

Electing politicians who are both representative and competent

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Submitted Aug 3rd, 2004

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Note: I have assumed a certain level of familiarity with electoral reform on the reader's part. If I have assumed incorrectly and something is unclear, please email me for clarification at bkrayenhoff@hotmail.com.

Recommendations for the Assembly to Consider

- Implement quotas or allow parties to implement their own quotas to ensure good demographic representation
- Use a Mixed Member Proportional Representation (MMPR) system that:
 - Has both a constituency and a party vote
 - Uses Instant Runoff Voting (IRV) for both constituency and party votes
 - Generates party lists from the constituency votes
- Address Party Discipline through various measures discussed herein

Outline

- Theory
 - The main goal of representative democracies – combining political representation with competence
 - Other values important to democracy
- The problems in our current system, and how to address them within the mandate
 - Elections are a very imperfect way to obtain political representation that reflects the population proportionally.
 - Poor demographic representation is likely to result in sub-optimal political representation
 - Party discipline makes one's local representation largely irrelevant; party leadership holds the majority of the power
 - Unequal distribution of political power (e.g. excessive power in the hands of media owners and the wealthy) makes it difficult to elect good political representation
 - Our current system represents peoples' votes poorly in the Legislature
- The specific system I propose
 - A MMPR system with the lists generated by taking the best losers from constituency ridings
 - The use of Instant Runoff Voting (IRV) for both votes
 - The use of quotas to ameliorate demographic representation
 - A simpler version of the proposed system that retains its most important aspects
- Other points and concerns
- Summary

Submission

Theory

Most people would agree that a desirable goal in designing a system of governance is the provision of good government for the people, and I suspect the main idea behind representative democracy was that putting a representative cross-section of the populace into power, by ensuring everyone has a voice, would be a good way to achieve this goal,.

WHAT KIND OF REPRESENTATION ARE WE LOOKING FOR

But representative in what way? Since every electoral system necessarily introduces biases into the representation it selects, if we selected our MLAs at random, just as the members of this Citizen's Assembly were selected, this would probably result in much more accurate all-round representation than our current system does. However, people selected in this way would on average not have the same level of interest, knowledge, and talent as those selected through our current electoral system, almost certainly resulting in poor governance. Thus we need representatives who are both interested in and able at governance, and also have political beliefs that represent (in a proportional manner) those that the population would have, were they knowledgeable and able enough to themselves understand all issues fully. A Legislative Assembly that satisfies these ideals would ensure that all perspectives and beliefs are discussed, and that wise decisions are made that will generally satisfy more than 50% of the population, resulting in decent governance. I know there are some other values, which I will discuss shortly, that also need to be accommodated, but first I want you to consider the following: Do you agree that the ideal Legislative Assembly would be composed of people whose beliefs reflect those of the general population and who have the ability to govern well? If so, there are implications for electoral system choice, and for the possible introduction of quotas for certain demographic groups.

OTHER VALUES

As you will see, the ideal of competent and politically representative politicians encompasses the values of proportional representation, demographic representation, accountability, and a diversity of ideas. There are, however, other important values that it does not encompass.

For example, cooperation is an important value that results in better government in several ways. In a system that encourages cooperation, parties are more likely to adopt and also recognize each other's good ideas, as opposed to cutting them down for strategic reasons (e.g. due to vote splitting, parties with similar ideas tend to see each other as threats rather than allies). Thus, good ideas (or, at a minimum, ideas that appeal to the electorate) would more likely be widely held among parties, and furthermore, the electorate would no longer be confused as to what is a good idea by parties who cut down each other's ideas simply for strategic reasons.

Another important value, for quite obvious reasons, is effective government. By ineffective I do not mean that the party with the plurality of the vote cannot do whatever it wants, but that parties cannot agree on and implement an effective solution to a problem that parties or representatives holding over 50% of the seats agree needs to be addressed. **This value is somewhat at odds with having good representation, which, when taken to the extreme, explains why democracies sometimes do not work in countries that are too diverse in certain political respects.**

Local representation is not something that I see as being more important than other forms of demographic representation; however, I think systems such as MMPR would be valuable for other reasons which I will discuss later.

Based on this ideal form of representation and on the other values discussed, I will talk about the problems in our current system as well as some general solutions, and finally, about the specific electoral system I prefer.

The problems in our current system and how to address them

Our electoral system can be seen as a clever way of trying to select a Legislative Assembly of members whose beliefs are representative of the general population and who are also competent at governance. However, we know that elections are a very imperfect way of achieving this. Voters are significantly influenced by the media and by the level of funding candidates receive for their campaigns. This suggests that voters don't have a clear idea of who will best represent them, otherwise they would not be so easily swayed¹². It also shows that those who have money and use it to influence the media, whether they are Canadian citizens or not, have much more influence than their democratic share. Thus, voters are very 'imperfect' at placing their votes in the sense that they often do not know who would in fact best represent their individual priorities. Also, we know that all systems used to transform votes into seats are imperfect. For example, the FPTP system has a tendency to produce outcomes that exaggerate any small pro-majority bias, favour larger parties, and eliminate smaller parties, and in fact these distortions all have the same cause. Since most MMPR systems have a large portion of representatives elected by the same method, such systems can be expected to cause similar distortions in all but the representation of parties (which has been corrected for). Thus, we can expect the representation that is eventually selected to be far from ideal.

DEMOGRAPHIC REPRESENTATION

It is theoretically possible for one's political beliefs and values to be well represented by someone of another demographic class. But in practice, we know that one's perspective is greatly influenced by one's background, so I believe this is rarely the case. For instance, when elected to office men tend to focus more on the economy while women tend to focus more on social welfare. Assuming this is representative of the general population's values, poor demographic representation is indeed being translated into poor political representation.

This poor demographic representation inherent in the system is sometimes, however, easily corrected with quotas. For example, I think it is safe to assume that there are a sufficient number of able and motivated women that the political under-representation of women could be corrected by a quota, while still ensuring there are only very competent MLAs³. However, it may not be possible to find enough interested and competent people among adults who have yet to graduate from Junior High School to represent this demographic group effectively. Thus in order to ensure that one's MLAs are competent, perfect demographic representation is impossible. In cases such as the lack of female MLAs, however, this lack of demographic representation is surely corrigible without great difficulty. Below I will suggest a way to introduce this quota, using top up seats in a MMPR system.

¹ Furthermore, many voters do not believe that parties will keep their promises if elected, and therefore make their decision based on very little information. Some don't make up their mind until they see the ballot, and so presumably haven't put much thought into it. Also, for example, a woman I know had decided to vote for a local candidate she liked, not realizing that his party stood against everything she had worked so hard for. These are just some additional points to emphasize the imperfection of the voting process.

² It is here that accountability comes into play. If citizens are not able to determine who did what, how are they going to be able to pick someone who represents them? i.

PARTY DISCIPLINE

Another problem is strict party discipline. Strict party discipline results in the marginalization of most representatives and the concentration of power with the party leaders. It is unlikely that a few party leaders can accurately reflect the diversity in society, thus the current system fails to put a representative and *effective* cross-section of the populace into power. Even if the party leaders had the will and the time to listen to the views of all of their MLAs, there is an understanding that personal experience adds to one's knowledge, an understanding that can rarely be effectively imparted to another.

While some of the strategies for combating party discipline are outside the mandate, when choosing a new system one must consider whether it will reinforce party discipline or encourage parties to relax party discipline. For example, closed party lists would likely promote party discipline by allowing the leader to place his or her 'favourites' at the top of the list so that they are inevitably elected. A split constituency and party vote, however, would probably discourage party discipline by increasing the importance of the virtues of individual candidates in the eyes of their constituents, and by making it more difficult for the leader to choose which candidates are to run in "safe" or "hopeless" ridings, and thus which candidates are elected. Ideally, parties' candidates in each riding would be elected to run by the parties' members in that riding, decreasing the party leaders' influence on these results. Additionally, I read Adrienne Carr's submission at http://www.citizensassembly.bc.ca/public/get_involved/submission/C/CARR-635, and she suggests some other ideas, such as imposing democracy within parties, that are well worth pursuing if they fit the mandate⁴.

UNEQUAL DISTRIBUTION OF POLITICAL POWER

Something I see as a major political problem is the unequal distribution of political power. Specifically, corporations and the wealthy, through political donations and their influence on the media, can wield significant influence on electoral outcomes and on the post-election actions of political parties. That money can have such power comes from the problem raised above: the process by which people decide whom to vote for is imperfect. However, when the influences of money are added to this pre-existing problem, a general bias in favour of the party most favouring the rich results, whereas without such influences the imperfections of individual votes would likely cancel each other to a greater extent.

As a solution, we need restrictions on political donations, strict rules on media consolidation, and a strong democratic media as an alternative. Additionally, there are some measures that lie within the mandate.

Firstly, some form of proportional representation must be adopted. The aggressive campaign run by corporations in New Zealand against proportional representation suggests that it is a system less subject to their influence. This alone convinces me of the need to switch to proportional representation. The multitude of parties makes it more difficult to control what is discussed, and it is probably more difficult for corporations to influence the actions of minority governments.

Secondly, I think it would help if all representatives were elected based on votes in local constituencies (i.e. choose party seats in an MMPR system based on constituency votes). This because money exerts a great deal of influence over the large scale consolidated media, but much less over local newspapers, community groups, and word of mouth.

Corporations are not Canadian citizens, and so should have no vote. Wealthy Canadians should still only have one vote. Thus, in the interest of having a democracy in which every citizen has equal opportunity to influence government, the influence of money on government must be restricted. Doing so will help to ensure that the politicians who are eventually elected are more representative of the population.

ELECTORAL SYSTEMS

This is rather obvious, but a non-proportional electoral system is clearly not going to be as effective as a proportional system at translating votes into seats in such a way that the priorities of elected MLAs represent, in a proportional way, those of the electorate, and recent elections demonstrate that our current system is particularly poor in this respect. Thus, we need to be looking at adopting some type of proportional system.

The Specific System that I Propose

Next, I would like to talk about my preferred electoral system based on the above criteria. To attain the best representation, a proportional system is needed that allows citizens to influence the individual candidates as well as the parties that are elected. As for choosing an electoral system, the Law Commission of Canada's report on electoral reform discusses the merits of MMPR, therefore I won't be propounding these merits myself. Rather, I will discuss the specific variation of MMPR that I think best meets the above criteria, as well as its merits.

THE BALLOT - IRV

Instead of our current plurality system (i.e., one vote each) I would use Instant Runoff Voting, or IRV⁵, for electing both local representatives and political parties.

I suggest using a modified version of the IRV process for parties, whereby the process terminates when all of the remaining parties exceed a threshold percentage of the vote, as opposed to continuing until there is only one party left. Thus, parties that receive the fewest votes are successively eliminated and their votes transferred until all remaining parties meet the threshold.

There are several benefits of IRV over our current plurality system, notably:

Firstly, IRV effectively resolves the problems of split votes and wasted votes. While these issues might not be as serious in MMPR due to compensatory seats, ideally we don't want them to ruin either constituency representation or the representation of voters preferring minor parties. By reducing vote splitting and the fear of voting for a smaller party's candidate for fear of wasting one's vote, IRV used in constituency elections would help to produce more proportional results even before compensatory seats were assigned, meaning fewer compensatory seats would be needed.

Secondly, since their vote will be transferred, voters aren't forced into voting strategically for fear of wasting their vote on a candidate or party that doesn't stand a chance. With either our FPTP system or a PR system with a threshold this is very important, since many people may not vote for a small party for fear their vote will be wasted on a party not making the threshold. This worry is legitimate, but only because many others have the same fear and allow it to influence their vote. This 'chicken and egg' problem ends up unnecessarily limiting the available representation. Introducing IRV would solve this problem and improve representation by allowing the system to change more rapidly with the changing political tides and cultural beliefs. If any party becomes corrupt or out of date, they would be quickly replaced by a better or more up-to-date alternative.

Thirdly, IRV tends to change the nature of politics from confrontational to co-operative. In the plurality system candidates attempt to differentiate themselves from all other candidates, and try to show the superiority of their ideas to those of even very similar competitors (for fear of vote splitting). IRV instead gives candidates an incentive to recognize instead of attack each other's good ideas, and therefore increase the likelihood that votes will be transferred to them if an idea's originator is eliminated. Likewise, IRV for party votes would give parties an incentive to recognize the good ideas of smaller parties unlikely to make the threshold. This simply adds to PR's pre-existing tendency to encourage cooperation. Thus, even if small parties do not make the threshold, some of their ideas will, provided they are not too radical.

THE THRESHOLD

A threshold is important to ensure that it usually takes only two parties to form an (effective) government. Thresholds are also important to ensure that the choices available to the electorate are not so numerous as to become confusing. By redistributing rather than discounting votes for the smallest parties, IRV in effect lowers the threshold⁴. Also, since votes are transferred, IRV reduces the incentive for small but similar parties to unite, making more choices available to the electorate. Thus, it would be necessary to raise the threshold to counteract these two effects. Furthermore, PR is more likely to produce an ineffective government in difficult times, when effective government is most important. For all of these reasons, and because IRV will prevent wasted votes in the first place, I would recommend a higher threshold in the 7 % to 10% range.

COMPENSATORY SEATS – PICKING THE BEST LOSERS

Candidates to fill each party's compensatory seats should be chosen from ridings in which candidates for that party who were not elected performed best in the constituency vote⁶. There are several ways to select these candidates using a preferential ballot, and I leave it to the assembly to look into their merits. One example is the generation of party lists such that a candidate who received a larger percentage of 1st place rankings in the constituency vote is placed higher on the list than one that did not.

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Choosing compensatory seats in this manner corrects for the oligarchic problems associated with party lists, where the party leader selects the top members on the list who are then invariably elected. This would also avoid confrontational intra-party competition, which open party lists can cause. Furthermore, which individuals are elected would be less subject to the influence of those with money, as previously discussed. Also, the average voter is likely to know much more about the candidates running for his local constituency, than about the numerous candidates on a party's list. Other advantages are that one's constituency vote is less likely to be wasted, and that compensatory candidates will tend to be elected in constituencies where support for their party is strong, further adding to local representation.

This gives voters more control over which individuals comprise their representation, since voters in our current system usually choose a representative based on his or her party rather than on individual merit. If we dislike party discipline and we truly value local representation and the representation of individual candidates, a system where the party and constituency votes are separate and all candidates are selected on merit is both essential and probably the most electoral reform can do to discourage party discipline.

Another important question is the percentage of seats that are compensatory seats. IRV and a higher threshold both reduce the number of compensatory seats required. I would definitely recommend a lower percentage, such as 33% compensatory seats, given the limitation that no new seats can be created.

A side point: In most open list systems the list is in fact rarely altered by voter preference, possibly meaning there is little difference from a closed list system. Thus, it is very important that the list be fully determined by the voters if the Citizen's Assembly does opt for an open list system.

QUOTAS

I have already talked about the merits of introducing quotas for certain demographic groups, and I will now discuss their implementation, and when they may be appropriately applied.

How to implement Quotas:

I will use a 40% gender quota to illustrate. For each party, one list for each gender is generated from constituency votes. Now suppose that women won only 20% of the constituency seats for a party. Then, a certain number of candidates from the top of each list are chosen in descending order such that the total number

⁴ date is the elected.

⁵ tp

of representatives for this party who are women is 40%. If there are not enough compensatory seats available to achieve this, then all the compensatory seats are drawn from the women's list. This differs from the arrangement where men and women alternate on the party list in the same way that MMPR systems differ from MMM systems. The compensatory seats are used here to compensate for the lack of demographic representation in constituency seats, as opposed to adding a portion of seats that are demographically representative.

Combined with the 40% quota illustrated above, one might also require that a minimum of 40% of a party's constituency seats are to be contested by candidates of each gender¹.

When Quotas should be used:

As I discussed earlier, quotas may be more effective and appropriate in some cases and less so in others. Furthermore, situations best suited to the use of quotas may change with time and demographic shifts. Therefore, the system I prefer is one that has the ability to adapt to changes without requiring additional legislation. Simply put, each party would be able to choose, within reasonable limits, which quotas to implement and at what level. A party's quotas would be fixed a minimum of a week before elections such that they can be discussed and otherwise made known to the public. For example, a party might choose a 40% quota for women and a 3% quota for first nations. Provided diversity remains a strong value, this system is flexible to the times and ensures the representation of certain demographic groups.

In the case of gender, however, it is worthwhile for legislators to impose a quota, say 40%, because such a quota would clearly be very beneficial, and is unlikely to become demographically outdated. To prevent other quotas, which may be inappropriate, from being imposed by vested interests, it should also be legislated that this is the only quota that can be imposed on all parties.

A SIMPLER VERSION OF THE PROPOSED SYSTEM THAT RETAINS ITS MOST IMPORTANT ASPECTS

First, we must be clear on the meaning of a system that is "too complex". It is commonly thought that our current system is very simple, and yet, according to a pole on the CBC website, some 60 percent of Canadians believe that a party garnering a majority of seats necessarily received a majority of the vote. Clearly, a majority of people don't understand our current system, and probably assume it to be proportional. Therefore, we must either choose a simpler system (e.g. closed list pure PR), or be willing to accept a more complicated system. The aim should not necessarily be a system that everyone understands perfectly, but rather a system in which most voters understand how to make their vote count towards their priorities.

Second, should my proposed system be too complex by this criteria, it could be simplified to a MMPR system that uses IRV and has only one preferential vote, equivalent to the system described above except that one's constituency vote and one's party vote are combined. The removal of the two votes is definitely preferred to the removal of IRV, because strategic voting and wasted votes are most unfortunate in a democracy. Furthermore, to discourage party discipline it is more important that candidates not be selected by the party leader than that they be selected by the populace, and the former is satisfied by this simplified system. Another advantage of this simplified system is its requirement of few compensatory seats, because IRV, a high threshold, and the fixed relationship between one's party and candidate votes all ensure a decently proportional outcome prior to the assignment of compensatory seats. Thus, probably only 20% compensatory seats are required in this system.

Other Points and Concerns

1) ASSURE IT PASSES

While I have my own ideas regarding the optimal electoral system, it is of greater importance that the Citizen's Assembly choose not necessarily the best system, but the best system that is also likely to be accepted

by voters. With the 60% threshold, as well as counter-campaigns by vested interests, choosing such a system is no small feat. Thus, it may be useful for the Assembly to research the probable popularity of various PR systems with the 'average voter'. The 'average voter' probably has a level of knowledge on PR based on snippets from television, newspapers and other media. It is extremely important that we change our current system, because it is ineffective and outdated. My vote is always wasted, and a large portion of the electorate is clearly poorly represented.

The saleability of the ideas it contains has not been a focus of this paper, and this is a topic that I know very little about. Therefore, I hope that the Citizens' Assembly will modify or reject these ideas as necessary to satisfy this very important condition.

2) HOW TO BEST HELP PASS PR

Many British Columbians, myself included, would like to know how best to support electoral reform and ensure a proportional system is passed. For instance, where is it best to volunteer and to whom is it best to donate money? Given the significant tax deductions for political donations, giving to the BC Green Party might be quite effective. There may also be some pro-electoral reform NGOs in BC. Much education will be needed, and this will take resources.

3) A SUNSET CLAUSE

If within the Mandate, it would be wise to specify in advance that changes to our electoral system are contingent on the implementation of a review by another citizens assembly (and perhaps another referendum) after 3 elections with the new system.

4) PARTY SPLITTING

In an MMPR system in which people can vote for representatives and parties separately, it is important to have a substantial percentage of compensatory seats; otherwise parties will split in two to 'play the system': one party to capture many constituency seats but no party votes, and the other party to capture the party votes but not constituency seats. This is essentially regression to a Mixed Member Majoritarian System.

5) DISTRIBUTING ELECTIONS OVER TIME

Another good idea is summoning voters in only 1/3 of the ridings to polls every two years. I suspect this is outside your mandate, but if not it deserves some consideration for its potential to moderate both swings in government as well as the electoral cycle, wherein parties implement their unpopular policies soon after being elected, and then their popular policies closer to Election Day.

Summary

- 1) I am in favour of a proportional system to ensure better representation and to reduce the influence of big business.
- 2) I am in favour of separate constituency and party votes to ensure that all representatives are selected based on their individual merit, and are not chosen by the party leader. Other measures should be taken to discourage party discipline if possible.
- 3) I am in favour of using IRV for both the constituency and party votes, so as to eliminate split and wasted votes, and to encourage cooperative politics.
- 4) I am in favour of using mandatory and/or optional quotas to ensure good demographic representation where it is possible to do so without compromising the quality of political representatives. Electors are 'imperfect' at translating their preferences into votes while electoral systems are also 'imperfect' in translating votes into representation. Thus, these imperfections should be corrected for where possible with quotas.