Submission to the British Columbia Citizens' Assembly on Electoral Reform

Proposition

The United Kingdom has in recent years tried out all the main types of electoral system, with Mixed Member Proportional systems introduced for many elections. However, MMP has caused a number of problems, particularly in Scotland and Wales, and the Single Transferable Vote is now seen to be the superior system.

Introduction

In the UK, we have seen a rash of new voting systems introduced, following the election of a Labour Government in 1997. There are now no less than seven different systems in use for elections to public office. This may not be ideal in political terms but it certainly provides an excellent laboratory for the study of alternative electoral systems.

As a British citizen and resident, I had not intended to make a submission, since the choice of electoral system is entirely a matter for the people of British Columbia. However, it was suggested to me that the UK's recent "experimentation" in electoral systems might provide some useful lessons. My submission is made in that spirit.

I am not involved in any political party, but am a keen observer of the political scene in the UK, and in particular our ongoing debates on electoral systems. My interest is not in the technicalities of systems but in the impact of different systems on the quality of representation and governance.

Systems recently introduced in the UK

I do not intend to go into the details of the various systems – David Farrell does this far better than I could[1]. Instead I wish to throw some light on what I expect to be the main area of debate.

If experience in the UK is anything to go by, it is likely that the Citizens' Assembly will come to the conclusion early on that some form of proportional representation would be an improvement over the current system. Indeed, your preliminary statement[2] suggests that you are heading in that direction.

Turning to the choice of PR system, there are more systems than there are democratic countries in the world. But in the end I think the choice comes down to three basic types of system, all of which have been recently introduced in the UK:
- Party lists
- Mixed Member Proportional system (MMP), sometimes called the Additional Member System (AMS)
- Single Transferable Vote (STV)

A regional party list system was introduced in 1999 for elections in Britain to the European Parliament. It has not been particularly popular, since it forces people to vote for a party rather than an individual. Turnout for European elections is very low. The system is due to be reviewed by the Government after this year's elections, and is likely to change. Because of its manifest disadvantages, the system used for elections to the European Parliament is not a serious contender for use in any other elections in the UK.

That leaves MMP and STV. In the initial years of electoral reform after 1997, MMP was the favoured system in many cases:

- Scottish Parliament elections from 1999
- Welsh Assembly elections from 1999
- London Assembly elections from 2000
- Elections to English regional assemblies, if and when these are created (three regions are due to hold referendums later this year)
- In 1998 the Jenkins Commission recommended AV+ (a form of MMP) for elections to the House of Commons

Only in Northern Ireland, with its long history of using STV for local and European elections, was STV introduced for the new Assembly created in 1999.

However, in the last couple of years, experience of MMP has unexpectedly caused the pendulum to start to swing back towards STV. The experiences of Scotland and Wales are perhaps the most relevant to BC. Firstly because they have been using MMP longer than any other part of the UK. And secondly because in both, the majority of the population is concentrated in a few cities in a small part of the country, with large areas very sparsely populated. This geographical feature, particularly acute in BC, presents particular challenges in the choice of electoral system.

The experience in Scotland and Wales

The parallels with Scotland and Wales have led some in Canada to recommend the same system as is used there. For example, the Law Commission of Canada, in its recent report *Voting Counts: Electoral Reform for Canada*[3], said:

> *A Scottish-inspired mixed member proportional system would do a much better job of being fair and making every vote count than our current system.*

However, the recent experience in Scotland and Wales has highlighted some problems with MMP. The story starts with the reasons for choosing MMP in the first place.

In its 1997 manifesto, the British Labour Party pledged to set up devolved government in Scotland and Wales, subject to approval in referendums. Following their General Election victory, the emphasis was primarily on defining the powers and procedures of each body. It had already been recognised that a proportional electoral system was essential to gaining acceptance for the new bodies. Even before the General Election, the Labour Party had chosen MMP as a system that was easy to introduce because it used existing constituencies. According to Ron Davies, Labour's Shadow Secretary of State for Wales at the time,

> *One of the issues that we considered way back in 1995-96 was the question of multi-member constituencies, of creating new constituencies. Had we done that of course we would have had to have had a Boundary Commission and that process would have taken forever and a day and that would have frustrated our overall political timetable. So we had to settle on the existing constituency arrangements, parliamentary constituencies and European Constituencies.[4]*

However, now that each body has held two elections under MMP, many in Scotland and Wales are starting to regret this decision. The problems were neatly summed up by the Electoral Reform Society, which (in the context of Wales) confirmed that:[5]

AMS [i.e. MMP] creates two categories of elected representatives. This is an intrinsic defect of additional member systems. Although in the Assembly constituency and regional list Members have equal rights, there remains a perception that list seats are consolation prizes for parties which failed to win constituency seats.

Constituency Members are viewed as having greater legitimacy as representatives of issues in their constituencies, while regional list Members are not regarded as local representatives in the same way.

There have been accusations that List Members have concentrated their energies in constituencies in their regions where there are future prospects of winning constituency seats. If the Welsh Assembly were to acquire greater powers, it must be anticipated that the tensions between list and constituency AMs will increase.

If anything, the problems with MMP have been even worse in Scotland than in Wales. Due to Scotland's electoral geography, the constituency members are predominantly Labour, while most list members come from other parties. Thus it is Labour members who are complaining about the other members trying to poach their seats, something the Labour Party failed to anticipate when it chose MMP. This problem is bound to be raised in the Government's forthcoming review of electoral systems, and may lead in due course to a change of system.

Indeed, its effect has already been seen in the choice of system for Scottish local government. The Report of the Renewing Local Democracy Working Group[6], chaired by Richard Kerley concluded:

… we do consider that the two classes of member that AMS would produce, with the possible disadvantages which we have noted above, are distinctly less attractive than the single type of member that STV provides. Accordingly, we consider that STV best meets the requirements of our remit.

This recommendation has been accepted by the Scottish Executive (a coalition between Labour and Liberal Democrats). The legislation to introduce STV for local government elections is now entering its final stages. It is due to be passed in June 2004 with the first STV elections taking place in 2007.

Similar feelings have been aroused in Wales. Earlier this year, the Commission on the Powers and Electoral Arrangements of the National Assembly for Wales (the *Richard Commission*) recommended a change to STV in the context of enlarging the Assembly to take on primary legislative powers. Their report[7] identified the main disadvantage of MMP as:

… it creates two types of AM [Assembly Member] with overlapping responsibilities: the single constituency Member and the regional Member who is one of four representatives covering the region which includes the constituency; in the present Assembly all Labour AMs are constituency Members and two-thirds of opposition AMs are regional list Members.

The Commission concluded:

On proportionality grounds alone, the choice between AMS and STV is not clear-cut. In our view, the most important advantages of STV over AMS are three-fold:
- *all Members would have equal status and share the same relationship with constituents;*

- *the majority of votes would count and there would be no such thing as a wholly safe seat – giving all the parties an incentive to campaign in every constituency;*
- *there are opportunities for greater representation of minority interests.*

To complete the picture, the Commission on Local Government Electoral Arrangements in Wales[8], chaired by Professor Eric Sunderland, rejected MMP as the electoral system for local government due to the creation of two types of members. They felt that this division in the National Assembly had "generated bickering" and had also left voters confused as to whom they could call on for advice and support. They called for STV to be introduced for the 2008 local elections in Wales.

Conclusions

In recent years, MMP has been introduced in Britain primarily because the politicians of the day, who controlled the process, thought that STV with its multi-member constituencies was too difficult or too inconvenient. They, or rather their successors, have discovered that MMP has caused problems they did not expect, and are now coming round to the idea that STV might be better after all.

In fact, something similar has happened in New Zealand, which introduced MMP for its parliamentary elections following a referendum in 1993. After three general elections under MMP, people and politicians are still unsure whether they made the right choice (although the problems with MMP in New Zealand are different to those in the UK). Partly as a result of this experience, STV was chosen over MMP as the alternative system for local government elections in New Zealand, and it is now being introduced in a number of local authorities.

MMP has many advantages over the existing first-past-the-post system; in my opinion it is preferable to FPTP. But the evidence from Britain shows that it is far from ideal, and that STV is emerging as the superior option.

In BC, you enjoy a couple of advantages. Firstly, you have the chance to learn from our experimentation in the UK. And secondly you have the Citizens' Assembly. This gives you the opportunity to choose the system that is best for all the people of BC, and avoid the dangers of politicians dictating the result according to what is most convenient for them.

I wish you all the best in your deliberations.

Crispin Allard PhD
May 2004

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[1] Farrell, D *Electoral Systems: a Comparative Introduction*, New York: St. Martin's Press, 2001. [This is the book provided to Assembly members as a reference book]
[2] http://www.citizensassembly.bc.ca/resources/Preliminary%20Statement%20-%20colour%20letter%20final.pdf
[3] http://www.lcc.gc.ca/en/themes/gr/er/er_report/er_report_toc.asp
[4] Oral evidence to the Richard Commission (see reference 7)
[5] Written evidence to the Richard Commission (see reference 7)
[6] http://www.scotland.gov.uk/library2/doc16/rldw-00.asp
[7] http://www.richardcommission.gov.uk
[8] http://www.nottingham.ac.uk/~lezbrd/epa/wales.pdf