

ELECTORAL
REFORM



BACKGROUND # 4

An overview of the 2018 electoral reform process in British Columbia

April 2019

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CMIS

CMIS brings together people from labour, business and the community who believe our economic success and social well-being depend on adopting a proactive industrial strategy that:

- Recognizes governments have an essential coordinating and enabling role to play in the economy.
- Is a true partnership involving government, labour, business, community, academic institutions and other stakeholders.
- Reduces inequality by creating good jobs and putting people and nature at the heart of the economy.
- Goes beyond the sterile debate between “high tech” and “smokestack” industries and provides the tools different sectors need to be a vibrant part of a modern economy.
- Puts long-term needs ahead of short-term considerations.

Our activities include:

- Providing a forum for discussion of what should be part of a modern industrial strategy.
- Conducting research and analysis of public policy issues related to a modern industrial strategy.
- Providing access to research and information.
- Advocacy with government and in public forums for adoption of a modern industrial strategy.

CMIS is a partner organization of [the Canadian Labour Institute for Social and Economic Fairness](#) (CLI).

CLI

The goal of CLI is to strengthen Canadian society and contribute to positive social change by providing progressive research, analysis and insights into the lives of everyday working Canadians, policy development based on what we find, and by initiating and planning campaigns in support of efforts to achieve social and economic fairness for all.

CLI works for:

- the expansion of labour rights for workers and unions
- maintenance of quality public services
- the development of a modern industrial strategy which is environmentally sustainable.
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CLI is a non-profit research institute for the purposes of:

- undertaking statistical and social research in labour rights, public services, and industrial strategies
- promoting progressive public policy and campaigning in its support
- holding conferences for the discussion and exchange of views thereon
- establishing research projects and any other complementary purposes that are consistent with these objects.

**Both CMIS and CLI
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BACKGROUNDER #4: AN OVERVIEW OF THE 2018 ELECTORAL REFORM PROCESS IN BRITISH COLUMBIA

An overview of the 2018 electoral reform process in British Columbia is # 4 in a series of electoral reform backgrounders produced by [Canadians for a Modern Industrial Strategy](#) (CMIS). It was researched and written by Matthew Byrne, a PhD candidate at the University of British Columbia.

Other backgrounders in this series are:

[*#1 - A closer look at electoral systems*](#)

[*#2 - The role of referenda in electoral reform: best choice when done properly, otherwise the worst*](#)

[*#3 - Why political parties that form government in Canada are resistant to electoral reform*](#)

The CMIS electoral reform backgrounder series also complements a comprehensive paper produced by CMIS entitled [*Spoiled Ballots: Electoral Reform—The broken Trudeau promise and what to do about it.*](#)

The paper and all four electoral reform backgrounders can be downloaded from the CMIS website.

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Introduction

FROM OCTOBER 22 to December 7, 2018, British Columbia held its third referendum on electoral reform. It is hard to believe that this accurately captured the public's true preference. Despite what appears to be a genuine effort, there were two major flaws that ensured its failure.

First, the public was inadequately informed about electoral systems, thus strongly favouring the status quo. Second, the status quo option is highlighted in the referendum question which biases responses significantly in its favour. Despite the NDP following through on its promise to hold a referendum on electoral reform, the referendum was destined to fail.

There is, however, a silver lining. The existence of the Green party and a history of electoral reform debate in the province strongly predict that this will not be the last time that this issue emerges. Next time, the BC government should change the electoral system and hold the referendum after the public has experience using a proportional system. Only then can the public offer an informed choice.

Background

BC HAS experimented with a variety of electoral systems. The current FPTP system was only fully implemented in 1991. Since then it produced a wrong winner and a major lopsided result. In 1996, the NDP won a majority when it secured a popular vote that was about two percentage points lower than that of the Liberals. In the very next election, held in 2001, the Liberals won 77 out of 79 seats with just under 58% of the vote. These types of events generate calls for electoral reform. As a result, the Liberal party initiated an electoral reform study in 2002.

Given the complexity of the issue, a citizens' assembly was convened so assembly members could become highly informed and investigate the options. The Assembly concluded that a form of Single Transferable Vote (STV), a proportional

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system, would be best to empower citizens and provide fairer results. In 2005, after an information campaign led by the assembly members, a referendum was held and nearly 58% of the population voted in favour of STV. Not only was it supported province-wide, it was favoured in 77 of 79 ridings. But because these results did not meet the government's super majority threshold of 60% of province-wide votes, it failed, and the status quo FPTP remained in effect.

A second attempt was made in 2009 but without the novelty and communication of the Citizens' Assembly. Instead, a Yes and No side were funded to argue publicly about the options and offer others information on their positions. In this attempt, STV was supported by only 39% and lost. In 2018, a third attempt was undertaken. The process strongly mirrored the 2009 referendum and the results were exactly the same.

Why did nearly 58% of voters favour a proportional electoral system in 2005, but by 2009 and again in 2018 only 39% chose it over FPTP?

Which is it?

Do 58% of British Columbians support proportional representation or 39%?

It is unlikely that nearly 20% of voters spent years learning about electoral systems and changed their mind. The primary change between 2005 and 2009/2018 was process where the sources of information changed considerably. With a complicated decision and lack of quality information many voters rely on heuristics (decision making short-cuts) to guide their choice. Two such heuristics are reliance on cues (who supports what choices) and the status quo bias.

Low information voting and the status quo

A referendum can put voters in the driver's seat of democracy. For that to work, the public needs to be highly informed on the issue and the referendum cannot bias voters towards one outcome or the other. Not surprisingly, in all referenda, the public is susceptible to a strong status quo bias, voting in favour of what exists because it is what exists. This bias is made worse by a lack of information (Magleby, 1984), complex issues (Boxall, Adamowicz, & Moon 2009), and by ref-

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erendum design. Given the complexity of electoral reform, the status quo bias is a significant obstacle to gauging the public's true preference. Not surprisingly, inadequate information environments have been found to favour the status quo in past Canadian electoral reform referenda (LeDuc 2011).

**Overcoming the status quo bias in 2005:
A Citizens' Assembly**

In 2005, a citizens' assembly was convened to become adequately informed to make a decision on what electoral system was best for BC. The Assembly was composed of a representative sample of the BC population. Their objective was to select the best electoral system for the province. They spent 12 weeks learning about the options, followed by a phase of public consultations, and finally deliberated amongst themselves ("Making every vote count", 2014). They chose a form of proportional representation: Single Transferable Vote.

The Citizens' Assembly enjoyed considerable media attention. It was also highly trusted by the public. In addition, the political parties largely avoided making the referendum a campaign issue. To the extent that their preferences were known, for the most part their positions were ambiguous. The Liberals were opposed to change, the NDP preferred a proportional option other than the one on the ballot, and the Green party sent similar mixed messages. In this environment, the public faced the referendum ballot with their information about electoral systems and an idea about which option was preferred by the Citizen's Assembly.

Overcoming the status quo bias 2018

The information approach used for the 2018 referendum mirrored that of the failed 2009 referendum. A Yes and a No side were funded to offer competing campaigns and the chief electoral officer provided neutral information (Ministry of Attorney General, 2018). On the surface that doesn't sound so bad. In practice it is hard to imagine the majority of voters reading the detailed accounts of the four choices presented to them and understanding all of the implications. To put the task in perspective, recall that the 2004 BC Citizen's Assembly devoted 12 weeks to what they called the "Learning Phase" where experts taught them

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the information that they required to make an informed choice (“Making every vote count”, 2014).

In 2018, there was no citizens’ assembly. Instead parties offered their preferences. This change is more significant than it likely seems. The most powerful voting heuristic is partisanship (Lupia and McCubbins 1998). People will take the information given by the party they prefer and adopt it as their position. For Liberal and Green partisans, the heuristic decision is clear. The Liberal party campaigned against electoral reform. The relatively large number of Liberal partisans in BC received a clear message. The Green party campaigned for electoral reform. Green partisans also received a clear message, but there are far fewer of them. For NDP partisans, the party may publicly endorse proportional representation, but there were mixed signals. The No side’s Founder and Director had been a strategist for the NDP and a former NDP Premier endorsed FPTP. Given the large number of Liberal partisans who were getting a clear message and large number of NDP partisans who were not, the No side had an advantage.

**A subtle, but substantial design issue:
Good cues and bad cues**

In addition to the information environment, referendum design can also favour the status quo. Perhaps the most difficult task of a referendum designer is to ensure that the referendum captures the public’s actual opinion. The Attorney General who led the process of referendum design largely crafted a good one. The two-stage process of voting for proportional representation or FPTP first, then choosing between proportional options eliminates a number of problems. PR supporters will not be divided between proportional options and voters will not be overwhelmed with choices when they first see the ballot. The NDP government has also avoided using the nearly impossible threshold set in 2005. In fact, only one problem with the process jumps out.

A referendum that accurately gauges the public’s opinion should not indicate information about the options. In 2005, the ballot indicated which option the Citizens’ Assembly had chosen. In that context, it was believed that the Citizens’ Assembly’s decision would mirror the public’s true opinion if they were fully informed. Offering this cue on the ballot was meant to help voters decide

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as if they were fully informed. A cue was also presented on the 2018 referendum ballot with the opposite effect.

On what appears to be the advice of the Fraser Institute submission *Designing a Referendum Question for British Columbia*, the Attorney General's report *How We Vote* recommends that the wording of the first question clearly point out which electoral system is the status quo option. This has been found to increase status quo bias by five to eight percentage points, where the least informed are the most susceptible (Barber, Gordon, Hill, & Price 2017). In so doing, adding one word to the question has a similar effect as adding a super majority threshold. That innocuous word is "current", as in "The current First Past the Post voting system."

Conclusion

This round of electoral reform has failed. There are two options to provide a genuine gauge of public opinion and avoid a repeat of past mistakes. The first is to repeat the Citizen's Assembly without undermining it with a super majority threshold for change. The second, and perhaps more appropriate given that we already know a citizens' assembly's verdict, is to elect a government that promises to offer electoral reform for at least two elections before holding a referendum. Electoral systems are hard to explain, but their implications are easy to understand through genuine experience. With that experience voters will know what they prefer and can make their choice without the need of partisan cues or selecting the status quo by default.

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