

Brief Submitted to
House of Commons Special Committee on Electoral Reform

FAIR VOTE NOVA SCOTIA

Halifax, Nova Scotia

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Fair Vote Nova Scotia (FVNS) is a grassroots non-profit association of Nova Scotians concerned about the state of our democracy. We are affiliated with Fair Vote Canada. While FVNS does not advocate or promote any specific voting system model, we support reforms that will ensure equal and effective votes, make electoral results a more accurate (proportional) reflection of the popular vote with respect to parties, and result in legislatures that are a better reflection of society at large.

Our voting system impacts the way Parliaments are elected, the way governments are formed, the incentives parties and MPs have to work together (or not) and the issues they choose to tackle, amongst other influences. Thus, it has real impact on the way legislation and policy is made – and policy itself. This Committee has heard from a number of experts who have said as much.

The choice of voting system therefore has importance far beyond the more obvious issues of how representatives are selected. Canada has never really chosen its voting system; rather, it has, until now, accepted what it has inherited. First Past the Post (FPTP) has been used in Canada largely without change since Confederation. It is only in recent decades that it has come under closer scrutiny, and more recently still a number of civic movements across Canada have formed to correct its perverse effects.

This democratic awakening is widespread. Although FPTP is relatively simple and familiar to Canadians, the sheer number of commissions, provincial referenda, polls, Citizens' Assemblies, and studies on it since the early 1980s is testament to the fact that Canadians recognize something is amiss. Simply put, the current electoral system no longer responds to our modern democratic expectations or values.

This Committee has heard many of the problems associated with FPTP. FVNS agrees that there are a multitude: instability from wild policy swings; unassailable “fortress” ridings; half of all votes not counting towards the election of a representative of the voters' choice (so-called “wasted votes”); unequal votes; the sense amongst many electors that their vote won't count; under-representation of women and ethnocultural minorities in our legislatures; a partisan political climate that often discourages working across party lines; elections in which the party with the most votes actually loses; and exaggerated regional differences that strain an already regionalized country. There are many others.

The root of many of these problems is the winner-take-all nature of FPTP. One solution is to add an element of proportionality to the voting system so that Canadians can cast more equal and effective votes. The Committee has heard from numerous witnesses and submissions of the advantages that a more proportional system of representation; FVNS supports these, but won't reproduce them here in detail. FVNS would favour any reasonable proportional system proposed that ensures equal and effective votes while also maintaining local representation. Nova Scotians prefer to know who their MP (or MPs) are that represent their riding in Ottawa.

Referendum

It has been argued that Canada already had a referendum on voting system change – the 2015 federal election. However, some contend that a mere election is insufficient: the current government has no mandate to change the voting system because they didn't win a majority of the votes cast. This, despite the fact that the Prime Minister campaigned prominently on making 2015 the last election under FPTP. But one cannot have it both ways: If you believe the current system is legitimate, then you will believe the government has a mandate to change the electoral system. If you don't believe the current system is legitimate and there is no mandate to change, then clearly the government has no mandate to do anything...and we need a new voting system that imparts legitimacy.

FVNS is not against a referendum *per se*, but points out that there are a number of challenges associated with one. First, legislation: current federal legislation (eg. *Referendum Act*, 1992) would need to be modified to allow for referenda on issues other than those on Constitutional matters. Second, time: it is unlikely there is enough time to hold a referendum before the 2019 election if the government is to keep the promise of scrapping FPTP. Third, complexity: as has been witnessed in the recent UK 'Brexit' vote, referenda may not be well-suited to decide complex and nuanced issues; certainly voting system reform where the electorate has no experience with systems other than FPTP is one. Fourth, precedent: a number of provinces have changed voting systems without referenda in the past, and there is no legal requirement to hold a referendum.

All this being said, FVNS is not opposed to a holding referendum on a new voting system, but one may have to be held the way New Zealand did it: after more than one election cycle under the new system. If Canadians didn't like the new system after using it a few times, they could go back to FPTP – or chose something else.

Ranked Ballots

FVNS views ranked ballots as a method of voting that can be used in many voting systems, both those that are winner-take-all and those that are proportional. It is a method whereby voters rank their choices on the ballot in order of preference. As such, we are not opposed to ranked ballots *per se*. Ranking ballots can be an effective method when used in proportional voting systems.

However, when some use the term in Canada today they are really referring to 'ranked ballots with single-member constituencies,' more commonly known as the Alternative Vote (or IRV) in academic literature. FVNS does not support the Alternative Vote for electing legislative assemblies.

The Alternative Vote (AV) is another winner-take-all system that suffers from many of the failings of FPTP. It allows voters a little more say on ballots by letting them rank candidates or parties – to little avail. If voters suspect their first choice will not win, they will try to impact the outcome with their second or third choices, hoping a candidate they like less will beat one they truly despise. In this way AV encourages electors to vote strategically, but in practice second and third choices rarely have any practical effect on election outcomes (as evidenced by elections in Manitoba and Alberta and the Australian lower House).

Regardless of who wins the seats, AV results still leave a large portion of the electorate without the representation it wants and deserves: like FPTP, half or more of all votes do not go towards electing the candidate first choice. Also like FPTP, smaller parties are under-represented as are parties with thinly-spread national support. Even more so than under FPTP, parties with regionally concentrated support are often granted more seats than their popular support warrants. In short, the Alternative Vote does not address many of the main problems with First Past the Post, and in some instances would produce results that are even less proportional than those with FPTP.

Canadians deserve the opportunity to create a voting system suited to Canada that minimizes ineffective votes and reflects who we are and how we voted. It would do no good to invest all the time and expense of the Special Committee studying voting system reform, hearing from witnesses and travelling coast to coast, to merely tinker at the edges of our voting system...such as a cosmetic switch to ranked ballots without adding any element of proportionality along with it.

Recommendation

Fair Vote Nova Scotia recommends the adoption of a voting system with a significant degree of proportionality, one that accurately reflects the popular party vote in the House of Commons. This will directly improve equality and effectiveness of votes and legitimacy of results. It will increase engagement and trust with voters by minimizing so-called “wasted votes,” better reflecting the will of the majority in decisions made by Parliament over the long term and better reflecting the makeup of Canadian society in Parliament too. There is no reason a made-in-Canada proportional system could not do this while safeguarding the integrity of the system and offering accountability with strong local representation.

An historic opportunity

For the first time in Canadian history, there is a window of opportunity to achieve equal representation for all voters under a truly fair voting system. Campaign slogans aside, what is done on voting system reform in this session of Parliament will be the litmus test of whether the government really is about “Real Change.” It is up to this Committee, the government and all Parliamentarians to seize this unique opportunity to affect real change that will strengthen the heart of our representative democracy.