

Thoughts on Process and Reform Options

Now retired, I am a former academic and policy researcher. I was President of Fair Vote Canada from 2016 to 2021 and continue to be heavily involved in the movement for proportional representation in Canada. I have been monitoring the expert testimony before the special committee with considerable interest.

Abstract

This short submission puts forward three main ideas:

1. In thinking about the citizens' assembly (CA) option, you might consider how a CA could best complement the work of the special committee and draft the CA's mandate accordingly.
2. A proportional electoral system could be the best way to address Yukoners' aspiration for a more consensual approach to government.
3. It's important that whatever reform option the committee proposes should be **easy to implement and for voters to navigate**. I believe that the open-list system that FVC has put forward best fits the bill, with adjustments as you see fit.

A citizens' assembly, not a referendum

I was interested to learn from Ken Carty, during the March 25 hearing, that the rationale for a CA in BC was predicated on an explicit acknowledgement by the government that elected officials are in a conflict of interest when it came to electoral reform.

I salute the government of the day for acknowledging that and salute your committee for the serious attention you are paying to the CA idea.

An important question is how to connect your own work with that of a CA.

Assuming that the Yukon Special Committee on Electoral Reform will have produced its own set of recommendations already, the mandate of a citizens' assembly would need to be adjusted accordingly.

The CA's mandate could be to validate, amend or reject the Special Committee's recommendations. The mandate might include:

- validation of the committee's recommendations, with or without reservations or conditions;
- considerations relating to the timing and rolling out of the reform over time;
- recommendations on an ongoing citizens' review process to be envisaged to revisit and reassess the reform in the future.

A citizens' assembly, consisting of possibly two people per riding for a total of 38, could be seen as a much better way of garnering a citizens' perspective than a referendum, the perils of which are well known.

In making your recommendations, I can only echo the words of Prof. Pilon, and encourage you to take a non-partisan perspective as advocates for a more democratic electoral system in

Yukon. Doing this right in Yukon could have major repercussions by way of example elsewhere in Canada.

Towards a more consensual form of government

We know that a proportional system would yield a better match between vote shares and seat shares by party and have witnessed many elections in Yukon in which a party with 25% or more of the vote ends up with only one, two or three seats. The case for reform to eliminate such distortions is obvious.

However it has been argued that a PR system in Yukon would make it very difficult for a single party to form a majority government. The question is whether this would be a bad thing or not.

Were this a bad thing, we would find most countries with PR in the world producing bad policy and bad government. However, that is not what we observe. **On almost any indicator, constituencies with PR produce better policy and display a higher level of policy-continuity, than countries with first-past-the-post.** You'll find the evidence for this in Fair Vote Canada's literature review of comparative research, titled "[A Look at the Evidence.](#)"

The reason for this is that such countries are obliged to forge a majority consensus across parties representing a majority of the population in order to pass legislation. The route to a more consensual approach to decision-making while retaining a party system is to bring in some form of proportional representation.

PR options for Yukon

Wading through the various PR options that Yukon might consider can be challenging and confusing. However, some options are more straightforward than others, and not everything needs to happen at once. You might consider a model that is relatively easy to implement in the first instance, but that could be relatively easy to fine tune over time.

Going back to the issue of the CA's mandate, the legislation bringing in electoral reform might build in the creation of an ongoing CA process to review how well the reform is working and propose potential improvements.

In considering the options for Yukon, I would encourage you to look again at pages 14-16 and 22-26 of [the written submission from Fair Vote Canada](#), which contain material on systems design taking Yukon's specificity into account.

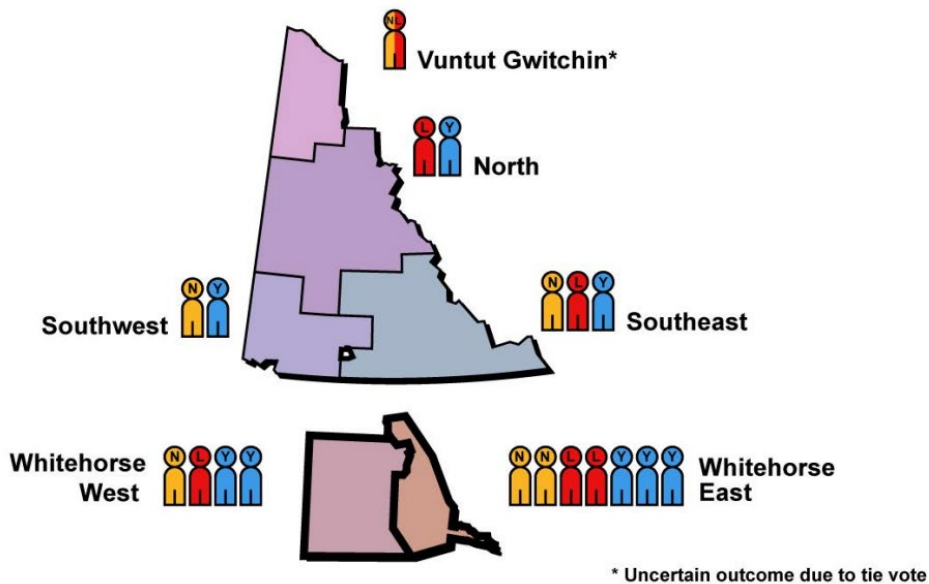
FVC proposes two relatively easy-to-implement options for Yukon.

Open-list PR

Worth noting on pages 15-16 is that almost all northern constituencies similar to Yukon have adopted open-list PR as an electoral system. A major reason for this is the simplicity of this model that can be achieved while retaining the direct accountability of elected representatives to the voters. Voters would continue to vote by marking a single X for the candidate of their choice. This vote would also count as their party vote.

FVC illustrates what an open-list PR system might look like in Yukon on p. 22 using the following graphic:

Open List Proportional



This is a regionally-based model with six regions varying in size from a single-member district for Vuntut Gwitchin in the north to seven members for Whitehorse East. The icons show the results of simulations of the expected result using the 2021 voting pattern.

An advantage of this model is that most voters elect a representative from a party that they voted for in each region rather than a single member who may not share the same political perspective.

The extent of proportionality in any system depends on the size of districts, ranging from single-member districts in first-past-the-post to “pure proportionality” in which all seats are pooled, like in the Netherlands.

FVC has proposed six regions, which is a lot for a small legislature like Yukon’s. The intent is to retain the community-based approach to elections alluded to in the hearing with Graham White on March 25, while correcting the worst aberrations of first-past-the-post.

Single-member districts outside of Whitehorse?

It’s possible that Yukon citizens would prefer to retain districts outside of Whitehorse as single-member districts. If so, that option need not be excluded.

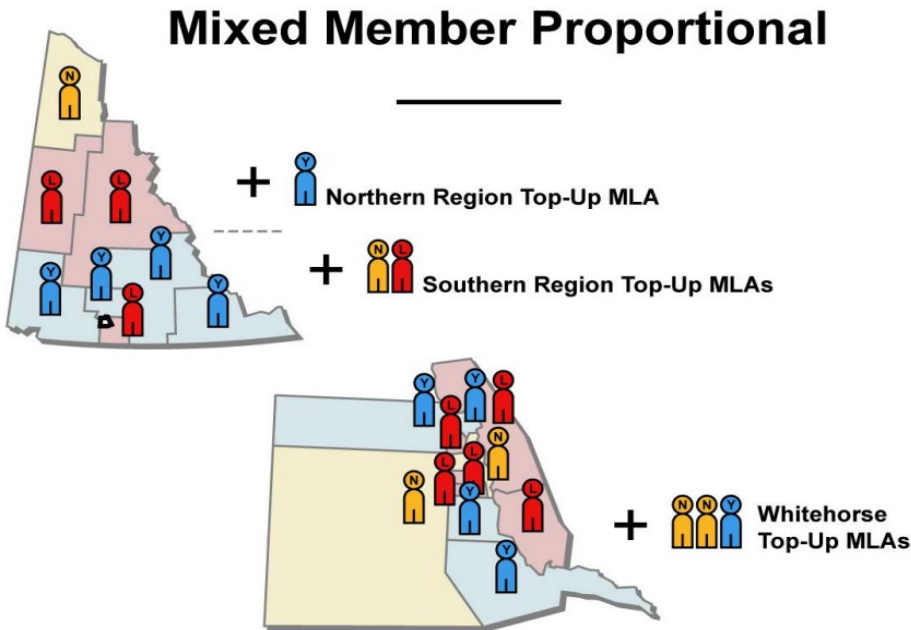
Should you decide to go that route, you might consider an approach used in some Scandinavian countries, which is to add a small number of “adjustment seats” on top of the regular ones. A total of three or four adjustment seats covering the whole of Yukon and allocated in a compensatory way would be enough to ensure a high level of overall proportionality.

The MMP option

The second option proposed by FVC is an MMP model described on pages 24-26 of their submission. In this model, Yukon could keep *all* of the existing single-member districts but add a larger number of adjustment seats to correct distortions. FVC proposes the addition of six adjustment seats in their submission. The MMP option requires more adjustment seats to be proportional than the open-list option, because the distortions to correct for are much larger in

this case . Six adjustment seats would be a small number by normal MMP standards, accounting for only 24% of total seats.

Here is what the projected result would have looked like in 2021 as shown in FVC's submission:



This model yields a similar result to open-list, but requires a greater number of adjustment seats to achieve that result.

If Yukon did not want to add seats, the alternative would be to carve out the required number of adjustment seats from the existing seats. This would require a redistricting exercise, and would increase the geographic size of each district.

David Brekke provides an excellent, if slightly more complicated, example of MMP that does this in [his submission](#). He presents a 50-50 MMP model by pairing up existing ridings. Each pair yields one constituency seat and one adjustment seat. Innovating further, Brekke adds a ballot in which each voter may mark two candidates as their first and second choice, using a Borda count that awards two points for a first choice and one point for a second choice, to determine the winner in each case. Adjustment seats are assigned as required to the best runners up in each region. This is a sophisticated model providing an enriched way for voters to express their preferences, while yielding a highly proportional result.

Conclusion

The choice of model to propose is yours to make but should ideally be put to a citizens' assembly to consider from an independent citizens' perspective. As you can see, there are some quite simple ways to proceed. The citizens' assembly would play an important role in providing the citizens' legitimacy that is required and would give citizens the opportunity to accept, reject or modify what the committee proposes.