

**British Columbia Citizens' Assembly on Electoral Reform
2nd Weekend : Session 1 (Saturday morning)**

Elections, Representation and Parliaments

At the first weekend meeting of the Citizens' Assembly, the members considered the general background to the issue of electoral reform in British Columbia, and discussed the question of how to judge the merits of an electoral system. This session will deal with the role of elections in the process of democratic government and provide background for the more detailed examination of electoral systems to be undertaken in the sessions which follow.

Brief definitions of many of the terms and concepts referred to in this weekend's session (like 'government' and 'parliament') can be found in the Glossary issued to members of the Citizens' Assembly and available on the Citizens' Assembly website (go to 'Learning Resources', 'Glossary')

1. KEEPING GOVERNMENTS RESPONSIVE

In a democracy, we expect the government to be responsive to the preferences of citizens, and accountable to citizens for the activities of government. To achieve this, several preconditions are necessary:

- A constitutional framework which limits government activities
- Laws made only with the consent of a representative assembly
- Key government office holders can be (and are) replaced at periodic elections
- Freedom of speech, assembly and association

2. REPRESENTATIVE ASSEMBLIES, ELECTIONS AND REPRESENTATION

The last three preconditions listed above are all closely related to the institution of a representative assembly. Representative assemblies to check government have a long history; today they are central institutions of government with a monopoly of law making power. In parliamentary systems like ours, the most important officers of the government are chosen from amongst assembly members. Assemblies are chosen at regular general elections at which all citizens are eligible to vote. It is for this reason that elections are felt to be so important—they provide the only opportunity for the whole political community to become involved in the process of government by choosing the key office holders who control the government.

But what is an elected representative assembly supposed to represent?

- The range of views in the political community?
- A variety of interests in the political community?
- A choice between those who support the government and those who do not?
- A body of people who can express the public interest?
- The views of two or three political parties?
- All, some or none of the above?

3. THE ROLE OF A REPRESENTATIVE ASSEMBLY

Whatever a representative assembly is supposed to represent, once it is elected, it can operate as:

- The key actor in the process of making laws (the legislative process)
- The source of authority for the raising and spending of public funds
- A forum for inquiring into the activities of government
- A forum for the discussion of matters of public concern

4. PARLIAMENTARY GOVERNMENT

In addition to the functions listed above, a representative assembly in a parliamentary system provides the personnel for the government—the premier and the ministers who occupy the most important government offices and are responsible for the day to day administration of the government. In a presidential system like that of the United States, these key office holders must not be members of the legislature (the representative assembly); they are either elected at a special election (like the president) or appointed by the president.

The parliamentary system was the means through which the governmental system in Britain became a representative democracy, a model exported to British colonies. The formal power of the government continued to be exercised in the name of the monarch, but real political power was exercised by a group of people chosen from, and accountable to, a representative assembly (the parliament). In British Columbia, this group comprises the premier and other ministers who together form the government of the day and meet in cabinet to make the key decisions about government policy and administration in the province. These key office holders remain in office only if they can secure the support of a majority of members of the Legislative Assembly of British Columbia (British Columbia's parliamentary assembly)

This means that a parliamentary assembly has distinctive characteristics in addition to those listed for representative assemblies in general:

- A government remains in power as long as it has majority support in the assembly
- The assembly can force a government to resign by withdrawing its support
- The assembly can support a government but amend/reject government legislation

- As members of the assembly, ministers are open to questions and scrutiny
- The assembly is a forum for testing leaders and those who aspire to leadership
- The parliamentary process generates an opposition and an alternative government
- Elections for the assembly select both members and potential governments

5. PARLIAMENTARY ‘RESPONSIBLE’ GOVERNMENT

Parliamentary government makes the legislative assembly—the parliament of British Columbia—look as though it is the dominant component of the governmental system. Governments are said to be ‘responsible’ to the legislative assembly because the premier and other ministers are chosen from and accountable to the assembly. Ministers are, in turn, responsible for policy and administration in their departments, and the cabinet as a whole is responsible for all provincial government activities in the province. Governments are held to account and under constant scrutiny through:

- The need for the government to maintain majority support in the assembly
- The assembly’s power to authorize the raising and spending of public funds
- Government dependence on the assembly for new laws
- Questions asked by members about government policies and administration
- The power of the assembly to set up powerful committees of inquiry
- Wide ranging debate in the assembly on matters of public concern
- Extensive coverage in the press of the activities of the legislative assembly

6. PARTIES, PARLIAMENT AND MAJORITY GOVERNMENTS

The operation of parliamentary responsible government given above has been radically changed since the emergence of disciplined political parties in British Columbia early in the 1900s. Partly in response to the extension of the role of government and the changing expectations of voters, elections are now dominated by a small number of parties, each with an extensive program of policies. Where a single party controls a majority of seats in the legislative assembly:

- Governments can be assured of majority support in the assembly
- Voting in the assembly is by party blocs
- The business of the assembly is controlled by the governing party
- Discussion over policy takes place in the party room, not in the assembly
- Changes to legislation are made only with the consent of the government
- In sum, the government dominates the legislative process
- The ability of the assembly to scrutinize government is greatly curtailed
- The assembly’s major function is reduced to airing matters of public concern
- The news media and the courts become more important for political opposition

7. COALITION GOVERNMENT

Where no party has a majority of seats in the legislative assembly, one possible outcome is an arrangement between two parties who between them control a majority of seats in the assembly. If both parties agree to form a government with ministers drawn from both parties, this arrangement is called a coalition government. Coalition arrangements can take many forms, from a pre-election agreement to contest elections as a coalition, to a last minute agreement on the floor of the assembly to form a coalition government. The key factor in coalition government is that two (or more) parties agree to share government and divide ministerial positions between them. In terms of the way a parliamentary assembly works under a coalition government, there is likely to be little difference from majority government except that:

- The coalition parties may have to compromise in the formation of policy
- The opposition will seek to exploit difference between the coalition parties
- There is the possibility that the coalition will collapse and the government fall

8. MINORITY GOVERNMENT

There is another possibility to deal with the situation where no party has a majority of seats in the legislative assembly. This is minority government. The party with the largest number of seats in the assembly forms a government and is supported in the assembly by another party (or parties). But this supporting party does not share in government, does not have ministers in the cabinet, and reserves the right to vote against individual pieces of legislation sponsored by the government. In other words, the supporting party supports the government in office but not its legislative program. This arrangement alters much of the dynamics of politics in the assembly:

- The government can still be assured of majority support in the assembly
- But, it is dependent on the goodwill of the supporting party
- Voting in the assembly is still by party blocs
- But the business of the assembly is not controlled by the governing party
- Discussion over policy can now take place in the assembly
- Changes to legislation can be made without the consent of the government
- In sum, the government no longer dominates the legislative process
- The assembly can scrutinize government very effectively
- The activities of the assembly become the major focus for political news
- The legislative assembly becomes the most important forum for political debate

Minority government clearly enhances the role of the assembly and makes the parliamentary system work more like the non-party model of 'responsible' government, but there are competing assessments of the benefits of such a system because it affects the way parliamentary government operates. Minority government may:

- Make it difficult for governments to act without compromise
- Force governments to spend time justifying their policies

- Preclude action on unpopular policies
- Increase the transparency of government activities
- Transfer some lobbying activities from the public service to assembly members
- Make it more likely that ministers resign for bad decisions or improper actions
- Remove the certainty of a government's continuation in office.

Whether these changes are benefits or costs is a matter of opinion and a question of what should be expected of the legislative assembly.

9. REPRESENTATION AND MEMBERS OF THE LEGISLATIVE ASSEMBLY

So far, there has been no mention of the individual member of the legislative assembly (MLA). What should be the role of an MLA? In many ways, the differing views of the MLA are restatements of different assessments of the role of a representative assembly. Should an MLA:

- Speak for the public interest, whether or not this view is shared by constituents
- Speak for the views of (the majority of?) the MLA's constituents
- Speak for the views of the MLA's region
- Always support the party under whose label the MLA was elected
- Be prepared to vote against the MLA's party on matters of principle

Several of these roles are inconsistent with each other. Which should prevail, if any? And what would be the consequences for parliamentary government if members were more independent of party discipline?

10. THE ROLE OF MEMBERS OF THE LEGISLATIVE ASSEMBLY

Under the current system of parliamentary government in British Columbia, an MLA who is not a minister (a back bencher) has a variety of tasks to perform:

- Attend meetings of the assembly and participate in the parliamentary process
- Vote in the assembly to support the MLA's party
- Participate in meetings of the parliamentary party (caucus)
- Prepare for parliamentary debates and committee activities
- Lobby government agencies on behalf of constituents or interest groups
- Attend to the concerns of residents of the MLA's riding
- Participate in community functions in the MLA's riding
- Be a bridge between local communities and the governing/opposition party

How important are these activities? In particular, how important are the last three?

11. HOW IMPORTANT IS A LOCAL MEMBER?

The last three items on the above list presume that each MLA is elected from a single member electoral district (riding). That is, each district has a local member as is the case with the current electoral system used for the Legislative Assembly of British Columbia. Some electoral systems are not based on single member districts so that there is no identifiable single 'local member'. Does this matter? The issues include:

- Is party affiliation more important than an MLA's local attachment?
- Is having a local member the most effective way of articulating local concerns?
- Is a local member a vital component of representation?
- Is a local member a useful avenue for making government more responsive?
- Does an MLA's party affiliation deter some local residents?
- If there were several 'local' members, would this be better than a single member?
- Are there more effective and accessible ways of influencing government?
- Would parties be more centralized if there were no local members?
- Would there be a better mix of candidates if there were no local members?
- Are local members more important in rural areas than urban ones?

12. ELECTIONS, REPRESENTATION AND PARLIAMENT

The composition of a representative parliamentary assembly is shaped by its electoral system. Some systems will stress the representation of parties over local members, others will be more likely to produce majority governments, yet others may encourage coalition or minority governments. The legislative assembly is the central component of our governmental system, but its operation can be affected by the way in which it is elected. When considering the merits of electoral systems, their effect on the role and operation of the parliamentary system must be kept in mind. To help in thinking about these issues, four questions are listed below.

13. QUESTIONS FOR DISCUSSION

- What should representative assemblies represent?
- How should parliamentary government work?
- What are the benefits/costs of coalition and minority governments?
- What should be expected from members of the legislative assembly?