

The Best of Both Worlds: A Mixed-Member-Preferential-and-Proportional Electoral System

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by Stephen Fisher-Bradley

for the Mirabel Centre for Policy Development

a project of the Women's Food and Water Initiative
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Summary:

Support for electoral reform in Canada is deeply divided between supporters of MMP and supporters of a preferential system with a Single-Transferrable-Vote ballot.

MMP supporters want a fully party-proportional system, which STV-type systems are not guaranteed to be.

STV supporters focus on electing individuals as MPs by a preferential ballot. They point out that, with MMP, local MPs are still often not acceptable to a majority of voters, if elected by first-past-the-post. They do not trust the role of party elites in choosing who is on the party list and in what order. They want all MPs to be vetted by voters, including party-proportional-top-up MPs.

Neither faction wants electoral reform to go the “wrong way”.

Many will vote in referendum against the opposite proposal.

We are unlikely to get majority support for any system unless we can craft one that will combine the positive values of both MMP and STV, while meeting concerns about both.

The following brief outlines a proposal for a Mixed-Member-Preferential-and-Proportional system (MMPP).

It keeps the basic features of MMP, but riding MPs are elected by a preferential ballot.

Party-proportional-top-up MPs are selected from that party's unsuccessful candidates in the order of highest percentage of first-choice votes received. So voter choice is the driving force in creating party-proportional-top-up lists, rather than party elites.

Because the MMPP system covers the needs and concerns of MMP supporters and STV supporters alike, as well as preserving single-member-riding MPs, it is clearly acceptable to all the major factions wanting to move away from first-past-the-post. So the referendum that would otherwise be required to find out which type of electoral reform Canadians prefer, is not necessary if MMPP is chosen.

Appendix A examines the last 7 elections to see what percentage of top-up MPs would be required to reach 100% party-proportionality, and shows that 70% riding-seats and 30% top-up-seats would have achieved 100% party-proportionality 5 times out of 7 and over 80% party-proportionality 2 times out of 7. Parliament size can be kept at 338 or less.

Other issues before ERRE are also addressed.

Crafting a Mixed-Member-Preferential-and-Proportional (MMPP) System

What's wrong with first-past-the-post?

- In most ridings the outcome does not represent the will of the majority of voters, by definition undemocratic. A majority of voters may feel unrepresented, with wasted votes.
- It often creates artificially wild swings in party-standing based on a small shift in voter preferences. This can radically disrupt the development and delivery of policy for no good reason.
- The pressure is intense on voters to vote strategically to prevent what they most dislike, rather than being encouraged to make a clear choice for what they most prefer.

What do Canadians like about the first past the post system?

- Relationship with a local MP.

Why have referendums on electoral reform failed despite majority support for reform?

- Two competing visions for electoral reform have supporters who are often passionately opposed to the other vision.
- Supporters of MMP are concerned that preferential systems are not guaranteed to be party-proportional. Many have strong party loyalties and don't mind the increased role of parties in choosing and ordering party lists for the proportional top-up.
- Supporters of STV-type systems value allowing voters to choose directly the individuals that they prefer to represent them. The fundamental link between voter and representative is strengthened. These supporters often distrust political-party elites, fearing increased influence of party elites in choosing the names and order for the top-up list, possibly with persons who have never been vetted and selected by any voters.

Can we craft an MMPP voting system:

- that has the advantages of the transferable-vote preferential system?
- that is as fully party-proportional as MMP systems are?
- that preserves the riding/MP relationship?
- in which all MPs are selected based on the votes they have received?
- that can be implemented partially (the preferential part) within the existing electoral district ("riding") boundaries, and that can be implemented fully as soon as new riding boundaries based on the 2016 Census are drawn?
- with minimal cost and effort for Elections Canada and no increase in number of MPs?

Details of such an MMPP electoral system:

- Retain single-member electoral districts, with added MPs to correct any lack of party-proportionality, as with MMP systems
 - Most of our electoral districts have had 4 or more candidates in recent elections and sometimes 11 or more. This is already stretching the limits of workability for all-candidates meetings. There is a limit to the number of candidates that a voter can exercise due diligence in vetting. So, electoral districts that elect more than one candidate is not a good idea, and is completely unnecessary if there is a proportional top-up mechanism.
- Electoral district MPs to be elected by a single transferable preferential ballot.
 - The single transferable preferential ballot is the only way to guarantee that the MP is chosen by a majority of voters, and that avoids the expense and voter-suppression inherent in multiple elections (the run-off system).
 - * The parties themselves want their leader to be acceptable to a majority of their members. A first-past-the-post-chosen-leader would represent a minority and be fatally divisive. It is telling that parties elect their leader by preferential vote, either on a single-transferable-ballot or the same process carried out over multiple votes. I am aware of no exceptions, worldwide.
- The proportional-top-up MPs for each party requiring them will be chosen from their unsuccessful candidates, in the order of % of first-choice votes received.
 - In this way parties are not involved in choosing who will be on their top-up list nor the order in which they will be selected. All top-up MPs will have been vetted and chosen by a number of voters. They will be a party's most popular unsuccessful candidates.
 - Proportional top up MPs will not specifically represent the riding they ran in. They will be MPs at large. They will receive a budget and allocations for offices and staff equivalent to the MP of the riding they ran in. They will be free to be an extra representative for the areas of their choice, up to the whole country.

How can Elections Canada redistribute riding boundaries to support an MMPP system, at no more cost than any other after-census redistribution?

- At the next electoral boundary redistribution, Elections Canada would be instructed to reduce ridings to a number that would allow a party-proportional top-up without increasing the number of MPs. (See Appendix A: Examination of previous elections to determine the percentage of top-up seats required to reach party-proportionality.)
- As explained in detail in Appendix A, the ideal balance point where proportionality is maximised and increase in size of ridings is minimised, is found with 70% single-member-ridings and 30% potential top-up seats. For a maximum of 338 seats, that would be 237 ridings and a maximum of 101 top up seats.

- PEI would get their constitutionally-mandated 4 seats, and the 3 territories would get 1 seat each. 230 seats would be divided in proportion to population among the other 9 provinces.
- We recommend that within each province, the maximum allowable disparity in riding size, compatible with supreme court guidelines, be utilised. This is to minimise the increase in size of already huge northern ridings. And to rectify as much as possible the democratic deficit that results from strict equality of riding population in a country with populations concentrated in major cities and vast rural and small urban areas with much less population. Just as each voter has their own interests to be represented, each land-and-water-based community has its own interests which need to be represented, regardless of population size. With strict rep-by-pop rural areas are essentially disenfranchised where one or a few large metropolises contain 75% (for example) of the population. Strictly-equal-area ridings would essentially disenfranchise the large cities. We need to seek a balance point within Supreme Court guidelines.

Other Questions

Should there be a Referendum on Electoral Reform?

A referendum on whether or not to reform first-past-the-post is not necessary because of the large majority of voters who voted for parties promising to do so.

If there is a referendum, it should be about what kind of reform to adopt, with several options on a preferential ballot. This is the only form of referendum that would produce a result reflecting the will of Canadians.

This referendum for choosing an alternate system is unnecessary if the system chosen answers the concerns and meets the purposes of proponents of MMP, proponents of a preferential system, as well as the majority of Canadians who still want to have a local MP.

Recommendation: A referendum is not needed if the system chosen is some version of the MMPP system detailed above.

Electronic Voting?

We have seen major governments, militaries, and huge corporations with a virtually unlimited budget for electronic security, have their most sensitive data compromised. We all know that nothing is secure on the internet.

Even a system that is physically separate from the internet can be easily compromised in many ways.

We have a system of paper ballots, scrutineers, and secure transfer that works beautifully to produce a system that is completely trusted by anyone who knows how it works. (We need more education so that all Canadians know how it works.)

No foundation of democracy is more important than that voters believe that the vote and count is accurate. We have seen serious voter disillusionment in the USA where their presidential-electoral-college-system can hinge on the vote in one state, such as Ohio, where electronic balloting is used, and where there has been widespread evidence of fraud in some recent elections, such as 2004.

With the present paper balloting system, a voter's intention is clear and their privacy secure. The only way to do that with a voting machine is to have a paper ballot produced which the voter then examines before placing in the ballot box. In other words a very expensive electronic pencil. And should the voter not agree with the vote that the machine produced? The only option that would then preserve the voter's privacy would be to allow them to discard their machine-ballot and mark a traditional ballot. This makes no sense. Allowing voter confidence in the system to be eroded makes even less sense.

Recommendation: Preserve the present system of paper ballots, scrutineers, and secure storage and transport. No other system can or should keep the confidence of the voters,

Compulsory Voting?

The right to vote carries with it a responsibility to be informed of issues, parties and candidates. Random or frivolous voting is not democracy. Voter preparedness cannot be enforced, but it ought to be known that it is expected of a conscientious voter.

Mandatory voting sends the signal that democratic voting is a game of no particular importance. Persons who are not willing to take the decision seriously should not be encouraged to vote, much less required to.

Recommendation: Preserve the freedom to vote or not to vote.

CALCULATION OF % OF TOP-UP MPs NEEDED TO ACHIEVE 100% PROPORTIONALITY**Method**

We are looking at the last 7 general elections to calculate the % of top-up MPs needed to achieve 100% proportionality in an MMP or MMPP electoral system.

We used a threshold of 0.4% of votes to include a party. A party of 0.2% vote would earn one seat in a parliament of close to 300 members. Including them would not materially affect the outcome.

For each election we compare the % of the popular vote received by each party compared to the % of seats received by each. Looking at the parties whose % of seats is greater than their % of popular vote, we use the party whose excess of % of seats over % of votes is greatest expressed as a %.

For example, in the 2011 election: The New Democratic and Conservative parties won a greater % of seats than their % of the vote.

<u>Popular vote %</u>	<u>Seats %</u>	<u>Calculation</u>	<u>Excess of seat % over vote %</u>
Conservative 39.6	53.9	$(53.9 - 39.6) / 39.6 =$	36.1%
New Dems 30.6	33.4	$(33.4 - 30.6) / 30.6 =$	9.2%

So, the Conservatives have the greatest excess of seats. Their numbers will be used to calculate the number of top-up seats needed to add to the 308 riding seats in order to get 100% proportionality.

$(53.9\% \times 338) / 39.6\% = 419$ total size of parliament needed to top up the 308 MPs elected in ridings to achieve 100% proportionality.

NOTE: No one is suggesting a parliament so large as 419. We are calculating the % of top-up seats needed to get to 100% proportionality. That % can then be applied to the size of parliament wanted to calculate the number of single-member-riding seats that could be topped up to proportionality and end up with the size of parliament wanted.

$419 - 308 = 111$ top up seats needed. $111 / 419 = 26.5\%$ top up seats needed. END of EXAMPLE.

Results: % of seats required for top up to 100% proportionality

<u>Election</u>	<u>Top-up % needed for 100% prop</u>	<u>% prop at 40% top up</u>	<u>30%</u>	<u>25%</u>
2015	27.5%	100%	100%	91%
2011	19.3	100%	100%	100%
2008	37.1	100%	81%	67%
2006	36.6	100%	83%	68%
2004	29.2	100%	100%	86%
2000	28.7	100%	100%	87%
1997	26.8	100%	100%	93%
average	29.3			

Recommendation:

That the number of single-member constituencies be reduced to 237 (70% of 338).

That top-up MPs be chosen to achieve 100% proportionality, with an upper limit of 101.

The experience of the last 7 general elections suggests that following the above recommendations would probably result in 100% proportionality and a house of commons with slightly fewer than 338 members, 5 times out of 7. And it will probably result in a house of 338 members with slightly less than 100% proportionality, 2 times out of 7.

The goal is to keep the members of the house at 338 or less, to maximise proportionality and to minimise the reduction in the number of ridings and therefore minimise the increase in the size of the ridings. The data above suggests that 237 riding MPs and up to 101 top up MPs (70% / 30%) is the sweet spot we are looking for.

THE DATA:

42nd General Election 2015

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 338</u>	<u>Seats of 466</u>	<u>Top up seats</u>
Bloc 4.7%	3.0 %	10	22	12
Conservative 31.9	29.3	99	149	50
Green 3.4	0.3	1	16	15
Liberal 39.5	54.4	184	184	0
New Dems 19.7	13.0	44	92	48
<u>% of seats top up?</u>	<u>Seats to subtract from 338</u>		<u>Riding seats to end up with 338 total</u>	
27.5%	93		245	

41st General Election 2011

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 308</u>	<u>Seats of 419</u>	<u>Top up seats</u>
Bloc 6.1%	1.3 %	4	26	22
Conservative 39.6	53.9	166	166	0
Green 3.9	0.3	1	16	15
Liberal 18.9	11.0	34	79	45
New Dems 30.6	33.4	103	128	25
<u>% of seats top up?</u>	<u>Seats to subtract from 308</u>		<u>Riding seats to end up with 308 total</u>	
19.3%	59		249	

40th General Election 2008

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 308</u>	<u>Seats of 490</u>	<u>Top up seats</u>
Bloc 10.0%	15.9%	49	49	0
Conservative 37.7	46.4	143	185	42
Green 6.8	0	0	33	33
Liberal 26.3	25.0	77	129	52
New Dems 18.2	12.0	37	89	52
<u>% of seats top up?</u>	<u>Seats to subtract from 308</u>		<u>Riding seats to end up with 308 total</u>	
37.1%	114		194	

39th General Election 2006

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 308</u>	<u>Seats of 486</u>	<u>Top up seats</u>
Bloc 10.5%	16.6%	51	51	0
Conservative 38.3	40.3	124	186	62
Green 4.5	0	0	22	22
Liberal 30.2	33.4	103	147	44
New Dems 17.5	9.4	29	85	56
<u>% of seats top up?</u>	<u>Seats to subtract from 308</u>		<u>Riding seats to end up with 308 total</u>	
36.6%	113		196	

38th General Election 2004

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 308</u>	<u>Seats of 435</u>	<u>Top up seats</u>
Bloc 12.4%	17.5%	54	54	0
Conservative 29.6	32.1	99	129	30
Green 4.3	0	0	19	19
Liberal 36.7	43.8	135	160	25
New Dems 15.7	6.2	19	68	49
<u>% of seats top up?</u>	<u>Seats to subtract from 308</u>		<u>Riding seats to end up with 308 total</u>	
29.2%	90		218	

37th General Election 2000

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 301</u>	<u>Seats of 422</u>	<u>Top up seats</u>
Bloc 10.7%	12.6%	38	45	7
Can Alliance 25.5	21.9	66	108	42
Green 0.8	0	0	3	3
Liberal 40.8	57.1	172	172	0
Marijuana 0.5	0	0	2	2
New Dems 8.5	4.3	13	36	23
Prog Cons 12.2	4.0	12	51	39
<u>% of seats top up?</u>	<u>Seats to subtract from 301</u>		<u>Riding seats to end up with 301 total</u>	
28.7%	86		215	

36th General Election 1997

<u>Popular vote %</u>	<u>Seats %</u>	<u>Seats of 301</u>	<u>Seats of 411</u>	<u>Top up seats</u>
Bloc 10.7%	14.6%	44	44	0
Reform 19.4	19.9	60	80	20
Green 0.4	0	0	2	2
Liberal 38.5	51.5	155	158	3
New Dems 11.0	7.0	21	45	24
Prog Cons 18.8	6.6	20	77	57
<u>% of seats top up?</u>	<u>Seats to subtract from 301</u>		<u>Riding seats to end up with 301 total</u>	
26.8%	81		220	