

July 21, 2018 - No. 28

### **BC Referendum on Electoral Reform**

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### **BC Referendum on Electoral Reform**

## **What to Do When the Referendum Process Is Rigged to Keep People's Empowerment as Officially Elusive as Ever?**

The *TML Weekly* has studied the materials related to the upcoming BC Referendum this fall and held discussions on how the working people can intervene in a manner that favours their interests. What can be done at this time to deal with the obvious fact that the entire process has

been rigged in such a manner as to keep the people's movement for empowerment as officially elusive as ever?

The people's striving for empowerment, their desire to exercise control over the decisions taken by governments which affect their lives, is the motivation that drives their support for a voting system to replace the first-past-the post system with one that better translates the votes cast into seats in the Legislature. The fact that these party governments are not seen to represent majorities contributes to the crisis in which the representative democracy is mired. Governments are simply not seen to govern with the consent of the governed.



Unfortunately, the parties in the Establishment's cartel party system, which keeps these same parties in power, are motivated by either keeping the current system or getting a more fair distribution of seats for themselves.

Another important point to keep in mind is that the system of party government perpetuates the illusion that votes cast represent popular support for the parties which form a government and that those elected represent their constituents. These representatives in fact swear an oath of fealty to the person of state, not the people. These parties further the private interests of the person of state, not the interests of the people. Sovereignty is not vested in the people but in the person of state and policies are set to perpetuate this state of affairs, not change it.

Finally, to be kept in mind is the privileged position enjoyed by political parties as appendages of the state as a result of financing laws and broadcast privileges which guarantee that they exist above the polity. This perpetuates the system whereby the people are disempowered. The polity is divided between those who rule and those who are ruled. Attempts are made to keep the majority in check by splitting it into camps that take one side or another within the ruling class.

The referendum process which has been adopted by the ruling coalition in BC leaves everyone nonplussed because all the decisions are taken behind their backs. This process seems to be self-serving and not at all conducive to reaching a clear-cut result that empowers the people, which is what people want.



The first question in the referendum is clear enough -- do you want to change the way votes are counted: yes or no. The MLPC would recommend a resounding yes vote to question one. In both the 2005 and 2009 BC referendums on changing the way votes are counted, the ruling class set the thresholds very high, making them difficult to reach and then organized the process to make sure that these majorities could

not be attained. Even then in 2005 the people of BC very nearly reached the double majorities required to get the way votes are counted changed.

This time, the working people of BC should overwhelm this status quo by going all out to get a resounding Yes to question one. Once this is achieved, then the ruling class will be obliged to design something new and, presumably, be guided by the results of the preferential order of the different variants which follow. The people can then continue to be active by giving their views,

speaking out, and demanding that their claims on society be met.

One obvious problem is that none of the three options given in question two of the referendum are credible ways to achieve people's empowerment. They are all about giving the same political parties that have positions of power and privilege, a distribution of seats that better reflects total votes garnered in the election.

The Attorney General has provided skeletal information on the three voting systems and Elections BC has been directed to conduct an objective information campaign which has not yet started. The proponent (Vote PR BC) and opponent (No BC Proportional Representation Society) groups have started their campaigns, but there remains an absence of non-partisan forums where the members of the polity can participate in discussing the voting options so as to draw warranted conclusions. So long as this collective human experience which gives rise to a collective consciousness and political opinion are absent, the people will be marginalized and deprived of a voice. It is their political opinion which is targeted by the method chosen to conduct this referendum.

To deal with this problem, *TML Weekly* recommends work which empowers the people to discuss and make up their minds how to intervene. Criticizing the ruling class for what it is doing, and particularly that what it is doing will not bring about genuine change that empowers the people, is not an option. Why would one expect the ruling class to do such a thing? It is up to the people to bring about change which empowers them and this can be done by intervening in a manner which is empowering. Based on concrete conditions and circumstances, it may even be possible to get an overwhelming vote for one of the options and make it



impossible for the ruling class to claim that the referendum did not give rise to conclusive results. People should work to create a situation where the ruling class will have no choice but to break the status quo of the stultifying first-past-the-post system.

If, as in the case of the Trudeau government, the government refuses to implement what it says it will do, the people will be better prepared to oppose the arbitrary self-serving rule and take the next measures they decide. The people's movement for empowerment does not depend on the ruling class, it depends on the people organizing themselves to resolve problems in a manner which favours them. This can be done with this referendum as well.

***All Out to Smash the Status Quo!***  
***Participate in the Referendum by Taking Stands Which Empower Yourself Now!***

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## **BC Referendum's Self Serving Process Which Must Be Overcome**

**- Anna Di Carlo, National Leader, Marxist-Leninist Party of Canada -**

British Columbia will have a mail-in ballot referendum on electoral reform this fall. The government says that the purpose of the referendum is to decide whether BC should keep the

first-past-the-post method of counting votes or adopt a method based on proportional representation. The referendum was supposed to be held in accordance with the May 30, 2017 Supply and Confidence Agreement which established the conditions for the Green Party to maintain confidence in the New Democratic Party. Among other things, the agreement stipulates that a referendum be held on proportional representation in the fall of 2018 and that "the form of proportional representation approved" be implemented in time for the next provincial election, to be held in 2021. The agreement states that the two parties will work together to "determine the form of proportional representation that will be put to a referendum" and binds both to "campaign actively in support of the agreed-upon form of proportional representation."



Despite this agreement about an "agreed-upon form of proportional representation," the referendum is going to the people with three forms of proportional representation offered for selection on a preferential basis. If more than 50 per cent of the people say Yes to proportional representation and one of the three methods of proportional counting of votes receives more than 50 per cent support, the system will be changed. The details of the new system, including the reconfiguration of constituencies, will be worked out by an all-party committee of the legislature consisting of the New Democratic, Green and Liberal Parties, with none having a majority position. Certain aspects have already been made "mandatory" by the government, such as the minimum five per cent threshold for a political party to win a seat.

According to the referendum rules, the people are to be subjected to Yes and No campaigns led by one official publicly funded group on each side. Applications to lead these two campaigns had to be submitted by July 6 to Elections BC. On July 12, Elections BC announced that only two groups had applied in time. The proponent group will be Vote PR BC; the opponent group will be No BC Proportional Representation Society. Each will receive \$500,000 in government funds and can spend another \$200,000 raised through private contributions. Other Yes and No campaigners must register with Elections BC and will have a spending limit of \$200,000.

Public funding for the Yes and No official groups is being provided notwithstanding the fact that a majority of the people consulted during the government's "public engagement campaign" disagreed with the proposition: "The government should provide public funds to designated groups to campaign for their preferred voting system." Over 54 per cent of those who filled out questionnaires strongly disagreed; 46 per cent who participated in panel discussions strongly disagreed. The government reports that many comments expressed the view that public funds should be "spent on a neutral information campaign to better inform voters rather than advocacy by groups that they felt would provide

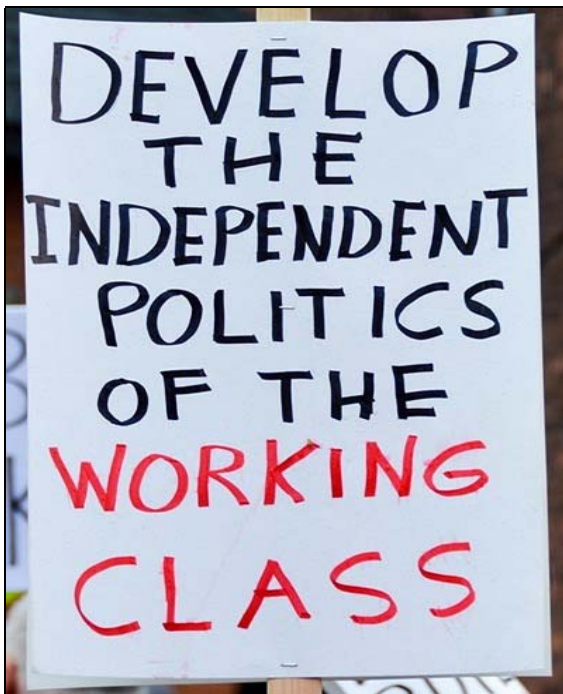


misleading or self-serving information." Examples of comments received include: "Please direct public funds to public education and not simply provide cash for groups to campaign, where facts can be misrepresented." Another said: "I'd like public funds to be used directly [by the government] for public education on proportional representation, rather than given to groups campaigning for and against it." These opinions stem from the experience of British Columbians who are facing their third referendum on proportional representation and have lived through two campaigns based on adversarial self-serving shenanigans.

The Chief Electoral Officer is responsible for "providing voters with neutral, factual information about the referendum and the voting systems on the ballot" and will determine an appropriate budget and method for doing so, the government informs. Although the official campaign period started on July 1, material has not yet appeared. Elections BC says the information campaign will begin shortly. It will be on its website and brochures will be mailed to households.

All things considered, it seems that the entire exercise has been designed in a manner that is not favourable to reaching a clear verdict on the way that votes are counted and translated into seats in the BC Legislature. It will certainly not contribute to the people's demand for empowerment.

In Canada, the act of voting is called "the most basic democratic exercise." It is more or less the sum total of what the members of the polity are called upon to do for purposes of giving a political party with power and privilege a "mandate" to form a government and act in their name. The parties with positions of power and privilege go to great lengths to get the people's votes to maintain or acquire power. Once elected these parties declare they represent the people. But people are fed up with a system that permits others to act in their name. It is not the members of the polity who set the agenda for society and most people do not think their vote confers governments with a "mandate" at all.



The referendum is being organized in a similar style, which puts it in danger of suffering the same lack of credibility and legitimacy. According to the New Democrat-Green Confidence Government, once the referendum is held, it will do what the people have decided, following the supposition that a mandate has been delivered. The referendum questions and what they mean are cause for confusion, particularly the second question. The details of the new method of counting votes, if one is successful, will remain in the hands of an all-party committee of the Legislative Assembly, and in the final analysis, the executive power. Far from helping resolve the legitimacy and credibility crisis in which the democracy is mired, the referendum process will further exacerbate both. While the referendum is being presented as an exercise in "letting the people decide," from start to finish the concerns of the

people about the failures of the electoral and political process are being forced to fit into a divisive exercise on what method of voting will make government "more representative."

The referendum has been set up to maintain a system of the governors versus the governed, with the governors setting up the choices and even the framework of how the people should be informed and discuss the choices. This started with the determination that the method of counting votes is the crucial factor in resolving the crisis of the party-dominated system of representative

democracy. The premise that the aim of an election is to form a viable party government has determined the forms of proportional representation on the ballot. The framework of political parties selecting candidates, setting the agenda and then campaigning to get votes from the governed who are then subjected to the rule of a "mandate" until the next election remains the basis for the proportional representation options put forward. The limitations of the choices on the ballot stem from the fact that the purpose of the exercise is not to address the concerns of the people about the electoral and political processes.

What the government is up to points to the need for people to develop their independent politics and movement to address the situation. They need to discuss among themselves how to respond to the referendum as a whole and the referendum questions so as to advance their striving for empowerment.



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## **Discussion on BC Referendum and People's Movement for Empowerment**

The question facing the polity in BC is how the people can advance their movement for empowerment within the situation of the 2018 referendum on the provincial voting system. This is a difficult situation because the referendum has been designed through a process in which citizens were not enabled to set the agenda. There has been no public opinion created to facilitate the referendum being held as an act of an engaged body politic. A "public engagement campaign" was conducted by the Ministry of the Attorney General. The level of participation -- roughly 2.6 per cent of the electorate spending on average about 15 minutes to answer a questionnaire -- is rated as the highest ever. Even though the government lauds this level of support as a source of legitimacy for what the government is doing, in the same breath it says a political party that receives even .01 per cent less than five per cent of the vote does not deserve a seat in the Legislative Assembly.

Clearly, a public engagement exercise in which less than three per cent of the electorate chose to participate is a problem. The fact that the topics on which people could have a say were limited to what the ruling party considered to be pertinent is also a problem.

Most importantly, since the engagement was comprised of one-on-one exchanges with the government, no space was created for this project to take centre stage in the body politic. The method of consultation deprives the people of a public space and discourse where their concerns about the political and electoral process can be raised and deliberated on and solutions found.



Furthermore, the concerns that people are able to raise through these methods of engagement are turned into trite desires and/or beefs without any significance. These concerns are never explored and elaborated and addressed. For instance, a recurring theme since the BC Citizens Assembly is the relationship between elected representatives and political parties. People repeatedly say they do not want those who are elected to represent political parties. This is a real concern and problem because the system is based on the aim of bringing political parties to power and

enabling only those political parties that are said to be capable of forming a party government to be heard. When people say they do not want their elected representatives to be obligated to political parties, but instead want them to be responsible to the electorate, this is not a minor concern that can be whisked away by changing the way votes are counted.

In effect, the public engagement process has resulted in citizens being blocked from setting the agenda even on the question of how the questions on the ballot were set. Their desire to have objective information provided to them so that they could calmly deliberate on the matter has also been ignored. The referendum process seems to have been decided by the two governing parties, and without agreement within the NDP caucus itself.

The Green Party, in particular, is advocating for proportional representation. Both Greens and NDP had electoral reform on their 2017 election platforms. In the 2005 and 2009 referenda in BC, both held while the Liberals were in power, the Greens and NDP were officially neutral but in practice many were opposed, claiming the single transferable vote (BC-STV) proposed by the Citizens' Assembly was too hard to understand. Underlying their claims, were their concerns about the system reducing the control that political parties have over the selection of candidates.

The process surrounding the 2018 referendum is designed to block any discussion amongst the people about the problem of their marginalization and exclusion from decision-making and setting the agenda for the province. It is a known fact that the domination of the political process by political parties is a problem. An electoral process dominated by organizations that have memberships comprised of less than two per cent of the population cannot solve the problem of the people's marginalization and exclusion from the decision-making process. The main problems of how to guarantee the right to elect and be elected, the right to an informed vote, and how to hold those who are elected to account are always sidelined by the self-serving aims of the political parties with power and privilege.

The electoral reform program of the NDP/Green collaboration has two parts, neither of which touch the essence of the problem. The NDP/Green reform first deals with campaign financing and the abolition of union and corporate donations to parties and the introduction of state subsidies to the cartel parties based on a percentage of votes received. This system will reinforce the domination of political parties over the polity in a situation where they have lost any real connection with the polity that they may have had in the past. It further turns political parties into fixed appendages of the state whose very existence is based on state funding.



Proportional representation is the second part of the Green/NDP program. The three proportional representation systems proposed in the second question on the ballot would result in a certain proportionality *vis-à-vis* the cartel parties. The proportional representation system further reduces the chances of an independent or a small party candidate being elected, except possibly in the urban ridings under the third option, the Rural-Urban proportional

representation, in which there is a single transferable vote in urban ridings. As noted, however, a threshold of five per cent has been set for any political party to win a seat. Aside from this being an arbitrary criteria to gauge a legitimate level of support, the problem of how political opinion that does not have the backing of the state and the monopoly-controlled media can be heard is not even touched. The preponderance of media coverage for the cartel parties together with state financing of political parties and the increasing use of public relations analytics means that the level of political discussion and discourse will degenerate even further. No problems facing the society will be tackled with the involvement of the people to identify them and find solutions.

Some supporters of proportional representation are not happy with the ballot choices, thinking there should have been only one question with a choice between first-past-the-post and either a generic proportional representation without details or one of the specific types, which could then be determined through public deliberation. Many are speculating that the NDP really does not want a change or the government could have simply brought forward legislation for the Single Transferable Vote as that proposal already garnered over 50 per cent support in the 2005 referendum. Others are speculating that the only reason for holding the referendum is to placate the Greens and proportional representation supporters within the NDP.

The first-past-the-post system of counting votes is one of the many problems with the current electoral system. Changing to a proportional representation system would be an improvement even if all it accomplishes is to weaken the executive powers and make the government more vulnerable to defeat if it does not respond to the concerns of the people. People must do their utmost to become informed through their own deliberations on the matter and build and strengthen their capacity to intervene in political affairs.



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## 2005 BC Referendum



**Session of the BC Citizens' Assembly in 2005.**

In 2005 a referendum was held in BC with the question: Should British Columbia change to the BC-STV electoral system as recommended by the Citizens' Assembly on Electoral Reform? Yes/No.

The BC-STV actually won majority support in the 2005 referendum. But the threshold required for victory all but guaranteed a loss. The BC Liberal government's *Electoral Reform Referendum Act* established two super majority thresholds for the referendum: at least 60 per cent of the valid votes cast in support of the proposal, and a simple majority in at least 60 per cent of all electoral districts (48 out of 79).

The final result was favourable to the proposed reform, with 57.7 per cent of the electorate voting Yes and 42.3 per cent voting No. The vote fell short though of the 60 per cent super majority

threshold of valid votes cast. A majority of pro-reform votes was obtained in 77 out of 79 districts, which easily met the second threshold.

Despite this, the BC-STV proposal has not been included on the ballot of the current referendum. The government does not give any convincing reasons why this is the case. The Attorney General's report states, "Despite the reasonably high level of support for STV in the 'How We Vote' engagement, and the high regard for the process by which BC-STV was created, STV is not recommended for inclusion on the 2018 referendum ballot, particularly because a similar model (Rural-Urban PR) is recommended."

The BC-STV was the Single Transferable Vote system designed by a Citizen's Assembly. No party in the legislature supported BC-STV. The reasons expressed then and now in opposition to the Single Transferable Vote System show the self-serving nature of the stand of the parties. These parties do not begin by addressing the concerns of the people and the need for democratic renewal, but instead base their stand on calculations about which system would or would not favour them. The objection to BC-STV from the cartel parties is that it provides more opportunity for independents and small parties to be elected. It provides more scope for electors to put forward candidates that they know and trust as independents and actually work for their election.

BC-STV did not provide solutions to many problems with the current electoral system, such as the right to an informed vote and equality of all candidates, but it made sense to all those who voted for it.

The substance of opposition to the BC-STV system by the cartel parties is best captured by the anti-democratic pronouncement of Prime Minister Justin Trudeau when he cancelled his party's promise to end the first-past-the-post system federally. He told reporters:

"If we were to make a change or risk a change that would augment individual voices -- that would augment extremist voices and activist voices that don't get to sit within a party that figures out what's best for the whole future of the country, like the three existing parties do -- I think we would be entering a period of instability and uncertainty."



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## Information on the Referendum

The obligation of the BC New Democrat Government to hold a referendum on the method of counting votes lies in the Confidence and Supply Agreement negotiated between the New Democrat Caucus and the BC Green Party Caucus following the May 9, 2017 election which resulted in a Liberal minority government holding 43 seats, one short of a majority. The Liberals were quickly defeated on a confidence motion by the NDP (41 seats) and the Greens (3 seats) and then-Lieutenant Governor Judith Guichon called on NDP leader John Horgan to form the government, having been assured that the Confidence and Supply Agreement would guarantee the confidence of the Legislative Assembly.

Among other things, the conditions for Green support of the NDP minority government stipulate the proportional representation referendum. A section titled "Making Democracy Work for People" states:

"Both the BC New Democrat Government and the BC Green Caucus are committed to proportional representation. A referendum on proportional representation will take place in the fall of 2018, concurrent with the next municipal election; and the form of proportional representation approved in the referendum will be enacted for the next provincial election. The

parties agree that they will work together in good faith to consult British Columbians to determine the form of proportional representation that will be put to a referendum. The parties agree to both campaign actively in support of the agreed-upon form of proportional representation."

In October 2017, the BC government introduced Bill 6, the *Electoral Reform Referendum 2018 Act*; it received Royal Assent in November and stipulates that the referendum result is binding on the government if:

1. more than 50 per cent of the validly cast ballots:
  - a) vote the same way on a question stated, if the question has the option of two answers, or
  - b) are in favour of the same voting system, if a question has the option of more than two answers.

In the event of a binding result favouring proportional representation, the government must introduce legislation in time for the new system to be in place for a general election called on or after July 1, 2021.

The *Electoral Reform Referendum 2018 Act* left many key issues, including the ballot question(s) and the conduct of the referendum in the hands of the Lieutenant Governor in Council (the Cabinet) and its regulatory powers. Allegedly based on the opinions of participants in the government consultation, these regulations were filed with Elections BC on June 22, 2018.

The official campaign started July 1 and the mail-in ballots will be mailed out in October and returned between October 22 and November 30.

The questions on the ballot are:

1. Which system should British Columbia use for provincial elections? (Vote for only one.)
  - The current First Past the Post voting system
  - A proportional representation voting system
2. If British Columbia adopts a proportional representation voting system, which of the following voting systems do you prefer? (Rank in order of preference. You may choose to support one, two or all three of the systems.)
  - Dual Member Proportional (DMP)
  - Mixed Member Proportional (MMP)
  - Rural-Urban Proportional (RUP)

Electors can choose to answer both questions or only one. Ballots that indicate more than one system as a first choice are considered spoiled and will not be tallied. Even though the law states that the result of the referendum is binding on the government only if one of the systems on the ballot receives more than 50 per cent of the ballots, the method of counting preferential ballots guarantees that one of the options will receive that majority.

### **Counting of Preferential Ballot Choices**

The regulations stipulate how votes for the three systems will be tallied. In the first round of counting, any system that receives more than 50 per cent of the ballots is declared the winner. In the event that none of the three options receives more than 50 per cent of first-choice votes, the voting system receiving the fewest first-choice votes will be dropped from further consideration. The second choice of voters who selected the dropped system as their first choice will then be redistributed to the other two systems. Whichever of the two remaining systems has the most votes would be the system adopted.

The regulations also provide for a scenario where there is a tie between two least preferred systems. In that case, the system to be dropped before the second round of counting will be selected by lot.

## **Public Engagement Campaign**

The "How We Vote" public engagement campaign began on November 23, 2017 and ended on February 28, 2018. BC Attorney General David Eby released his 114-page report on the campaign and his recommendations on May 30, 2018.

The stated purpose of the engagement campaign was three-fold:

- to begin informing and educating British Columbians about voting systems and the coming referendum;
- to provide British Columbians the opportunity to help shape key elements of the referendum, including the ballot question;
- to provide British Columbians the opportunity to express their values and preferences respecting voting and representation in the Legislature.

According to Eby's report, "The feedback received from this public engagement has assisted in making recommendations about key aspects of the referendum, including the kinds of voting systems that correspond with voters' values as well as more specific questions respecting the conduct of the referendum such as rules respecting advertising by interested parties and the provision of public information."

## **Participation in the Public Engagement Campaign**

In the 2017 provincial election, there were 3,246,647 people on the list of electors although BC Elections estimates there are 3,441,054 eligible electors when it takes the unregistered into account. The government's "How We Vote" website, which was a focal point and the launch for the public engagement campaign, drew 180,000 visits, although it is not stated if these were unique visits. This represents just over five per cent of the electorate. In January 2018, a brochure promoting the website was mailed to two million households. The website featured a two-part questionnaire. The government describes part one as focusing on "general questions of values and preferences and gaug[ing] respondents' level of interest in and awareness of voting and electoral reform." Part two consisted of "further questions as well as more specific questions respecting the conduct of the referendum."

Of the 180,000 visits to the website, 91,725 resulted in people completing the questionnaire: 76,226 people answered both parts of the questionnaire, while 15,499 completed only part one. Eby reports, "this represents the largest number of responses to any engagement questionnaire conducted to date by the Government of BC."

As a proportion of the electorate, 91,725 questionnaires is just over 2.6 per cent, slightly more than the number of Canadians who are members of political parties. Of the respondents, 58,000 took the opportunity afforded them to make "open-ended comments."

Forty-six written submissions from organizations or individuals associated with an institution; 208 individual submissions and several hundred endorsements of one or more of the organizational submissions were received.

In addition, the government contracted Ipsos Public Affairs to conduct a separate online panel made up of 1,101 British Columbians said to reflect the province's demographic make-up. This panel was asked to fill out the same online questionnaire and required to complete it in its entirety.

The Ministry of the Attorney General also hired Corfield and Associates to reach out to Indigenous British Columbians concerning the referendum and associated topics. A modified questionnaire was presented, with 132 responses received.

The way the public engagement campaign was conducted with one-on-one interactions between individuals and the government meant that no collective expression of what the people think formed. It was left to the Ministry of the Attorney General to interpret the results of proscribed questions informed by proscribed values.

### **"Key Principles" and Mandatory Criteria**

The "How We Vote" report sets out four "key principles" that were used to evaluate the suitability of voting systems considered for selection.

1. Proportionality: Must provide for generally proportional results, but not at the expense of other key principles and values identified in the public engagement;
2. Local representation: Must respect British Columbians' desire for local representation in all areas of the province and balance the particular needs of urban and rural areas;
3. Simplicity: Must not be too complex to be effectively communicated to voters or for voters to use if adopted;
4. Size of Legislative Assembly: Must not require a significant increase in MLAs.

The Attorney-General also recommended that the following criteria be applied to any proposed proportional representation system:

1. Either no increase to the current number of 87 MLAs or a modest increase of no more than eight MLAs (i.e., up to 95);
2. No region of the province would have fewer MLAs than it currently does;
3. No political party would be eligible to receive seats through a system's proportional allocation method unless the party received at least five per cent of the overall vote in the province or region, as applicable.

These are details that will be finalized after the referendum.

### **Drawing the Verdict on Differing Opinions**

The Eby report presents the statistical summary of responses to the questionnaires. It also presents a "values" summary in which it states "a few themes became clear in the responses." These are:

- British Columbians value simplicity in their voting system and their election ballots and are prepared to accept fewer choices on the election ballot if it helps to ensure a clear link between their votes and how MLAs are elected;
- A clear majority want their MLAs to put their constituents ahead of their political party, but not necessarily to put their local community ahead of what is best for the province as a whole;
- A clear majority do not want the number of MLAs in British Columbia to increase, although this question was not asked in the context of any potential changes to, or reductions of, the number of electoral districts that may flow from implementing a

proportional representation voting system;

- Very few disagree with the idea of greater diversity of views being represented in the Legislature, but on balance respondents do not necessarily see a proliferation of political parties as being necessary to provide that diversity;
- Respondents are generally prepared to accept delays in forming government after an election if it is for the purpose of political parties governing together;
- Respondents are generally split on the question of the political party with the most seats changing its campaign promises in order to compromise with other parties;
- Respondents are generally supportive of cooperative government but not at the cost of lack of accountability for decision-making;
- A fairly high proportion of respondents (particularly amongst panel members) indicated neither agreement nor disagreement with a number of statements, indicating that they are open to more information on a number of these issues.

On the subject of the question(s) to be posed in the referendum, Eby reports that responses were "fairly split," but "slightly more respondents support a ballot with the choice between first-past-the-post and one specific proportional representation voting system than a ballot offering more than one alternative proportional representation voting system or a ballot offering the choice between first-past-the-post and an undetermined proportional representation voting system specified after the referendum (what's generally referred to as a "mandate" option)."

Why this "slight majority" did not hold sway is not explained. In the end, the question offers three options, and all of them in effect give a "mandate," in that the details such as constituency size, threshold for election and many other issues will be sorted out by the ruling parties.

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## **Government's Overview of Systems on the Ballot**

BC Attorney General David Eby's report, "How We Vote" describes the voting systems which will be on the ballot in the provincial referendum this fall as follows:

### **First Past the Post (FPTP)**

This is the current voting system in British Columbia. Its formal name is Single Member Plurality. Each electoral district elects a single Member of the Legislative Assembly (MLA) and voters vote for one candidate only. It is a system in which the candidate who gets the most votes in an electoral district (i.e., a plurality) wins and represents that district in the legislature.

System Tendencies:

- Each electoral district is represented by a single member.
- Ballot is simple to understand and mark.
- Simple process to determine results.
- Does not usually produce proportional results -- that is, a political party's share of the popular vote usually does not match its share of seats in the Legislative Assembly.

- Often results in single-party majority governments -- coalition and minority governments are less common than with other voting systems.
- Elects candidates of larger political parties and only rarely candidates of small parties and independent candidates.
- Often produces single-party majority governments that win less than a majority of the popular vote.

### **Dual Member Proportional (DMP)**

- Most of the province's existing single-member electoral districts would be amalgamated with a second neighbouring district to create two-member districts. The largest rural districts could remain unchanged as single-member districts. Political parties nominate up to two candidates per electoral district who appear on the ballot in an order determined by the party. Voters cast a single vote for the pair of candidates of the political party of their choice. Seats are won in two ways:
- A seat is won by the first candidate of the party that receives the most votes in each electoral district, similar to FPTP;
- The second seats are allocated based on province-wide voting results and the individual district results.

### **Mixed Member Proportional (MMP)**

- MMP combines single-member electoral districts elected under FPTP with List PR seats allocated on a regional or provincial level. The overall share of seats each party holds in the Legislative Assembly is determined by the party's share of the province-wide vote. Candidates who fill the List PR seats are either elected directly or allocated from the parties' lists of candidates to compensate for any disproportional results from the FPTP vote, so that the overall provincial result is fairly proportional.

### **Rural-Urban PR (RUP)**

Rural-Urban PR is a mixed voting system that elects MLAs in two ways:

- Using the Single Transferable Vote (STV) in urban and semi-urban areas -- that is, electoral districts that elect multiple members and voters rank-order their preferences (1, 2, 3, etc.) for candidates appearing on the ballot; and
- Using Mixed Member Proportional (MMP) in rural areas -- that is, single-member electoral districts using FPTP with a small number of List PR seats allocated to provide some proportionality in these regions.

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## **Pro and Con Committees Registered with Elections BC**

The regulations on referendum campaigning stipulate the creation of an officially recognized "proponent" and "opponent" group. The Chief Electoral Officer received two applications before the July 6 deadline. On July 12, Elections BC announced the two groups: Vote PR BC and the No BC Proportional Representation Society. While no selection process was required given the

number of applicants, the regulations state that the applicant's ability to carry a public information campaign must include the capacity to inform not only about the first-past-the-post voting system and the proportional representation voting systems on the ballot, but also the Westminster model of parliamentary government.

Other organizations that advertise during the referendum campaign period must register with Elections BC and are restricted to spending a maximum of \$200,000. "Referendum advertising" is defined by Elections BC as "an advertising message transmitted to the public by any means during the campaign period (July 1, 2018 until 4:30 pm, November 30, 2018) that promotes or opposes, directly or indirectly, a specific response to a referendum question." It does not include internet messages, postings and web pages that do not have a placement cost. The regulations do not acknowledge the possible existence of advertising that does not take a pro- or con- position and campaign for people to vote in a certain way.

## **Organizations Registered to Sponsor Referendum Advertising**

As of July 13, there are eight organizations registered with Elections BC as required for those that are planning to sponsor advertising promoting Yes or No votes. Three of them are political parties in the Legislative Assembly -- BC NDP; BC Liberal Party; and Green Party Political Association of BC. Political parties are subject to the same campaign spending limits as other organizations. The other registered participants are listed below with a brief summary of their position.

### **Communist Party of British Columbia**

In a June 10 statement, the Communist Party of BC (CPBC) welcomes the announcement detailing the ballot questions and pledges to work for the success of proportional representation. It states: "As our party has argued for decades, first-past-the-post unfairly gives legislative majorities to parties which receive far less than 50 per cent of the overall vote totals. There are even occasions when first-past-the-post allows a party which finishes second in total votes to win the most seats and to form governments, against the expressed will of the voters."

CPBC states, "In the context of the Canadian capitalist system, the most frequent effect of such outcomes is to allow pro-business parties to unilaterally impose right-wing, austerity policies which benefit the corporations and the wealthy, but hurt the working class majority of the population." It writes that while proportional representation cannot guarantee "more positive government policies," it would provide workers with possibilities to elect governments that are more responsive to public pressure. It also argues that proportional representation would improve the electoral chances of Communist and other progressive candidates.

CPBC says that it will urge voters to rank the three proportional representation systems:

- 1) Mixed-Member Proportional (PR);
- 2) Dual Member Proportional (DM); and
- 3) Rural-Urban PR.

It suggests that Mixed-Member PR "combined two important principles: the election of representatives at the local level in order to speak for the interests of diverse geographic communities and the need for the legislatures to include the views of substantial numbers of people who support parties which are unlikely to win seats under first-past-the-post." It also points out that Mixed-Member Proportional is used in many other countries, such as New Zealand, Germany, Scotland and Wales.

## **Dogwood Initiative**

In its submission to the Attorney General, Dogwood Initiative emphasize the need for the referendum process and voting system, should proportional representation be approved, to be "fair and free of political interference." It writes "Whatever happens, it must be clear to reasonable observers that the results reflect the democratic will of ordinary British Columbians -- not a scheme cooked up in a back room by political parties, third parties or special interests." It suggested that Elections BC be entrusted to work out the new voting system in the event of a Yes vote for proportional representation.

It adds, "While it is elected officials who are charged with delivering this referendum, the more it can be insulated from political parties the better. The public simply can't be expected to trust that decisions or arguments by politicians, on any side, are free of partisan self-interest. On the other hand Elections BC is widely respected for its competence and political independence."

## **Fair Vote Canada -- BC**

Fair Vote Canada claims a membership of 11,000 supporters in BC and has 25 local chapters in the province. In a May 30 statement, it welcomed the announcement of the referendum question by Attorney General David Eby, expressing pleasure about a "clear question for the citizens of BC." It refers to the government's response to its public engagement campaign as evidence that "voters care deeply about this issue," and says that Eby's recommendations "reflect what they heard from citizens, experts and stakeholders." They say, "The referendum question is clear -- this is a question of fairness to all voters. It's a choice between the old system that works for lobbyists and insiders, and a modern system that works for voters." It commends the government's guarantee that whatever proportional system is introduced, there will be no significant increase in legislature size, no reduction in the number of MLAs for any region of the province, and that no party with less than five per cent of the overall vote will receive a seat. It says that with these guarantees, voters will be able to choose a fairer system "knowing that important values such as strong local and regional representation will be protected."

Fair Vote Canada also expresses its pleasure with the "three made-for-BC models," and states that the two-part question with a ranked ballot "trusts BC voters to form a consensus about what proportional system is the best for them." It states that "all the systems on the ballot deliver local representation, more voter choice, fairer results and more cooperative politics." The referendum, it says, "is ultimately a question of modernizing our voting system to make it fair. No party with 40 per cent of the vote should be handed all of the power. Polls over 17 years show a strong majority of voters agree with this principle."

## **KnowB4Uvote.com Society**

The KnowB4Uvote.com Society has been registered since February. Its chief spokesperson is Canfor CEO Jim Shepard. He is known as a funder and supporter of the Concerned Citizens for BC that campaigned to re-elect the former Liberal government of Premier Christy Clark. BC Liberal MLA Mike Shepard is one of the Society's three directors. A June 25 letter addressed to the Attorney General suggests that the NDP and Greens are in conflict of interest in relation to the referendum.

In their letter they quote Gordon Gibson, whose government created the Citizen's Assembly on Electoral Reform, who said "the voting system belongs to the people. Not the politicians. Period." The Society argues that "A government cannot and should not be responsible for a referendum process as the government is inherently conflicted and could be directly impacted by the result."

Its letter to Eby states: "The process you have put before British Columbians is overly complex

and it illustrates an obvious bias, therefore the result should not be considered valid. The double-question ballot does not treat each voting system equally, the voting systems have not been provided with equal funding, and the ultimate outcome could be determined by far less than 50 per cent of British Columbian voters."

### **Make Every Voter Count Society (Vote PR BC)**

The Make Every Voter Count Society states, "This referendum is a rare chance to bring a better kind of politics to BC -- it's called proportional representation. In other countries, this change has meant more collaboration between elected officials, more responsive government, and higher voter turnout." It presents the example of the NDP-Green collaborations as a positive example of political parties working together.

"We've seen collaboration on issues that matter to a majority of voters. It's been more than 65 years since the last changes to BC's voting system. The upcoming referendum gives us a chance for something new -- and better."

The Society dismisses claims of proportional representation opponents who suggest that ending the first-past-the-post system will enable "extremist parties" to get elected. It does so by arguing that the five per cent threshold required to win a seat will mean "extremist parties can't get elected."

### **No Proportional Representation Society of BC**

No Proportional Representation Society of BC did not register with Elections BC, but successfully applied for official opponent status. NDP strategist Bill Tieleman, who was president of NO BC STV in both the 2005 and 2009 referendums formed the Society. It also includes former BC Attorney General Suzanne Anton QC (Liberal) and Bob Plecas, a veteran deputy minister, is treasurer. Its website says that the goal is "to defeat the proposed changes to the electoral system in BC, and keep BC strong and stable with the first-past-the-post system which has served us for most of our history." Former BC NDP Premier Ujjal Dosanjh, along with other prominent NDPers and Liberals who are working with this group claim that proportional representation will result in "extremist parties" being elected.

The group is also calling on electors to "boycott the second part of the proportional referendum ballot this fall unless the BC government provides more details. Bob Plecas said that British Columbians "are being hurried along to vote on a referendum that may change their way of life without the facts to back up change. No maps, no indication of increased numbers of Members of the Legislative Assembly and through a flawed system that has seen the government change the traditional rules that have governed our past votes on electoral systems. Why have they done this? British Columbians are coming to believe it is to stack the deck against them and for the parties in power."



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