



**Fair Le Mouvement pour
Vote la représentation équitable
Canada au Canada**

FAIR VOTE CANADA

**Presentation to the British Columbia
Citizens' Assembly on Electoral
Reform**

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Vice-President**

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PRESENTATION
TO THE BRITISH COLUMBIA
CITIZENS' ASSEMBLY ON
ELECTORAL REFORM

SEPTEMBER 11, 2004

BRUCE HALLSOR
Vice-President

I am appearing before you today as the vice president of Fair Vote Canada, a national organization with chapters all across Canada. I am also Chair of the Victoria Chapter. With me is Doris Anderson, our national President, who is from Toronto. Founded over four years ago we are the only national organization committed solely to changing our present dysfunctional Single Member Plurality electoral system to a more proportional system. The members, leaders and advisors of Fair Vote Canada come from all points on the political spectrum and include supporters of all parties. In fact, Doris and I symbolize this multi-partisan spirit. Doris once ran for the federal Liberals and I once ran for the Canadian Alliance.

Local Fair Vote chapters do research as well as advocacy work in their home provinces. Many of our national board first worked in local chapters.

We believe that citizens, not politicians, should determine the nature of our voting system and we look on the Citizens Assembly as a body of historic

significance to Canada. The process you are using and the decision you make will not only be important for BC, but will help set the tone for democratic reform in other provinces and, very importantly, in Ottawa.

The Fair Vote Canada statement of purpose, adopted by the membership at our founding convention, identifies four important objectives in a voting system:

- 1) broad proportionality,
- 2) extended voter choice,
- 3) stable and responsive government, and
- 4) maintaining a link between representatives and geographic constituencies.

We would first like to explain what we mean by these four principles:

Broad Proportionality:

Broad proportionality means that partisan representation in a parliament or legislature should be broadly representative of the total votes each party received in an election. We should get as close as reasonably possible to making every citizen's vote count. Perfect proportionality may not always be possible, but whatever system is chosen should correct the egregious problems in our present system. This means the party with the most votes must receive the greatest number of seats. Parties with respectable overall support, but less geographical support, should not be penalized. In summary, the relationship between the portion of votes and portion of seats should be much stronger than it is today.

Extended voter choice:

Choice is limited by our single-member system because voters are asked to vote for a single local representative. This requires them to vote along party lines on a provincial basis. Research shows that the vast majority of voters do vote for their party of choice, regardless of what local candidate is nominated. Many voters, however, do not vote for their true preference, knowing their vote would be wasted. Instead, they cast strategic votes for a candidate or party they do not support to block other parties from gaining office.

Even where voters have the luxury of selecting their party of preference, they are sometimes forced to vote for a party candidate they dislike, as the only means of supporting the party. We believe that voters should be offered a choice of representatives within a political party. This could be accomplished by the use of open lists, or with preferential ballots.

Stable and Responsive Government:

In British Columbia, we have seen government policy lurch from right to the left, with successive governments undoing some of the work of their predecessors. This happens because, under our Single Member Plurality, votes are never accurately translated into seats won. In 1991 and 1996, the NDP formed governments with fewer votes than they received in the 1983 and 1986 elections when they lost decisively. Likewise, modest shifts in voter support have produced dramatic changes in the seats held by parties. Under any broadly proportional system, the composition of the legislature would be much more stable, and lead to more stable government policy.

Coalitions, which are often characteristic of PR elections, force governments to be more responsive to the wishes of voters. Under Single Member Plurality

governments are often given a mandate with as little as 40% of the vote or less to do whatever they please until the next election.

Regional Representation:

Historically, most voters' primary identification was with their local community or neighbourhood. That is no longer true. Most people today, especially in urban centres don't even know immediate neighbors and have little connection with their surrounding neighbourhood. Instead they often identify with social communities, religious communities, and workplace communities that are not defined by traditional geographic boundaries.

Nevertheless, Canadians and British Columbians -- both in rural and urban areas -- do continue to value the idea of having a local representative who can pay particular attention to their local issues. It is important that the electoral system respect the need of people to have an MLA who is responsible to their geographic community, as well as to have representation that respects the overall communities of interest in the province. A well designed system can achieve one without compromising the other.

Implementation:

While Fair Vote Canada recognizes that there is a certain tension between some of these objectives, we trust the Citizens' Assembly will recommend the adoption of a voting system that meets all four of these objectives to the greatest possible extent.

There are many models and variations of models that are available to guide the Assembly, and it is not FVC's goal to advocate any particular model. We do,

however, believe that each of the systems before you should be measured against the criteria we have outlined. Essentially, you have before you proposals for the following sorts of electoral systems:

- (1) retain the Single Member Plurality system (SMP)
- (2) modify SMP with a preferential ballot or run off election
- (3) move to a purely proportional system based on province-wide or regional lists
- (4) move to a mixed PR system, with some members elected from a party list or lists and others in single member constituency elections
- (5) adopt a single transferable vote based on multi-member ridings (STV).

It is not our intention to take you through detailed descriptions of these systems, as there are advocates for each of these present today, and in the many submissions you have. Instead we will use the time allotted to take you through a brief analysis of each based on our criteria.

Single Member Plurality: First-Past-the-Post (FPTP)

The problems with SMP are well known to you by now. Using first-past-the-post in the 21st century is like using a hand-crank telephone rather than the internet. It was good in its day, but that century is long gone.

In fact, you would not even be here if there was not widespread discontent with this system.

It ignores the voices of a huge portion of voters by wasting their votes. It provides no proportionality. Not only does it blatantly exaggerate the support of

parties who have geographically-concentrated support, which in and of itself produces huge distortions to our electoral system, but it even fails to consistently give the most popular party more seats than less popular parties. In British Columbia, Quebec, and Saskatchewan, it has within the last ten years given second place parties more seats than the first place parties. This is a significant problem at the provincial level, not to mention the huge distortions we have seen between federal voting patterns and federal representation for more than 80 years.

In addition to creating artificial disparity between parties and regions, SMP systems are also well known for failing to provide adequate representation for women, minorities, and other under-represented groups.

Single member plurality systems also fail to provide real choice to a majority of voters. Except in a handful of ridings which are perceived on election day to be swing seats, voters know that it will make no difference to the outcome of the election whether they vote or not. This is particularly true if voters support a party that is not expected to be competitive in their riding. In most elections, as many as half of voters have no realistic possibility of influencing anything by casting a ballot in their local constituency.

Add to this the restricted choice offered when voters are only able to mark one preference, and you create a situation where voters who feel divided loyalties among policies and candidates of two or more parties, feel artificially restricted in their democratic expression.

Finally, single member plurality systems fail to deliver stable and responsive government. Government is unstable because a change of a few percentage points in the popular vote can produce wild seat swings in the legislature. In

British Columbia we have lurched from right to left and back again several times. Each swing creates a wholesale reinvention of government accompanied by often radical changes in the role of government in our society. There is no incentive for parties to co-operate, reach compromises, or do any of the other things that people of the left and right do on municipal councils, or in other governments where artificial majorities do not hold absolute sway over the government's agenda.

Single member ridings do, on their face, maintain a link between representatives and geographic communities. However, the real ability of local representatives to represent their communities is limited. Power tends to be concentrated at the centre, so that provincial partisan priorities always trump local issues. In such cases, most former MLAs will admit that they were not able to be effective local representatives because of rigid party discipline which required them to sell the government policy to their riding, rather than stand up for their riding against unpopular government policies.

In conclusion, we strongly urge the Assembly to make a clear, unequivocal statement in your final report: this dysfunctional 12th century voting system has no place in 21st century British Columbia.

Preferential Ballot and Run Off Elections:

Preferential Ballot and Run Offs are touted as a ways of solving the problem with extended voter choice, because they provide voters with the opportunity to either rank their choices on the ballot, when used in traditional riding elections, or in a two-round system, have a further opportunity in the second round of voting to choose between the two most popular candidates.

While this may seem to be an improvement, it ignores the many other problems with first past the post, and can actually make the major criticism, lack of proportionality, worse. By creating a majority requirement in every riding, this system can act to further penalize small parties who occupy different ideological positions from mainstream parties. Interestingly, the 1952 election in British Columbia, which used the preferential ballot, was one of the least proportional in our province's history, with four parties all achieving strong first ballot support, but only one party benefiting from second ballot support. The result was a legislature dominated by two parties, which was much less proportional than would have occurred with first-past-the-post.

In summary, using one of these systems in British Columbia would only offer a new way of creating the same old problems.

Pure Proportional:

Purely proportional systems appear to address the problem of proportionality in respect of party choice. They also help resolve the issue of extended voter choice by eliminating any wasted votes, except perhaps for votes falling below the threshold percentage required to elect MLAs. However, purely proportional systems also limit voter choice in much the same way as first past the post systems do, because they restrict voters to one choice, albeit a party choice instead of an individual choice. For many voters, this limits the true expression of their will.

We would suggest that generally speaking, open lists offer more extended voter choice than closed lists. In any list system, it is preferable to have some way for voters to have input onto who is on the list, or at least, how the people on the

list get ranked for the purposes of election. On the other hand, closed lists may be used by political parties to ensure more balanced representation by women and minority groups.

Whatever the form of list used, however, pure list proportional systems cannot do a good job of providing local representation. Even in systems where the list is an open list not controlled by the party leadership, members must necessarily wage pan-geographic campaigns for a spot on the list and it will be hard for any member to claim to represent only a particular local geographic community.

In summary, pure PR systems target some of our needs, but miss others. It may work in some countries, but we can do better in BC.

That leaves two general options - some variation of MMP or STV – which we believe would offer the best foundation for crafting a made-in-BC solution.

Mixed Member Proportional:

MMP addresses the local-representation problem in PR systems by allowing for some constituency MLAs. Although the existence of constituency MLAs can compromise the ability of MMP systems to deliver perfect proportionality, it does a good job in making votes count and delivering good proportionality. MMP should not be confused with the parallel list system, used in Russia, where the list MLAs are strictly proportional to the popular vote, and do not compensate for any deficiencies in the proportional outcomes of local riding elections.

Riding size can be an issue, however, under MMP. In British Columbia, if you are required to limit the legislature to the current 79 MLAs, the more proportional you want the legislature, the larger you will have to make individual ridings. You

must also consider the trade off between making ridings say, 67% larger, versus the global benefits of having a more proportional legislature with representation from small parties.

One way to avoid losing local representation in remote areas would be to make exceptions for rural ridings. This has been done in other jurisdictions but may run afoul of Canadian jurisprudence unless some way is devised to ensure that the ratio of voters to MLAs is fairly similar across the province. Another approach would be to compensate for these larger ridings by, as is done in Scotland where they have self-contained regions of 16 MPs, assigning some or all list MLAs to also represent different ridings within the region. Care would have to be made to ensure that this did not become an artificial construct. As long as MLAs are elected on the list, they will remain beholden to all the list voters, regardless of whatever regional assignment they are given in between elections. If there are to be lists, smaller regional lists would be preferable where such an arrangement is possible.

The other issue under MMP is what type of threshold to use for allowing parties to elect members off a list. The lower the threshold is, the more proportional the legislature can be, and FVC generally supports lower thresholds. In Scotland, where the lists are in self-contained regions, and there are 16 MLAs per region (nine local, and seven list) the effective threshold is nearly 6%.

Single Transferable Vote:

The Single Transferable Vote is another option which can solve the problem of accommodating rural and remote areas, but may not guarantee the same degree of proportionality as MMP. While MMP can be designed to achieve

proportionality, STV only produces it as a by-product and it is not an absolute guarantee.

STV does however provide extended voter choice as it is the voters, not the parties who make the final selection of candidates. Indeed not only can voters in an STV election rank the members from their party of choice in whatever order they choose (as they can in an open-list MMP election), but they can also vote across party lines based on individual characteristics. STV also permits independent candidates, which are at a disadvantage if allowed to run at all under list systems. Ireland, for example, elected about 10% of its members as independents in its last STV election.

In STV, all members would be elected based on traditional geographic constituencies, but the constituencies would be larger and have multiple members elected based on a single transferable ballot. Supporters of parties which would not attain enough overall support to meet a threshold under STV can still exercise their vote by giving their second choice to another party.

Chief criticisms are that, although it represents voters wishes rather than parties, it often results in high thresholds. It also pits every candidate against every other candidates, and although it has helped ethnic groups in jurisdictions where it has been used, it has not, so far, helped women where it is used in national parliaments. This may be due to a cultural phenomenon in the places where it has been used, most notably in Ireland and Malta. The other criticism is that STV produces a higher real threshold than most MMP systems, with a threshold of about 14% of the final count in six member districts. In Ireland, small parties routinely win seats in four member districts with as little as 10 to 12% of first preference votes.

Conclusion:

Choosing a system or model requires delicate balancing between various options, and FVC has since its beginning indicated that it will support no one system as a panacea, and urges that Canadians ultimately should be able to choose their own system through a referendum process. We are delighted that this Assembly is charged with the historic task of drawing up a system that can be presented in just this manner to British Columbians.

In your preliminary statement issued in April, you identified four assessment criteria. These are good criteria, but we want to suggest an over-arching principle inherent to the very idea of democracy: that every citizen should have an equal vote. Fair Vote Canada is not here to unveil a perfect voting system to meet that ideal. As you know, there is no system where absolutely every vote counts. We are also not here to tell you that either MMP or STV or a list system is always the best. Each can be designed to get very close, or very far away, from the ideal of making every vote count.

We also appreciate you will need to consider trade-offs regarding system features. Some systems are better in some areas, but weaker in others.

What Fair Vote Canada wishes to do is to drive home the importance of applying the democratic ideal - to make every vote count - as a final benchmark in your deliberations. As you compare the final choices, we ask that you deliberately stop before making the final decision and ask yourselves - how close are we to making every vote count?

Are we 95% there? If so, that's obviously great. If we are only 80% there, meaning that one in five voters are still being ignored, are there compelling reasons to accept that loss of democracy for those voters? Or are there ways to tweak the system to do better?

These are the choices you will be required to make over the coming weeks as you conclude your deliberations. It will be difficult, and some of you like some electoral reform advocates, will disagree over the answers. But please do not let the lack of a perfect system prevent you from making a recommendation for change. No system is perfect, but the one we have today is about as far from ideal as you can get. The reason this assembly exists is because academics, politicians, and citizens, all know that our dysfunctional democracy needs to be fixed.

All of you have by now dedicated hundreds if not thousands of hours to the pursuit of something better. Please use your time to make a decision, and to put something forward that British Columbians will be able to consider, and to vote on, in a referendum next May. Whatever that option is, British Columbians will thank you for giving them that choice, and for the tremendous personal sacrifice of time and energy you have made in order to make this process work and to give a choice to British Columbians.

Thank you.



Why does British Columbia need a new voting system?

Canada is one of the few remaining major democracies still using the first-past-the-post voting system (FPTP). This system was long ago scrapped by most major democracies. Why? Because it *always* fails to provide representation for all voters and it *usually* fails to provide legitimate majority rule. In other words, the system does not address the most basic principles of representative democracy. These and other shortcomings are addressed in more detail below.

- **Denies representation for all voters.**

Winner-take-all voting systems provide representation only for those voters who support the most popular party in their riding. The political views of other voters are not represented. In many cases, the winning candidate does not even receive a majority of votes cast.

- **Distorts the will of the voters**

Because many voters, often the majority, do not elect an MP, overall election results are distorted. A party winning only 40% of the vote may gain 60% or more of the seats and 100% of the power. A party winning 30% of the vote could find itself with only 10% of the seats. Smaller parties that may attract 5% or 10% of the vote will almost never be represented.

- **Produces phony majority governments.**

Because of these distortions, Canada is generally ruled by phony majority governments – i.e., by parties that captured a majority of seats without winning a majority of the popular vote. In fact, Canada has had only four legitimate majority governments – elected by a majority of voters – since World War I.

The current government won 57% of the seats with less than 42% of the vote.

- **Fails to produce accountable governments**

Governments that win with less than majority support nonetheless claim a “mandate from the people”. Governments can also be easily formed by parties with little or no representation from entire regions of the country.

- **Exaggerates regional differences.**

Election results under the current system make it appear that almost everyone in the west supports one party, and everyone in Ontario supports another. The rich diversity of political views from all regions are not present in Parliament.

- **Results in low percentages of women and visible minority MPs**

Every voting system creates incentives for parties to bring forward certain types of candidates. In a winner-take-all system based on electing only one candidate per riding, parties have little incentive to field a diverse range of candidates. Voting systems that require parties to bring forward lists of candidates for larger regions have the opposite incentive. A more diverse array of candidates is often the winning strategy.

- **Promotes apathy, cynicism and negativity among voters**

When voters believe their vote does not make a difference, they do not feel it is worth the bother to go out and vote. In the last federal election, it was estimated that close to half of the eligible voters did not vote. Countries using fair voting systems generally have higher voter turnouts.



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