

# **The System of Choice for British Columbia**

## **A representative voting system for the Legislative Assembly of British Columbia, the Single Transferable Vote**

Anthony Tuffin

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### **Summary**

A fair, democratic and efficient voting system should produce a legislature that reflects political opinion in the province and a government supported by a majority of the voters. It should also strengthen faith in democracy and avoid wasted and split votes.

The Single Transferable Vote achieves all this; it is tried and tested in other parts of the English-speaking world. It also extends voter choice, encourages stable government, will strengthen links between MLAs and their ridings and can help reduce party discipline. Moreover, it is flexible and can be readily adapted to the different conditions of urban and rural areas\*. I recommend it for British Columbia.

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\* Please see the section, “Brief description of the Single Transferable Vote” on page 7.

## Introduction

I congratulate the citizens and legislators of British Columbia for establishing the Citizen's Assembly to examine this important question. In many other nations and states (including the UK in 1998) either the executive arm of Government or people chosen by it review constitutional issues, leaving unanswered questions about their independence and whether their recommendations are in the interests primarily of the citizens or the Executive. Please forgive an outsider for offering views but, as well as having relatives and friends in beautiful BC which I have visited a number of times, I share the view of John Donne (English poet, 1572-1631) that, "No man is an island unto himself". Democracy is indivisible and, if I help to strengthen democracy in BC, I help to strengthen it elsewhere, including the UK where I live.

Although electoral reform may seem less important and perhaps less exciting than taxation, education, health, social services and many other matters, it is more urgent. Unless a legislature reflects public opinion accurately, its decisions on those other important issues do not reflect the views of the public; i.e., they are not democratic. Accordingly, an accurate voting system should be in place before a legislature considers other issues.

I ask each member of the Citizens' Assembly to imagine being a supporter of Party X in a riding that is a safe seat for Party Y. That should not be difficult, because many of you will be in that situation:

- Under the present First Past The Post system, you can neither help to elect an MLA of your choice nor influence the overall result, which will decide the Province's Government.
- Now imagine yourself living in the same place with any proportionate system. That's a little better, isn't it? You can help elect an MLA of your own party and perhaps influence the overall result.
- Now, however, imagine yourself still in the same place but with the Single Transferable Vote. As with any proportionate system, you can help elect an MLA of your own party and perhaps influence the overall result, but you can do much more. You can help elect an MLA not just of your own party but also of your own choice. Will you choose an experienced MLA or a new broom, a local candidate or an outsider, a woman or a man, someone from your wing of the party or perhaps a person of your own age group, ethnicity or profession? Perhaps a candidate who combines some of these attributes? You do not think your favourite candidate has any chance of election? Never mind; you need not waste your vote. You can express later preferences for candidates you like nearly as much and help elect one of them. (The later preferences will not count against your first choice.) *That is the Single Transferable vote.*

## Criteria

One cannot recommend a voting system without first deciding the criteria it should fulfil. The Citizens' Assembly's criteria may be different from mine. I cannot second-guess what they may be, so I can only start with mine and hope they are similar to those of the Assembly.

However, I am reasonably confident that any body of free citizens in a democracy would choose broadly similar criteria.

In fact I did not invent all the criteria I use as mine. The UK (Labour) Government set the first four when it appointed an Independent Commission to review the UK's voting system in 1998:

- **broad proportionality**
- **extending voter choice**
- **stable government**
- **maintaining a link between MPs [or MLAs] and geographic constituencies.**

My fifth criterion is:

- **strengthening faith in democracy**

I now look at these criteria in turn.

### **Broad proportionality**

Without broad proportionality, there is no true representation. Under the First Past The Post voting system, Governments are often elected with an overall majority of representatives by a minority of voters. This is the experience of Canada (nationally and provincially), the UK and most of the English-speaking world. British Columbia provided an extreme example of this in 1996 when the NDP took total power with only 39% of the popular vote. If supporters of that party welcomed the result then, they probably had second thoughts when they won only 2.5% of the seats with 22% of the votes in 2001. Even if one takes the view that this is fair between parties on a swings and roundabouts basis in the long run, it is undoubtedly inefficient and moreover unfair on the voters whose views were misrepresented each time.

First Past The Post elections often allow the party with the most votes (but less than an overall majority of votes) to win an overall majority of seats in the legislature, but sometimes the result is even more perverse. Twice since World War II, the party with the *second* highest number of votes has won the most seats in the British House of Commons. This advantaged the Conservative Party in 1951 and the Labour Party in 1974 so the parties may feel it was fair in the long run but, nevertheless, it was both unfair for the voters of the day and inefficient. Similarly, the 2000 USA presidential election by First Past The Post allowed the candidate with the second highest number of popular votes to win the most delegates to the electoral college and, hence, the White House.

The late Lord Hailsham, who held posts in post-war UK Conservative Governments including that of Lord Chancellor, once referred to the British Labour Government's "elected dictatorship". He was in opposition at the time and I do not think he used the phrase when he was in Government (!) but it is a very apt description of a system that allows a minority to rule as a majority.

A non-proportionate system is also inefficient and a failure if the object of an election is to produce a legislature that broadly reflects public opinion.

Many systems, other than First Past The Post, offer broad proportionality of political parties but only one, the Single Transferable Vote, offers broad proportionality of any other groupings that the electorate may consider important\* and, as mentioned next, a broad choice of candidates. This ability to elect by other groupings could, for example, improve the gender balance or provide better representation for ethnic minorities.

### **Extending voter choice**

First Past The Post offers no choice in safe ridings and little choice in marginal ones. In safe ridings, the largest\* party in effect selects the MLA, so voting in the election itself is only a formality that cannot affect the result. In marginal ones, the real choice will usually be between only the candidates of the two leading parties in those particular ridings. This creates a dilemma for a voter who usually supports Party X but whose Y Party candidate's views on, say, the environment are closer than Party X's to his or her own. Third or fourth party supporters have to choose between "wasting" their vote by voting on principle for the candidate they really support and using it effectively to vote for whichever of the two leading candidates they dislike less. This is bad for democracy and many voters prefer not to vote at all, which probably explains why turnout has fallen in BC and the UK.

Single Transferable Vote, by contrast, not only offers a broad choice of candidates of different parties but also within parties and it encourages each party to nominate candidates of various views and backgrounds (including gender and ethnicity) in order to maximise the party vote. This should produce a legislature that is closer to a microcosm of the population than is likely under most voting systems.

Because successful candidates under the Single Transferable Vote are always selected ultimately by the public and not in effect by their parties as often happens with First Past The Post, they are less dependent on party patronage for their seats but owe their positions and power to the electorate. This should encourage them to place their voters' interests above those of their parties, reduce party discipline and encourage more independence by MLAs.

### **Stable government**

First Past The Post offers an illusion of stability. It creates Governments that look stable because of their large parliamentary majorities, even though they represent only a minority of the voters. This enables Governments to delude themselves into thinking they have a moral mandate to do whatever they wish, although a majority of voters oppose them. Further, it exaggerates swings between parties so an incoming Government may also have a large majority with the power and perceived, but unearned, mandate to undo much that its predecessor achieved.

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\* Please see the section, "Brief description of the Single Transferable Vote" on page 7.

\* This may not even be the majority party. If no party commands an overall majority of the votes, they are all minority parties and the largest of these will choose the MLA.

Any proportionate system should increase real stability by reducing the number of times Governments are elected with large majorities and smoothing out the political swings to reflect better the comparatively small swings in public opinion. The parliamentary wipeout of the Progressive Conservative Party of Canada in 1993 is an example of the inherent instability of the First Past The Post system. A reduction in the level of the public's faith in democracy\* can lead to instability of the political system itself.

Of all proportionate systems, the Single Transferable Vote should help especially. By enabling voters to express preferences among candidates of different parties, it encourages the voters to support some candidates of other parties and they are likely to choose the more moderate candidates whose views on some issues may be close to their own. This in turn motivates each party to campaign for wide support and discourages reliance on a hard core of party supporters who are likely to be more extreme than voters in general. This encourages moderation, consensus and stability.

### **Maintaining a link between MPs [or MLAs] and geographic constituencies [or ridings].**

A perceived advantage of First Past The Post in single-member ridings is the claimed link between the MLA and the riding but this is often illusory because:

- To achieve approximate equality of electorate for each riding, ridings are often made up of artificial communities. A boundary may cross an urban area for no reason other than to create ridings of the desired size or varied communities may be put together to create a riding because none is viable as a single-member riding on its own.
- To maintain the criteria for size of single-member ridings despite demographic changes, boundary changes may be frequent so electors are separated from their MLA, sometimes several times in a lifetime, even if they continue to live in the same area and the voting pattern remains unchanged.

All proportionate systems rely to some extent on multi-member areas, which are larger than single-member ridings. With the Single Transferable Vote, a number of single-member ridings (say five) would be merged to form one multi-member riding electing the same number of MLAs. Although the communities to form such multi-member ridings would be larger than those for single-member ones, it would be easier to use genuine communities, such as complete towns or counties. It would be less necessary to change riding boundaries; a multi-member riding with a declining population could simply have its number of MLAs reduced, while one with a rising population could have the number increased.

Under First Past The Post, even the most brilliant, effective and popular politician of Party A cannot represent his or her home riding if it is a safe seat for Party B. Because the Single Transferable Vote would normally result in the election of MLAs from different parties for the same multi-member riding, it would be easier for politicians to represent their home ridings.

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\* Please see "Strengthening faith in democracy" on page 6.

Further, the community of a former single member riding merged into a larger multi-member riding would retain sufficient voting strength to re-elect its local MLA and to continue to elect local representatives in future if the voters so wished.

All this would not merely maintain but would *strengthen* the link between MLAs and geographic ridings. This strengthened link should help MLAs to gain some independence from the party machine, as mentioned in “Extending voter choice” on page 4.

### **Strengthening faith in democracy**

“Voting doesn’t change anything.”

“It’s no good voting for my party in this riding. It doesn’t have a chance.”

“There’s no need to vote here, because my party will win anyway.”

“Our MLA is unpopular and a large majority votes against him at every election, but the vote against him is split between the other two parties, so he always wins.”

“I support the party, but I can’t stand its candidate this year. I don’t want to vote for her but I don’t want to vote against my own party.”

“I gave up voting years ago.”

“MLAs represent their parties – not us”.

Quotations like this are heard wherever First Past The Post elections are held. It is widely recognised there is little point in voting against the NDP in 16<sup>th</sup> and Main, Vancouver-Mount Pleasant, because the NDP will win anyway. It is equally true, but less widely realised, that there is also little point in voting for the NDP there because the party will win without any one elector’s vote. The same is true of the Liberal Party in 16<sup>th</sup> and Granville, Vancouver-Quilchena.

Long periods of government without majority support from voters and large sections of the population being under-represented or even unrepresented (as often happens with First Past The Post) reduce faith in democracy. The kind of exaggerated swing that wiped out the parliamentary Progressive Conservative Party of Canada in 1993 also reduces faith in democracy. Not only that but it is inefficient.

Excessive party discipline also undermines faith in democracy if electors believe that MLAs are the parties’ representatives instead of the public’s.

The solution must be to change to a voting system that enables the vast majority of votes to be effective in every riding, gives voters a genuine choice of candidates within and across the parties, and strengthens constituency links at the expense of party discipline. The Single Transferable Vote will do this and, as electors gain confidence in the new system, should reverse the trend of falling turnouts.

## **The Scottish & Irish experiences**

The Scottish Parliament is elected by the proportionate Additional Member System, which I believe you know as “MMP” in Canada. Accordingly when the Scottish Executive (government) reviewed the First Past The Post system used for municipal elections in Scotland, one might have expected it either to endorse the existing First Past The Post system or to recommend the Additional Member System. Instead, after an impartial enquiry by a working group, the Scottish Executive recommended the Single Transferable Vote and has put a Bill before the parliament to give effect to it.

The main reason for preferring the Single Transferable Vote to the Additional Member System seems to be a concern about the non-ward or top-up councillors elected under the Additional Member System. The worry is that, without their own ward responsibilities, they would be able to target ward councillors’ wards for subsequent elections by taking on casework there. This worry arises from the experience of elections to the Scottish Parliament under MMP, which produces two classes of representatives.

Northern Ireland is a part of the UK where the Single Transferable Vote has been used successfully for many years to ensure proper representation of minorities. It was introduced for various elections there by UK governments that wanted to reduce the violence that arose in the Province partly from under-representation, but they oppose it for the rest of the UK where under-represented minorities have not resorted to violence.

The Republic of Ireland has used the Single Transferable Vote since independence from the UK some 80 years ago. Professional politicians have tried at least twice to change back to First Past The Post but, each time, the Irish electorate rejected the proposal in a referendum, which indicates how popular the Single Transferable Vote is with voters themselves, even when politicians try to persuade them otherwise.

### **Brief description of the Single Transferable Vote**

Others, with more resources than I, will no doubt explain the Single Transferable Vote (also known as “Choice Voting” in the USA) and other systems in detail and to the level needed by returning officers, but you may find this simple explanation (to the level required by the average voter) helpful.

The Single Transferable Vote (STV) is a fair way of electing several MLAs together. Voters elect the individual candidates of their choice and the overall result reflects voters’ views.

On switching from First Past The Post to STV, one would normally merge a number of single-member ridings into one multi-member riding. Typically, there may be 5 members for a riding but the exact number is flexible. You may consider it desirable to have a riding represented by more MLAs in a densely populated urban area to avoid splitting the town artificially and you may prefer to have ridings represented by fewer MLAs (perhaps even only one\* sometimes) in sparsely populated rural areas to avoid ridings that are geographically very large. Although the

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\* The Single Transferable Vote in single member constituencies is usually known as the “Alternative Vote”, but electors cast their votes the same way.

election result in a single-member riding cannot be proportionate even by the Single Transferable Vote\*, voters will nevertheless be able to vote without wasting or splitting their votes and, if most ridings are multi-member, the overall result should be broadly proportionate.

A candidate is elected by obtaining a quota of the votes cast. If 2 members are being elected, the quota is  $1/3^{\text{rd}}$  of the votes. If 3 are being elected, the quota is  $1/4$  and so on. You will see that, if 5 are being elected, the successful candidates will, between them, represent at least  $5/6^{\text{th}}$  of the voters; i.e., a large majority.

People vote by writing 1, 2, 3 etc against the candidates' names in the order they prefer them. This is by no means complicated for voters and is used without difficulty in both parts of Ireland and elsewhere.

Each candidate who receives the necessary quota of first choice votes is elected at once. If a candidate gets more than the quota, his or her extra votes are transferred to the next choice of those who voted for him or her. Whenever a candidate's votes (so increased) reach the quota, that person is elected. If there are still any vacancies when all the extra votes have been transferred, the candidate with the fewest votes is declared defeated. All that candidate's votes are then transferred to the next available choice of those who voted for that candidate. The procedure continues until all vacancies are filled.

The result is proportionate to the voters' wishes. This may, and usually will be, party proportionate but it can be proportionate in other ways. If the voters collectively wish, they can elect an assembly that is proportionate across party divisions by sex, age, ethnicity, religion or (say) attitudes towards the environment.

## **Conclusion**

I recommend British Columbia to adopt a voting system that is proportionate *and* gives voters a wide and genuine choice of candidates. Many systems, other than First Past The Post, offer party proportionality but only the Single Transferable Vote also offers proportionality between other groupings (genders or ethnic groups for example) and only the Single Transferable Vote provides voters with a wide and genuine choice of candidates that avoids split voting. I accordingly recommend British Columbia to adopt the Single Transferable Vote.

The Single Transferable Vote offers:

- broad proportionality (of parties and other groupings)
- voter choice
- stable government
- a close link between MLAs and geographic ridings
- strengthening faith in democracy



In addition, the Single Transferable Vote is flexible. Although 5-member ridings are usually recommended, the number of MLAs per riding can be adjusted to suit local conditions; more in densely populated areas, fewer in sparsely populated areas, even only one in extremely sparsely populated areas\*.

You have an unusual, probably unique, opportunity to take a blank piece of paper and create a new democracy not for the politicians or their parties but for yourselves, your fellow citizens, your children and theirs, your grandchildren and theirs, and for many generations to come. I urge you to use that opportunity to give the electors of British Columbia votes of equal value that help free MLAs from the shackles of party discipline and can elect a legislature that truly represents the people of the province, their differing ethnic groupings, religions, genders and, oh yes, parties but not just parties. *I urge you to recommend the Single Transferable Vote.*

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\* Please see the section, “Brief description of the Single Transferable Vote” on page 7.