

Voter Choice

+ A Voice for Communities

> Julian West Wosk Centre 11 September 2004

# **STV+**Circuits

This submission consists of the following sections:

- 1. A summary of my earlier written submission
- 2. A reply to some common misunderstandings about STV
- 3. More detailed maps which are clearer than the earlier tables
- 4. Some fine points of STV-C, including an improvement to the 'circuits' aspect of my proposal
- 5. An argument that STV will be easy to support in a referendum

## 1. Summary of my spring submission

I was invited to appear before the Citizens' Assembly on September 11<sup>th</sup> on the basis of two presentations I made, in Nanaimo on May 27<sup>th</sup> and in Duncan on June 8<sup>th</sup>, and also on the basis of a written submission. In case some members are not familiar with this submission, I summarize it here.

My written submission contained nine recommendations, as follows:

- 1. As part of the voting-reform package, the Assembly should recommend creation of a permanent, non-partisan B.C. Democracy Commission, which would be charged with the review of the voting system and the administration of political parties, its mandate to uphold the democratic right of citizens to meaningful participation in all aspects of the political process.
- 2. British Columbia should use a modified form of Single Transferable Vote (STV).
- 3. In remote areas (Peace, Cariboo, Kootenays), the ideal district magnitude is 2 or 3. In settled areas (Okanagan, Nanaimo), the ideal district magnitude is 4 or 5. In urban areas (GVRD, Victoria), the ideal district magnitude is 5 to 7.
- 4. "Circuits" should be used so that each community is represented by an individual MLA.
- 5. The districts should be based strongly on existing Regional Districts and municipalities.
- 6. Parties should not be able to limit the number of candidates seeking election under their banner in a given district.
- 7. The 2009 election should be held with the 21-district map presented in section 7.
- 8. After the 2009 election (using STV-C) the B.C. Democracy Commission should consult with voters in Powell River—Lillooet and North Shore, and issue a decision about whether they should be combined into a single 5-member electoral district.

After the 2013 election, the B.C. Democracy Commission should consult with northern voters and decide whether to combine the districts of Skeena—Nechako and Cariboo, and whether to combine Upper Fraser—Prince George and Peace River—Northern Rockies.

9. The Assembly should create Aboriginal Electoral Districts.

The Citizens' Assembly was in a very real way my guide on the journey toward STV. I could see that many Assembly members were deeply concerned about the increase in the size of local constituencies required by MMP. The more I thought about British Columbia's land and peoples, the more I shared this concern.

I have also, over the years, come to regard *voter choice* as one of the most important features in an electoral system. Like many Assembly members, I was worried that MMP might, in quest of a simple way to marry proportionality to local representation, give too much power to the party insiders who draw up each party's list.

So I wanted a system which provided both *local representation* and *voter choice*. It has long been considered that STV is an unbeatable system in terms of voter choice. Could something be done to enhance further its ability to provide local representation?

The solution I hit on was the idea of 'circuits'. Each electoral district, which in my proposal will elect between 2 and 7 members depending on where it is located, would be divided into circuits, one for each of its elected members. The MLAs would, after the election, be offered their choice of a circuit to represent, according to some formula.

I found this to be a pleasing solution. For those people who want a single local representative, there remains a clear person to whom to turn. Each MLA is still 'the member for' a certain community, and can be identified as such in the legislature and elsewhere. The same number of MLAs will still be distributed about the province in much the same way that they are today. I will return to this point at the end of this submission.

I called my proposal STV+Circuits. The plus-sign was deliberately chosen because I viewed this as "STV plus", or as the sum total of two approaches. STV provides, as it always does, "voter choice". The circuits enhance this by adding local representation – a "voice for communities".

A large part of the remainder of my submission was occupied with demonstrating the feasibility of the concept by constructing a set of districts and dividing each into circuits. There is no need for me to repeat any of that exercise at length, but I have provided some new maps.

## 2. Myths about STV

Unfortunately, a certain amount of misinformation about STV has begun to circulate in the past few months. I therefore feel it necessary to spend more time than I otherwise would in setting the record straight.

#### (Myth 1) STV is not a proportional system

STV is a form of proportional representation, just as MMP is.

In a 1998 book, Michael Laver of Trinity College, Dublin examined the possible consequences of changing the Irish voting system from STV to MMP. He determined that, for the 1997 Irish

election, MMP would have been *less* proportional than STV was, particularly if a threshold was used.

I have adapted the main table from Laver's book as my table 1. Under STV, six different parties won seats in the Irish parliament -- as did 9 independents. Even with no threshold (or a 2% threshold), none of the independents would have been elected under an MMP party-list system. The loss of these independent seats would have offset any gains in proportionality by adding seats for the small parties.

Increasing the threshold to 3% would have wiped out three of the parties who won STV seats. A further increase to 5% would also have eliminated the Progressive Democrats.

It is, in fact, specifically alleged that small parties cannot win seats under STV because the effective thresholds are too high. The Irish example shows that this in not the case -- every party winning 2% of the vote captured at least one seat. While it is true that in a five-seat district the quota would be 17%, this does not mean that a party needs to approach 17% provincewide to win a seat -- only in its best district. Moreover, the 17% of the vote needed to win a seat in that district need not all be assembled from first preferences. A party (actually, a candidate) might have a relatively low first-preference vote and still win a seat if it could make a strong appeal to supporters of other parties and candidates. The Irish data suggest that those small-party

Table 1. Republic of fielding, election 1997										
		pure PR	actual result (STV)	PR with 2% threshold	PR with 3% threshold	PR with 5% threshold				
Fianna Fail	39.3%	65	77	72	79	84				
Fine Gael	27.9%	47	54	51	56	60				
Labour	10.4%	17	17	19	21	22				
Progressive Democrats	4.7%	8	4	9	10					
Greens	2.8%	5	2	5						
Sinn Fein	2.5%	4	1	5						
Democratic Left	2.5%	4	4	5						
independents & others	9.8%	16	7							
Gallagher index of disproportionality:		0.4%	7.5%	7.8%	10.6%	13.1%				

## Table 1: Republic of Ireland, election 1997

adapted from Michael Laver (1998): A New Electoral System for Ireland?, table A1

candidates who win seats typically start with a base of around 10%-12% of the first-preference votes, and then build on this to reach a quota of typically 25%.

Laver sums up his findings as follows:

...the Irish implementation of STV has generated much more proportional results than might be expected from the small sizes of its constituencies. Failure to deliver proportionality has never been advanced as a reason to change the STV electoral system in Ireland.<sup>1</sup>

## (Myth 2) STV must not be a good system; it is used in only two national parliaments.

It is true that only Ireland and Malta use STV to elect their parliaments. However, only Germany and New Zealand use MMP. The fact that dozens of other countries, such as Sweden, the Netherlands, etc. use PR systems (primarily pure party-list systems) is no more an argument for MMP than it is for STV.

The leading PR options for British Columbia are MMP and STV (and not list-PR, the most popular system worldwide) because these are the two systems which marry proportionality with local representation. It is the job of the assembly to decide which of these two systems best accomplishes this. It is the purpose of this submission to argue that a well-chosen STV system will be as good or better than any other system in the dimension of 'local representation', and will in addition be far superior in terms of 'voter choice'.

We should also remember that we are not designing a national parliament, but a legislature for a lower order of government. Including lower levels of government, almost all Australians vote using STV (for the Australian senate, as well as various state legislatures), and all New Zealanders will when they elect local health boards (and many city councils) on October 16th.

Since there are few sub-national examples of MMP, this makes STV roughly as widespread a system as MMP.

## (Myth 3) Women do not fare well under STV.

This argument seems to rest entirely on data from Ireland (the Maltese example is weak both because of cultural differences between Malta and Canada, and also because their implementation of STV is weak, exclusively using 3-member districts). Quite apart from the problem of extrapolating from one data point, there are strong reasons to believe that the Irish political culture is to blame, not STV.

In table 2, I collate all the information I could find about recent STV elections in Australia and the United States. These give an average of 29% women – the same as the percentage of women in New Zealand's MMP parliament. There will be considerably more data available when New Zealand holds STV elections on October 16th.

<sup>&</sup>lt;sup>1</sup> Michael Laver, A New Electoral System for Ireland?, The Policy Institute (Trinity College) 1998, page 8

					-				
lower	2002	6	25	24%					
single	2001*	7	17	41%					
upper	2003	13	42	31%					
upper	2002	6	22	27%					
upper	2001	9	34	26%					
senate	-**	22	76	29%					
					-				
council	2003	3	9	33%					
council	2003	2	13	15%	(using SMF				
	lower single upper upper upper senate council council	Iower   2002     single   2001*     upper   2003     upper   2002     upper   2001     senate   -**     council   2003     2001   2001	lower 2002 6   single 2001* 7   upper 2003 13   upper 2002 6   upper 2002 6   upper 2001 9   senate -** 22   council 2003 3   council 2003 2	lower 2002 6 25   single 2001* 7 17   upper 2003 13 42   upper 2002 6 22   upper 2001 9 34   senate -** 22 76   council 2003 3 9   council 2003 2 13	lower 2002 6 25 24%   single 2001* 7 17 41%   upper 2003 13 42 31%   upper 2002 6 22 27%   upper 2001 9 34 26%   senate -** 22 76 29%   council 2003 3 9 33%   council 2003 2 13 15%				

Table 2: STV and women

\* one of the women took her seat as a replacement for a departing male councillor

\*\* elected on a staggered basis

This figure of 29% might look less than ideal when one thinks that women are 51% of the population. However, it should be set against the benchmarks published by the International Institute for Democracy and Electoral Assistance. They found that as of 1998, women made up only 12% of representatives elected under majoritarian systems such as first-past-the-post and 23% of representatives elected using various forms of proportional representation.<sup>2</sup>

There are some caveats. The IDEA figures are for national parliaments; my STV figures are not. Some of the Australian systems use 'voting above the line' and thus are considered by many not to be pure STV systems. So it is not reasonable to conclude that STV is necessarily *better* at electing women than the average PR system (29% to 23%). However, the idea that it lags far behind is an obvious fallacy.

#### (Myth 4) Various pathological results can occur under STV.

One can always design theoretical scenarios to order which produce strange results.

Under MMP with a 5% threshold, if four parties get 48%, 44%, 4% and 4% then the two small parties will get no seats and the largest party will get 52% of the seats with only 48% of the votes *-- an artificial majority*!

Under MMP with 20% of the seats coming from lists, if five parties get 42% and 33 seats, 39% and 39 seats, 9% and 2 seats, 6% and 1 seat, and 2% and no seats (the 1996 results), then an allocation of an additional 19 seats would bring the parties up to 38, 39, 8, 6 and 2 seats,

<sup>&</sup>lt;sup>2</sup> http://www.idea.int/women/parl/ch3c.htm#table5

respectively. That is, the second party still has more seats than the first party -- an artificial winner!

Similar scenarios could be devised for lower thresholds or longer lists. The existence of oddball constructed examples under STV (or any other system) does not doom the system.

### (Myth 5) STV is too complicated.

This really comes down to two separate claims: first, that the voter will not understand how to fill out the ballot; second, that the voter will not understand the mechanics of the count.

Regarding the issue of how to fill out the ballot, STV is the simplest voting system ever devised. One simply forms an honest ranking of the candidates from most preferred to least preferred, stopping at any point.

This is much simpler than the situation under SMP, where one has to make an assessment whether to vote sincerely or strategically. In order to make this assessment, one needs to estimate the sincere preferences of all one's fellow voters, and then needs to estimate what proportion of them will also vote strategically. They are of course all making a similar estimate about you. If one thinks about this for a while, it becomes quite bogglingly complex.

Similar calculations exist under MMP. This is particularly true if SMP is used to determine the constituency representatives. However, strategic voting is also introduced by the use of thresholds: whether a supporter of a small party votes sincerely, or strategically for a larger party, depends on her assessment of whether her party is likely to reach the threshold. If it does not, her vote is lost.

Regarding the mechanics of the vote, it is true that most voters will not understand terms like "fractional transfer" or "Droop quota". However, similar terms exist under all voting systems. Few voters understand SMP well enough to explain clearly how the second party could win the most seats, or how a party could win a majority with a minority of the vote. This does not stop the system from working in practice.

Many people who have recommended MMP have suggested 'semi-open' lists, such that, for instance, if one candidate gets 5% of his party's vote (or was that 5% of the overall vote?) he would go to the top of the list. How many voters, asked on their way out of the booth, would understand that? Would they know what would happen if two candidates got 5%? Would they be ordered at the top of the list according to the number of votes they had received, or according to the original order submitted by the party?

Compared with issues like these -- the exact formulation of which could drastically alter the way MMP worked, or failed to work, in practice -- STV is crystal clear. It is neither more nor less complicated than it needs to be.

In fact, STV is exactly the system which answers the question "how do we ensure that each elected representative was supported by the same number of voters?". Isn't that the right question to ask? If one tries to answer it, one is led naturally to STV.

## 3. Maps

These maps accompany the tables in my earlier submission, which included detailed population calculations for each district and circuit. They are for illustrative purposes only; the precise electoral map would presumably be set by a boundaries commission.





1b. Northern B.C., districts and circuits









*3b. GVRD, districts and circuits* 





4b. City of Vancouver, districts and circuits



## 5a. Prince George



5b. Kamloops

5c. Kelowna



## 4. Some fine points of STV-C

## STV reduces the need for boundaries commissions

One strong feature of STV is that the districts, once established, can be left fixed for an extended period of time. If a five-member district increases significantly in population, a sixth member can simply be added to the existing district, without changing its boundaries.

By contrast, any system relying on single-member districts (including MMP) must constantly be

rejigging the boundaries. This can only rarely be accomplished with local corrections; usually the knock-on effect stretches from riding to riding across the entire province.

Boundaries adjustments are rarely popular. They can be time-consuming and expensive, they are open to charges of partisan gerrymandering, and they throw both voters and politicians into confusion. Sometimes two incumbents are left to fight it out in the same riding; on other occasions an MLA finds herself living outside the riding she has always represented.

Voters, even well-informed ones, often don't know the name of the riding in which they live. This is fair enough as it was often created just a few years ago, there has only been one election held in it, there will be one more, and then the boundaries will change again. By contrast, citizens almost always know the name of the town they live in – "but that's because it stays the same for such a long time together."<sup>3</sup> This is one reason why I have suggested setting the district boundaries to coincide closely with regional district and municipality boundaries, and then leaving them alone.

I believe that this increased stability will increase public support for the voting system.

#### A better approach to filling circuits

In my original submission, I was deliberately vague about how best to decide which elected member in a district would have the first choice of circuit. I was vague about this because I did not think I had come up with the best formula for it yet.

I was recently contacted by John Buker, a graduate physics student at Simon Fraser University, who had read my submission on the Assembly's website and had a suggestion for me. He proposed that each elected candidate should declare (maybe even before the election?) which circuit they hoped to represent. If two (or more) elected candidates were after the same circuit, the tie would be broken based on examining the ballots *in that circuit*. Whichever one was ranked higher by more voters should win. (John just said "the higher number of votes" and might have been thinking of first preferences, but clearly the preferences of all voters could be considered.)

John pointed out that one of the advantages would be to create some stability for incumbents, since an incumbent in a particular circuit could expect to be more popular there. This would forestall the strange possibility of an incumbent MLA being returned, but, having been less popular than a newcomer in the district as a whole, be forced to move into a new circuit.

I immediately knew that John had hit on the sensible solution, and I forward it without hesitation.

I would also like to note that John supported my idea that parties should not be able to limit the number of candidates in a district, and wondered why I had made it 'optional'. The reason, of course, is that all aspects of my proposal are optional and the Assembly is free to add and subtract as they see fit. I wouldn't want to make this feature 'compulsory', such that if the Assembly didn't like it, the whole model sank. By the same token, 'circuits' are an optional

<sup>&</sup>lt;sup>3</sup> Alice's observation about knowing what year it is, at the Mad Hatter's tea party

feature. I stand by my recommendation of STV, with or without circuits. I just think circuits have the potential to make STV better.

#### All parties (and independents!) treated equally

Laver points out that an MMP system would affect different parties in very different ways. To understand this in the B.C. context, one need only look at the results of the 2001 election. Under any version of MMP, the Liberals would have won nearly every constituency seat in the legislature. (The NDP would have won one or two in east Vancouver.)

The Liberals, already overrepresented, would have received no list seats at all. By contrast, nearly every opposition member would occupy a list seat. Almost every single British Columbian would have a Liberal as her constituency MLA. Almost no member of any other party would have any formal constituency work.

This would leave us in the paradoxical situation where the *government* members *also* had to do all the constituency work, as well as serving in cabinet and the other aspects of governing. The opposition caucuses would have no constituency work to do.

Although this particular election was extreme, Laver's research in the Irish context shows that this would apply generally. The largest party (usually in government) would have almost no list MLAs, the second-largest party would have a balance, and the smaller parties would have caucuses entirely, or almost entirely, coming from lists. MMP, therefore, does not play fair across all parties.

STV does. Since there is only one class of MLA, all MLAs are treated equally, whether they are from large parties, small parties, or indeed whether they are independents.

#### The electoral map is reassuring

Some advocates of MMP maintain that the existence of single-member ridings makes MMP look more reassuringly familiar than other forms of PR. I disagree with this.

All implementations of MMP require significantly larger ridings. The most common suggestions – one-third list seats and one-half list seats – require ridings that are, respectively, 50% or 100% larger than the ones we have today. Regardless of whether the voting method looks familiar, the *map* will look very disorienting.

Under STV-C, the maps look reassuringly familiar. Each region of the province is represented by the same number of MLAs as before, and they are elected in areas which are about the same size and shape as previously. These areas are now, however, not the determinative regions of the electoral system (those are the districts) but are these new constructs called circuits.

Yes, STV uses multi-member districts. But so does MMP! Each voter in an MMP system is represented by one MLA in a single-member district, and by many (some have proposed 36) who are elected from lists in a 36-member district. The fact of the matter is that if you are going to have PR *in any form*, you must have multi-member constituencies. Laver is, again, instructive on this point:

...any form of the PR electoral system requires multi-member constituencies for the distribution of at least some of the seats in the legislature. (The AMS [that is, MMP] system we consider below is popularly thought to rely upon single-member constituencies, but these are in practice supplemented by much larger, typically national, constituencies for the proportional allocation of list seats.)<sup>4</sup>

## 5. STV will be easy to support in a referendum

Although I made this argument in my earlier submission, I repeat it now more forcefully.

Whatever system is proposed by the Citizens' Assembly must pass at referendum. Those of us who want a reformed system – and I believe, at some level, this includes the majority of British Columbians – must be prepared to support the new system in the face of opposition. We must anticipate that this opposition will seize on the weak points in any system and attack those. (In this sense, it is easier to be against something than for it; one only needs to find one particular aspect to attack.)

Because any MMP system will entail a significant redrawing of the electoral map, it follows inevitably that there will be at least a *perception* that some geographic areas are losing out, and others gaining.

For instance, many of the submissions to the Assembly have proposed that we adopt the 36 federal ridings for the single-member constituencies. This would reduce the number of MLAs *representing constituencies* north of Kamloops from ten to three. True, by the law of averages (or affirmative action taken by the parties) there will be, on average, another three or so MLAs from the north elected from party lists. But, first, northern voters won't be content with averages (perhaps 9 northern MLAs in some legislatures, only 3 in others), they want an *assured* level of representation. And, second, they want their members to represent the north alone, not be shared in a pool with the entire province.

With this particular version of MMP, then, the North would be painted as the loser, and there would be an appeal to northern voters to reject it. With a different version, it might be suburban voters.

STV-C is immunized against such appeals on the basis of geography, because *it leaves the underlying map alone*.

There will be attacks against STV on other grounds ('too complicated!') but I believe that if the Assembly puts its case well these attacks can be withstood. STV is not artificially complicated. It is the system to which one is naturally driven when one tries to answer the question "how can we ensure that each candidate elected is supported by the same number of voters?". Put that way, it should command widespread (universal??) support.

<sup>&</sup>lt;sup>4</sup> Laver, page 7