Electoral Reform for Canada:

An opportunity to Make Canada's electoral process more effective, representative, and fair

A submission to the
House of Commons Special Committee on Electoral Reform
by
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Summary

This brief compares several electoral systems on several different criteria, and concludes that the Single Transferable Vote (STV) best answers these criteria for Canada.

Introduction

My Background

I have been interested in electoral systems ever since reading Lakeman & Lambert's *Voting in Democracies* more than fifty years ago. Since then, I have been a member of several electoral-reform groups, and made a number of presentations before bodies that were mulling changes to their voting systems. I was part of a group successful in convincing the student government of the University of California at Berkeley to adopt a STV system for student council elections in the 1960s, and wrote a computer program (perhaps the first ever) to count the ballots.

The Special Committee's Mandate

As specified in the Resolution of 7 June 2016, the principles that are to guide the Committee's considerations are:

1. Effectiveness and legitimacy;
2. Engagement;
3. Accessibility and inclusiveness;
4. Integrity; and
5. Local representation.

It seems strange to me that the principles do not mention "fairness" as such, except perhaps implicitly as a feature that might encourage public trust. Although this is perhaps an ambiguous principle, I suggest that it is as important as the others, or perhaps even more so.

I hope that I can assume that all members of the Special Committee are familiar with the various electoral systems I will be discussing.

A Few Words on Nomenclature

In dealing with as technical a subject as electoral reform, precise language is important:

- "Ranked ballot" is **not** an electoral system; it is a feature of several very different systems, including the Alternate Vote (AV, also known as Instant Run-Off, or IRV), the Single Transferable Vote (STV), and several other more obscure systems.
- "Proportional representation" is **not** an electoral system; it is a goal, an end, which several different electoral systems attempt to achieve. These include the List System, STV, the Mixed-Member Proportional system (MMP), and several other more obscure systems.

Considerations In Choosing an Electoral System

Representation

I suggest that the ultimate goal of an electoral system is to elect to a legislature members that best represent the preferences and choices and wishes of the electorate. We now realize that "the electorate" is a complex and diverse set of people, with differing interests, views, and preferences, and that it is unrealistic that one person could be able to speak for everyone in a constituency. An interesting paper, (Roberts 2011) discusses the anti-democratic origin and effect of the idea—which we have inherited—of single-member districts in Britain.

Single-member constituencies produce results that are in no way proportional to votes. In one constituency, a representative might be elected by, say 30% of the voters under FPTP, in another by 90%, but both are deemed to represent their constituencies. This discrepancy can even sometimes result in elections in which one party will win many more votes than another, but elect fewer representatives. Even at best, the proportions of the votes will almost always be very different from the proportion of seats won.

The List system is based on political parties, and, in its "closed" form, allows the party leaderships to define, up to the party's share of the vote, which of their candidates will be elected. (There are various versions of "open" lists that allow some voter input into this.) The List system requires large "constituencies," national or regional. In any event, principle 5 of the Committee's mandate would seem to rule out a national, or even provincially-based, List system, and I do agree with the importance of legislators' connections with their local constituencies.

MMP seems to combine the worst features of FPTP (or AV) and the List system: two ballots and two sets of representatives, a single representative purporting to speak for everyone in a (diverse) constituency, and a set of representatives essentially appointed by the party leaderships.

STV, on the other hand, allows voters in a diverse constituency to elect a diverse set of representatives. Most voters will be able to find at least one representative they feel affinity for; we might expect the different representatives of some particular constituency to be united in some matters, at odds on others. To the extent that voters vote along party lines, and only to that extent, a party's representation in a constituency, and in the legislature, will reflect the proportion of that party's vote in the electorate, which makes STV a proportional system. (The greater the number of representatives,

the greater the proportionality, of course, and vice-versa. Typically, an urban riding will have four or five representatives, which provides reasonable proportionality, but avoids the problem of some List systems, such as Israel's or Italy's, in which a small party with a thinly-spread base can have just enough representatives to extort great concessions for participation in a coalition.)

If, however, some or all of the voters wish to base their voting on criteria other than party affiliation, the results will reflect this. This possibility may go counter to the preferences of party leaderships, who wish to remain in control, but gives the ultimate choice to the voters. I submit that this is more democratic, and a Good Thing.

Regional Representation

Canada has had some FPTP elections in which, in some regions, a party has had a significant portion of the vote, but very very few seats. Conversely, in some elections a strong regional party has had a small proportion of the national vote, but a disproportionally large proportion of MPs. Under STV, a proportional system, the proportion of MPs from a party will be roughly the same as the proportion of that party's vote—locally, regionally, and nationally.

Strategic Thinking—For Voters

Under FPTP, each voter has a quite simple task—marking an "X" next to a candidate's name—but a complex strategic calculation: "I like Candidate A best, but I really hate Candidate B, and Candidate C has a better chance of beating B, so if I vote for A, B may get in, so I'll vote for C and hope that I've figured the odds right."

AV removes a big part of the strategic calculation—the voter above can vote for first-choice Candidate A, knowing that, if A doesn't get a majority, then that vote will go to C and still count against B.

But all single-member systems can often result in wasted votes. In my own federal and provincial constituencies, the candidate for one party generally gets double the number of votes of the runner-up. So my strategic thinking would be, "I know who's going to be elected, so why should I even bother voting? My vote, whether for my favourite candidate or someone else, will make no difference." Now, in fact, I do vote out of some sense of civic duty, but I can certainly understand why many people don't. I suspect that this is an important reason that voter participation has been generally declining, and an important factor in Principal 2 above, Engagement.

Under a List system, of course, each vote counts in determining a party's representation in the legislature, maybe down to a couple of decimal points.

Under STV, every vote pretty much counts in affecting the election's outcome. STV's ranked ballot removes FPTP's strategic calculations the same way that AV does, but the fact that there are multiple candidates to be elected means that my vote might count, for instance, the difference between three seats instead of two out of four for my favoured party. It would be a rare ballot, or a very incompletely-filled-out one, that wouldn't participate in favouring one candidate over another.

Strategic Thinking—For Parties

With single-member constituencies, party leaders (or constituency organizations) are faced with the problem of finding the one candidate who they think will command a plurality (under FPTP) or majority (under AV) of the voters in a constituency. This can be a very difficult calculation. In addition, many seats are considered "safe" for one party or another, so most parties feel that they need not contest them, and put all their efforts into trying to influence "swing" seats.

We need not waste sympathy on party leaders for these difficulties, but the problem brings up a more serious one, the composition of constituencies. With single-member constituencies, the locations of the electoral boundaries are critical factors.

Gerrymandering is a old political tradition—making sure that the opposition is spread too thinly to elect anyone, for instance, or that they're all crammed into one constituency. In some US cases of well-intentioned gerrymandering, courts have tried to remedy the fact that minority voters in some places are spread too thinly, by creating new districts linking two minority pockets with a length of freeway.

In Canada and many other jurisdictions, boundary-setting tends to be done by non-partisan commissions that try to draw the lines so that constituencies have roughly equal populations, and are compact, contiguous, and as homogeneous as possible or have some sort of community sensibility. This clearly reduces or eliminates corrupt partisan gerrymandering, but still results in arbitrary boundaries that have a powerful effect on the electoral outcome. For a region, drawing boundaries one way as opposed to another will lead to very different electoral results. This arbitrariness seems obviously undesirable, but is an inevitable consequence of single-member constituencies.

Again, a List system has no individual constituencies, so boundaries aren't a consideration. Party strategists would be mainly concerned with jockeying for higher-up positions on the party List.

Under STV, parties are free to concentrate on the excellence of their candidates. They can even, without penalty, run more candidates that they can reasonably hope to win, allowing the voters to decide which candidates on the slate will be elected. Of course, party leaders would prefer to have control over which of their candidates get elected (as they do with a List system), but on the other hand, having multiple candidates increases their chances of success without having to second-guess which ones would be most attractive to the electorate.

STV also reduces the problem of creating constituencies that are compact, contiguous, coherent, and equal in population, since the number of representatives per constituency can be adjusted so as to result in similar ratios of representatives per population.

"Diversity"

We sometimes hear concerns about the fact that some groups (defined by gender, ethnicity, religion, etc.) are poorly "represented" in legislatures. Certainly single-member constituencies mean that parties will try to run candidates who fit the broadest common denominator, meaning that potential candidates that don't fit this description are shut out (and probably wouldn't win anyway).

There have been various attempts to remedy this "problem," mostly concentrating on having equal numbers of men and women in the legislature, for instance by having two representatives per constituency, one man and one woman. Some proponents of the List system suggest that the electoral legislation require that the candidates on each party's List alternate by sex. All this, of course, is a throwback to the idea that there is only one metric, gender, which divides all voters and candidates into two, only, distinct and homogeneous groups, each with united interests and preferences. It also presupposes that only a member of some group can adequately "represent" the other members of that group, and that all members of that group can equally "represent" its concerns..

I suggest that the purpose of an electoral system is not to try to fix the results in some predetermined manner, but rather to represent the entire electorate as best it can—in other words, the elected candidates should represent the voters' choices, not necessarily their appearances (gender, ethnicity, sexual preference, disability, or whatever). STV frees parties to present to the voters any mix of sexes, policies, ethnicities, or other "identities," and let the voters decide which candidates best represent them. Since the voters will likely be offered a diverse slate by each party, it is likely that the results would be more diverse than under a single-member system.

A Few Words on Large Rural Constituencies

One common objection to multi-member districts is that it is difficult to represent rural areas that cover a lot of area, making them difficult to be a coherent constituency, but are thinly populated, giving them populations that are on the lower limits of having a representative-to-population ratio roughly equal to that of other constituencies.

Although there are a few such areas in every province, I don't see this as a huge problem. I have encountered several ingenious attempts to give areas like these some sort of PR representation, but I don't a great deal of harm in having a (very) few single-member districts. Since the preferential ballot and counting methods are the same for STV (with multi-member constituencies) and for AV (single-member constituencies), there need be no special arrangements or voting systems for these areas.

A Few Words on Internet Voting

(I intended to write only about electoral systems, but I feel that this is a popular idea that should be addressed, however briefly.)

A number of commentators, noting the declining voter participation rate, have suggested that people would be more likely to vote if voting were made easier for them, if they could do it from their computers (which everyone is assumed to have) instead of having to brave the elements and go to a polling place.

(As I have argued above, I believe that the most important reason for these declining rates is the voters' realizations that in many cases their votes just don't count, don't matter, are just wasted, and aren't worth the trouble.)

There is a problem with this, the same one addressed by the introduction of the secret ballot (sometimes known as the Australian ballot). It is sometimes assumed that voters' votes must remain secret in order to protect them against reprisals. This may be one valid reason, but the much more important reason is to prevent the buying of votes: if a

vote cannot be verified to a buyer, it cannot be sold. This is the reason behind many of the procedures we see in voting today—using counterfoils, prohibiting cameras, restricting "helpers" at the ballot box, prohibiting identifying marks on ballots, and so on.

With Internet voting, these safeguards are not there—"Welcome to Howard's Bar and Voting Shindig! Have a free beer, tell us your PIN, and we'll do the rest." I am not persuaded that some of the proposed solutions to this problem, like allowing the voter to change his or her vote right up to the closing of the polls, are sufficient. The problem also applies to mail ballots, of course; I don't know if mail voting is popular enough to have an appreciable effect on elections, or if there have been any reported cases of buying mail votes, but I believe that this is an important problem that must be addressed before Internet voting becomes allowed.

Summary—the Guiding Principles for the Committee

1. *Effectiveness and legitimacy:* STV avoids the pitfalls (like gerrymandering and mal-representation) of single-member-district systems like FPTP and AV, and the party-centred calculations of the List system and MMP. It can best increase public confidence among Canadians that their votes will be fairly translated into representation. Detractors of STV have tried to claim that the system, or its counting, are too complicated for ordinary voters to understand, but there is no indication that voters in countries that do use STV have legitimacy problems with it.

2. *Engagement:* By assuring voters that each vote has an effect on the outcome— that is, that each vote counts—STV would encourage voting and participation in the democratic process.

3. *Accessibility and inclusiveness:* STV requires only that voters number their candidate choices 1, 2, 3… and so on, for as few or as many candidates as they have preferences. Many voters in places like Malta, Ireland, and Australia, have found little difficulty in doing this. (The STV counting process, which the voter doesn't really need to know, is fairly straightforward, although there have been many attempts at willful ignorance to make it sound complicated.) MMP, on the other hand, involves some arbitrary choices (in allocating local and regional/national representation), calculations, and manipulations, that are far from transparent.

4. *Integrity:* As I understand this criterion, it is probably more a matter of mechanics than of electoral system. Although there have been many STV elections that have been counted "on paper" (I can remember Winnipeg municipal STV elections that took a couple of days), clearly computer counting is necessary for reasonably quick results, and there are a number of such programs available. Whatever the counting system, there must always be a "hard copy" ballot backup to the electronic tallies; and both the transfer tallies and the source code for the STV-counting program must be available for public inspection.

5. *Local representation:* STV is the only system that provides local representation that reflects the diversity of policies and interests of the voters.

Bibliography

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