

## **Brief to Canadian House of Commons Special Committee on Electoral Reform**

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Thank you for this opportunity to share my views on electoral reform in Canada.

I have no academic qualifications related to electoral reform. Instead, I have practical experience. I began studying electoral reform some time before Adriane Carr's Initiative for the adoption of MMP in BC. I was active in supporting that initiative and the two referenda for electoral reform as recommended by the Citizens Assembly for Electoral Reform in BC. I have been the Returning Officer for the Green Party of BC for most of the Annual General Meetings over the past ten years, have counted the ballots for a number of the Annual General Meetings of the Victoria chapter of Fair Vote Canada and have participated in many public information sessions supporting electoral reform.

I recommend that any electoral reform should be based on the use of a preferential ballot.

The use of a preferential ballot is a given for Alternative Vote (AV) or Single Transferable Vote (STV). My concern is with any of the variations of Mixed Member Proportional (MMP). An example would be New Zealand. New Zealanders agreed that First Past the Post (FPTP) is a deficient system and that MMP should be adopted. Unfortunately, they retained FPTP for the single seat district elections. This continued use of a single preference ballot has undermined the effectiveness of electoral reform in New Zealand.

Voters inform the election process by means of the ballot. Where there are more than two choices on a ballot, a preferential ballot (also called a ranked choice or instant runoff ballot) can contain more information than a single preference or FPTP ballot. It thus gives voters a better opportunity to inform the electoral process and in turn fulfils the first two principles of electoral reform provided by your mandate, 1) Effectiveness and legitimacy and 2) Engagement.

Where there are more than two choices on a ballot, voters need the ability to show more than one preference. The use of a preferential ballot by itself deals with many of the problems associated with FPTP such as strategic voting, vote splitting and pressure on potential candidates to either run or not run for the purpose of encouraging or avoiding vote splitting. Dealing with these problems in turn transfers power from political parties to voters, which I suggest should be one of the goals of any sincere electoral reform.

Considering the case of New Zealand again, using a preferential ballot for the single seat district elections would allow replacing FPTP with AV. This would be a huge step forward for the district elections, eliminating strategic voting, improving discourse during and after campaigns, empowering voters and allowing the meaningful participation of independent or third party candidates. Less obvious is the value of a preferential ballot for the party vote. At present in New Zealand anyone who supports a party that wins less than the 5% threshold support may be

excluded from sincere participation in the party vote. Their vote may not count. Either their party vote may be wasted or they are forced to choose between and vote for a party they do not sincerely support. They are forced to vote strategically. This violates the first two principles of electoral reform provided by your mandate, 1) Effectiveness and legitimacy and 2) Engagement. With a preferential ballot, a voter who supports a party that does not meet the threshold will have their vote transferred to a more popular party so that their vote counts.

A more obvious reason for not retaining the use of a single preference or FPTP ballot in any MMP system for Canada is a promise made by the Prime Minister. He said that 2015 would be the last election using FPTP. Retaining FPTP for district elections in an MMP system would be a violation of that promise.

Most of the attention for electoral reform has been focussed on proportional representation (PR). This is understandable given that party based proportionality (or lack thereof) is the most easily identified and quantified problem with FPTP. Other problems with FPTP are less obvious and cannot be quantified. The resulting focus on PR should not blind you to the other problems in our electoral system. While PR provides a fairer distribution of power between political parties, by itself PR does little to empower voters. It is the use of a preferential ballot that empowers voters.

It cannot be simply said that PR by itself deals with the problem of strategic voting. There are many very different PR systems and some will not reduce the need for strategic voting. It is the use of a preferential ballot that effectively eliminates the need and opportunity for strategic voting. Some may suggest strategic voting is still possible with AV and STV but this can only be true in the most narrow and theoretical sense. Any attempt to describe the mechanics of strategic voting under AV or STV will make this clear.

Many who focus on PR see any other reform such as preferential ballots or AV as a threat to the adoption of PR. This leads them to conflate preferential ballots with AV, invent unreasonable objections to AV and sometimes even to support FPTP over AV. I ask that you be aware of this unreasonable bias in some PR advocates.

I recommend the immediate adoption of a preferential ballot as part of the existing electoral system. This will significantly improve the electoral process for any by-elections and allow voters to become familiar with preferential ballots while the more complicated reforms needed for a proportional system are considered and implemented. A preferential ballot is the basis of any sincere electoral reform and should be mandated immediately.

In practical terms:

- If you choose to recommend the use of a preferential ballot I recommend that you allow for the use of a multi column ballot rather than a write in ballot. This allows voters to simply put a mark in a box as is done with the current single choice ballot. It also facilitates scanning of ballots. Equivalent preferences and skipped preferences should be allowed on the ballot. This will further empower voters and reduce the number of exhausted ballots.

- If you choose to recommend the use of STV I recommend use of the Hare Quota rather than the smaller Droop Quota. This should on average lead to more proportional results.

Regarding the other questions you are considering, I oppose mandatory voting and online voting.

I oppose mandatory voting because it will give a false legitimacy to election results by encouraging otherwise disinterested voters to participate without giving their vote the careful consideration it deserves. Politicians will be able to take false credit for improvements in voter participation by pointing to artificially inflated voter turnout.

I oppose online voting because it will undermine the integrity of the voting process. Considerations of online voting often misrepresent or ignore the importance of a secret ballot. A secret ballot is commonly understood to prevent anyone else from learning how an individual votes where the voter wishes to keep that information private. It is less well recognized but equally important that a secret ballot prevents anyone else from learning how an individual voted where the voter wishes to or can be persuaded to share that information. Online voting compromises the secrecy and integrity of voting because there is no control over the voting place. Church groups will be able to "assist" members of the congregation in the voting process. The dominant partner in a relationship will be able to "assist" the subservient partner. Most obviously, online voting will allow an individual to sell their vote because they will be able to show someone else how they are voting.

I also oppose the use of a referendum prior to adoption of reforms. The Liberal, Green and NDP parties won votes that together provide a strong majority supporting electoral reform. I do not want my right to a better electoral system held hostage to a second vote.

Thank you for considering my recommendations.

Michael Wheatley