September 17, 2016

Electoral Reform: Making Every Vote Count Equally

Craig M. Scott

Electoral Reform

Making *Every* Vote Count Equally

Presentation by Prof. Craig Scott, Osgoode Hall Law School

Hamilton Town Hall

Hosted by MPs David Christopherson & Scott Duvall

September 17, 2016

Agenda

- Current System
- Electoral Reform Timeline
- What is Alternative Vote / Ranked Ballot
- What is Proportional Representation
- Benefits of Proportional Representation
- Three forms of PR on the table before “ERRE”
- Feedback
- Questions

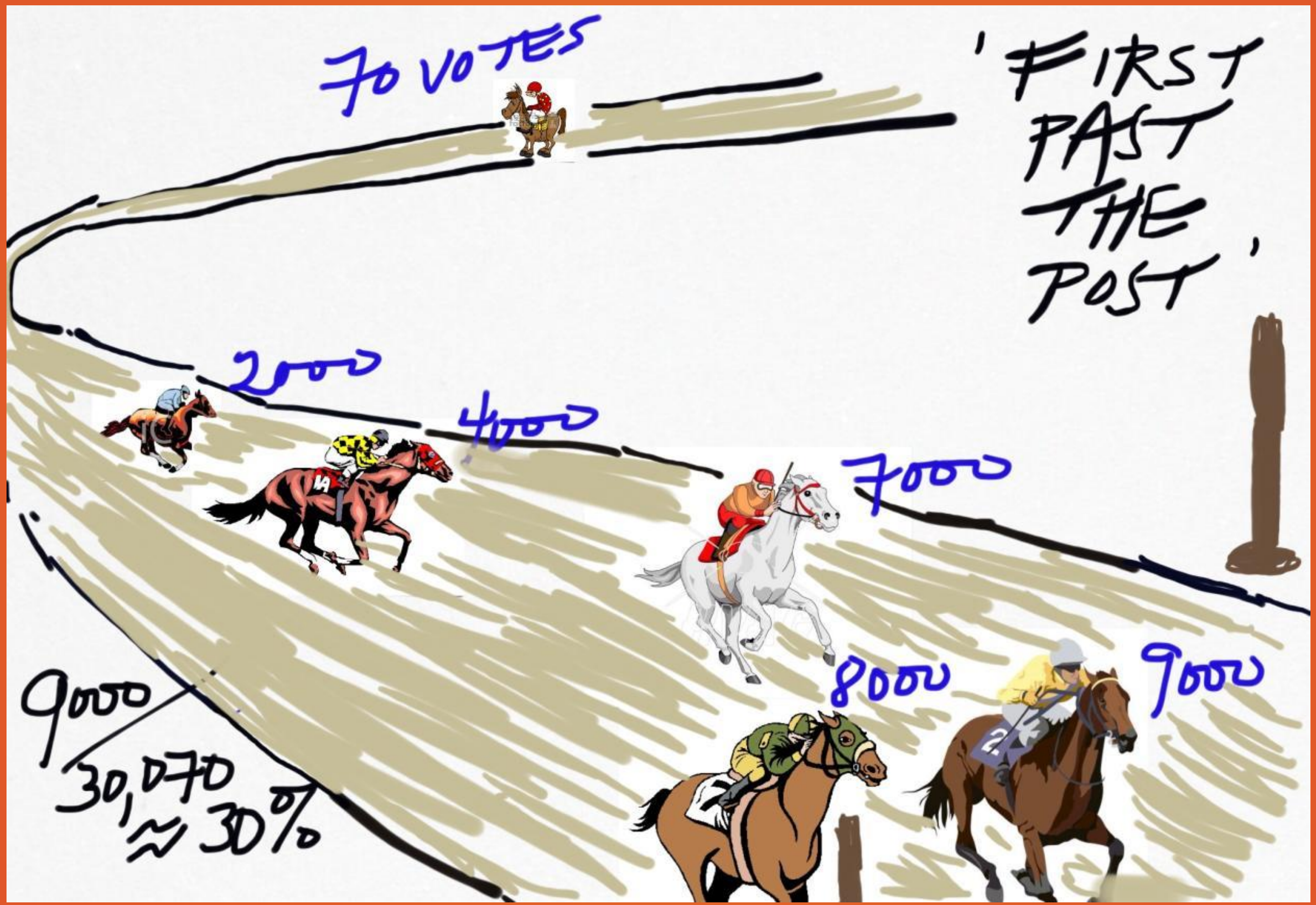
What is our Current System?

Single-Member Plurality system informally called "First Past the Post"

- Candidate with the most votes wins their riding (becomes a "seat" in the House of Commons)
- Add up those seats to get a national total for each party
- Party with the most seats usually forms the government

Our current FPTP system

Think of it visually as a horse race, and the first past the finishing post wins, but with no second, third, etc prizes…


70 VOTES
'FIRST PAST THE POST'
2000
4000
7000
8000
9000
9000
30,070
≈ 30%

Our current FPTP system

WINNER TAKES ALL

Six Problems with First Past the Post

1. Distorted electoral outcomes / false majorities
2. Contributes to lower voter turnout
3. Generates/Increases regional tensions
4. Fewer women elected
5. Negative knock-on effects for how Parliament works – e.g. adversarial vs. more collegial politics
6. Produces legislation framed by one ‘majority’ party with all the errors and ideological overkill that can come from tunnel vision and not having to take counter-perspectives into account

In the 2015 election,

9 MILLION votes were wasted.

That is more than the populations of Alberta, Saskatchewan, Manitoba, and the Atlantic provinces combined.

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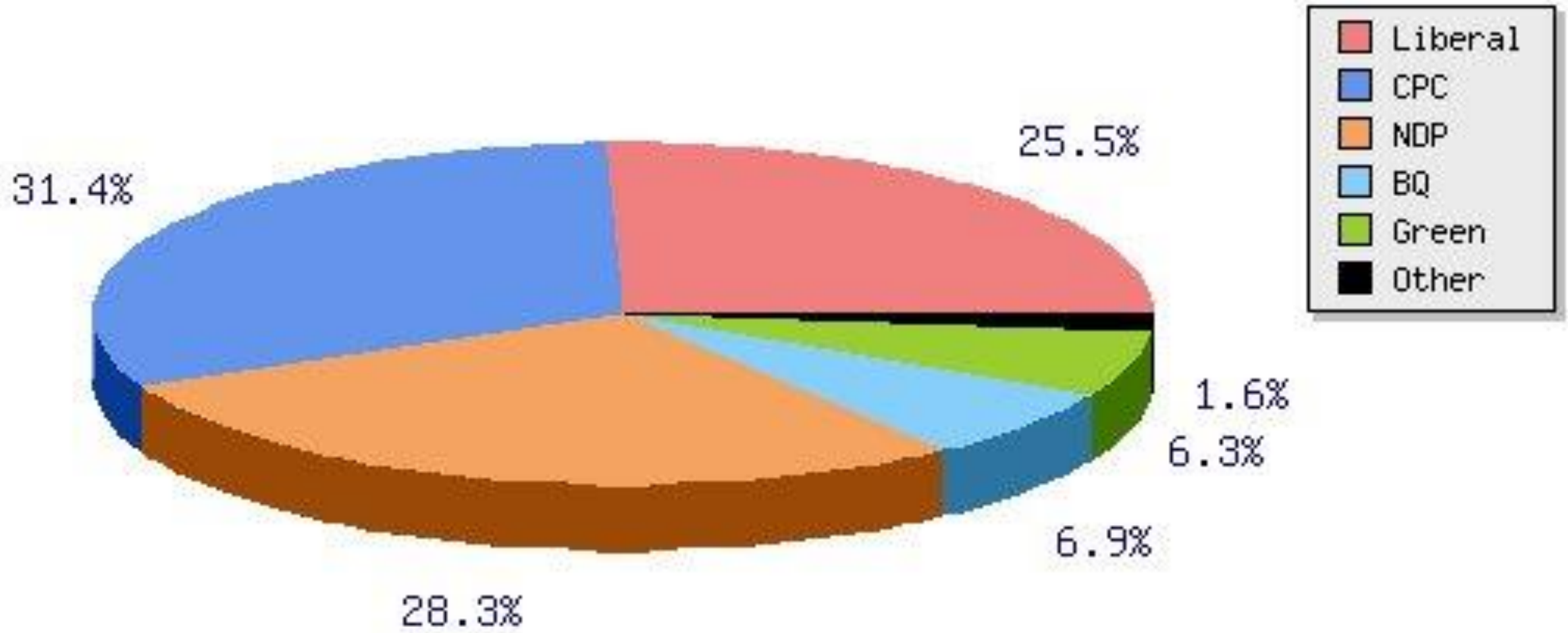
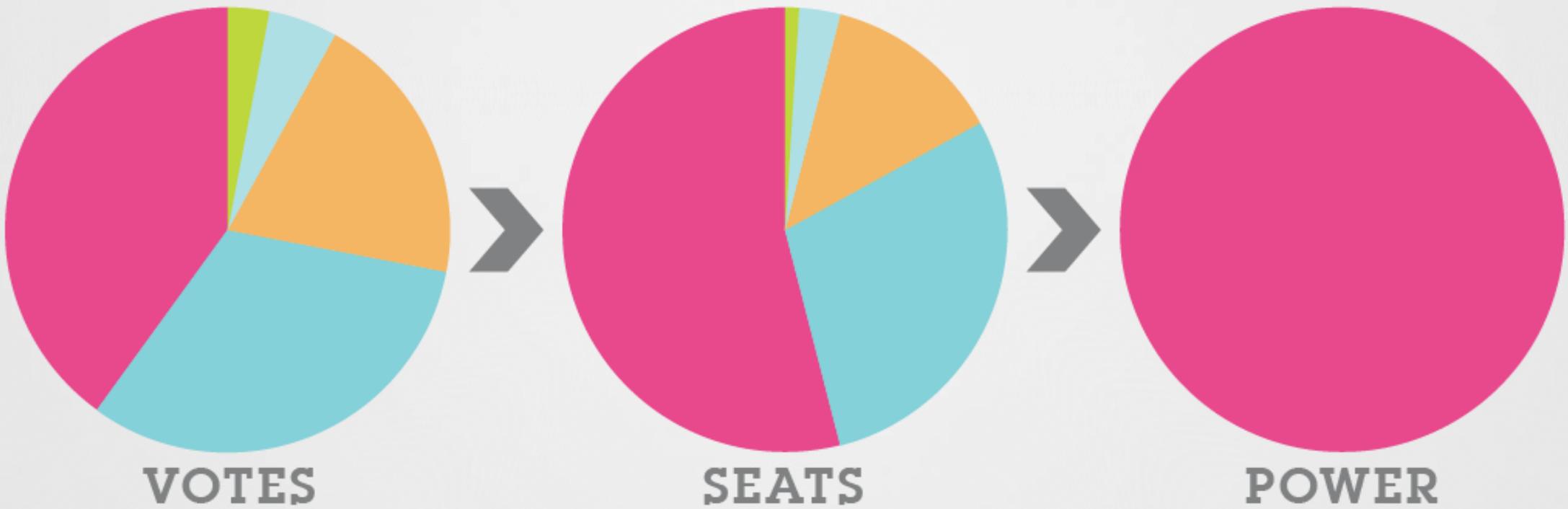
Wasted Votes By Party



FPTP produces **“false majorities”:** majority governments regularly get elected with a minority of votes (**both Mr. Harper and Mr. Trudeau** won **39.5% = 100% of the power)**



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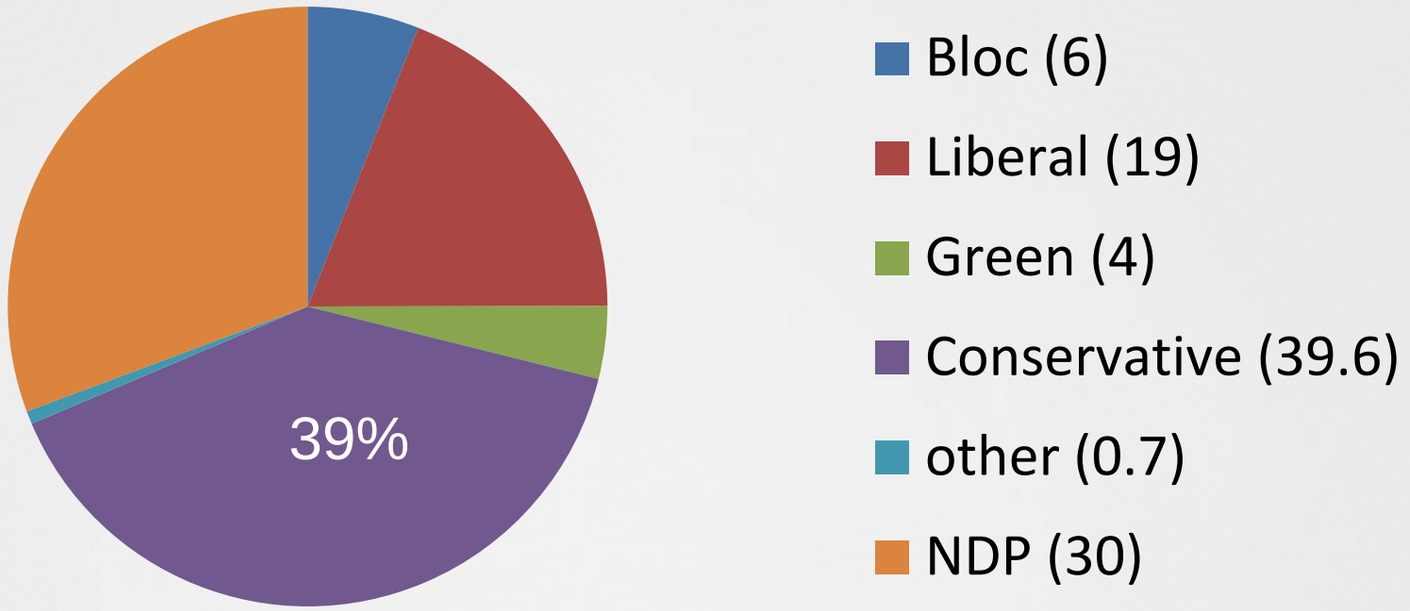
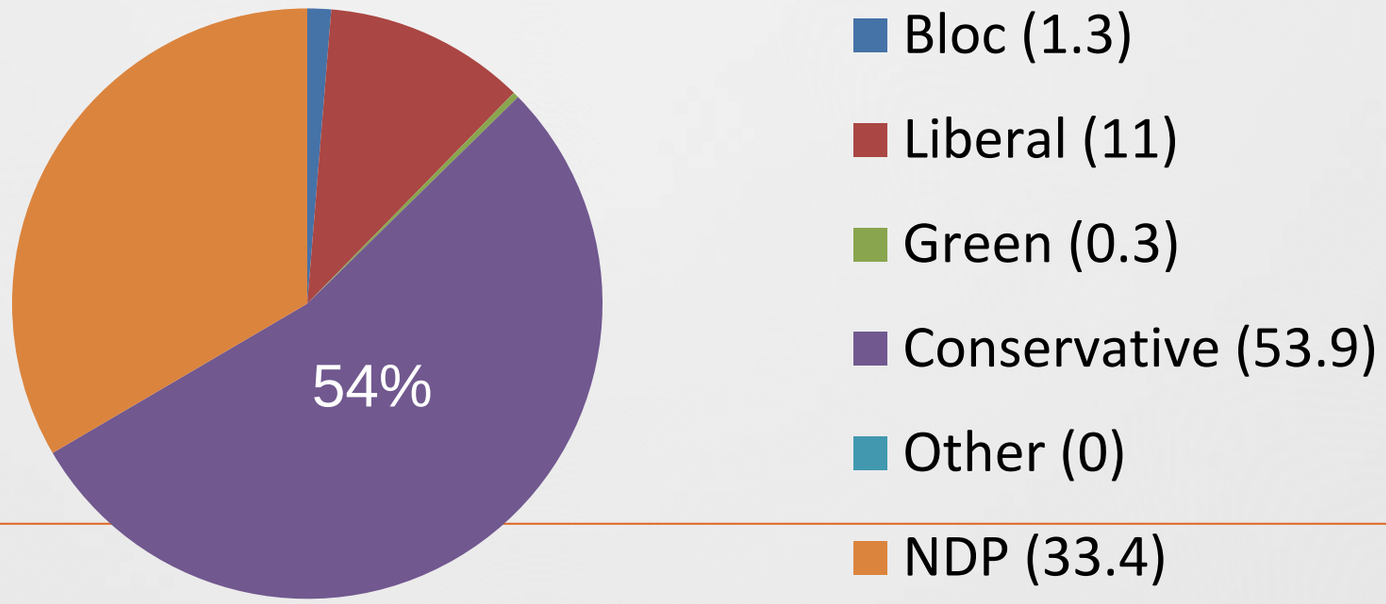
Consider the 2011 Election

Popular Vote (%) in 2011 Federal Elections



Actual percentage of seats distributed after 2011 Election



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Federal Election of 2011 (308 seats/MPs) by FPTP						
Party	Popular Vote (%)	Should be this # of seats	Actual # of seats	Actual % of seats	Distortion	
					%	seats
Bloc	6	19	4	1.3	-4.7	-15
Conservative	39.6	122	166	53.9	+14	+45
Green	4	12	1	0.3	-4	-11
Liberal	19	59	34	11	-8	-24
NDP	30	94	103	33	+3	+9
Others	0.7	2	0	0	-0.7	-2
	100	308	308	100		

DÉJÀ VU all over again…2015

Liberals back ... | Inbox (4,934) ... | (202) Craig Sc... | Brown Paper ... | 3 Ways to Tak... | Craig Scott: Li... | Nathan Cullen... | Nathan Cullen... | Results of the ...

https://en.wikipedia.org/wiki/Results_of_the_Canadian_federal_election,_2015

Search

turnout was just more than 61 per cent.[2]

Summary analysis [edit]

Party	Votes			Seats
Liberal	6,930,136	39.5%	▲ 20.6%	184 / 338 (54%)
Conservative	5,600,496	31.9%	▼ 7.7%	99 / 338 (29%)
New Democratic	3,461,262	19.7%	▼ 10.9%	44 / 338 (13%)
Bloc Québécois	818,652	4.7%	▼ 1.2%	10 / 338 (3%)
Green	605,864	3.4%	▼ 0.5%	1 / 338 (0.3%)


2015 Canadian federal election

Search the web and Windows

11:55 PM
6/6/2016

Wasted votes and **false majorities** also can be seen as **unequal voting power**

In 2015, it took:

- 38,000 votes to elect a Liberal MP
- 57,000 votes to elect a Conservative MP
- 79,000 votes to elect a New Democrat MP
- 82,000 votes to elect a Bloc MP
- 603,000 votes to elect a (single) Green MP

Electoral Reform Timeline (1)

- 2015 Election Platform of Liberal Party: "**We will make every vote count.**"

- "We need to know that when we cast a ballot, it counts. That when we vote, it matters. **I'm proposing that we make every vote count**… that the 2015 election will be the **last federal election under first-past-the-post**"

  – Rt. Hon. Justin Trudeau

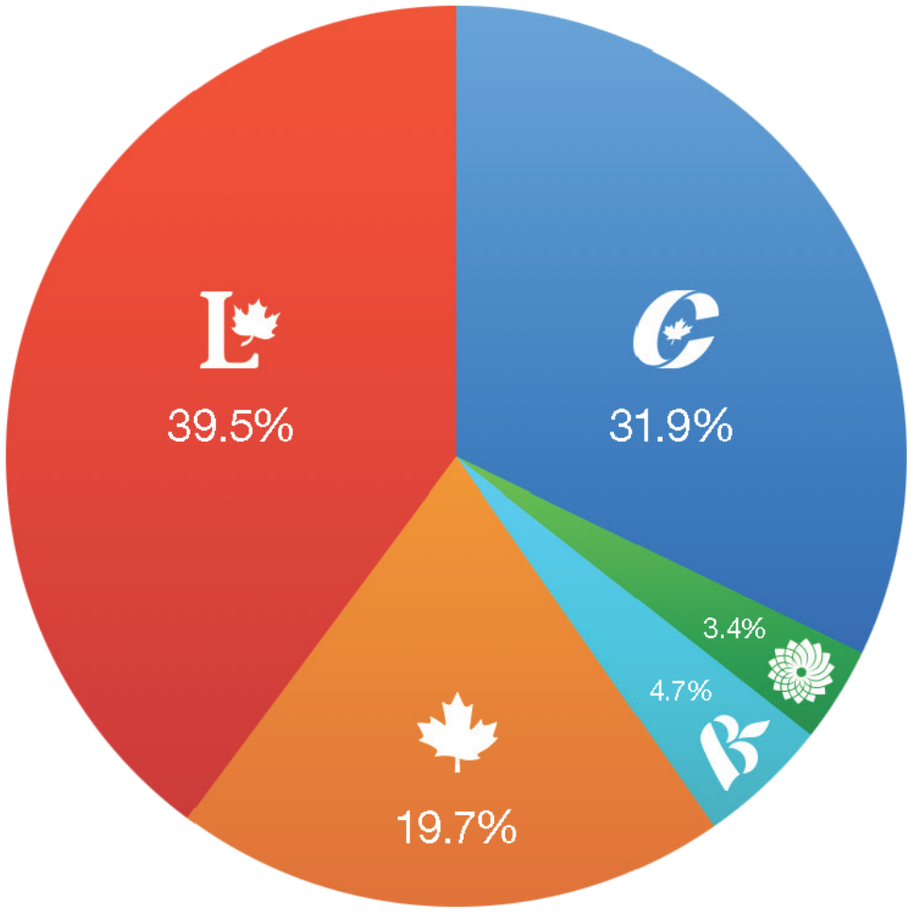
- The Liberal government promised **a new electoral system by May 2017**

Electoral Reform Timeline (2)

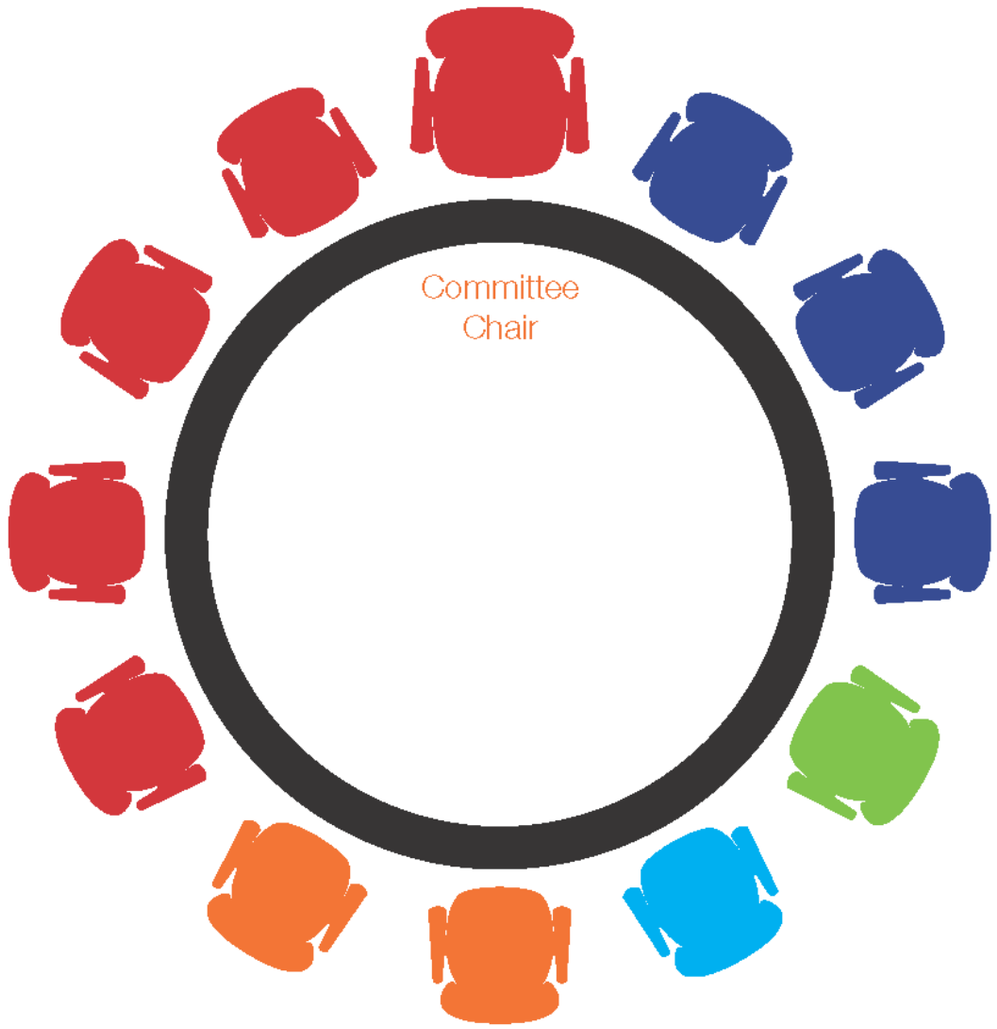
- June 2016 – Electoral Reform Committee of House of Commons (ERRE) is formed to consult with Canadians
- ERRE's composition done by assigning seats in proportion to parties' vote percentages in 2011 election

Electoral Reform Timeline (3)

42nd Election Results



Committee Seating Chart



Electoral Reform Timeline (4)

- April 2017 –Liberals promised to present the legislative plan for electoral reform by this date
- Fall 2017 – Deadline for Elections Canada to be able to start to implement any electoral reform to be ready for the 2019 Federal Election
- April 2019 – Elections Canada begins informing Canadians about new electoral system
- October 2019 – Next Federal Election

Alternative Vote (1)

What is Alternative Vote

- Preferential system in single-member ridings – voter ranks candidates in order of preference
- Voters have 1 vote and can choose to rank all candidates on the ballot, or choose only a selection
- Candidate with the most votes wins
  - What does “most votes” mean?
  - How to determine winner?

Alternative Vote (2)

How does it work?

- If no one candidate has over 50% of first-choice votes, the candidate with fewest votes is eliminated and then the second choices of that candidate's voters are allocated to higher candidates
- This method of elimination and redistribution of votes continues until one candidate gets over 50% of the votes

Alternative Vote (3)

Problems (1st set):

- Second preferences are treated the same as first preferences, so a **"50% majority" is a kind of fudged majority**
- And **even then, *only some voters*'** second preferences actually counted
- Because the voters for the top two candidates almost never have their second preferences counted, **the winner under AV can have many fewer combined 1st and 2nd preferences than the runner-up**

Alternative Vote (4)

Problems (2nd set)

Not only is AV **not "majoritarian"** in the way it claims to be, but here is the kicker:

- Just like current FPTP system, it is **also not proportional**
- **Can produce even worse disproportionality** than current system:
- Libs got **184** seats as a false majority in 2015
- under AV it would have been around **224** seats
- **40 seats more (from 54% to 66%)**

Proportional Representation

- What is Proportional Representation?
  - Simply put, it is both a principle and feature of an electoral system whereby **the party preferences of voters are translated into a directly proportional number of seats in a legislature**
  - **It is a "family"** of electoral systems. A number of different specific models of PR can satisfy the proportionality principle.
  - We will see **three that are in contention before ERRE**

Two helpful ways to look at PR:

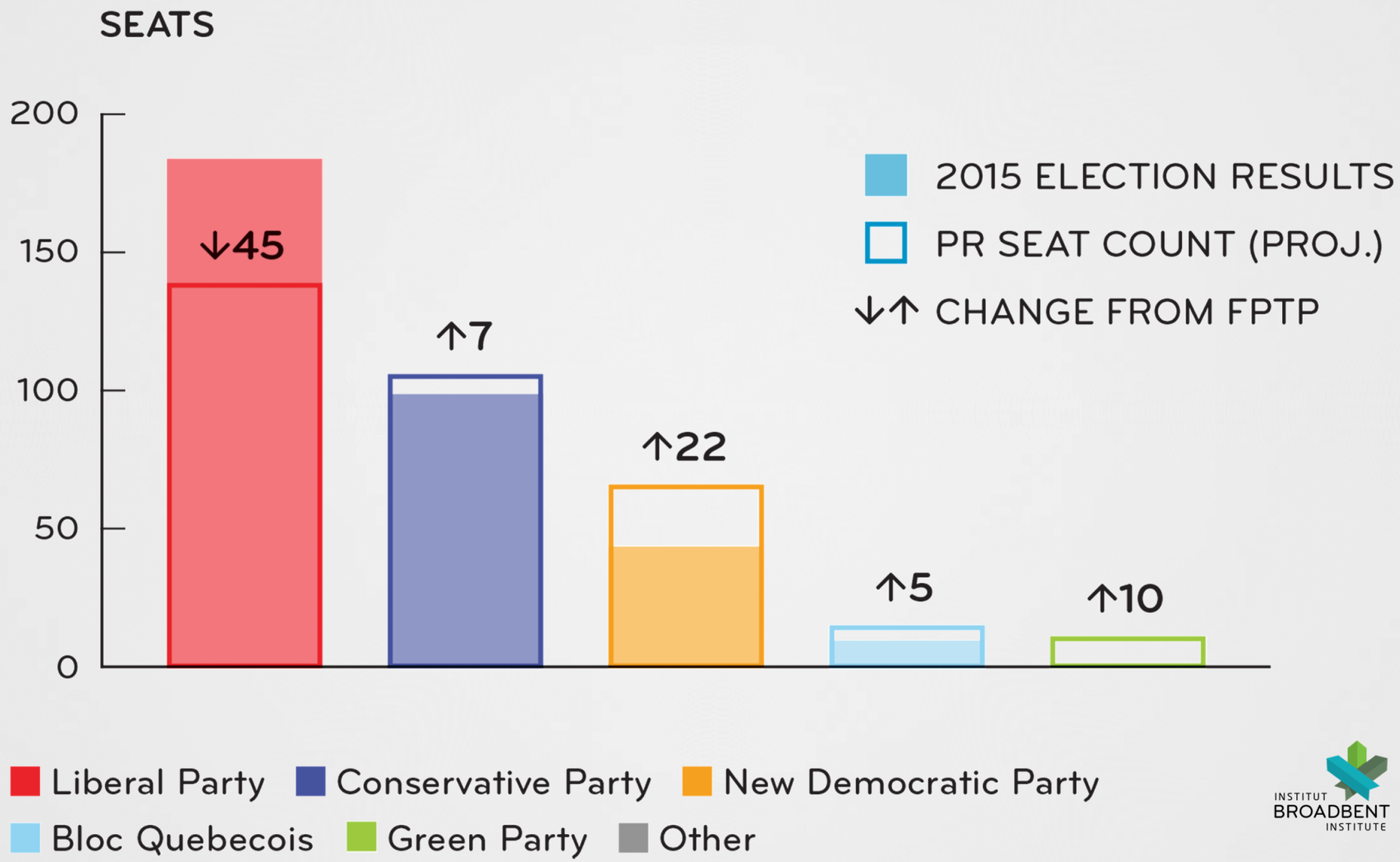
1) We should treat every voter counts equally as a person, so every vote should count equally too

> So, all votes would have same weight in determining the make-up of the House of Commons.

2) The number of seats of a party in the House of Commons should be proportionate to the popular vote

> So, if a party receives 30 per cent of votes, it should receive 30 per cent of seats.

FIGURE 10. OUTCOME FOR THE 2015 ELECTION IF IT WERE RUN UNDER PR (PROVINCIAL PR PROJECTION)



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Proportional Representation

- No “winner takes all”
- Eliminates “wasted votes”
- More accurately converts votes into seats for proportionally / fairly composed House of Commons
- Generates increased co-operation…
  - Which generates more policies and laws that benefit from multiple perspectives ….
    - …and that have more shelf life due to policies having pan-party vs. one-party support
      - …which avoids “policy lurch”

Benefits of PR

- Cross-country social-science research

reveals PR is a representative system that:

  - Results in **more women being elected** (1.5 - 8% more)
  - Helps to **elect more members of underrepresented groups**
  - Helps to **close the gap between rich and poor**

Benefits of PR (cont'd)

- Helps to address alienation and disaffection because
  - votes count directly
  - more (effective) party choice
- Increases voter turnout (5 – 7% higher)

3 forms of PR on the ERRE table

- Letter from the members of the Conservative Party, NDP and Green Party to Minister Monsef
- Three possibilities to replace FPTP:

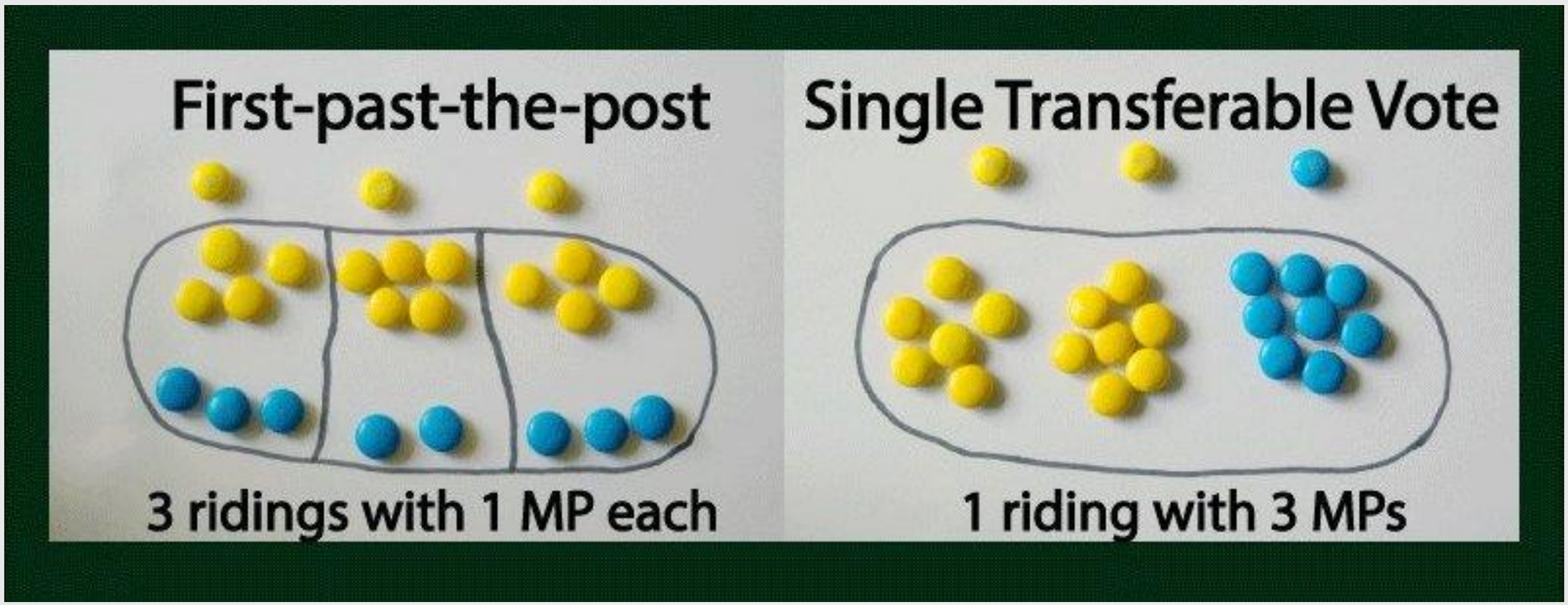
1) Single Transferrable Vote (STV)

2) Mixed-Member Proportional (MMP)

3) Rural-Urban Proportional (RUP)

1) Single Transferrable Vote (STV)

- Use of ranked ballots in multi-member districts (vs AV's use of ranked ballots in single-member districts)



- Used in Ireland, Malta, and Australian Senate

Single Transferrable Vote

- A candidate is elected if they get enough votes to satisfy a quota, where “enough votes” includes second (and sometimes third and fourth preferences) from the voters of other candidates
- The formula to determine the quota:
  - For example, in a 3-member riding in which 150,000 people voted, the quota would be: 150,000 divided by (3 + 1 = 4), so 37,500
- Unlike AV, votes are redistributed not just from the bottom but also from the top once a candidate has received enough votes to satisfy the “quotient”

Single Transferrable Vote

- It can function as a proportional system as long as the ridings are big enough
- 3 members are too few to achieve great proportionality within each riding – any candidate with less than 20-25% of the vote in such a riding will usually not be elected
- Such small multi-member ridings disadvantage small parties (like the Greens)
- With 7 or so members per riding, you start to get very high proportionality when the results of all ridings are combined

(2) Mixed-Member Proportional (MMP)

- Designed to be **fully proportional and,** at the same time, to ensure every voter to have a **local (single-member- riding) MP** elected as a representative
- This is why, when it was invented for Germany after WWII, the notion of combining the "**best of both worlds**"
- Used in Scotland, New Zealand, Germany, Wales, and quite a few other countries

Other countries successfully use MMP – Mixed-Member Proportional

Germany, New Zealand and Scotland

- New Zealanders just voted by around 60% to retain the system

- Germany has been using the system since the end of World War II

What is MMP (1)?

MMP = mixed-member proportional representation: a system that produces proportional representation through a mechanism that merges **two principles**

- Voters in each local constituency or riding should be able to elect **a single MP who is directly accountable** to them

+

- Voters in each constituency should **also have their party preference directly count** so that party representation (seats/MPs) in the House of Commons is proportionate to the degree of support the party received in the national vote

What is MMP (2)?

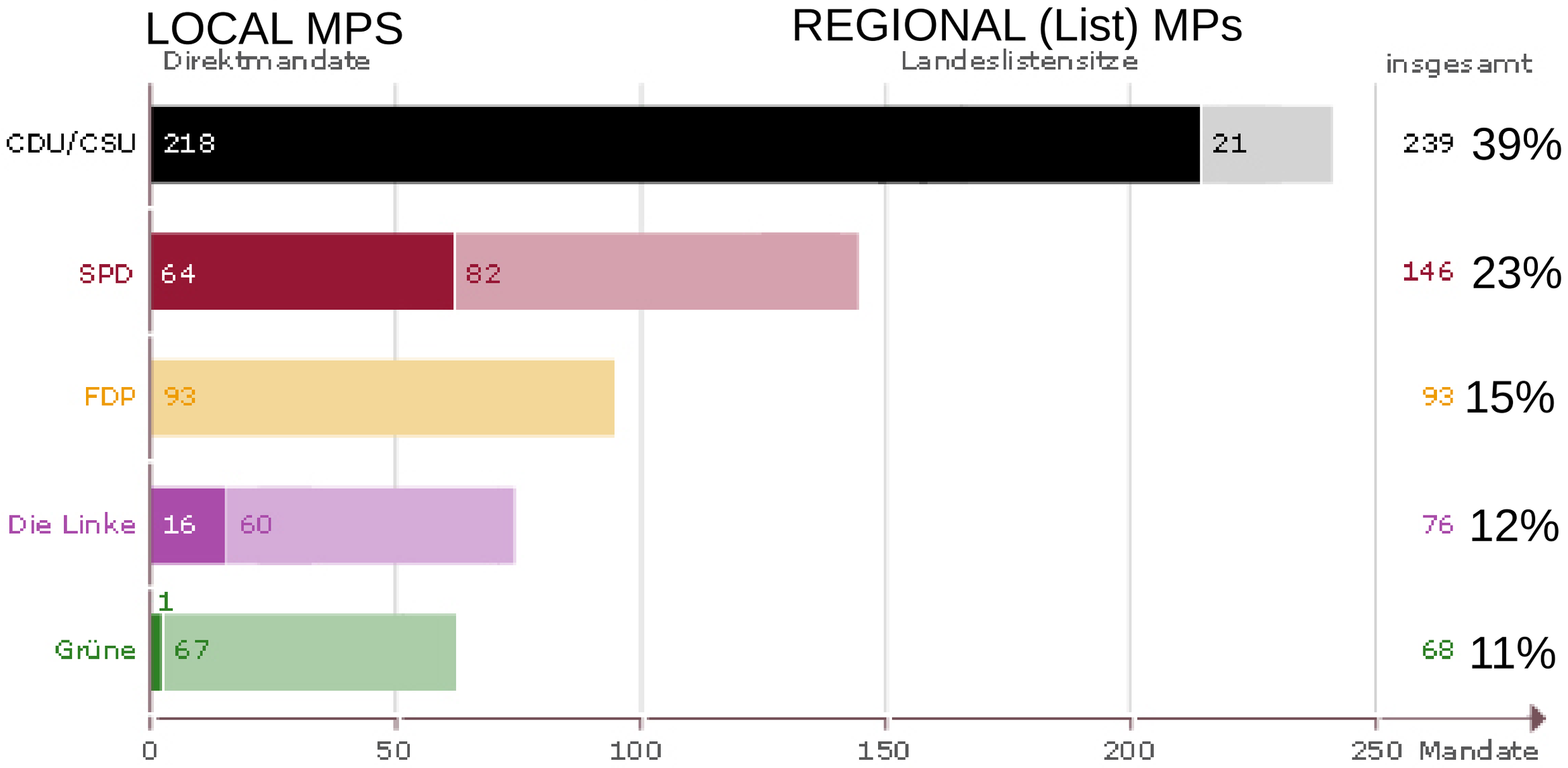
From the perspective of the act of voting,

- **MMP merges these two principles by giving voters two votes, versus the current one vote**.
- With MMP, voters cast two votes on a single ballot. Under this '**<u>One Ballot, Two Votes</u>**' system, citizens elect **a single local MP** to represent their riding with their **<u>first vote</u>** (as currently done) and vote for **a list of regional candidates** for the party they prefer with their **<u>second vote</u>**.
- **This second vote results in** the number of **seats** each party gets in the House of Commons **reflecting**, as closely as possible, the proportion of **votes the party received** from voters.
- See German example (next slide)

What is MMP (3)?

Direktmandate und Landeslistensitze (2009)

Nach Parteien, in absoluten Zahlen, Bundestagswahl 2009



Total of 622 seats

AND:

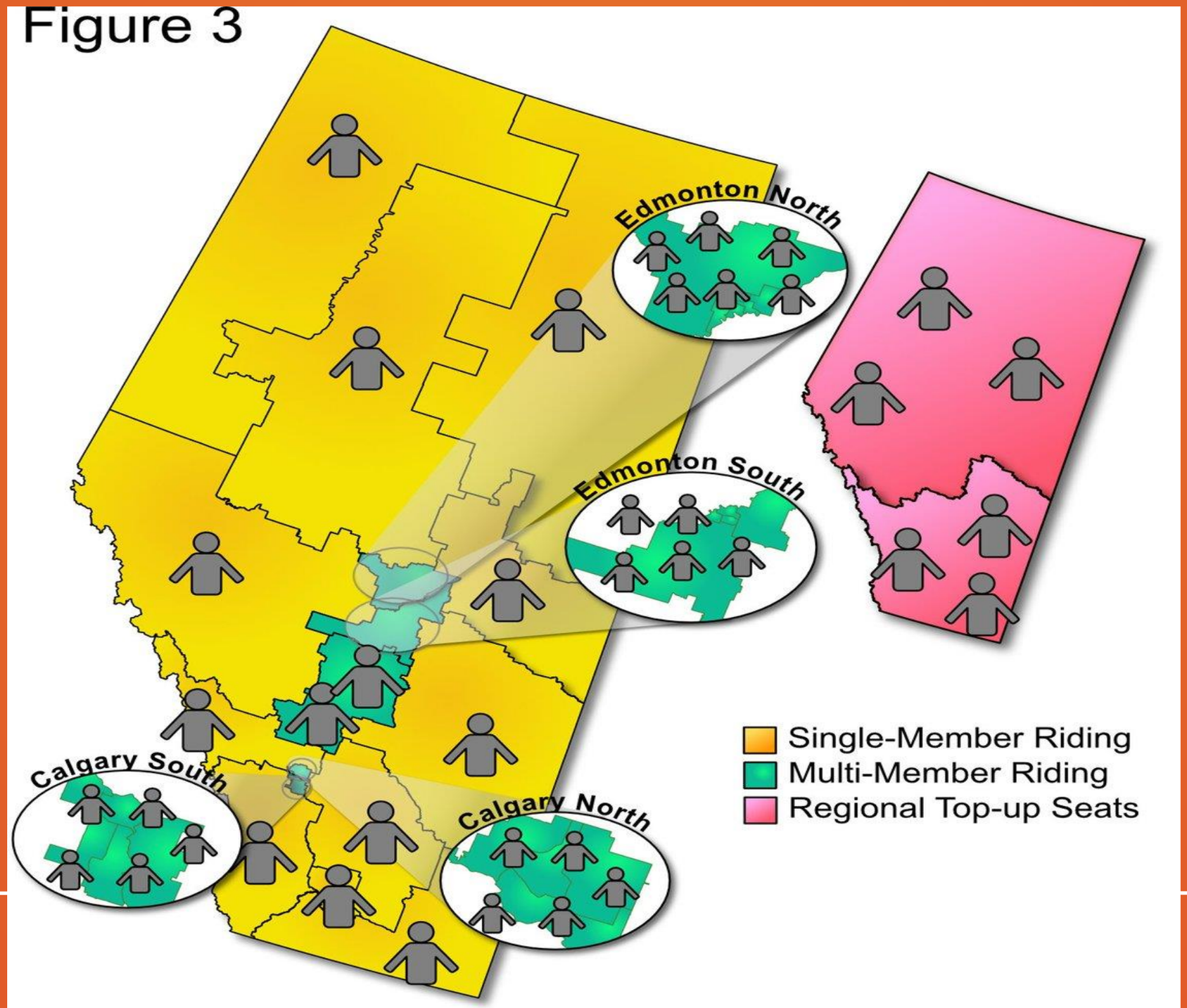
- Under current system a *single tick on the ballot* must integrate voter's views on local candidate with views on preferred national party (and its leader)

- versus MMP….

Our current FPTP system

- Under MMP, the voter can split their vote:
- 1. This local candidate (whose party I don’t much like)
- 2. These regional candidates for the party I want to see leading a government

(3) Rural-Urban Proportional (STV)



Could RUP come out as a grand (but still quite principled) compromise?

My concluding remarks before ERRE on Sept 1 (1)

…I'd end by saying that I think this committee started extremely well. Minister Monsef's introduction talked about two mischiefs, not one. She talked about the problem of false majority. She also talked about why an alternative vote style system might address another set of problems. She wasn't exclusive, and the composition of this committee has, I think, given a jump-start to something that many doubted would ever be possible.

My concluding remarks before ERRE on Sept 1 (2)

There are lots of folks out there, nay-sayers, commentators, who are assuming that behind the scenes—not for the members of this committee but behind the scenes—one of the goals is for this to all end up as a big noble failure and that there will be a deadlock, an impasse, nothing will come out of it, and we'll keep the current system.

My concluding remarks before ERRE on Sept 1 (3)

I don't think that has to happen. I have a skeptical optimism that I believe we can do much better, and I believe you're starting that because this very committee is formed in a way that proportional representation would form committees in the future. You guys can do it. It will itself be proof that a system can work like this in the future.

We Want to Hear From You

- Do we need a fairer and more engaging electoral system:
- Do you think that we need to reform our electoral system?
- In your opinion, what is the best electoral model for Canada?
- What do you hope to hear/see from the government as we move forward on Electoral Reform?

Thank you!

Questions?

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