

## REFORMING THE ELECTORAL FORMULA IN PEI: THE CASE FOR DUAL-MEMBER MIXED PROPORTIONAL

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As a strong advocate for improving the democratic integrity of voting systems, I am very excited that PEI wants to make history in Canada by replacing its Single Member Plurality (SMP) voting system. Two years ago, I received funding from the University of Alberta's Undergraduate Research Initiative to develop a new electoral formula that would address the shortcomings of SMP while satisfying Canada's unique needs. My research on the history of electoral formula reform in Canada led me to make two important conclusions. First, that Canadians had been presented with a false choice between two formulae offering different benefits, Single Transferable Vote (STV) and Mixed Member Proportional (MMP). Second, that the electoral formulae that Canadians had been asked to consider were significantly different than SMP in terms of the voters' experience and the manner in which voters would be represented. These conclusions guided me in the development of a new proportional electoral formula called Dual-Member Mixed Proportional, or DMP for short. Using the discussion in the *White Paper on Democratic Renewal* and the results of the most recent provincial election, I will demonstrate that DMP is the ideal alternative to SMP in PEI.

DMP retains local representation, achieves proportionality without creating two tiers of representatives, allows for the same nomination process currently in use by parties, and, from the voters' perspective, looks nearly identical to SMP. It works by creating two-member districts where the first candidate is elected by plurality (this ensures that the first place candidate always wins a seat) and the second candidate is elected by a process that ensures proportionality of the results.<sup>1</sup> By electing all candidates within two member constituencies, two complaints made against proportional formulae like MMP are eliminated: that mixed formulae create two tiers of representatives and that proportional formulae require the use of long party lists which hinder the electorate's ability to hold candidates accountable. Furthermore, unlike MMP where independents are unable to win the proportional seats, DMP places no seats off limits to independent candidates. Therefore, despite the fact that DMP is a proportional formula that views parties as playing a key role in a democracy,

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<sup>1</sup> A thorough explanation of this process is contained in the report sent to the committee. Rather than repeat that explanation here, I ask that the committee look to that report, specifically sections 6.1 to 6.3 (pages 20-31).

it allows the electorate to completely reject this view by choosing to have independent candidates fill all of the seats.

Like the preferential ballot system proposed in the *White Paper*, DMP would also enable PEI to return to its tradition of using dual member districts, to balance rural and urban representation, and to protect linguistic minorities. However, unlike the proposed preferential ballot system, DMP would always, and only, consider the first choice preferences of PEI voters. This would ensure that all votes are truly equal. The type of preferential ballot system being proposed would create a new type of inequality between voters. It would allow some voters to elect their first choice, while others would only be able to elect their second, third, etc. choice. Worse still, this system would result in some voters electing no one at all. Therefore, there would still be ample potential for the proposed system to waste a large number of votes. Finally, the suggested preferential ballot system would result in election outcomes that don't match parties' popular support, and, since this type of system usually results in nearly identical results to those obtained by SMP, it would only give an illusion of improving democracy in PEI.

Consider the last provincial election as an example. Both the Green and New Democratic parties deserved three seats according to their share of the vote. Under a preferential ballot system, the Green Party would have won district 17 and would have had a chance of winning districts 11 and 12. Since the Green Party placed third in districts 11 and 12, it is unlikely that the second choices of the NDP and PC voters would have secured them a victory. Therefore, the Green Party would have been unlikely to see a benefit from a preferential ballot system in the last election. The NDP would have fared even worse than the Green Party. Despite deserving three seats, the NDP would have been guaranteed none under a preferential ballot system and would only have had a chance of winning district 14. This demonstrates that if PEI adopts a preferential ballot system, Green and New Democrat voters will still be nearly completely shut out of the Legislative Assembly. It also shows that the voters of these two parties will be far less likely to elect their first choice than Liberal and PC voters. Neither of these consequences is democratic or fair.

Let us now look at how DMP would have improved the 2015 election outcome in PEI in more concrete terms. Using a computer program I have written and the voting data from the 2015 PEI election, a summary of this election's outcome under DMP has been generated and is displayed in

the figures and table on pages 5 through 9. The only assumption required was that each single-member district was actually a dual-member district. Of course, if DMP is used in PEI in the future, the number of districts would likely decrease so that the number of legislative seats would not increase. However, the effect of reducing the number of districts on the results shown on pages 5 through 9 would not be meaningful.

The first two figures display the distribution of the popular vote and seats under SMP, respectively. The two most jarring discrepancies between the popular vote and the election outcome are the 26 percentage point over-representation of the Liberal Party and the total failure of the NDP to obtain any representation. The outcome of the election would have been very different with DMP. Figure 3 shows that if DMP had been used to determine the election outcome, the legislature would have looked exactly as PEI voters' wanted. Furthermore, Figure 4 reveals that 81% of the elected candidates under DMP would have placed first or second in their district. In other words, 81% of the seats would have been assigned to the same candidates as under a plurality formula.

This last point is worth more discussion. At first glance, some object to a third place candidate being elected over one that placed second. However, such an objection is unwarranted for two reasons. First, Figure 5 demonstrates that simply moving to a dual-member district plurality system will not correct the shortcomings of SMP. The 19% of seats that are assigned to different candidates under DMP than under a dual-member district plurality system is what allows DMP to correct plurality's flaws. Second, such candidates are elected because their party has received sufficient support across the province to merit representation in the legislature. DMP requires candidates to have a mandate based on both the provincial and district votes. When a second place candidate belongs to a party that doesn't have a mandate for more seats based on the provincial vote, the candidate is denied the seat and it is given to the next best performing candidate whose party has such a provincial mandate. Therefore, DMP achieves proportional election outcomes while retaining the principal of local accountability.

Figures 6 and 7 reveal yet another benefit of using DMP to determine election outcomes. As Figure 6 shows, 96% of the districts would have been represented by two different parties. This would improve how PEI residents are represented by increasing the number of voters in each district who are represented by a party they support. Moreover, Figure 7 shows that parties would see the

regional diversity in their caucuses increase. For example, the Liberal Party would have obtained representation in about 80% of PEI's districts. This would have been a 13 percentage point improvement over the result obtained with SMP. Finally, the table on page 9 shows precisely where each party would have won its seats.

Replacing SMP with Dual-Member Mixed Proportional would ensure that the choices of PEI voters are accurately reflected in the legislature. This would be accomplished by making sure that every vote counts and that each vote is treated equally. DMP would continue the longstanding tradition of dual-member districts in PEI, and it would provide the flexibility needed to balance rural and urban representation and protect linguistic minorities. Lastly, DMP would increase the regional diversity of party caucuses.

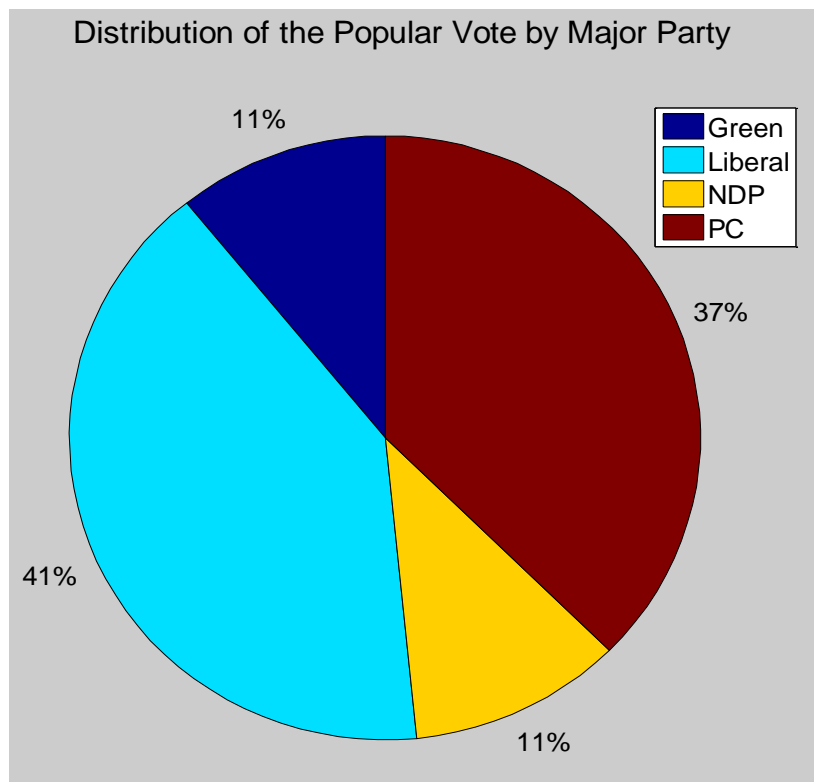


Figure 1

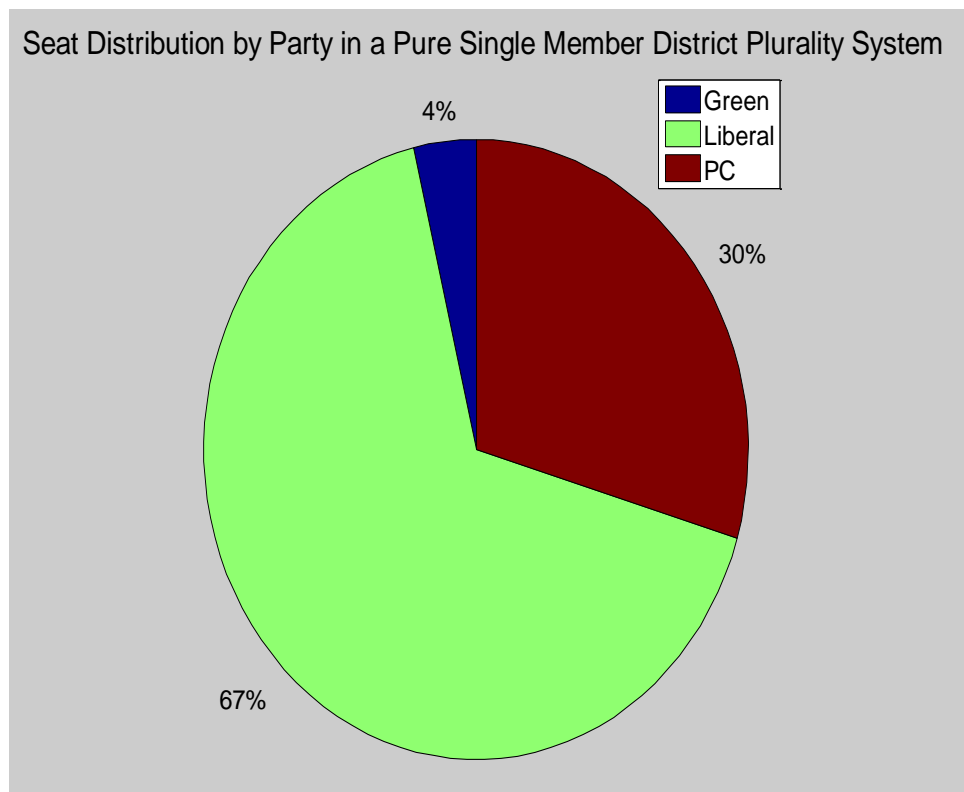


Figure 2

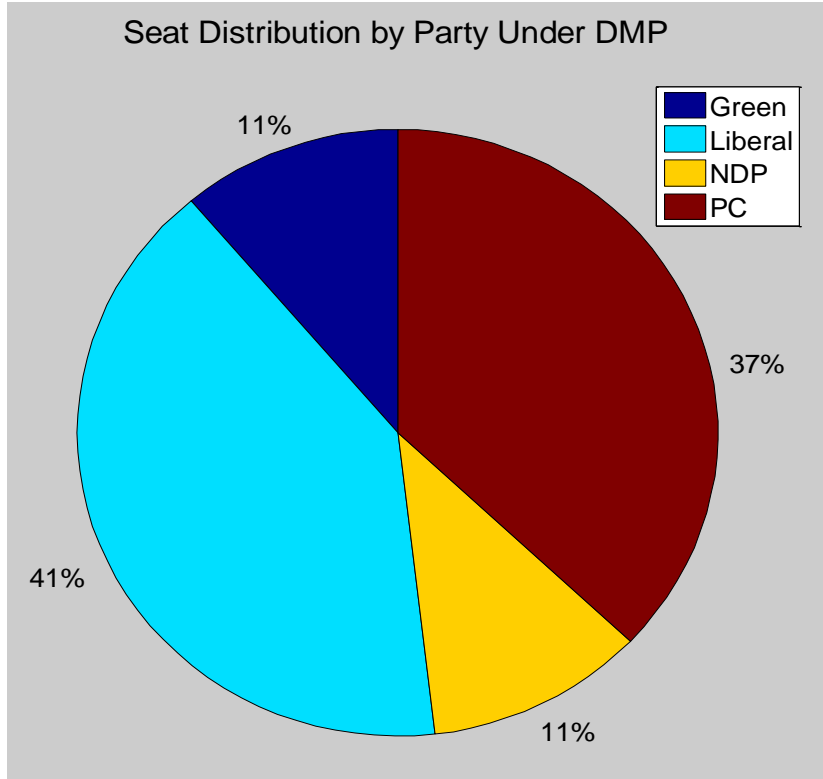


Figure 3

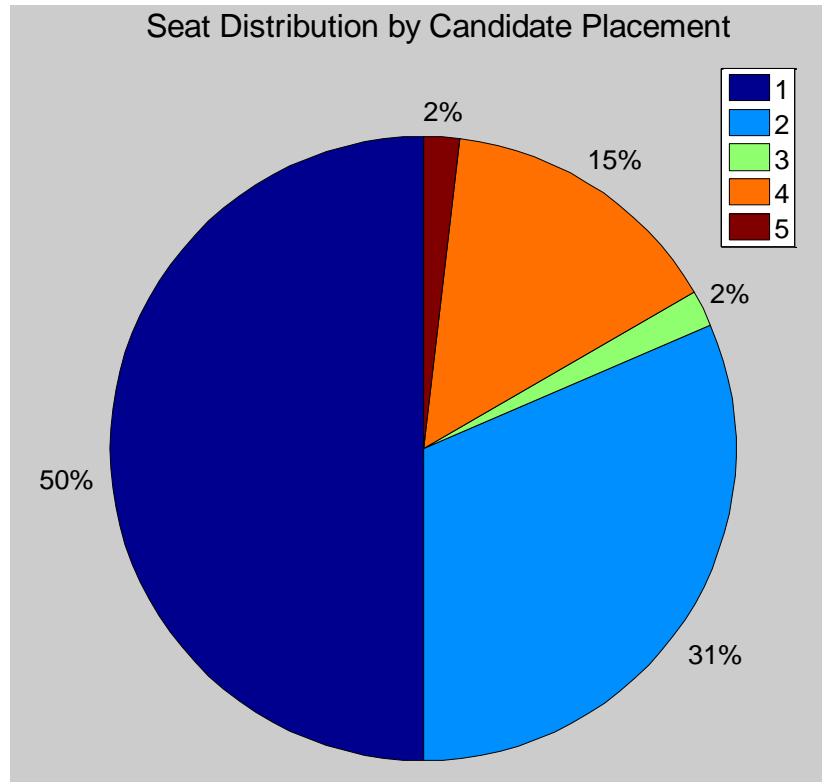


Figure 4

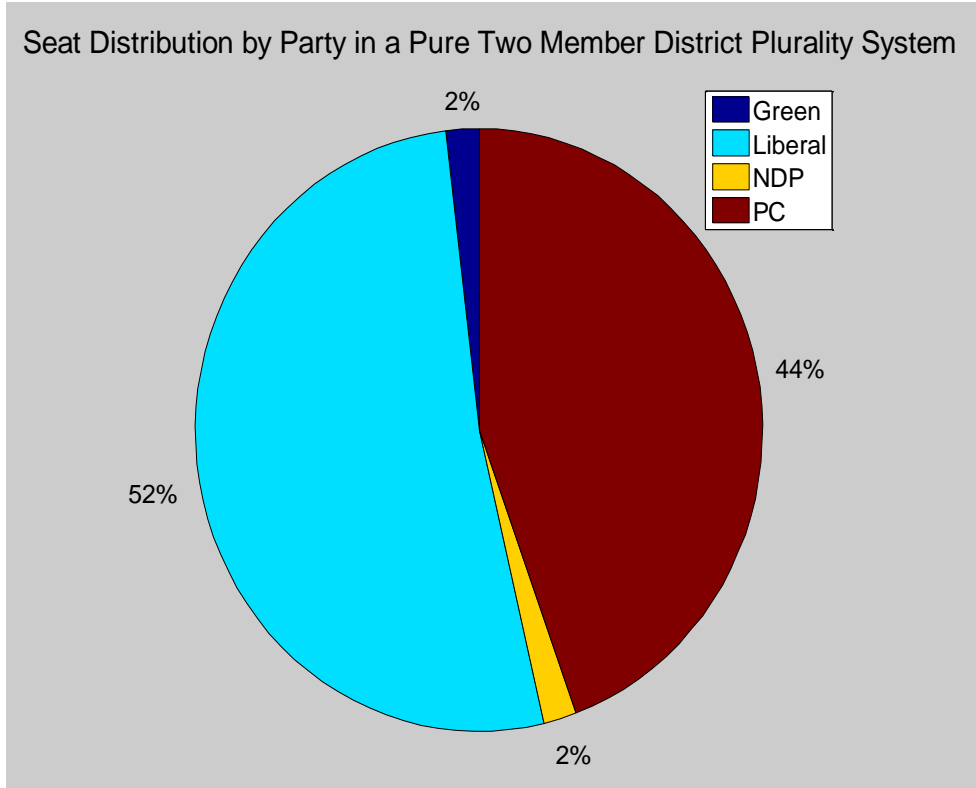


Figure 5

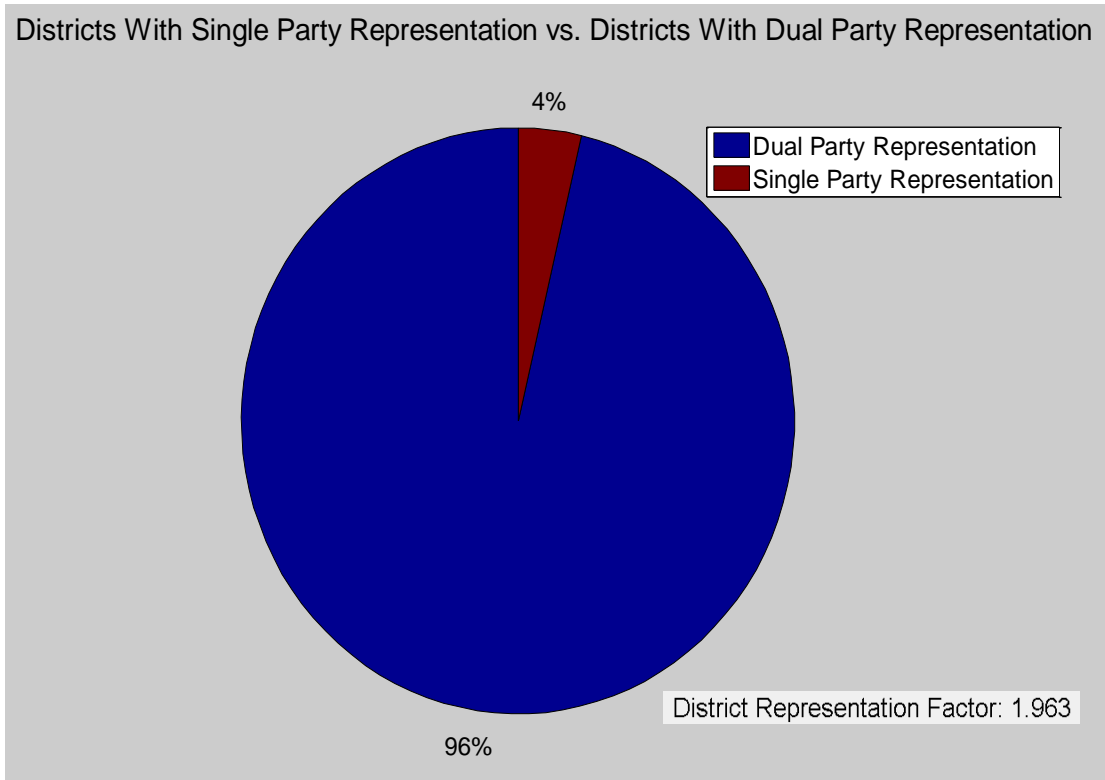


Figure 6

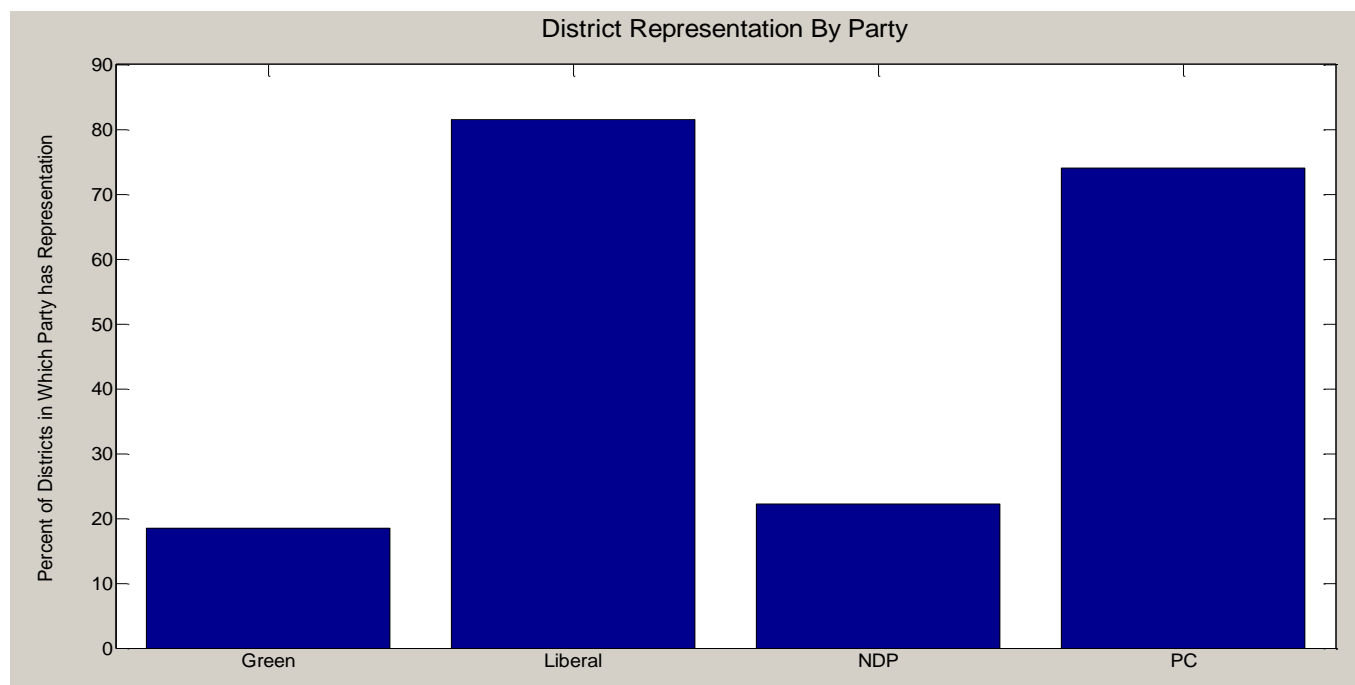


Figure 7



District Results of the 2015 PEI Election Under DMP			
District #	Winner of First Seat	Winner of Second Seat	Place of Second Seat Winner
1	'PC'	'Liberal'	2
2	'PC'	'Liberal'	2
3	'Liberal'	'PC'	2
4	'PC'	'Liberal'	2
5	'Liberal'	'PC'	2
6	'PC'	'NDP'	4
7	'PC'	'Liberal'	2
8	'Liberal'	'NDP'	4
9	'Liberal'	'PC'	2
10	'Liberal'	'PC'	2
11	'Liberal'	'Green'	4
12	'Liberal'	'Green'	4
13	'Liberal'	'PC'	2
14	'Liberal'	'NDP'	2
15	'Liberal'	'PC'	2
16	'Liberal'	'PC'	2
17	'Green'	'Green'	3
18	'PC'	'NDP'	5
19	'PC'	'Green'	4
20	'PC'	'Green'	4
21	'Liberal'	'PC'	2
22	'Liberal'	'PC'	2
23	'Liberal'	'NDP'	4
24	'Liberal'	'NDP'	4
25	'Liberal'	'PC'	2
26	'Liberal'	'PC'	2
27	'Liberal'	'PC'	2