

OUR GREAT CHANCE TO CREATE A DEMOCRACY!

2004 June 23

To the First Nations, British Columbians, and the Citizens' Assembly on Electoral Reform (of British Columbia).

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INTRODUCTION.

"The only cure for the ills of democracy is more democracy."

-- Social reformer Jane Addams (USA, 1860-1935)

Thank you, indigenous caretakers of this land. We shall settle our differences, such as with my Proposal # 8 below.

Thank you, members of the Citizens' Assembly on Electoral Reform, for your extremely hard and caring work and for your kind tolerance of us submitters.

I introduced this report at the Citizens' Assembly hearing 2004 June 1 in Coquitlam, BC. It is from me, not my political party.

Though I have included many ideas, I have tried to write concisely and clearly. I'm sorry that I didn't finish it sooner, but I have been writing in my spare time, which took several hundred hours. I have kept my partisan comments to a minimum. I hope everyone enjoys reading this as much as I've enjoyed writing it over the last 15 months.

(All the dictionaries I checked say that "electoral" must be accented on the second syllable, "lec".)

If anyone has any comments or questions, I am happy to discuss them.

NEXT SEPTEMBER

Members of the Citizens' Assembly, please allow me to meet with you on September 11 and 12, etc. I have submitted your form for that.

TOO MANY PROPOSALS?

If these 21 proposals seem like too many, maybe you underestimate how undemocratic our current system is and how thoroughly it needs to be overhauled.

Please read this through with an open mind and take delight in some really creative, even fun, approaches. Some are adapted from systems tried here before--and some are used in many distant countries.

1. MANDATE OF THE CITIZENS' ASSEMBLY.

"3.a. the model must be consistent with both the Constitution of Canada and the Westminster parliamentary system"

"4.a. be limited to the manner by which voters' ballots are translated into elected members".

The above wording, we see, includes how ballots are translated into elected members.

MAY YOU RECOMMEND A DIFFERENT SIZE OF LEGISLATURE?

How many "elected members" will there be? The mandate doesn't say. "Elected members" could be any number. Therefore, the assembly may recommend a number in order to say in detail how to translate ballots into seats.

Please consider this analogy: Suppose your employer pointed to a bag of flour and said, "Give me your suggestions on the manner by which this flour should be translated into bread."

Would you assume that you had to make the same number of loaves that you made the last time? No, not from the question as it was asked. It could be many little loaves or fewer larger loaves. You would assume that the boss is open to some variation unless otherwise stated.

If anyone tells you otherwise, you may reasonably disagree.

LOTS OF LEEWAY

Who's going to get ballots? It doesn't say. In order to translate ballots, we must have some ballots. So the assembly may recommend methods of getting them, such as raising the voter turn-out in order to better translate ballots into seats.

Electronic voting? Badly designed ballot procedures could certainly hamper the translation of ballots into seats. Again, the assembly's mandate allows suggestions.

Having by-elections or not? That's certainly how ballots get translated into seats.

So we see that most of the proposals below are clearly within the assembly's mandate.

MAY THE ASSEMBLY RECOMMEND ALL THE IDEAS BELOW?

Even when the mandate seems to exclude a particular proposal, that still doesn't mean the assembly can't or shouldn't ask for it to be done.

If, in history, no one had expanded their mandate, women and non-Whites wouldn't be voting today.

The original mandate last year to the Vancouver Electoral Reform Commission excluded the possibility of proportional representation (pro-rep). But after pressure from the public, city council wisely decided to allow more options. It couldn't hurt for this assembly to ask for an expanded mandate right away, even if it ends up deciding against other options.

TECHNICALITIES

Furthermore, the Citizens' Assembly might not "technically" have a certain mandate, but in practise, it might.

If the assembly strays outside its mandate and suggests other things, nothing catastrophic is going to happen.

The worst that could happen is that the assembly will be scolded for unacceptable ideas or that those ideas will simply be ignored. They wouldn't dare actually to punish the members.

The public, in any such disagreement, is likely to take the assembly's side, since the public and the assembly are "cut from the same cloth". The government, not wanting to offend the public for fear of losing votes, likewise will not want to offend the assembly.

The media, too, will be wary of trashing the assembly. The assembly is statistically representative of the media's typical readers, viewers, and audiences! It would be bad business to offend such a close representation of their customers. On the contrary, they are likely to back whatever the assembly does--or at least stay neutral.

A BONUS IS GOOD

It's no crime to make more recommendations than the assembly has been asked to provide. If the government asks for the assembly to provide one question to put to referendum and the assembly gives them 21 questions, then likely the government will accept at least a few more than one.

Or they might accept one basic recommendation from the assembly and then pass some of the other ideas as laws, perhaps on a trial basis.

The best that could happen is that the government will realize that the assembly represents the true public desire, and accept its advice completely in hopes of impressing the public enough to get themselves re-elected.

LIKE A JURY

Furthermore, the Citizens' Assembly is in the enviable, protected position of a jury in a trial. If the jurors think that the accused is innocent, they can so rule, in spite of all the admonitions and threats of the judge and crown counsel.

The assembly can't be punished unless they do something silly, like sleep with the defendant. So don't sleep with me.

It's true that, in a trial, crown counsel can appeal a jury verdict, but that's difficult and unlikely.

Please learn from juries and imitate their sometimes boldness and use it *for* the public.

C.O.P.E. SCHOOL BOARD DEFIANCE

Let's consider the example of the Vancouver School Board elected in 1984. The majority of the trustees were from the civic party called COPE (now the Coalition Of Progressive Electors).

They were subsequently dismissed from office by a Social Credit Party (SoCred) provincial government for balking at the province's "fiscal restraint". The SoCreds then installed an appointed school board in their stead. However, the public admired the original board anyway, and re-elected COPE in a by-election.

So the lesson is that even if some representatives "lose", they might win! The provincial government paid a high political price for firing that school board.

To apply that principle to the assembly case, it's an excellent risk for the assembly to say what they really think, regardless of mandate.

Now suppose that some referenda (plural of referendum) are held and passed--and then the province or the courts decide that they will prevent the changes from being implemented. Legally, they have the power. But again, the public can't be foiled without a political price.

2. STRATEGY FOR ELECTORAL REFORM.

The 3 major jobs of a fair, effective electoral system are covered in the Parts 1 to 3 of this report (21 proposals).

The people of the province are directly empowered by a democracy which:

--informs the public before elections (about alternatives) -- 4 proposals, Part 1, # 1-4.

--motivates people to vote (high voter "turn-out") -- 3 proposals, Part 2, # 5-7.

--balances all interests with a fair electoral and governing system

-- 14 proposals, Part 3, # 8-21.

In short, Part 1 shares knowledge, Part 2 shares duties, and Part 3 shares control.

The next elected provincial government could oppose any change. This present government has promised to make the referendum binding, but the next government could repeal that provision later next year. That is because it is just a plain law, not part of a constitution. (See Proposal # 9 below.)

Then we would have to wait until the government was either replaced--or they relented.

I gave similar recommendations (as in this report) to the last provincial government, which was formed by the New Democratic Party (NDP). I went to Ujjal Dosanjh, my NDP MLA, for whom I had campaigned. He and the rest of the BC government refused my request for them to democratize. They wouldn't introduce proportional representation, ranked ballots, etc. And look what happened to them! (So I quit the NDP and joined the Greens.)

After the election chopped them down to 2 MLAs, the NDP, all of a sudden, decided that pro-rep was a good idea after all.

Now, after the very hard work of many dedicated people for electoral reform, the public finally has the Citizens' Assembly to provide some desperately needed momentum.

The Liberal government of Gordon Campbell deserves our deepest gratitude for having the vision and the courage to set up this Citizens' Assembly.

POSSIBLE OPPOSITION TO DEMOCRACY

Now the next important task in making our system democratic is to convince the government that it is in their interests to actually follow through and to allow enough improvement. We don't want them to block, whittle, distort, or stall the recommendations of the assembly.

Similarly, we must institute the improvements in such a way as to inhibit any future government from repealing or revising them without specific public approval.

By far the best way to do that is to get massive public support in a referendum in 2005.

So, with a little perseverance and ingenuity, there's really no reason we can't make ours the best democracy in the world, now that we have come this far.

WHY NOT DESIGN A COMPLETE SYSTEM NOW?

Why not choose a complete package now, such as Mixed Member Proportional (MMP), Single Transferable Voting (STV) with multi-member ridings, Single Transferable Voting (STV) at large, or others?

While I am a system designer, my approach is from the voter's viewpoint, not from the government's viewpoint.

While MMP and STV and other systems are very good, choosing one complete package does not allow the public to choose which features they like and which they don't.

Those packages are also quite confusing and off-putting for the average voter to learn and to keep distinct in their minds. Each of those systems, to muddle things even more, has many variations.

VOTERS DECIDE THE RECIPE

Therefore it's going to be a lot more popular to let the voters decide on each component or aspect, each of which is small, simple, and much easier to understand. Then we can make the whole system with whichever components are approved.

EACH OF THESE 21 PROPOSED REFERENDA IS INDEPENDENT OF THE OTHERS

Each of these 21 proposals is designed so as not to be dependent on any other.

One great advantage of that approach is that we don't have to cobble together a complete, integrated system yet. We can see what the people say in the provincial referendum next year, 2005. Then we can work to get implemented the parts which the public supports.

EVERYTHING BUT THE KITCHEN SINK

Remember that voters tend to distrust a big, complex plan. They're wary of someone slyly slipping in horrid little surprises.

For example, parts of the Charlottetown Accord surely would have passed the 1992 national referendum, but the federal Liberals were so over-confident that they included too much in their omnibus plan. The public had to accept the entire plan or not. They couldn't accept only parts of it. So they rejected it.

So it's better to let the public vote on the components individually.

To pass, a question should receive enough "yes" votes from all the people voting in that election.

HIGH GOALS

More **direct democracy** would help generally. See especially Proposal # 17 below. Some people fear that referenda votes could lead to, for instance, an increase in the consumption of alcohol and marijuana. I personally wouldn't want that. Instead, I think an informed public would pass things like requiring restitution. They'd also go for improved, voluntary drug-withdrawal treatment programmes--sufficient to meet the need. Referenda is one way to accomplish that over the objections of the authorities, who aren't really anti-drug, or they would have done it by now.

TRUE DEMOCRACY

Many people get fed up and say, "I don't believe in democracy." They almost always are talking about pseudo-democracy, since they've seen nothing else in North America.

PROVINCIAL APPROVAL

Is the government required by law to follow through with this assembly and reform process? Yes, but they can repeal that law at any time. That could be the present government or the next one--after 2005 May 17.

Provincial approval or acquiescence is required for almost any change. If a provincial government is really determined to stop us, they can do so easily and legally.

That might not be likely, but it highlights the essential problem: our government is not itself held to account by a provincial constitution.

So please urge the government to establish a real constitution and put into it the referendum results of all the proposals below (sooner rather than later). (For how, see Proposal # 9, A Proper Constitution for BC, below.)

IT'S ALL POLITICS, OF COURSE

During the next year we cannot know for sure what the provincial government's situation will be or what their strategy will be. Therefore, we have everything to gain and nothing to lose by trying.

WHAT IF THE PROVINCIAL GOVERNMENT REFUSES

Now suppose the provincial government refuses or stalls. Will that be the fault of this assembly for asking? No.

So there is no reason for the assembly to refrain from asking for everything it wants. This assembly itself will be defunct by the time it submits its advice, so then it will be up to the government, the parties, and the citizenry to act. I will be doing what I can. Then perhaps former members of the Citizens' Assembly will find it helpful to speak out.

Many shelves of prime library space in this country are occupied with committee reports, commission reports, "white papers", citizen surveys, etc. which were paid for and then completely ignored. Let's try to help prevent that in this case.

I ask the members of the Citizens' Assembly on Electoral Reform to form, after December, a **Citizens' Assembly Alumni Association**.

NOW'S AN EXCITING TIME IN HISTORY

The strong trend right now, though, all across Canada, is toward electoral reform and pro-rep.

For such a "dry" topic as electoral reform, an amazing amount of interest is being stirred up by a remarkable multi-partisan and non-partisan grassroots movement. (I've tried to make my submissions as exciting to the general reader as possible.)

RIGHT TO BE HERE?

We cannot translate votes into seats without knowing whose votes, whose seats, and where. Who are British Columbians? Where is British Columbia?

Therefore, we must define and legitimize our presence on this land. We must finally reach an honourable peace with the First Nations.

Our federal and provincial governments have failed miserably to do that for over a century, approximately 7 generations. We have no hint that they will ever act honourably. They retreat slightly under pressure, but basically, all their "solutions" have been phony and selfish. Therefore, our greatest hope is that the Citizens' Assembly now sees this as relevant and important. A path is in Proposal # 8 below.

VOTING SIMULTANEOUSLY ON SEVERAL CHOICES

Below are 21 proposed referenda. The current provincial government has said that they will put a question to the people in conjunction with the next provincial general election.

That timing is an excellent precedent. Holding a vote at a different time from a general election (as in the Charlottetown Accord for Canada and as in the 2010 Olympic vote in Vancouver) has many drawbacks. The main ones are the extra cost and the reduced turn-out of voters.

FREE DECISIONS

In order to make free choices, a human being must be both informed and unconstrained.

I've recently read a passage in a book which reinforces that logic. It's from a Nuremberg Code adaptation quoted in Naomi Klein's *The Beauty Myth* (page 324, 1991 paperback edition). It said that all decisions, including political, must be fully informed and be free of "force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion".

CONSTITUTIONAL QUESTIONS

The votes of the public on all of the following 21 proposed referendum questions should be reflected in a new Constitution of British Columbia, as in Proposal # 9 below.

21 PROPOSED REFERENDA

Proposed instructions to voter: *Vote on as many or as few of these proposals as you want. For more details of each, see the Voter Booklet available from election officials.*

Part 1: Inform the public before elections.

Proposed referendum question # 1. DEBATE TOURNAMENTS.

All the election candidates (or substitutes) shall debate on television in random 2-candidate matches. Referendum committees shall debate, too. YES NO

INTRODUCTION TO TOURNAMENTS

The best voting system in the world won't be democratic unless the people are well informed.

The results of this tournament shall *not decide* any election, but will greatly educate the public and generate interest and understanding.

Before each election, Elections BC, a non-partisan (politically neutral) part of the provincial government, shall stage these debate tournaments.

They shall hold a tournament in each constituency (each electoral district, also called a "riding"). If a list system is used (# 10 below), all those list candidates shall compete in a separate tournament, too. A candidate debating in a riding tournament, if also on a list, may choose to skip the list tournament.

The party leaders shall also debate in a separate tournament.

Candidates may not decline to participate, unless with substitutes, as below. No candidates may keep other candidates out of the tournament. Those 2 rules solve the worst 2 problems of the present chaotic system.

No longer will there be any reasonable complaint that there are "too many" candidates for an interesting, informative debate. That's because the candidates won't all be in one big "free-for-all" brawl. Instead, they will be in focused 2-person debates.

The recent federal debates of some of the federal leaders (2004 June 14 and 15), had 2 candidates at a time "sparring". That was a small step in the right direction, but the format lacked many of the improvements in this plan.

TOURNAMENT RULES

For each referendum or plebiscite, etc., similarly, campaigners for each option shall debate each other.

A candidate failing to debate in one of their matches, or to send a substitute(s), shall forfeit the tournament and the election. That candidate's name shall not be on the ballots.

In the above case, if paper ballots have already been printed, that name shall be blacked out, if possible.

DEBATE RULES

All the debate matches for the same kind of office shall be equal in time.

No interrupting! The recent federal debates, unfortunately, encouraged interrupting. That format is supposed to be more popular or entertaining, but it rewards rudeness and hinders rational thought. It is more like television's theatrical "wrestling".

Time limits shall be enforced. A debater shall not speak out of turn, that is, without prior permission of the speaker whose time it is. If, after one warning, a debater does that again, they forfeit the match. However, they would not forfeit the election. If that person is an authorized substitute, they lose the match for their candidate, too.

No others besides the debaters, not even the moderator, shall join the discussion or ask questions unless invited to use part of the time of a debater. Debaters may answer, or refrain from answering, questions from others in their allotted time (written or spoken questions). They may draw others into a discussion in their time, or speak alone for the entirety of their time, etc.

When a speaker is waiting for the hall to quiet, that time shall not be deducted from the time they are allotted to speak. For that purpose, the persons timing shall use stop watches, etc. That is to prevent people from "censoring" a speaker by creating a racket. Also, a candidate's supporters should feel comfortable clapping without worrying about cutting into their candidate's time.

Also, unlike in some sham debates we see nowadays on television, the speakers may not advance physically toward their opponents or otherwise try to make the show more like the Jerry Springer Show on television.

MATCHING, ROUNDS, AND ADVANCING

If there are more than 5 candidates competing against each other, use a debate schedule like a singles tennis tournament. (See illustration.)

At first, try a one-knock-off method. That is, only the winners of the first round compete in the second round, only the winners of the second round compete in the third round, etc. until they are down to the number of seats to be filled. For one seat, that works out to one fewer matches than there are candidates. (For example, if there are 9 debaters, that results in 8 matches.)

No candidate may join a referendum debate. Neither may a substitute debater be another candidate or a referendum debater. Also the reverse: someone who has been a substitute debater is then ineligible to go register as a candidate in the same election or to debate in a referendum debate in the same election.

The matches shall be selected at random, except that a candidate shall not debate someone from their own party or coalition of parties, unless they both volunteer to do so.

In case of a tie, both debaters advance to the next round. If there are no more rounds, the tournament shall end tied. Those who tied don't debate each other again if there are other possible matches, unless they both agree to.

THE ROUND ROBIN SYSTEM

If there are 4 or fewer candidates competing against each other, they shall use instead a "round robin" schedule. That is, each candidate debates each other candidate in a 2-person match. For 4 candidates, that's 6 matches total. Then the candidate with the most match wins is the winner of the tournament. If tied for first place, settle it with another match.

If these tournaments are successful and popular enough, subsequent elections might try the round robin method also in contests of more than 4 candidates.

However, with round robin, the numbers get pretty high if there are 5 or more candidates. For example, with 10 candidates, by the formula, there would be

$$9 + 8 + 7 + 6 + 5 + 4 + 3 + 2 + 1 = 45 \text{ matches.}$$

Other tournament schedules could be tried later.

JUDGING THE MATCHES

To judge a debate, one must be a registered voter in the area to be represented. If not already registered to vote, any eligible person may do so at any time before the debate.

Also, one shall have heard the whole debate.

Why not appoint judges? Well, then who would appoint them? There are no unbiased people to appoint or be appointed. It's better to have the public judge or a jury seen to be representative of the public.

LIVE AUDIENCE METHOD OF JUDGING

This method is for a constituency in which the voters all live within 20 kilometres of the debate venue--or if free transport is provided for those more distant.

The winner of each match shall be chosen by secret ballot of the voters in the live audience.

That fact could generate enough competition and interest to fill a huge hall, perhaps BC Place Stadium in Vancouver.

If the crowd overflows the hall, broadcast it to those outside using electric speakers and/or video monitors. Let the outside audience vote to judge the debates, too.

JURY METHOD OF JUDGING

As far as I know, the jury was invented by the ancient Greeks.

This jury method is for when some of the voters live more than 20 kilometres from the debate venue, and if free transport is NOT provided for all those more distant. The reason is to prevent giving an unfair advantage to a candidate whose support is stronger nearer the venue.

Therefore, each tournament in this category shall be judged by their own petit jury (12 jurors).

The jury process is similar to those for juries in Proposals # 18 and 19 below.

DEBATE SPONSORS

Unlike a debate or an all-candidates meeting sponsored by the media or a community group, most of which are politically-motivated, these debates shall be staged by neutral provincial employees.

BROADCASTS OF TOURNAMENTS

Broadcast stations might well pay good money for the rights.

Broadcast rights for each separate evening of the tournament shall be auctioned off for both broadcast television and radio. If an evening were not bid on that way, then cable-only stations could bid (those not broadcasting over the air).

That shall be for the English version and the running interpretations in other languages. If an evening would not be broadcast in English thusly, the province shall arrange for it to be on community access television, campus radio, non-profit radio, etc.

The province's Web publication shall also show the tournaments live, as well as later providing recordings of them all. Also, there shall be transcripts of all the tournaments in many languages free on the Internet. The province shall also sell DVDs, videotapes, audiotapes, paper transcripts, etc., depending on the demand.

If some words spoken in a debate are hard to distinguish, the candidates shall be consulted about what they said. They should have the chance to point out such errors before translations or transcripts are mass distributed.

RAMIFICATIONS OF THE DEBATES

Though the tournament results won't determine the actual election winners, the interest, excitement, and learning will be tremendously helpful.

If the various candidates and parties "pack" the hall with their supporters, so much the better. That adds excitement; more people watch; the media pay more attention; etc. That's a powerful boost to democracy.

REFERENDUM DEBATE TOURNAMENTS

Similar tournaments shall be staged when the public is to vote on a referendum question. Some differences:

Various committees can form and be registered on either side of a Yes-No question, and lining up behind various options in a multi-option referendum. Models can be based on the federal, provincial, and civic experiences.

IS A TOURNAMENT FAIR?

Suppose a candidate's supporters in the audience vote for their person to win a match even though the candidate debated unconvincingly. That would cause a reaction in the public and in the media, wouldn't it? The candidate and the supporters would have to take the political "heat".

In another scenario, suppose one party fills a majority of the seats in the hall and tells its people to vote for the weaker candidate in a match not involving their party. They would be trying to make it easier for their guy to win in a later match against that weak one.

Imagine what would happen then. It's a public event! People are going to notice! The media will get anonymous tips! "Colour commentators" will have a field day. Again, the political heat would usually be too great for that tactic to succeed very much.

If a candidate tried to use substitute debaters too much, without a reasonable explanation, that could easily backfire, too. Let the public judge!

RIG-PROOF?

Come to think of it, this plan seems to be turning out fairly fool-proof and rig-proof. Can anyone think of a way to "beat" this system? If so, speak up now and we can plug the loop-hole. (Or any other suggestions.)

Someone worried that some voters might vote in the actual election for whoever won the debates, without actually examining the issues. Well, we'll always have people who don't vote as wisely as they should.

At least, under this plan, these debates will influence those people a little more fairly than what influences them now. "Bandwagon effects" are now usually created by public debates which are much less fair, by slanted coverage, and by slick, say-nothing ads and strong attack ads.

With these institutionalized debates, the media will be more responsible. They can still report as they choose, under the right of freedom of communication, but if the election institutions are better, it will tend to lead to fairer coverage.

UNFAIR TO POOR DEBATERS?

Some argue that debating and speaking skills aren't necessarily the best criteria on which to base one's votes. Some argue that the ability to rally their supporters to attend is likewise not necessarily a good criterion, either.

Those arguments are true. That's why the tournaments won't decide the election. The voters can consider the results as merely one factor in their decisions.

Furthermore, this plan allows a candidate to enlist a substitute debater to enthruse the audience on behalf of the candidate.

The public wants debates because they think speaking skills are important. They also want to see the candidates challenge each other on the issues. That helps the public learn about the issues. The candidates themselves want to debate if they are confident in themselves and in their positions.

The skill of drumming up supporters to attend is a desirable leadership skill, too.

DEBATES ARE INEVITABLE

As long as debates are going to happen anyway, why not, as this plan does, make them much fairer?

The way it is now, some candidates manipulate the conditions of a debate by threatening to boycott it to get their own way. They dictate, especially, rules of order, the role of the moderator, and the exclusion of some candidates.

Many "leading" candidates nowadays will attend only if they think the crowd will be friendly. In other words, they hide away if they don't think they can answer tough questions or stand up to opposition. But the public thinks they should be able to justify their positions under heavy pressure.

WHAT IF 2 MAJOR PARTIES DOMINATE THE DEBATES?

Well, they probably *will* dominate. That's almost inevitable. Besides, if they are the most popular, that's even somewhat fair.

However, the point of this tournament plan is to allow the other parties and the independents to have *some* chance, instead of being completely shut out of debates and being completely ignored by the major media.

To open the process gives the public the feeling that it's not all sewn up to start with. An upset could happen. An unknown could defeat a "top seed" (a candidate expected to win). There's always that chance, which is one reason the tournaments will be exciting to watch.

And if the unknown clearly out-debates the top seed, but loses the match because the audience is packed with supporters of the top seed, that spectacle could nevertheless hurt the top seed's chances in the actual election.

PHYSICALLY LESS ATTRACTIVE CANDIDATES

If all the candidates fail to make much of a positive impression with what they say, the viewers might indeed pick the one they find better looking. We cannot stop people from having such prejudices, even if we had the debates on radio only. Besides, then we could be accused of giving the advantage to the person with the most pleasing or impressive voice.

WHY MANDATORY ATTENDANCE OF CANDIDATES?

Some will nevertheless argue that participating in a debate should be voluntary for the candidates. They might even say it's a violation of freedom of speech to be forced to speak.

This plan, however, is not such a violation.

If a candidate wants to stand at the podium for their allotted time and just smile at the audience silently, that's fine! We have not "forced" them to speak.

Furthermore, the job for which they are applying is best done by speaking or communicating in some way. It is the official's duty, in fact, to communicate, especially to make decisions on behalf of their constituents.

Nevertheless, a candidate can always send a substitute, under this plan, if they really don't want to be "put on the spot".

Will this plan force people into an UNFAIR debate? If so, that would be wrong. But there is no reason to believe it *would* be unfair.

Besides, it's the duty of everyone to make sure that the tournaments are, in fact, fair. If debates are not being run right, people should complain and get them improved.

CANDIDATES NOW MANIPULATE THE DEBATES

If we keep the debates totally voluntary, as they are now, we let the candidates, especially the alleged leading candidates, continue to manipulate the debates.

It is no practical solution to let them keep that power. Then they could, for instance, cancel or spoil the tournament by staying away and alleging that the debates won't be fair.

They could insist on excluding some of the candidates. That is what usually happens nowadays, especially for television debates. The media themselves often play right into the hands of the partisan interests of some to exclude their competitors.

The media who exclude some candidates actually do have some public support from those who don't want to hear the "minor" candidates. But with a tournament, those people can simply ignore some matches of the tournament. That's a perfect solution!

Usually, actually, candidates avoid debates because they don't think they, as individuals, will do well. The usual real reasons for abstaining are selfish; the alleged reasons are flimsy excuses.

TOO MANY CANDIDATES?

Some say that the chance to challenge incumbents and prominent contenders in real, popular debates would attract more citizens to be candidates. Perhaps so. Perhaps better candidates!

But if the number of candidates is considered to be too many by the public, the rules can be changed to make qualification for the ballot harder.

In Vancouver, after there were many satirical and beer-parlour candidates for mayor in 1999, the rules were tightened about right, I think. (For more on protest candidates, see Proposal # 13.F. below.)

NOT SERIOUS CANDIDATES?

Furthermore, the chance to be in a big, well-watched broadcast debate might, some fear, draw in people who just want to make a mockery of the system. That's already an excuse that some well-financed candidates use to avoid debates.

The candidates who aren't so slick, who have no chance of winning, or who just want to criticize, add a lot of spice and tension-relieving levity. They even add some great political ideas to the public arena. They are like the presenters to the Citizens' Assembly, who have all been given a fair, respectful hearing, I'm happy to say!

Each such contributor draws public interest to an aspect of life which is otherwise seen as dull and complicated--and over-controlled. The media sometimes love to laugh at unusual candidates, but resist covering them in the same story as the "serious" ones.

Anyway, the beauty of the tournament format is that any boring, frivolous, pathetic, or spacey candidates would tend to be eliminated in the first round or 2, allowing the tournament to build to an exciting, meaningful, well-watched crescendo.

Except for the round-robin tournaments, this plan does NOT give equal time for all candidates. In the first round, yes, it's equal. But then only those who win get more time to debate.

FAIR (UN-BOUGHT) VOTES

The main reason for the debate tournament is to give all the candidates fairer, more even chances to win votes.

At present, money spent on campaigning usually determines the outcome to a great degree. Evening up the amounts spent by campaigns will help (see Proposal # 4 below), but changes like these tournaments are also necessary.

MORE FAIR THAN MEDIA

These tournaments would draw some of the campaign initiative away from the dominant media and return it to a broader range of media and to the community. Anyway, the media would be almost forced to cover the tournaments, since they would be so popular--much more popular than the current "all candidates meetings" (ACMs). Greens and other candidates have often been denied equal treatment at ACMs.

The hall would fill with the same kind of excitement you find at a big convention to nominate party leaders or candidates--if the result is uncertain. "Political junkies" like me know that feeling. With this plan, a broader, bigger segment of the population will be let in on the fun.

Most people now feel that enthused only at a sporting match of a favourite team--or if one of their family or friends is competing.

Some people get excited watching election returns on election eve, but by then it's too late to get involved.

THE FUTURE OF THESE DEBATES?

In later elections, we might try "seeding" the contenders, as is also done in tennis and other sports. That reduces the chances of a highly rated candidate being knocked out in the early rounds. But that might be considered unfair. Let's postpone the discussion on that for now.

If television ever becomes obsolete, that part of this plan can always be changed later.

THE "REALITY" OF HUMAN INTEREST

This tournament plan was inspired by Professor Ted Becker's book *Unvote*, but is quite different. It's a greatly spiced-up version of a Canadian "all-candidates meeting". It recognizes that human nature loves watching a competition with a winner and cheering spectators. Yet it is issue-based and orderly, and thus not trivial.

We have seen waves of what are now called "reality" shows. In the 1940s, there was Ted Mack's Amateur Hour on radio. In the 1950s, there were the big television quiz shows like the \$64,000 Question. In the 1970s, there were the Gong Show and its imitators.

People want to watch not only regular movies and television shows, they want to watch the actors and directors, etc., competing for awards such as the Juno and Genie awards. Those are a kind of "reality" show, too.

LEARNING FROM SPORT

Of course, watching sport competition in our society is unending. That's an old version of a reality show.

However, what does it say about our society when the crowd attending a professional athletic game is in the tens of thousands, but the audience at an all-candidates meeting can be outnumbered by the candidates themselves?

Therefore, this tournament plan is a kind of "Survivor" and a kind of Grey Cup Game--for democracy. However, it's more fair, more real, more intellectual, and more important. Some might think this degrades politics. But politics has not much of a reputation, anyway. This will help.

This tournament plan will attract many who, at least sometimes, are uninformed, dejected, apathetic, or alienated. Anyway, elections themselves are undeniably competition. Why not highlight the true competitive nature of politics in order to engage the new generations?

We might as well--since no one has come up with a better way.

DEBATES HAVE BEEN RIGGED

The so-called major so-called debates, as they are now, are rigged by the richer candidates. This proposal, instead, would not initiate a competition for the first time, it merely would take an existing tradition of competition and improve it greatly.

A public tournament will be so exciting and popular that it will outshine and overcome the biases promoted by the mainstream media. The old-style "all candidates meetings" will either be completely replaced by such debates or else become much more exciting, too, in order to match the grassroots involvement of a tournament which has a large, cheering, booing audience anxious to vote for the winner of each round.

JESSE VENTURA CASE

The following passage, instructive to Canadians, is about the Minnesota, USA, candidacy of the Libertarian Party's Jesse Ventura. The ex-wrestler challenged the entrenched Democratic and Republican party nominees (from the 2 "major" parties). It's from "Exclusion of popular candidates": www.opendebates.org/theissue/exclusionofpop.html .

Six weeks before the 1998 gubernatorial election in Minnesota, The Star Tribune pegged Reform Party candidate Jesse Ventura at 10 percent in the polls. Three debates later, on October 20, he was at 21 percent.

Remarkably, Ventura's cash-strapped campaign had not yet aired a single television advertisement. On Election Day, Ventura captured 37 percent of the vote and became the governor of Minnesota.

Governor Ventura explained his astounding victory, "I was allowed to debate. I proved that you could go from 10 percent to 37 percent and win if you're allowed to debate. Rest assured these two parties don't want to ever see that happen again."

ALAN KEYES, THE UNDERDOG

Alan Keyes was a USA presidential candidate. He was the most impressive Republican in the televised "debates", though all the high-paid commentators said he hadn't a chance. As an African-American, he might have been included on the show as a token. The following is his comment, from "Lies and deception", www.opendebates.org/theissue/liesanddeception.html :

What's happening in these debates is that, they are standing up and saying, "Here are the nonpartisan debates, at which we are presenting the serious candidates for president on a nonpartisan basis so that we can educate the people of this country in a fair fashion."

If you are going to present a partisan brawl, in which you have excluded anybody but your chosen few, I would say just do it. You have the right to do it. It's a free country.

Don't pretend, however, to do it under a rubric of nonpartisanship. Don't pretend to do it in a fashion that then uses monies that are supposed only to be used for nonpartisan purposes.

That's cheating. That's corruption. That's lying. That's an effort to manipulate the perception of the voters in order to favor your power.

Vancouver City Councillor Sam Sullivan's advice to this assembly (2004 June 12, Vancouver) was quite powerful. He suggested that citizen juries should interview each candidate. While a good idea, it would not be as effective and popular as the tournaments. Accepting both plans would be fine, though.

This Proposal # 1, Debate Tournament, is one of my 2 innovations of which I am the proudest. The other is Proposal # 6, Voter Tax Rebate, below. If the assembly recommends only 2 of mine, please make them Debate and Rebate!

DIRECT COST of Proposal # 1: Start each tournament in a government-owned rink, gym, theatre, etc. That will cost only the pay for staff and utilities. Then, if more room is needed, arrange for a larger venue. Pay employees to poll the audience (or pay the jury).

Some or all costs might be recouped by sales of the broadcast rights, as above. (For other revenue suggestions, see Proposal # 6, Voter Tax Rebate, sub-section "Green Taxes", below.)

Proposed referendum question # 2. CAMPAIGN PROMISE REGISTRY.

A registrar shall record candidates' pledges, for which they are legally accountable, unless a promise is withdrawn, etc. within lawful limits. YES NO

EXPLANATION OF THE REGISTRY

Another undemocratic feature of our present electoral system is how, in the election campaigns, some candidates will say almost anything just to get elected. That completely distorts how votes are translated into seats.

That practise creates so much distrust, disgust, and anger that it is the prime reason that a large proportion of people don't vote at all.

Each candidate can "justify" their lying by thinking, "Unfortunately I must lie because the other leading candidates are lying. If I don't, I'll look bad in comparison."

JOHN GOLKA'S PROMPTING

At a Vancouver Electoral Reform Commission (VERC) hearing (False Creek, 2004 March 22), a member of the audience, John Golka, complained. He said that there is now no mechanism to prevent politicians from making any wild or insincere promises during an election campaign. He suggested a campaign promise registry.

I was immediately struck with the brilliance of his suggestion. He didn't go into detail, though, so I have some ideas below.

Wouldn't the public would be overjoyed to have such a system?

REGISTRY PROCEDURE

The following procedure would reform the election campaigns to make them much more honest and credible, and hence, fairer:

1. "Promises" would include pledges, commitments, predictions for oneself, etc. (even if none of those actual words are stated).
2. The registrar of campaign promises shall collect promises, along with documentation, in 3 categories:
 - A. Submitted by the candidates.
 - B. Other campaign literature, advertising, speeches, media reports, etc.
 - C. Any other allegations that a candidate has made an election promise. If that is in the last 3 weeks of the campaign, a person must make such a submission without undue delay and with written substantiation, such as newspaper clippings (which had been overlooked by the registrar) or affidavits from witnesses.
3. The registrar immediately informs the candidates of B and C above. (By e-mail, etc.)
4. The registrar immediately publishes the promises from 1.A. above. Those from 1.B. and 1.C. are published 2 days later. (On the Internet, news release, etc.).
5. When 2 weeks or more remain before the election, a candidate may withdraw or deny any promise or alleged promise--without penalty or liability under this law. Such withdrawals and denials shall be immediately published by the registrar.
6. In those last 2 weeks, but not in the last 2 days before the election, a candidate may, within 48 hours of notification, remove a new alleged promise from the registry and still avoid penalty and liability. In those last 2 days, a candidate has 12 hours to do so.
7. If a candidate leaves a promise or alleged promise on the registry for 2 weeks or more, or misses the deadlines above, and then withdraws or denies it, the candidate is liable to a fine. All such occurrences shall be published by the registrar.
8. If a candidate leaves on the registry a promise or alleged promise which they could reasonably have removed within the time limits, as above, and if then the candidate is elected and takes office, the promise or alleged promise becomes a legal contract.
If the official is sued, the trial is by jury. Such trials shall be limited in time, cost, and possible awards. The court may halt suits which the judge rules to be utterly frivolous or wholly malicious.
With this proposal as law, we can sue officials *personally*. Class-action suits would be allowed.
9. If a politician had really good reasons for failing to fulfil the promise, the jury could find in their favour, so this plan is flexible enough.
10. The registry shall be permanent, not just near Election Day.

As a precedent for this, the Supreme Court of Canada recently ruled against a politician for breaking a promise in the Maritimes.

At the Citizens' Assembly hearing at which I introduced this report (2004 June 1, Coquitlam) an audience member added that such a plan is in effect in California. She complained that as a result, the candidates make no promises. I blurted that such a result is better than them lying.

Nevertheless, I think candidates will make some promises. They simply will be more realistic and will state the conditions under which they will be able to do certain things.

DIRECT COST of Proposal # 2: Probably no more than one full-time staff, plus technical assistance to maintain the Web pages.

INDIRECT COSTS of Proposal # 2: Not likely much cost for court time, since politicians will be much more careful with what they say.

Proposed referendum question # 3. VOTER BOOKLETS.

Free booklets given to all voters shall include campaign statements from every candidate, political party, referendum committee, etc., plus campaign events. YES NO

EXPLANATION OF BOOKLETS

There shall be no monetary charge to the people and groups included in the booklets and in the corresponding Web publication.

The province could do this with a plain law, or maybe even an executive decision, but it is too important to leave it so vulnerable to cancellation. Therefore, like all these proposals, this plan must be entrenched in a new--genuine--provincial constitution. (As in Proposal # 9 below.)

The guide shall be distributed to each household or, for those who prefer, on the Internet. The Internet version shall include events announced too late to get into the paper version.

This idea was endorsed by the recent Vancouver Electoral Reform Commission (VERC) 2004 June 8. See Thomas Berger's report, pages 115 and 116, "Candidate Profile Statements". He even went so far as saying that the province should force cities to do so.

Similar voter booklets are very effective in the states of the USA in which they are used, such as California.

WHAT SHALL BE IN THE BOOKLETS

The guide should include, also, where and when to vote, who's eligible to vote, candidate portraits, party symbols, etc.

The events listed shall include all known election campaign events in each riding and in nearby areas, including rallies, speeches, the official debate tournaments (see Proposal # 1 above), all candidate meetings, literature tables in malls, broadcasts (of meetings, reports, and commercials more than 10 minutes long), etc.

The maximum page space allowed for each candidate for the same office shall be the same. The first half of each space allotment is for their opening statement. They all submit them and may then read each others' opening statements. Then they may submit their rebuttals, to rebut anything the others have said. That fills the second half of their text quotas.

Candidates may include their Web addresses, telephone numbers, campaign office addresses, etc.

Campaign statements shall be very little censored, mostly if demonstrably illegal (such as libellous), or commercial.

MORE ABOUT PRINTED REBUTTALS

If a candidate saves new accusations for their rebuttal in order to prevent the other candidates from rebutting them, the readers can see that and they will consider the writer to be unfair.

Further rebuttals may be made, of course, in debates, speeches, and Web publications.

PAY TO BE INCLUDED?

The candidates should not pay anything to be included, not even the costs of printing. That, unfortunately, is the practise in some places. Such a policy effectively censors or impoverishes some candidates. The richer candidates have the advantage enough already, so let this resource be equal.

In principle, then, these booklets are a public (not private) educational subsidy of the election.

DELIVERY OF BOOKLETS

Provincial voter booklets might already be distributed to each household before each election.

Every residence would be mailed one unless all the eligible voters living there say that they want it only by e-mail or some other means.

PREFERRED FORMAT OF BOOKLETS

Each eligible voter shall be asked if they prefer this and other materials to be e-mailed or mailed on paper, etc. at these times:

1. When they are enumerated.
2. When they take the initiative to register to vote.
3. When they inform the province of an address change, etc.

Also, they may request a switch to e-mail or to paper mail at any time.

Even people not eligible to vote and organizations may get it by e-mail.

Furthermore, anyone could get it in other languages that way.

DIRECT COST of Proposal # 3: Maybe the cost would be double the current cost of printing them. A little more to distribute them, as they would be heavier. I guess 20 cents each X 2 000 000 = 400 000 \$. Much of the cost will be saved, however, as people sign up to get theirs by e-mail. (For revenue suggestions, see Proposal # 6, Voter Tax Rebate, sub-section "Green Taxes", below.)

Proposed referendum question # 4. ELECTION CAMPAIGN FINANCE.

- A. Set spending limits for each candidate, referendum campaign, etc. YES NO**
- B. Set donation limits from each source. YES NO**
- C. Allot matching funds from the province for each donation. YES NO**

EXPLANATION

In the referendum to approve this plan, the voter may pick and choose which aspects (# 4.A. to C.) they approve.

The rules for public disclosure of campaign finances shall continue.

This new plan is similar to the new system in the City of Toronto, Ontario. However, it is fairer and much simpler.

The Vancouver Electoral Reform Commission urged better election finance rules (2004 June 8).

4.A. Spending limits. Set different limits for each office.

Perhaps for an MLA candidate who is also a party leader, 200 000 \$; for other MLA candidates, continue the current limit of 50 000 \$.

However, they could be higher or lower. This is just a idea. With these proposals, the candidates wouldn't need to spend as much because they'd get more free publicity in the Debate Tournaments (Proposal # 1 above) and in Voter Booklets (Proposal # 3 above).

4.B. Donation limits. Perhaps a 20 000 \$ limit on total donations from one source.

"Source" includes an individual, the companies they own, and their minor children. "Donations" include the candidate spending on himself or herself.

This is similar to how it's done in Toronto, but the limit proposed here is for the whole election, not broken down by office, etc.

4.C. Matching funds. This is a subsidy, not a rebate plan, as in Toronto city elections and elsewhere. The subsidies in this proposal have the advantages of donation rebates--and none of the drawbacks.

Toronto's plan excludes, and thereby penalizes, donations under 25 \$.

REBATES VS. MATCHING FUNDS

Furthermore, plans such as the federal government's and such as Toronto's are oriented very much toward the middle-class and upper-class. That's because a donor must first give their whole donation, including what will become their rebate. Then they must be able to wait for their rebate without hardship.

Therefore, those rebate plans, even if they are in some ways good, still give an advantage to already advantaged classes. Federally: "The parties will be eligible for re-imbusement of 60 per cent of their spending." (as quoted by the Vancouver Electoral Reform Commission, 2004 June 8, pages 117 and 118.) Matching funds are much fairer to the modest donor than donor rebates.

Undocumented or anonymous donations would not qualify.

ALL OR NONE?

In addition to the description above, provincial law could limit the total cost of all these subsidies and/or the cost per candidate, etc.

The voters could approve all 3 options (A., B., and C.). By putting them all on the ballot, we really open up the discussion! It doesn't just become a debate among the richer classes, who quibble over percentages. It becomes a more principled debate.

FEDERAL THIEVES

Federal rules on campaign finance have been a cruel joke for many years. That has included the uneven allocation of free television time. The rules are based on the principle: "Make the rich richer and the poor poorer".

Much of the present federal system is based on the number of votes each party got in the last election. So most of the unfair advantage has gone to the federal Liberal Party. (What a surprise!) To the extent that they get more subsidies than other parties, the Liberals have once again legalized their theft of wheelbarrows full of tax dollars.

Example: "... a quarterly allowance to registered political parties, based on the percentage of votes obtained in the previous general election ..." -- Elections Canada

<http://www.elections.ca/content.asp?section=loi&document=index&dir=re3&lang=e&textonly=false>

That's now 1.75 \$ per year, but not to the smaller parties, which get nothing per vote received.

I haven't even heard any opposition whatsoever lately to something fair being done on this topic. I'm sure some do oppose it, but many would consider them selfish if they admitted it publicly.

DIRECT COST of Options # 4.A. and B.: Just a bit of staff time to administer the rules.

DIRECT COST of Option 4.C.: The monies eligible for matching funds would depend, in part, on which of 4.A. and B. above were in effect. Possibly many millions of dollars.

For revenue suggestions, see Proposal # 6 below, green taxes.

Part 2: Motivate people to vote.

Proposed referendum question # 5. REGISTER EVERYONE ELIGIBLE.

Official enumerators shall be paid to go from door to door, as in the past, to register everyone eligible to vote. YES NO

EXPLANATION OF ENUMERATION

This one proposal is so urgent, actually, it should be done *before* the referendum on all these proposals in 2005.

We shall return to using that "enumeration" process immediately before each election. That shall be instead of the more recent method that relies mostly on unregistered citizens to register themselves. It also relies on each person re-registering themselves after they have moved, changed their name, etc.

All the new relevant information about the voters shall revise, if at all possible, a permanent (on-going) unified voters' list (national-provincial-civic).

Around the early 1990s, all 3 levels of government abolished that great Canadian tradition: certain, full, door-to-door enumeration by paid employees.

NEEDED FOR THE PRESENT, AT LEAST

If the Voter Tax Rebate (Proposal # 6.A. below) is instituted, it might reduce the need for this enumeration plan. We must wait and see. In the meantime, this is essential.

U.S.A. RELIES ON POLITICAL PARTIES

After eliminating door-to-door enumeration, the 3 levels of government then adopted the USA method: "Who cares if anyone is registered?", also known as, "Let's give an unfair advantage to candidates who represent the more residentially stable (usually older and richer) class of citizens."

In the USA, the biggest, richest parties spend much of their volunteer time registering people to vote. Naturally, each party focuses on the voters they think will most likely vote for their party. The most alienated and poorest people are too much trouble and are too unlikely to vote for those parties, so they don't get registered much by anyone.

Yet the Vancouver Electoral Reform Commission (VERC) likes the USA system, though it admits that there they rely on parties and volunteers to register voters. Why the commission doesn't want people to be paid to register voters is unclear. At one point the report says door-to-door canvassing doesn't work, then it praises those volunteers. (Pages 108 to 110.)

OTHER METHODS OF ENUMERATION NOT ENOUGH

The government claims now to enumerate by other means instead, but the effort is poorly funded and very spotty, not reaching very many who need to register. They have even stooped to occasionally using the USA method of getting *volunteers* to go door-to-door. The government's attitude is, "Having a shorter list saves money and we can get away with it as long as we are not publicly embarrassed over it." They haven't made their own jobs "volunteer", though.

Even if better funded, no single method of enumeration is likely to be more effective. A combination of methods is good, but is unlikely to be effective if it excludes door-to-door work. However, in the unlikely event of such a combination being devised later, this provision could be repealed.

It is true, as the Vancouver Electoral Reform Commission report says (pages 108 to 110), that it's harder nowadays to find people at home to register them. That means more return visits. It means more co-operation from apartment managers. All that must be done, though, including enforcing the law with unco-operative apartment managers.

MOTOR VOTER

Some USAmericans think they are being so advanced with their "motor voter" registration idea. They want to automatically register to vote every eligible person with a current driver's licence.

"Motor voter" is a cute name, but reliance on that method would skew the voters list against people who don't drive: many environmentalists, the blind, some other disabled people, cyclists, many of the elderly, many urban transit users, etc.

Sure, that method can be used. However, we cannot skip knocking on every door.

SHAMEFUL RETREAT

The shameful retreat away from universal, complete enumeration in Canada was by the federal government, the provincial NDP, and the cities. It has hurt some parties much more than others (especially that same NDP), reducing turn-out of the people who move more often and of those who are newly eligible, such as young adults and immigrants.

HOW LOW REGISTRATION HURTS

How does that happen? Citizens who change their residence will often neglect to notify the voter registrars when they do.

Then, being unregistered, they get no reminders to vote. They get reminded less to study the issues. They might then miss the advance polls. They more often have the bother of trying to register on voting day, etc.

All that reduces their turn-out to the polls.

POLITICAL SUICIDE

Provincially, the elimination of door-to-door enumeration is one of the major ways that the BC NDP defeated itself in the last election. Few people realize that.

A permanent tri-level voters' list is still only being discussed, after over 10 years. It is a wonderful idea that is accomplished in other countries.

The citizen's ability to revise their registration on their own initiative is also a big improvement, as long as we don't depend on them doing so. However, in addition, all new information discovered by the door-to-door enumerators must be added to the list.

POSTIES WOULD DO IT BEST

The province should contact the letter carriers' union with this plan. If they would like to be paid to register some or all of the voters on their routes, the province should attempt to contract with Canada Post for that. In the past, each level of government had hired separate temporary workers.

In spite of the cost of possible overtime pay, postal workers might be able to do this job more thoroughly and more cheaply than others. That is because they would be more efficient, as they already know their territories and many of the residents.

They could probably do both jobs at once to some extent--over a period of a few weeks.

No other category of intelligent, responsible, hard-working persons knows the neighbourhoods better. Generally, no type of enumerator would be more welcomed by the public.

My own letter carrier was warm to the idea.

THIS ASSEMBLY WOULD HAVE BEEN SKEWED

The BC voters list is so skewed, actually, that the province had to adjust the selection of this Citizens' Assembly in order to pick a fairer representation of the citizenry. Otherwise they would have had too few young people, especially.

The assembly selection was not from a list of all those *eligible* to vote, but from our lovely new USA-style voters list.

DIRECT COST of Proposal # 5: Elections BC, www.elections.bc.ca .

Proposed referendum question # 6. VOTER REBATE or FINE.

Only one of the options will be enacted. Number as many or as few of the choices as you want. Number in the order of your preference: "1" for your favourite, "2" for your second choice, and "3" for your third preference.

A. For casting a ballot, a tax rebate of 50 \$ (raised from green taxes).

B. For failure to cast a ballot without a valid excuse, a 50 \$ fine (as in Australia).

C. No such consequence (as at present).

A change shall apply only to people 18 years old or older.

EXPLANATION OF REBATES and FINES

The plan shall apply to eligible voters only, of course, and only in general elections.

How is political power acquired? Whoever votes is who gets a share of the political power.

Let's increase the turn-out of eligible voters from around half to 99%. Similar results have been achieved.

At the polls, the voter would receive their rebate immediately by their choice of cheque, by "direct deposit", or maybe as a tax credit.

ANCIENT GREECE

"The price good people pay for their indifference to public office is to be ruled by evil men." -- Plato

In ancient Athens, they paid the citizens to vote. That increased voting among people of modest means, which annoyed the aristocrat Socrates.

The ancient Spartans picked senators by lot, then locked them in a room until they deliberated and voted on important decisions!

DISCUSSED IN THE HOUSE OF COMMONS

Bruce M. Hicks, a federal Liberal appointee, wrote about ancient Greece and how an incentive to vote is better than a punishment for not attending the polls. The incentive idea was discussed in the House of Commons in 1996, but not enacted.

Hicks' report is excellent, except 2 flaws:

1. Rebates going only to those of lower income.
2. Rebates only in the form of tax credits, which the voter must wait up to a year to collect.

He doesn't mention how to raise the extra money to be paid out to those voting.

Otherwise his ideas are almost the same as mine. (Bruce M. Hicks, "The Voters' Tax Credit", *Policy Options*, 2002 May, pages 63 to 68, www.irpp.org/po/archive/may02/hicks.pdf.)

The Vancouver Electoral Reform Commission report (page 108) discussed voter rebates like mine, criticizing them by saying that they would NOT go to low-income people. As you read above (in my equivalent proposal to both VERC and CAER), the rebates would indeed go to all voters. Worse, the report mentions no better method, but instead is satisfied with 50% turn-out civically.

CAN WE AFFORD IT?

Hicks' fear about giving every voter an incentive is that it would cost too much. That is irrational.

Voter tax rebates don't "cost" anything, except the relatively tiny administrative costs. All the rest of the money is just "borrowed" from the general public and then given back to them in rebates.

HALF A DEMOCRACY

If we have only 50% voter turn-out, we have less than half a democracy. If we could think of no easy, reasonable way of remedying that, we would have an excuse. But we can, so we don't.

It's not good enough to look at other places with the same sorry level of turn-out caused by the same sorry electoral systems.

ADVANTAGES OF HIGHER VOTER TURN-OUTS

1. They indicate more democracy.
2. They create smarter results. ("Two voters' heads are better than one!")
3. They result in policies which are in the interests of more people.
4. They result in policies which more people are willing to abide by.

At fewest 10 countries have mandatory (compulsory) voting: Argentina, Australia, Belgium, Brasil, Chile, Costa Rica, Ecuador, Greece, Luxembourg, and Uruguay.

Voting is a "civic duty" in the Italian constitution. If an eligible person doesn't vote, the authorities post the non-voter's name publicly at city hall.

Australia has voter turn-outs over 90%. In the 1996 national election, they had 95.8%.

Ours are often under 50% of eligible voters.

CARROT BETTER THAN STICK

Even better than the Australian method, though, would be to use the "carrot" instead of the "stick". That is, reward instead of punishment.

My innovation is making the tax benefit an immediate rebate for all voters instead of a delayed tax credit for some. It will be the most popular system around the world.

PARTY PARTY

Brian Salmi (then columnist with *Terminal City Weekly* of Vancouver) suggested that a big party be thrown for those who voted.

Good try! However, an even more effective and fair reward is this tax rebate.

Taxes shall first be raised by the amount we expect to pay in rebates, less a very small amount for administrative costs. Then everything will balance financially.

People shall pay a little more tax than they did before. Then the average voting family would get about the same amount back when they vote. They might get back a bit more, considering people not voting and people not even eligible to vote, including tourists paying the green taxes.

Poor families might get a bit more than they paid in, rich families a little less. Environmentally dedicated families would get a bit more than they paid in, wasteful and polluting families a little less.

INCENTIVES MUST BE IMMEDIATE

Making voters wait for their rebates would create a bias. That is because the more affluent are more easily able to wait. Every day, the very poorest in BC focus on trying to survive for just one more day. Therefore, an "incentive" which is several months in the future will seem to them to be heartless and possibly pointless.

MORE REBATE DETAILS

The rebates would not be taxable, since (like other rebates) they are not income.

Money is used in this plan for a number of reasons. Giving the rebate in goods or services (such as festive parties) would appeal differently to different segments of society. That would add bias.

For instance, the incentive of a free bus pass would be more attractive to a bus rider than to a car driver. Requiring someone to vote in order for them to get their income tax refund would add bias, too, since people's refunds vary a lot, if they get one at all.

Therefore, for fairness and for convenience of use as an incentive, nothing beats plain money.

SPOILED BALLOTS

Even people submitting a blank or otherwise spoiled ballot shall get the rebate. No one else will be looking at their ballot before they get their rebate, anyway.

This plan does not reward voting, actually. It rewards casting a ballot, whether filled out properly or not. That way, no one can reasonably complain that we're coercing people to vote ignorantly.

Neither can they reasonably argue that we're bribing anarchists or aboriginal sovereigntists, etc., to support a system of which they fundamentally disapprove.

Intentionally blank and spoiled ballots are valid expressions of protest. They are counted and then those numbers are published along with all the other results. (See also in Proposal # 13.F. the letter from R. Persson.)

WILL THE "RIFF RAFF" VOTE--JUST TO GET THE MONEY?

In spite of Socrates, every citizen deserves respect. We can't expect them to willingly pay taxes and obey the laws and contribute their potential to society if they have no real power in the system.

Rather than "writing off" people who are less successful in mainstream terms, we need to make them feel empowered in a system which addresses their needs, as well as the needs of the more advantaged.

If anyone casts a ballot "just for the money", they won't waste time marking their ballot, they'll just cast it blank. That will be allowed. But we would rather make them feel, eventually, that their opinion is worth something, too, so they will take a few minutes to mark the options.

Of course, people voting more than once and ineligible people voting must be stopped, as always. Some countries stamp your hand with durable ink.

OPPOSITION TO INCREASED VOTING

In the main, opponents do not want to share political power with more voters. Or they might oppose rebates because they want to avoid the green taxes, even though they, too, would get their rebate on voting day.

The Australian method--a fine for not voting--would not be as effective or popular. It causes more resentment. Those few who refuse to pay are seen by some as martyrs. Using fines would be better than nothing, though.

Therefore, including the option of a fine in the referendum allows the public more choice and stimulates them to debate this issue more fully.

THE "DONKEY" VOTE

In Australia, some voters are called donkeys (or perhaps a synonym). This type of voter, without thinking, merely marks the first candidate(s) on the ballot, in order to seem to be voting. (I'm not sure why they even bother marking it at all, since it's a secret ballot.)

This proposal for BC, on the other hand, encourages those kinds of people to act differently. If they insist on refraining from marking real, considered choices, they are encouraged simply to submit a blank ballot or to answer why they so refrain, as on the list below.

First would be a reassurance: "You shall get your rebate even if you cast your ballot blank." Perhaps then let them mark one of the following options at the top of their ballot.

If I abstain from voting for candidates and/or referenda, it is for this reason(s):

1. This government is not sovereign over me.
2. All government is wrong.
3. This system of government is wrong.
4. I have opposing religious or spiritual beliefs.
5. I oppose voting in principle.
6. I oppose this particular vote.
7. This particular vote is not very important.
8. There are no good choices this time.
9. The candidates are tyrants, liars, crooks, idiots, etc.
10. I did not inform myself enough.
11. I have not determined what is best.
12. I am not thinking straight.
13. I don't want to take the time to mark the ballot. . .
14. I prefer to let others decide.
15. I doubt that this is a secret ballot.
16. I don't know.
17. I decline to reveal my reasons.
18. Other _____

The government should take seriously the results from the above tallies. Then we should push the government to try various remedies.

ROTATING CANDIDATES ON THE BALLOTS

To prevent unfair effects of "donkey" voting, we might use ballots which ameliorate the problem. They won't all list the candidates in the same order.

So a person voting for the first candidates listed will be voting for different candidates than other voters who vote for the top of the list, depending on who's at the top on the particular ballot they got randomly.

For example, 1/6 of the ballots could be listed in each of these orders:

1. Aoki, Barr, Cormie, Deng, Ellis, Fein.
2. Barr, Cormie, Deng, Ellis, Fein, Aoki.
3. Cormie, Deng, Ellis, Fein, Aoki, Barr.
4. Deng, Ellis, Fein, Aoki, Barr, Cormie.
5. Ellis, Fein, Aoki, Barr, Cormie, Deng.
6. Fein, Aoki, Barr, Cormie, Deng, Ellis.

That kind of rotating ballot is used elsewhere.

GREEN TAXES ARE PERFECT SOLUTION

"Green" taxes are those which will, by affecting people's behaviour, help the natural environment.

Other taxes could be raised for this purpose, but it would be better and more popular to focus on green taxes.

POSSIBLE GREEN TAXES:

1. Containers, packaging, and tableware which are not re-used or recycled:
maybe 10 \$ per kg.
2. Road "congestion" tolls: maybe 2 \$, to reduce clogging at selected places and times.
For example, a new toll on driving into downtown London, England, is proving very popular and successful. Some drivers switched to public transit. Others like driving on newly un-clogged streets and believe that the toll is worth it.
Exempted would be car pools, disabled people, etc.
3. Demolition waste (not recycled or re-used): maybe 100 \$ per tonne.
4. Leaf-blower licence: maybe 500 \$ per year. (Many communities ban them.)
5. Disposable cigarette lighters: maybe 50 cents each.
6. Disposable diapers: maybe 5 cents each.
7. A building designed and built to last less than 100 years: maybe 10 \$ per square meter.
8. Demolishing a building younger than 100 years old: maybe 10 \$ per square meter.
9. Caffeine: maybe 5 cents per serving cup or small bottle of caffeine drink, etc.
10. Impervious paving: maybe 10 \$ per square meter.
11. Paving which lets water through: maybe 5 \$ per square meter.
12. Mattresses more than 20 cm thick: maybe 10 \$ each.
13. Furniture assessed to last less than 50 years: maybe 20% of retail price.

Our environment and health will gain from the resulting reduction of those things taxed.

All governments, too, when thus harming the environment, shall pay those taxes into the voter rebate fund.

If new green taxes aren't desired, any other taxes could be used for this plan: either new taxes or increasing the rates of existing taxes.

A DUTY TO VOTE? MAYBE THOSE FOREIGNERS ARE RIGHT!

These rebates or fines would raise the voter turn-out very effectively, especially in conjunction with measures to help voters educate themselves (Proposal # 1 for Debate Tournaments, Proposal # 3 for Voter Booklets, etc.).

But even if the voters don't educate themselves more, it's still an improvement if they vote rather than not. That's because people almost always have opinions. They tend to know--or to find out--who's on their side.

We're simply getting the public to express those opinions instead of being alienated, complacent, discouraged, socially destructive, or self-destructive.

Remember, it works in several countries. Australians, for instance, are a lot like us culturally and politically.

COMPARE JURY DUTY

Even today we consider it a citizen's duty to serve on a jury, whom we pay. So why not a similar *duty to vote*? And why not pay the voter, as we pay a jury?

Paying a jury to vote is never considered a bribe, and neither should paying a voter, as long as we don't pay them to vote *a certain way*.

To control governments, we simply must trust "the people". There's no benevolent dictator or political scheming which will do better over the long run. And the more they inform themselves, the better the voters will serve their own interests with their vote, instead of being tricked or intimidated into serving someone else's interests.

NON-VOTERS IGNORED

Under the present system, there is little incentive for politicians to serve non-voters. Neither is there any incentive for those politicians who prefer to serve the current voters to change things. That is, they have

little incentive to encourage the average non-voter to vote. It's much easier to sway the voters who already vote.

Therefore, the growing class of non-voters is victimized more and more by government which is less and less connected to all of the people. Members of that class are, on average, lower income, younger, and less formally educated.

HOMELESSNESS RELATED TO VOTING

For example, the sudden rise in homelessness about 12 years ago correlates with the decrease in voter turn-out and with the end of door-to-door enumeration (see Proposal # 5 above). Prospects for the homeless will be decreased until they begin to vote. This plan would draw them to the polls.

By the way, such enumeration can be done so that it does register the homeless, similarly to how Census Canada counts them.

TOOK FROM THE POOR

If the last provincial government (NDP) had any strategy at all, it must have been to take from the poor (such as by reducing social services), who were voting less and less anyway, and then try to get more votes from the better-off class who usually vote for other parties. Do you see where that strategy got them?

This rebate-or-fine plan is only for general elections, for the time being. Therefore, the adoption of Proposal # 19 below is strongly advised, as it makes by-elections unnecessary.

ABSTAINERS

The current decline of so-called democracy throughout Canada and the USA creates a huge class of discouraged, apathetic, and/or alienated people who don't cast ballots. That serves the interests of those who do vote and get elected, because they don't have to share power (including government benefits and services) with all those abstainers.

Formerly, voting was discouraged by sexist and racist restrictions. Sometimes there were even literacy requirements. In places, a person had to pay a "poll tax" to be able to vote. Oppositely, the plan here is to continue the empowerment of more and more of the people disenfranchised, in this case, by alienation.

"BRIBING" PEOPLE WITH THEIR OWN MONEY?

We will be accused of trying with this plan to bribe people with their own money. The answer is, yes!, this is "buying votes"--but not for any particular candidates or parties. Therefore, it's neutral, fair, and good.

Compare income tax refunds. The system is set up so that most people have too much money deducted over the year, or otherwise qualify for a refund. That way it's not nearly so difficult to get them to complete the forms every year.

Otherwise, what incentive would there be? Possible gaol time would be a negative incentive. But getting a refund is positive. So it works better. The carrot works better than the stick.

SAME AS OTHER GOVERNMENT SERVICES

Furthermore, practically everything a government does with money is "bribing people with their own money"!

Did the government put out a forest fire threatening your house? Where did they get the money? >From your taxes. So they are merely, in a sense, bribing you to vote for them by putting out the fire. The premier certainly didn't reach into his own pocket to pay the fire-fighters!

So, really, there's nothing wrong, in principle, with a government taxing us to do something which benefits us.

"BRIBING" PEOPLE TO VOTE A CERTAIN WAY?

Some people, nevertheless, might accuse this plan of paying people to vote for the NDP, the Green Party, or other particular parties. However, they would be ignoring the fact that it is a secret ballot.

The reason for the secret ballot being invented was to prevent voters either from being afraid to vote *a certain way*, or from being intimidated or bribed into voting that way.

This plan does not pick out people likely to vote a certain way and give rebates to them only. Everyone gets a rebate for casting a ballot.

Some people want to keep control of the government without having to get majority support from all the eligible voters. That is selfish and wrong.

So the question should be turned around.

Instead of asking, "Are the NDP and the Greens trying to get more votes for themselves?" they should be asking "Are some people trying to keep voting low among potential NDP and Green supporters?"

HARD TO PREDICT

Nevertheless, some political parties who fear a decline in their percentage of votes under this plan might be too pessimistic.

In the USA, when they were talking about lowering the voting age from 21 to 18, many assumed that almost all the new, young voters would vote for the Democratic Party. But President Nixon, a Republican, thought otherwise. And he wanted to show that he and his party could appeal to young voters, too.

So he successfully pushed to lower the age requirement. And his party did and does get many of those votes. But all the candidates have to work to get those votes by reaching out to young adults, not by ignoring them.

SUMMERTIME BLUES

In the 1958 hit song "Summertime Blues" by the young Eddie Cochran, the patronizing old politician responds to Eddie in a bass voice, "I'd like to help you, son, but you're too young to vote!"

So, here and now, if more people are voting, the candidates will tend to broaden their campaigns to appeal to those extra people, too.

But if today's non-voters continue to abstain, their interests will tend to be ignored greatly, both during and after elections.

SOCIALISM OR LIBERTARIANISM?

Some people say, "Why should I pay more taxes than the poor to provide anything, including, for instance, fire-fighting? Let's cut the service or privatize it. If they don't like it, let people hire their own fire-fighters. It's a free country!"

That idea is more common in the USA. It's called the "free market" or libertarianism or individualism or dog-eat-dog competition, etc. That's why the USA still doesn't have universal socialized medicine.

Of course, Canadian health insurance needs a lot of improvement, but no Canadian politician will get more than 2% of the vote if they directly attack its continuance.

All government services are socialism, in a way. That includes roads, police, armies, welfare, libraries, schools, translation, weather forecasting, protecting endangered species, etc.

To the extent that all political parties support government services, they are all socialistic. Even libertarians support having police paid with tax revenues. So, even they are a bit socialistic.

VOTE OR ANARCHY

Only the strict anarchists oppose all government, and they suggest that, instead, groups of people voluntarily unite to provide themselves with the services they want: a kind of *private* socialism. In that category, to some extent, we could put upscale gated communities along with back-to-the-land communes.

If we can get a broad consensus on co-operating and sharing power, we can win over even many anarchists.

Even some of the selfish rich might like to live in a society where they wouldn't have to buy burglar alarms. Crime is lower where criminals are empowered, cured of their addictions, otherwise reformed, and helped to find honest, well-paying work.

REBATES JUSTIFIED

So taxing the people and giving them rebates when they vote is just as justified as fire and police services.

This is not an argument for total socialism. In a democracy, the people should determine how much socialism they shall have.

To the resentful rate-payer we should say, "Don't want more taxes? All you have to do is be a good, voting citizen and you get it back as a rebate! And don't harm the environment so much!" Getting this refund is easier and more fun than completing an income tax return.

WHO DECIDES ON WHETHER TO IMPLEMENT A REBATE PLAN?

Ironically, this proposal is that one class of citizens (those already motivated to vote) will decide by referendum on "enfranchising" another class (those unlikely to vote without such an incentive).

The rebates or fines are a form of enfranchisement. But those who will vote in this or any other referendum, tend to be those already in the enfranchised class--those who already vote.

Therefore, this is like a hundred years ago when men were voting on whether women should vote.

Just like a hundred years ago, those already voting would do well to welcome the other people into the politically empowered class of voters. As then, we will all benefit.

NO EARLY REBATES

The Voter Tax Rebate could overly increase voting in advance polls. That is, people would vote early--merely to get their money sooner.

The easy remedy is to post-date all the rebate cheques for 10 a.m. the day after voting day. (Not negotiable before the credit unions and banks open. That is to reduce gouging by the cheque-cashing outfits.) Likewise for direct deposit.

IS 70% OR 80% TURN-OUT ENOUGH?

Some people in power don't really want a 98% or 100% voter turn-out. That would dilute their own power by empowering too many people they consider undeserving. Those "undeserving" people, though, merely have different political wants and needs--that is, interests.

Official moves to increase the turn-out, therefore, have not been very effective--intentionally. Those authorities would like to raise the turn-out just enough to avoid the embarrassment to themselves of a 40% or 50% figure.

The Vancouver Electoral Reform Commission says that a 50% turn-out of registered voters is not "abysmal" (page 107). It IS abysmal. Therefore, the report seems elitist and anti-democratic.

If the government doesn't ensure a high turn-out, the burden shifts to the candidates and the parties to "get out the vote". Then they spend much of their time and resources on that, to the neglect of discussing the issues. Worse, the advantage goes to the richer parties. That degrades democracy.

Because many condone low turn-outs, we must push to put this incentive plan into an entrenched provincial constitution (as in Proposal # 9 below).

SLOGAN

This Voter Tax Rebate idea is one of my 2 innovations of which I am the proudest. (The other is Proposal # 1 above, Debate Tournaments.)

Slogan: **"Debate tournament! Voter tax rebate! Debate, rebate!"**

See also in Part 6, Internet, ACE Project.

DIRECT COST of Proposal # 6-A (Rebates): No cost, since the money paid out in rebates (maybe 150 million \$) is what's left over after administrative costs are deducted from the additional tax revenue.

SAVINGS of Proposal # 6-A (Rebates): If successful, this might eliminate the need for door-to-door voter enumeration (Proposal # 5 above). Also, there would be a large savings (possibly tens of thousands of dollars) because this method would replace most of the current, terribly ineffective ad campaign to get out the vote!

DIRECT COST of Proposal # 6-B. (Fines): No cost--perhaps a small profit instead. Collected fines, less administrative costs.

DIRECT COST of Proposal # 6-C. (No rebates or fines): No change in costs.

!

Proposed referendum question # 7. VOTING HOLIDAY.

For general elections, Voting Day shall be a mandatory legal holiday. YES NO

PURPOSES

The purposes are, on voting day, to encourage the voters to sober up, to study and discuss politics, to go to the polls, and to assist others to do likewise.

That will encourage all the people to take time before voting on this day to discuss politics with their family, friends, neighbours, etc. Also, we can encourage people to volunteer on Voting Day for the campaigns of candidates or parties of their choice, etc.

EXPLANATION

On voting day shall be no school, paid work, business, trafficking of intoxicants (such as alcohol), or other trade, except as below.

Exempted shall be:

1. Emergency goods and services.
2. Religious devotions.
3. Free food.
4. Necessary maintenance work which cannot reasonably be postponed, such as hotel desk clerk.
5. Work to aid the democratic process: telephones, news media, election workers, etc.

Public transit shall be free on the holiday. (The cost of that free transit will be borne by all the people, not just transit users, contrary to the analysis of the Vancouver Electoral Reform Commission report, page 109, footnote 140). It wrongly assumes that transit subsidies cannot be increased to cover this.

The restricted holiday period shall start at midnight and shall last one hour past the poll-closing time.

At the beginning of Voting Day shall be the finish of all mass campaigning, and of all campaign advertising (television, radio, print, etc).

"FREEZE" COMPUTER CAMPAIGNING

No new partisan ads or information about the candidates and referendum positions should be erected in public or published by computer on Voting Day. (That might be hard to completely enforce, but let's try.)

This plan is suggested only for general elections, for the time being. (For eliminating by-elections, see Proposal # 19, below.)

Such a holiday is allowed in the Vancouver City Charter, section 198. For the entire Charter on the Internet, see Part 6 below.

DIRECT COST of Proposal # 7: A few tickets for non-compliance might be issued, but the fines collected could cover the staff cost. Probably we'll break even.

Consumer spending (and the resulting taxes) would hardly be reduced overall. People would simply shift almost all of their spending to other days.

Part 3: A fair electoral and governing system.

Proposed referendum question # 8.

ACCELERATED AGREEMENTS WITH FIRST NATIONS.

Concurrent with every general election, Canadians living on unceded land of each First Nation shall vote in referenda on offers from that nation, leading to treaties, etc. YES NO

The Canadian and British Columbia governments have tried to conquer, eliminate, assimilate, and exploit the First Nations "in" BC for over a century. Now, instead, with this plan, all Canadians shall use direct democracy to push governments strongly to sign treaties or reach other settlements.

How can we claim to govern ourselves legitimately at all until our elections are held in territory we occupy by peaceful agreement? That's how this is an issue of electoral reform. Without such determined pushing from us, the governments could easily stall another century. So far, they have no deadlines and no effective incentives for speedy resolution. Quite the opposite.

For a map of the First Nations caring for this land, see Part 6, "Other", near the very end below.

PROCEDURE FOR THESE AGREEMENTS

1. The government of British Columbia shall poll the Canadian people within each First Nation which is claimed in whole or in part by British Columbia and which lacks a treaty or other settlement for all such lands. Each such sector of Canadians shall vote on the latest offers from the corresponding First Nation. That shall occur simultaneously with each general election until one such offer from each nation is accepted by such a referendum.

2. Then each such proposed treaty or settlement shall be submitted to the General Assembly of the United Nations for adjudication as being just or not to the First Nation.

3. If thus judged to be just, the governments of BC and Canada shall sign such a treaty or similar agreement.

4. All the above process shall repeat until it succeeds.

Of course, the results of this process might not be legally binding on the province, and even less so on the Canadian government. However, the force of the public conscience will be great, or at least helpful.

DIRECT COST of Proposal # 8: Minimal costs for counting the additional ballots in elections which happen, regardless.

INDIRECT COST of Proposal # 8: The good citizens might vote any amounts of money settlements--or they might vote only for recognition of land and political rights.

INDIRECT SAVINGS of Proposal # 8: A possible end of the dependency of First Nations, which is expensive in money assistance, crime costs, etc.

Proposed referendum question # 9. A PROPER CONSTITUTION FOR B.C.

The people of British Columbia have the sole power to establish and amend our provincial constitution, including democracy and human rights. YES NO

EXPLANATION

Most of these 21 proposals could be implemented by majority vote on a temporary basis. But then an entire BC constitution should be put to a binding public vote. Or we could approve a more basic constitution, with some of the details removed and put into regular laws.

Constitutional amendment shall require a 3/5 vote, or a majority in 2 successive votes if the provincial government also approves.

To establish our constitution, the people shall vote, simultaneously with every provincial general election as long as necessary, on various constitutions and constitutional provisions proposed.

Those referenda shall continue to be held until a constitution is approved by a majority vote or more. Any provisions that are approved simultaneously or which were approved previously shall also be part of the constitution. If 2 of those approved are contradictory, however, the one which garnered the most votes shall cancel the contradictory part(s) of the other.

Each such referendum with 3 or more alternative options shall be conducted with a ranked ballot in order to most accurately demonstrate the people's will. (A yes-no question is only 2 options.) See also Proposal # 12, Ranked Ballots, below.

WHO CAN PROPOSE DRAFTS?

Those allowed to propose constitutions and constitutional provisions shall be:

1. Any of the indigenous nations (or any aggregation of those nations).
2. Any political party (or independent MLA) in the legislative assembly.
3. Any political party (or aggregation of parties and/or independent candidates) garnering 1/20 or more of the votes in the previous general election.

WHY A CONSTITUTION

It is tyrannical and corrupt to change important aspects of an electoral system without sometime getting specific, voted, public approval. Preferably, that approval should come before the change goes into effect.

Consider a counter-example. Should each year's Grey Cup champion hockey team have the right to re-write all the league's rules of hockey? That's actually what happens now with governments.

OUR ALLEGED CONSTITUTION IS FLIMSY

In the first place, the Province of British Columbia doesn't even have a proper constitution. Neither do any of the other provinces, I don't think. We will be the first.

A constitution is a framework for government that is harder to amend than a regular law, so that the government of the day cannot change it on a whim. They are legally allowed to do so now--with a few "rubber stamps".

That's right, the so-called constitution of BC comprises only regular laws, including the Constitution Act and the Elections Act. Any of them can be changed at will by the government (with the approval of the legislature, which it controls, anyway). To do so requires only a bare majority (50% + 1/2 a vote) in the legislature. Approval by the people or a court is not required.

OUTRAGEOUS EXAMPLES

So, as long as they didn't violate any federal requirement, the provincial government could do outrageous things. Maybe require every voter to wear pink pants, open the polls only from 2 to 4 a.m., print all the ballots in Braille, convene the legislature for only one week a year, abolish question period, and require a 40 000 \$ fee to stand for election.

They'd never be that stupid? Then how do we explain them abolishing door-to-door enumeration? (See Proposal # 5 above.)

Shockingly, another former British colony now requires that 40 000 \$ fee: South Africa has one of the most advanced pro-rep electoral systems in the world, otherwise! Most citizens there are much poorer than Canadians, too. However, their otherwise near-ideal democracy is completely spoiled by the one "little" detail. (*The Peak*, student newspaper of Simon Fraser University, Burnaby, BC, 2004 May 31, page 20, "South Africa Elections" by Dawn Paley, www.peak.sfu.ca.)

Such a sky-high fee (or more) could be passed here because we have no provincial constitution to stop it. (Unless prohibited by federal law.)

CONSTITUTIONS GENERALLY REGARDED AS GOOD

So who can seriously argue that we don't need a proper provincial constitution? It must include basic safeguards to democracy. It must prevent the legislature from rigging elections.

Human rights in a constitution would be nice, too. At the provincial level we have no rights that the government of the day cannot repeal at will.

WHY NOT PASS SOME LAWS INSTEAD?

That is because the tremendous amount of work to achieve electoral reforms should not be washed down the drain the minute a provincial government brutally amends them. They can do that very easily. Instead, a proper constitution would be harder to amend, preferably requiring a referendum.

If this proposal passes in a referendum, the people of the province will be warning present and future governments not to roll back improvements without proven public agreement.

The passage of this referendum proposal might even influence a court, though it doesn't amount to a law. It's certainly worth a try, anyway.

BACK-UP PLAN

All the major changes the Citizens' Assembly proposes should, with public approval, be made part of a BC constitution.

Nevertheless, if a measure merely gets bare majority approval but not the 60% they say that they will require, the government should nevertheless try the proposal as a plain law. Then, later, if it turns out to work well and be more popular, they can raise its status and put it into a constitution.

Sure, it might be hard to institute a constitution. It was hard for Prime Minister Pierre Trudeau, but he succeeded. Let's encourage our Premier Gordon Campbell, also of the Liberal Party, to show the same foresight and determination.

But if we don't even try, we have no right to complain if we fail.

With the provincial government now so proud of the Citizens' Assembly, the government might be quite hesitant to disregard what those citizens say.

A MERE MAJORITY FOR ELECTORAL CHANGE?

In principle, the stability of governing systems requires that a basic constitutional-type change in the electoral system needs more than just one bare-majority vote of the public.

However, some people say that, in a referendum, only a majority should be required for electoral reform.

Technically, the government may institute such reforms, even without a referendum.

However, suppose the shoe were on the other foot and we had pro-rep and the government were trying to bring back straight plurality ridings.

I suspect that democratic-minded people everywhere then would demand something like a 3/5 or 2/3 public vote.

Really, though, electoral reform is of such import that it needs to be part of a real BC constitution, which should require more than a majority referendum to amend.

A super-majority is a generally accepted principle to amend constitutions, charters, etc. That includes the founding documents of governments, political parties, co-ops, societies, unions, corporations, etc. A super-majority can take any number of forms, whether it be 3/5, 2/3, 3/4, unanimous, consensus, etc.

As a safeguard, in some countries, the public must vote approval on 2 separate occasions. Sometimes more than a majority is required, say, 3/5 or 2/3. Sometimes concurrent approval by some other body is required.

If something can barely muster majority support, it's questionable whether it should be entrenched in a constitution.

It would be divisive and embittering for such fundamental changes to be made without figuring out something with broader support. It's less likely to be a creative, unifying change if almost half the voters oppose it.

With a bare majority system, a shift of less than 1% of referendum voters every 4 years (for instance) theoretically could keep changing the voting system back and forth from the current system to pro-rep, etc. That would be unstable and expensive. That's like changing your Internet server every month.

While the above argument is compelling, we must remember that the current so-called constitution was put in place without a single member of the public voting for it. So any decision, even an interim one by a bare majority, is an improvement on that.

AN ELECTORAL SYSTEM NEVER APPROVED BY THE PEOPLE

We have always been governed in cities, in provinces, and in Canada (federally) by electoral laws which were never approved by any voters at all, except for the rare referendum to change from at-large to wards, etc.

Wards did receive 59% in one vote in Vancouver, but pro-rep was not on that ballot. And later, when pro-rep *was* on the ballot, the voting wasn't fair because of other reasons explained in Proposal # 10 below.

STABILITY IN ACTION

It is quite likely that the public will support most of these 21 proposals. Then the provincial government--and subsequent ones--will have a hard time opposing or brutally amending them, even if they have the power technically to do so.

PROVINCIAL APPROVAL

Provincial approval of some sort is required for almost any change. If the provincial government is really determined to stop us, they can easily.

So please urge the government to establish a real constitution and put into it all the proposals below, contingent on public approval in a referendum (sooner rather than later).

DIRECT COST of Proposal # 9: The voting can occur simultaneously with any other election. So the additional cost would be very little--just the cost of counting the votes each time it happens.

Proposed referendum question # 10.

PROPORTIONAL REPRESENTATION ("pro-rep").

In the legislature, the number of votes cast by each political party or group shall be in proportion to their province-wide vote from the public. YES NO

OUR CURRENT SYSTEM: PSEUDO-DEMOCRACY

Because, on the surface, BC appears to be run democratically, it has taken a lot of work to expose the truth. Our single-member-riding plurality elections, with no compensating proportional mechanisms, are a sham and a shame. ("Pseudo" means false or imitation.)

WEB PUBLICATION MAKES IT CLEAR

A great animated Australian Web publication introduces this concept well (STV style):
www.seo.sa.gov.au/flash.htm .

On it are only 2 errors, neither very critical:

- (1) The formula for "majority" is 50% + 1/2 or more, not "+ 1".
- (2) At the end, the definition of democracy is the definition of *representative* democracy. The other type of democracy is *direct* democracy, which, in its pure form, has no representatives making laws.

These 21 proposals include both types: representative and direct democracy. The latter type includes Proposals # 8, 9, 17, and 21, above and below.

DOES SINGLE-MEMBER PLURALITY HAVE "STRENGTHS"?

Our current system was credited with 3 advantages in the assembly's preliminary report. They are not really advantages, I assert:

1. "Local representation and accountability". That is an advantage only if all the voters desire that local angle. Instead, let's let those who want such a "local" bias, vote for it--and let those who don't, vote otherwise.

Pro-rep gives us that choice, especially if it's by "open list" (explained below). Pro-rep allows, but doesn't force, us to vote for candidates geographically, and even for regional parties, if we want to.

For instance, if you find your favourite candidate at the opposite end of the province, why have a system which unnecessarily prevents you from voting for that person?

Nevertheless, since a system with no geographical component at all wouldn't be popular right now (if ever), let's work for MMP or STV (explained in Proposal # 11 below).

2. "Style of government and representation". A government doing "as they see fit" is a dictatorship. A "two-party competition" giving us a "choice of governments" is an alternating dictatorship which de-emphasizes the issues. The bias against "minor parties and marginal interests" is a simple refusal to share power fairly and equally.

3. "Simplicity." Suppose your employer said, "Today you've worked 8 hours at 8 dollars an hour. But multiplication is too complex for me to calculate your pay, so I'm going to use addition instead. So here's your 8 plus 8, which totals 16 \$." That's the degree of "simplicity" in our current system.

"Familiarity" is no advantage when the familiar is unfair and the people want a change.

"Transparent counting" can be achieved just as well with Proposal # 15, Paper Back-up Ballots, below.

EXPLANATION OF PRO-REP

Proportional representation is any system which elects a number of representatives to a legislature, council, board, etc., and gives each party or faction their share of voting power in the legislature in proportion to their overall vote from the public.

So if about 60% of the votes in the province are for the Liberal Party, then they get 60% of the votes in the legislative assembly. The various systems around the world have varying degrees of success at proportionality.

Without a high degree of proportionality, no system can really be considered democratic or fair. If, for instance, a party gets 80 or 90% of the seats with 40 to 60% of the vote, that's equivalent to *stealing* 20 to 50% of the votes.

MUST SACRIFICE PROPORTIONALITY?

Some will counter that such a sacrifice is necessary to achieve other goals, such as local accountability or an electoral bias toward creating majority governments. "You can't have everything," they slyly say.

That bias toward majority governments is wanted by many high-rolling politicians. The general public is not served by that bias one bit, though. To the public, a minority government (a coalition of 2 or more parties to compose a majority of the legislature) can be just as good, if not better.

Furthermore, since we can have both pro-rep and constituency representation, why not? Human beings have invented almost every imaginable combination of systems, but if we look no farther than North America, we won't see many.

Besides, BC is known as an innovative place. Even if pro-rep hadn't been introduced in Belgium in 1899, we are smart enough to invent it here.

A FALLACY OF ELECTING MORE PARTIES

The assembly's preliminary statement says that with pro-rep the system would be "increasing the number of political parties". (Third to last paragraph.)

That is a common misunderstanding. Similar mistakes are even in textbooks. Actually, no electoral system creates political parties or increases the number of parties. Governments do not set up parties at all. Instead, members of the public voluntarily form parties--if they want to. Then, only if the voters elect them, we get more parties in the legislature.

In other words, pro-rep systems merely *allow* more political parties, if more exist, a *chance* to succeed. Oppositely, our current system prevents or hinders voters from electing as many parties as they want.

POOR LEFT OUT IN BIG PARTIES

One of the most disastrous moves of the previous provincial government was their abandonment of the poor, presumably because the NDP thought it was a lost cause to get poor people to vote.

Some of the people who get discouraged the most from voting are those who would vote Green, Marijuana, Rhinoceros, independent, etc.

Many of them who are interested in voting, nevertheless abstain because they think their choices have little chance of getting elected. Such potential voters don't want to "waste" their time.

Keeping our present system would keep those candidates' prospects dim, and hence help drive down the turn-out even more.

REGIONAL PARTIES ALLOWED WITH PRO-REP

The beauty of pro-rep is that it tends to respond much better to the desires of the public.

Iceland's parliament has a women's party. In Scotland, very recently, one person started a senior citizens party and got one seat in the pro-rep Scottish regional parliament.

Pro-rep allows geographically based parties, too, in a completely fair way. If that is the basis of people's concerns, they could have, for instance, a "Northern BC Party".

POSSIBILITY OF A "LIST" VOTE

Here is one way to accomplish the goal of pro-rep. Each voter can vote, in an at-large "list" section on their ballot, for their favourite party and/or for independent candidates.

A similar list system is called a "party-list" system. This proposal doesn't use that term because independent candidates are included on the list, too.

LIST VOTING

Before the election, if using a list system, the party lists are put into order by the parties and submitted. With this plan, the party lists are allowed to include candidates who are also constituency candidates. So a constituency candidate losing his or her riding could win, nevertheless, on the list vote. Of course, that would be only if their party didn't win all its fair share of seats in the ridings. (And vice versa.)

The Vancouver Electoral Reform Commission repeated the slander that list candidates are "zombies". (Page 88, footnote 88.) The report includes no evidence or explanation. The voters, however, can vote for the best list(s) when they vote, so what's the problem?

Another suggestion is to require a party to field candidates in half or more of the seats in order to be allowed even one list candidate. Allegedly, that would be to force them to be "grounded" locally. Where's the advantage to the public of that rule? What if the voters don't want someone "grounded" locally?

Also, that would seem to shut out independents from the list election, too. Why limit the voter's choices? That's not fair. That proposal seems just like a selfishly biased one from a party which *can* manage to nominate that many candidates.

OPEN LIST

An "open" list allows the voter, if they want to, to rank some or all of the candidates within each political party. The voter can even intersperse candidates of different parties in the order of their preference.

This proposal allows the voter to order the candidates or simply to make one mark to indicate support for all the candidates of that party in the order listed.

The order of candidates on the ballot for each political party was determined by that party.

See also Proposal # 12, Ranked Ballots.

When the votes are counted, the number of candidates to be elected by each party come from the top of that party's list, unless that order has been altered enough by the voting public on their ballots.

OPEN LISTS VS. "BALANCE"

"Open" lists allow the voter more choice. Some argue that then the voters might not elect a representative balance of sexes, races, localities, and ages.

The choice of those factors is, however, based on biases that those particular factors are the most important to be balanced. The voter might instead prefer a different balance: for instance, one based on religions, languages, marital status, occupations, levels of education, and/or incomes.

Should each party decide which factors to balance? Should a law require all of those things to be balanced?

Perhaps it's better that the system we institute not make such assumptions unless authorized by the public in a separate question. In other words, let the parties balance how they want, and let the voters re-balance if they want.

A proposal for a male-female balance is in Proposal # 20 below.

Yes, racism has been a factor. In past elections to Vancouver civic offices, for instance, Dr Setty Pendakur and other Indo-Canadians were defeated for no other apparent reason. But things might have improved since then. Pro-rep, whether open list or closed, seems to encourage voters to choose a better racial balance.

Nevertheless, in an open list system, if a party strongly feels that their candidates were moved down because of racism, for instance, they have an obvious remedy. On election night, after the votes are tallied, some of a party's higher-voted White candidates could withdraw from the contest to let non-Whites lower on the list be elected.

TOO MUCH POWER TO THE PARTIES?

In some jurisdictions, the system reduces the power of political parties. This proposal incorporates some of those features.

More such features can be added, if that's the public will. For example, see Proposals # 13.A. and B. below.

INDEPENDENTS IN LIST SYSTEM

This proposal, unlike others, is to give independent candidates an equal chance on the at-large list, as much as possible and practical. That would be in conjunction with Proposal # 11.A. below.

If all the independent candidates in the province were to be on all the ballots in the province, that could be over a hundred of them. That wouldn't be acceptable to most people.

I've thought of a solution, though. First, require each independent candidate to stand in one riding as an electoral district (riding) candidate. Then, instead of including any of their names on the at-large "list" candidate ballots, simply have this one line there as an option to vote for, as for a political party:

Independent candidates (those receiving the most votes in electoral districts).

Here's what happens next, treating the bunch of independents somewhat as if they were a political party:

1. The votes are counted at the end of voting day for the "independent" option on the at-large list ballot (as above).
2. It is determined whether enough of them were elected in their own ridings to match the percentage of votes on the at-large list ballot to achieve province-wide proportionality.
3. If so, this process ends.
4. If not, a list is made of the independent candidates who failed to win in a riding.
5. That list is ordered by the percentage of votes each received in their own riding.
6. Enough are elected from the top of that list to achieve that proportionality.

PROPORTIONALITY COMPENSATIONS

Consider if we have a 158-seat legislature: 79 constituency seats (as we have now) plus 79 list seats. Suppose that all the ridings were won by the Liberals and the NDP, but the Greens, with their support less concentrated in any one riding, nevertheless won 20% of the list vote.

Then the Greens under this plan would win 20% of not just the 79 list seats, but of all 158 seats. That's 40% of the 79 list seats. That would equal 32 seats (rounding up).

OUT-DO GERMANY

Sometimes, as I think happens in Germany today, they don't do the math quite right. They give the percentage of list seats equal to the list vote, without accounting for discrepancies in the district seats, as I have done in the example above.

So, if that example were in Germany, the Greens would get 20% of only the 79 list seats, which is 16 seats, not 32. In other words, they get only 10% of the total seats to represent 20% of the voters. That is obviously unfair.

See also Proposal # 11 below.

PRO-REP PRECEDENTS

Looking around the world, we see that almost all voting countries use proportional representation in at least some cases. Unfortunately, a few, like ours, don't. Most of the latter were based on the old British model and haven't been sufficiently updated.

However, even Great Britain now uses (or soon will use) pro-rep for:

1. Regional parliaments of Scotland, Northern Ireland, Wales, and parts of England.
2. Representatives to the European Parliament.
3. London Assembly (city council).

Most of the above has been accomplished since the recent formation of a Labour government. (It's about time, since pro-rep was basically invented in Britain and Belgium.)

Britain imposed a fairly proportional system on Eire around 1922, as a condition of independence. That was for ulterior political motives, but the Irish people have voted more than once to keep it, in spite of opposition from all the major Irish political parties. (Garry Nixon, presenter in Vancouver, 2004 June 12.)

MUNICIPAL PRO-REP

New York City has proportional elections for school board. They did that originally to prevent White people from taking all the board positions, as had been happening. That situation reinforces my warning that disproportional elections are racist. (See www.fairvote.org.)

HELPING IN NORTHERN IRELAND, FAILURE IN INDIA

Instituting pro-rep will really help to settle conflicts (the Northern Ireland war, especially) and make separation and civil war less desirable to all. That's because pro-rep promotes co-operation and sharing power instead of so much striving for dominance, striving to get that prized unearned majority.

I believe that if India had chosen pro-rep in 1947 instead of copying the old British system, they could have avoided most of the violent Hindu-Moslem strife that has plagued them ever since. Pakistan and Bangla Desh might never have separated.

The movement to use proportional for the main British Parliament is gaining, too, in part because they can see its effects in the parts of the UK where it is now used and its effects in the rest of Europe.

PRO-REP HISTORY IN CANADA

Parts of the USA and Canada have tried proportional or semi-proportional systems, including in BC and, from 1917 (or 1920?) to 1923, in Vancouver.

Some of the opposition to pro-rep is racist, as that system tends to represent and elect racial minorities more fairly. There might be something about that in Dennis Pilon's master's thesis. (See Part 6, References, Vancouver, below.)

EARLY PRO-REP

Thomas Hare (with John Stuart Mill and C C G Andrae) in the 1850s proposed the single transferable vote system (STV) used mainly for electing several candidates. <http://www-gap.dcs.st-and.ac.uk/~history/HistTopics/Voting.html> .

A proportional system was first enacted I think in Belgium in 1899. Belgium was fertile ground, being a bilingual country which needed a system to share power in order not to be rent apart, as Canada nearly was.

Adopting pro-rep in BC could help encourage the federal government to adopt it, too. Then Quebec separatism might be prevented through a fairer sharing of power.

In the 1930s in Germany, Adolf Hitler's party gained only a minority of seats under a proportional system. Unfortunately, he then overthrew that system to gain dictatorial control.

Right after World War 2, the USA was led by the Democratic Party's President Harry Truman. His government sent some of their political scientists to "help" write West Germany's new constitution. Their outstanding success is one of the main reasons that Germany's constitution is seen as one of the best models for the world, especially for the emerging democracies.

U.S.A. GAVE BETTER THAN IT HAD

Unfortunately for the USA, they didn't put in any similar improvements to their own 1789 constitution, which might have been written before anyone had thought of pro-rep. Germany has done much better than the USA in the post-war years, in large part because of their new constitution and because Germany wasn't allowed to waste money re-militarizing. The situations in defeated Japan and Italy were similar.

Why were Germany and Italy given such great constitutions with pro-rep? One reason was the precedent in Europe for pro-rep. Another reason was that the USA was terribly afraid that they'd go communist. The communists were, and still are, quite strong there. Generally communist parties now have changed their names to "socialist".

Back then, under plurality systems, the communists could easily have gained unearned majorities. If the Christian Democrats and other non-socialist parties had been assured of getting all the unearned majorities, the USA wouldn't have minded. But they could not tolerate the Communists having that same opportunity.

So is pro-rep fair to communists and socialists? Certainly. They get their fair share (or they would, if the elections were fair in every other way).

The much higher degree of accommodation between socialism and free enterprise throughout Europe is probably in large part because of the fairer pro-rep systems dominant there.

VANCOUVER'S VOTE ON PRO-REP

In 1996, Vancouver City Council held a referendum on electoral reform. At first, council was not even considering pro-rep.

So I, as head of the Vancouver Green Party, met with a member of city council and explained it all to her. I asked her to let the voters mark their first, second, and third choices, etc. for the type of voting system. Then she persuaded her majority party there (the NPA) to put pro-rep onto the ballot as one of the options--but, unfortunately, without the ranked ballot.

The ward proponents, mostly in COPE, were furious. They thought that the NPA had done that as a trick to split the vote so that their "baby", wards, would fail. And they thought that we Greens were just out for our own selfish partisan advantage.

DEVIIOUS MEDIA

Almost all the media and the sometimes-progressive COPE mounted a pervasive disinformation campaign (lies).

They just said, basically, that pro-rep and the ballot questions were too complicated. That's all! They refused to say or print extremely little else about it. It was almost a complete media black-out!

I think that the mainstream media knew that if they explained pro-rep, that it might very well win. They didn't want that.

Indeed, that media must have wanted to split the vote without giving the pro-rep or wards options a chance. The non-mainstream ("alternative") media mostly fell for COPE's ignorant, self-defeating line. So they, too, lied and said that the ballot was too complicated.

Even today, the Vancouver Electoral Reform Commission report repeats that lie. See page 16 (bottom), pages 136 to 137 (footnote 188), and page 138 (footnote 189).

THEN, SURPRISE!

The voting result? In that November vote, about 1/3 of the votes favoured proportional representation out of the 4 new options.

The media black-out made that high achievement all the more spectacular. Even we supporters of pro-rep were amazed.

How did we do it? Theories:

1. Many people had lived in or visited pro-rep countries or knew others who had.
2. Reading the description on the ballot, pro-rep just sounded more fair and reasonable.
3. Pro-rep was new and fresh to their ears, so the talk around town was a little more favourable.
4. Mistrust of the entrenched parties' recommendations and of the media; a little more trust in the Greens.
5. Some people wanting a change had lost hope in straight wards, after so many failures.

PRO-REP TOO COMPLEX?

Was the ballot question too confusing? No. Is pro-rep too complex? No. But after almost all the media refused to discuss the topic further, many people had believed that propaganda.

And since the media blackout left the public fairly ignorant of pro-rep, many people put the blame on the city council for bringing up the subject of pro-rep.

Yes, it is true that pro-rep is more complicated to set up, and then it's more complicated to count the ballots.

But that is no bother or work or confusion **for the voter**. Therefore, what is far more important is that all the voters' tasks are simple and easy.

Voting with proportional is not too hard for 3/4 of the voters in the world, so why would it be too hard for Vancouverites or BCers?

VOTING FOR A FAIR SYSTEM ON AN UNFAIR BALLOT

Ironically and pathetically, in that 1996 referendum, the vote for alternatives to the at-large system was conducted with a one-X voting system. (As I said, that was against me explicit advice.) In other words, voters could choose only one of the alternatives and could not mark their second choice. (See Ranked ballot, Proposal # 12 below.)

Therefore, the results were unfair and undemocratic. Voters should have been able to rank all the systems, the present one and the alternatives.

Then pro-rep might have gained a majority if voters had been able to mark it as their first choice without fearing the "wasted vote syndrome", or to mark it as their second or third choice.

Vancouver voters still deserve a ranked ballot on electoral reform, not the simplistic one now recommended by the Vancouver Electoral Reform Commission report (page 138).

In the 8 years since, after much hard educational work, many people throughout BC have learned about pro-rep.

WHEN PEOPLE LEARN THE TRUTH ABOUT PRO-REP, THEY GET EXCITED. THAT WILL HELP THIS ASSEMBLY.

A big advantage of pushing pro-rep and these other proposals is that the public could easily get excited about them, especially if we can overcome the mainstream media's possible trashing or apathy.

On the bright side, it seems that COPE has repented their mindless, ruthless TOTAL opposition to pro-rep. But, so far, they seem too timid or confused to work for it.

INTERNAL PARTY DEMOCRACY

Should a party use a democratic process to determine its candidates and their order on the ballot?

That sounds reasonable, but perhaps it's better to let them do that more or less by themselves, without laws forcing them to do so. Then the public and the media can watch and see how well they do. Then the public will have a better idea whether that party should be elected and how they would act in office.

The public can vote for and can join a party whose internal democratic procedures are more to their liking. That's because, with pro-rep, people aren't "stuck" in 2 major parties, no matter how internally

corrupt. We won't really need laws to ensure internal party democracy because of that ability of people to "vote with their feet" (in other words, to walk to another party they want to join).

Nevertheless, if the public wants to mandate internal party affairs by law, let them. See Proposals # 9 and 17, above and below.

PARTY POWER

At the 2004 April 6 VERC hearing, Justice Berger said (I hope that my notes are correct) that a pro-rep system, "unless it's carefully crafted," might confer too much power on political parties.

I agree that we must be careful and not let parties have too much power. How much is too much should be adjusted by the voters in referenda, as they approve various amendments or not, over the years.

These plans do both limit and empower parties, as ideally as I could.

PRO-REP GOVERNMENTS TAX TOO MUCH?

Some presenters, such as supporters of the Fraser Institute, have presented to the assembly a warning. (Herbert Grubel, North Vancouver, June 2, and Jason Clemens, Vancouver, June 12.)

They say that some undescribed faulty mechanism within pro-rep leads somehow to governments a little too big. That is, those countries tax and spend a little more, on average, than countries without pro-rep.

If that is true, there is a better explanation. Perhaps pro-rep better executes a democratic preference for a few more government services and for a little more wealth re-distribution.

However, if people want to judge an electoral system on such criteria, they will probably find many more correlations. For instance, I think they'll find that pro-rep countries have less war, less crime, fewer prisoners, better health, more breastfeeding, better education, less pollution (per capita), higher employment, and less poverty.

Nevertheless, if the public objects to reduce how much a government is spending, and wants to lower taxes on the rich, on the poor, or both, let them use an initiative petition. (See Proposal # 17 below.)

TERMS CONFUSED

By the way, people often confuse the terms and the concepts *pro-rep* and *rep-by-pop*, which are completely different, though they are both for political science.

Pro-rep is a short form for "proportional representation" now in common use. I coined and popularized the term around 1996.

On the other hand, *rep-by-pop* means "representation by population". In other words, that's making sure that each electoral constituency has about the same number of people to be represented. That means equally populated ridings, as long as they each elect one representative who can cast one vote. That's a good idea, too, for which we already have a law. That law, though, either has a loop-hole or is not enforced.

WOMEN

For women's equality provisions, see Proposal # 20 below.

EARLY BIRDS?

In case you want to try to persuade the provincial government to reform the electoral system BEFORE the 2005 elections, I have an easy plan. That plan is detailed in my report to the Vancouver Electoral Reform Commission (VERC), Part 5 "Interim compromise" (referred to in Part 6, Vancouver, below). It would work for BC, too.

It consists of ridings just like we have now. Then, to make it proportional, there would be bonus MLAs, assigned votes, and weighted votes.

www.alternatives.com/prms/2004/worlds_best_elections.htm .

WITHOUT LIST VOTING

While a list vote is desirable in MMP, it is not necessary. Alex Tunner (at a CAER hearing in Vancouver, 2004 June 12) has shown one (possibly over-complex) way to accomplish proportionality without a list vote. Another way to do so is in my proposal to the Vancouver Electoral Reform Commission (Part 5, An Interim Compromise).

Or, the "overall vote" could be the total number of votes for that party's riding candidates for the legislature.

DIRECT COST of Proposal # 10: Staff time to design the voting system, based on foreign models and experience. More staff time at the polls, since voting and counting the votes take longer. Overall, though, very inexpensive.

Proposed referendum question # 11.

CONSTITUENCIES (electoral districts or "ridings").

The Legislative Assembly of BC shall be composed of (*rank up to 4 of these choices in order of preference*):

A. About 60% of members elected from single-member constituencies, the rest by an open list system of parties and independents. ("Mixed-member proportional" or "MMP".)

B. Constituencies electing 7 or more members each, by proportional representation with ranked ballots. ("Single transferable ballot" or "STV".)

C. Single-member constituencies only (as at present).

D. None of the above.

EXPLANATION OF CONSTITUENCIES

At the federal and provincial levels, our constituency system is just plain undemocratic, as are wards on the civic level.

The mathematics of all plurality and geography-bound systems tends to force an undemocratic result, no matter how hard people try to make them work.

EXPLANATION OF # 11.A., M.M.P.

Most of the new constitutions in the world today draw heavily from the very modern model, which is similar to this, which was imposed on Germany by the Allies after World War 2.

That model has helped to make Germany one of the most prosperous, peaceful, and desirable countries in the world today. Germany is now far more democratic (ironically) than Canada, Britain, or the USA, 3 of the countries which imposed the German constitution on them.

EXPLANATION OF # 11.B., S.T.V.

If the number of representatives elected from a multi-member riding is too small, it can exclude representatives of minorities--racial, financial, geographical, political, or otherwise. Political scientists say that 7 is a good minimum.

7 OR MORE IS BEST

If each constituency elects fewer than 7 members, the system will be heavily biased toward the Liberal Party and the NDP.

A system like that of small multi-member constituencies is one of the least effective types of pro-rep known. That's the problem in Ireland, for instance. The government, wanting to steal the votes of the smaller parties, tries to do so by reducing the size of the ridings.

In a constituency electing 5 or 3 MLAs, it is unlikely that any other parties (besides the Liberal Party or the NDP) or independents would elect anyone, let alone their fair share of seats.

So it would help if 7 or more representatives are elected from each multi-member riding. Each, then, would be elected by at least 1/8 of the votes. (The exact proportions can be figured with a formula.)

If the people reject the plan of electing more separate elected offices, Proposal # 13 below, then it's even more important to elect a bigger legislature, as in Proposal # 14.

See also Part 4, section # 3, "Staggered Terms", below.

EXPLANATION OF # 11.C., THE PRESENT SYSTEM

This is the current method. It is pseudo-democratic. It would be slightly better if used with the ranked ballot: Proposal # 12 below.

UNEARNED MAJORITIES

Under the present system, a party could get an unearned majority (a manufactured majority), as BC's NDP got in 1996.

The system rarely, if ever, gives an unearned majority to a party other than the 2 largest ones.

HARRY RANKIN

The late Harry Rankin, founder of Vancouver's currently ruling party, COPE, was the main person pushing for the "ward system" in Vancouver for about 30 years. The ward system is the civic equivalent to # 11.C., single-member-riding plurality.

I had a good conversation with Harry on electoral reform during his unsuccessful mayoral campaign. He finally admitted to me that proportional is better than a straight ward system.

But Harry was afraid of "changing horses midstream", of appearing to vacillate. And he thought that getting wards was easier--and better than nothing.

M.M.P. OR S.T.V.?

Either is good, as argued in the following sub-sections.

LOGIC

Opponents of pro-rep give plenty of *illogical* examples of how single-member ridings would be better, even with plurality. For instance, "You could go to your own MLA and get more help."

But what if that MLA is from another party? Half the time they would be. It's much better to go to the MLA who is most sympathetic to your particular viewpoint on an issue. For that, it's better to be able to choose among many than be "stuck" with one.

That works. One need not choose the one who lives closest.

FANTASY WORLD OF SMALL RIDINGS

Some small-riding advocates seem to be dreaming of a province with MLA offices in many little towns, where you can just drop in, and "where everyone knows your name", and the MLA you campaigned for, and helped elect, is there, eager and able to serve you.

In today's world, of course, much more of politics occurs by telephone and e-mail. MLAs are not going to be in such an office very often. The same with federal constituency offices. Most often those offices are occupied only by the official's staff. If you really want the MLA, you're going to need an appointment.

It is good to have MLAs go out into the neighbourhoods for public meetings and individual consultations. That happens to some extent now. It doesn't depend on having small ridings.

SAFE AND SWING RIDINGS

Single-member constituencies would be either *safe* for one party or liable to *swing* back and forth between parties, depending on the times.

If you're in a safe constituency represented by the ruling party, you might get the benefit of the "pork barrel". If not, tough luck.

Constituents of swing constituencies often get a lot of attention from the candidates at election time, but not necessarily after-ward.

CHEAPER TO CAMPAIGN IN SINGLE-MEMBER RIDINGS?

With single-member constituencies, a party takes all their money and breaks SOME of it down into constituency campaigns. But they still raise just as much money and spend it all, if needed.

Even with single-member constituencies, much of a party's campaign chest is spent on the overall provincial campaign: province-wide planning, co-ordination, advertising, and other campaigning. Few advertising media can tailor their coverage to reach only one urban constituency. (Just signs, mail, and leafleting, basically, can do that. Rarely newspapers. Never radio or telly.)

Each party tries, as much as possible, to elect their MLAs on the "coat-tails" of the party leader, whether she or he is elected or not.

COSTS FOR AN INDEPENDENT CANDIDATE

The only people who MIGHT benefit by such alleged campaign savings are very well-known and very widely-popular independent candidates. They, theoretically, might spend less and win. But probably not, in practise. And it would so rarely happen, anyway.

The parties would just pour more \$ into that riding to try to defeat the independent, raising the cost to the independent to compete and win.

So, as mentioned above, the amounts spent in each constituency certainly won't be equal--unless mandated by law. A party is not going to waste much money in a constituency which is safe for themselves or for another candidate.

MONEY POURS INTO SWING RIDINGS

Instead, they'll funnel as much as possible into the swing constituencies, which will be relatively few. So, in those swing constituencies, it will take MORE money to win. And it will take LESS to win a safe constituency. But, overall, for the parties: no significant difference or differential.

Few, if any, Independents get elected provincially or federally. (See "Non-partisan Elections", Part 4, # 1 below.)

KNOCK ON ALL THE DOORS?

Some argue, "But a riding candidate could knock on all the doors in a single-member riding, but not in a multi-member one."

Answer: Is that a successful tactic in the provincial or federal ridings? Not lately. Even for a small party, it's more effective to spend time raising money and trying to get attention in the media.

There are maybe 10 000 or 20 000 doors in a constituency. At a gruelling 50 doors a day average, that would take 200 to 400 days (~7 to 13 months). And much of the time there's no answer to the knock or doorbell.

Rural multi-member ridings, if contested by a few candidate from a party, could be covered by each of them concentrating on a portion of the territory.

WILL YOUR M.L.A. BE ON YOUR SIDE?

Another alleged advantage of single-member constituencies is that a constituent can go to their MLA to promote their interests. Presumably your neighbourhood MLA will have similar views and interests.

But it just ain't so, especially not if that MLA is from a different party than the constituent. The latter is better off finding the most sympathetic MLA, regardless of constituency or residence.

Single-member constituencies don't help in that way provincially or federally.

SAFE CANDIDATES

What kinds of people are elected? It depends in part on the electoral system.

Political science has demonstrated over decades that pro-rep elects officials who more broadly represent the electorate. That includes sex, race, religion, wealth, and political philosophy. So feminists ought to support pro-rep, as should every kind of minority. Which countries have the highest percentages of women in their governments? Statistically, the pro-rep countries by quite a good margin.

LABOURERS IN BUSINESS SUITS

It is ironic that single-member plurality districts tend to elect prosperous middle-aged heterosexual married professional White men in business suits, *even when electing someone from a workers' party!*

Is that because the worker's party is sexist, racist, etc.? Not necessarily. They might just figure that winning with a White male is better than losing with a non-White female, etc.

MATHEMATICAL SEXISM AND RACISM

What people often don't realize is that it is the system itself which is inherently prejudiced against women and minorities. That's because margins of victory are often thin, so that just a handful of sexist or racist voters can make you lose. That happens less in pro-rep systems for 3 reasons.

THE 3 REASONS

1. People with sexist and racist inclinations are a little more inclined to vote for a team which *includes* some women and non-Whites than to vote for their *only* representative to be, for instance, female or Filipino. (See the book *Electoral Systems in Comparative Perspective*, Part 6 below, and the Web sites listed.)

2. Pro-rep systems don't depend on a plurality to win. They allot seats proportionally, including to candidates and parties which cannot hope to get even as much as a plurality.

3. In pro-rep systems with lists (from the tops of which candidates are elected), the parties will, with a little pressure, probably agree to alternate male and female candidates (called "zippering"; see also Proposal # 20 below), or some such accommodation.

The argument here is not that only women and non-Whites can properly represent women, racial minorities, etc. But given our White male dominant history, voters concerned about that should be able to vote for those they believe will best address the problem, who might more often be women and non-Whites.

In a single-member constituency system without a compensating list ballot, they will not have a fair chance to do that.

EXPLANATION OF # 11.D., NONE OF THE ABOVE

The success of this option would open the public debate wide again.

SUMMARY OF CONSTITUENCIES CONSIDERATIONS

Even if someone cares only for their party and not for fairness, it's still in their interest just to create a completely fair, proportional system. Then they can concentrate on increasing the voter turn-out and on informing the voters better, which are both quite possible using the other innovative proposals in this list.

Indirectly, the rest of these proposals will help to do so, also, by helping to create a new, vibrant democratic culture, the likes of which has never been seen in Canada outside of the traditional indigenous cultures.

DIRECT COST of Proposal # 11.A.: No significant change.

DIRECT COST of Proposal # 11.B.: No cost unless more MLAs are approved, such as in Proposal # 14 raises the number; which see.

Proposed referendum question # 12. RANKED BALLOTS.

Each voter may rank the candidates--and other options--in order of preference, to elect those which are the most agreeable among all the voters. YES NO

EXPLANATION OF RANKED BALLOTS

A ranked ballot (or "ordinal ballot") is any ballot on which the voter may rank the options in order of their preference. That is, the voter simply numbers the options on their ballot.

To elect someone to fill an office, the options are candidates.

To decide a question, such as in a referendum or plebiscite question, the options are concepts. If there is more than one possible option, from which only one or a few of them must be chosen, a ranked ballot is useful. (Ranking is not needed if the question requires a simple "yes" or "no" answer.)

Since, in this proposal, the voter is not required to rank any particular number of the ballot options, this technically can be called "*optional* ranked voting". The voter may rank only one candidate (with a "1"), all of them ("1", "2", "3", etc.), or any number of them.

TYPES OF RANKED BALLOT

The most common type of ranked ballot is the preferential ballot. A new nick-name for the preferential ballot is "instant run-off voting" or "IRV". The nick-name is popular in the USA because they are more familiar there with run-off elections.

Other types of ranked ballot are mentioned at the end of this proposal.

"INSTANT RUN-OFF VOTING" WORKS LIKE RUN-OFF ELECTIONS, BUT INSTANTLY

Preferential voting for a single office is counted as an "instant run-off" election for a single office.

On the other hand, if it is for an election of more than one office-holder together, it's counted proportionally, and called STV, as in Proposal # 11.B. above.

For an example of the latter, a proportional count could have been used to elect members from the old dual ridings we had in BC a couple of decades ago. Instead, unfortunately, they used a plurality count back then. Another example is the multi-member ridings some presenters are suggesting as the method of pro-per which we should now institute in BC.

So a ranked ballot is one feature of single transferable voting (STV).

The effect is, in all these systems, that if a voter's favourites are losing, then further choices on that voter's ballot shall help determine the winners among the remaining contenders.

That's exactly what a voter naturally wants. Without that, they fear their vote will be "wasted".

INSTANT PROCEDURE

If no candidate wins on the first count of the ballots, the vote counters immediately transfer votes and count them again. The voters don't trek to the polls again on another day for a "run-off election", so the effect is "instant", that is, it happens the same evening after the polls close.

This method of counting the ballots has the same result as holding a series of run-off elections, but without having to re-open the polls on later days for each successive round of voting.

EXAMPLES OF RANKED BALLOTS

The ranked ballot is more common in the non-Anglo world. On the other hand, separate run-off elections are used instead in countries such as France and (more commonly) the USA.

If, in the first round of voting for the president of France, for instance, no candidate gets a majority, another election (the run-off) is held a couple of weeks later which pits the top candidates against each other. If it were even more fair, only one candidate would be dropped in each round of voting. You'd have a *series* of run-off elections until someone got a majority.

SAVE ON SHOE LEATHER

But that would be millions of people trekking to the polls every few days. That's a waste of time since a ranked ballot accomplishes all that easily in one day.

However, in a case such as at a convention to elect a party leader, where you have in a big hall a group of highly motivated voters who aren't giving up and going home, then having successive run-off elections is more fair than an instant run-off, possibly even better than any ranked ballot.

OTHER SUCCESSES OF RANKED BALLOTING

In the USA state of Vermont in 2002, 49 of 51 town meetings adopted the preferential ballot.

Also in 2002, San Francisco, California, re-adopted "instant run-off".

In Berkeley, California, 72% of voters supported a 2004 March 2 binding referendum which will require instant run-off elections. There was vigorous opposition in the local paper and by three city council members. See www.fairvote.org.

B.C. IN THE 1950s

Provincial BC elections used the preferential ballot twice in the 1950s. Dirty partisan politics got rid of it for the unfair advantage of the Social Credit Party.

SoCred Premier W.A.C. Bennett, who had been elected with the preferential ballot in 1951, later decided that his prospects were better without it, so he simply brought in a new law. I don't think there was a referendum to repeal the preferential ballot.

Because of that disgusting experience, many NDPers are still wary of electoral reform. However, what went wrong was not simply using new voting methods, but using them only when it suited those in power. Had Bennett been forced to keep the ranked ballot, we might have seen the NDP (then called the CCF) win some BC elections **before** their eventual break-through win in 1972.

Furthermore, that system used in BC in the 1950s was no where near an ideal system. A ranked ballot for a single-member riding has the advantage of producing a majority winner in each riding, but that won't ensure proportionality in the province as a whole. (To accomplish the latter, see Proposal # 10 above.)

WHY RANKED BALLOTS?

One may ask why we should "complicate" matters by using all those numbers instead of a simple X.

One reason is that the voter usually has second or third preferences which, if expressed, could make the results much fairer and more empowering and satisfying to the voter.

So, in a sense, it's actually more "complicated" to frustrate the voter by not allowing them to express all their preferences.

"WASTED" VOTES

Most plurality elections (as we have throughout Canada), if they include more than 2 candidates per seat to be filled, are ruined by the "wasted vote syndrome" and the "lesser of 2 evils dilemma".

That is, many a voter is wary of voting for the candidate they think is the best because they think that candidate has little chance of winning. So they vote for their least despised among the 2 "leading" candidates.

WHO SAYS WHO'S LEADING?

But how does a voter know which candidates have the best chances of winning--which are "leading"? Most people rely on the media, private polls, and rumour.

The richer candidates usually manipulate the media and those polls. So they, in effect, steal the election.

When you, your family, your friends, or your allies *own* the media, it is a lot easier to manipulate.

Polls, even if not overtly manipulated, still tally how people expect to vote **based on** their choosing the lesser of the 2 evils.

To be really fair and democratic, a pollster would ask, "Who is your favourite candidate, regardless of their chances of winning?" Then the pollster would ask, "Who is your SECOND favourite . . . ?", etc.

PERCEPTION OF WASTED VOTE

But in reality, when the voter actually votes, if their choice doesn't place in the top 2, the voter might think that their vote was completely wasted.

Their vote elected no one. Even worse, the voter thinks that if they had voted for a candidate with a better chance, they might have prevented one of their least favourite ones from winning.

ALLEGEDLY STRATEGIC VOTING

That thinking process is alleged to be "strategic". It's called that by political scientists.

In that so-called strategic voting, the voter prides herself on choosing the best of the 2 candidates expected to come in first and second. Those 2, if not including the voter's favourite, are therefore the "2 evils" and the voter chooses the one which is *less* evil. By choosing "the lesser of 2 evils", they figure that they have voted as cleverly as possible.

There are many reasons that such "strategic" voting is actually self-defeating, self-perpetuating, and manipulated. Some are rather obvious. But rather than explain all that, let's be content here with knowing that voters are pretty disgusted with being put into that position. They yearn to vote for the best, not the less evil.

POSSIBILITY OF A "DARK HORSE"

A "dark horse" candidate is one which unexpectedly wins. (As in horse racing.)

Voters would much rather rank their ballot so they'd have the possibility of electing a favourite "dark horse". Then their vote would be transferred to their next choices if their favourite lost. A vote transferred is a vote which still has an effect. It isn't lost or wasted in any way.

John Anderson of the Center for Voting and Democracy, says, "Fortunately, there's a solution, one already practiced for top offices in London, Ireland and Australia and in Utah and California for key elections: instant runoff voting. Any [USA] state could adopt this simple reform immediately for all federal elections, including the presidential race. There has been legislation backing instant runoff voting in nearly two dozen states, and former presidential candidates Howard Dean [Democrat from Vermont] and John McCain [Republican from Arizona] advocate the system."

STAYING HOME INSTEAD OF "HOLDING YOUR NOSE" AND VOTING

Much of the abstention from voting is based on the widespread contempt for the system that allows nothing more innovative or effective than a single X. A great many people know of no better system, but now that the provincial Citizens' Assembly is working, many more are sure to learn of efforts around the world to improve voting systems.

MORE CHOICES THAN LISTED

Voters sometimes feel frustrated or angry with the range of candidates who manage to "jump the hoops" and get onto the ballot. Likewise for referendum options.

Let's add to the ballots 2 methods of further empowering the voters. Let the voter:

1. Reject all the stated choices, such as voting for "none of the above". Ballots include that option in the state of Nevada.

2. Vote for an option not on the ballot. The voter writes a new candidate's name (or a referendum option) right onto the ballot. That is called a "write in". I believe that "write-in" candidates have been elected in some places.

One advantage of this plan is to allow candidates to stand if the established government has made it too difficult to qualify to get on the ballot. Of course, the person would have to be eligible to hold the office.

CONDORCET OR MEEK'S BETTER?

Debate continues about what is the fairest way to count a ranked ballot. That discussion must not stop us from going in the right direction.

I recently found a Web publication which argues persuasively that the Condorcet count is more effective than a preferential count. It is said to eliminate the "spoiler effect".

That analysis is by the Election Methods Education and Research Group (EMERG), founded by Russ Paielli and Mike Ossipoff. Please see <http://electionmethods.org/IRVproblems.htm> . Mike Ossipoff is their expert on election methods: nkklrp@Hotmail.com or ossipoff2002@Yahoo.com .

However, once we have any form of ranked ballot, it is relatively easy to change the method of counting it.

Meek's formula is mentioned in the Vancouver Electoral Reform report (page 91, footnote 105).

GRADE 9 LESSON

This whole discussion of "strategic" voting reminds me of when I was in grade 9 in 1962. I learned then about pseudo-democratic voting.

One day, without previous notice, the teacher said that there was a school-wide poll to see which student was the most popular. He then passed out ballots and blithely read us the instructions: "Vote for the nominee you think is the most popular."!

Even way back then, it seemed obvious to me that the one I perceived as the most popular wasn't necessarily the one I personally liked the most. So why should I vote for someone else's favourite?

That's like voting for one of the 2 candidates the media has convinced us are the "leading", "serious" candidates.

DIRECT COST of Proposal # 12: About the same as in Proposal # 10 above.

Proposed referendum question # **13**. MORE ELECTED POSITIONS.

Choose which provincial offices the voters shall fill separately:

- A. Premier. YES NO
- B. Each other cabinet member YES NO
- C. Democracy Commissioner YES NO
- D. Auditor. YES NO
- E. Ombuds. YES NO
- F. Court Jester. YES NO

EXPLANATION OF THE PRINCIPLE

At present, no official is elected by the people of the whole province. The premier is chosen by the lieutenant governor and vice versa. Most of the others are chosen by the premier.

One of the main principles here is that more officials should be elected instead of appointed, which then will make them more responsible and responsive.

Electing more positions means the people can vote for candidates based more on specific areas of responsibility and thus hold them more accountable on those topics.

Persons are more likely to be candidates who specialize in the field. That is good.

If we vote for someone now as MLA in order to accomplish a certain goal, such as stopping the export of raw logs or cants, they probably won't be able to do so. They probably won't be the forestry minister, or if they are, they must please the premier or be fired.

This plan lets the voter choose specialists to work in their areas of expertise and commitment.

Also, with this plan, the same person shall not serve in 2 positions at the same time, such as MLA and Premier.

Another huge advantage of these separate positions is that political power is diffused over more officials. Now all the power is concentrated in the provincial premier, who can rule like a tyrant until overthrown by the voters or by his/her party. That is a common feature in patriarchy: top dogs unwilling to share power.

The situation of single powerful leaders leads them to spend a lot of time fending off challengers. The premier is vulnerable, and so tends to turn to wealthy corporations for protection.

FURTHER EXPLANATION FOR EACH CASE

13.A. and B. Premier and each other cabinet member (mostly heads of ministries).

Passing this would change the "Westminster" form of government: beyond the assembly's mandate. But the assembly could still recommend it in addition to their main decisions.

If both A. and B. are instituted, there would be little need for a lieutenant governor, so that position could be abolished.

With A. and B., the cabinet and the legislature will be separate. That would greatly diminish "party discipline". It would enable the whole legislature to concentrate on writing laws and let the cabinet concentrate on executing them.

No longer would there be frustrated and nearly powerless "back-benchers". Since no MLAs would be in the cabinet, they'd be more equal. One's MLAs individually could do more.

NORTH AMERICAN HISTORY OF SEPARATE EXECUTIVES

Historically, the framers of the USA Constitution separated the legislative function from the executive function, as A. and B. do.

But those men didn't dream up the idea. I understand that they got it from the Iroquois Confederacy, also known as the 6-Nations Confederacy. That union of nations straddled the Canada-USA border.

Those First Nations were mainly matriarchal. The clan matriarchs (wise elder mothers and grandmothers) confederated their 6 nations in order to have relatively more peace and prosperity internally, something patriarchies are less likely to do.

The women had the role of being the wise decision-makers (legislators), while the men mostly followed the mothers' directions. That is, the men were executives in the strict meaning of the word: they executed the rules and decisions. They exercised their judgement to do so, but were not rulers.

MATRIARCHS LEFT OUT

Now when the USAmericans borrowed that plan, they left out the women altogether. Males were both the legislators and the executives. So instead of peace and prosperity, they got expansionist wars and an escalating poverty-wealthy class system.

Canada never separated the legislative and executive functions in government. Thus we still have Britain's "Westminster" system. It has been, nonetheless, totally patriarchal until recent slight gains by women. And similar to the USA Empire, the British Empire was brutal and wealth-class-based.

This plan separates the functions, and, with Proposal # 20 below, brings the women in as equals. That wouldn't re-establish a matriarchy, but it keeps us from continuing the our current extreme of male dominance.

In this plan, separately elected cabinet ministers could be from different parties or even be independents. So a voter could "mix and match" instead of being forced into supporting one party "warts and all".

13.C. Democracy Commissioner. This proposed new official would:

1. Chair any new citizens' assemblies, as in Proposal # 21 below.
2. Continue year-round the critical work started by the present Citizens' Assembly on Electoral Reform.
3. Study how our constitutional, democratic, and electoral systems work in practice.
4. Study systems and cases around the world.
5. Promote improvement and innovation.
6. Consult with and inform the public.

Without someone elected and paid to do this job, those paramount issues will tend to be marginalized, forgotten, and neglected. Politicians will see to that, since they usually oppose democratic improvement. That's why in modern times there has never been a randomly selected assembly anywhere like the present one.

If Proposal # 21 (below) fails, then it is even more important to elect a democracy commissioner.

13.D. Auditor. This official shall expose waste, inefficiency, corruption, theft, and other mismanagement of public money, as well as give credit publicly for jobs done well.

Unlike the federal or provincial auditors at present, though, being elected specifically to this office would make this official even more independent and effective.

The auditor shall notify provincial officials immediately of any financial defects found. If not corrected, the auditor shall issue public statements without delay.

In effect, the auditor's actions reduce a government's abuse of power and increase the fairness and efficiency of the whole governing apparatus.

For years, the BC provincial auditor has done fairly well, considering the serious handicap of being (an allegedly non-political) political appointee.

To have an auditor appointed by those she or he is supposed to criticize is obviously a conflict of interest. That is a problem for the public good and for public knowledge.

The voters of Portland, Oregon, elect their auditor. The voters of California elect a financial comptroller.

13.E. Ombuds. An Ombuds is an important innovation from Scandinavia. This person acts as a mediator between the government and individual members of the public who believe they have been wronged by it in some particular case. Most of the arguments for an elected auditor (above) apply to this job, too.

13.F. Court Jester. The official Court Jester of BC shall have the rights and duties in the Legislative Assembly similar to a traditional medieval court jester. The jester would be able to attend all public meetings of the provincial government, including its branches and crown (clown?) corporations. The jester may be invited also into closed meetings.

The jester could speak (or sing, etc.) in turn, as if a member of any body.

A jester is charged with making courageous comments similar to the child in the fairy tale saying, "But the emperor isn't wearing any clothes!"

Though the jester could interject the occasional joke or jibe, she or he would not be allowed to slow a meeting's business unduly.

The jester could poke fun at those who get too conceited and contradictory. Also, the jester could criticize ineffective systems. The job would be also simply to keep people from getting too bored.

ASTRONOMICAL WAGES!

The jester would be paid, not a salary, but hourly wages of 15 \$ per hour, maximum 40 hours in a week. $15 \$ \times 40 \text{ hours} \times 50 \text{ weeks} = 30\,000 \$ / \text{year}$. The jester could clock in for:

1. Attending meetings.
2. Consulting with constituents about government matters.
3. Lobbying.
4. Publicly performing, etc.

The jester would also be paid travel expenses and benefits equal to an MLA's. The jester would not, however, be paid for preparation time.

JESTER PRECEDENTS

Vancouver had a very popular Town Fool around 1970, a fellow named Joachim Foikus, now of Lasqueti Island, BC, I hear. He got the position by applying for and getting a Canada Council grant under the federal Liberal government. The position was not, unfortunately, elected.

In March, I proposed reviving the position of Town Fool to the Vancouver Electoral Reform Commission, but its report ignored the idea. No sense of humour?

Vancouver has an entire Fools' Society, who promote the annual April Fool's Day Parade on or around April 1. (See Part 6, then under "City of Vancouver", below.)

Politics has been considerably lacking in fun and humour since the decline of the Rhinoceros Party.

Arizona has an Official State Liar (unless that's a lie!).

People would enjoy electing some of the funniest, wisest, and/or most "foolish" citizens of BC as Court Jesters. BC has many first-class professional comedians who might like the gig. Or maybe we can get some homeless people off the streets. Or find the true calling of some of our disgraced ex-politicians.

JESTERS DEBATING

The candidate debates for Court Jester would be the most fun, and maybe the most popular. That would draw attention to politics, especially among young people and other disaffected groups.

If making politics more honest and a little more light-hearted can make it more engaging to more people, then it's worth it.

We who are already interested in politics mustn't take ourselves too seriously or look down on people with more "mundane" tastes.

Some who were horrified by this idea will begin to see the practical merit of such a political device. It worked for royal courts to have jesters. It can work for us.

The Court Jester and (Vancouver's proposed) Town Fool are not to be confused with Vancouver's "Minister of Fun", whose job is completely different.

In Vancouver, the 1999 drive for "beer parlour candidates" for mayor was an expression of people's natural desire to point out all the many absurdities in politics. Though embarrassing to officials, it was overall a healthy exercise (though beer isn't).

Rather than trying to stamp out such continually arising "brush fires" of public discontent, why not channel that sprightly energy into the institution of the Court Jester?

See also arguments for joke candidates in Part 4, # 5 below.

1-YEAR TERMS FOR JESTERS

Each elected Court Jester shall serve a term of only one year. So if the provincial elections remain 4 years apart, 4 different Court Jesters shall be elected all at once to enlighten each 4-year legislative assembly.

The method of election shall be electing the 4 jesters by proportional representation, with a ranked ballot.

The most popular Court Jester (according to the election tallies) shall have the choice of which 1-year term to serve (of the 4). The second most popular shall then pick the term of their choice, etc.

One person may not serve 2 consecutive terms. However, a person may serve non-consecutive terms.

For each 4-year period, 2 women and 2 men shall be elected.

If a general election occurs before the end of a normal 4-year term, the previously elected jesters will continue to serve their one-year terms until those terms finish. That early general election shall elect new jesters to begin after those previous terms finish, but only enough jesters to take us to the next general election.

If one of the Jesters doesn't complete their term, we needn't waste money on a by-election and needn't use the process in Proposal # 19 below. The official opposition in the legislature can simply appoint one of the others to fill in.

A TRADITION OF PROTEST

Robert Persson of Vancouver wrote to me this month:

... "Joke" candidates belong to a tradition of mockery going back to the mediaeval European carnival. The fool as king never gets to rule beyond the holiday on which he is crowned, but the mere fact of his coronation challenges the legitimacy of the real king.

There is a tradition in Latin America of putting up animals as protest candidates. This is a serious business. A goat was assassinated once in Columbia. The mayor of Rio [Brasil] declared a day of mourning upon the death of a much-loved chimpanzee who had once stood against him.

In Britain, [Prime Minister] Thatcher raised the deposits required from electoral candidates. This not only froze out the carnival candidates, but it also got rid of the Marxists, Greens and others, in a lot of places. This continued under Blair. The last time I voted in Britain I had no-one to vote for, so I made my own mockery by putting on a silly hat and taking 10 minutes to spoil my ballot paper with my son's farmyard stickers and coloured pens. And then I discovered that Blair had changed the law so that spoiled ballots were not counted.

In Australia, John Howard's government has banned candidates with "frivolous" names.

*Both Howard and Blair defend these measures as necessary to protect the dignity of the democratic process. But who is truly mocking democracy? Is it the Dadaists? Or is it those self-serving a*****s with the saccharine slogans and the fancy suits?*

If a political process cannot hold its head up to the challenge posed by the carnival candidates, then it cannot claim legitimacy, no matter how many puffed up and sanctimonious airs are put on by its apparatchiks. Carnival candidates allow people to focus their dissent and are therefore essential for democracy.

*If you don't believe me, then I recommend you take a look at **Rabelais and His World** by Mikhail Bakhtin and **Cities of the Dead** by Joseph Roach.*

MEDIA COVERAGE

The main immediate advantage to this assembly of supporting a Court Jester proposal will be to increase media coverage of the assembly's report and of subsequent provincial action.

So far, the media isn't finding electoral reform to be "sexy" enough or controversial enough to cover it as much as it deserves.

(To the federal Parliament, I shall propose similarly that Canada elect Laugh Laureates or maybe Comic Commissars.)

DIRECT COST of Proposals # 13.A. to E.: A bit more money to run the election. No increase in direct cost when the elected official is replacing an appointee who is paid already. When not replacing an appointee, the new additional salaries and support costs would be similar to those paid now for others. Maybe 100 000 \$ each annually, or ~3 cents per BC resident.

DIRECT COST of Proposals # 13.F.: For wages, maximum 30 000 \$ / year. That is less than one cent per BC resident per year. Also, expenses and benefits like an MLA.

INDIRECT SAVINGS: The auditor's less fettered recommendations could very well lead to the province saving many millions of dollars. The ombuds' actions, too, could save millions. Likewise, all these people being elected could indirectly save money, misery, and lives.

Proposed referendum question # 14.

NUMBER OF MEMBERS OF THE LEGISLATIVE ASSEMBLY OF B.C.

A. Regular members. *We have been electing 79 members to the legislature. Vote for how many we shall elect in the future, from 79 to 158:*

□□□□

(The result shall be the median of all the numbers voted for. In other words, half the voters will have chosen the same number or a LARGER number, while the other half will have chosen the same number or a SMALLER number. That method is also used in Proposal # 16 below.)

B. Rural bonus members. **In sparsely populated areas, allow more electoral districts, each with less land and fewer people. Each of their members of the legislative assembly may cast relatively fewer votes in the legislature. YES NO**

EXPLANATION OF # 14.A., REGULAR MEMBERS

A larger legislature would allow the MLAs to specialize more and become more expert in some of the complex problems of the province.

Likewise, giving some of the responsibilities to an elected cabinet, etc. (as in Proposal # 13.B. above), would also enable the legislature to concentrate on fewer responsibilities and do them better--and with more accountability to the public. So, if # 13 above passes, a larger legislature is less needed.

A vote for a number less than 79 or more than 158 shall be counted as those numbers, respectively.

In the very unlikely case of a tie, the lower number shall prevail.

NO FUDGING THE AVERAGE! (for those who like arithmetic)

A *median average* is used partly because it is a fudge-resistant method, unlike the *mean average*.

What's "fudging"? Let's say a *mean average* were being used instead. That means you add all the numbers and divide them by the number of numbers.

For example, the mean average of 79, 80, 100, 120, and 121 = 500 (their sum) divided by 5 (the number of numbers added) = 100.

Then, if someone wanted to unfairly push the vote up to a higher result they could vote for a number higher than they really favoured in order to raise the mean average.

In that example, the fudger, say the one who voted for 121, might vote instead for 158. Then the mean average would be 537 divided by 5 = 107.4, which is rounded off to 107.

Anyway, such a tactic doesn't have much effect with a median vote. The median of those same numbers before fudging is 100 and after fudging is still 100.

That scheme can backfire, though: If enough people do fudge in one direction like that, the public gets a number lower or higher than the schemers really wanted.

The People's Report by ThinkCity (Vancouver) also uses the *median average* method of calculation. (2004 April 7, pp. 12+, questions 1, 7, and 9, www.thinkcity.ca/Think_Democracy_Final_Report.pdf).

EXPLANATION OF # 14.B., RURAL BONUS MEMBERS

The Citizens' Assembly on Electoral Reform has a tough job trying to limit the physical size of the northern ridings without giving them votes in the legislature beyond what they deserve. That's assuming that their votes should not be worth more than other BCers' votes.

Some problems with ridings which include very much territory:

1. Candidates and MLAs have more expense and trouble reaching all the voters for campaigning, consultations, direct help, and just seeing how they're doing.
2. The interests of people in various parts of the riding might vary more, although not necessarily.

WEIGHTED VOTING

The easiest solution is this kind of weighted voting. Divide an overly large riding into 2 or more ridings. Elect an MLA from each riding, whether low or high population. Their votes in the house vary, though, according to their riding's number of people.

To let each of them have a vote in the legislative assembly equal to the vote of each urban MLA is not fair. That happens too much now.

Some have argued that because the people out in the wilderness are "taking care of" more land, they need to have a higher voting strength per person. That is undemocratic, though. Please reject that. There are better ways.

IT WON'T HURT TO ASK

Assembly members, please tell the government that you just can't do your assignment well without something modest and reasonable like # 14.

You can say that you can't bear to let this one little stumbling block ruin your whole plan. They should really understand, since this problem has been plaguing the legislature for generations. Otherwise, we'll have northern ridings too large and the blame will rightfully be on the government.

We could instead, for instance, have 9 northern and interior ridings, each with half the population of each of the rest of the ridings. Then let each northern MLA have one vote in the legislature and let each other MLA have 2 votes.

Or create 3 or more tiers of voting strength. Some fictitious examples:

Urban riding "X", population 80 000: their MLA casts 4 votes in the house.

Rural riding "Y", population 40 000: their MLA casts 2 votes in the house.

Wilderness riding "Z", population 20 000: their MLA casts one vote in the house.

With this method, we can fix our ridiculous riding boundaries. For example, the city of Prince George is carved up and put into 3 enormous ridings.

DIRECT COST of Proposal # 14: If more MLAs are approved, the cost of salaries, offices, and support staff for them.

People often talk as if they are being bled dry to pay politicians. They don't understand that, while governments spend a lot, the actual expenses for the politicians are quite trivial in comparison. An extra 10 MLAs, at around 200 000 each per year, including their staffs and expenses, might cost each of the 4 million residents of BC an extra 50 cents.

Nevertheless, we can expect opponents to insinuate that a huge chunk of the government budget goes to pay politicians.

Proposed referendum question # 15. PAPER BACK-UP BALLOTS.

The public's votes shall be on paper, or be printed onto paper, so a voter can check them immediately (and later, the vote-counters can). YES NO

EXPLANATION

A "paper trail" is needed to prevent fraud and mistakes. It's also so the counts can be checked again later for accuracy by a re-count judge, etc.

There don't seem to have been any serious electronic vote fraud or errors lately here in BC. Nevertheless, the stories from the USA are indeed horrifying. Let's prevent even a hint of such crimes and errors here.

Most computer experts and users are nowhere near the point of trusting the systems or the people running them. Everything important on a computer should be "backed up" onto paper. Our votes are no less important.

PROGRESS DUE SOUTH

Here is an excerpt as of 2003 October 26 from the Green Party of the USA's <http://gp.org/greensweek/index.html> :

MARYLAND: Greens are leading the Campaign for Verifiable Voting in Maryland, an initiative to ensure the integrity of elections by verifying electronic votes through an independent paper audit trail. The Campaign sites numerous examples of flawed and manipulated voting through the use of electronic voting machines, and demands a paper verification for audits and recounts. On July 23, Johns Hopkins and Rice University announced research showing that Diebold voting machines, to be installed by the state of Maryland, could be tampered with, make errors, or fail to count votes. More: Kevin Zeese and Linda Schade, 301-270-6150, <http://www.TrueVoteMD.org> .

Diebold is owned by members of the Republican Party.

California has just recently required the same paper record I am recommending. See "E-Votes Must Leave a Paper Trail", 2003 Nov. 21, *truthout* | 11.24 www.truthout.org/docs_03/112403J.shtml . Almost the same: www.wired.com/news/evote/0,2645,61334,00.html?tw=wn_tophead_1 .

INTERNET VOTING VIOLATES THE SECRET BALLOT

Many people around the world are getting excited by the prospect of voting on the Internet. It's being done in some places. While "Web" voting definitely has appeal, there are huge snags.

INTERNET HORRORS

The Internet is not private and secure, and probably won't be in our lifetimes.

"Hackers" can and will break into any Internet system and see how you voted. Even a system which seems very secure today could very well be hacked 5 years from now (when hacking is even more sophisticated). Then they will see how you voted today. They could publish it. There is no such thing as "destroying the ballots after an election" to prevent that.

NON-ELECTRONIC VIOLATION OF SECRECY

Also, though, the courts should strike down Internet voting as a violation of the secret ballot in another, quite different, way.

While I was volunteering several times as a party scrutineer at the polls, one of our frequent problems was people trying to enter the polling booths in pairs.

That is allowed only with special permission, such as a disabled person unable to mark the ballot without help.

Otherwise it is illegal because that's not a secret ballot. One person could intimidate the other into voting a certain way. Even married couples deserve to be free of such intimidation. It is wrong for one spouse to watch the other spouse vote, even if one is disabled. (Pick a neutral person in that case.)

Many would counter-argue, if they hadn't thought too deeply, "Oh, but there's no problem with us as a married couple. Neither of us would dominate the other like that."

Maybe so, but how are the poll officials to know if they are telling the truth? One spouse could beforehand intimidate the other to claim that there was no force. It's a safer policy just to vote alone.

So, also because it might not be done alone, Internet voting is not a secret ballot.

BUYING OR INFLUENCING VOTES

Another election corruption is someone watching you mark your ballot and then paying you if you've voted a certain way. That can happen in one's home or at a library computer terminal, etc.

Voting caused a scandal at a university where voting for student council is on the Internet. Candidates and their supporters reportedly walked around in the student dormitories and "helped" people to vote on their personal computers in their little rooms who weren't sure how to do it. Maybe no one was influenced how to vote, but why take the risk? That's why it was a scandal.

Maybe someday there will be no more corruption, no spousal mistreatment, no crime, no selfishness, no naivete, etc. But by that glorious day there won't be any need for elections or government.

In the meantime, if people are voting at home or in a library on a computer, who's going to ensure that someone else isn't watching? No one. Hiring election officials to go to each house and Internet station to ensure a secret ballot would be ridiculously expensive and far more trouble than voters simply going out to the polls.

Besides, the main argument for Internet voting is that it would increase the voter turn-out. In that respect, though, Internet voting would fall far short of my proposal of the Voter Tax Rebate, which could probably achieve 98% turn-out. (See Proposal # 6; also Proposals # 5 and 7.)

ABSENTEE VOTING and ADVANCE POLLS

Yes, in some jurisdictions now, people may vote by mail: the "absentee ballot" or "mail ballot". However, in order to protect the secret ballot generally, mail voting must be restricted to extreme cases where poll voting is unreasonably difficult, such as someone working in an isolated lighthouse.

Mail ballots have all the secrecy problems of Internet voting at home or on a public terminal. They have further problems with ballots found or stolen by people other than the addressee. The Vancouver Electoral Reform Commission report talks about apartment lobbies littered with voting cards (page 113, paragraph 2). Also, mail can get lost to and from Elections BC (see same report, page 112.).

Rather than allowing absentee voting to increase, as it is now doing, we must promote instead the model used in Vancouver called advance polls. People who think they might be unable to vote on voting day may go to special polls to vote before the regular voting day. That method is getting more and more popular with the citizens. And it is indeed a secret ballot because no one is allowed to follow you into the polling booth at a special poll, which is just like a regular one, but earlier.

We could even set up a special poll in Maui so that BCers on holidays there could vote. People from BC in the Canadian military should have special polls, too, wherever they are stationed.

VOTING EQUIPMENT

AccuPoll (<http://fairvote.org/administration/accupoll.htm>), a major new voting equipment company with a touch-screen system with a voter verified paper trail, has announced that it will be able to run ranked-choice voting elections like IRV at no extra cost by 2005.

DIRECT COST of Proposal # 15: Maybe 500 \$ per voting machine, plus paper. Maybe an additional 2 to 4 cents per ballot = 20 000 to 40 000 \$.

For revenue suggestions, see Proposal # 6, Green taxes, above.

Proposed referendum question # 16. YOUTH DEMOCRACY.

Currently, the minimum voting age is 18 years old. For School Board elections only, mark below what should be the voting age.

Write a number from 12 to 18:

(The result shall be the median, the method used in Proposal # 14.A. above. See explanation of median there.)

EXPLANATION OF YOUTH DEMOCRACY

Here's a great way to train the next generation in democracy and simultaneously improve the school boards. This will expose the trustees to the group most affected by policy. Also, this will give trustees more clout in dealing with other levels of government.

Many countries have lower voting ages for all elections. In Nicaragua, the age is 16. Also, youths of 14 and 15 staff the polls there, the last I heard.

Votes larger than 18 shall be counted as 18. Votes smaller than 12 shall be counted as 12.

In the very unlikely case of a tie on this question, the larger number shall prevail. (Thus, the age is lowered to a certain number only if more than half the voters vote to do so.)

The lists of minor voters shall not be public. Organize the lists and the voting in the schools.

EXCEPTION FOR FINES or REBATES

If minors are voting, they are not eligible for rebates or fines, as in Proposal # 6.

Reasons:

1. Some people would fail to vote for this youth enfranchisement proposal because, the voters might think (accurately or not), that youth might be more tempted to vote just to

get the money and would be less ethical, on average, than adults about first learning the issues, etc.

2. We don't want to push young people to express their own preferences before they are ready.
3. Adults might cajole their children into voting in order to receive the rebate money into the family.
4. Young people, on average, can less easily pay fines.
5. This is an experiment which can be altered later.

DIRECT COST of Proposal # 16: Staff time to register the extra voters and count their ballots. Very affordable.

INDIRECT SAVINGS of Proposal # 16: As student rebellion is channeled into constructive politics, the costs of youth crime and alienation will be reduced.

Proposed referendum question # 17. THE INITIATIVE.

A petition of 5% of the registered voters from anywhere in BC, which may be circulated for 3 years, shall initiate a binding referendum on the proposal in the next election. YES NO

The Province of British Columbia has already enacted an initiative process in the Recall and Initiative Act of 1995. This proposal now shall revise it to make it fair, reasonable, and workable.

FEAR OF "MOB RULE"

There is a myth that "the people" need to be protected from themselves. It's feared we could have "too much" democracy and we'll get, for an extreme example, mobs guillotining everyone they don't like.

There are many possible faults of democracy which cause abuses, but too much informed input from citizens is not one of them.

Referenda, it is feared by some, would lead to such things as legal executions in Canada. Private polls, we're told, indicate that Canadians want to bring back the death penalty.

But those polls measure opinion in the absence of debating an actual upcoming referendum. Those polls might not reflect what would happen after all the following democratic reforms increase voter wisdom and increase voter turn-out.

Look at real places. California referenda have supported the death penalty. But Switzerland, which is much more democratic overall, and which has a much better developed referendum system, has no death penalty.

In fact, in all the pro-rep countries there might not be even one which executes its prisoners. That's most countries that vote at all.

The truth is that only pseudo-democracy encourages irrational "mob rule". True democracy includes provisions as in this submission which create rational results.

LET THE WISEST DECIDE?

For centuries, arguments have been made that we can't trust the general public. For a long time, they wouldn't let anyone vote but the "wisest", most "responsible" class: white male property-owning adults. But that was just an excuse to let that class run things for their own benefit.

In the last century, in the southern USA, there were poll taxes and literacy tests--supposedly to let only the wiser, more responsible, more intelligent, more informed voters rule. That was clearly an excuse to keep Blacks dis-empowered.

Canada, too, had racist voting restrictions--all theoretically to prevent "mob rule". They didn't want to empower people who would just vote for their own "selfish" interests, unlike the altruistic aristocrats and other decent folks!

PROCEDURE

The resulting referendum shall be for a law or resolution (needing a majority vote to pass) or to amend the (proposed) provincial constitution (needing a 3/5 vote).

Petitions must be submitted by 90 days before an election to be voted on then.

Only registered voters may sign the petition. However, petitioners may register eligible persons on the spot.

Neither such a law nor such an amendment, after enacted, shall be repealed or modified, except by another referendum.

The provincial government can already initiate a non-binding referendum by itself, which shall not be changed by these proposals.

REMEDY BROKEN PROMISES

Many people are discouraged and rightfully angry that, once elected, officials often get away with breaking their promises or with coming up with surprise horrors. The initiative is a democratic check on that power. That's why it must be binding, too.

See also Campaign Promises, Proposal # 2 above.

A 5% HURDLE IS MORE REASONABLE

Why lower the hurdle from 10% to 5%? The latter is a common number used in Europe and elsewhere.

So far, every provincial initiative has fallen far short of the required 10%. The closest one was the one on pro-rep from Adriane Carr in 2002. It got nearly half the needed support.

OTHER RULES HINDER THE PUBLIC WILL

The democratic possibilities of our current initiative law are crippled by overly high hurdles, which were put in intentionally.

For instance, a great number of signatures (10%) must be collected in every single riding. That is ridiculous. Why should the opposition of the people in only one riding be able to veto an initiative that the other 78 ridings want?

The too-short time limits for collecting signatures serve no purpose other than to frustrate the public will. Instead, three years shall be allowed, not 3 months.

Also, this proposal shall repeal the silly prohibitions on partisan involvement in such initiatives. That rule prevented the Green Party from petitioning. Their leader, Adriane Carr, was allowed to head the petition drive, though. That's a pointless distinction.

Furthermore, as the current initiative law is written, even if a resulting referendum passed by 80% or 90% or more, the government still would not be obliged to enact it.

GOING OVERBOARD FOR REFERENDA

Many are suggesting various schemes for the public to continually vote on issues coming up before the legislature, or to tell their MLA how to vote on many bills. Many people envision that plan to be on the Internet or by telephone.

Those ideas, though well-intentioned, are flawed. Let's try this more modest proposal and see what happens. Reasons:

1. Internet voting and telephone voting are not secret. (As discussed in Proposal # 15 above.) They are also too impersonal. It's better to have people petitioning in person.
2. The voter could be overloaded with research and decisions, many of them complex. With the initiative process, on the other hand, only those proposals with great public interest and support, after thorough public debate, are put to a public vote.
3. The voter needs time to study, contemplate, discuss, follow media reports, watch television debates, etc., on each proposal.
4. Low voter turn-out with too-frequent voting. Better to let the initiative process put proposals onto the ballot during a general election, when people are showing up at the polls anyway.

DIRECT COST of Proposal # 17: Staff time to check the signatures and count the ballots, if any. Minimal cost.

Proposed referendum question # 18. RECALL.

A. A SINGLY ELECTED OFFICIAL. As now, a petition initiates the process. The petitioning period shall be 3 years. Then the official shall be tried before a centi-jury. The jury may, by a 3/4 vote, remove the person from office. YES NO

B. AN OFFICIAL ELECTED BY A PROPORTIONAL METHOD. As above, but with a 50% petition, and only for dereliction of duty, and only with the agreement of the nominating people. YES NO

EXPLANATION OF RECALL

The Province of British Columbia already has a "recall" process in the Recall and Initiative Act of 1995. This proposal shall make it reasonable and workable.

The current law is so severe that the needed signatures have been gathered only once to trigger an election to remove an MLA. (The Liberal member from Parksville resigned before the process could go further. Another Liberal won the by-election.)

This proposal would leave the number of signatures needed at 40%, but increase the period for collecting them, which is unnecessarily difficult.

Like the other proposals in this submission, this is also too important to be left as a regular law. It, too, should be in a provincial constitution (see Proposal # 9 above).

This proposal suggests juries instead of by-elections for various reasons, as in Proposal # 19 below.

THE RECALL PROCEDURE

The petition shall state the specific charges. Petitions could circulate from 30 days after an election to one year before the next scheduled one.

For an official elected in a constituency, the petitioners and jurors shall come only from that constituency. For an official elected province-wide (as in Proposal # 13 above), the petitioners and jurors shall come from the whole province.

Hold a live-televised trial, lasting up to 25 hours. Allow subpoenas. Swear in and examine witnesses; etc.

However, the official need not attend or participate in the trial.

If acquitted, the official shall be immune from recall for 10 years. On the other hand, a conviction shall never prevent them from standing for any office and shall never subject them to any other punishment or sentence.

CENTI-JURIES

Potential jurors shall be chosen at random from the voters' list until 100 agree to serve. They hold public hearings, deliberate, and then vote by secret ballot.

Employers shall, by law, grant (paid or unpaid) leave to people to serve on a centi-jury, as for criminal court juries.

As in BC's new Citizens' Assembly, half the members of a centi-jury are male and half are female. Candidates and serving elected officials are ineligible. Differently, though, all other eligible voters could serve, including past candidates and party officials.

All that (except for the size of jury) applies also to the juries in Proposals # 1 and 19.

A. RECALL AN OFFICIAL ELECTED AS A SINGLE WINNER TO A SINGLE POST.

This category includes each official who singly represents a constituency (as MLAs do now) or who singly represents the whole province (as in Proposal # 13).

B. RECALL AN OFFICIAL ELECTED BY A PROPORTIONAL METHOD.

This category includes each official elected collectively under a proportional system or a semi-proportional system, such as STV with 3-member ridings.

The recall cannot proceed without the agreement of a majority of the people signing the official's nomination papers in the previous election. That would usually be the members of their political party. They generally won't agree to a recall if the person has served the interests of the party which the official is representing.

WHY DIFFERENT HURDLES?

The different hurdles are for very important reasons. For instance, if an ombuds is elected by the whole province, that person should serve all BCers and have the support of most of them.

A pro-rep legislator, on the other hand, might represent only 4% of the voters in an election.

Suppose that MLA is a Green. It would be undemocratic to let 75 of 100 jurors, who might easily be anti-Green, deprive the 4 who *are* Green of their right to be represented.

In addition, the requirement in the proportional case is also to recall only those who grossly neglect their responsibilities, not just those whose political decisions displease 3/4 of the people, as could happen in Proposal # 18.A.

THE LESSONS FROM CALIFORNIA 2003

The election which recalled Governor Gray Davis (a Democrat) and replaced him with Arnold Schwarzenegger (a Republican) was pretty ridiculous, most agree. There are many lessons for us, which are addressed with all these proposals.

The main problem was that the California recall law is not arithmetically correct. Davis got only 44.6% support, and so was recalled.

He was replaced by Schwarzenegger, who got 48.6%. So nobody got a majority.

What's worse, though, is that he nevertheless would have replaced Davis, even if the latter had won only 40 or 30%, as long as that had been a plurality. So a challenger had only to beat the other challengers, not beat the incumbent.

For example, it's possible for a candidate with 20% to "beat" a governor with 49%.

MORE SOLUTIONS TO CALIFORNIA FARCE

Also, California should have used a ranked ballot (Proposal # 12 above) which would have included Davis and all the potential replacements on one list. Then Schwarzenegger could have won only by amassing a majority using transferred ballots from the trailing candidates.

The vote for Schwarzenegger was only about 17% of those eligible to vote. (For general elections, see Proposals # 5 to 7 above, which would increase the turn-out.) A centi-jury would be more representative.

A farce of a recall does not eliminate the need for a truly democratic recall process. People are still, nonetheless, really upset with their powerlessness between elections. They yearn to be able to check dishonesty, broken promises, corruption, incompetence, etc.

However, these proposals suggest doing it all without calling a special public vote. Juries would decide the recall and, if needed, a replacement.

Holding a public vote would be a good way, but somewhat inferior to these proposals. Later, perhaps this plan can be extended to appointed officials.

The jury process is similar to those for juries in Proposals # 1 and 19.

DIRECT COST of Proposal # 18: Staff time to check the signatures. Pay the jury ~ 40 000 \$, etc.

Costs could be fully or partially recouped by selling broadcast rights, as in Proposal # 1.

However, many officials would resign after a petition got enough signatures. Then it would cost the public very little. (For costs of replacing the official, see Proposal # 19 below).

Proposed referendum question # 19.

FILLING A VACANCY WITHOUT A BY-ELECTION.

A. BY APPOINTMENT. Offices vacated by death, disability, etc., or with agreement of the legislature, shall be filled by appointment from a list supplied by the departing official. YES NO

B. BY JURY. Offices vacated by recall, by court prosecution (or threat of either), by resignation in shame, for unstated reasons, etc., shall be filled by a grand jury. YES NO

Vacancies are now generally filled with a by-election or left vacant. That decision is generally up to the legislature.

The jury method is fairer than a by-election, since it's hard to get a good turn-out for a by-election. The jurors would also be more informed by this process than would regular voters.

EXPLANATION OF # 18.A., BY APPOINTMENT

These vacancies are generally less controversial and more "honorable". They also include illness, caring for a dying relative, other reasons beyond an official's control, etc.

"Agreement of the legislature" means the legislature and the departing official agree to use this appointment method. The main reason for such an agreement is to save the expense of a by-election or jury. It also saves time. Those expenses would be a waste because they wouldn't change the balance of power in the legislature, anyway, or else the legislature would not agree to it.

These vacancies shall be filled by appointment by the person leaving office, from a list which they have been required to include in their nomination papers.

From then on, any of them may revise their successor list at will.

READY, WILLING, AND ELIGIBLE

The successor chosen from the list shall be the top person on the list who is willing, able, and eligible.

This might be, in effect, a bit like a system in New Zealand and Germany, where officials can rotate into office from party lists.

This proposal is fairer than a by-election, which is too likely to replace an opposition (minority) member with a ruling-party (majority) member.

For example, an elected Green, if elected to represent about 10% of the voters, would likely be replaced by a Liberal or an NDP in a by-election. That wouldn't be fair if the Green official were personally flawed but the rest of the party remained of good repute.

Besides, by-elections are expensive and notoriously disreputable because of low turn-outs.

EXPLANATION OF # 18.B., BY JURY

A grand jury is 24 jurors.

These are mostly cases which are more controversial and departures which are less honourable. They include vacancies which occur because of

1. Crime.
2. Breaking a promise without good cause. (See Proposal # 2 above.)
3. Seeking or accepting another position or job.
4. Removal or resignation forced by a government or court.
5. Unknown reasons, etc.

The jury shall hear and judge a mandatory debate tournament and then question the candidates. To choose a successor, the jury shall vote by secret ranked ballot. That is similar to the process in Proposal # 1 above.

MAY STAND AGAIN

The departing official may indeed be a candidate to regain the office immediately. That is especially important for an official forced from office. If an official does regain office this way, he or she shall be immune for 10 years from recall and from removal by the government. (Similar to Proposal # 18 above.)

RARE CASES

To fill more than one vacancy at a time in the same riding or by list vote, the jury votes using pro-rep.

In case of a tie vote of the jury, the legislature shall decide. If still a tie, the premier shall decide.

If a case is in both categories (# 19.A. and B.), the vacancy shall be filled by grand jury, except in the case of legislative agreement, in which case it shall be filled by appointment.

NEW PARTY LEADER

What about the tradition of electing a new, unseated party leader to the legislature between general elections? To accomplish that, a sitting member resigns in order to force a by-election. The new party leader can then contest that by-election.

With this proposal, the party could get agreement from the legislature to appoint the new leader to replace the member resigning. That would be immediate and would save the expense of a by-election.

Without such agreement, the new leader could win a jury decision, as in # 19.B. above. That shouldn't be overly difficult. It also saves the expense of a by-election.

DIRECT COST of Proposal # 19.A., BY APPOINTMENT: Virtually nothing. Instead, it will save many tens of thousands of dollars for each forgone by-election.

DIRECT COST of Proposal # 19.B., BY JURY: Pay the jury, television crew, etc., as in Proposal # 1. But that easily could be cheaper than the many tens of thousands of dollars for a by-election. Costs could be fully or partially recouped by selling broadcast rights, as in Proposal # 1. There could even be a profit, depending on the degree of media interest.

Proposed referendum question # 20. WOMEN'S EQUALITY.

The total votes possible to be cast by the women in the legislature shall be no fewer than half (less the fraction). YES NO

EXPLANATION OF WOMEN'S EQUALITY

I was very impressed by submissions by women at the Vancouver Electoral Reform Commission (VERC) hearings.

Judy D'Arcy (2004 March 24 hearing) said that women in particular needed and wanted a straight ward system. Later, at the ThinkCity forum (2004 April 7 at Heritage Hall), she said that she yearned for proportional wards.

Particularly compelling was the submission by Janet Wiegand. She provided international evidence that pro-rep is not enough to enable women to get their fair share. That might be true.

Therefore, I suggest this additional referendum option for the voters.

There would be various ways the legislature could accomplish that if it were passed:

A. Require each party to nominate equal numbers of males and females as MLAs (not counting the fraction, if it's an odd number of candidates for that party). In a party list, that would mean "zippering" the list, that is, alternating the male and female candidates. (See also Proposal # 11, subsection "The 3 reasons".) That is less provocative than having separate male and female lists, which could unnecessarily stir up resentment.

B. In single-member constituencies, each party could nominate a man and a woman in each constituency. Then, if not enough women were elected in the various constituencies from a party, some men from that party would be dropped off and the votes for each of them assigned to the woman from the same party in the same constituency. If no men volunteered to be dropped off, it would be those with the fewest votes.

C. Among the at-large list MLAs, require that there be enough women to balance the whole legislature as closely as possible without disrupting the balance of parties and independents.

If fewer women than that had enough votes, enough male at-large list candidates (from corresponding parties) would be dropped off for that purpose. If no such men volunteered to be dropped off, it would be those with the fewest votes.

EXTEND THE PRINCIPLE?

If we have that guaranteed balance of the sexes, does that mean that we must do the same for a balance of races, ages, religions, etc.? No, not necessarily. The principle should be to let the public decide which factors should be balanced by law. The public may use the initiative (Proposal # 17 above) to add a new factor. Or the legislature can hold a referendum.

See also the previous discussion under Proposal # 11, sub-section Open Lists, etc.

(In my submission to VERC, in Part 5, the Interim Compromise, the example election elected 6 males: Arun, Phil, Joseph, Winston, Trini, and Felix. The 7 females elected were Danielle, Emily, Jessica, Zoe, Linda, Qun, and Bruna. See reference in Part 6, Vancouver, below.)

DIRECT COST of Proposal # 20: Almost nothing.

Proposed referendum question # 21. MORE CITIZENS' ASSEMBLIES.

A new citizens' assembly shall be convened every 4 years (as in 2003-2004) to recommend referenda on electoral and constitutional reform. YES NO

The amazing, indispensable work of the Citizens' Assembly on Electoral Reform must be continued. In this plan, a new assembly shall be selected every 4 years, or less, so that they are before general elections.

Any recommended referenda shall be in conjunction with the following general election. The assembly's mandate shall be similar to the current one.

If more assemblies are defeated, then the second-best plan is to rely more on a Democracy Commissioner, as in Proposal # 13.E. above.

Why add constitutional questions? See the discussion in Proposal # 9 above.

DEMOCRACY COMMISSIONER

If more citizens' assemblies are created, and if a democracy commissioner is elected in Proposal # 13.E., then the commissioner shall chair the assembly, as Dr. Jack Blaney is doing now.

JURY OR JUDGE?

Why were juries invented? Because they are more democratic than judges. Judges more easily can be bribed, influenced, or tempted. More fundamentally, they come from, and are more representative of, a biased class of people, and are more likely to embody that class's belief system and more likely to decide in the interests of that class.

But isn't our average judge smarter than our average juror? Probably so, but juries were invented to be fair to the whole population, which is something that even a smart judge might not be willing or able to do.

A VANCOUVER JUDGE

Retired Judge Thomas Berger recently gave his employers almost exactly what they wanted. Vancouver City Council had hired him as a one-person Vancouver Electoral Reform Commission (VERC). He reported to them 2004 June 8.

Instead of urging them to go for the "gold": proportional representation, he recommended the easy but inferior plan: a disproportional ward system. It will be no improvement on the current at-large system.

Wards would not require a change in the city charter. COPE and Judge Berger think that proportional voting would. They say that they want to avoid trying to amend the charter for fear, presumably, that the provincial government won't approve such amendments.

It's disappointing that Judge Berger had so little faith in the provincial government. Hasn't he been following the progress of the Citizens' Assembly? Doesn't he sense that the ruling BC Liberals are open to a change to pro-rep, if that's the public desire? Premier Gordon Campbell and company wouldn't have even created the Citizens' Assembly if they hadn't been open to the possibility, if not actually supportive of it.

Consequently, if they'll allow pro-rep at the provincial level, why would they not allow it for Vancouver?

VANCOUVER SHOULDN'T BUCK THE TREND

Certainly the public mood is just as strong for pro-rep in Vancouver as in the rest of BC. Irrationally, the policy of the ruling party in Vancouver, COPE, is to install a ward system without pro-rep. However, even many COPE supporters spoke admiringly about pro-rep at the hearings, including some of their "experts". COPE is going to look weak and illogical next to the Citizens' Assembly, if the latter recommends pro-rep.

If Judge Berger had said to ask the province for pro-rep without delay, how could that have hurt? If the answer is no, then they could go for their disproportional ward system. But the province might say yes, so why not at least ask?

Anyway, this Citizens' Assembly can certainly do better. They are random citizens. They are unlike a judge or appointed commissioner, who might be picked for their likelihood of rubber-stamping the wishes of their employers.

The Citizens' Assembly can also recommend other, more far-reaching ideas in addition to their mandate. Certainly both the City of Vancouver and the Province of BC need more fixing than just pro-rep.

Therefore, the Citizens' Assembly is more likely to say so while they have the chance. Each member of the assembly is unlikely ever again to be picked for such a job. They just get one "kick at the can", so they want to make it strong and accurate enough to go through the goalposts.

DIRECT COST of Proposal # 21: About 5 000 000 \$ every 4 years. Annually, about 31 cents per BC resident.

Part 4: Proposals to reject.

Many other proposals will be made besides those mentioned above. Some of them will distract public attention away from positive change and instead focus on change which will improve nothing, or even make things worse.

1. WHAT'S WRONG WITH "NON-PARTISAN" ELECTIONS.

The only way to elect considerably more "independent" candidates is to ban nominating groups from being stated on the ballot. That's because people usually prefer party candidates, even in an otherwise fair election (which we've never had in BC).

So our goal should not be to force independents "down the throats" of the voters, but to give those candidates an equal, fair chance. The 21 proposals above do that.

Looking at pseudo-democratic elections (virtually all of North America), some observers think the problem is the existence of political parties. A political party, group, or other nominating body consists of people of similar interests getting together to nominate and elect representatives.

RIGHT TO UNITE

Some parties will cheat or rig elections or use unfair or disgusting tactics. Some will be internally undemocratic. Some will be dictatorial, even criminal. The problem, however, is not that people choose to work together in a groups, but that the system allows or even encourages those negative practises.

However, as importantly, to inhibit political parties is a violation of the principle of freedom of association. To try to keep the public from learning a candidate's political affiliation is a violation of the principles of freedom of communication and of having an informed electorate.

WHO CAN TELL WHAT A "NON-PARTISAN" CANDIDATE STANDS FOR?

Most troubling, where so-called non-partisan elections are held, the public is generally even more in the dark about where the candidates stand. I know that from having lived in such places.

Some naively believe that if they meet an independent candidate, and he or she seems honest and sincere, that he or she will surely serve in their position without bias or a political "slant" and without the influence of "politics", parties, interest groups, bribes, etc.

Well, everyone has a "slant" or a bias or political principles, even if they don't know it themselves. Frustratingly, in practise, "non-partisan" candidates (mostly in civic elections in smaller cities and towns) all tend to sound about the same, even more so than in a partisan election like Vancouver civic elections. Their "agendas" are even more hidden.

Any non-partisan, plurality system is biased against any candidate who:

(1) Sounds even slightly off-centre.

(2) Is specific about what they want to do. Being specific costs the candidate more votes than they are likely to gain, unless the specific promise is almost unanimously popular.

So the smart politician plays it safe and concentrates only on proving what a nice person

they are. Attractive pictures of the candidate with their family is often what passes for campaigning.

If you, the voter, don't personally know the candidate well enough to know what they'll really do, then you're "lost" in the voter's booth.

ADVANTAGE TO THE RICHER CANDIDATES (AGAIN!)

Thus the financially better-off candidates have even more advantage than they do in partisan elections. They are almost forced by the system to campaign with hidden intentions, if they want a good chance of winning.

Nevertheless, there is nothing wrong with candidates standing for election without party support if they want to. When that is what the voters want, they vote for independents.

A system which allows the voters the *choice* of voting either for partisan or for independent candidates--or for both--is what we have now in BC. That leaves the power--the choice--in the people's hands.

So far, when given the choice in BC, voters usually choose party candidates. That's unlikely to change, no matter what vote-counting system we have.

Why deny the voters their preference? With the proposals herein, it can be fair for both types of candidates.

END THE UNFAIR ADVANTAGE TO PARTIES INSTEAD OF ELIMINATING THEM

For instance, if there is also a ranked ballot (Proposal # 12), independent candidates won't have to fight the perception that it's hopeless to vote for them because they're not backed by a party or perceived to be one of the most popular candidates.

What bothers people the most about partisan elections is the unfair dominance of the largest 2 parties.

But the same interests which dominate in a partisan system also dominate in a "non-partisan" system, they simply do so more covertly. So the only way to cure that is reforms such as pro-rep (Proposal # 10 above) and the other 20 proposals.

2. WHAT'S WRONG WITH TERM LIMITS.

Term limits are a scheme that was quite popular in the USA. But now the public there is realizing that limiting the time one person holds an office doesn't really help, after all. The problems are much deeper.

Therefore, all that energy to establish that "reform" was wasted. Instead, it might have produced pro-rep, but those in power didn't want that.

CHANGING PUPPETS

The elite who are behind the scenes could, however, "live with" or tolerate term limits. After all, there are no term limits on them. They simply get new puppets.

Just as political parties are not the real root problem (see above section # 1), neither are career politicians the real problem. Again, the rest of the system is.

Term limits also take away the voters' freedom of choice--to re-elect someone.

Each political party in BC has had great leaders who were elected more than twice, which is the usual limit suggested.

A better system will enable career politicians to adopt fairer tactics to succeed, as they do in pro-rep countries. That means the government will serve all the people better.

3. WHAT'S WRONG WITH STAGGERED TERMS.

Staggering the terms of office for elected officials is electing only some of them in each general election, so that their terms overlap. That might accomplish these goals:

A. Reduce the number of names on the ballot, which is alleged to make voting overly difficult.

B. Ensure that some of the more experienced people are on hand in every legislature in order to moderate extremes of action and ignorance.

C. Make the government more often accountable more often, so they might be pressured to enact more popular programmes.

While those are true, there is a major disadvantage to consider. If we reduce the choices on the ballot too much, we also reduce too much the variety of views that can be introduced into each legislature.

PROPORTIONAL IS MORE IMPORTANT.

Thus, the more important goal of proportional representation can be compromised.

In political science, it seems that 7 is a magic number. Electing any fewer than 7 MLAs at once in a constituency unduly restricts voter representation. (See Enid Lakeman's book in Part 6 below.)

Only if those "7s" can be maintained would staggered elections be acceptable.

4. WHAT'S WRONG WITH RUN-OFF ELECTIONS.

The USA is ahead of Canada politically in only a few ways, but their run-off system is really not much for them to brag about. Some of its drawbacks:

1. Usually a lower voter turn-out on the regular election day and on the run-off election day. Voters would rather vote their preferences all at once on a ranked ballot and go to the polls only once.

2. The expense of opening the polls on a separate day.

3. Dropping more than one candidate off the bottom of the list is unfair. But if we don't, we get a run-off election for each candidate more than 2. So with 5 candidates, that could be 3 run-off elections. In the USA, the Democrats and the Republicans are in cahoots to keep all other parties from having a chance, so they drop off all the candidates but 2 for the run-off, which is almost always those 2 parties.

4. Even if a run-off were otherwise fair, it guarantees only a majority winner. That's better than a minority winner for a single post. However, it does little to achieve proportionality.

5. WHAT'S WRONG WITH AN ARTIFICIAL THRESHOLD TO KEEP OUT SOME PARTIES.

This whole threshold argument reminds me of a boss yelling at his or her employee, then the employee going home and kicking his or her dog. Well, the biggest parties, like bullies, have been stealing votes for generations from all the smaller parties. They use the weapon of "the lesser of 2 evils dilemma".

So now, some people in a medium-sized party, which has over 5% support (they hope), want to steal votes from parties with less than 5% support each. The weapon is the artificial threshold to get list seats--possibly set at 5 or 3%.

The smallest parties are easy to pick on. They're very small, weak, poor, etc. If the media labels them minor, fanatical, marginal, extremist, fringe, one-issue, satirical, nonsense, joke, frivolous, splinter, disruptive, amateurish, etc., those parties might not have the money or media connections to defend themselves. Besides, some people want to vote for parties which are in those categories.

Furthermore, didn't most parties start out small?

If a party is "extremist", that might mean that they are extremely good or extremely bad! The current German constitution's 5% threshold was justified on the grounds that it might keep a Nazi-like party from arising again. But that didn't work. Neo-Nazi parties have gained seats in Germany, though they had to use other names. And the threshold has sometimes hurt the Greens, who are the opposite of the Nazis.

But really, do we want to keep even fanatical parties out of the legislature? Isn't it better to let them elect a few people and put their ideas on the table for all to see and criticize? Then those extremists can have a dialogue with society and can, in an atmosphere of free speech, perhaps learn to modify their views in order to try to get more votes. That's the reasoning behind free speech.

If we ban them from the social dialogue, they tend to get worse and to turn to violence and other anti-social acts. It's better to talk with your enemies than try to shut them up and have them attack you.

That's why countries with dictators are allowed to stay in the United Nations. The world hopes that dialogue can avoid wars or lessen them.

ISRAELI LESSONS

The other usual argument is that tiny parties can wield exaggerated power in a coalition government. The truth, however, is that whatever system we have, groups can demand a price for their support. Wouldn't we prefer those actions to be open and obvious, as in Israel, which has no artificial threshold? They have only the natural threshold of gaining enough support to get at least one seat in the Knesset (national parliament).

Or do we want those deals for political support to be carried on behind the scenes or to be expressed by wild swings from one plurality government to the next?

Israel's policies actually have been relatively stable throughout their history, especially considering the stress of their historic and geographic situation.

PRO-REP LEADS TO PEACE

Israel's war is dragging on mainly because they don't let most of their "internal" enemies vote or have any other equal rights, which keeps them as enemies. If, instead, on the land which Israel claims as their own, all the Palestinians could vote, then they would all start to move toward peaceful, democratic, power-sharing, wealth-sharing accommodations. Their pro-rep would see to that.

Of course, that would take a while, since the hatreds there have been brewing for so long. And it would certainly help if the USA stopped propping up all the undemocratic governments around Israel. Their original massive support for dictator Saddam Hussein of Iraq is a prime example. A Middle East of pro-rep democracies would be as peaceful as Western Europe.

CANADIAN COMPARISON

Lest Canadians be smug, we have a comparable situation here with the First Nations. See Proposal # 8 above. As we move toward pro-rep and other electoral reforms, we will be a better example to the world.

To get back to the question of thresholds, they are totally unjustified and undemocratic. Even natural thresholds are harmful, which is why we need other compensations, such as in Proposal # 14 above.

A threshold puts unnatural pressure on parties to merge or for their supporters to desert them.

Suppose that, in BC, we have only 2 parties under the threshold. One is a Homeless Party, composed of citizens with an average income of 10 dozen beer cans a day, or 2 190 \$ a year. Then there's a Yachters Party, average income: one million dollars a year (after taxes).

If they merge, those 2 groups could jump the threshold. Therefore, the threshold argument says that if they do merge, they'll be more deserving and should get a bit of power! That's logical?

BALLOTS TOO FULL OF CLUTTER?

Eliminating fair and reasonable access to the ballot is not a good way to solve the problem of a long ballot. Let's look for better ways, if that turns out to be a problem under all these new processes. Then let's let the public vote on the solutions.

I haven't heard any convincing arguments that lack of an artificial threshold has been problematic anywhere.

Let's not have artificial thresholds. The "natural threshold" is enough, that is, enough votes to elect one person according to pro-rep.

ASSEMBLY COLLEAGUES

The assembly's preliminary statement suggests we might have to "avoid excessive political fragmentation" with a "modest threshold". Anything "modest" sounds pretty harmless, but let's think that through again.

The defenders of the current system think it's a "modest threshold" that a party must get a plurality in at least one riding in order to get into the legislature. But we see that such a rule isn't fair at all.

Assembly members, please imagine that you discover that your assembly of 160 citizens has only 4 members who support one particular party. That's 2.5 %, or less than most legislated artificial thresholds.

Is your work hampered by their presence or by their votes? Would you be better off if they were removed?

Let's make the example tougher. Suppose your deliberations later come down to a very close vote. Then would it be fair to expel those 4 people if they are making the result swing the "wrong" way?

Not really. Who's to say which is the "wrong" way! But you can see why big parties are tempted to keep out small parties so that they (the big parties) can more often have it swing THEIR way.

Part 5: Conclusion.

From a recent letter from Larry Gordon, Executive Director, Fair Vote Canada:

1) In the coming days, Parliament will receive a report from the Law Commission of Canada recommending that our first-past-the-post system be replaced with a proportional voting system.

2) Five provinces are now considering reform. The Quebec government is expected to introduce legislation for a proportional system this spring. The [BC] Citizens' Assembly on Electoral Reform is considering proportional representation and [is] about to begin public hearings. The new Liberal government in Ontario has promised a binding referendum on a new voting system. The PEI government is considering a proposal to move to proportional representation and New Brunswick is studying reform options. [Saskatchewan and Yukon have since been added to this list.]

3) [Federal] NDP leader Jack Layton has announced that any minority government requiring NDP support will have to hold a national referendum on proportional representation. The new Conservative Party caucus also supports consideration of proportional representation and other reforms. The Green Party is actively campaigning for proportional representation.

4) The media are now directing more attention to electoral reform than ever before. The Prime Minister has already made the "democracy deficit" one of his key platform issues. -- www.fairvotecanada.org .

B.C. IN THE CANADIAN AND WORLD CONTEXTS

Canada and the world are moving faster toward modern, fair voting systems. We in BC want to help lead the way to the most advanced systems we can think of or find.

Let's jump the hurdles. It's expected of BC not simply to be ahead, but to add innovations of our own.

Thank you for your patience. Anyone may contact me for further discussion.

Part 6: References and resources.

Included are many not mentioned above.

Internet (some of these are on paper, too):

BRITISH COLUMBIA

Union of BC Indian Chiefs: big, 6-colour 1993 wall map of the 23 indigeni nations whose land BC claims. (These are not the little village-sized reserves or "nations" into which the federal government carved the First Nations. To cross one nation might take you 3 or more days walking or paddling.) Buy maps at 500 - 342 Water Street, Vancouver, BC V6B 1B6. Ph: 604-684-0231, Fx: 604-684-5726. 345 Yellowhead Highway, Kamloops, BC V2H 1H1. Ph: 250-828-9746, Fx: 250-828-0319, www.ubcic.bc.ca/map.htm .

Korky Day: this report should, in time, be on-line c/o below. I shall try to provide a subject index soon.

Citizens' Assembly on Electoral Reform (Province of British Columbia): www.citizensassembly.bc.ca .

Fair Voting BC: www.fairvotingbc.com .

Free Your Vote Society: www.freeyourvote.bc.ca , infor@freeyourvote.bc.ca .

People For Proportional Representation, www.peopleforprorep.ca .

The Tyee Internet publication. A debate between Andrea Reimer and Bill Tieleman on pro-rep, with the public's and my comments. Tieleman's is perhaps the best defence of single-member plurality I've heard. Reimer out-argues him, though:

www.thetyee.ca/Views/current/Vote+System.htm .

Elections BC: www.elections.bc.ca .

Wikipedia (Internet encyclopedia) entry for "court jester", which relates to Proposal # 13.F. above: http://en.wikipedia.org/wiki/Court_jester . (See also Fools under Vancouver, below.)

Coalition For Electoral Reform (1996): www.alternatives.com/cfer .

VANCOUVER

My report to the Vancouver Electoral Reform Commission (VERC) and Commissioner Tom Berger, on the Internet. For further information about, and corrections of, this report, please contact me.

www.alternatives.com/prms/2004/worlds_best_elections.htm .

News release about the above report:

www.alternatives.com/prms/2004/kday0326.htm .

Vancouver Electoral Reform Commission (VERC), including its final report 2004 June 8: www.city.vancouver.bc.ca/erc .

Fair Elections Vancouver (formerly Fair Vote Vancouver):
www.alternatives.com/prorep , www.alternatives.com/prorep/releases.html .
Vancouver Green Party: www.vangreens.org .
Coalition of Progressive Electors: www.cope.bc.ca .
Non-Partisan Association of Vancouver: www.npa.bc.ca .
ThinkCity: www.thinkcity.ca . *The People's Report*, which is on their Web publication and on paper, 2004 April 7: www.thinkcity.ca/Think_Democracy_Final_Report.pdf).
Tom Pryce-Digby, solicitor, submission to VERC on the ability of Vancouver to use pro-rep **without** amending its charter:
www.vangreens.bc.ca/images/Vancouver%20Green%20Party%20-%20VERC%20Submission%20-%20March%202004.pdf .
The entire Vancouver Charter on the Internet:
www.qp.gov.bc.ca/statreg/stat/V/vanch_00.htm .
Fool's Society (Vancouver) a.k.a. Vancouver Fools Society, which relates to the Court Jester, Proposal # 13.F. above: www.fools-society.com .

FEDERAL

Fair Vote Canada: www.fairvotecanada.org .
Elections Canada, quoted above in Proposal # 4.B.: www.elections.ca
www.elections.ca/content.asp?section=loi&document=index&dir=re3&lang=e&textonly=false .
Bruce M. Hicks, "The Voters' Tax Credit", *Policy Options*, 2002 May, pages 63 to 68 (discussed in Proposal # 6 above): www.irpp.org/po/archive/may02/hicks.pdf .
The Administration and Cost of Elections Electronic Publication (ACE Project) is supported by Elections Canada and the United Nations. It has a great e-page on the advantages of compulsory voting, by Wolfgang Hirczy de Mino and Anna Katz (mentioned in Proposal # 6 above): www.aceproject.org/main/english/es/esc07a .
Law Commission of Canada: www.lcc.gc.ca/en/index.asp

U.S.A.

Center for Voting and Democracy: www.fairvote.org , www.seo.sa.gov.au/flash.htm .
Greensweek (quoted in Proposal # 15, "Progress due south", above):
<http://gp.org/greensweek/index.html> .
Instant run-off (preferential voting), <http://instantrunoff.com> .
Cambridge, Massachusetts, voting (see Proposal # 10 above, "Plurality" section):
www.cambridgema.gov/alert.cfm?alert_id=7 , www.cambridgema.gov/~Election/prop-voting.html .
AccuPoll, a company referred to in Proposal # 15 above in "Voting equipment" section: <http://fairvote.org/administration/accupoll.htm> .
Jesse Ventura case referred to in Proposal # 1 above:
www.opendebates.org/theissue/exclusionofpop.html .
Alan Keyes, referred to in Proposal # 1 above:
www.opendebates.org/theissue/liesanddeception.html .

Election Methods Education and Research Group (EMERG), Russ Paielli and Mike Ossipoff: <http://electionmethods.org/IRVproblems.htm> . Mike Ossipoff: nkklrp@Hotmail.com or ossipoff2002@Yahoo.com .

OTHER COUNTRIES

Australian government, recommended in Proposal # 10 above:
www.seo.sa.gov.au/flash.htm .

Britain: history of pro-rep www-gap.dcs.st-and.ac.uk/~history/HistTopics/Voting.html .

The International Institute for Democracy and Electoral Assistance (IDEA) members: Australia, Barbados, Belgium, Botswana, Canada, Cape Verde, Chile, Costa Rica, Denmark, Finland, Germany, India, Mauritius, Mexico, Namibia, the Netherlands, Norway, Peru, Portugal, South Africa, Spain, Sweden and Uruguay. Soon Switzerland. Japan observer. www.idea.int .

Dawn Paley "South Africa Elections", *The Peak*, student newspaper of Simon Fraser University, Burnaby, BC; 2004 May 31, page 20. Referred to in Proposal # 10 above. www.peak.sfu.ca/the-peak/2004-2/issue5/lastword.html .

Books:

CANADA

Nick Loenen, *Citizenship and Democracy: A Case for Proportional Representation* (Toward the New Millennium Series) (Amazon: Average customer rating: 5 star. Out of print--limited availability, used & new from \$13.98 [USA?].) Excellent focus on BC electoral reform by a former BC MLA and submitter to CAER.

Dennis Pilon, "The History of Voting System Reform in Canada" in H. Milner, ed., *Making Every Vote Count: Reassessing Canada's Electoral System* (Peterborough, ON: Broadview, 1999). (I have not read this yet.)

ELSEWHERE

Enid Lakeman, *Power to Elect: The Case for Proportional Representation* (London, UK: Heineman, 1982).

Wilma Rule, Joseph F. Zimmerman, *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities* (Westport, CT: Greenwood Press, 1994), ISBN 0-313-28633-7. Mostly excellent.

Douglas J. Amy, *Real Choices / New Voices: The Case for Proportional Representation Elections in the United States* (New York: Columbia University Press, 1993 and 1996), ISBN 0-231-08154-5. Good except for the argument on p. 170 to deny representation to some small parties.

Ted Becker, et al, *Un-Vote for a New America (A Guide to Constitutional Revolution)* (Boston, MA: Allyn & Bacon, 1976), ISBN 0-205-05720-9. Mostly unrealistic, but his campaign tournament idea (pp. 185-188) inspired me to invent debate tournaments (Proposal # 1 above).

Naomi Klein, *The Beauty Myth*, (Toronto: Vintage 1991) paperback edition, 0-394-22222-9. I mostly agree with this book. (Page 324 referred to in the argument above in Proposal # 1 "Debate Tournament", subsection "Free decisions".)

Other:

Dennis Pilon, *The Drive for Proportional Representation in British Columbia*, 1996 SFU master's thesis which includes the history of proportional representation in Vancouver city elections. A "must read"! (I mistakenly attributed this thesis previously to Kennedy Stewart. My apologies.)

Dennis Pilon, "Making Voting Reform Count: Evaluating Historical Voting Reform Strategies in British Columbia," paper for Making Votes Count Conference, Vancouver, 2000 May 13. (I have not read this yet.)

END OF DAY'S REPORT

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