current electoral system is that after each election too many votes are seen by some, perhaps many, as having been wasted. A political party often wins a majority of seats in the legislature with only a plurality of votes on election day. Sometimes, a party forms a government having received less of the popular vote than its chief opponent.

#### Proportional Representation:

It is, however, imperative to ensure that any proposed cure not be worse than the alleged disease. For this reason, I would urge you to reject any suggestion that our current electoral system be replaced by one or another variant of proportional representation. Such a system contains three traits, one contrary to the personal political efficacy of the individual citizen, the only true measure of systemic legitimacy in any political process, and the other two potentially destructive of “peace, order and good government” as enshrined in the preamble to our nation’s constitution.

In the first instance, the selection of a certain percentage of the province’s MLAs from lists of candidates prepared in political backrooms by partisan apparatchiks produces two classes of elected representative and, in the case of one, severs the direct geo-political link between MLA and his or her constituents that over time has proved so valuable in ensuring the accountability and responsiveness of elected representatives.

In the second instance, the introduction of proportional representation to the electoral system of a province as geographically vast and ethno-culturally heterogeneous as British Columbia will tend to exacerbate existing regional and social tensions by generating explicit political fault-lines. The ability to achieve political compromise, the essence of social stability, would likely be severely eroded by an electoral process that encourages

the formation of single issue, or interest group-based, partisan political entities. As often witnessed elsewhere in the democratic world, endless minority governments, and legislative sessions of a particularly rancorous and counter-productive nature, are the natural outcome of such a situation.

#### Alternative Vote:

If one accepts that votes cast for candidates other than the winner are wasted (which, incidentally, I do not) then the alternative vote, or preferential ballot, electoral system dramatically reduces this phenomenon, requiring as it does that successful candidates acquire 50 percent plus one of the votes cast. Having been elected on the basis of a majority of the vote, rather than by a mere plurality, the MLA has a much greater claim to legitimacy in the eyes of his or her constituents.

Accordingly, adoption of the alternative vote as our province's electoral system would go a long way towards eliminating allegations that election results are not fair or properly representative of the electorate's intentions. At the same time, this approach avoids the serious pitfalls of proportional representation. The alternative vote method maintains the direct link between electors in a particular geo-political locale and their elected representative, it involves only one class of MLA and it prevents backroom partisan power-brokers from increasing their relative influence over the political process.

Perhaps the greatest advantage of the alternative vote model is that, unlike both the existing electoral system and proportional representation, it tends to create a more positive tone in election campaigns. When candidates require the "second ballot" of electors who initially support someone else, they are encouraged by the rules of the game to focus on public policy issues rather than personalities, as well as to refrain from launching unedifying, negative attacks on opponents and their policy proposals. The alternative vote electoral system would tend to generate consensus rather than confrontation concerning matters of public administration, something that is sorely lacking in British Columbia today.

#### Conclusion:

The legitimacy of a government depends in large measure upon the widespread acceptability of the electoral system by which political power is attained. That system must produce an effective and accountable government, as well as a generally held perception amongst the electorate of personal efficacy in relation to the political process.

If in your wisdom you decide that an element of proportional representation ought to be

introduced to the electoral system of our province, then the proposal put forward by Mr. Nick Loenen is, in my view, the most attractive option. However, it is my contention that it would be far preferable for the Assembly to adopt a much less radical approach and, in keeping with Commonwealth tradition, propose an electoral system that maintains a direct link between each MLA and the geo-political unit of people whom he or she is elected to represent. The alternative vote, or preferential ballot, used successfully for decades in Australia, for example, is in my opinion the electoral system that you ought to recommend for future use in British Columbia.

Thank you for your consideration of my submission.

Yours sincerely,

David O. Marley, B.A., LL.B., M.Sc.