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Electoral Justice Now!

Liberating Democracy from an unjust electoral system, to better reflect and serve the 'Will of the People'!

EJN Newsletter #12: Contradictory Recommendations on BC's PR Referendum Question(s)

Summary:

- This is to urge the BC Government to reject each of the contradictory recommendations on BC's PR Referendum question(s), as contained in the report "[Recommendations on Election Reform in British Columbia](#)" recently issued by the **BC Symposium on Proportional Representation**. Further, to find an unflawed alternative that would be capable of winning the PR Referendum.
- The Symposium's Majority Recommendation of a 'two-question' ballot, was based on its explicit rejection of the 'one-question mandate-only' ballot, on the rationale that "a mandate-only ballot runs the risk of voters feeling that they're being asked to sign a blank cheque."
- The Symposium's Minority Recommendation, based on an implicit rejection of the 'two-question' ballot, outlined measures that the Government should take to raise the level of public trust if it chose the 'one-question mandate-only' ballot.
- Both of these contradictory recommendations are implicitly based on the recognition, by each camp of experts, of the inherent weakness of the other referendum alternative, and hence its high vulnerability to public rejection and defeat of the PR referendum.
- Hence, if the Government proceeds with either the 'two-question' or 'one-question mandate-only' ballot as recommended by the experts, BC's Referendum on PR would almost certainly be defeated by a NO campaign that would exploit all vulnerabilities.
- Fortunately, there is a third alternative, submitted to the Government under the title "[Citizen's Vote Empowerment](#)". CVE does not change ridings or how the people vote; CVE eliminates FPTP's distortions, by empowering the Citizen's vote as the unit of voting in the Legislature (i.e. proxy voting, with each party having exactly the total votes won by all their candidates, hence perfect proportionality for all parties that won a seat).

Analysis:

The BC Government is facing decision time on its promised referendum on PR (Proportional Representation). Their three-month online exercise in citizen engagement has recently concluded, and they're awaiting the report from the Attorney General to the Premier and cabinet. They will then determine the referendum question(s), and probably the future of electoral reform in BC and Canada for a generation or more.

The outcome of this process will determine whether BC and Canada can escape from the history of our colonial FPTP (First-Past-The-Post) electoral system which, through its systemic distortions of the 'will of the people', routinely produces 'false majority' governments (typically supported by about 40% of voters, or just 25% of eligible voters), which usually function as a quasi-dictatorship run by a Premier and his/her advisors.

What's at stake is the future of our democracy—whether it can be transformed into an electorally honest system that does truly serve the 'will of the people'—and whether citizens will find greater reasons to engage in the democratic process and trust in its outcomes, and whether the Legislature has the power to hold a Government accountable.

At this point, the outlook for electoral reform looks quite bleak. Another failed PR initiative seems most likely—unless this government is truly committed to winning the PR Referendum and acts upon better advice than that received through the citizens engagement process.

That process was virtually hijacked by one organization—FVC (**Fair Vote Canada**). Of about forty published submissions (<https://engage.gov.bc.ca/howwevote/about-the-process/written-submissions>) approximately thirty were from FVC or its allies (other advocacy groups, unions etc.), all singing from the same song sheet. Although the Government had stated that it wanted citizens' input as *individuals* (i.e. *not* as members of organizations), FVC extended the reach of its echo chamber by issuing detailed instructions on how to respond to each question.

FVC functions as Canada's self-appointed gatekeeper on electoral reform, feeding followers a list of endorsed alternatives while arbitrarily excluding others (e.g. 'Proxy PR' alternatives). But the 'elephant in the room' of Canada's unbroken record of failed electoral reform initiatives is the NO campaign in a referendum. The simple fact is that the NO campaigns have a proven playbook to defeat each of FVC's endorsed alternatives.

FVC has led all of the failed YES campaigns. If they had to compete as a business (or as a political party), they would have been forced to analyze what they were doing wrong. They would have come to the inescapable conclusions that a better form of PR is needed (i.e. one that's robust enough to win against the NO campaign), along with a winning campaign strategy (i.e. to prevent the NO campaign from framing the issues and forcing the YES campaign to play defense trying to explain away the defects of flawed PR alternatives).

For more than six months, ***Electoral Justice Now*** sought to work with FVC to advance a winning PR alternative with a winning YES campaign strategy. We explained our analysis—that the YES campaign needed a stronger and better PR alternative: one that could withstand the negative attacks by the NO campaign; be easier for people to understand; and one that might even inspire a majority of citizens who have little interest in electoral systems!

We advocated a new and better PR alternative, which evolved into what has been submitted as "**Citizen's Vote Empowerment**". Our persistent outreach efforts to FVC, striving to make a positive contribution to the YES campaign, were mostly ignored, and ultimately rebuffed.

(<https://engage.gov.bc.ca/app/uploads/sites/271/2018/02/Citizens-Vote-Empowerment.pdf>)

FVC has recognized that a YES campaign must avoid getting trapped into explaining technical details of PR alternatives. Also, that the referendum should avoid presenting a question that would require voters to know enough about different PR systems to be able to compare them and/or rank them in order of preference.

FVC's proposed solution, echoed by their allies, is that the referendum should:

“consist of a **single question**, asking citizens to vote only on whether to switch to proportional representation, with the specific system to be decided later. This ballot format was usually referred to as the '**mandate only**' option.”

That quotation is from the report "*Recommendations on Election Reform in British Columbia*" issued by the **BC Symposium on Proportional Representation**:

<https://engage.gov.bc.ca/app/uploads/sites/271/2018/03/BC-Symposium-on-Proportional-Representation.pdf>

Their most salient point is made by the Symposium's Majority Recommendation that rejects FVC's most important recommendation—the single-question 'mandate only' ballot—noting:

“a mandate-only ballot runs the risk of voters feeling that they're being asked to sign a blank cheque.”

The same concern was similarly stated in the submission of “Citizen's Vote Empowerment”:

- “Some ‘experts’ have recommended that the referendum should have a binding question seeking a mandate to implement some undetermined (but circumscribed) form of PR, to be determined by some ‘commission’ of experts and politicians. That would be a great way to go if the goal was another ‘made to fail’ referendum. The NO campaign would be ecstatic to have such an easy target to discredit the entire process. Such a referendum question would be like asking the public to sign a blank cheque, which the NO campaign would zealously exploit to stoke public cynicism and distrust of politicians (especially with the heavily partisan political baggage that dominates this PR initiative). Not knowing which standard PR alternative to attack and ridicule, they would continue to freely attack them all—as they have already been doing for months.”

A sad fact is that *Electoral Justice Now* had requested to participate in this Symposium. That request was denied on the explanation that this was for academics and the agenda was full. The subsequent request to attend as an expert observer was ignored. Apparently some nameless gatekeeper determined that the analysis and recommendations of *Electoral Justice Now* should be excluded from the participants at this event. Had I been allowed to participate, I would have explained to them that the ‘mandate-only’ option would be eviscerated by the NO campaign and almost certainly ensure the defeat of the PR referendum.

While this key FVC recommendation was explicitly rejected as a bad idea by the Majority Recommendation, FVC types at the Symposium rallied some support for a Minority Recommendation which stated:

“If the Government decides on a mandate-only ballot question” ...

“It is vital for voters to know that, by saying yes to reform, they are saying yes to a process that they understand and can trust.”

Imagine how the NO campaign would seize upon the ‘trust’ issue to exploit the widespread public distrust of politicians and cynicism regarding partisan politics.

The Symposium's Majority Recommendation called for:

“a two-question referendum ballot, so that, if a majority of voters endorse the switch to PR in Question 1, a specific PR system would immediately be selected by the voters in Question 2”.

This is an astounding failure of the Symposium's academic majority to grasp the political realities: a majority of voters must approve PR in a referendum; the pervasive political climate of public disinterest and distrust; the proven effectiveness of NO campaigns to exploit PR vulnerabilities by raising public Fears, Uncertainties and Doubts.

[Presumably FVC types might have tried to explain to their academic friends that choosing the single-question ‘mandate-only’ option, with its obvious vulnerabilities, was primarily to avoid what they saw as even greater vulnerabilities of the two-question ballot—which would almost certainly ensure the defeat of the referendum. Why? Because the breadth and depth of PR system details that would need to be presented to (and understood by) voters would boggle most people's minds, sorely try their patience, and be picked apart by the NO campaign.]

The Symposium report went on to state the following public information requirements:

“When voters are asked to choose between voting systems (as in the recommendation above), they must have enough information to evaluate the specific implications of each system under consideration. Thus, enough details on each system ... :

- Number of districts under each system, and how many seats in each district.
- Geographical size of districts.
- Approx. regions into which the province will be divided (for systems that use regional lists).
- Ballot structure under each system:
 - Does the system ask voters to pick candidates or rank them?
If rank, do you have to rank everyone?
 - How many separate votes will each voter have?
 - Do voters vote for a candidate, a party, or both?
 - Are voters allowed to vote for (or rank) candidates from different parties?
- How, precisely, will votes be converted to seats under each system?
This includes the threshold for candidate/party inclusion, if any.”

Had I been allowed to participate, I would have explained to the distinguished academics that the ‘two-question’ ballot option would also be eviscerated by the NO campaign to defeat the PR referendum. So the Symposium’s Majority Recommendation would be another recipe for defeat by the NO campaign—which would have no end of easy targets to ridicule each of the proposed PR systems—while the vast majority of people would be overwhelmed by details, conflicting partisan claims, and the challenge of comprehending and comparing such complex and different alternatives.

Apart from these glaring examples of the great disconnect between most citizens and the referendum recommendations of FVC and their esteemed friends from the ivory towers, the Symposium report also glossed over a number of issues that would make public acceptance highly doubtful.

- All approved PR alternatives (MMP, STV, LPR, FPR and DMP) would require redrawing the electoral map—with significantly larger electoral districts.
 - With MMP, only about 50-60% of the Legislature would be elected as local Representatives under the existing FPTP voting system. The remainder would be regional Representatives elected from ‘party lists’ to fill so-called ‘compensatory’ seats (i.e. to produce proportionality by offsetting the distortions of FPTP).
 - That means that 40-50% of incumbents would no longer have a local riding, and would have to hope they could win a regional seat (noting that the purpose of PR is to produce a proportional Legislature).
 - Hence major dislocation for incumbents and their constituents—probably with considerable discontent—added to the additional costs and complexities.
- All other endorsed PR alternatives would elect two or more Representatives per electoral district.
 - This produces varying degrees of proportionality, based on some clever vote counting scheme or quota system.

- DMP doubles the size of electoral districts, while the others are typically five times larger, with correspondingly larger ballots and preferential voting—i.e. more complicated voting and counting procedures (requiring centralized processing in electoral districts or provincially). Somehow the Symposium report rated these systems as “medium” in terms of complexity and how simple they are to describe! Somehow none of these experts recalled that the excessive level of complexity of BC-STV was widely recognized as a major factor in its referendum defeats.

What’s clear from the Symposium report and FVC recommendations is their total disconnect from the general population and their utter failure to understand how the NO campaign would exploit public apathy, anxiety and skepticism to demolish any of their PR recommendations to defeat the PR referendum.

The Government must surely be dismayed by the comprehensive futility of advice by trusted experts—Canada’s leading electoral reform advocacy organization (FVC), and a Symposium of distinguished Canadian and American political scientists and electoral system experts:

1. The Symposium’s Majority Recommendation, the ‘two-question’ ballot, is a hopeless loser.
2. The Symposium’s Minority Recommendation advocated by FVC, the ‘single-question mandate-only’ ballot, is a hopeless loser.
3. Each of the PR systems endorsed by FVC and the Symposium, if individually presented as the best PR alternative under a single-question ballot, would surely be defeated by the NO campaign using a proven playbook of negative campaigning.

The PR referendum campaign has not yet officially begun. But a cross-partisan consortium with roots in both the BC Liberal and NDP parties has already set itself up to run the NO campaign:

(<https://engage.gov.bc.ca/app/uploads/sites/271/2018/03/West-Star-Communications.pdf>)

The NO campaign seems likely to be led by the self-professed mastermind who twice defeated BC-STV in the referendums of 2005 and 2009. He boasts that he’ll defeat PR again, no matter what form of PR or what referendum question(s).

Meanwhile, FVC and their allies, having demonstrated their political incompetence in leading all previous YES campaigns to defeat, are evidently ready and eager to play the role of losers once again. This is extremely sad, under such crucial circumstances for the future of Canadian democracy, especially when an ideal winning alternative has been presented to the powers that be.

Conclusions:

1. The PR Referendum recommendations by FVC and Symposium experts are all losers, disconnected from political reality, and hence should be rejected by the Government, as they would be by Citizens in a referendum.
2. If the Government is truly committed to PR and the campaign to win the Referendum, it should look for new and politically astute leadership for the YES campaign.
3. “Citizen’s Vote Empowerment” merits serious consideration as a superior alternative, and quite likely the only way to defeat the NO campaign and win the Referendum!

FYI, the following email was sent on March 6 to the Premier and Attorney General of BC, with cc to all MLAs:

For your consideration re BC2018 Referendum on PR:

In BC's upcoming referendum on Proportional Representation, we're told there are basically only two alternatives:

1. **To retain FPTP** (First-Past-The-Post) with all its serious defects.
2. **To replace FPTP** with some unidentified form of PR (with some new set of lesser defects).

Both the YES and NO campaigns would have us believe that these are the only possible alternatives. But they are wrong; there's now a new and better way!

3. **To fix what's wrong with FPTP**, to eliminate its defects, and to avoid the need to replace it!

There's an easy way to make FPTP into an honest system that's perfectly fair to all voters, candidates (including incumbents) and parties: it's called "Citizen's Vote Empowerment"!

For more information, please read:

[Announcing "Citizen's Vote Empowerment": the Third Alternative](#)

Thanks for your time. Let's make history together!

Sincerely,
Jeff & Diana Jewell,
Mission BC
ElectoralJusticeNow.ca

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n.b.: **"Citizen's Vote Empowerment"** fulfills the Symposium Recommendations (pg.5 of report):

- (A) Minimum requirements
- (B) Additional requirements

n.b.: Electoral Justice Now acknowledges that our vision of **"Citizen's Vote Empowerment"** was inspired by [submissions to the BC Citizens' Assembly in 2004 by Mr. John R Kennedy](#) of Burnaby BC.

We believe **"Citizen's Vote Empowerment"** would clearly be the best choice—with the best chance to become the BC2018 PR Referendum winner! However, we've also developed a comprehensive and flexible set of electoral reform options called **"Citizen's Vote Empowerment +"** which merit consideration as possible future refinements.