

Citizen Engagement in Voting System Reform:

**a plan for 21st century
democratic renewal in Canada**

Larry Gordon

Fair Vote Canada

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Table of Contents

Executive Summary

Part 1: The Urgent Need for Citizen Engagement

- 1.1 Pivotal Role of the Voting System
- 1.2 Electoral Reform Emerging as a Political Issue
- 1.3 Civic Institutions Beginning to Engage
- 1.4 Democratic Renewal in the 21st Century

Part 2: Learning from New Zealand

- 2.1 Fact-Finding and Recommendations
- 2.2 Citizen Learning and Deliberation
- 2.3 Two-Stage Referendum

Part 3: Laying the Foundation

- 3.1 Getting Started
- 3.2 Leadership Body: Royal Commission or Citizens' Assembly?
- 3.3 Roles of Other Agencies and Institutions
- 3.4 Criteria for Review and Assessment
- 3.5 Fact-Finding

Part 4: Civic Deliberation

- 4.1 Plain Language Information
- 4.2 Media Partnership Development
- 4.3 Consultation and Partnership with Civil Society Organizations
- 4.4 Public Forums and Direct Citizen Engagement
- 4.5 Electronically Assisted Town Hall Meeting
- 4.6 Deliberative Polling

Part 5: Citizen Decision-Making

- 5.1 First Referendum
- 5.2 Second Referendum

Conclusion

Appendix: Time Frame for the Proposed Process

Introduction

“Renewing Canadian Democracy: Citizen Engagement in Voting System Reform” is a multi-phase partnership between Fair Vote Canada and the Law Commission of Canada to: 1) determine how Canadian citizens can become actively engaged in a civic process to learn about voting system reform, and 2) identify plain language educational materials for citizen engagement.

This program includes three projects. The first project was production and circulation of a paper “Renewing Canadian Democracy: Citizen Engagement in Voting System Reform - Lessons from Around the World” written by Dennis Pilon, an electoral reform expert from York University. The second project involved the convening of a Targeted Constituencies Forum on April 25-26, 2002. The forum brought together representatives from non-governmental organizations, academics, electoral reform experts and activists to discuss approaches to citizen engagement and deliberation on electoral reform. The proceedings of the forum were published in July 2002.

This paper is the third project, which builds on the information and input from the first two projects. The paper focuses on a proposed process for engaging Canadians in a learning, deliberation and decision-making process for voting system reform.

Executive Summary

The need to turn public and political attention to voting system reform has never been more urgent. In the last Federal election, 39 per cent of registered voters, or 8.25 million Canadians, did not participate.

Electoral reform is becoming a political issue because what voters are saying at the ballot box is distorted by the first-past-the-post voting system. The governments in British Columbia, Quebec and Prince Edward Island are already considering electoral reform. Likewise, most of Canada's major policy institutes have begun addressing this issue and many civil society organizations are taking positions on electoral reform and proportional representation.

Many nations have reformed their voting systems in recent years. The best example of electoral reform based on citizen engagement is New Zealand. After a period of public deliberation, New Zealanders voted to adopt a proportional representation voting system in 1993. Canada can learn from and adopt aspects of the New Zealand approach, including the use of a two-stage referendum process.

A civic engagement process in Canada should be initiated by the federal government and parliamentary parties. The process could be managed by a non-partisan royal commission or citizens' assembly. Elections Canada and other agencies could play important support roles.

The civic deliberation process will require plain language public information materials. The process should also find a major national media partner and include consultations with civil society organizations, public forums and hearings for citizens. In addition, the process should include a series of deliberative polling events across the country.

The process would culminate with a binding referendum process in which Canadian would decide on which of a number of alternative voting systems would be most suitable for Canada, and then choose whether to adopt that alternative or continue with the current voting system.

Part 1: The Urgent Need for Citizen Engagement

The need to turn political and public attention to voting system reform has never been more urgent. In the 2000 Federal election, 39 per cent of registered voters, or 8.25 million Canadians, did not participate.¹ While many Western democracies have experienced declining voter turnout in recent years, Canada's participation level is abysmal. Canada ranks seventy-seventh in voter turnout among all democracies.²

The continuing decline of voter turnout, which fell to an all-time low in the last federal election, should be reason enough to begin an unprecedented civic engagement process to revitalize Canadian democracy. Other related problems add to the urgency. Surveys indicate Canadians have lost faith in many of the institutions that are central to representative democracy. While Canadians continue to maintain faith in our democratic ethos or ideology, "satisfaction drops markedly when Canadians are asked about government and politics."³

For example, in 1974, 49 per cent of Canadians expressed confidence in the House of Commons.⁴ In 2001, only 24 per cent expressed confidence⁵. In 1979, 30 per cent expressed confidence in our political parties. In 2001, only 13 per cent expressed confidence.⁶

The first-past-the-post voting system, which is used by only four major democracies (U.S., U.K., India and Canada), has drawn criticism from many quarters. While the system does tend to produce single party majority governments, it often does so by distorting the will of the electorate. The most popular party and geographically concentrated parties usually gain a disproportionately high number of seats. Other parties usually receive a disproportionately low number of seats or no representation at all. Critics also note that votes are not treated equally and many votes are wasted. In Canada, the system has exacerbated regional differences and produced a Parliament with poor representation of women and visible minorities. Perhaps because of these problems, countries using first-past-the-post voting systems tend to have low voter turn-out compared to countries using proportional voting systems.

¹ Elections Canada, *Thirty-Seventh General Election 2000: Official Voting Results*, Table 3.

² Institute for Democracy and Electoral Assistance (IDEA), *Voter Turnout: A Global Survey*, IDEA web site ranking countries by voter turnout from 1945 to 1998.

³ Paul Howe and David Northrop, *Strengthening Canadian Democracy: The Views of Canadians*, Institute for Research on Public Policy, p. 7, July 2000.

⁴ Jeffrey Simpson, *The Friendly Dictatorship*, McClelland & Stewart Ltd., 2001 p. 196.

⁵ Centre for Research and Information on Canada (CRIC), *Voter Participation in Canada: Is Democracy in Crisis?*, October 2001, p. 16.

⁶ CRIC, p. 16.

1.1 Pivotal Role of the Voting System

Voting is the most widely shared democratic participation activity in our society. If the voting system is not functioning in a manner to encourage, reward and sustain the participation of citizens, then the quality of democracy itself is compromised. As the authors of a recent study on Canadian voter participation noted, “a democracy without willing voters is a sham.”⁷ A political community or society “can only cohere if its citizens are willing to embrace its ideals and participate in its public institutions. Without vibrant citizen participation in politics, a political community is an empty shell.”⁸

The voting system is the heart of representative democracy. It is the instrument used by citizens in a democracy to form government in their own image. A healthy democratic voting system will provide a means for the political will of the electorate to be mirrored in parliaments and other legislative bodies.

The voting system also drives the nature of politics by defining the playing field on which political parties compete. Political parties are associations formed by groups of citizens to advance their interests through the formation of government or by challenging those parties who have formed government. Parties can only meet their primary objectives by winning elections, so their policies, practices and programs will be shaped by the voting system.

While many elements of Canada’s democratic system are in need of review and reform (the Senate, Parliamentary process, campaign finance, etc.), none are more fundamental than the voting system itself.

1.2 Electoral Reform Emerging as a Political Issue

Within the past year, a number of seemingly spontaneous and generally unrelated developments indicate that the need for electoral reform is gaining increasing attention.

One of the most significant developments is the recent emergence of the issue in four provinces. British Columbia premier Gordon Campbell was a victim of first-past-the-post voting system distortions, when his party won the popular vote in British Columbia in 1996, but watched the NDP gain the majority of seats. When campaigning for the 2001 provincial elections, Campbell pledged to convene a citizens’ assembly on electoral reform and take any recommendations from that body to a binding referendum. That commitment was recently reaffirmed by the attorney general, who said the government’s intention was to begin this process in 2002.⁹

⁷ *ibid.*, p. 3.

⁸ *ibid.*, p. 2.

⁹ *Hansard*, May 13, 2002.

Not content to await this process, the B.C. Green Party launched a citizens' initiative to gain the necessary signatures to force a referendum on proportional representation. While the B.C. initiative legislation makes it nearly impossible for citizens to initiate a referendum, the campaign has attracted great attention in British Columbia, where the opposition, supported by 43 per cent of the voters, has only two seats in a 75 seat legislative body.

In Prince Edward Island, voters have seen the opposition reduced to only one or two seats, despite winning substantial voter support, in three of the last four provincial elections. This spring, at the request of the legislative assembly, the Chief Elections Officer of PEI tabled a report on proportional representation. In response to media questions, Premier Pat Binns stated that islanders could have a referendum on a new voting system as soon as the next election if there was enough interest.

The three parties holding seats in the Quebec national assembly all have positions supporting voting system reform and proportional representation. While the issue has been dormant for many years, the current government, which holds a majority of seats despite coming in second in the popular vote, has initiated several electoral reform programs. A government initiated public consultation is underway, seeking feedback on a number of democratic reform issues, including voting system reform. This summer, a MNAs' commission also began work on voting system reform.

In Ontario, while the current government has made no initiative, the two opposition parties have raised the issue. Ontario Liberal leader Dalton McGuinty has promised a referendum on a new voting system if his party forms the next government. The Ontario NDP has also taken a position in favour of proportional representation and allowing voters to choose a new system by referendum.

1.3 Civic Institutions Beginning to Engage

Provincial governments and political parties are not the only institutions with a newfound interest in voting system reform. In the past year, most of Canada's leading think tanks have begun addressing the issue. Papers and articles have been published or major conferences or forums convened on this topic by the Institute for Research on Public Policy, Fraser Institute, Centre for Research and Information on Canada, C.D. Howe Institute, Canadian Centre for Policy Alternatives, the Canada West Foundation and the Parkland Institute.

While many individual Canadians have not yet associated their frustration with "politics" with the characteristics of the voting system, a growing and diverse list of NGOs have been debating and staking out positions on electoral reform. Major national interest groups such as the Canadian Taxpayers Federation and the Canadian Labour Congress have strong positions calling for voting system reform and more proportionality. The national association of University Women's

Clubs has recently debated proportional representation. The National Association for Women and the Law has undertaken a major study on proportional representation and the newly formed Equal Voice, an advocacy group pushing for more women in politics, has endorsed voting system reform. Likewise, a number of major national unions have endorsed proportional representation, as well as the church-oriented Citizens for Public Justice and the advocacy group Centre for Social Justice.

Five years ago, a group of BC citizens organized Fair Voting BC, to press for provincial voting system reform. In just the past two years, three more groups have formed: Fair Vote Canada, a national multi-partisan citizens' group for voting reform; Every Vote Counts, a PEI citizens' group, calling for proportional representation in PEI; and Mouvement pour une democratie nouvelle, a citizens' coalition in Quebec, which has attracted widespread support from leading political figures in Quebec. This fall, a Fair Vote Ontario campaign will be launched.

1.4 Democratic Renewal in the 21st Century

Robert Dahl, a leading academic authority on democracy, recently wrote about the future of democratic values in the 21st century.

*What lies ahead? As we saw, the twentieth century, which at times appeared to many contemporaries likely to turn into a dark and tragic period for democracy, proved instead to be an era of unparalleled triumph. Although we might find comfort in believing that the twenty-first century will be as kind to democracy as the twentieth, the historical record tells us that democracy has been rare to human experience. Is it destined once again to be replaced by non-democratic systems, perhaps appearing in some twenty-first century version of Guardianship by political and bureaucratic elites?*¹⁰

Dahl believes that the established democracies have a particularly important role to play in protecting the practice of democracy in the 21st century. He believes that long-time democracies, such as Canada, must reform and revitalize their democratic institutions, practices and processes, many of which are rooted in bygone eras.

Dahl and others have pointed to civic education and citizen engagement as the lynchpin in democratic revitalization. Developing increased civic capacity to engage in the political process is "one of the imperative needs of democratic countries."¹¹ By engaging in the process, citizens can help build and reinforce a politics of hope, trust, cooperation and citizen empowerment.

¹⁰ Robert Dahl, *On Democracy*, Yale University Press, 1998, p. 180

¹¹ *ibid.* p. 187.

In summary, it is not only a matter of building better democratic institutions, such as voting systems, but engaging citizens themselves in the process. The process itself is part of the solution.

Part 2: Learning from New Zealand

Throughout the twentieth century, many nations have changed their voting systems. In some cases, the process was elite driven, with changes imposed by the government or negotiated by party leaders without meaningful citizen input. The international experience with electoral reform, and lessons learned, are well documented in the March 2002 study commissioned by the Law Commission of Canada.¹²

The best example of electoral reform based on citizen engagement is the relatively recent experience of New Zealand. Like Canada, New Zealand is a former British colony with an inherited Westminster style government. Like Canada, it adopted the first-past-the-post voting system in the nineteenth century and used it, without any serious consideration of alternatives, for more than a century.

In Canada, leading academics began questioning the voting system in the late sixties and early seventies.¹³ In 1979, the Pepin-Robarts Commission proposed introducing an element of proportionality to the voting system, but the government, political leaders and citizenry failed to respond. Unlike Canadians, New Zealanders, who were feeling increasingly betrayed by a succession of majority governments elected without majority support, created a political environment where reform became necessary. The increasingly hostile public mood led to an electoral reform process based on extensive citizen education and deliberation. The process and experience, which the New Zealand Chief Electoral Officer described as “an unambiguous reassertion of popular sovereignty”¹⁴, culminated in a binding referendum, which led to the introduction of a proportional voting system.

With due consideration to both the similarities and differences between the two countries (e.g., political systems, cultures and public attitudes) Canada can learn a great deal from the New Zealand process, which has been extensively documented. Three lessons stand out.

¹² Dennis Pilon, “Lessons from Around the World,” Part One of *Renewing Canadian Democracy: Citizen Engagement in Voting System Reform*. A joint project of the Law Commission of Canada and Fair Vote Canada, March 2002.

¹³ Alan Cairns, “The Electoral System and Party System in Canada, 1921-1965”, *Canadian Journal of Political Science* 1:55-80 (1968).

¹⁴ Paul Harris, “New Zealand Adopts PR: A Research Director’s View”, *Policy Options*, July/August 2001, p. 36.

2.1 Fact-Finding and Recommendations

Before citizens can be engaged in a civic deliberation process, a body must be constituted to collect and assess information. In Canada, this fact-finding and policy recommendation role is generally assigned to royal commissions. This was the case in New Zealand, where five independent, non-partisan commissioners were appointed to the Royal Commission on the Electoral System.

The key lesson from New Zealand is the extraordinary need for objective, non-partisan leadership by a recognized and highly respected body. Unlike many other issues, the government and other parties are in an obvious conflict of interest when dealing with electoral reform. The voting system is the tool citizens use to create governments and to reward and punish parties. The government and parties, as the current or potential beneficiaries of the system, must be seen to be at arm's length to the fact-finding, assessment and recommendation process. The government and parties must ensure that their role in voting system reform is seen as supportive and conducive to citizen engagement, but not directive, coercive or counter-productive to the process.

The citizen engagement process, and particularly the decision-making process, must be objective and widely perceived as such. Otherwise, the process will only exacerbate public cynicism and alienation.

2.2 Citizen Learning and Deliberation

The New Zealand process included a strong commitment to citizen learning and deliberation. Similar to Canada, most New Zealanders had a poor understanding of how the current system worked, let alone the alternatives. As part of the program that culminated with citizens making a decision on the best voting system, the government appointed and funded an independent panel to carry out an objective and neutral public information campaign. In addition, electoral reform activists and the defenders of the status quo engaged in a spirited public debate, which helped increase awareness of the issues.

When the New Zealand process culminated with citizens voting on whether to adopt a new system, surveys indicated “there were roughly equal levels of public knowledge” about the main features of the alternatives.¹⁵ Because of the success of the civic deliberation process, the former chair of the New Zealand royal commission concluded voters “made a reasonably informed choice and had positive reasons for supporting [change].”¹⁶ In summary, the New Zealand experience was quite heartening: the general public, when provided with an

¹⁵ Paul Harris, p. 34.

¹⁶ The Hon. Sir John Wallace QC, “Reflections on Constitutional and Other Issues Concerning Our Electoral System: Past and Future”, paper presented at a Conference in Honour of the Rt. Hon. Sir Ivor Richardson, Victoria University, April 5-6, p. 6.

opportunity for learning and deliberation, can make a thoughtful and informed decision.

2.3 Two-Stage Referendum

The final lesson from the New Zealand experience lies in the citizen decision-making process. New Zealanders were not forced to learn, deliberate and make a final binding decision in one step. Instead, the citizen decision-making process had two distinct stages.

After an initial period of public learning and deliberation, voters were given an opportunity to decide, through a national referendum, whether to continue with the electoral change process and, if so, to determine which of four possible voting system alternatives was most popular. When the first referendum was held, New Zealanders voted overwhelmingly to move forward. The first referendum also determined that the most popular alternative was the mixed member proportional system.

Some electoral reform activists have argued that the government's motivation for developing the two-stage referendum process was to derail the reform effort by presenting too many options and then declare a lack of public consensus on a future direction. While the presentation of four (rather than two) options is probably introducing an unnecessary level of complexity, the two-stage process did provide an opportunity for a public learning curve that stretched over a three-year period.

While Canada must develop its own process to produce a made-in-Canada solution, we can take advantage of these lessons from the experience of New Zealand.

Part 3: Laying the Foundation

In New Zealand during the 1980s, both major parties had pledged to support electoral reform when in opposition, only to back away from the commitment when in power. The public opinion backlash, however, finally forced both parties to commit to a referendum process during the 1990 election.

If Canada's political parties continue to be seen as part of the problem rather than leaders in finding the solution, Canadian voters are just as likely to lash out, as did the New Zealanders. Fortunately, Canada still has ample opportunity to work from a positive, rather than negative, starting point.

3.1 Getting Started

The ideal process would see the federal government, with support from the other parliamentary parties, taking the initiative. With guidance from an all-party parliamentary committee, the federal government could announce and launch a civic deliberation process to reform the voting system as step one in building a new Canadian democracy.

All-party support of the deliberation process and a commitment to let citizens make a final binding decision on the best voting system for Canada would help demonstrate the non-partisan nature of the exercise.

This government-initiated process is the ideal. But if the government and other parliamentary parties are not prepared to act on their own, then Canadian citizens should be given the opportunity to provide clear direction to the government. This could be done through a referendum in which voters vote for or against the following statement.

Be it resolved that the Government of Canada and all other Parliamentary parties shall initiate a public consultation on instituting a more proportional voting system and provide Canadians with a referendum process to choose the best voting system.

While this would give citizens the ability to initiate the process, the opportunity would be lost for the federal government and other parliamentary parties to gain the goodwill from taking the initiative.

3.2 Leadership Body: Royal Commission or Citizens' Assembly?

The civic engagement process will require a leadership body that is arm's length from Parliament and the parties.

The traditional approach would be the appointment of a royal commission on voting reform. The commission, with the assistance of professional staff, would be charged with: 1) developing voting system assessment criteria, 2) reviewing alternative voting systems that would not require constitutional change, 3) narrowing down the possibilities to the two most suitable alternatives for Canada, 4) providing descriptions of how these systems would work in Canada, and 5) possibly concluding with a recommendation on the best system.

If this approach were taken, the appointment of highly respected commissioners would be critical to building public confidence in the validity of the exercise. The commissioners would have to be perceived as standing above partisanship and be capable of representing the interests and concerns of a wide range of Canadians.

Is that possible? The New Zealand royal commission did not include any current or former MPs and, according to the former chair, did not include anyone with a strong view on any particular voting system. Nonetheless, critics still charged that the Minister of Justice stacked the commission to obtain the results he wanted, an inevitable outcome or suspicion when any partisan body tries to appoint a non-partisan body.¹⁷

Given the extraordinary need to avoid the reality or perception of partisanship or partisan interference, another approach, which may soon be pioneered in British Columbia, deserves consideration. Premier Gordon Campbell has pledged to convene a citizens' assembly on electoral reform. While a detailed plan is yet to be tabled, a process similar to that used for jury selection would be adapted to appoint citizens to the assembly.¹⁸ Given that a citizens' assembly has never been used for such a purpose, arguments can be made for a relatively small body of 12 to 18 people (making it more a "citizens' commission") or a larger assembly of 50 to 100 people, or more.

Such a citizens' assembly could also work in partnership with a royal commission or other fact-finding body. In this case, the assembly could review the work of the commission and be empowered to either co-sign the final report, providing an element of additional credibility to the recommendations, or else offer an alternative "citizens' report" with alternative recommendations.

¹⁷ The Hon. Sir John Wallace QC, p. 3.

¹⁸ How might a process similar to jury selection be adapted? Elections Canada, with assistance from market research firms, could develop a list of several hundred nominees representing a valid demographic and regional cross section of Canadians. The list would then be screened to ensure people were: 1) reasonably familiar with and interested in the federal political process and 2) available to carry out the duties of the assembly (attending assembly meetings and related public events). The Chief Electoral Officer could then nominate a list of assembly members and alternates to be reviewed by an all-party committee and then appointed by Parliament.

Political scientists Matthew Mendelsohn and Andrew Parkin have argued for another variation of this general approach.¹⁹ They argue for the use of a citizens' forum on electoral reform, which would provide direction to a commission of inquiry. The commission would handle the professional research tasks related to examining alternative voting systems that would be most suitable for Canada. The citizens' forum would set the mandate for the commission, review and debate its findings, and approve the options to be put to voters in a referendum. Citing the Australian people's convention on the future of the monarchy as a model, the authors conceive of a citizens' forum comprised of appointed party representatives and elected citizens' representatives.

Any of these approaches – the royal commission, citizens' assembly and/or citizens' forum – or combination can be used to support a credible and successful process, as long as objectivity and non-partisanship are the driving forces in the formation and management of the bodies. The leadership body, in whatever form it takes, must also be provided with an adequate budget to hire the necessary professional and administrative staff.

[For the remainder of this paper, the term “commission/assembly” will be used to denote the leadership body for the citizen engagement process.]

3.3 Roles of Other Agencies and Institutions

In addition to the leadership provided by the commission/assembly, a successful citizen engagement process will require support from a number of bodies, each with an important contributing role.

Law Commission of Canada

Through the “Renewing Canadian Democracy” project, the Law Commission of Canada can play a key role in supporting the process. The background papers and documents from the project will prove helpful to future public deliberation. The Law Commission can also help lay the groundwork for a national process by running several pilot projects on innovative citizen engagement methods to determine which would be most useful for a more extensive process under direction of the commission/assembly (e.g., the electronic town hall meetings and deliberative polling events described in Section 4.).

¹⁹ Matthew Mendelsohn, Andrew Parkin, with Alex Van Kralingen, “Getting from Here to There: A Process for Electoral Reform in Canada”, *Policy Options*, July/August 2001, p. 59. Matthew Mendelsohn is an associate professor in the Political Studies Department at Queen's University. Andrew Parkin is an assistant director at the Centre for Research and Information on Canada. Alex Van Kralingen is a law student at the University of Toronto.

Elections Canada

Under direction of the Chief Electoral Officer, Elections Canada is ideally suited to support the extensive public information and education requirements for a national civic deliberation process. Elections Canada should be the public information clearinghouse for the civic deliberation process, producing and distributing relevant information in all formats (print, video, CD ROM, Internet). The coordination of public events and administrative support for the commission/assembly could also be assigned to Elections Canada.

Policy Institutes

Canada's leading policy institutes, or think tanks, and academic institutions can also contribute to the civic deliberation process by mobilizing and focusing the work of experts to support the public discussion and debate on voting system reform. Many of these institutions already have electoral reform projects. While the purpose of the civic process is to move the issue from the realm of experts to the general public, electoral system experts will be key contributors in developing a workable made-in-Canada solution.

Print and Broadcast Media

There are no precedents in Canada for development and implementation of a planned multi-year national civic deliberation process. The only safe prediction is that life will not stand still while the process unfolds. People will be preoccupied by day-to-day concerns and the media will be covering a host of other political, social and economic issues and crises.

The ability to sustain the civic deliberation process on electoral reform will, to a large degree, be dependent on the attitudes of the media. If producers, editors and individual journalists assume a civic journalism role – i.e., see the media as active facilitators in a civic communications process – then a healthy and sustainable public deliberation process will be possible.

Electoral Reform Groups

As the process unfolds, citizens' groups and campaigns for electoral reform will play an important role in disseminating information and engaging citizens. In the New Zealand experience, the national citizens' campaign for electoral reform was credited with keeping the issue alive and playing an important role by ensuring a lively public debate.

Canada's electoral reform groups should be welcomed as partners and participants in planning and delivery of the national civic deliberation process. Where appropriate, citizens' groups may be contracted to provide expertise and assistance for the national civic deliberation process.

3.4 Criteria for Review and Assessment

Once the process begins, the first task for the commission/assembly will be the identification of the criteria for assessing alternative voting systems. While many systems have been developed by other nations, it is unlikely any could be brought into the Canadian political environment without modifications.

Electoral system expert Douglas Amy states, "you do not have to develop this set of criteria from scratch. Political scientists, politicians and political activists have spent a great deal of time thinking about what makes for a good voting system. Somewhat surprisingly, some consensus exists on the criteria for a good voting system. Virtually everyone agrees, for instance, that a good system should promote majority rule, fair representation, high voter turnout, and stable government."²⁰

The New Zealand Royal Commission applied ten criteria to compare various systems. The key criteria related to voter turnout, effective and appropriate representation, and an effective government, parliament and parties.²¹

The Jenkins Commission in the UK identified a set of criteria for assessing voting systems. Those general criteria have been adopted and promoted by two Canadian electoral reform groups: Fair Voting BC and Fair Vote Canada. The criteria are: 1) broad proportionality – party seats should be reflective of the proportion of popular votes received; 2) extended voter choice – voters should have a reasonable range of parties from which to choose and be able to cast positive and effective votes for the parties of their choice; 3) stable and responsive government – the voting system should support good government; and 4) geographic linkage – the system should have some aspect of linkage between elected representatives and geographic constituencies.

While there are many ways of wording the specific criteria or principles, the two key components must relate to fair representation (or proportionality) and accountability.

²⁰ Douglas Amy, *Behind the Ballot Box: A Citizen's Guide to Voting Systems*, Praeger, 2000, p. 12.

²¹ Rod Donald, MP, *MMP in Action: A Great Leap Forward for Democracy?*, speech notes June 1999, commenting on the electoral reform process in New Zealand.

When developing made-in-Canada alternatives, one additional criterion would be critical. The new system should not require constitutional change, something that would surely derail any electoral change process.

3.5 Fact Finding

Having finalized the assessment criteria, the commission/assembly can begin its fact-finding work, which should be limited to a six-month period, given that extensive information is readily available from policy institutes, academics and the Law Commission of Canada. The commission/assembly should invite submissions and presentations from the experts in Canada's policy institutes, universities and electoral reform groups to help with the review and assessment of various voting systems.

The fact-finding process would culminate with the publication of a report outlining: 1) the problems with the current system, 2) the criteria for a new system, 3) the general types of alternative voting systems, 4) examples of how the two best alternatives might work in Canada and, if possible, 5) a recommendation on which of those alternatives the commission/assembly finds preferable.

Part 4: Civic Deliberation

Having concluded the fact-finding stage and issued its report, the commission/assembly could now begin the civic deliberation process that would culminate with Canadians choosing the best voting system for Canada. The steps in the process would be:

- 1) production of plain language educational materials and web site
- 2) media partnership development
- 3) consultation with civil society groups
- 4) public forums for direct citizen participation
- 5) deliberative polling events
- 6) first referendum: choosing the preferred alternative
- 7) second referendum: choosing between the preferred alternative and the status quo

The latter two steps will be covered in the Part 5: Citizen Decision-Making.

4.1 Plain Language Information

Most materials on voting systems are produced by and for experts in policy-making or academic positions. To successfully engage a broad spectrum of citizens in the process, the issue will have to be framed to connect with real-life concerns of Canadians and explained in plain language materials.

Unlike health care, the environment, education, and the economy, electoral reform is seldom identified as a major political issue in public opinion surveys. Most Canadians, while expressing deep frustration and cynicism with government, parties and politics, have yet to understand how the voting system drives the nature of politics in a representative democracy. Relatively few are aware that other types of voting systems can create more representative and accountable governments, and provide different incentives for parties.

How can this issue be framed to effectively reach the general public?²² Electoral reform groups have often focused on the ideas of empowered citizenship and accountable government. When every vote counts, every voice will be heard. When every voice is heard, they (politicians) will have to keep their word. Fair voting means fair government.

Another approach has been to frame the issue in terms of fair play. Democracy should provide a level playing field for all citizens. Sometimes we win,

²² The Law Commission of Canada hosted a forum for representatives of non-governmental organizations in April 2002. One topic of discussion was how this issue could be framed for public discussion.

sometimes we lose, but everyone deserves a fair chance. A fair voting system creates a level playing field for representative democracy.

There will be no single slogan or phrase that fully captures the importance of the issue for all Canadians. When materials are developed, the messages should be simplified as much as possible, and tied back to immediate issues or concerns of the various audiences. Some of the questions that might be addressed include:

- How does the voting system drive the nature of politics in Canada?
- How do the current concerns of Canadians relate to the voting system?
- What are the problems associated with our current voting system?
- What other types of voting systems are used by major democracies?
- What are the strengths and weaknesses of these other systems?
- On what principles should we base a new Canadian voting system?
- How would other voting systems work in Canada?

In addition to general materials, information may also be tailored for targeted groups, such as young people, new citizens, visible minorities, women, aboriginal communities and so on.

Formats should include booklets, video and CD ROMs. Well-known celebrities could be engaged to host videos, educational CD ROMs and web site presentations.

A high quality, state-of-the-art web site will be essential to the citizen engagement process. The web site could show examples of other nations' voting systems; provide interactive demonstrations of how different voting systems deliver different results; and host discussion groups on related issues.

In addition, the site could have classroom materials for teachers to download. For example, some electoral reform groups have developed classroom exercises where students can vote on the toppings for a pizza order, using various voting systems, and then discuss how the different systems produce different outcomes.

4.2 Media Partnership Development

The commission/assembly should make a special effort to formally engage the public and commercial media as partners in the civic deliberation process.

While the Canadian media do not have an extensive history of engaging citizens in civic deliberation (outside of special events, such as elections), there has been one particularly interesting recent initiative. Earlier this year, Toronto Star publisher John Honderich announced his paper "is launching a crusade for a new deal for cities. Over the next year, we will write stories outlining the problems and presenting solutions. We will seek out experts. We will conduct public

forums. We will press the candidates...We will push Ottawa to take up this issue.”²³ True to his word, The Star has devoted considerable space to an ongoing civic discussion – involving the experts, politicians and average citizens.

A national crusade to rebuild Canada’s democracy, starting with a fair voting system, should be an equally worthy subject for one or more major media to embrace. The likelihood of developing a lively, informed civic discussion and debate would be greatly boosted if CBC, CTV, the Globe and Mail, the National Post and/or Macleans joined the effort to engage citizens to bring fair voting and true representative democracy to Canada. CBC in particular, as the nation’s public broadcasting company, should be contacted to determine the possibility of partnerships for ongoing special reports and sponsorship of specific public events, for example community forums or the deliberative polling events (see details below).

4.3 Consultation and Partnership with Civil Society Organizations

While a general civic engagement process must appreciate that not all citizens are affiliated with or relate to civil society organizations, a national consultation process can be greatly facilitated by groups with organized constituencies.

Building on the prior work of the Law Commission of Canada, the commission/assembly should convene a national conference or series of regional meetings with leaders of major membership associations, constituency organizations and other non-governmental organizations (NGOs) to discuss their potential role in a national civic deliberation process.

These groups should be asked to consider: 1) incorporating the fair voting deliberation in their internal communication/education materials, 2) providing time and space at major events, conventions and conferences, and 3) co-sponsoring regional and/or national public forums.

Given that these organizations have direct and ongoing communication with millions of Canadians through their newsletters and annual events, the commission/assembly may find it very cost-effective to use these channels to disseminate information about the civic deliberation process. Perhaps the commission/assembly could negotiate the inclusion of customized or targeted public engagement inserts in their newsletters or mailings.

4.4 Public Forums and Direct Citizen Engagement

Having developed materials, held preliminary meetings with media and civil society groups, the civic consultation process should be ready for direct citizen engagement.

²³ John Honderich, “Canada has an urban crisis”, *Toronto Star* editorial, January 12, 2002.

The consultation process should involve a cross-country series of hearings, forums and other events held or sponsored by the commission/assembly. The events should be held in at least one major urban centre in each province or region, maximizing the opportunities for information sharing, deliberation with and among citizens and representatives of civil society groups.

The general process for the cross-country engagement process might be as follows. The schedule for dates and places would be set six months in advance. When the schedule is determined, the commission/assembly staff would begin identifying other institutions, organizations and local media that would be interested in co-sponsoring or working in partnership on the civic engagement process in their particular region.

The events themselves may take place over a weeklong period. For example, the week might begin with a day devoted to a detailed presentation by commission/assembly staff on their research findings. The second day could feature public debates or presentations by experts, advocates and/or electoral reform groups. The third day may focus on a town hall meeting sponsored and broadcast by local media [see next section for more detail]. The fourth day might revolve around academic or campus-based events. The fifth and final day could be devoted to public hearings, where the commission/assembly would hear presentations or statements from citizens or representatives of organizations.

A parallel engagement initiative might focus exclusively on secondary school and university students. Schools could be invited to send delegates to a regional youth convention or student congress, at which students (having been provided with materials in advance) would discuss, debate and vote upon the best voting system for Canada. This focused initiative may also help attract media coverage and/or other sponsors.

4.5 Electronically Assisted Town Hall Meeting

Within the mix of approaches that can be used to engage citizens, electronically assisted town hall meetings should be seriously considered. Traditional town hall meetings suffer from a number of shortcomings. Only highly engaged citizens tend to participate. The participants are often self-selected and not representative of the diversity of viewpoints. A few loud and aggressive participants can dominate the event. Many individual participants do not see any value or impact from their participation.

With the development of wireless computer network technology and group decision-making software, a new style of town meeting can be convened. For example, *AmericaSpeaks*, a U.S.-based non-profit organization, has worked with municipal governments and other agencies to develop and manage large-scale town meetings and citizen engagement events, in some cases with thousands of on-site participants. Every participant is part of a table discussion group. Each

table is connected to a computer network so issues and questions can be easily forwarded to the meeting leaders and votes can be taken with results instantly projected for the group to review and discuss. Voting results can be broken down to show how group thinking is evolving and whether different types of participants are converging or diverging in their thinking. Likewise, as results suggest new questions or issues, these can be referred back to participants for further deliberation and feedback.

This new approach to town hall meetings may offer an ideal approach to engaging citizens in a learning and deliberation process on voting system reform.

4.6 Deliberative Polling

A related, but more sophisticated form of engagement is deliberative polling. The traditional means for assessing the views of a valid cross-section of citizens is through public opinion polling, a process that is hindered by a number of shortcomings. The non-response rates on polls are often high. Survey results incorporate quick top-of-mind responses, often from uniformed respondents, who may not have had the opportunity to engage in thoughtful discussions with people holding other viewpoints.

To address the shortcomings of traditional public opinion polling, political scientist James Fishkin developed the methodology of Deliberative Opinion Polling.²⁴ DOP brings together a statistically valid sample of citizens to engage in a group learning session, with information provided in an objective manner.

The participants are given an opportunity to deliberate among themselves – exchanging views, debating the issues. The attitudes of the participants are measured before and after the exercise to illustrate how public opinion might shift if all citizens were given an opportunity to study the issues and engage in civic deliberation.

The difference between deliberative polling and town meetings is often overlooked and is worth emphasizing. Unlike town meetings, deliberative polling events are based on a participant group that is a valid, or reasonably valid, cross section of the general public.

As part of the public consultation, the commission/assembly should hold or co-sponsor deliberative polling events in each region of the country, perhaps co-sponsored by other non-partisan institutes and/or local or national media. These events could make use of the wireless networks and decision-making software now being used in electronic town meetings.

²⁴ James Fishkin, *The Voice of the People: Public Opinion and Democracy*, Yale University Press, 1995.

While deliberative polling requires significant financial resources to bring together a representative sample of participants, this process of direct engagement would be ideally suited and complementary to the other citizen engagement initiatives in this process. In fact, deliberative polling may be the most useful and valid form of citizen engagement the commission/assembly could organize.

Part 5: Citizen Decision-Making

After an appropriate period of public information, education, consultation and deliberation, the process should move to the decision-making phase. Based on the input from the deliberation process, the commission/assembly would make a final decision on the two alternative voting systems to be put to voters in the first referendum.

As a national referendum requires enabling legislation, the following assumes the federal government passed the necessary legislation when initiating the civic deliberation process. It is also assumed that the enabling legislation will make the results of the referendum process binding upon the federal government.

5.1 First Referendum

The commission/assembly should follow the New Zealand model by developing a two-stage referendum process. The first referendum would have two questions.

The first question would ascertain if voters, after the public deliberation period, were in favour of moving forward with a final referendum to change the voting system. The question might be worded in this manner:

The Government of Canada should proceed with holding a binding referendum in which Canadians would choose the best voting system for use in future federal elections.

The second question would identify two alternative voting systems, as identified by the commission/assembly. The alternatives would be very briefly described on the referendum ballot. Voters would indicate which of the two they most prefer.

Elections Canada would assume the role of making Canadians aware of the referendum and providing neutral and objective plain language information on the issues.

5.2 Second Referendum

If voters supported continuing the process, the second referendum would be scheduled within six to eight months of the first referendum (or in conjunction with a federal election, if that was expected in the near future). Voters would then choose whether to maintain the status quo or adopt the new voting system.

With the final referendum scheduled, the public debate would be easily sustained by electoral reform groups, other interest groups, engaged citizens and political parties. The process should continue in a manner where all citizens have ready

access to all points of view. Elections Canada would publicize the referendum and continue to provide information on the issues and alternatives.

The result of the final referendum would conclude the civic engagement process.

Conclusion

Citizen engagement in voting system reform is not only an urgent priority to help address public cynicism about politics and declining voter turnout, but a unique opportunity to revitalize Canadian democracy.

A national civic deliberative process would help renew the relationship between citizens, elected representatives, parties and government. On a higher level, the process may help Canadians reconnect with their country and our distinctive and diverse society, by working together on a common national project, in which citizens themselves control the outcome.

At this time, the opportunity is still available for our current political leaders and parties to be proactive in leading the nation on this path of citizen-driven democratic renewal.

Appendix: Time Frame for the Proposed Process

Month 1	Government announces civic deliberation process.
Month 3	Commission or citizens' assembly appointed.
Month 6	Voting system assessment principles identified.
Month 8	Commission/assembly fact-finding begins.
Month 14	Report published.
Month 16	Media and other institutional partners identified.
Month 18	Civic deliberation process and schedule announced.
Month 24	Regional hearings and consultation events begin.
Month 30	Hearings and consultation period conclude.
Month 32	Commission/assembly finalizes referendum questions. Elections Canada announces first referendum date.
Month 38	First referendum held. Elections Canada announces final referendum date.
Month 44	Final referendum held.