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LAW REFORM COMMISSION
COMMISSION DE RÉFORME DU DROIT

WORKING PAPER

ON

ELECTORAL SYSTEMS

This Working Paper is circulated for criticism and comment. The proposals it contains do not represent the final view of the Commission. Comments should be forwarded to the Commission's offices, 521-405 Broadway, Winnipeg, Manitoba R3C 3L6, not later than March 1st, 1977.

December 1976

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INTRODUCTION

      The subject of this Working Paper is electoral systems. The subject is comprehended by the broad terms of reference prescribed for this project by the Attorney-General, that is, in part:

> I would appreciate the Law Reform Commission examining the Manitoba Elections Act with a view to making reform of the provisions therein respecting the holding of elections in Manitoba.

> . . . regardless of what generalized review might be made, but I think it would be very helpful if a thorough review was made of the technique of the holding of elections.

      "The Election Act"[1] of Manitoba, in common with the laws and practice of most other states adhering to the so-called 'anglo-saxon' democratic form of government, establishes an electoral system known as the "spot vote" or the "first-past-the-post" system of election. This is the method common to Canada, the United Kingdom and the United States, in which each enfranchised adult has only one vote to be cast for one candidate for election in a constituency which returns one member of a legislative body.

      Shorn of all procedural and adjectival provisions, the basic elements of the "first-past-the-post" system are implanted in the Act as follow:

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[1] C.C.S.M., Cap. E30.

Sec. 89(1)

. . . the voter shall forthwith proceed into a voting compartment and there mark his ballot paper by placing the symbol X . . . within the space on the ballot paper containing the name and particulars of the candidate for whom he intends to vote . . . and the deputy returning officer shall himself deposit the ballot paper in the ballot box.

Sec 105(12)

The deputy returning officer shall then count the number of ballot papers in each of the piles and credit each candidate with one vote in respect of each unrejected and unobjected-to ballot, and each ballot objected to but counted, on which the symbol X has been recorded for him.

Sec. 108(4)

The returning officer, when he has received all the ballot boxes, and has so revised all the statements, from all the polls in the electoral division, shall then count and record the total number of votes given in the electoral division for each candidate as well as the total number of valid ballot papers for all the electoral division.

Sec. 108(5)

The returning officer, shall, at the place, day, and hour, appointed in the proclamation, declare to be duly elected that candidate who, on the count by the returning officer, is found to have obtained the largest number of votes.

This system is called "first-past-the post" because victory resides in a simple majority of votes cast, or in a plurality of votes over each of the opposing candidates.

It is this electoral system, its strengths and its weaknesses contrasted with those of possibly alternative

systems, which we examine in this Working Paper. It will be seen that alternative electoral systems manifest certain strengths and weaknesses, too. In this exercise of comparing and contrasting, competing social and political values must be weighed in order to determine whether Manitoba is better off with its existing "first-past-the-post" system or would be better off to adopt a different electoral system.

THE GOVERNMENTAL SETTING

It would be useful to consider the constitutional form of government for which popular elections are held, in order to clarify the setting and to sweep away possible misunderstandings of what is actually being examined here.

The principal written instrument of government in Canada is *The British North America Act.*[2] That British statute opens with these words:

> WHEREAS the Provinces of Canada, [ie. Lower
> and Upper = Quebec and Ontario] Nova Scotia
> and New Brunswick have expressed their Desire
> to be federally united into One Dominion under
> the Crown of the United Kingdom and Ireland,
> with a Constitution similar in Principle to
> that of the United Kingdom: . . .

These words, in particular, did establish and do maintain

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[2]1867, (U.K.) 30 & 31 Victoria, Chapter 3; with amendments
to 1965.

a parliamentary (as distinct from a congressional) form of
government throughout the constituent provinces and the general,
so-called "national", government of Canada. That the
paramount written instrument of our constitution prescribes
itself to be similar in principle to that of a country whose
constitution is the prime example of a tradition-developed,
unwritten constitution, leads to some interesting but not
unworkable anomalies. For example, in *The B.N.A. Act*
there are no written references to the Prime Minister, or
the Cabinet, or political parties, or the Loyal Opposition
or even responsible government, and yet those institutions
are as alive and well in Canada and in Manitoba today as
they were in 1867.

In our parliamentary system the functions of head
of state and head of government devolve on two individuals
and are never combined as they are for example in the person
of the President of the United States or a State Governor.
Thus, in a parliamentary system the head of state may be a
monarch who inherits the position, or a representative of
the monarch appointed to the position, or a president or
other *chef d'état* either elected or appointed to the position.

In Manitoba, the head of state is the Lieutenant-
Governor, appointed to that position and representing the
monarch Queen Elizabeth II; and the head of government is
the Premier, elected in the first place to membership in the

Legislative Assembly, and, in addition, recognized by a majority or at least a plurality of the other elected M.L.A.s as their leader. The pertinent provisions of *The B.N.A. Act* regarding our head of state are:

> 58. For each Province there shall be an Officer, styled the Lieutenant Governor, appointed by the Governor General in Council by Instrument under the Great Seal of Canada.
>
> 92. In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subject next herein-after enumerated; that is to say, -
>
> > 1. The Amendment from Time to Time, notwithstanding anything in this Act, of the Constitution of the Province, except as regards the Office of the Lieutenant Governor.

From what has been already stated above, it is important to notice several characteristics of our governmental system. First of all it exemplifies *responsible* government. The government is responsible to the Legislative Assembly. If the head of government could no longer maintain the confidence of the assembly, he or she would be obliged to advise the head of state either to dissolve the assembly or to summon some other leader in the assembly to form a new government, which itself might or might not enjoy that body's confidence. Were the assembly composed of a multitude of leaders and their factions, law-making and executive government might both become impossible and dissolution of successive assemblies would be a frequent occurrence.

In our constitutional system, the independence
of the Lieutenant Governor's office and the desirability
of the Lieutenant Governor's standing utterly apart from
partisan politics can be clearly appreciated.   The monarchial
ingredient in our system is by tradition a buttress to res-
ponsible government, but is not absolutely essential to it.

Our provincial legislature is unicameral in that it
has but one chamber, the Legislative Assembly. But the
assembly itself is not the Legislature. The Legislature is
composed of the Assembly and the sovereign or her represen-
tative, the Lieutenant Governor. The Legislature might
divest itself of a chamber such as the Legislative Council
(provincial "senate") as it actually did in 1876, or the
Legislature improbably might restore that second chamber,
but it cannot lawfully abolish the office of the Lieutenant
Governor. The Legislature might alter the basis of membership
in the Legislative Assembly, but it cannot alter the basic
functions of the office of Lieutenant Governor.[3] Under our
constitution, a bill passed by the Legislative Assembly can
become law only upon that bill's receiving Royal Assent
which is accorded by the Lieutenant Governor. It is the
aspects of responsible government and the interaction of the

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[3] *In re The Initiative and Referendum Act*, [1919] Appeal Cases
935, 48 D.L.R. 18; 3 W.W.R. 1.

functions: (a) of the Lieutenant Governor, exercised virtually always on the advice of the Premier; (b) of the Premier with the cabinet, exercising leadership in, and responsibility to, the Legislative Assembly;and (c) of the Assembly itself, whose functions are representative, deliberative, legislative, revenue raising and supervisory - which, in large measure characterize our system as parliamentary. As a consequence of withdrawing its confidence in the government (ie. the Premier and the other cabinet ministers) the Assembly may be dissolved even before its five-year term expires. Equally, it may be dissolved in the discretion and on the advice of the Premier at any time.

In the second place, our governmental system can be characterized as a parliamentary *democracy*. The in-built trait of responsible government is the major characteristic of a system which is parliamentary, but such a system, (misbegotten as it would be) does not need to be democratic. It is characterized as democratic because the legislature's deliberative component, the Legislative Assembly, is composed only of persons elected by the adult population, to relatively short-term membership in that body.

The composition of membership in the Legislative Assembly is determined from time to time, at intervals lawfully not longer than five years, but invariably shorter, by popular vote. Voting is a power reserved to the adult populace which is exercised (a) at general elections for the

composition of a new Legislative Assembly, or (b) at by-elections for the return of a Member of the Legislative Assembly to represent the inhabitants of a particular electoral division who are unrepresented because of the death, resignation or removal from office of their M.L.A. In considering electoral systems, then, it must be noticed that what we have is *parliamentary* democracy, and not *direct* democracy. It is not called direct, because the populace do not directly enact laws by their votes in our system. It is democracy 'long-circuited' through the processes of our parliamentary institution, the Legislature, in which the executive government in the form of the cabinet or council of ministers is responsible to, and part of the elected legislative assembly, and in which both cabinet and assembly are sooner or later ultimately responsible to the electorate for their continuation in office. In theory though not always in practice, as will be seen, at any general election a majority of the adult population by their votes determines who shall form the government and thereby wield the legislative and executive powers of the state according to the constitution.

The electorate's voting power determines the composition of the Assembly and the complexion of the government. It follows, then, that changes in the electoral system could alter the way in which legislative assemblies are composed and governments configured.

For example, restricting the entitlement to vote could result in the assembly's becoming less representaive of the populace, because those persons no longer entitled to vote would not likely see their particular views promoted in an assembly so elected. (Parenthetically, it is easy to see that voter apathy – declining or neglecting to vote – produces a similar result, though not by imposition of law.)

On the other hand, an electoral system so sensitive as to translate every shade of opinion on a myriad of issues both significant and peripheral into assertive representation in the assembly, could produce an unworkable legislature. It could produce a legislature in which contorted compromises would be the order of the day; in which governments would change as rapidly as shifting coalitions of MLAs could conspire to patch up new "deals" among themselves; in which dissolution of the assembly and the holding of general elections would be too frequent. Some democratic countries actually suffer this plight. In such a situation the head of state becomes too involved in the daily crises of government, and would-be responsible government, with a cabinet clearly in charge of a mandate from the electorate, dangerously diffuses itself into general irresponsibility. There is, however, a considerable body of persons who consider that "minority governments" frequently provide the best, most sensitive governments in our land.

Therefore, the *kind* of electoral system which is emplaced in our parliamentary democracy can be seen to be just as important to representative, responsible government as are the actual qualities of the persons elected to wield legislative and executive powers in the province. The question then resolves itself into whether Manitoba should retain its present system of the 'spot vote' in single member electoral divisions, despite that system's imperfections, or should adopt some other kind of electoral system. It being doubtful at best that perfection in human affairs is ever attainable, one must weigh competing values implicit in various electoral systems, to determine which strengths are indispensible and which weaknesses are tolerable.

OUR PRESENT SYSTEM

(a) Its Weaknesses

Manitoba's electoral system, which is common to Canada, the U.K. and the U.S.A., is variously described as a 'spot vote', or a 'first-past-the-post', or a 'plurality' system. The latter appellation provides the clue to its major weakness. It is, beyond doubt, perfectly suited to a contest in which one of only two candidates is to be elected. But it can do nothing for an *encore*. That is, our system plays out its one gambit whether there be two, three, four or more candidates contesting an election.

Of course, even in a multiple candidate contest it often happens that one of the three or four candidates may receive such a landslide of favourable ballots as to be elected by an absolute majority of the voters. However, frequently such is not the case.

An absolute majority in favour of the one victorious candidate is exactly what a two-candidate electoral contest produces. In a multiple-candidate contest, but without that landslide mentioned above, the victor will be elected by a *plurality* of favourable voters who are fewer in number than the actual *majority* of voters favouring other candidates. In this not infrequent instance, the person elected is not the candidate favoured by the majority of electors, but is the one favoured by the largest minority, called a plurality. In a provincial general election in which there is a potential of 57 MLAs who could all be elected against the wishes of the majority of their constituents, the brave words, "the people's mandate" or "the majority's choice" tend to constrict the larynx of a rational person.

The 1973 general election results yielded a total of 25 MLAs who were elected without a clear majority of the votes cast in their electoral divisions. The disparity becomes even more apparent in considering the percentages of the electorate who voted for candidates of the three major parties, as against the returns actually yielded for the three parties. Thus in 1973, the returns which would

have been yielded on a proportionate share of the 57 seats,
contrasted with the actual yield, are as follow:[4]

	Percentage of total vote	Proportionate share of seats	Actual seats
N.D.P.	42.06%	24	31
P.C.	36.52%	21	21
Lib.	18.93%	11	5
Others	1.90%	1	-
Rejected ballots	0.59%		
	100.00%	57	57

This is how the 78.34% of eligible voters who
actually voted in 1973 would, by their ballots, have confi-
gured the Legislative Assembly if every voter's vote were
equal in power to every other voter's vote. The actual
configuration turned out differently in 1973 as it had in
other general elections, too, because of the "breaks". The
concentration of supporters in significant numbers of electoral
divisions was a 'lucky break' for the N.D.P. while the diffusion
of electoral support among too many electoral divisions was
an 'unlucky break' for the Liberals. Nor can it be pretended
that the system's weakness of permitting large minorities of
electors in 25 electoral divisions actually to elect MLAs

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[4]Thirtieth General Election, 1973, Report of the Chief
Electoral Officer, pursuant to Section 184 of *The Election
Act*.

disconsonantly with the expressed wishes of all the rest of
the electors - the majority - did not enhance the distortion.
Of course it should be noted that each of the 25 majorities
must have been far from unanimous, for otherwise it would
have elected its chosen candidate. The plurality candidate
always wins election on the basis of "divide and conquer".
It should be noted, also, that strict application of the
so-called 'one-voter: one vote' principle would have pro-
duced an assembly of minorities in which no one group of
MLAs and hence no cabinet formed from any one group could
have expected to command the allegiance or confidence of the
Legislative Assembly.

Comments

The perceived weaknesses of our kind of electoral
system are the subject of comment by many political scien-
tists. Lest this Working Paper grow to unmanageable bulk,
we have judiciously selected only some of the volume of
comment to illustrate the point. The particular commentators,
their articles or books and the publications in which their
comments are published are all more particularly identified
in the bibliography appended to this Working Paper.
Accordingly, comments reproduced here will not be footnoted,
but the reader may refer to the bibliography.

(a) Rae: Under the test of proportionality, plurality systems

come off very badly. It is generally believed that

they produce disproportions of cubic proportions,ie.

the ratio of seats between two parties approximates

the cubed ratio of their votes $\frac{Sa}{Sb} = \frac{Ta^3}{Tb^3}$

The system gives a bonus to strong parties who are

spread evenly over many districts, and a consequent

loss to smaller parties. A common complaint is that

it matters not whether the winning party wins by a

landslide or by one vote; the votes a party obtains

beyond the minimum requirement are, in a sense, wasted.

"I, personally, cannot accept the extreme rationalism

which underlies this complaint, but in this I am no

doubt the captive of my own Anglo-American culture."

(b) Ross: "The simplest of all contested elections, political

or otherwise, is that in which two candidates, and no

more, compete for a single place. Here the task of the

elector is plain and straightforward in the extreme.

He has merely to decide which of the two he considers

to be the more suitable, and to record his choice by

putting a mark - conventionally, but not necessarily,

a cross, X - against the name of that candidate on

the ballot paper. This mark is a complete statement

of the elector's choice: it is free from ambiguity, and

its validity is indisputable . . . . The spot vote
[however] is quite unsuitable for employment in any
election in which more than two candidates compete for
a single place. Its use in such a contest may, indeed,
result in the election of the least popular candidate.
. . . With only two candidates in the field, the
winner must have received more than half of the votes
given: with three candidates competing, the winner
need not necessarily have received more than just over
a third; with four candidates, just over a quarter;
with five candidates, just over a fifth, and so
on . . . . Once we get away from the 'straight fight',
there is no sort of certainty that the candidate with
the biggest heap is the one who is most acceptable to
the electors as a whole - he may even, in fact, be
the least acceptable. This comes about, of course,
because the elector is deprived of the opportunity
of expressing his views with proper fullness. He
is allowed to record on his ballot-paper only a part
of his judgement on the issues placed before him, and
the sum of these incomplete individual judgements
cannot reasonably be expected to express the collective
judgement of the electorate as a whole with any high
degree of accuracy. It is clear that this method is
only valid for 'straight fights' and its wide employment
in other cases is greatly to be deplored."

(c) <u>Lakeman & Lambert</u>: ". . . so long as the unit of election was a constituency returning only one member, it was impossible to reflect more than one share of opinion in that constituency . . . ".

The system tends to exaggerate the representation of the largest party and to reduce that of smaller ones.

(d) <u>Schindeler</u>:

There is now some doubt that the single-member, simple-plurality system used in Canada effectively fulfils the democratic requirements suggested above. Advocacy of the single-member, simple-plurality system assumes that the decision-makers in a parliamentary democracy have been chosen by the people when a Government has been formed which can command the support of a Parliament — that Parliament being composed of individuals, each of whom has been the choice of a plurality in one of a number of approximately equal divisions of the electorate. When the decision-makers sit in that Parliament, require its majority support, and periodically seek the approval of the electorate for the retention of their positions, the basic requirements of a democratic polity are assumed to have been met. However, the advent of disciplined political parties has given rise to such fundamental changes in our representative bodies that the single-member, simple-plurality system no longer satisfies the basic premise of democratic government. Contrary to the popular assumptions underlying parliamentary government, the composition of the decision-making body (i.e. the Cabinet) is determined not by ad hoc coalitions of individuals in Parliament but by the party or parties which control a majority of the seats in Parliament. If the facts were in keeping with the theory, the basic elements of representative democracy would be preserved as long as the members of Parliament were chosen in any fair and equitable manner by the electors in their constituencies. However, the new facts require not so much the fair representation of *constituencies* as the fair representation of *parties*.

Since policy and leadership are determined by parties acting as cohesive units, the basic precondition of democracy can only be met when the electors' choice of parties is accurately reflected in the composition of the legislature. When parties in Parliament receive either a substantially higher or a substantially lower proportion of the available seats than the proportion of the popular vote which they have received, the Government which is formed as a result of the Parliament's composition is not the choice of the people, and the basic requirement of democratic government is not fulfilled.

But it is the minor parties, of particular value and significance in Canadian political history, who have suffered most from the vagaries of the single-member, simple-plurality system. In every nation-wide general election since its formation, the CCF-NDP has received a smaller proportion of the seats in the Canadian House of Commons than its proportion of the popular vote has warranted, and the discrepancies have generally been large. In a recent Alberta provincial election, the NDP lost its only seat in the legislature despite an increase in its proportion of the popular vote from nine to nearly sixteen percent. Social Credit, because of the concentration of its popular support in three or four regions, has suffered less from the inequities of the system, but since 1958 it too has had a lower proportion of seats than votes.[4] In the 1963 general election in Ontario (which is discussed later in this article) a majority of the people voted for parties other than the Progressive Conservative Party, and yet the Progressive Conservative Party obtained a vast majority of the seats in the House. The NDP received 15.4% of the vote but only 6.4% of the seats; the Liberals received 35.1% of the vote but only 21.3% of the seats; however, the Conservatives, with 48.4% of the vote, won 71.3% of the seats.[5]

(b) Its Strengths

Although the simple plurality system is justified more by history than logic, and although it may not always produce an absolute majority for the victorious candidate, or a close correlation between the percentage of popular vote for each party and the number of seats obtained, some say it has the inestimable advantages of simplicity and familiarity, both of which qualities, it is argued by some, have engendered trust in the system, and majority acceptance of the results which it produces. The majority of voters may indeed favour a candidate other than the one who actually wins, but that same majority inevitably acquiesces in and accepts the winning candidate as its duly elected representative. This, surely, is just as important if not more important than the democratic purity of the system's technical functioning. And how, some ask, can a province-wide popular vote for each party be accurately derived from a series of individual constituency elections in which the candidates themselves must play an important part in attracting or repulsing votes? Our ballot forms do not provide for a party vote as well as a candidate vote; they simply list the candidates and their party affiliation. A highly visible and popular candidate may attract votes despite his party affiliation.

The correlation between popular vote and seats obtained may not be mathematically exact, but it may be just right in terms of the kind of government it produces. It is often argued in support of the plurality system that it disproportionately rewards large parties and penalizes small parties with the result that representation in the Legislative Assembly is confined to only two or three large parties, one of which is usually able to muster a majority of seats and thus provide stable government. The object of an election, it is said, is not (to borrow from Mackenzie) to take a snapshot or offer a mirror image, but to obtain a decision, ie. if the main object of elections were to reflect opinion, this could be better achieved by some system of election of members by random sampling, or by a Gallup poll of public opinion. What elections should do is face the voters with a choice, which is to be made in a particular set of circumstances between alternatives which are real and present; responsibility must be thrust upon the electorate for facing real issues, making the best of available alternatives and abiding by the decisions taken.

The plurality system is thus defended primarily on pragmatic grounds; it has worked reasonably well for a very long time giving or at least encouraging relatively stable governments. As long as it is trusted and accepted by the majority of citizens and continues to produce electoral results which favour effective yet responsible executive action, then does it really matter so much that the system is not entirely perfect in the eyes of democratic idealists?

We conclude this discussion of the merits of our present system with the following passages taken from Sainsbury, a most perceptive and thoughtful defender of that system.

> The assumptions made on either side are that, on the one hand the simple majority system is inextricably connected with the benefits of governmental stability; and on the other, that a proportionate system of representation is essentially more democratic than one in which minorities are often under-represented and majorities exaggerated. The first assumption, as has been said, is sometimes too easily made; it should at least be qualified. The second assumption would seem to be self-evident; yet is it in fact so obvious? Paradoxically enough I think it can be said that the effects of a proportionate system may be the reverse of democratic.
>
> The first point to bear in mind in this connexion is that, by its very nature, a proportionate system of election is likely to produce an assembly divided into three, four, five or more groups, none of them as a rule constituting a majority. In this situation the choice of a government and a Prime Minister is often far from automatic; negotiations must take place between the party leaders, if there has been no prior bargain between parties. The Head of State, whether constitutional monarch or elected President, may feel obliged to take an active part in the search for a government. We are accustomed to say – and

rightly – that the British sovereign does not, in any real sense "choose" the Prime Minister; that the choice is in effect automatic. Under two-party conditions this is usually the case. With three or more parties, however, the rule becomes less valid. The sovereign in these circumstances must inevitably play a more positive rôle on occasions, the rôle customarily played by, for example, the President of the French Republic.[1]

[1] Since the turn of the century there has been only one period in British politics when the two-party system has not worked effectively – from 1922 to 1931. During this period George V was in fact obliged on at least one, if not two occasions, to play a more positive rôle in government making than normally falls to the lot of a British sovereign nowadays.

In such circumstances, of course, it will be the general will of the legislature which will decide the issue, though it may be a will determined largely by the decisions of half-a-dozen party leaders. In other words, the electorate will decide the composition of the legislature, but it is the legislature or the party leaders in that body who, in effect, choose the government. It may be said that, by determining the composition of the legislature, the electorate is in fact determining the composition of the government. The effect of the multi-party system, however, must be to some extent to blur, and make more difficult to assess, the verdict of the electorate. It may well happen that the outcome of subsequent party manoeuvrings may be quite other than that intended by the voters. The British system, on the other hand, permits the electorate to make an effective choice between two concrete alternatives. By narrowing the choice down, it enables the electorate to exercise its power effectively and decisively.

It is an interesting point of democratic theory, whether this effective part in the choice of governments should be considered more or less important than a wide and varied degree of representation of opinion in the legislature; and it is also a quite separate point from the question whether the practical advantages of one system outweigh the theoretical superiority of the other. Possibly there may be something to be said from the purely theoretical point of view for the British system. It is of course true that in either case the decisive choice is often made by a very small minority – of the electorate in the one case – or by its representatives in the other. Still there is perhaps some merit in a system which places the most important act in democratic politics – the actual choice of a government – in the hands of the electorate. This objective can be achieved by the American method of the Separation of Powers; but, given the nature of the British electoral and party system, it can also be combined with a system of parliamentary government.

There is also the further point mentioned earlier. Given a representative assembly made up of three, four or five party groups, there is the consequent necessity to have recourse to coalition governments, either at intervals, as for example in Australia,[1] or as a regular practice, as in France.[2] The objection usually taken to government by coalition is that it is conducive to instability, but this is not always or necessarily the case. A more valid objection perhaps is that, in the case of coalitions the process of compromise, and the reconciliation of difference, is likely to be an almost constant necessity within the government, and often less easy to achieve than is the case with single-party governments. Moreover the nominal leader of the government may not be accepted as the final arbiter in disputes the leader or leaders of other groups, possibly quite small groups, may exercise a veto.

This situation, of course, weakens the effectiveness of government. But it also raises an interesting question of principle. To put it simply, the British system facilitates the translation of the majority will into effective action: a more representative electoral system makes possible a minority veto and the more representative it is, the greater the number of potential vetoes. This is admittedly an oversimplification of a highly complex situation. It is only seldom in a free society that there is a genuine majority will, not merely for a particular policy but for a whole group of related policies which constitute the programme of a political party. Minority vetoes therefore reflect the true nature of the situation. Admitting the justice of this contention, still it must be urged that democratic government is after all an attempt to proceed by eliciting the majority will. To follow the alternative argument to its logical conclusion would merely lead, as it has tended to in France, to governmental paralysis. It is usually easier to collect a majority against a particular proposal than for it, more especially perhaps in countries where respect for tradition and precedent, combined with long periods of prosperity and stability, have created an inherent conservatism.

[1] Under the alternative vote system (Preferential voting in single member constituencies).
[2] Various forms of Proportional Representation were practised by the Fourth Republic; the Fifth Republic has reverted to the second ballot system (a second election in constituencies where no candidate has secured an absolute majority on the first count).

The question is then, is the democratic purpose best served by an electoral and party system favourable to the principle of majority decision, or by a system favourable to the principle of minority vetoes? The two-party system may be somewhat artificial and unnatural, but then majorities themselves are, in a large and free community, somewhat unnatural pheno-mena. All democratic governments, whatever their form, are based on an attempt to reconcile the necessity of government by decisions which will not have unanimous support, with the desirability of respecting the minority viewpoint and protecting minority rights. The theory of democracy must be elastic enough to allow for both desiderata. But at what point should the balance be struck? Is an electoral system which leans rather in the direction of eliciting an effective majority verdict to be preferred to one biassed in the direction of effective minority representation and minority protection?

On purely theoretical grounds, excluding the practical considerations, this is not a question which it is easy to answer dogmatically – certainly not as dogmatically as some pro-tagonists of P.R. argue. The important point of principle is that both effective government and respect for minority rights are desirable. Representation over as wide a compass as possible in the representative assembly is certainly conducive to the latter, but not perhaps essential to it, in a society where there are other safeguards, including particularly the safeguard of tradition, and in which the existence of a free press, radio and television provide other means for the expression of minority viewpoints.[1] On the other hand, comprehensive representation may produce a situation in which particular minorities exercise too much, rather than too little power.

Taking these points into account, it is reasonable to say that the weight of argument from the viewpoint of democratic theory is not all on the side of the critics of the British electoral system. Our system may seem somewhat unfair to minorities, but the fact that, for example, the Liberal party is under-represented in Parliament does not necessarily mean that the

[1] Though it may be argued that the B.B.C. and a highly monopolistic press do not provide as much expression as is desirable.

Liberal viewpoint is not heard and carries no weight. Would it be more democratic for a party representing perhaps 10 per cent of the British electorate to hold the balance of power in Parliament? When one places this argument alongside the powerful arguments for the view that the British system also has considerable advantages in practice, there seems no particular need for hesitation in defending that system.

One would not perhaps generalize from this one example that, in any country, an electoral system tending to the effective elicitation of a majority verdict is preferable to one biassed in favour of minority representation. The strength of the tradition of respect for minority rights on the one hand, and the willing-ness of minorities to compromise and submit to majority verdicts on the other, must be the determining factors in particular cases. One would perhaps come to a different conclusion in the case of say France, to that which would be appropriate for Germany. If however it is granted that the argument on grounds of democratic principle gives no clear answer in favour of exact arithmetic in electoral methods, then the choice can be made on each case on purely practical grounds. In our own case, therefore, we need not hesitate to prefer a system which seems to most of us to have considerable practical advantages, and to accept that the instinct of the British people not to meddle with it is better-founded than simply on apathy or prejudice. In this matter we may perhaps agree with Burke that "the species is wise".

ALTERNATIVES TO THE SIMPLE PLURALITY SYSTEM

INTRODUCTION

The electoral systems which we are going to consider in this Working Paper break down into four major families or genera:

    (a)   Simple Plurality

    (b)   Majority Representation

    (c)   Semi-proportional Systems

    (d)   Proportional Systems

(a) The first mentioned is, of course, our present method of conducting elections, in which the winner needs only to obtain a plurality of votes, ie. one vote more than his nearest rival. The vices and virtues of this method have been discussed above and we shall not dwell on them further.

(b) The second family includes such methods as the alternative vote, the multiple vote, the repeated ballot and the second ballot. The primary function of these systems is to produce an absolute majority of votes for the winning candidate, essentially by bringing into play the alternative choices of the voters, either through negotiations between or withdrawal of candidates, or by having the voters indicate their secondary choices on the ballot, and then gradually eliminating candidates who cannot muster sufficient support at each count to stay

on top of their rivals.

These systems are not far removed from our present "first-past-the-post" method, indeed they are simply extensions of it in which several "first-past-the-post" elections are held, each with a diminishing number of candidates. They pose the question in a three or more way contest: does one want elected a candidate who is the first choice of the largest minority, or a candidate who is the most "acceptable" to a majority, even if that acceptance is somewhat less than whole-hearted on the part of many of the electors? Resort to such hazy standards as "equity" and "justice" does not in our opinion answer the question. Some people are happier with a straight first choice count; others would prefer to see greater precision and refinement in the selection process. A majority concurrence of opinion is probably the more civilized approach, but it exacts a price in complexity, time and cost.

(c) The third group of electoral systems is called semi-proportional because the basic objective is the enhancement of minority representation. These systems might bear serious attention if minority representation were a major issue in the selection of an electoral method for Manitoba, and if they did not suffer from the drawback of being overly beneficial to tight organization and discipline, and correct strategy. An electoral system *per se* should be as neutral as possible if it is to command

respect, and in this regard the semi-proportional systems
are all suspect.

   (d) The last category brings us to what is
really the major watershed between the various electoral
systems employed or advocated in the democratic world.
Proportional representation is the most important and
sophisticated alternative to the simple plurality systems
of the English speaking world and it has been at the heart
of a great and lasting debate between the proponents of each,
a debate first given prominence in the writings of John
Stuart Mill and Walter Bagehot, two of the most distin-
guished thinkers of the nineteenth century. The dispute
has unfortunately prompted far more in the way of polemical
writing than it has careful and scholarly research, with
the result that it is surrounded by a great deal of preju-
dice, myth and just plain misunderstanding. At the heart
of the controversy is the question of stable government
and whether it can be achieved with an electoral system
which accurately translates voter preferences into repre-
sentation in the legislative assembly. The great fear of
proportional representation is that it will produce a
multitude of small parties, all represented in a legislative
assembly and all clamouring for a place in the government
of the day. The long strings of weak coalition governments
which have at various times plagued Italy and France are

pointed to as the inevitable results of carrying minority

representation among the tribunes of the people. Better

the artificial majorities produced by the simple-plurality

single-member-district system, and the limited number of

two or three polarized political parties which the system

tends to encourage. As minorities need a voice then let

them have it within the assemblages of these two or three

great parties, and not in the Legislative Assembly itself,

where the fractionalizing effect of their competing demands

could prevent the formation of strong governments. On

the other side of the fence, the proponents of proportional

representation point with equal authority to the maturity

and stability of governments in the Scandinavian countries.

The point to note in all this, and something that is becoming

increasingly clear in modern studies of the problem is that

there is far more involved in the question of stable govern-

ment in a democracy, than the nature of its electoral system.

The entire make-up of a society must be taken into account,

a study of such immense proportions, and so laden with

variables, that it is at the moment really beyond **the** scope of

this paper. There are, however, some aspects of the inter-

relationship of a country's political make-up and its elec-

toral system which seem relatively clear. For instance in

a society with deep vertical cleavages, ie. racial or lin-

guistic divisions, such as exist in Belgium or the countries

which formerly constituted the Austro-Hungarian Empire, the

adequate representation of minorities through proportional representation may be critical to preserving unity. The simple plurality, single member district system would in all likelihood exacerbate such divisions by producing electoral victories for those parties with strong regional followings, and repeated electoral disappointments for those parties with equal but more widely spread support. It has recently been most cogently argued that this is indeed what is happening in Canada, with the Liberal Party strongly entrenched in Quebec and the East, the Conservative Party strongly entrenched in the West, the Social Credit Party consistently electing members because of its regional solidarity in Quebec and the New Democratic Party consistently failing to elect its proportionate share of members because of the diffusion of its support.

One of the more ironic aspects of the PR-SMD controversy is that the greatest praise for the simple plurality system seems to come from those countries where it would probably do the most harm if adopted.

> The majoritarians have been particularly articulate in the three European countries with the unhappiest records of mass politics: Germany, Italy and France. In all these deeply divided countries there has been widespread nostalgia for the simplicity of the Anglo-Saxon system of plurality elections. A great number of publicists had hoped for the development of unified national political cultures that would foster the kind of trust in territorial representatives they could observe in England and had somehow come to the conclusion that this could be brought about through straight-forward electoral engineering. (Rokkan).

A "unified national political culture" and the capacity of
a polity for large scale consensus building are really
the keys to stable government. Electoral engineering may
help to tame down the tendency of disgruntled minority
groups to question the system itself, but it will not
guarantee stable, decisive government. It is, we think,
a grave mistake to look to any electoral system as a panacea
for the political and social ills of a particular polity.

        We, in Manitoba, are blessed with one of the
most stable and peaceful political cultures in the
world, and in deciding whether to adopt a new electoral
system one of the most fundamental questions to be asked
is to what extent our present high degree of consensus is
related to and dependent upon, our present electoral system.
Have we the necessary maturity to carry the divisions in
our society into the Legislative Assembly without affecting
the ability of that Assembly to produce effective government?
Is there sufficient "injustice", sufficient departure from
the democratic ideal, in our present system to endanger
that ideal and justify replacement of the system? These
are not easy questions to answer, in fact it may be that
they can only be answered by actually trying out the
alternatives. Nevertheless the possible political rami-
fications of a change in our electoral system to some form
of proportional representation should be considered as

carefully, if not, more carefully, than the refinement in democratic purity to gain which, in the famous words of D.A. Rustow, the voter may ". . . trade power distributed with slight short-run inequalities for permanent impotence parcelled out with mathematical precision".

MAJORITY REPRESENTATION

1. The Repeated Ballot

Description

This is very similar to the second ballot (*post* p.31) but instead of stopping after the second round, balloting continues until only one candidate is left with an absolute majority over his combined opposition. The lowest ranked candidate after each ballot may be dropped, or the process may simply continue until candidates drop out of their own volition or are forced out through lack of support. A good example of the latter is the election of candidates for the leadership of our major political parties.

> In such a system the act of voting becomes an
> integral part of a process of political bar-
> gaining and compromise. After each ballot there
> are negotiations behind the scenes about the
> withdrawal of candidates in favour of those
> who have a chance of success and support is
> sold for what it is worth in terms of personal
> or political favours. (Mackenzie)

Comments

Lakeman and Lambert clearly summarize the advantages and disadvantages of this simple, even crude, method of obtaining a majority.

> Clearly, this may be a very long process,
> troublesome, costly and liable to cause such
> loss of interest on the part of the voters
> that the poll decreases considerably each time
> and the final winner may end with fewer votes
> than he had on the first count . . . . In the
> United Nations, elections by this system
> notoriously take many days, if not weeks, to
> complete, with delicate negotiations between
> the ballots. The second or exhaustive ballot
> may be a simple and convenient procedure when
> the vote can be taken by show of hands at a
> meetings, but not when it involves the printing
> of ballot papers and possibly their distribution
> and return by post.

2. The Multiple Vote

Description

In Great Britain, prior to 1950, there were some two and three member constituencies, in which voters were given two or three votes (depending on the number of members to be returned), each vote to be given to a different candidate. An elector could abstain from using all of his votes, but he could not give more than one vote to any particular candidate.

Comments

None of our commentators has anything very good to say about this method, as witness the following comments:

> The multiple vote has little to commend it. Like the spot vote, it precludes the elector from grading the candidates in what he considers to be their order of merit: it merely allows him to indicate his first choice for the filling of each of the vacant places . . . . Moreover if the contest is conducted on party lines and the plurality method of counting is employed . . . the multiple vote tends to give all the seats in the constituency to whatever party has a lead in voting strength over the other parties, however slight that lead may be. Consequently, a party that is in the minority in the electorate may, and often does, secure the whole of the representation of the constituency. (Ross)

ie. The system functions in a manner very similar to the spot vote, in that, if there are more than two parties, the candidates elected may have received considerably less than 51% of the vote.

(Lakeman & Lambert) The "block vote" usually results in the candidates of one particular party being elected *en bloc*, similar to a list system. People tend to vote party rather than candidate. The system does not produce parliamentary majorities of any substance. The selection of the people who are to serve as representatives is more and more made by the parties, instead of the electors, few of whom vote for a candidate on the basis of personal merit.

3.   The Second Ballot

Description

This was the characteristic system of elections under the Third Republic of France. A first ballot is held at which a candidate cannot be elected unless he obtains an absolute majority of the votes cast. The first ballot (if it does not return a member) gives a measure of strength for all the candidates, and there is a period of bargaining about withdrawal. Then after an interval of a week or a fortnight there is a second ballot in the constituencies which require one, and this time the election goes by simple plurality to the leading candidate.

Some variations of the system produce an absolute majority for the winning candidate by eliminating all candidates except the two who led on the first ballot, thus reducing the contest to a "straight fight" in which the winning candidate must of necessity obtain a clear majority.

Comment

There is little complimentary to be found among the commentators on electoral systems in regard to the second ballot. As Ross observes: "This procedure has a specious air of turning the result from a minority victory into one for the majority; but the improvement is more apparent than real". Like the repeated ballot the end result may be dictated more by the back-room dickering of parties and candidates than the wishes of the electorate. Lakeman and Lambert commented that the second ballot ". . . may involve party combinations that are quite incongruous and dictated by nothing more than political opportunism." Schindeler repeats and augments this criticism:

> Second-ballot victory is often by inter-party
> transaction at the expense of ideals and programs;
> electors may use the first ballot for reasons
> of sympathy or personal rancour and not vote
> 'politically' until the second round. The
> two ballots result in extra cost, and many voters
> may not bother to vote twice. Occasionally
> voters may vote in the first round primarily
> to force a second vote.

And there are, of course, the obvious drawbacks of adding substantially to the costs of an election, and of causing considerable delays in its completion. All in all we do not consider the second ballot to be a serious alternative to the present system.

4. The Alternative Vote

Description

A quicker and more efficient way of achieving the clear majority sought by use of the second ballot or run-off election, is the alternative vote method, which squeezes all of the required run-offs into one ballot, by having the elector indicate his order of preference among the candidates by putting numbers opposite their names. If, on the first count, no candidate has an absolute majority of first preferences, then the candidate with the least votes is eliminated and his second preferences distributed among the remaining candidates. If there is still no clear majority for any one candidate, then the process of elimination continues until this result is achieved.

Comment

The alternative vote has been criticized on several grounds.

(a) It requires a voter to make immediate decisions about several hypothetical choices which may or may not arise in the course of determining the final winner of an election, choices which may be made in any number of unforeseen circumstances. Mackenzie comments that the system

> . . . does elicit a majority view, on a basis
> somewhat like that of continued balloting
> within an assembly. But it is one thing to

vote again and again, with time for reflection and
discussion about each new situation as it arises;
another thing to express by writing numbers on
a piece of paper a hypothetical decision about
a choice which cannot be foreseen exactly. One
is left wondering whether our voter really
would have preferred C to A, if he had been
faced with a direct choice in a final 'run off'
. . . .

(b) It fails to recognize that a voter's second or
third choices are as much a part of his response to the
electoral challenge as his first choice; they are not simply
a procedural device to assist in the manufacture of an absolute
majority. This argument in favour of the intrinsic worth of
all choices made by an elector is most forcefully put by Ross:

> . . . the alternative vote is no more sound in
> principle than is the second ballot. The grave
> defect of each is its failure to recognize the
> intrinsic importance of the elector's second
> (or subsequent) preference. Each takes it for
> granted that the first preference is all that
> really matters: later preferences are tacitly
> assumed to be no more than a kind of reserve
> force, only to be called up when a decisive
> result cannot be reached by means of first
> preferences alone. The fact is, of course,
> that the elector's second preference, though
> less weighty than his first, is just as truly
> a part of his response to the challenge of the
> election. Only if both are taken into account
> from the start can the judgement of the
> electorate be correctly determined.

(c) It gives the lesser preferences of those who voted
for lesser candidates an inordinate influence on the outcome
of an election, in effect forcing the leading candidates and
parties into an unseemly auction for these, in many ways,
afterthought votes. Lakeman and Lambert commented that

although the alternative vote has roused less violent denun-
ciation than the second ballot, it does, nevertheless

> . . . share with the second ballot the essential
> feature that it makes a member's election depend
> on the support of some party smaller than his
> own, and involves the major parties in angling
> for the second preferences of those groups that
> have least support in the electorate. For this
> reason, Winston Churchill described it as 'the
> worst of all possible plans . . . the stupidest,
> the least scientific and the most unreal. The
> decision . . . is to be determined by the most
> worthless votes given for the most worthless
> candidates'.

One of the most interesting recent examples of this feature

of the alternative ballot was the 1952 British Columbia

general election commented upon by Angus. The government

of the day, a Liberal relic of a dissolved coalition with the

Progressive Conservatives, hoped (with the support of the

Conservatives) to continue the resistance to socialism by

offering the electors a choice between Liberal and Conservative

but without the danger of thereby splitting the vote.

> The expectation of the Government was that by
> using the alternative vote the electors could
> give their first choice to a Liberal and their
> second choice to a Conservative, or vice versa,
> and so confine the CCF to those constituencies
> in which it enjoyed an absolute majority.

As it turned out, however, the Liberals had made a serious

miscalculation in their prognostication of the probable effects

of the alternative vote, in that a third alternative appeared

on the scene, the Social Credit Party which as events trans-
pired, ended up forming the next government.

> The Government had not realized that, in spite
> of its undoubted merits, it had become extremely
> unpopular. Its public relations were surprisingly
> bad. Nor had it realized the use to which the
> alternative vote could be put in facilitating
> personal candidatures without party affiliations
> or even the creation of a new party.

The lesson to be learned from this, according to Angus, is
that the most important preferences under an alternative vote
scheme are not necessarily the first preferences, in most
cases, but the subsequent ones. It is not always possible
for the winner in a three-way electoral fight to obtain
an absolute majority of the votes cast, with the result
that later preferences will quite often have to be taken
into account. The use of preferences, also means, as pointed
out by Angus, that voters have the opportunity to break away
from the traditional pattern of party politics under a
plurality system, by giving their second and third choices
to candidates who would normally receive no consideration.
Thus although the tally of first preference votes may
reflect the usual voting habits of the electorate under the
plurality system, their subsequent choices, as the Liberals
in British Columbia discovered to their chagrin, may be not
quite so predictable.

(d)   It is no more likely than the spot vote to produce a more equitable balance between the percentage of the popular vote obtained and the number of parliamentary seats won. "No alternative vote election of which we have record has given a result that is even an approximately accurate reflection of the votes cast. The usual tendency is to over-represent the largest party and exclude the smallest . . .".
e.g.:

AUSTRALIA, HOUSE OF REPRESENTATIVES, 1949

(The six States, excluding the Territories which have representation
without voting power in the House.)

	Votes	Percentage of votes	Seats obtained	Seats in proportion to votes
Liberal	1,813,782	39·4 ⎫ 50·3	54 ⎫ 74	48 ⎫ 61
Country Party	500,349	10·9 ⎭	20 ⎭	13 ⎭
Labour	2,117,088	46·0	47	56
Lang Labour	32,870	0·7	0	1
Communist	40,941	0·9	0	1
Independent	99,359	2·1	0	2
Total	4,604,389	100·0	121	121

ALBERTA, CANADA, PROVINCIAL PARLIAMENT, 1948

(Country constituencies—the towns of Calgary and Edmonton vote
by a different system; see p. 211.)

	Votes	Percentage of votes	Seats obtained	Seats in proportion to votes
Social Credit	122,665	58	46	27
C.C.F. (Labour)	43,127	20·5	0	10
Liberal	39,046	18·5	0	9
Others	6,891	3	1	1
Total	211,729	100	47	47

(The one successful candidate listed under 'Others' was Independent
Social Credit, polling 1,658 first preferences.)

(Lakeman & Lambert)

On the positive side it can be said of the alternative vote that it does reduce the so-called "wasted vote bogey". Lakeman and Lambert report the following example:

In England, before the 1950 election a Gallup poll was conducted in which voters were asked, "Would you vote Liberal if you thought the Liberals could win?" No less than 38% replied "Yes", which was 28% more than intended to vote Liberal and 29% more than actually did so.

> The votes of more than one-quarter of the entire
> electorate were determined less by what they
> themselves wanted than by what they guessed
> most of the other electors to want. Knowing
> that this was so, the larger parties devoted
> much of their efforts to the capture of potential
> Liberal votes, not by extolling their own virtues
> or by attacking any feature of the Liberal program-
> me, but by persuading electors that the Liberal
> candidates had no chance - 'a vote for the Liberal
> is a vote wasted'. The potency of the wasted
> vote argument is due to the fear of letting
> in on a 'split vote' the candidate [an elector]
> most dislikes . . . under the alternative vote
> [however] . . . his vote will be transferred to
> [the second choice] . . . he can safely vote '1'
> for the candidate he really prefers, even if he
> is convinced that this candidate will receive no
> other vote at all.

It can also be said of the alternative vote that it does produce an absolute majority in the sense that the winning candidate is at least acceptable to more than fifty percent of the voters, even if that acceptance is qualified by an initial preference for some other candidate.

SEMI PROPORTIONAL SYSTEMS (MINORITY REPRESENTATION)

1. The Single Non-transferable Vote

Description

This is the simplest scheme to be used with multi-member constituencies, each voter having only one vote. In a six member constituency the first six candidates in terms of votes received would be elected. The chief test of this method has been in Japan, where it has been used in all the free elections that country has had since 1900.

Comments

There has apparently been so little study done of Japanese elections that it would, in the words of Mackenzie, "be unwise to draw conclusions from them". Lakeman and Lambert commented that

> This method clearly is open to the same sort of objections as is the limited vote. For example, a party hoping for, but not certain of, a large increase in its votes dares not nominate as many candidates as the country may wish to elect, for fear that by dividing its votes among too many candidates it may cause some, or even all, of them to fail. The method has therefore tended to produce stagnation, each party hesitating to run the risk of nominating more candidates than were successful in the previous election. A further objection is that the voters may resent being limited to expressing an opinion about only one candidate, out of perhaps a dozen or more who offer themselves for election. The method is simple, and suitable for use in an illiterate electorate; in such circumstances the candidates can be represented on the ballot paper by symbols.

This method is, we think, clearly a non-alternative for Manitoba.

2. The Limited Vote

Description

This is a version of the multiple vote, designed to prevent one party from monopolizing a multi-member constituency. It was first proposed during the debates over the 1832 Reform Bill in Great Britain, and was briefly tried out in the years between 1867 and 1885, until in the latter year, three-member constituencies were abolished. With this method each elector has a number of votes smaller than the number of members to be elected in the constituency, eg. in a three member constituency, each elector might have two votes; giving not more than one to any candidate.

Comments

As Lakeman and Lambert point out the limited vote did secure the representation of minorities in those constituencies in England where it was tried out. Unfortunately, however, it is a very uncertain method of securing this end since the strategy and organization of the political parties involved can have a dramatic effect on the outcome of an election. Lakeman and Lambert give the following examples of how the system can reward good organization and discipline and punish poor strategy.

> The limited vote does not guarantee that majority and minority will always get their fair share of seats, and the reason will be appreciated by an examination of the 1880 figures for Birmingham. The Liberals won all three seats, the figures being as follows:

P. H. Muntz (Liberal)	22,969	Maj. F. Burnaby	
John Bright (Liberal)	20,079	(Conservative)	15,735
Joseph Chamberlain		Hon. A. C. G. Calthorpe	
(Liberal)	19,544	(Conservative)	14,208
	62,592		29,943

The Conservatives obtained just under one-third of the total votes and failed to obtain one of the three seats. They might very well have got one, however, if the Liberal vote had been less evenly divided among their three candidates: had a larger proportion of the Liberal voters given their two votes to Muntz and Bright, Chamberlain might easily have polled fewer votes than the higher of the two Conservative candidates. To reap the full advantage of their numerical superiority, it was necessary for the Liberal organization to make an extensive canvass of supporters, to ascertain their numbers as accurately as possible, and to give the voters in each district precise instructions as to how they should vote.[1] But had there been a mistake in their calculations, and had the polls disclosed a larger number of Conservatives than was expected, the nomination of three Liberal candidates would have meant disaster. This did happen in Leeds, where the result in 1874 was as follows:

Carter (Liberal)	15,390	Wheelhouse (Conservative)	14,864
Baines (Liberal)	11,850	Tennant (Conservative)	13,192
Lees (Liberal)	5,994		
Total votes	33,234		28,056
Seats	1		2

Had the Liberals confined themselves to two candidates, it is highly probable that both would have polled more than the lower Conservative and would therefore have been elected, but the attempt to win all three seats resulted in giving the minority party the larger share of the representation. It was not safe for a party to nominate three candidates unless that party could be sure that its supporters numbered at least 60 per cent of the electorate, and that those supporters would vote as ordered.

The uncertain operation of the limited vote can be seen also in Gibraltar, where that system is used to elect the City Council. Each elector is entitled to exercise four votes for the election of seven councillors. In 1945, the largest party, by dividing its votes economically among its seven candidates, elected all of them. Two Independents each secured one-quarter as many votes as the lowest successful candidate, and one or both of these might have been elected if a larger proportion of the dominant party's votes had been concentrated on its four most popular candidates.

> The minority, on its side, can be sure of representation in a three-member constituency if it numbers more than two-fifths of the voters, and if it does not nominate more than two candidates. The more the vote is limited, the greater becomes the opportu-
>
> nity for minorities to obtain representation. In a four-member constituency, if each elector has three votes the minority must number three-sevenths of the voters before it can obtain a repre-sentative; if, however, each elector is limited to two votes, the minority need only exceed one-third of the voters to be sure of returning a member.[1]

Mackenzie confirms the observations of Lakeman and Lambert:

> The practical effect of this system was to induce bargains between the parties to divide the representation and to discourage 'wildcat' candidates who might split the party vote. It also encouraged party discipline by giving a great advantage to a party whose voters were prepared to follow instructions.

We do not consider an electoral method so open to manipulation as is the limited vote, to be a suitable alternative for Manitoba.

3.   The Cumulative Vote

Description

In this system a voter is given as many votes as there are candidates to be elected, and is allowed to divide them as he pleases, perhaps giving them all to one candidate. This was the method of election to English School Boards during the years 1870 - 1902.

Comments

Again this is a method designed to ensure the representation of minorities, and in this regard it is to a

degree successful. Like the limited vote, however, its
operation is uncertain and it can pay large dividends to
the party with disciplined supporters and a strong organi-
zation, and conversely, can humble the party which miscal-
culates its strategy or cannot control its supporters.
Lakeman and Lambert remark that the cumulative vote

> . . . has the obvious advantage of enabling the
> voter to express quite emphatically his preference
> for a particular individual, and to do so without
> necessarily depriving himself of the opportunity
> to support any other candidate in addition.
> Like the limited vote, it does promote the
> representation of minorities and the return
> of the most popular candidates, but it is
> uncertain in its operation . . . . The
> cumulative vote, whilst securing representation
> of the minority, does not necessarily secure
> the representation of majorities and minorities
> in their true proportions.

Ross is not so critical:

> With the cumulative vote . . . 'plumping' or
> the giving of all one's votes to a single
> candidate, was perfectly permissible, and
> independent candidates, and those belonging
> to minorities, naturally sought to take advantage
> of the fact. The method had, indeed, some merit
> in enabling minorities to get a hearing. With
> the abolition of the School Boards in 1902, the
> cumulative vote went out of use; but in the
> thirty-odd years in which it was employed it
> does not seem to have led to any serious ill
> consequences, nor does it seem to have caused
> any particular difficulty to the general run of
> voters.

The fact that the system can be exploited to advantage is,
no doubt, the most telling argument against its adoption,
since this is a violation of what should be one of the most
fundamental qualities of an electoral system - the impartial

neutrality of its operation.

4. Point Systems and Fractional Systems

Description

This is, in essence, the weighted ballot system, in which the voter either expresses a simple preference, ie. 1, 2, 3, 4 or is given more votes than there are candidates, and can distribute them according to his preference; "although not usually recognized as such, the points system is a method closely akin to the cumulative vote. While the latter gives the elector (say) 15 votes and allows him to give larger numbers of these to some candidates and smaller numbers of them to others, the points system gives the elector (say)55 points, of which he gives 10 to the candidate he considers the best; 9 to the next best, and so on. That, at least, is the effect; the actual operation of the method consists in requiring the voter to number the candidates from 1 upwards in the order of his preference. The Returning Officer either awards the appropriate number of points for each preference and adds them up, or, if each voter is obliged to number every candidate, adds up the preferences each candidate thus receives and declares elected those with the lowest totals . . . . Norway uses a form of the points system for determining the order of election of candidates within each party.

On the ballot paper, the candidates' names are grouped
according to their party. The elector may exercise one or
more votes, up to the number of seats to be filled in that
constituency, and does so by numbering candidates in the
order of his preference. Most voters may confine their
votes to candidates of one party, but they are not obliged
to do so. The total of all votes cast for candidates on
a given party list determines the number of seats that party
obtains. The first such seat is filled by whichever of that
party's candidates has the largest number of first preferences,
the second by whichever of its remaining candidates has the
largest total of first and second preferences together,
and so on" (Lakeman and Lambert).

Comments

The comments on these systems are in a similar vein
to those expressed in regard to the cumulative vote and the
limited vote - they enhance the representation of organized
minorities but only in proportion to the degree to which
those minorities are organized. The most telling criticism
is probably that any preferences expressed beyond the initial
first preference must necessarily detract from the weight
of that first preference. We are inclined to agree with
Mackenzie that:

> It is hard to see what is gained by these refine-
> ments . . . all minority safeguards of this type
> work in the same direction, to protect the
> representation of minority interests capable
> of disciplined organization. The more compli-
> cated the system, the greater the premium offered
> to good organization.

Lakeman and Lambert stress the uncertainty of any proportional

result being achieved in the ratio of seats to votes.

> The essential similarity of the two methods makes
> it clear that the points system is bound to share
> the merits and defects of the cumulative vote;
> it will secure minority representation but not
> necessarily a definite correspondence between
> votes cast and seats won . . . its essential
> weakness is that a second (or later) preference
> necessarily counts against the voter's first
> preference.

5.   Borda-Laplace method (preferential vote)

Description

This method, devised by the Chevalier de Borda

in the late eighteenth century, and extensively commented

on by the great mathematician Pierre Simon de Laplace in

the early nineteenth century, involves the awarding of a

certain number of points to a candidate for each first

preference he obtains, a smaller number of points for each

second preference, and so on, the winner being the candi-

date with the largest total of points. Thus if there were

three candidates, a first preference might be awarded a

weight of 3, a second preference a weight of 2, and a

third preference a weight of one. The most pertinent

criticism of this method, apart from the fact that any

preference expressed in addition to a first preference
will count against that first preference, is that the values
to be attached to each preference are very much a matter of
convenience in that different progressions will produce
different results. If an arithmetic progression is used,
ie. 1, 2, 3, 4 etc., then the intervals of value between
1 and 2, 2 and 3, 3 and 4, etc. will be the same,
$(1 \underline{\quad p \quad} 2 \underline{\quad q \quad} 3, p = q)$, but as between different cons-
tituencies with different numbers of candidates, the values
will differ. Consider, for example, the value of the first
preference relative to the second preference; with two
candidates this would be two; with three candidates it would
drop to 1 1/2; with four candidates it would drop to 1 1/3
and so on. (Eg. 4 candidates, A, B, C, & D. weighted as
follows in order of preference: $4 \underline{\quad a \quad} 3 \underline{\quad b \quad} 2 \underline{\quad c \quad} 1$. There
are three intervals between these numbers, a, b, c, with a
total value of 4. When we divide 3 into 4, the result is
1 1/3.) If a geometric progression is used, ie. 1, 2, 4, 8
and 16, etc. (or counting the other way in fractions, 2,
1, 1/2, 1/4, etc.) it makes no difference how many candidates
there are in each constituency; the relative values of the
preferences will remain the same. The difference between
these two types of progression could significantly alter
the results of an election, so the choice of weights or values
to be attached to preferences must be a matter of some
considerable political import.

It should also be noted in regard to this system that an elector might choose to express only a second or third preference instead of a first preference. This would in effect allow a voter to express his complete disgust with the entire field of candidates, by giving his one choice the lowest preference possible.

Comments

Our commentators' enthusiasm for this particular version of the points system is considerably warmer than that mustered for the other systems we have considered so far. One of the commentators, Ross, is indeed an unabashed extoller of the virtues of Borda's method using a geometric progression and writes:

> Borda's method for dealing with elections in which more than two candidates contend for a single place, complies with all the basic conditions that, as we have seen, equity and common sense require in such a case.
>
> 1. Every candidate is treated throughout on terms of strict parity with every other candidate.
>
> 2. Every elector is allowed and encouraged to express, by means of his ballot-paper, his views on the relative merit of all the candidates.
>
> 3. All first preferences are counted as of equal weight amongst themselves.
>
> 4. All second preferences are counted as of equal weight amongst themselves, but of less weight than first preferences: and similarly with third and subsequent preferences.

> 5. In determining the result of the
> election account is taken of all the preferences
> expressed by all the voters.
>
> There is no other system known that fulfils all
> these requirements.

Ross argues that in assigning weights to preferences there

is no need to attach any weight at all to the lowest

preference, but this could cause different results in an

election, if, as Borda proposed (and Ross himself allowed)

a voter be able to express any one or more of the preferences

available. Thus I might vote for only one candidate, and

give him only a number 5 preference (assuming five candi-

dates) which would be worth one point. That candidate

could thus add one point to his total, whereas, if Ross's

system were followed,he would get nothing. If all

preferences had to be marked for a valid ballot, or if

a single preference were always taken to mean a first

preference, then Ross's method would be valid, but not

otherwise. Lakeman and Lambert are also of the opinion

that the system has "decided merits" but they are quick

to point out the objections which may be raised in regard

to the relative values assigned each preference and the

deciding role these values may have in determining the

final outcome of an election. The fact that the preferences

are fixed in their relative weights has also drawn

criticism. Electors may indeed rank candidates in

an crder of preference, but that order must of necessity

be based on either an arithmetic or geometric progression, with the relative weight of each preference being pre-ordained. Thus an elector could not, if he wanted to, give candidate A weight of 10, candidate B a weight of 2, and candidate C a weight of one; he would have to be content with the values already established for each preference. There is, of course, no possible way to order the fantastic range of preferences and degrees of preference which could be reflected in a count of that type. However, the Borda-Laplace method would provide each elector an equal, precisely tuned instrument of preferential choice which the elector could choose to wield fully or partially with considerable freedom.

It is interesting to note that the system, as expounded by Ross, does not always guarantee the kind of majority victory with which we are familiar for any one candidate. Of course, if the Borda-Laplace system were emplaced in Manitoba, it would be proper to enact that the candidate receiving first choice on 50% or more of all the ballots cast, would be elected without more ado. The Borda-Laplace method often produces a more acceptable plurality winner. Thus it might be possible for a candidate with 45% of the first choices to be defeated by a candidate with only 20% of the first choices, or an even more ironic example - a candidate winning with no

first choices at all, but a plurality of second choices. In this latter case, of course, no other candidate would have received the first choices of 50% or more of the electorate, so no clear majority would have been apparent in any event.

To allow voters the choice of exercising their preferences either wholly or partially, would mean that the vote of a person who exercised all the preferences would be worth more than the vote of a person who declined to do so. This could lead initially to charges of unfairness in the system, even though it would be the natural consequence of electors exercising their freedom to vote as they please in the manner which would seem best to each one individually.

PROPORTIONAL REPRESENTATION

1. The List Vote (Scrutin de Liste)

Description

The basic principle underlying the many variants
of this system is that the elector votes not for an individual
candidate or candidates, but for a party list; he chooses
between parties and not between persons although in some
cases a limited choice of candidates may be allowed (panachage).
Each multi-member constituency is usually of considerable
size and therefore returns a fairly large number of members.
Each party puts forward its own list of candidates, and this
list is printed on the ballot paper separately from the other
party lists. After the poll each party receives a share
of the seats in the constituency corresponding, as nearly as
is practicable, to the share which that party's list has
gained of the total vote polled in the constituency. The
order of names on the party list is settled before the
election by the party organization, and the electors have no
voice in it. They may choose between the parties, but it is
the parties who decide for themselves who shall occupy
whatever seats they win.

The system obviously provides a much more accurate
parliamentary reflection of the range of opinions present in
an electorate, than does the first-past-the-post method,

but it is not, despite its seeming simplicity, without complication (or for that matter political flaw). The methodological problems arise from two distinct aims: (a) to relate as accurately as possible the number of seats held to the polling strength of the parties and (b) to permit an opportunity for the voter to express an opinion on the personal merits of the candidates.

The first problem can be rapidly grasped from the following brief example (taken from Mackenzie). Suppose a constituency in which 24,000 votes are cast for four party lists contesting five seats, and the following distribution of votes occurs:

List A   8700

List B   6800

List C   5200

List D   3300

Converting these figures into seats won in exact proportions (and remember there are only five seats to be won) we arrive at the following:

List A gets 1.813 seats

List B gets 1.416 seats

List C gets 1.008 seats

List D gets .687 seats

In the words of Mackenzie "What next? This looks like a proportion of 2:1:1:0 but who is to get the fifth seat? The result will look queer whether we give it to A, to B, to C or to D." The two methods devised to solve this

problem, the d'Hondt highest average rule, and the Greatest
Remainder rule, are mathematically ingenious, but as
Mackenzie points out, they both really boil down to attempts
to give ". . . unreal precision to the arithmetic involved".
No matter how slick the reasoning the aura of artificiality
still prevails.

The second problem is, from our point of view,
much more fundamental. The list system in its pure form
essentially recognizes political parties as the only real
units of appeal in the political system. The men and women
who run on behalf of the party are selected by the party
and ranked in order of precedence by the party. The voter
has no real say in their selection, and that is the crux
of the matter.

To overcome this drawback several alternative
schemes have been developed in which the voter may select
not only the party of his choice but also the candidates
of his choice, and in some cases may even vote for can-
didates of different parties. The calculations can
obviously get extremely complicated and since the system
is basically oriented towards the list of candidates put
forward by the parties, there is an in-built bias against
any variation of those lists.

> The freedom of choice given to the voters
> may be ineffective in practice because prefe-
> rential voting cannot very well be made
> compulsory, and those who put no marks of

preference opposite the names of individual candidates must be assumed to accept the order given by the party; this is much the simplest thing for the average elector to do.   (Mackenzie)

As for allowing the selection of candidates from other parties Mackenzie comments:

> In theory, by devices of this kind a list system can be given some of the flexibility of the S.T.V. (single transferable vote) system: but practice lags behind theory, because the vote for the party comes first, and there are relatively few voters who wish to break away from it, especially if the effect may be to benefit not the man of their choice, but another party.

As an overall assessment of list systems the following comments by Mackenzie would be hard to top for brevity and fairness.

> (a) *Quality of members*. The choice of members, even where preferential voting is allowed, depends largely on the parties. These are not wholly unresponsive to public opinion, but it is primarily their character which determines the character of members.
>
> (b) *The member and his constituency*. The effects are like those of any multi-member constituency system: the member represents primarily not a locality as a whole, but a group of like-minded people. This can be modified slightly by allocating individual members to single-member districts: it is intensified if the system is run on the basis that there shall (for instance) be one member for every 50,000 voters, regardless of locality, so that regional and national pools play a relatively important part.
>
> (c) *A collectively effective assembly*. These systems tend to strengthen discipline within parties, and also to fix the number of parties at more than two. They do not in general appear to increase the number of parties indefinitely: one could devise a system likely to encourage this, but most systems represent a compromise which gives existing parties some power to resist splits and the creation of new parties. This situation makes for stable coalition or minority cabinets if the parties are capable of working together, for chaos if they are not; the roots of such attitudes lie much deeper in the structure of the political community.
>
> (d) *Reflection of opinion*. List systems in their most elaborate forms are sensitive devices for registering in the composition of the assembly the amount of support given to each party by the voters. They do not register opinion in any other sense; indeed, they scarcely recognise its political existence. This is part of a consistent view of the place of parties in the state.

(e) *Attitude of electors to voting*. The effects of the system here perhaps lie between those of single-member constituencies and those of S.T.V. The subtleties of expression open to the voter are (usually) more limited than under S.T.V.: his choice is not so directly related to the choice of a government as under the 'first past the post' system, since governments are generally fixed by compromise between parties joining a coalition majority.

(f) *Public confidence*. These systems though rigid are relatively plain, except when attempts are made to give real effect to preferential voting and *panachage*. Probably most electors find them simpler to follow than S.T.V. and the mixed systems described in Chapter X. The most obvious line of attack is based on sarcasms not about complexity but about party bureaucracy and about indecisive coalitions of wire-pullers.

(g) *By-elections*. Under list systems it is possible to dispense with by-elections altogether, by allowing the next candidate on the relevant list to take the place of the member who has dropped out. This is generally done, but if by-elections are wanted it is easy to hold them, subject to the same difficulty as that of by-elections under S.T.V., that there is some inconvenience in electing one member in a large multi-member constituency, and that the result cannot be proportional, like the rest of the system, but must favour the strongest party, even though the seat had been fairly awarded to a weaker party at the general election.

(h) *Political Possibility*. It might be said that list systems are all too possible. Like the 'first past the post' system, they create vested interests which tend to maintain them; their virtues and their defects perpetuate themselves equally, and they are likely to remain the basis of one of the main forms of Western democracy.

Lest it be thought that we are relying too heavily on the opinion of Mackenzie, we include the following passages from Ross and Schindeler as indicative of the similar opinions of other commentators:

> . . . the method places very great power
> in the hands of the party organization, and
> limits drastically the rights of the electors.
> It is true that many scrutin de liste schemes
> contain provisions purporting to give the
> voter some voice in the selection of persons
> as well as of parties . . . but in practice
> such provisions seldom prove effective . . . .
> Therefore, it remains substantially true
> that though the electors determine how
> many seats each party shall have, it is the
> party organization that decides who shall
> occupy them . . . it tends to favour the

> big, highly organized party against the smaller
> party, and it places any candidate of indivi-
> duality and independence of mind much at a
> disadvantage. Its general effect is accordingly
> to diminish the opportunities of the community
> for governing itself . . . . The list vote,
> moreover, gives to the political parties an
> official status such as they have never yet
> been accorded in this country. (Ross)

> The system does guarantee proportional
> representation but it does not allow indi-
> vidual members of parliament to represent
> particular constituencies, and, if a party
> is not democratically organized, a small
> party clique can soon determine the compo-
> sition of the party list. Often, position
> on the list can become a prize so eagerly
> sought that corruption is invited. (Schindeler)

Although the list system is a tried and tested
electoral method and employed by many of the great democracies
of the Western world, we think it fair to say that it is
very alien to our own traditions and experience and has
drawbacks such as the lack of territorial representation
and the overly enhanced importance of party organizations,
which render it a most foreign and unlikely alternative
to our present method of election.

2. The Single Transferable Vote (S.T.V.)

Description

The essential belief behind this system of voting
is that there should be no "wasted" votes, ie. votes given
for candidates other than the losing candidate, and votes
given for the winning candidate in excess of the majority
needed to elect him. Every voter should be able to parti-

cipate in the election of his representative, and every minority group should be able to make its voice heard. Of all the electoral systems we have considered this is probably the most sophisticated and accurate in its translation of the opinions of different interest groups within a society into legislative representation.

The essential principle of the system is probably most easily understood by reference to an election carried out by open voting without ballot papers, and this example should be kept in mind whenever considering the mechanism. Rowland Hill (famous in the history of the Post Office) records that, when he was teaching in his father's[1] school, his pupils were asked to elect a committee by standing beside the boy they liked best. This first produced a number of unequal groups, but soon the boys in the largest groups came to the conclusion that not all of them were actually necessary for the election of their favourite and some moved on to help another candidate, while on the other hand the few supporters of an unpopular boy gave him up as hopeless and transferred themselves to the candidate they considered the next best. The final result was that a number of candidates equal to the number required for the committee were each surrounded by the same number of supporters, with only two or three boys left over who were dissatisfied with all those elected. This is an admirable example of the use of the S.T.V.

In any ordinary election by this method, ballot papers take the place of the living voters and move as Rowland Hill's boys did, according to directions given by each voter. Those directions are given by numbering the candidates in the order of the voter's preference; thus, a paper marked as below:

7	Bill
4	Charlie
2	Fred
	George
1	Jack
	Jim
5	Roger
6	Sam
3	Tom

would be a boy's instruction to the Returning Officer that he wished to vote in the first place for Jack, but if Jack were either so popular as to have no need of his vote or so unpopular as to have no chance of election, the vote was not to be wasted but was to be used instead to help Fred. Similarly, if Fred were either already elected or out of the running, the vote should go to Tom, and so on until it reached a candidate it could help to elect. Our voter has numbered all the candidates except two— either not knowing enough about either of these two to have any opinion about them, or else disliking both so cordially that he will in no circumstances vote for either.

This example has been chosen deliberately to emphasize the contrast between the single transferable vote and all party list systems: nowhere in the above account is there any hint of the existence of political parties or of any analogous divisions. These, which are the indispensable foundation of the list system, are in no way essential to the working of the single transferable vote. Neither are they, however, irrelevant. If all, or nearly all, the votes cast are made effective by their transference from a candidate they cannot help to a candidate they can help, it must be expected that the total result will reflect the opinion of all, or nearly all, the voters; if so, in a Parliamentary election it certainly should reflect their opinions about anything so important as a party. How it comes to do so should be clear if we imagine that all of Jack's supporters are also Fred's; in that case, if Jack has twice as many votes as he needs, the surplus will go to Fred and secure his election also, while, if the two between them have only enough to elect one, the less popular will be eliminated and the transfer of his votes will secure the election of the more popular.

It is not necessary to this result that the solidarity of Jack's and Fred's supporters should be that of a political party; according to the circumstances of the election, their bond may be that of a common religion, or occupation, or indeed a common interest of any kind. The voters group themselves spontaneously on whatever lines seem to them the most important.

Before going on to a more detailed description of the Single Transferable Vote, it is essential that the "quota" system be understood. The following remarks are from J.F.S. Ross, "Elections and Electors":

Let us first consider just what we mean by "quota". Take, for example, the case of a five-member constituency. It will readily be seen that any candidate who gains the support of one-fifth of the voters thereby qualifies for one of the five seats; for obviously no more than five candidates could possibly qualify in this way. The five would between them absorb every vote recorded, and there would be none left over for any other candidate. We might therefore, at first sight, be inclined to say that in a five-member constituency one-fifth of the total vote should constitute the *quota*, or minimum number of votes entitling a candidate to a seat; and, putting it more generally, that if there are *n* seats to be filled in a constituency, one-*n*th of the total vote should be taken as the quota. This was, indeed, proposed by Thomas Hare nearly a century ago,[3] and so it is sometimes termed the *Hare quota*.

But now suppose that in this same five-member constituency we were to take one-*sixth* of the total vote as the quota, instead of one-fifth. Then if we filled the five seats on this basis, each seat going to a candidate with one-*sixth* of the total vote, there would at the end be another one-sixth of the votes left over; and if all these left-over votes should go to one candidate, he also would be qualified, though there would be no seat available for him. This would never do: to take the quota as one-sixth is evidently cutting it too fine, since it could result in six candidates just qualifying for the five seats. But if we increase the requirement even the least little bit beyond the one-sixth we are safe; for suppose that each of five candidates receives one vote more than one-sixth of the total, then the number of votes left over will fall short of one-sixth by five votes and so be insufficient to qualify any other candidate.

Here, then, we have a new quota, smaller than the Hare quota and more accurate, for it represents definitely – as the Hare quota does not – the *lowest* number of votes that entitles a candidate to a seat. Putting it into general terms, we may say that if in a constituency returning *n* members the total poll is *v* votes, any candidate who receives $\left(\dfrac{v}{n+1}+1\right)$ votes is entitled to a seat. $\left(\dfrac{v}{n+1}+1\right)$ is, then, the *quota*, or number of votes that a candidate needs, as a minimum, in order to secure election.[1] This is clearly a great improvement on the Hare quota; and to distinguish it from that earlier form, it is often termed the *Droop quota*, after H. R. Droop, who first put it forward.

With the above explanation of the "quota" in mind, we can now examine the actual operation of the Single Transferable Vote in the following hypothetical example taken from Mackenzie:

The principle of the S.T.V. system is that there should be multi-member constituencies in which each voter has only one vote, however numerous the seats to be filled. The voter is to cast that vote for the individual whom he or she (the voter) most wishes to have as representative, and is to have the greatest possible chance to make his vote 'effective' by casting it for someone actually elected. The 'model' is that of repeated ballots in a multi-member constituency in which each voter has one vote only.

Suppose a five-member constituency in which there are 6,000 voters casting between them 6,000 votes. On the principle of the Droop quota, explained on p. 58, any candidate securing 1,001 votes must be elected. Suppose then that voters vote individually by a system which records each vote as it is cast: as soon as a candidate obtains 1,001 valid votes, he is declared elected. No more votes can be cast for him, and the election proceeds among the other candidates. Suppose that by the time all electors have voted once, only three candidates have obtained 1,001 votes; there are seven candidates dividing between them the other 2,997 votes, and in the end (of course) only two of them can get as many as 1,001 votes. We proceed next either by asking for withdrawals or by disqualifying the candidate who had the smallest vote on the first round: in either case the voters who have not yet voted for a successful candidate are asked to choose among the surviving candidates—they are not *compelled* to vote for one of them, but may do so if they please. This is the 'second round': the process can be repeated in third and later rounds of voting if necessary. The result will in the end be that in an electorate of 6,000 any individual who commands the support of 1,001 voters will certainly be returned; only 1,000 voters at the most, out of 6,000, will have voted for someone who did not need their vote or for someone who failed to be elected; and if the voters are divided in their voting by party, nationality, religion, class, or other factors, the allocation of seats will be roughly proportional to those divisions

between the voters. It will be *exactly* proportional to the division of votes, *excluding* (at most) voters fewer by one than the Droop quota. As the number of seats increases, the Droop quota becomes relatively smaller.

A system of this kind (which is virtually never used in practice) would be analogous to the system of repeated ballots in a single-member constituency (explained on p. 54), which cannot of course secure proportionality. The S.T.V. system bears the same relation to the alternative vote system: it is an attempt to carry out the whole of such a series of ballots together, by asking each voter to give an indication of preference on his ballot paper. For purposes of illustration, it is enough to postulate a three-member constituency with seven candidates: but it is to be remembered that advocates of the system recommend the use of rather larger constituencies in order to secure a higher degree of proportionality. We shall imagine a situation not unlike the present position in British party politics, but perhaps made somewhat less rigid by the introduction of S.T.V. There are three Conservative candidates; one of them (B) is a very well-known national figure, the other two (C and G) are not much respected local men, who are in effect competing against one another for a seat, because no one believes that in this constituency the Conservatives can win all three seats, although they

may win two of them. Labour has two candidates (A and F) one of whom (A) is much more distinguished than the other; the Liberal candidate, (E), is personally attractive, and on some matters (international relations in particular) leans quite strongly to the Labour side. The Communist vote (for D) consists, as usual, of a fringe of miscellaneous malcontents and a small nucleus of those who follow the party line whatever it is; in this instance, 'the line' demands a close alliance with Labour, even though Labour repudiates it.

The ballot-paper of an average Conservative voter might perhaps be marked as follows:—

A	(Labour)	–
B	(Conservative)	1
C	(Conservative)	2
D	(Communist)	–
E	(Liberal)	4
F	(Labour)	–
G	(Conservative)	3

(He might perhaps, if he greatly preferred the personality of one of the Labour candidates, A, to that of F, go so far as to give his fifth preference to A). This might perhaps prove to be the most usual Conservative pattern, but (as will be seen later) many variations are possible, even among 'good' Conservatives.

Suppose then that for the three seats 8,000 votes are cast: the Droop quota will be $\frac{8,000}{3+1} + 1 = 2,001$. The first count is a count of first preference votes only: as a matter of convenience in later counts the first preference votes are sorted into bundles according to the different patterns of later preferences, so that there is a separate bundle ready counted, for each pattern—B1 C2 G3 E4, or (a possible Labour pattern) A1 F2 D3 E4, or (an alternative Labour pattern), A1 F2 E4 D3, and so on. This saves time and trouble in the later stages.

The count of first preferences might be:—

First Count			
	A	(Labour)	1,900
	*B	(Conservative)	2,500
	C	(Conservative)	800
	D	(Communist)	500
	E.	(Liberal)	1,000
	F	(Labour)	600
	G	(Conservative)	700
			8,000

On this count, only B has secured the quota of 2,001: B is declared elected, and the next problem is what to do with the 499 votes which he does not 'need'. These are available for casting in favour of some other candidate: but which of his 2,500 votes are the ones that he does not 'need'? In our first 'model' it was the latecomers who voted again in the 'second round'; but it has never seemed right in a preference system simply to transfer the votes counted last, and there are two alternative methods. One is to take a random sample of 499 out of the 2,500 papers, and to look at the second preferences in these; another, which is simpler in practice and is just as fair, is to look at the second

preferences of *all* the 2,500 papers, count the total for each candidate, and give each candidate $\frac{499}{2,500}$ of the votes he thus receives. The second preferences of the Conservative B might divide into:—

A	(Labour)	100
C	(Conservative)	1,500
D	(Communist)	Nil
E	(Liberal)	250
F	(Labour)	50
G	(Conservative)	600
		2,500

c

There are then available for redistribution (taking $\frac{499}{2,500}$ as $= \frac{1}{5}$ which is exact enough for our present purpose: greater precision is quite easy for a clerk with a slide rule):

A	20
C	300
D	Nil
E	50
F	10
G	120
	500

and the result on this round will be:—

Second Count			
A	(Labour)	$1,900 + 20 = 1,920$
C	(Conservative)	$800 + 300 = 1,100$
D	(Communist)	$500 + 0 = 500$
E	(Liberal)	$1,000 + 50 = 1,050$
F	(Labour)	$600 + 10 = 610$
G	(Conservative)	$700 + 120 = 820$
		$5,500 + 500 = 6,000$

No one has attained the quota and therefore no one but B is yet elected: the next step is to reject the candidate with the smallest number of votes at this stage, who is D, the Communist. Let us assume (what would not always be the case in practice[1]) that all his voters have used their second preference, and have done so as follows (the party-liners give second preference to Labour, and there is a small 'scatter' of votes by the 'lunatic fringe'):—

A	(Labour)	300
C	(Conservative)	20
E	(Liberal)	20
F	(Labour)	140
G	(Conservative)	20
		500

[1] If all preferences are not used, there are fewer votes in the count, and therefore the quota has to be recalculated for the remaining seats: this presents no difficulty. There are, however, systems which declare a ballot-paper invalid unless it puts all the candidates, or a specified number of candidates (say three), in order of preference.

There then follows:—

Third Count	*A	(Labour)	$1,920 + 300 =$	$2,220$
	C	(Conservative)	$1,100 + 20 =$	$1,120$
	E	(Liberal)	$1,050 + 20 =$	$1,070$
	F	(Labour)	$610 + 140 =$	750
	G	(Conservative)	$820 + 20 =$	840
			$5,500 + 500 =$	$6,000$

A is elected, but the other four candidates are still fairly close together and it may need several more counts to decide who gets the third seat. There is some choice here in making rules about procedure; for instance, whether to distribute next A's surplus votes, or to eliminate the second Labour candidate F, who is now running last, or to do both at once on the same count. For the sake of fullness in illustration, let us take the first method.

A has 219 votes more than he needs. We now look at the *second* preferences of the original 1,900 who voted for him; the *third* preferences of those who voted for B first placing A second, since A inherited 20 votes from B on the second count; the *third* preferences of D, since A inherited over 300 votes from D on the third count. Let us then make the following assumptions, to some extent simplified.

A's second preferences are as follows:—

C	(Conservative)	nil
D	(Communist)	250: since D has been eliminated we allow these voters their *third* preference: and this is included in the figures for:—
E	(Liberal)	$550 + 50$ from $D = 600$
F	(Labour)	$1,100 + 200$ from $D = 1,300$
G	(Conservative)	nil $+$ nil $=$ nil
		$1,900$

It follows that of the 219 (let us call it 220) votes to be redistributed a proportion of $\frac{1,900}{2,220}$ falls to be redistributed in this ratio of 600/1,300. There are thus 188 votes available. These votes then go in the proportions indicated, $\frac{6}{19}$ to the Liberal, $\frac{13}{19}$ to the second Labour candidate, 59 and 129.

The number of Communist third preferences to be redistributed is

$\frac{300}{2,220}$ of 220—let us say 30: the number of Conservative third prefer-

ences (from B) is $\frac{20}{2,220}$ of 220—let us say 2. To avoid too much com-

plication let us assume that all the third preferences of the Communists went to the second Labour candidate, and so did those of the few eccentrics who placed B (Conservative) first and A (Labour) second, perhaps because of B's great national reputation.

The result of these proceedings is therefore

Fourth				
Count	C	(Conservative)	$1,120 + \text{nil} + \text{nil}$	$= 1,120$
	E	(Liberal)	$1,070 + 59 + \text{nil}$	$= 1,129$
	F	(Labour)	$750 + 129 + 30 + 2$	$= 911$
	G	(Conservative)	$840 + \text{nil} + \text{nil}$	$= 840$
			$3,780 + \qquad 220$	$= 4,000$

No one is yet elected, and the next step is therefore to eliminate the weaker of the two remaining Conservatives and redistribute his 840 votes by looking at the *second* preferences for C, E and F, *third* (or later) preferences if second (or later) preferences had been for the candidates successful or eliminated, A, B and D. Let us suppose that the result is to give 600 votes to C, 200 to E, 40 to F. Deadlock still continues:—

Fifth Count	C	(Conservative)	$1,120 + 600 = 1,720$
	E	(Liberal)	$1,129 + 200 = 1,329$
	F	(Labour)	$911 + 40 = 951$
			$3,160 + 840 = 4,000$

But it is certain that the matter will be settled by one further count.

F, the weakest candidate is now eliminated, the second or later preferences set free are redistributed, and either C or E must reach the quota. The procedure is complicated because F's 951 votes consist of 600 first preferences, 10 preferences allocated after the success of B, 140 after the withdrawal of D, 161 after the success of A, and 40 'new' votes; but the arithmetic is not difficult. The effect, as will be seen, is in the last resort to give the seat which is in doubt between Conservative and Liberal to the candidate favoured by those who voted for the second Labour man but could not get him in. Probably most of them prefer Liberal to Conservative, and the result will therefore be the election of 1 Conservative, 1 Labour, and 1 Liberal member in a constituency where there were 4,000 Conservative first preferences, 2,500 Labour, and 1,000 Liberal first preferences.

This may seem a paradoxical result of what we are looking for in

proportionality in terms of *parties*[1] : but this is not the aim of the system, which seeks to give preference to *candidates* who have more support, whether as party members or as individuals, over candidates who have less support. Our example pictured a situation in which party allegiance was important, but not absolute, and in this situation the personal preferences of individuals carried a Liberal home. The system is designed to reflect accurately the attitudes of the voters: it is 'proportional' in this sense, not in the allocation of seats to parties in accordance with first preference votes: that sort of proportionality is aimed at (and can be secured) only by list systems of voting.

The example given here required six counts to decide the issue in a three-member constituency: this is a fairly long but not unusually long contest. In the Oxford University contest in the general election of 1935 it took three counts to elect two members, one of them an orthodox Conservative, the other an unorthodox one, Sir Alan Herbert, who defeated a Labour Party candidate and a second orthodox Conservative, by gaining second preferences from both the Conservative and the Labour sides. Another well-known example is that of the constituency of Cork City in the Irish General Election of 1948, in which fifteen counts were required to elect five members.[2]

Comments

Again we rely on Mackenzie for the most lucid and neutral examination of the Single Transferable Vote.

2. S.T.V.: Origins and formula

It is important to realise that the S.T.V. system was invented before the growth of modern party organisation in Europe. In the 1830s and 1840s there was growing acceptance of the thesis of de Tocqueville's famous book *Democracy in America*, the first part of which was published in 1835, that democracy in the sense of government based on direct universal suffrage was certain to come in Western Europe within a relatively short time. De Tocqueville held up to Europe the mirror of America, and Europe saw there the grave danger (as it was believed to be) that universal suffrage would lead to the 'tyranny of the majority'. He thought that this tyranny was manifest in the developed party system of the U.S.A., which set two or three great organisations in competition for votes, and offered large prizes to the party which secured the majority: and he held this form of politics responsible for the form of American society, which seemed to French intellectuals (as it seemed to English middle-class writers like Mrs. Trollope and Charles Dickens) to be vulgar, conformist, and mediocre, in spite of its great energy. In the U.S.A. (it was recognised) the effects of majority rule were to some extent mitigated by the distribution of power within the federal system; but these checks created other problems and indeed led

eventually to the civil war of 1861. In Europe the demand in Germany and Italy, and even in the Hapsburg monarchy, was for consolidation, not federalism, and popular sovereignty could not be limited in that way. Something might be done with ingeniously constructed second chambers, but the crux of the matter lay in finding an electoral system which conceded the demand for universal suffrage, and so halted the irresistible pressure on which that demand was based, but did not in the process give all power to party leaders controlling the votes of the majority. Such parties did not then exist outside the U.S.A., and there were not therefore vested interests to be provided for in constructing an electoral system. The aim of constitutional theorists was to strengthen the position of the individual candidate, and to encourage loosely organised minorities, so as to secure an assembly of intelligent and capable men, representing opinion in the country, but not dominated by party machines.

The S.T.V. system in its developed form is undoubtedly the best answer to this problem. The question now is not whether it is a good device, but whether this is a real problem. Cruder devices for the same purpose, such as the second ballot, the limited vote and the cumulative vote, had been invented earlier, and apparently S.T.V. was devised independently at about the same time in the 1850s by a liberal Danish politician, C. C. G. Andrae, and by a London barrister, Thomas Hare, whose view of politics was also progressive but not radical. The system achieved fame because it was seized upon by John Stuart Mill, the intellectual leader of British liberalism, and was built into the structure of his book on *Representative Government*, published in 1861. His book was for two generations the text-book of British liberal constitution-makers, and remains the best statement of their point of view. There have been refinements in the methods of S.T.V., but little has been added to the arguments about principle contained in Chapter VII of Mill's book and in the answer to them in Chapter V of Walter Bagehot's book on *The English Constitution*, published in 1867.

It should be said at the outset that evidence about the use of the S.T.V. system in large political units is still very limited. It has been used for elections to the main popular assembly only in the Republic of Ireland, which has a population of about 3 million, and in Tasmania, which has a population of 300,000. It is used for elections to second chambers in the Commonwealth of Australia and in New South Wales, and on a limited scale in some parliamentary and local elections elsewhere. Discussion therefore proceeds on the basis of general probabilities, and of experience of the system in smaller units, which is considerable.

It is agreed on all hands that the system is much the most elegant device available for enabling individuals to express themselves through the electoral process in such a way that the outcome of voting bears a logical relationship to the votes cast. At some points, however, the logic is drawn rather fine. When it comes to second and third preferences, it may often happen that what is reckoned is not the individual vote of any specific elector, but a vote derived by sums in proportion from the votes of a large number of electors. There is no exact answer (in our example) to the question exactly which individuals it was whose votes put in the candidates A and F, Labour and Liberal, who were ultimately chosen. The votes of practically all electors played some part, including those of electors whose ballot papers suggested that their opinion of A and F was not very high. But if the problem is set, this is perhaps the least illogical way to solve it. The dispute is not over the logic but over the practical effects of this form of expression.

(a) *Quality of members*. The tendency of the system (like that of primary elections—p. 41) is to give more opportunity to the voter to express an opinion about the merits of individual candidates. In a constituency such as that in our example it can be made plain whom the voters think to be best of the the Conservative candidates, and an independent Conservative rejected by the party machine might have stood as a candidate without splitting the party vote. The electorate gains freedom in the choice of members, at the expense of the parties: whether this means better members depends on the quality of the electorate and on their sources of information about the candidates.

(b) *The member and his constituency*. It is agreed that multi-member constituencies are necessary; the three-member constituency used in our example was too small to be altogether satisfactory. In consequence, a member is not closely attached to a fairly small locality, as he is under a single-member constituency system: it may be that instead of having a strong local attachment he builds up a personal and political follow-ing, with which he is associated just as closely, but in rather a different way. J. S. Mill thought that Thomas Hare's system would create a House of Commons elected by the electorate as a whole in which each member would have his own 'constituency' consisting of those whose votes sent him to Parliament, his personal supporters perhaps scattered over the whole country. Mill's system of voting without territorial sub-divisions is clearly impracticable except in a very small country: but perhaps the same sort of thing might happen within (say) a five-member constituency. One solution proposed is that the five-member constituency should be divided into five 'wards', and a member assigned to each of them, by choice or by lot: but this is perhaps too artificial a device to produce the desired effect.

(c) *A collectively effective assembly*. The S.T.V. system is often criticised on the ground that it may wreck the stability of the executive in coun-tries where the executive depends for its existence on continuous support in the elected assembly. There is no doubt that the theoretical tendency (indeed part of the purpose) of S.T.V. is to weaken the grip of parties on the mechanism of elections. It should do so for two reasons: because it makes it relatively easy for small parties to establish and maintain themselves, and because it enables the elector to express his choice between the candidates offered to him by his own party. S.T.V. therefore tends to break up a system of two parties, and to weaken discipline within each party in the Assembly and in the country.

It may thus make responsible cabinet government more difficult: but this is no more than a tendency, which may be counter-balanced in various ways. The system of voting is not the only reason for the emergence of two great parties in some countries but not in others, and the tendency to party domination may prove stronger than the effects

of S.T.V. The climate of opinion in the country may be strongly opposed to Cabinet instability, and it may therefore be possible for an assembly with several parties and much freedom of speech to produce a majority coherent enough to support a Cabinet for long periods.

The evidence is limited. In Ireland, de Valera reduced the size of constituencies under S.T.V. and thus increased the bias against small parties. Out of this and out of Irish traditions and personalities has arisen for the present a curious balance between de Valera's party on one side, a coalition of small parties on the other. Cabinets in Ireland have not been conspicuously unstable: and there are countries (the Scandinavian countries in particular) which have stable Cabinets in spite of the existence of several equally balanced parties whose position is protected by some form of P.R. under the list system.

(d) *Reflection of opinion.* The system undoubtedly reflects individual opinions as well as any system can, within the administrative limits set by the huge size of modern electorates. A counter-argument can only be constructed on this point by insisting that in politics what counts is organised opinion: not the sort of opinion which expresses itself in answer to the questionnaires of the 'Gallup poll', but opinion shaped by party organisation into an effective political instrument, associating known leaders, an alert body of henchmen, coherent principles and an agreed programme of action. This is a crucial point in debate about mass democracy: the case for political parties is strong, but it is also possible to reverse the argument and to suggest that since party organisation is hostile to free speech within the party, it is as likely to block public opinion as to canalise it.

(e) *The attitude of electors.* J. S. Mill, the greatest of all advocates of S.T.V., laid most stress on the educational function of democracy. For him the main merit of representative government was that it produced an 'active self-helping type'[1] of man (and woman) more effectively than any other sort of government. Most people would agree about this: but unfortunately the 'educational' effect may be secured in two different ways, not always completely compatible. First, men and women become better politically by practice in exercising their wits in the subtleties of politics, by adjusting their judgments to the facts as they know them. Secondly, men and women become better in rather a different sense if they are made to share in responsibility: to take decisions which are effective in the sense that the decider must suffer in his own person if he has chosen wrong. It is scarcely in dispute that S.T.V. is more 'educational' than 'first past the post' voting in the first of these senses: it sets the elector a more interesting and varied problem.

Lakeman and Lambert point out that one of the fundamental advantages of the single transferable vote is that it makes possible the fair representation

> . . . of opinions which do not coincide with party divisions. In any proportional system the accuracy with which they will be represented will depend on the degree of freedom allowed for voting on other than party lines. In a closed party list system such freedom is strictly limited . . . . Under the single transferable vote . . . those voters who wish to treat any of the parties as an alliance are free to do so, and if such voters are very numerous, the group of parties thus linked will get its due representation.

Referring to the example (*supra*) given by Rowland Hill

of a classroom committee election, Lakeman and Lambert comment:

> It is not necessary to the result that the solidarity of Jack's and Fred's supporters should be that of a political party; according to the circumstances of their election, their bond may be that of a common religion, or occupation, or indeed a common interest of any kind. The voters group themselves spontaneously on whatever lines seem to them the most important.
>
> The possibility of obtaining proportional representation for groups of several different kinds simultaneously is a feature of the single transferable vote which is particularly important in plural societies. In a country populated by more than one race, or by antagonistic religious groups, difficulties are raised by the demand of the racial or religious minority for representation. Under a majority system such minority representation can be assured only by holding separate elections, such as the election by Maoris of their four representatives in the New Zealand Parliament, or by reserving certain seats for candidates of a specified race or religion, as in India. Under a party list proportional system, the minority could elect its representatives without such special provisions, but could make sure of doing so only by nominating a list standing expressly in the interests of that minority. In either case, attention is drawn to a division which in the cause of national unity, it is desirable to minimize; considerations are introduced which may be irrelevant to politics, and the normal development of political parties is hampered. Under the single transferable vote form of P.R., however, any substantial and cohesive minority is automatically assured of its representation without any special provisions and without necessarily appearing as a contestant in the election . . . .

On the question of the size of constituency
required to give the optimum balance between proportionality
and territorial representation Lakeman and Lambert note that:

> Accuracy of representation is best achieved with
> a constituency covering the entire country,
> but this unfortunately would mean a drastic
> decline in voter knowledge of the qualifications
> of individual candidates, and a concurrent
> divorce of candidates from the electorate
> they were meant to represent. A compromise
> must be sought between the accuracy of pro-
> portionality and the informed personal
> preference which each voter must make if the
> system is to be truly functional. The most
> usual suggestion is a number of constituencies,
> each returning three to five members.

Lakeman and Lambert argue in support of this, that

> . . . with each increase in the number of
> members per constituency, the gain in
> accuracy obtained by adding yet another
> becomes less . . . the advantage of extra
> members falls off very rapidly after the
> first few, and must soon be overtaken by the
> drawback of growing impersonality and conse-
> quent lower accuracy of representation of
> groups other than the parties. Constituencies
> each returning five members would seem likely
> to give satisfaction in both respects . . . .

The S.T.V. system is almost unanimously regarded
as being, in the words of Mackenzie, ". . . much the most
elegant device available for enabling individuals to
express themselves through the electoral process in such
a way that the outcome of voting bears a logical relationship
to the votes cast." There are some technical artificialities
in the system and it is unquestionably complicated and
time-consuming, but its basic fairness in accurately

translating voter preferences into the composition of a legislative assembly is clearly established. The problems with the Single Transferable Vote, as with all proportional systems, are not so much with the mechanics of their procedure as with the political effects they are likely to produce. Do we want a legislature which reflects in its composition all the various minority opinions of society at large? Is it really necessary to the protection of minorities in Manitoba that they have representation in the Legislative Assembly, or are our traditional parties capable of continuing to fulfil their role of broad assimilation of many diverse opinions? Would the representation of all or most minority groups in the Legislative Assembly affect its ability to legislate with reasonable decisiveness?

If answers to the above questions do lead one to favour the S.T.V., then one must concede one flaw at least. There may be little problem with the mechanics of its procedure *for those who understand it*. For the vast majority of our people however, to whom quotas and transfer of extrapolated proportionality are impenetrable mysteries, the results may seem far removed from the marks recorded on ballots. It is a complex operation.

3. Candidate and Party Vote

(From Schindeler)

One possible alternative system providing for representation according to popular vote but avoiding the disadvantages associated with the list and Hare systems of voting, is the following, based upon the system adopted by the Bonn government in 1953:

1. Each voter would receive two ballots: ballot "C" would contain a list of the *candidates* running in the voter's constituency and ballot "P" would consist of a list of the *parties* with candidates running in the province, although not necessarily in the voter's constituency. The voter would indicate the candidate of his choice and the party of his choice by putting x's in the appropriate places.

2. Candidates who received over 50% of the "C" ballots in their constituencies would be elected automatically as long as their party received enough "P" ballots to entitle them to that many seats. To determine whether or not a party had received enough "P" ballots there must be established a quota for each seat.

3. The quota of "P" ballots required for each candidate elected would be arrived at by the following formula:

$$\frac{\text{total number of "P" ballots}}{\text{total number of seats in the province} + 1} + 1 = \text{quota.}$$

Using the 1963 Ontario General election and assuming, for the sake of argument, that voters who voted for a particular candidate would also,

if they had the opportunity, `heir "P" ballots for the party of that cand   one gets the following formula and quota

$$\frac{2,173,982}{108 + 1} + 1 = 19,964 \ (\text{see} \quad \text{ndix A}).$$

4. For every candidate elected   C" ballots the quota of "P" ballots would   subtracted from the party's total number of P ballots — regardless of the actual number f "C" ballots that the candidate received. Thus, when the proposed system is applied to the 1963 figures, the Progressive Conservative Party elects 55 candidates on the basis of "C" ballots. The quota of 19,964 is then multiplied by 55 and the resulting product of 1,098,020 is subtracted from the total number of "P" ballots received by the Progressive Conservative Party. In the case of the Progressive Conservative Party, this process leaves the party with no surplus "P" ballots. However, the Liberal Party only elects 7 candidates with majorities of the "C" ballots in their constituencies and therefore they have 622,721 "P" ballots left over after this process is completed. The quota of 19,964 will divide into the Liberal surplus of "P" ballots 31 times, thus entitling the Liberals to another 31 seats. In the case of the NDP no candidates are elected on the basis of "C" ballots but dividing the quota into their total "P" ballots we find that they are entitled to a total of 17 seats.

5. The extra seats that a party is entitled to on the basis of its "P" ballots would then be assigned to those candidates in the party who had received the highest proportion of "C" ballots in their constituencies. Thus, for example, the first NDP seat would go to the candidate of that party who received the highest percentage vote in his constituency — in this case the candidate in York South who obtained 47.5% of the vote in his riding. The second NDP seat would go to the candidate of that party with the second highest percentage vote in his constituency — in this case the candidate for Woodbine — and so on until all 17 seats were filled.

6. In most cases, the candidates elected by the process explained in the preceding paragraph

would be elected under the existing electoral system since they already have pluralities of the "C" ballots. However, in some cases the candidate entitled to the extra party seat might actually have fewer votes than some other candidates in his constituency.

For example, applying the new system to the 1963 vote, this would have been the case in Hamilton-Centre and 22 other constituencies. However, since none of the candidates in such constituencies received majorities and since the pluralities are generally very small, this peculiarity of the new system does not seem to be a very significant violation of any democratic principle when it is compared to the fact that the existing system not only results in the election of candidates in spite of the fact that a majority of the people have voted against them, but also results in the winning party getting an inordinate proportion of the seats in the House.

7. If the candidate who was entitled to the extra party seat for the Liberal party, for example, happened to be in a constituency which was won by the candidate of another party on the basis of the "C" ballot, that Liberal candidate would be passed over and the extra Liberal seat would go to the next most popular man in that party. Thus, using the 1963 figures, the Liberal candidate in Kent West received 46.3% of the vote and would therefore have been more entitled to an extra Liberal party seat than was the Liberal candidate in Kingston who received only 44.1% of the vote in his constituency. However, the Progressive Conservative candidate in Kent West would have won that seat on the basis of a majority of the "C" ballots and therefore the Liberal candidate in that constituency would have been passed over and the extra seat would have gone to the Liberal party candidate in Kingston.

8. Should it ever happen that a party won more seats on the basis of "C" ballots than it was entitled to according to its proportion of the "P" ballots, its low men could be replaced by candidates from the other parties. For example, in 1963 the low men for the Conservatives (on "C" ballot votes) were Carton (Armourdale) and Brunelle (Cochrane North). These men could have been required to give up their seats to the next highest candidates in their ridings (Liberals

in both cases). The Liberals would then have had two more seats than they were entitled to and their two low men would have had to give up their seats (Sandford in Lakeshore and Hollingworth in Armourdale). These two seats would then go to the New Democrats, and the overall distribution of seats would approximate that of the popular vote.

However, in the case of Armourdale for example, a candidate with a majority would have been replaced by a candidate who had won only 20.2% of the popular vote in his constituency. This possibility presents a serious problem, for, while it might be acceptable to replace candidates who would have won with pluralities under the simple-plurality system of elections, it would probably not be acceptable to replace a candidate who attained a majority of "C" ballots in his own riding.

Alternatively, the two low Conservatives on the "C" ballot could be allowed to retain their seats, and the New Democrats could be permitted to have two members-at-large (representing no single constituency) chosen to rectify the distribution in the House. They could be the next highest NDP candidates on "C" ballots, or by-passed candidates.

As may be seen in Appendix B, if this proposed system had been applied to the Ontario General election of 1963, it would have resulted in each party getting a proportion of the seats in the House which would have approximated its proportion of the popular vote so that the political complexion of the House would have much more accurately reflected the wishes of the electors. Thus, the new system gives all of the benefits of proportional representation, but avoids most of the disadvantages associated with other "PR" schemes. Ontario could adopt the new system and still maintain the same number of constituencies that it now has and each constituency would have its own MP who would in every case have substantial support in the constituency and in most cases would have a majority or plurality of "C" ballots. Since there would only be one representative for each constituency it would be possible to hold by-elections when needed whereas this is impossible under the Hare or list systems of voting. Under the new system voters

could still use the "x" mark on the ballot instead of having to indicate their preferences as is the case with most "PR" systems. This also means that no second choices would ever count as first choices as must be the case under the Hare system. Furthermore, the system proposed here could readily be adapted to discourage the proliferation of minor parties. All that would need to be done would be to specify that no party could have any seats in the Legislative Assembly unless it received a certain proportion of the total "P" ballot vote.

Under the system proposed here no elector would need fear that he was "wasting" his vote. Even if a voter were the only member of his party in his constituency he could still cast his "P" ballot for that party and thus contribute to the election of one or more candidates for that party on the basis of its "P" ballots. Thus, even a minority within one constituency could receive representation in the legislature so long as it was part of a minority group in the province which was large enough to reach the necessary quota of "P" ballots. This fact would make candidature much more attractive to supporters of minority parties than is the case under the present system and it would perhaps help to attract good candidates for the major parties as well, since they would not necessarily have to win more votes than any other candidates in their respective constituencies to be elected.

This new system would also give voters a great deal more choice than they now have. In effect a voter now has only one ballot to cast for the local candidate of his choice, the party of his choice, and the party leader of his choice. Under the new system a voter could split his ballot, voting for the candidate of one party but casting his "P" ballot for another party.

If there is a real desire to preserve the democratic method in full recognition of all that that method requires, the scheme outlined here provides a reasonable means of doing so. Parties are represented in proportion to their support in the electorate, and hence policy and leadership are equally the choice of all the voters. At the same time, the undesirable aspects of the other proportional representation schemes are avoided, and the best features of the single-member system are retained. There has been some concern lately that popular participation has been lacking in public affairs. Such a scheme as the one here outlined would make such participation more meaningful and more rewarding since it would restore equality to the value of men's votes.

APPENDIX A
THE QUOTA APPLIED TO THE 1963 ONTARIO GENERAL ELECTION

(Assuming that "P" ballots would go to the parties of the candidates who received the "X's".)

Candidates elected with majority on "C" ballots		Total "P" ballots
PC	55	1,052,512
Liberal	7	762,469
NDP	—	340,208
Lib. lab.	—	6,774
Ind.	—	2,656
S.C.	—	2,313
Communist	—	1,654
Ind. P.C.	—	5,190
Ind. Lib.	—	103
Social Labor	—	103
		2,173,982

Quota per seat 19,964

			Total Seats
P.C.			
Total "P" ballots	—	1,052,512	
Less the quota × 55 for the 55 seats won by "C" ballots	—	1,098,020	55
No additional seats			—
Liberal			
Total "P" ballots	—	762,469	
Less the quota × 7	—	139,748	7
		622,721	
31 additional seats			31
N.D.P.			
Total "P" ballots	—	340,208	
None elected by "C" ballots			—
17 seats for "P" ballots			17
Total seats			110

APPENDIX B

SUMMARY OF THE 1963 ONTARIO RESULTS UNDER THE EXISTING SYSTEM
AND THE PROPOSED SYSTEM

	Present System			New System		
	Percentage of Votes	Percentage of Seats	Number of Seats	Percentage of Votes	Percentage of Seats	Number of Seats
P.C.	48.4	71.3	77	48.4	50.9	55
Liberal	35.1	21.3	23	35.1	35.2	38
N.D.P.	15.4	6.4	7	15.4	14.8	17
Liberal Labor			1			—
		TOTAL	108			110*

Schindeler's suggested system is an interesting blend of candidate and party votes. While it may produce a more accurate correspondence between the percentage of popular votes obtained and the number of seats won, it does so in a manner which seems guaranteed to cause angry criticism, and charges of unfairness, especially in those instances where candidates who achieved a majority or plurality of votes in their constituencies are denied victory. An electoral system, to copy a celebrated legal maxim, must not only *be* fair, it must be *seen* to be fair. Public acceptance of the manner in which its representatives are elected is half, if not more, of the struggle to make a stable democracy.

CONCLUSIONS

GENERAL OBSERVATIONS

The Commission suggests tentative conclusions for public discussion and response. As is stated on the front cover of this Working Paper, these proposals do not necessarily foretell what will be the Commission's final recommendations on the subject of electoral systems.

If the weaknesses of Manitoba's actual and universal plurality system, called "the spot vote" or "first-past-the-post" cry out for reform, then we think that reform should be in the direction of the best of the more representative systems. We think that the best of these systems is the Single Transferable Vote, which enjoys the feature of familiarity to some Manitobans. This system was in use to return M.L.A.'s from the Greater Winnipeg metropolitan area just over 20 years ago. It was abandoned when, in the Fifties, the basis of representation in the Legislative Assembly was changed to that of single-member electoral divisions, with the plurality system.

There is a perceived flaw in the S.T.V. system which was in vogue here, but it would be corrected by following the step-by-step devolution of counting described by Mackenzie (*ante* pp. 62-63). The flaw was an element, described by one of our correspondents as

"a pure lottery". Thus in Form 59 of *"The Election Act"*,
R.S.M. 1954, Cap. 68, Regulation 5 permits extrapolation
of percentage proportions from a sample of ballots rather
than the actual processing and recording of preferences
expressed on each and every ballot paper for each and
every transfer. The same provision appears to this day
in *"The Local Authorities Election Act"*, C.C.S.M., Cap.
L180, Section 127, Rule 8(9), which employs the identical
words of the former statute:

> The particular papers to be transferred from
> each sub-parcel shall be those last filed in
> the sub-parcel.

Here then is the flaw. The provision evinces
an exaggerated faith that the last filed ballots will be
representative of all subordinate preference choices
registered; or equally deplorable, the provision evinces
a disregard for the electors' choices, no doubt in view
of the time and trouble it would take to re-process them
all. By adding to the time and complexity of the counting
procedures, one could eradicate this flaw. Perhaps, too,
in this era of computer technology, the results could be
produced much more quickly and accurately by means of an
appropriately programmed computer into which the data
from a straight count of the various preferences could
be registered. In such circumstances candidates would
require alert and knowledgeable scrutineers, and the

integrity of the system would have to be scrupulously
maintained, in order to maintain public confidence in the
results produced by these mysteries.

The S.T.V. system was abandoned because it does
not function in single-member electoral divisions. It
was no doubt abandoned also because it is too complicated
for all but a few technically trained experts to under-
stand precisely how it produced its actual return of
M.L.A.s. Although the Single Transferable Vote system
produces a more accurate reflection of public opinion
than the plurality system, the great mass of the electorate
could not easily comprehend how it did so, without relying
on those few who performed the counts and the computations
to tell them what had been 'worked out' from the voting.
(By contrast, merely to publish the numbers of "X" votes
obtained by each candidate under the present system, is
ample demonstration of both the method and the result.)
It may be in part, also, that the S.T.V. system was
abandoned in provincial elections because some M.L.A.s
of the major provincial parties considered it to be too
representative of too many distinct minorities. Certainly
some of the legislators who participated in the abolition
of S.T.V. in Manitoba must have believed that the compro-
mises of policy adjustments and the manoeuvering and

squabbling belong in the formulation of party platforms *before* elections, rather than in the operations of the Legislative Assembly *between* elections.

The actual complexities of our three-level political system, in which the municipal level is congressional and the provincial and federal levels are parliamentary, are beyond the comprehension of a large number of our people - despite the constant best efforts of politicians and the media. Does our present plurality system of voting, simple and easily understood as it is, alienate our people because of its representational weakness? Would S.T.V. more responsively representational as it is, alienate our people because it is complex and not easily understood? These are competing considerations.

There are other competing considerations, too. Conceding that a change from the plurality system to a more precise electoral system could constitute a reform, what kind of greater precision is desired? That is to say, should the greater precision reside in producing a "snapshot" of all shades of splinter opinion and all groups in the electorate, or should it reside in putting a more precisely refined instrument of choice [ie. ballot] in the hands of each elector? Thus, the various systems of Proportional Representation, including the S.T.V. in

necessarily multiple-member electoral divisions, could reflect the electorate more precisely; but systems such as the Alternate Vote, or the Borda-Laplace method in single-member electoral divisions could reflect the individual elector's alternative choices more precisely.

The principle of territorial representation is most important in a province of Manitoba's geographical extent. It is not unheard of, for example, that people in rural districts tend to cast a jaundiced eye on city residents who "parachute" as candidates into rural electoral contests. Electors tend to give more voting support to candidates who reside and work in the locality and are therefore more knowledgeable about the local people and their concerns. In this sense the well known term, "territorial representation" actually means personally knowledgeable representation of *the people* of the territorial division. The principle of territorial representation is important, then, just because it accommodates disparities of life-style and economic interests over a multitude of diverse regions in a province of enormous geographical extent.

URBAN ELECTORAL DIVISIONS

It will be appreciated that the importance of the principle diminishes proportionately with the diminution of geographical extent and with the diminution of

disparities of life-style and economic interests. The
principle accordingly seems to be of less importance within
an *urban centre* than it is within the *whole province*.

So it can be seen that in the City of Winnipeg,
which comprehends about half of the province's population,
the boundaries between electoral divisions are more arti-
ficial, generally speaking, than those between other non-
urban divisions or those between urban and rural electoral
divisions. The boundaries between city electoral divisions
are most certainly drawn with an eye firmly fixed on the
right number of people to be included in the division,
and whether a boundary be drawn along a back lane or two
streets over is usually of little moment. It is true
that "The Electoral Divisions Boundaries Commission" is
required under Section 11(1) of *"The Electoral Divisions
Act"* to take into consideration:

    (a) the community or diversity of interests
         of the population;

    (b) the means of communication between the
         various parts thereof;

    (c) the physical features thereof; and

    (d) all other similar and relevant factors;

and insofar as possible, is required to include the whole
area of each municipality in the same electoral division.

However, despite the Commission's earnest best

efforts, few city dwellers even know the name, much less
the boundaries of the electoral division in which they
are entitled to vote. Few, if any, city folk regard them-
selves as Crescentwooders, Fort Rougists or Saint Johnians,
for example, even if aware of the division name and boun-
daries. The overlay of City of Winnipeg constituencies,
called wards, bearing local names and having different
boundaries adds to the complexity and dilutes the indivi-
dual's sense of membership in a defined political unit.
Not infrequently, too, M.L.A.s do not actually reside or
work within the urban electoral division which they
represent. The "parachutists" label sticks poorly, if at
all, in this setting.

It is true that the people of the metropolis
do have a "compass sense" of community. Thus, one speaks
of being a "north ender", or a "west-ender", or "un boni-
facien", or the like. These perceived communities usually
comprehend much more extensive "territories" than the
present 27 electoral divisions which may be regarded as
Winnipeg ridings. It would therefore seem both possible
and desirable, from the point of view of importing the
representational virtues of the Single Transferable Vote,
that these Winnipeg electoral divisions might be converted
into 5 or 6 four-member or five-member electoral divisions
to represent the people of the metropolis, with a degree of

"compass sense" being expressed in the system. When and if the population of the City of Brandon, or the City of Thompson, warrants additional representation in the Legislative Assembly, the multiple-member constituency would be apt in those urban areas, too.

The Commission's tentative recommendation - formulated for public discussion and response - is that urban areas should be represented in the Assembly by S.T.V. election in electoral divisions returning not more than five M.L.A.s. This suggestion will no doubt be seen by some Manitobans as regression rather than reform, and that in itself, is reason enough for us to invoke as full a public response to it as we can get.

RURAL SINGLE-MEMBER ELECTORAL DIVISIONS

If the urban areas were to be converted to S.T.V. in multiple-member electoral divisions, what reform should be effected for the rural areas which would retain single-member electoral divisions on the valid principle of territorial representation? Considering the weaknesses of the present plurality system to be sufficiently grave for a departure from it in urban electoral divisions, one could hardly expect that rural Manitobans should have to endure those deficiencies. There should be some more precise instrument of electoral choice made available to rural voters in single-member constituencies.

Of the electoral systems we have studied, two would give the voter a more precise instrument of choice in the election of a sole member to represent the people of the electoral division. Both the Alternative Vote (*ante* p. 33) and the Borda-Laplace method (*ante* p. 46) would give the elector a more acceptable instrument of choice. It should be noted, too, that under either system the voter would be given the same instructions for voting and would mark the ballot in the same manner: 1 for the voter's first choice; 2 for the voter's second choice; and so on. The systems vary in the manner of reckoning the votes needed to declare which candidate is elected.

As earlier described (p. 33) under the alternative vote, the candidate achieving the smallest number of original votes would be eliminated and the 2nd choices recorded on that candidate's ballots would be transferred according to the voter's direction to augment the numbers of original votes recorded for the remaining candidates, and so forth, until only two candidates remained, whereupon the one achieving the higher total would be declared elected.

Under the Borda-Laplace method the voter's choices would be assigned a diminishing weight with a geometric progression of intervals from first choice to last, if any, and the candidate with the highest total value

of such assigned weights would be declared elected. Thus
in a three-candidate contest a first choice could be assigned
the weight of 4, a second choice the weight of 2, and a third
choice the weight of 1. This progression is geometric
because the interval diminishes not by a fixed arithmetic
value but by one-half of its predecessor, ie. 4, 2, 1. A
reasonable sequence could be established for up to 10 or
12 candidates, were there so many, but though still possible,
the sequence would become less comprehensible if extended
further.

Thus, in the instance of the Alternative Vote
the results of the election in any electoral division could
be published to the electors in byes demonstrating the
transfers of the defeated candidates; and with the Borda-
Laplace method there could be publication of the simple
totals produced by the straight addition of all the
assigned weights accorded on the ballots.

It can be seen that these ballot instruments
permit the voter a more complete and precise participation
in the election of an M.L.A. than the discharge of the
single-shot blunderbuss, which is our present ballot, and
which may miss the mark and be "wasted". Under either of
the foregoing systems, the voter's more complete and precise
participation carries the choice beyond the "one shot".

The voter may think that candidate A is the only one to be elected and may not wish to give comfort to any other candidate. If so, the voter may stop there, and have no less effect on the outcome than under the present system. But, the voter who thinks that if candidate A be not elected, candidate C would be preferable as an M.L.A. to candidate B, may then assist candidate C by recording a secondary or subordinate preference for C. If voters wish to use their sophisticated ballot as a single-shot blunderbuss in order to plump for the only candidate who, they think, could ever represent them, they should be permitted to do so. On the other hand, if voters think that despite their favourite candidate's defeat, there is still a place for their continued participation in the inevitable election of *some* candidate as their M.L.A., they will be able to record an alternate choice.

Both the Alternative Vote and the Borda-Laplace method would give the people of an electoral division the opportunity to avoid being represented in the Legislative Assembly by a candidate elected by a minority of the electors. The Commission's tentative recommendation for single-member electoral divisions is the Alternative Vote. We prefer it because here the individual elector does not become involved in giving support to a second-choice candidate, unless there be an inconclusive (ie. plurality

only) tally of original votes. Under the Borda-Laplace method (which is our tentative second preference) the elector gives some support, albeit on a geometrically diminished scale, to every candidate for whom a subordinate choice is recorded.

These tentative recommendations generate some dissent within the Commission, itself. Among us there is some body of opinion against the instituting of multiple-member divisions in order to restore the Single Transferable Vote. Equally there is some body of opinion against the alternate vote and single-member divisions. The Commission unanimously thinks it better, however, not to be demonstrating our own dissenting opinions before canvassing public opinion.

SUMMARY OF TENTATIVE RECOMMENDATIONS

1.   The plurality system should be replaced;

2.   Urban electoral divisions should be consolidated into multiple (but not more than five) member constituencies through balloting on the Single Transferable Vote System; and

3.   Each rural, single-member electoral division should return its M.L.A. through balloting on the Alternative Vote system.

These tentative recommendations will both generate support and provoke criticism on the part of the public. Written responses are invited. Written responses should be forwarded to the Commission, at the address shown below, before March 1st, 1977.

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