

BCGEU SUBMISSION ON THE ELECTORAL REFORM REFERENDUM OF 2018

February, 2018



The BCGEU applauds our government's commitment to allowing British Columbians a direct say in how they vote. As one of the largest member-run, democratic organizations in the province, we have a wealth of experience when it comes to making sure that all voices are heard in decision making. We believe it is important that we rise to the historic opportunity of securing a fair election system for future generations so that they can be confident and engaged in our democracy.

The case for reform

Declining voter turnout, public cynicism and political disengagement are all symptoms of disillusionment with our current political system. Mounting evidence suggests that much of this alienation is related to the First-Past-the-Post (FPTP) "single-member plurality" system used to elect legislative representatives in B.C. and across Canada. Voters have lost faith in the voting process itself and the outcomes it generates.

An unrepresentative system

FPTP is a common but outdated system that regularly produces electoral outcomes that are inconsistent with the wishes of the electorate.

BCGEU surveyed its own members on electoral reform. They reported widespread disaffection with the current provincial electoral system.

While the problems associated with this system are various, the most persistent and widely-observed patterns of dysfunction include:

- **False parliamentary majorities.** FPTP-based elections often allow parties to win a majority of the seats in the legislature (thereby forming a majority government) without winning a majority of the votes

This is a frequent occurrence in Canada, where majority governments have been won with less than a majority of the popular vote 14 times federally since the end of the First World War.¹ In B.C., this has happened in almost every election since the 1950s, with the notable exception of 2001 which featured its own remarkable disparity: a party with only 58 per cent of the vote took 97 per cent of seats in the legislature.

- **Parties "winning" elections without a winning the popular vote.** FPTP in Canada has allowed parties to win a majority of parliamentary seats, and to form government, without even coming first in the popular vote. This happened federally in Canada in 1896, 1957 and 1979, and provincially in B.C. in 1996.

- **"Wasted" votes and non-representation of voters.** To illustrate: in a constituency where a member of the legislative assembly (MLA) wins with only a 40 per cent plurality of the vote—as is common in B.C.'s multi-party, "winner-take-all" system—the remaining 60 per cent of the votes in that riding see no expression in the electoral result for that seat or in the final makeup of the legislature. This leads to a pervasive feeling of votes being "wasted" when ballots are cast for a party that does not place runner-up.

In the most recent provincial election, only 47 out of 87 MLAs elected to the legislature won by more than 50 per cent of the vote in their constituency, which means that just 54 per cent of currently seated MLAs in B.C. can claim to have the electoral support of at least half of their own voting constituents. Further, among the 47 majoritarian winners that did result, most of these had just marginally more than 50 per cent of the vote in their riding. Only five won more than 60 per cent of the vote.

This "winner-take-all" approach under FPTP leaves tens of thousands of voters across B.C.—often the

¹ David Moscrop. "An electoral system for all: Why Canada should adopt proportional representation." The Broadbent Institute, 2016. Available at: http://www.broadbentinstitute.ca/an_electoral_system_for_all

majority of voters in a riding—with no direct legislative representation for their vote.

- Strategic voting. Strategic voting is a behaviour that sometimes results from situations where voters: a) foresee that the most preferred candidate has little chance of victory; and b) seek a solution to the “wasted vote” problem by instead supporting the candidate they believe has the best chance of defeating the party or candidate they most intensely oppose. Obviously, this is quite different from voting for the candidate or party whose position they most strongly support. Yet it offers a degree of influence over the outcome that is attractive enough for many voters to sacrifice the expression of their true interest.

Voting against something fails to aggregate preferences in the same way that voting for something does—thus, strategic voting significantly distorts the makeup of our legislative bodies, debases the quality of public discourse, and contributes to a cynical and “negative” politics.

Political Alienation

These pathologies of FPTP are significant drivers of declining voter turnout and growing dissatisfaction with our political system. While eligible voter turnout in B.C. was more than 70 per cent in the early 1980s, it has fallen consistently below 60 per cent since 1996 and hit a new low (to date) of 51 per cent in 2009².

Turnout is even lower among younger voters. In 2013, only 48 per cent of eligible voters under age 25 voted in the B.C. provincial election, and only 40 per cent of those aged 35-44.³ If the tendency toward voter alienation and public disengagement continues, we could see overall voter turnout drop below 50 per cent in coming decades, raising serious questions about the overall health and basic legitimacy of our democratic system.

² See: Elections BC, “Voter Turnout 1983-2017.” Available at: <http://142.34.128.33/docs/stats/voter-turnout-1983-2017.pdf>

³ See: Elections BC, “Voter Participation by Age Group, 2013 General Election.” Available at: <http://142.34.128.33/docs/stats/voter-participation-by-age-group-2013.pdf>

BCGEU members want reform

In 2017, with these concerns in mind, the BCGEU surveyed its own members on electoral reform. They reported widespread disaffection with the current provincial electoral system and expressed strong support for moving toward a more proportional system.

Here are some of the highlights of what we heard:

- 90 per cent of BCGEU members surveyed support electoral reform
- Nearly two thirds of members have voted strategically in elections; 54 per cent say they sometimes vote strategically; and 11 per cent say they always do
- 41 per cent say they have regretted voting strategically after the fact
- When asked to identify “which values are important to you when it comes to the electoral system?” the top areas of alignment among members were:
 - “Seat totals are proportional to votes cast” - 61 per cent
 - “Voting for the party I want in power” – 58 per cent
 - “Not wasting my vote if I support my first choice” – 47 per cent
- Systems offering more proportional electoral representation were most popular among BCGEU members:
 - A combined 38 per cent supported either List Proportional Representation (List PR) or Mixed Member Proportional Representation (MMP)
 - Single Transferable Vote (STV) was most preferred by of 35 per cent

- FPTP was supported by only 14 per cent of respondents
- Mixed Member Majoritarian had only 6 per cent support

BCGEU members' desire for a more proportional and representative system is in line with a body of research that supports democratic renewal through a move away from FPTP and toward more representative electoral models⁴. To illustrate the benefits:

- Extensive research globally shows that proportional systems tend to increase voter turnout, mainly because one's vote is perceived as having greater influence upon the resulting parliament than under FPTP;
- Studies suggest that voter turnout in Canada could increase 5 to 7 per cent under a PR-based electoral system; and
- Research from New Zealand suggests that the introduction of a PR system improved overall public perception of the efficacy and responsiveness of their political institutions.

Our recommendations for the B.C. electoral reform referendum

The BCGEU believes proportional representation will give British Columbians a more diverse and representative legislature, ensuring all voices are heard and that there is no such thing as a "wasted vote." Electoral reform can help increase democratic participation by showing voters that their choices and preferences are meaningfully captured in both the voting process and its outcomes.

The BCGEU's recommendations for the referendum focus on two main areas we believe will maximize clarity, fairness and citizen participation in the proposed referendum. These concern:

⁴ See: David Moscrop. "An electoral system for all: Why Canada should adopt proportional representation." The Broadbent Institute, 2016. Available at: http://www.broadbentinstitute.ca/an_electoral_system_for_all

- The ballot structure, question and electoral system options that are presented; and
- The timing of the referendum, and maximizing accessibility for all voters.

1. Ballot structure, questions and options

The BCGEU recommends a two-question ballot for the referendum on electoral reform.

The first question should ask voters whether they wish to continue with B.C.'s existing First-Past-the-Post (FPTP) system for provincial elections, or change to some form of Proportional Representation (PR).

The second question should ask voters to select their preferred form of PR from a list of three options. In the interest of maximizing representation and building consensus, voters who prefer FPTP would also be given the opportunity to select their preferred version of PR, thereby ensuring a "say" in the outcome should a majority vote for change.

To facilitate clarity, we recommend three specific options be included in question two. All options on the ballot should be based on systems that have already been successfully implemented in high-functioning Western democracies.

For a new electoral system to be a true improvement over our existing one, it should both encourage greater proportionality and avoid granting excessive power to political party bureaucracies (in other words, mitigate against the potential for political patronage under party lists). For that reason, no version of "closed list" PR should be included as an option.

The options we propose listing on the ballot are:

a) Regional Open List Proportional Representation

As used in Norway, Denmark and Sweden's parliamentary elections.

The BCGEU believes that a regional, open list PR system as used in most Scandinavian countries is the most representative and proportional form of democracy. Under open list PR, electoral seats are assigned proportionally based on a party's share of the popular vote in a region, but voters are also able to indicate their preference for specific candidates within a party list. This results in legislatures that closely reflect the proportional make-up of the popular vote, but that also empowers voters to support preferred individual candidates on a list rather than assigning that power to the political parties themselves.

Variations of this system are in use in most Scandinavian countries and are associated with stable, vibrant democratic societies in those jurisdictions. Open list PR systems have also seen more female legislators elected on average than under FPTP systems.

b) Mixed Member Proportional Representation (MMP)

As used in New Zealand, Germany, the Scottish Parliament and the National Assembly of Wales.

Under MMP, voters still select a regional representative like under a FPTP-type system, but the legislative body features additional members that are assigned according to a party's regional or national share of the vote. This compensates for and corrects the disproportionality that often results from FPTP, but retains the desired component of direct local/regional representation.

MMP is more proportional than FPTP and would be a clear improvement over the current system. However, its regional FPTP component still encourages (albeit to a lesser extent) the similar regional divides and under-representation of urban voters that can be a problem under traditional FPTP systems.

c) Single Transferable Vote (STV)

As used in the Republic of Ireland, as well as the Australian Senate and some Australian state government elections.

STV allows voters to rank candidates and then assigns seats through a process of preference counts and candidate eliminations.

STV tends to result in more proportional legislative bodies than under FPTP, but ultimately offers no guarantee of proportionality. This option has been put to B.C. voters in two previous referenda as BC-STV. This system received more than 50 per cent of the vote in 2005 and was defeated at that time only because of the higher approval threshold required under the rules of that referendum. However, it was rejected by a majority of voters in the 2009 referendum.

Nonetheless, STV is a more proportional system that has been used with success in comparable democratic countries, and should be included as a ballot option.

2. Referendum timing and voter accessibility

To encourage public engagement and voter turnout, we recommend that the government hold the vote in mid-autumn 2018. Voting in October or November would allow for at least one full month of campaigning after the end of summer, and would also likely benefit from the increased political engagement surrounding the overlapping B.C. municipal elections.

We advise against a summer vote, as it would likely lead to reduced turnout with residents taking vacation or being otherwise distracted with summer activities. Participation by post-secondary students could also be particularly impacted by a summer vote, as many have transitional or irregular housing situations during that annual period.

To further encourage participation, we believe voting should be made as accessible as possible. Elections BC should make it easy for voters to request postal ballots through an online form or email. Balloting locations should also be set up on post-secondary campuses and in government agency offices to ensure opportunities to vote are extended to those

British Columbians without permanent fixed addresses.

Conclusion

The BCGEU strongly supports holding a referendum on electoral reform, and believes that the adoption of a more proportional and representative electoral system will be important for renewing democratic engagement in the province. We believe that a regionally structured, open list PR system similar to those used in Norway, Denmark and Sweden is the best way forward, but that ultimately it must be the voters of B.C. who make the choice.

In terms of the referendum itself, the BCGEU recommends an autumn vote to maximize opportunities for public engagement. Access to voting opportunities will be crucial to supporting participation, and we recommend that ballots be available by request online and that balloting locations be set up on campuses and at select B.C. government office locations.

The BCGEU supports a two-part ballot question, with an initial question on whether or not to retain the existing FPTP system, and a second question asking voters to select their preferred replacement system from a list of three options. We believe this model maximizes clarity and gives all voters a say in the choice of any replacement system, regardless of whether or not they prefer FPTP.

On behalf of BC Government and Service Employees' Union members, we appreciate the opportunity to provide this submission regarding the B.C. electoral reform process.

About the BCGEU

The BCGEU represents more than 74,000 workers in various sectors and occupations in more than 550 bargaining units throughout British Columbia. The diverse membership includes direct government employees who protect children and families, provide income assistance to vulnerable individuals, fight forest fires, deliver care to people with mental health issues and addictions, administer B.C.'s public system of liquor control, licensing and distribution, staff correctional facilities and the courts, and provide technical, administrative and clerical services.

BCGEU membership also comprises workers throughout the broader public and private sectors where members provide clinical care and home support services for seniors, a diverse range of community social services, highway and bridge maintenance, post-secondary instruction and administration, as well as other non-governmental industries, including financial services, hospitality, retail and gaming.