

Submission to ERRE

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Summary

123 Canada is the national organization that promotes Preferential systems. We are proposing 3 alternatives: A) Optional Preferential Voting, B) Two-Round System, or C) Reforms in case the electoral system is unchanged. A) and B) are types of Preferential systems.

The problem to be solved is vote splitting. We show that voters believe this is the most significant distortion in the current system.

Preferential Voting is the second most used system in Canada, the only other one with official status. It is common in the French speaking world and growing rapidly in the US and Canada.

Preferential systems are the ones that best fit the committee's 5 principles.

The major distortion in the current system, as shown by voter behaviour, is vote splitting. There is a diversity of intentions that voters may have, for a person or party or against, and our proposals best support the full range of different intentions.

We discuss the two alternative models of democratic consensus: the one underlying proportional systems where parties, each representing a relatively narrow range of opinions, mediate the relationship between voters and their government through negotiations between politicians, versus what we propose, where each candidate must address the diversity within their community, and the proposed consensus gets a direct democratic mandate from voters.

While claims that electoral systems change the engagement of individuals and groups are known to be incorrect, we show how preferential voting directly empowers the *voters* who have minority views, not the *party* of their first choice candidate, and ensures they cannot be ignored no matter who wins.

We discuss the three components of complexity. The overall least complex is Two-Round System, which is exactly like FPTP but without the complexity of strategic voting, followed by FPTP and Preferential Voting.

Preferential systems preserve the benefits of single-member districts which guarantee local representation, while giving MPs unambiguous legitimacy.

We do not support the status quo, but if that is the outcome, we propose reforms concerning availability of riding-level polling to ensure that strategic voting can mitigate the distortions in FPTP without giving voters the opposite of the result they want.

In conclusion we show how preferential systems will be easily accepted as an improvement to voting.

Introduction

At the time of writing it is unclear whether we, or indeed any expert on Preferential systems, will be allowed as witnesses. With word limits, and so much information that the Committee needs but has not seen, we include links to our site for details.

123 Canada promotes preferential systems, which includes dozens of systems.

The terminology below always means single-member districts.

Preferential systems include

- Preferential Voting (Australian term) aka Ranked Voting (North American term), and
- Two-Round System,
- Related systems like Approval Voting.

Within Preferential Voting there are a dozen methods of counting 1,2,3 ranked votes to determine who has 50% support, of which Alternative Voting (aka instant run-off) and “Contingent” or “Supplementary” are the simplest¹. Optional Preferential Voting means you can either vote like FPTP or rank two or more candidates.

We are proposing 3 alternatives to ERRE:

A) Optional Preferential Voting,

B) Two-Round System, or

C) Reforms in case the electoral system is unchanged.

Preferential voting with 1,2,3 ranked ballots is the second most used system in Canada, the only other one with official status. It will be used in the next Ontario municipal elections, and probably in the next NB elections, with remarkably little controversy. The PEI special committee’s White Paper had recommended “a move to a preferential ballot system ... to ensure that every candidate must win the support of at least half their constituents to gain elected office.” In the 20th century it was used in Manitoba, Alberta, and BC provincial elections. It is used by most federal and provincial parties to choose leaders and candidates.

In the US, where it is used municipally and will likely be used in all elections in Maine, it is supported by people like Bernie Sanders, Barack Obama, Jill Stein, and John McCain and the League of Women Voters.

In the UK it got the consensus of Parliament in an exercise similar to this one. Initially proposed by the Labour party, it was introduced by the Conservative-LibDem coalition. It is used for House of Lords seats subject to election and to elect mayors.

Australia uses it for lower house elections and in states, as do several English-speaking Pacific countries.

France is known for its Two-Round legislative elections, also used throughout the French-speaking world. The Two-Round System is used in about 100 countries in total.

A) and B) both satisfy the committee principles in much the same way other than complexity, so the analysis below is merged. C) does not, because FPTP does not.

Principles

Effectiveness and Legitimacy

<http://123canada.ca/principle-a-effectiveness-and-legitimacy/>

To analyze distortion of voters' intention, the first thing to acknowledge is that different voters have different intentions. You can vote for a candidate or for a party, or against a candidate or a party through strategic voting, or cast protest votes, or seek consensus or group solidarity, or want a majority or minority government, or various other intentions, including voting for proportional results. Voters can have a combination of intentions, and this combination can change from election to election.

Strengthening the link between only one specific type of intention and the selection of representatives is inappropriate, particularly if it decreases the legitimacy of another type of intention. We must examine these intentions in the context of the other principles, so for instance the intent to elect a local representative is particularly important.

Few electoral systems are good at satisfying multiple intentions at once. For instance, systems with an explicit vote for a party do well at representing the intentions of those who are loyal to a single party, but at the expense of local representation or votes for or against individuals. Even more troubling are systems that force voters to use intentions other than their own or where only one intention is used to select the government.

Previous witnesses think the major distortion of intentions is a failure to match quotients of seats for parties with quotients of votes across all candidates from that party. Is that an *intention* for your own vote or an *expectation* for how other people's votes in other ridings should be counted?

You have heard from a self-selected group here and in town halls about the distortions they care about, but what does the average voter think?

The answer can be found in how they vote. Strategic voting is where voters go beyond stating their first choice and think about how to get the most desirable outcome by mitigating distortions. The distortion that they mitigate by sacrificing their own vote is vote splitting, where someone wins even though most voters do not want that person to represent them.

Of those who are in a position to vote strategically, 35-50% do so² in each election, a shocking number considering that expensive political campaigns do not give out the message "vote for me or vote for her, we're basically the same". Campaigns tell supporters to focus on their first choice, yet half will not.

Voting strategically to make results proportional would be simple, by voting for a different candidate based on seat projections and on assumptions about whether party preference motivates vote intentions of others. In the last election, swaying 20,000 votes would have been enough. But it rarely happens, simply because vote splitting is a higher priority distortion for voters. Strategic voters do not consider their first choice to be the only choice, and their wish to NOT elect someone is their main goal.

A second distortion is a by-product of this mitigation. When most voters vote strategically, FPTP strategic voting has a high risk of delivering the opposite of their intention if they don't agree on which candidate is more likely to win.

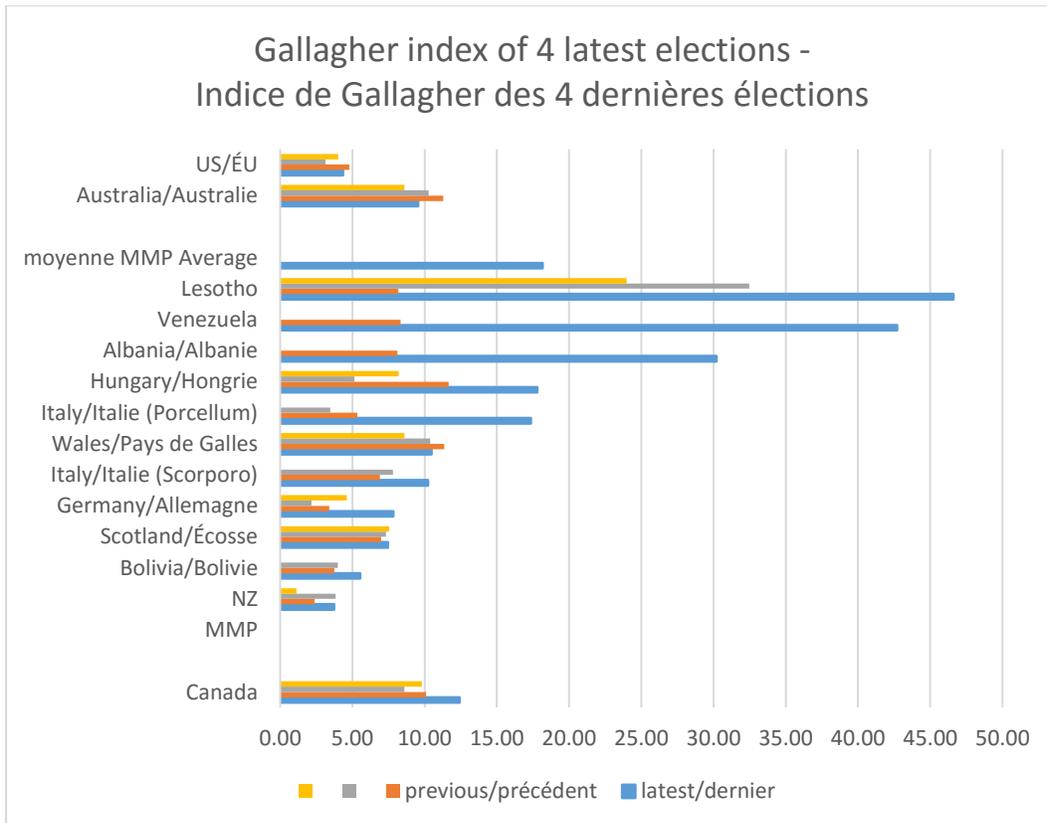
These distortions are not just a few percentage points difference, averaged over far-flung ridings, this is the opposite of what the majority wants in their own riding.

Other electoral reform alternatives base everything on first choices. Canadians are telling you with their votes that their second choices matter. Preferential voting lets voters state those second choices.

Engagement

<http://123canada.ca/principle-b-engagement/>

We don't have to belabour what political scientists have already debunked: electoral systems do not deliver on representation of minorities or on turnout. Hybrid proportional systems, the only ones on offer, deliver neither a more representative Commons nor even much proportionality, unless pure proportional is averaged in, and often make it worse if you look at the chart below. MMP in particular has high Gallagher index (the standard disproportionality measure) when you include the elections where it failed spectacularly in countries that have abandoned MMP as a result.



Sources: Gallagher; Carey & Hix

Preferential Voting is correlated with higher voter turnout and higher representation of women, but we know better than to try to claim any causal link.

The problem of Parliament not reflecting the demographic diversity of Canada is almost entirely due to barriers within the nominating process of political parties. We hope MPs insist their parties address this. One interesting hybrid solution is California's Top Two Open Primaries³.

Ranked ballots have substantially improved representation of diversity⁴. Evidence shows that ranked ballots result in greater civility and broader and deeper political engagement⁵. Lack of civility is one of the factors contributing to lower participation of women and other groups in politics. Civility and consensus building from preferential systems may well attract people to politics who would not participate otherwise.

Lack of civility and excessive partisanship are among the reasons why some people feel they can only be represented by the person they voted for. The solution is not to double down on only representing a subset of the population, but the opposite.

Representing minority views

Preferential systems are based on not ignoring voters' second choices. Second choices are the best way to reach consensus, even in this committee.

There are two models for democratic consensus. One is to let parties specialize in a relatively narrow range of voters, then let citizens have more than one MP, where the MP only represents those who voted for their party, and where consensus between the diversity of voters is achieved indirectly through negotiation between political parties.

The model offered by Preferential systems is where every candidate must deal with the diversity within their own community and try to put forward a consensus, and where it is the voters, not politicians nor parties, who provide a direct mandate for that consensus.

Small parties in Australia like Preferential Voting, as did those in the UK, and most small parties in the US, because it benefits the supporters of small parties. It doesn't benefit the parties themselves, just the voters who support them. Those voters cannot be dismissed nor ignored, candidates of larger parties must carefully listen to them and craft policies or personally present themselves in a way that respects minority views.

Preferential systems are the only ones that make a clear distinction between respected fringe parties on one hand and disliked extremist parties. To win, minority-view candidates must get approval of more than their core. It is no coincidence that Holocaust denier Jean-Marie Le Pen and anti-immigrant Marine Le Pen always run and lose in two-round elections in France but win every time in the European Parliament's proportional elections. Similarly for anti-immigrant Nigel Farage in the UK, among others.

As a bonus, Preferential makes it "safe" to vote for independents or candidates of smaller parties, since this cannot help someone you don't like. In Australia when politics get too partisan, independents regularly win on second choices, and Australians now elect 5-6 independents every election.

Throughout the world, voters are increasingly dissatisfied with parties. Are we evolving to a Parliament where parties hold less sway, like what is happening in the other chamber? Would it be appropriate now to "bake" political parties into the electoral system for the first time? Preferential systems give legitimacy directly to MPs not to parties.

Who supports Preferential Voting?

According to a recent Forum Poll, with a neutral one-sentence explanation of effects of different systems, Preferential voting is supported by 56% of the population, higher than all other systems. Its support increases with an explanation while others decline. As shown by the charts, its support is high among low-turnout groups, and party preference has little effect on support for the system, unlike other systems. Of the options, it is the least partisan.

Preferential voting is supported by low-turnout groups

Le scrutin préférentiel a l'appui de groupes dont la participation électorale est faible

Who Qui	FPTP SMU	Prop	Pref
Total	30%	52%	56%
18-34	27%	58%	60%
<\$20K	32%	50%	63%
Secondary only Secondaire seulement	32%	46%	60%

Support for preferential voting has the least partisan skew

L'appui pour le scrutin préférentiel a le moins de variation partisane

	Total	Cons	Lib	NDP NPD	Green Vert	Bloc	Others Autres
% Approval % Appui	56%	49%	62%	54%	54%	52%	53%

Other systems have 41% and 25% approval among supporters of some parties

Les autres modes ont un appui de 41 % and 25 % chez les partisans de certains partis

Accessibility and Inclusiveness

<http://123canada.ca/principle-c-accessibility-and-inclusiveness/>

Complexity has 3 components

1. Is it easy to understand how to vote?
 2. Is it easy to understand how to count the votes?
 3. Is it easy to predict the impacts of different votes?
- FPTP does well on 1&2 but not as well on 3 because of strategic voting and poor riding-level polling data.
 - Pure PR does well on 1, less on 2 and worse on 3.
 - Hybrid PR systems do poorly on all three.
 - Preferential Voting does well on 3 and nearly as well on 1 and 2⁶. This small increase in complexity comes with a large increase in expressiveness.

- Two-round does well on all three since it is two FPTP elections in a row, with less uncertainty about impacts.

Integrity

<http://123canada.ca/principle-d-integrity/>

Multi-member ridings and voting for parties cause a problem with secrecy of the vote. When you have more than one MP and request services from one, you are in effect revealing who you voted for. When local organizations get help from one MP to support their cause they are showing political favoritism. Single-member ridings do not have this problem.

Local Representation

<http://123canada.ca/principle-e-local-representation/>

Single-member ridings have many benefits, and Canadians are attached to them. We propose to keep those benefits intact, and add the benefit that minority opinions cannot be ignored and the guarantee that ridings cannot be represented by someone that the majority dislikes.

A recent study shows that with single-member ridings, voters tend to like the government more than the opposition, but with multi-member ridings they dislike the government more because it often includes smaller parties that they dislike⁷. The “wrong” side is in government.

Single-member ridings excel at accountability, and Preferential even more so with a 50% threshold. In multi-member ridings, removing an unsatisfactory representative is much more difficult. In 4-member STV ridings an unpopular representatives needs only 20% of votes to remain, and with list systems it is essentially not up to voters to dismiss individuals.

Alternative in case of status quo

We do not support the status quo, but we recognize that keeping FPTP is a possible outcome. The types of distortions discussed above can be mitigated with better riding-level polling data to support strategic voting. Half the voters rely on such polls to decide how to vote, they are the most important pieces of information for them yet they are seldom available. Parties have them and sometimes use them to mislead. We have to give voters access to the information they find important. We propose these measures.

- Change sections 326, 482 b) & 495 of the Election Act: If you release national surveys, you must release geographical breakdown, to riding level if possible.
- No one can enter into agreement to not release riding-level poll results.
- Party internal polling can be withheld but not contracted polling.
- Greater penalties for publishing misleading poll data.
- Remove prohibition of high-quality riding-level polls on election day.

When voters are armed with information, they can use their ballot for a wide variety of intentions with fewer distortions, including letting people vote strategically to mitigate disproportionality.

Conclusion

The committee process so far has concentrated on proportional systems and it has yet to focus on details of preferential systems.

Proportional systems have the purpose and effect of producing more seats for smaller parties. They appeal to supporters of those parties more than to others. The changes they require are extensive and go beyond adding complexity to the voting system, but also change the relationship between the citizen and Parliament, adding political parties as intermediaries. When asked to vote on it in provinces, voters have always rejected those changes.

Preferential systems on the other hand are a more modest change, more likely to get social license to operate. Ridings and the role of the MP are unchanged. Those who wish can continue to vote using FPTP, with an optional enhancement whose effects will have positive appeal.

Voters know that winning with 35% of the votes lacks legitimacy and requiring 50%+1 to elect an MP is easily recognized as more democratic. The idea of 338 true majorities is compelling. The guarantee that a community cannot be represented by someone who the majority dislikes will be popular. Vote splitting has affected every party and every voter. Votes for independent or small party candidates will not be wasted or worse, counterproductive. Every vote will count. Including second choices means more accurately reflecting voter intentions. The evidence that Preferential Voting makes politics more civil and consensual will be a welcome change. It is not as big a change as some proponents prefer, but nonetheless a change they can support.

Whether the committee chooses Preferential Voting, traditional in English-speaking countries, or the related Two-Round System typical of French-speaking countries, the choice will be a mainstream one for Canada's political culture.

¹ Benjamin Reilly, "The Global Spread of Preferential Voting" Australian Journal of Political Science, Vol. 39, No. 2, p253

² Jean-François Daoust, Damien Bol <http://electoraldemocracy.com/strategic-voting-2099>

³ Michael Alvarez, Andrew Sinclair "Nonpartisan Primary Election Reform: Mitigating Mischief" November 2015

⁴ Rich DeLeon, Arend Lijphart <http://www.sfgate.com/opinion/openforum/article/In-defense-of-ranked-choice-voting-4215299.php>

⁵ For references, see http://www.fairvote.org/rankedchoicevoting#research_rcvcampaigncivility

⁶ For studies, see http://www.fairvote.org/rankedchoicevoting#research_rcvvoteturnout

⁷ André Blais, Eric Guntermann, Marc A. Bodet, "Linking Party Preferences and the Composition of Government: A New Standard for Evaluating the Performance of Electoral Democracy" Political Science Research and Methods, <http://dx.doi.org/10.1017/psrm.2015.78>