STV, Offline, and Optional Voting

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As an independent individual concerned about where our country might be headed, I am submitting this brief to outline some of the dangers and benefits I see in different ways of shaping our voting system. As discussed in the ERRE Mandate, the goal of electoral reform here is "to identify and conduct a study of viable alternate voting systems to replace the first-past-the-post system, as well as to examine mandatory voting and online voting". This brief will attempt "to assess the extent to which the options identified could advance the [five] principles for electoral reform" outlined in the ERRE Mandate at http://www.parl.gc.ca/Committees/en/ERRE/About.

Replace first-past-the-post with STV

It is clear that first-past-the-post (FPTP) does not advance the Effectiveness and Legitimacy principle of the ERRE Mandate, as it does not "increase public confidence among Canadians that their democratic will, as expressed by their votes, will be fairly translated", especially under a party system. For example, in the 2011 federal election, the parties with the third-, fourth-, and fifth-most overall votes together received 28.9% of all votes cast, but only 12.7% of the seats in parliament, far less than even half of what a proportional system would have achieved.

Among the alternatives, single transferable vote (STV) stands out as the most appropriate for advancing the ERRE Mandate principles of Effectiveness and Legitimacy, Engagement, and Local Representation. STV has the advantages of easy-to-comprehend ballots for voters, a chance for less-well-known but still popular candidates to have a seat, and local representation that still supports but yet does not depend on a party system. Compared with MMP (a more complex ballot and reliance on non-local representation and a party system) and AV (simple ballot but with clustering problems similar to FPTP), STV has many benefits with few drawbacks.

While Canadians are familiar with the party system, it is by no means necessary that every candidate belong to a party, and the party mentality can be damaging to democracy itself if not kept in check. The 2011 federal election pushed Canada dangerously close to an American-style two-party system, but thankfully parties have remained separate and we avoided such a system this time. We should not rest on our laurels, though, as such a situation may arise again (along with the corresponding abysmal voter turnout that accompanies it, as we see in the US), especially if we do not replace the flawed voting system that allowed it to happen.

STV would allow independent candidates a much greater chance of winning a seat, and a much greater chance of a "minority" government, which would allow for more diverse opinions, and necessitate more cooperation, through coalitions and similar political structures.

To implement STV in Canada, it makes sense to combine a larger number of existing ridings in densely-populated areas, and combine fewer existing ridings in sparsely-populated areas, while still keeping a sparsely-populated riding small enough that the constituents would share similar concerns. For example, in the City of Vancouver, the existing 6 ridings could be combined into a single riding, with 5 or 6 available seats. And in the territories, the existing 3 ridings could be combined into a single riding, with 3 available seats. It would be best for the ridings to have no fewer than 3 seats (to ensure diversity within a riding) but no more than 5, or perhaps 6 seats (so a riding is not too large, encompassing too many unrelated concerns).

No to online voting

Having written software full-time for the past eight years, I think about the benefits and limitations of software and the Internet every day. While tempting as a possible way to increase voter turnout, I would strongly recommend against any sort of online voting. The software industry has not yet solved (and likely will not solve within the next several decades) the problems of identity or fraud in ways that would make safe online voting possible. Thus online voting would fail to advance the Integrity principle of the ERRE Mandate.

I understand the accessibility reasons for wanting to allow for online voting (per the Accessibility and Inclusiveness principle of the ERRE Mandate). However, it should still be avoided even in these situations. As an alternative for someone who is unable to make it to a polling station and for which mailing a ballot would be too troublesome, it seems reasonable to have someone from Elections Canada visit the person to provide them with a ballot and collect their vote.

No to mandatory voting

Though mandatory voting may increase voter turnout, it is unclear if this will lead to a better political system, and has enforcement issues that may be difficult to overcome.

Mandatory voting may cause people to make snap decisions about candidates where they otherwise would have abstained from the political process. This leads to a less effective democracy and a poor representation of what an informed public would have voted for. That in turn may even lead to less Engagement, one of the principles of the ERRE Mandate.

Furthermore, the enforcement issues of a mandatory voting system alone may make the system untenable. As an example, while living in the US as a non-American, I was repeatedly sent letters telling me I was required to appear for jury duty. The only way to show one is not eligible is through an onerous process that requires mailing of sensitive (and original) identification cards to some government body. This is not an acceptable way to treat visitors to your country. An alternative would be to ask for a signed statement that the person is not a citizen, but even that may be too much, and it is unclear if the government would even consider that sufficient.

If a person is required by law to vote, they may resent the political process because it is being forced upon them. It is better to use a carrot than a stick, especially in this situation. Optional voting has a much better chance of causing people to vote for the right reasons.

However, if mandatory voting is decided on, then it must be easy for an individual to submit an empty ballot, and especially to include reasons for submitting an empty ballot. When voting is optional, then one can infer some level of political engagement from the general public through the number of people that voted versus the number of empty or spoiled ballots. But when it is mandatory, it is hard to tell whether the empty or spoiled ballots are from people who did not want to vote anyway, or if it is from people who are actively saying they do not want any of the canditates on the ballot. It is important to provide people a way of communicating reasons (such as the two above, and possibly others) for refusing to select candidates on their ballot.

It may be best to wait until after the first or second election under a proportional representation voting method before deciding whether mandatory voting is needed. Such a voting method may on its own lead to much greater Engagement (from the ERRE Mandate), enough that mandatory voting would not increase voter turnout by any significant amount (see the map at http://lop.parl.gc.ca /Content/LOP/ResearchPublications/2016-06-e.html#appendix for how proportional methods correlate with voter turnout).