

# Reflections and Final Words of Advice

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## Overview

As president of Fair Voting BC, I took the lead in preparing FVBC's submission and contributed very significantly to Fair Vote Canada's submission. I fully endorse the content of those submissions, particularly their critiques of our current voting system (which systematically denies representation to half the voters), their assessment of this problem as a civil rights issue (infringing on our charter rights to effective representation and equality of treatment), and their support of proportional voting systems to redress these infringements.

In this more personal submission, I'd like to provide some additional reflections on some issues that have emerged during the public hearings process. In particular, I'd like to address the following:

- Which voting systems should be seriously considered?
- How should we assess and choose between alternative voting systems?
- A brief suggestion about naming a recommended voting system
- How can we let the north participate in proportional voting?
- How can we most effectively represent First Nations' peoples?
- How can we create legitimacy for a recommended change?

## Which Voting Systems Should Be Seriously Considered?

In Fair Voting BC and Fair Vote Canada's submissions, we focused on presenting three main systems: STV, MMP and the Rural-Urban Proportional system inspired by Jean-Pierre Kingsley and the Swedish voting system. Any of these would represent a very reasonable choice for use in Canada. As we pointed out in our submission, all three would offer very good to excellent correspondence between party vote share and party seat share. In my view, the most significant argument in favour of STV and the STV+ variant of RU-PR is that these voting systems maximize the number of voters who have directly voted for their MP (>90%), which in my view is the key dynamic that provides for accountability and most strengthens the link between constituents and individual MPs – after all, one cannot hold an MP accountable if one has not voted for them.

In contrast, the MMP system achieves its proportionality through indirect representation – that is, one's vote is often treated either explicitly or implicitly as support for a party and used to elect a candidate or candidates that the voter has not explicitly named; roughly 30% of voters under open-list MMP will be represented only indirectly. While I personally regard this as less satisfactory than direct representation, I recognize that at least some Canadians are content to be represented indirectly.

## Alternative Voting Systems

I understand that a large number of alternative voting systems have been proposed to the committee. While I have not been able to fully assess all of them, I would like to express support for the following systems that I have some familiarity with:

- The Local Transferable Vote (LTV) proposal by Leonid Elbert
- The Dual Member Proportional (DMP) proposal by Sean Graham
- The Single Member District Proportional Representation (SMDPR) proposal by Dennis Falvey
- The Near Winner Proportional (NWP) system by Adam Smith

In some sense, all four of the above systems share some characteristics of MMP. The latter three all achieve a good overall correspondence between party vote share and party seat share using some form of indirect representation (ie, interpreting some or all votes as votes for a party and using these votes to

help elect a candidate that an individual voter has not explicitly named on their ballot). DMP and SMDPR represent attempts to ensure that MPs remain locally bound – DMP is essentially a 50-50 MMP model in which the regional MPs are elected such that one regional MP comes from each constituency. SMDPR retains the current single-member districts and boundaries, and elects the top vote-getting candidates from the various parties, but the top local vote-getter often does not win the local seat. The NWP system is essentially a normal MMP system with a single ballot – its appeal is its simplicity for the voter.

The LTV is a unique and different system that merits careful attention. It has a constituency layout that is conceptually very similar to that of a 60-40 MMP model (ie, 60% local constituency seats and 40% regional seats). However, it replaces the conventional two-part ballot with a single preferential ballot in which the local candidates are listed at the top of the ballot and the regional candidates underneath. It provides excellent ‘party proportionality’, while at the same time maximizing direct voter choice.

## Choosing Between Systems

My own preference is for the three voting systems outlined above that maximize direct voter representation: STV, STV+ and LTV. If the committee is inclined to consider an MMP system, I would remind the committee that this implies that each local constituency (electing one MP) would increase in size by approximately 65-70%; to me, it seems a small leap in more rural ridings to consider slightly upping this to a two-member STV riding that would be twice the size of a current riding, but which would elect two MPs. I recommend you carefully read BC Citizens’ Assembly alumni Craig Henschel’s submission as to why this representation by MPs with different perspectives leads to enhanced local representation.

STV+ should be considered if the committee feels that it would be helpful or necessary to preserve some more rural ridings that more closely correspond to the existing size of ridings; by adding a small number of topup seats to a region that includes some multimember ridings, it is possible to retain a small number of single member ridings that are roughly 12-15% larger than current ridings.

If the committee prefers the overall layout of an MMP system (single member ridings ~65-70% larger than current ridings) in a region of ~15 seats, but also likes the idea of a preferential ballot and maximizing direct representation (voters explicitly voting for the elected MPs), then LTV deserves a very close look.

## Public Communication – Naming Your Choice

If an STV-like voting model is chosen, the committee may wish to consider coining a customized name in order to better communicate the model to the public. We know that words such as ‘Proportional’, ‘Preferential’ and even ‘Mixed’ are favourably received – perhaps a model that includes such features could be called something like ‘Mixed Preferential Proportional’ when presented to the public.

## Delivering Proportional Representation in the North

Under Canada’s constitution, it appears that the MPs elected within provincial or territorial boundaries can not be chosen based on votes cast outside those boundaries. This would appear to preclude using a proportional voting system in the territories. In addition, there are remote parts in several provinces (eg, Labrador, Skeena-Bulkley Valley) where it is more difficult to imagine how to incorporate these areas into a proportional voting scheme. To do so would require adding MPs in these regions.

However, it seems to me that this is not an inconceivable notion. While I am not entirely sure of the implications for conduct in the House of Commons, Stephane Dion proposed the concept of taking ‘a pocket full of votes’ to Parliament – ie, the concept of a weighted vote. The basic idea is that MPs need not be elected by equal number of voters. Rather, we could choose how many voters are needed to elect them. For example, we might give each of the territories three MPs, but each of these MPs would in effect be a proxy for the number of voters who support them, and they would have somewhat different voting weight in the House of Commons depending on how many votes they won. Similarly, we could employ weighted voting in the provinces as well to allocate more MPs in the most remote parts. In principle, we could combine weighted voting with most of the voting schemes outlined above simply by defining a region that includes MPs with similar voting weights.

## Representing First Nations’ Peoples

My mother came from New Zealand, and I have Maori in my background. I have therefore always had an interest in how New Zealand has dealt with the question of how to represent its aboriginal peoples. Based on the New Zealand model of using parallel Maori constituencies, I would like to ask the committee to seriously consider asking First Nations’ peoples if they would prefer to be represented in a parallel constituency (potentially a multimember constituency) within each province. A ranked ballot could be used to elect MPs in such districts (ie, STV).

## Creating Legitimacy

One of the major questions being discussed is whether or not the committee’s recommendation needs to be put to the voters in a referendum. In Fair Voting BC’s submission, we argued that enhancing equality of treatment and ensuring more effective representation of all voters is fundamentally required by our Charter of Rights and Freedoms, so a proposal to introduce proportional voting should not be subject to referendum in a match-up against the status quo, which I feel denies us these rights.

However, I would suggest that, should the committee choose to recommend that we adopt a proportional voting system, it would be acceptable to ask the public for their input through a plebiscite (similar to the one Prince Edward Island is conducting) as to which of two or more proportional voting systems they would prefer to adopt. I would also suggest that it would be appropriate to convene a citizens’ assembly-style process to make a final choice between two or more proportional voting systems approved by the committee and/or to work with a parliamentary committee to refine the design of a system chosen by the committee, provided that such a process would not delay the implementation of a new voting system beyond 2019.

Some have suggested holding a referendum after several election cycles. While I continue to dispute that such a referendum would be appropriate, I would strongly recommend that the committee recommend a formal citizen-based review of the voting system after two or three cycles.

## Thanks!

In closing, I would like to express my deep appreciation for your dedication to this task and your very significant investment of time. You have the opportunity to make a profound contribution to Canada’s democratic future through your work. I am counting on you to ‘make every vote count’.