Brief to the Special Committee on Electoral Reform (ERRE)

Respectfully submitted by

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Honourable members of the ERRE Special Committee,

It is high time to improve our Canadian democratic system. In many aspects, it has yielded good results, but it frustrates and excludes a significant number of Canadians. The first-past-the-post system is unfair and undemocratic. It is not only unfair to voters who can not influence the composition of the parliament, it also unfair to candidates and MPs.

In the most recent federal election, the MP for Saint-Hyacinthe–Bagot was elected with just 28.5% of votes cast. That means that 72.5% of voters wanted a different Canadian to represent them. At the same time, many candidates with a higher share in their respective riding were not elected. For example, in St. John's East an unsuccessful candidate received 45.3% of the vote. Such discrepancies are not fair to candidates.

Similar issues arise when we look at absolute numbers of votes.

We can conclude: **While all votes matter in our current system, too many votes do not count.**

To make matters worse, a small number of ridings has close races. There, a few dozen or hundred voters make the difference. And those select ridings often decide the majority in parliament. This is undemocratic – not because a small number of voters can make a huge difference, but because it depends on where you happen to live if your vote is one of those that can make a huge difference. That is undemocratic.

It frustrates voters, but also citizens who consider running in an election. It is almost impossible for new political movements or parties to enter parliament, even when they have sizable support from Canadians. As a result, very few political movements or parties come into formal existence.

That results in less competition in the political sphere. And competition has many benefits. In a political context, it makes most parties and politicians work harder and try harder to come up with the better ideas and proposals. As a society, we are at a loss if we do not have those smaller political forces to question the political mainstream, and to drive established parties to improve their game.

The perfect solution does not exist. The least bad system is Proportional Representation. I urge you and your fellow MPs to move Canada's democracy ahead and bring us Proportional Representation.

Proportional Representation – Open Party List

I prefer an open party list system. Voters would pick one party. Additionally, they would have the option to express their preference for a particular candidate from a party list; if one candidate receives a

significant number of preferential votes, that candidate would move to the top of their party's list, likely securing them a seat.

In order to keep extreme fringe parties out and ensure efficient procedure in the House of Commons, lists that receive less than 3 or 4% of the total vote, or, alternatively, not at least than 10% in at least one province, should not win any seats.

The Open Party List system has many advantages: Every Canadian's vote will have the same weight, at least within their province or territory. Similarly, the number of votes required to win a seat would be more uniform, and, in any case, not depending on the voter's or candidate's exact address.

The tax payer would **save millions by not having to pay for by-elections**. If a seat becomes vacant, the next candidate on their party's list would take it.

And the House of Commons would always be fully "staffed" as no seats would be vacant for months at a time. In order words, voters would not miss out on representation just because an MP passes away or resigns.

Plus, it would be super easy to finally **give the ballot to all Canadians of age living abroad**.

MMP

A **Mixed Member Proportional System would also be a good voting system**. Every voter would have two votes: One for a party list, and one for an individual candidate in their riding. The individual candidate chosen could be of a different party (or no party) than the party list chosen by the voter. Ideally, a run-off election would be held if a candidate received less than 50% of the votes in their riding.

This way, Canada's House of Commons would proportionally represent Canadians' votes, and all Canadians would still have their local representative. The exact number of seats in the House of Commons would fluctuate slightly from election to election, but that is no problem.

On the other hand, it makes voting slightly more complicated. And, from my point of view, the importance of local representation is over-exaggerated in the discussion. From my experience as an election officer, I can attest to the fact that, even in the current system, most voters vote by party affiliation.

Electors often don't even know the name of the person they want to vote for, but they know which party they prefer. The famous case of the 2011 federal election, where a candidate was elected in a riding they had never even set foot in, is the proof in the pudding.

Canadians living abroad that do not have a strong connection to any one riding could at least vote for a party. Alternatively, a number of seats could be reserved for expatriates. Several countries have such special seats in their parliaments.

Whichever of the two PR systems you decide for, they will yield higher voter turnout in the long run than the current first-past-the-post system.

Keep It Simple

I have had the opportunity to serve as an election officer in several elections. The most important lesson I have learnt from dealing with Thousands of voters on the "front line", it is this: Keep It Simple.

This is why I **strongly advise against any voting system that involves the ranking of candidates**. While such systems may have their advantages on paper, that is mostly an academic exercise.

For large parts of the electorate, a ranking system would be **too complicated** and may even lead to unintended results. For many voters, especially seniors and voters with disabilities, it is already a physical challenge to place one correct check mark on the ballot. If they had to rank candidates, they would be prone to mistakes, or might even **abstain from voting out of intimidation or frustration**.

Which would be a **very sad outcome** of this election reform.

An even larger number of voters would simply be overwhelmed by the task of deciding which party they oppose more than the next so that they could rank them correctly at the lower end of the ballot. That, again, leads to frustration and eventually apathy. Fringe parties, that voters had never heard of, might then be ranked in the middle, giving them too much weight.

At the same time, some more involved voters might try to gamble the system, or rank some extreme fringe parties' candidates on second and third place, in an attempt to strengthen their first vote in comparison to a strong competitor, although they don't actually regard the fringe parties as their second or third best choice. Such "strategic voting" could lead to the unintended (!) election of politically extreme candidates.

Worse yet, many voters would never find out how exactly their vote influenced the result, i.e. who they voted for. That is highly **unsatisfactory** for any voter.

No E-Voting, Please

Experts have told you about the perils of online voting and also electronic voting machines. I urge you to listen to them. Today, "IT security" is a contradiction in terms. We must assume that any electronic system is insecure.

There are problems with voter identification, checks and balances, lack of a paper trail and thus no real judicial recount, no guaranteed secrecy of the vote (who is watching over your shoulder while you vote, who is secretly monitoring your computer), undue outside influence (malware, family member, employer, etc.) and so on. What "protects" an electronic vote is encryption; but, even in the best of cases, encryption does not protect anything in the long run, it simply buys time. However, even in five or ten years it is nobody's business who voted for whom in the past.

Also, the cost of acquiring, verifying, installing, protecting and updating the required IT systems and data connections would be enormous. We would only use them every few years, and IT gets old very quickly. This is an inefficient use of tax payer's money.

E-Voting Undermines Trust

Even if we magically could solve all those problems, we would still face two insurmountable obstacles:

A democratic election depends very much on the **voter's trust** in the system. The possibility to attend the counting of ballots, and raise alarm if improprieties are suspected, is paramount. If the results come out of a black box that no mere mortal is able to control, voter's trust in the election process would plummet. This would, again, lead to lower voter turnout, frustration and political apathy.

Furthermore, as a resident of the Halifax Regional Municipality (HRM), I can attest to numerous shortcomings of an online voting process. Most visible are the many envelopes with voting codes that lie in the lobby of all apartment buildings during election time. Anyone could take those envelopes and use the codes to vote numerous times.

Former residents of those buildings are still on the electors list, and thus receive voting codes in the mail. Current inhabitants of the relevant apartments place the envelopes in the lobby, so that Canada Post returns them to the election authority. But that means that is very easy to collect dozens of voting codes from the lobby of any one apartment complex. Again, this undermines Canadian's confidence in a robust and trustworthy voting system.

As a result, voter turnout is very low. When E-Voting was introduced in Halifax in 2008, the voter turnout dropped from 48% (2004) to 37% (2008 and 2012).
(Source: https://www.halifax.ca/election/PastElections/index.php)

E-Voting Fails to Underscore Importance

In a human life, **important events are regularly underscored by ceremonies**. We exchange rings, attend convocations, light candles, sing songs, award plaques, pour water on babies or colour certain body parts, and so on. Most of our ceremonies are public acts. They bring Canadian families and communities together.

Elections are very important events, and they have traditionally been underscored by the ceremonial act of casting a ballot. These are community events. You get up, get dressed, and go to the polls. Although your choice is secret, the casting of your ballot is a public event. "I am here to vote" is a personal political statement, and, when done in the company of others, **a community celebration of freedom and democracy**.

The counting of paper ballots, likewise, has many ceremonial aspects. Every ballot is taken, by hand, inspected, and counted. Every voter's expression is awarded the same attention. Other people than the Deputy Returning Officer are watching. And, if shove comes to push, a judge can repeat the process to verify the result, or correct it if necessary.

Moving voting online would completely remove the ceremonial aspect, and soon Canadians would forget how important the act of voting is. Likewise, the community celebration of freedom and democracy would be much diminished, if not lost entirely. Furthermore, the public act of voting would no longer be.

There would be no counting ceremony either **with e-voting, and no-one could observe the counting of votes**. As there would be no paper trail, no judge could undertake a meaningful verification. All of that would **undermine public trust** in the election system.

Voting machines at polling stations would only solve some of these aspects, but would carry additional risks compared to traditional paper ballots. Machines would be difficult to use for some voters; they

might confuse some voters; they might be hacked; the polling station would have to close if electricity is lost; polling stations would need costly redundant broadband data connections; distributed denial of service attacks (DDOS) could easily bring chaos to an election night; the machines might break down or run out of ink (for the paper trail) or have paper jams, etc. And, of course, these machines would cost a lot of money.

The only advantage of an electronic system is a faster result at the end of the polling day. However, this speed is really unnecessary. After months of campaigning, we can very well wait a few extra hours. It is really not worth the huge effort and expense required to introduce voting machines or online voting.

Give the Ballot to All Canadians

All Canadian citizens of age must have the right to vote. This election reform is our Generation's chance to **give the ballot to inmates** of the correctional system as well as **Canadians residing abroad** for more than five years.

They are all citizens, must follow at least some Canadian law, depend on certain government services, and, in the case of expatriates, contribute significantly to Canadian society, if their connection to Canada is strong. Being part of the political progress strengthens these connections.

In the case of inmates, only crimes against the political/democratic system should lead to the exclusion from the ballot, if the court so decides. For example, someone who tries to commit election fraud, or partakes in an attack on a politician, candidate, or member of the royal family, could, as part of their sentences, be excluded from voting and/or running in elections for a limited number of years.

Such a sentence should be independent from incarceration and could extend beyond time spent in jail, if any. Canadians who have not been sentenced to the exclusion from the democratic process, or not been sentenced at all, must have the right to vote, whether they are in jail or not. This would also improve their integration into the community, which is an important factor in reducing recidivism rates. Finally, partaking in a non-violent decision making process would be a valuable experience for some.

Let's Vote on Weekends

The Chief Electoral Officer has recently submitted his Recommendations Following the 42nd General Election to your Speaker. One of the recommendations is to move voting weekends or holidays.

I fullheartedly support this recommendation. It would make it easier (and probably cheaper) to find suitable locations for polling stations. It would make it much easier to find qualified staff to work the polling stations. In urban areas, it would make it easier and cheaper to find parking, thus increasing accessibility. For most Canadians it would be easier to find the time to vote, and the turnout would be better distributed throughout the day, resulting in shorter lineups.

No Forced Voting

I oppose any fines for Canadians who do not vote. It is sad if a fellow citizen does not want to vote. But there is no point in forcing them to do so. In the best of cases, they spoil a ballot. But they may vote for some extreme party they don't really support, simply because they are angry that they must vote. This helps no-one and skews the election result.

In a free, democratic society, voting should be a cherished right, not an imposed burden.

Thank you for your attention and the hard work you have put in over the recent months.
Please give Canada proportional representation.

Daniel AJ Sokolov