



July 8, 2025

## It's High Time to Strengthen Our Democracy

The Springtide Collective for Democracy is a charity registered in Nova Scotia.<sup>1</sup> We are partnering with Fair Voting BC (FVBC) to challenge the constitutionality of our current voting system in court. In this submission, we focus on making the case that it is high time to take strong and proactive steps to strengthen our democracy by making our voting system markedly fairer and more inclusive of all voices across the province. Failing to move forward at this point would be an abdication of the legislature's responsibility to defend and improve our democracy. Our submission has two main sections:

1. The case for making a change now
2. Proposed process for making a change

## Why Change Now?

*"The Canadian tradition [is] one of **evolutionary democracy** moving in uneven steps toward the goal of universal suffrage and more effective representation"*

*Former Chief Justice Beverley McLachlin<sup>2</sup>*

After the 2018 referendum on voting reform, Deputy Premier Carole James said "I think electoral reform is finished."<sup>3</sup> Yet here we are, seven years later, publicly debating reform once again. Why are so many people unwilling to consider the issue settled?

**The key reason is that referendums are not appropriate ways to settle civil rights questions.** When Switzerland voted in a referendum to deny women the right to vote in 1959, this delayed, but did not prevent, women eventually getting that right. Nor did early legislative and referendum defeats prevent most western democracies from eventually recognizing same-sex marriages. And nor did BC's own controversial 2002 referendum seeking majoritarian support for non-constitutional "principles" for guiding treaty negotiations prevent Indigenous people from later winning major changes through the courts that ignored these "principles".

**Make no mistake – voting reform is clearly a civil rights issue.** In the US, courts have struck down many local voting systems for violating the Voters' Rights Act because of their discriminatory effects. Here in Canada, we are pursuing a charter challenge arguing that our current voting

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<sup>1</sup> For more details about Springtide and the relationship between this submission and FVBC's, see Appendix 1

<sup>2</sup> Reference re Prov. Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158

<sup>3</sup> [cbc.ca/news/canada/british-columbia/electoral-reform-referendum-results-1.4954538](https://www.cbc.ca/news/canada/british-columbia/electoral-reform-referendum-results-1.4954538)

system (known as First Past the Post) denies more than half the voters “effective representation” and reduces their “meaningful participation” in elections, which the Supreme Court has recognized as key aspects of our “right to vote” under the Charter of Rights and Freedoms.

While these phrases may sound abstract, the affidavits in our case<sup>4</sup> demonstrate the **deeply personal impacts many voters feel when their voices are excluded from the legislature** because they can’t elect someone to represent them, or when they try to take their concerns to their MLA and are brushed off because that MLA does not share the voter’s political views. As lawyer Lindsay Aagaard once said, “The vulnerability of constituents ... can be seen [every day]. **[Could] there be anything more vulnerable than having to rely on one individual, who [you have not] voted for, to represent your concerns, your interests?** To be your sole voice in the institution that makes the laws that govern every aspect of your life?”<sup>5</sup>

Political scientist David Plotke once said, “**the opposite of representation is exclusion – and the opposite of participation is abstention.**”<sup>6</sup> When voters experience discrimination and exclusion, they disengage and become more cynical, especially when they see one party or another win far more representation and power in the legislature than their popular support warrants.<sup>7</sup> Many voters are rightly concerned about the **increasing polarization** in our society that comes from amplifying some voices over others, particularly when those voices are differentially amplified in different regions of our province. It’s not true that all voters in the interior of BC or in the Fraser Valley hold conservative political views, nor that all voters in Vancouver and on Vancouver Island hold social democratic views, but the way our voting system amplifies these local plurality views into **local quasi-monopolies makes it appear as if our province is at war with itself. This breeds resentment**, as some areas of the province are routinely excluded from participating in government, which leads to the feeling that the government doesn’t understand or address local concerns.

In short, the reason we are still talking about voting reform is that **our current voting system prevents us from achieving the non-discriminatory and inclusive democratic ideal that Justice McLachlin spoke about and which we as a society aspire to.** The democratic shortfalls of our current system have been recognized for a long time, and previous efforts to effect change have been impeded by inappropriate referendums and partisan self-interest, starting with the unprecedented (and arguably unconstitutional)<sup>8</sup> 60% threshold imposed for the 2005 referendum in BC that prevented change when 58% of voters supported change. We should take the next step to strengthen our democracy now simply because it is the right thing to do, the current situation provides us with the opportunity and license to do so, and your job as MLAs requires you to continually improve our democratic health.

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<sup>4</sup> [charterchallenge.ca/case\\_evidence](http://charterchallenge.ca/case_evidence)

<sup>5</sup> [revparl.ca/english/issue.asp?art=1289&param=189](http://revparl.ca/english/issue.asp?art=1289&param=189)

<sup>6</sup> Plotke D (1997) Representation is democracy. *Constellations*, 4(1), 19-34

<sup>7</sup> Cutler F, Rivard A, Hodgson A. Why Bother? Supporters of Locally Weaker Parties Are Less Likely to Vote or to Vote Sincerely. *Canadian Journal of Political Science*. 2022;55(1):208-225

<sup>8</sup> [youtube.com/watch?v=eADjBCRI2Sk](https://youtube.com/watch?v=eADjBCRI2Sk)

The good news is that **“Contrary to the conventional wisdom, there is no trade-off at all between governing effectiveness and high-quality democracy.”**<sup>9</sup> BC can and should be better. While it’s commendable that, on the 2024 EIU Democracy Index chart (see Appendix 2a), Canada is the highest-ranking country (score of 8.7) that uses First-Past-the-Post voting, we are nonetheless only ranked 14<sup>th</sup> overall, with almost all countries ahead of us using some form of proportional voting (the top ones have scores as high as 9.8). In contrast, countries where they use less inclusive voting systems (including the USA) are notably back-sliding (see Appendix 2b). Nations using proportional voting have also made more rapid strides in improving and strengthening their societies. Over the past twenty years, several nations have overtaken Canada on the UN Human Development Index – virtually all use proportional voting (Appendix 3).

FVBC outlines in more detail the problems caused by our current voting system and the principles that a strengthened voting system should follow. They also present a framework for a **Regional Representation** voting system that takes full account of previous reform recommendations and efforts, including feedback from and critiques raised in recent reform and referendum efforts. We fully endorse FVBC’s proposal and their call to adopt Regional Representation.<sup>10</sup>

## Process Moving Forward

**Reasons to Take Action Now:** There are many imperatives and compelling considerations in favour of taking action now, despite the results of the 2018 electoral reform referendum:

1. British Columbia was the original leader in opening public discussion about voting reform when we created the widely emulated Citizens’ Assembly, and voters responded favourably, endorsing voting reform in 2005 with nearly 58% in favour.
2. There is a strong civil rights case that FPTP violates the rights of over half the voters.
3. MLAs have a positive obligation to take all possible steps to identify deficiencies in our electoral system and remedy them in order to strengthen our democracy, especially given the immense challenges to democracy itself currently playing out around the world
4. The Legislature has the right to directly change voting law.<sup>11</sup>
5. Polls in recent years have consistently shown that the public strongly-to-overwhelmingly supports adopting key principles underlying proportional voting.<sup>12</sup>

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<sup>9</sup> Lijphart A (2012) Patterns of Democracy. Yale University Press

<sup>10</sup> Or any other form of proportional voting that scores highly in their assessment (e.g., Single Transferable Vote, or possibly some forms of Mixed Member Proportional)

<sup>11</sup> As when BC implemented and then later rescinded the Alternative Vote (see Appendix 4), and when Alberta and Manitoba likewise implemented and later rescinded the Single Transferable Vote (see Jansen H (1998) The Single Transferable Vote in Alberta and Manitoba, PhD Thesis, University of Alberta)

<sup>12</sup> See Appendix 5

**Building Legitimacy:** While we believe the case for taking action is compelling, we also clearly recognize that the Legislature should take all possible steps to build public support for the proposed changes. To maximize public legitimacy, the Legislature should:

1. **Communicate Principles:** Clearly communicate the principled basis for moving forward with the changes, with a particular emphasis on ensuring fair legislative representation for all voters.
2. **Take Distractions Off the Table:** Reassure the public that any options or features that no-one is advocating for are off the table (see FVBC's submission for a detailed list).
3. **Delegate Detailed Design Considerations to an Arm's-Length Body:** Avoid any hint of partisan consideration or advantage in the process by which changes are decided upon by handing over key aspects of the detailed design process to appropriate arm's-length parties such as the Electoral Boundaries Commission or another purpose-specific commission, in consultation with electoral systems experts.
4. **Solicit Structured Feedback on a Draft Proposal:** Develop a draft proposal, then solicit expert feedback and incorporate this when developing a final proposal to be introduced to the legislature.
5. **Commit to Review:** Commit to a formal review process after the first two or three elections held under the new system, ideally incorporating a citizens' review panel.

**Regional Representation Reduces Obstacles to Implementation:** Through collaboration with a number of other groups and experts, Fair Voting BC has carefully designed the Regional Representation model to avoid it being susceptible to common objections and to reduce the impact of personal or partisan conflicts of interest. In particular, the proposed system retains a strong element of local representation and the ability to vote directly for individual candidates.

The **Regional Representation** model further offers the following benefits:

**1. It Retains Current Riding Boundaries:** Regional Representation does not require changing existing riding boundaries, but only that existing ridings be grouped with neighbouring ridings to form small multi-member districts (MMDs) and for these MMDs to be grouped into an appropriate set of regions. This task should be handed over to a simplified Electoral Boundaries Commission (EBC) to seek public input about the most appropriate configurations of MMDs and regions.

**2. It allows for a Few Single-Member Districts, if Needed or Desired:** While districts electing two or more MLAs are needed to ensure that elected MLAs can represent more than one political perspective at the district level, there are a few places in BC where this may be considered too challenging. If the EBC recommends it, it would be possible for some regions to set aside one or two single-member districts; this would still enable the voters in such districts to have their vote contribute to electing the top-up MLA(s) even if their preferred local candidate does not win.

**3. It Allows All Incumbents to Run Again:** Since Regional Representation would ensure that the same number of seats are available at the district level as with our current system, all incumbents would be free to run again as part of their party's slate in each MMD, and would also be eligible to be elected to the regional top-up seats. While some might not be re-elected, this is true of our

current system as well, particularly for those incumbents who are running in swing ridings where the results in the next election could easily shift with small changes in the votes cast.

**4. Reduces Nomination Burden on Small and Emerging Parties:** A significant challenge for small and emerging parties is nominating a full slate of 93 candidates in order to contest all ridings. By using MMDs, the total number of electoral districts would be reduced (likely to 40 or fewer). This alone would reduce the nomination burden by more than half for parties that wish to nominate only one candidate per district.

## Summary

Despite previous processes examining the case for electoral reform and proposing potential models, neither BC nor Canada has yet implemented any meaningful reforms, even though all the reasons for doing so remain as valid as ever. By viewing this issue through the lens of civil rights, there is a strong argument for the legislature to simply do its job and take proactive steps to recommend and implement steps to strengthen our democracy, particularly in light of the broader threats to democracy in the world around us.

The Regional Representation model developed by Fair Voting BC and others represents a well-thought-out framework for making change that carefully addresses potential objections and obstacles to implementation, and we fully endorse proceeding with implementing it.<sup>13</sup>

In making such a change, we recommend that the Committee adopt a process aimed at maximizing public support for the Legislature taking direct action towards implementation. This process should include stating the principles guiding the work, delegating key aspects of the work to arm's-length bodies such as the Electoral Boundaries Commission, publishing a preliminary proposal and soliciting expert feedback, and committing to a formal public review process after the first uses of the new system to further refine it.

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<sup>13</sup> Though, as mentioned above, we would also support other proposals for introducing more proportional or inclusive voting systems that align with the principles outlined in FVBC's submission, should the Committee feel that there are good reasons for pursuing an option other than the Regional Representation model.

## Appendices

### 1. About Springtide and This Submission

As mentioned in our main submission, Springtide is a charity registered in Nova Scotia. Our mission is to promote greater understanding of and engagement in Canada's democracy, and to defend the charter rights of Canadians as they relate to our democratic system. We are currently partnering with Fair Voting BC (FVBC), a registered non-partisan, non-profit society based in British Columbia, on a legal challenge to the constitutionality of our current voting system.

In our court challenge, we are arguing that the fact that fewer than half the voters are able to contribute to electing an MP (at the federal level) violates our charter right to effective representation. Our case is currently under consideration by the Ontario Court of Appeal.

FVBC is making a separate written submission outlining a proposal for a way to improve our voting system using an approach called "Regional Representation.". Regional Representation builds on the strongest elements of previous reform proposals, and mitigates the greatest concerns that have been expressed about our current voting system. We fully endorse FVBC's submission and will not reiterate their points here, though we note that their Regional Representation model is not the only voting model we would find acceptable. As mentioned in footnote 13 above, we would support alternative proposals from the Committee that substantially align with the principles outlined in FVBC's submission.

Additionally, we have had numerous interactions with other organizations such as the Vote 16 coalition (we are members of that coalition) and Apathy is Boring, and substantially support their submissions as well.

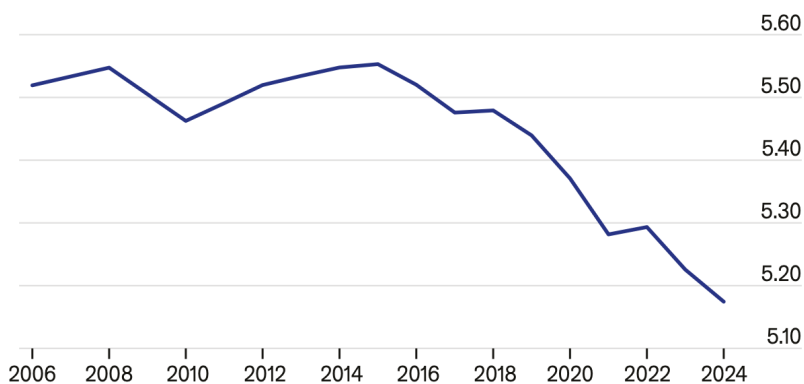
## 2. EIU Democracy Index 2024

### Democracy Index 2024

	Overall score	Rank	Change in rank from previous year	I Electoral process and pluralism	II Functioning of government	III Political participation	IV Political culture	V Civil liberties
<b>Full democracy</b>								
Norway	9.81	1	0	10.00	9.64	10.00	10.00	9.41
New Zealand	9.61	2	0	10.00	9.29	10.00	8.75	10.00
Sweden	9.39	3	1	9.58	9.64	8.33	10.00	9.41
Iceland	9.38	4	-1	10.00	8.93	8.89	9.38	9.71
Switzerland	9.32	5	3	9.58	9.29	8.33	10.00	9.41
Finland	9.30	6	-1	10.00	9.64	7.78	9.38	9.71
Denmark	9.28	7	-1	10.00	9.29	8.33	9.38	9.41
Ireland	9.19	8	-1	10.00	8.21	8.33	10.00	9.41
Netherlands	9.00	9	0	9.58	8.93	8.33	8.75	9.41
Luxembourg	8.88	10	1	10.00	9.29	6.67	8.75	9.71
Australia	8.85	11	3	10.00	8.57	7.22	8.75	9.71
Taiwan	8.78	12	-2	10.00	8.57	7.78	8.13	9.41
Germany	8.73	13	-1	9.58	8.21	8.33	8.13	9.41
Canada	8.69	14	-1	10.00	8.21	8.89	7.50	8.82
Uruguay	8.67	15	-1	10.00	9.29	7.78	6.88	9.41

### Charting democracy's ups and downs, 2006 to 2024

Global average Democracy Index score out of 10 (10=best)



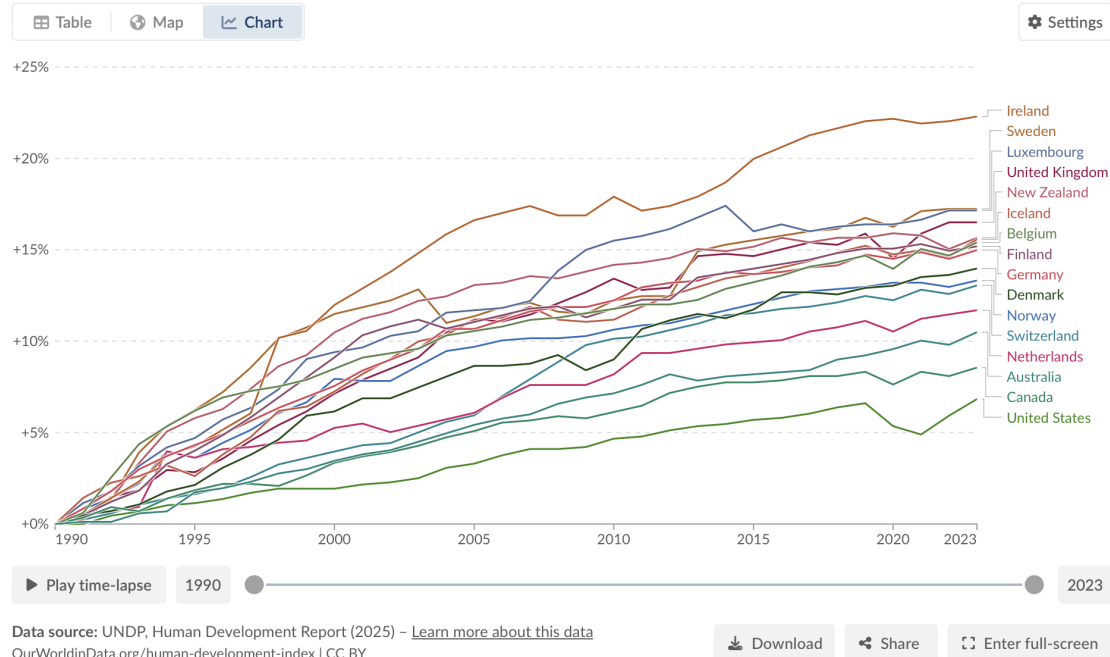
Source: EIU.

### 3. UN Human Development Index Over Time

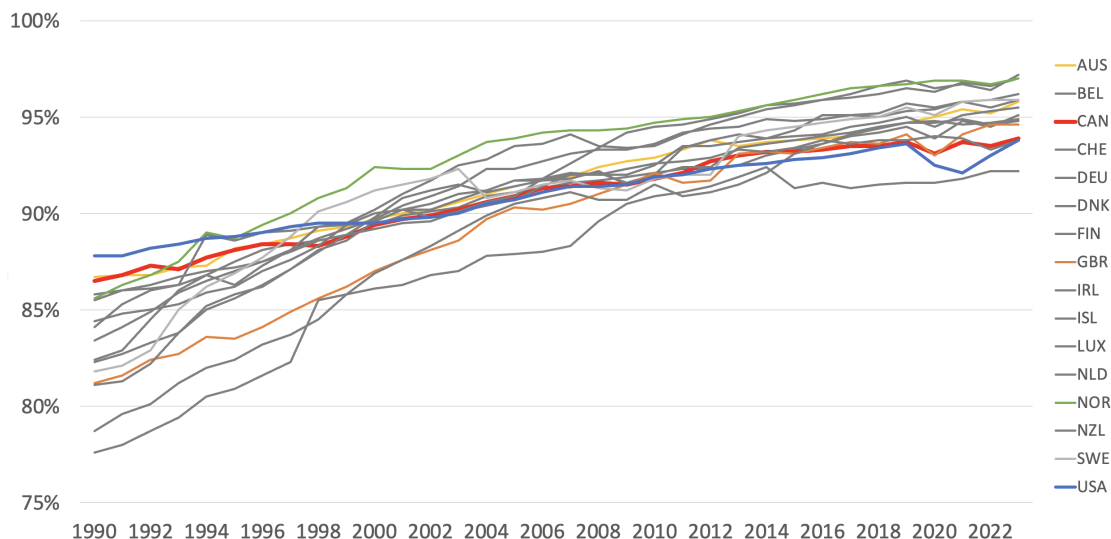
#### Change in human Development Index

The Human Development Index (HDI) is a summary measure of key dimensions of human development: a long and healthy life, a good education, and a decent standard of living. Higher values indicate higher human development.

Our World  
in Data



#### Change in UN Human Development Index Over Time for Several Democracies:



Canada is shown in red; three other democracies that use a majoritarian voting system are shown in yellow, orange and blue (Australia, the UK, and the USA). Norway, a leading democracy that uses proportional voting is shown in green. Although the USA, Australia and Canada held the top three places in 1990, all three have been overtaken by a number of democracies using proportional voting systems. Data available [here](#).



#### 4. Changes of Electoral System in BC at Provincial Level

BC has twice changed its voting system by simple legislation – in 1951, the Legislature introduced Alternative Voting, and in 1953 it reinstated single member plurality voting.

Table from [elections.bc.ca/docs/rpt/1871-1986\\_ElectoralHistoryofBC.pdf](http://elections.bc.ca/docs/rpt/1871-1986_ElectoralHistoryofBC.pdf):

RSBC 1948 c.106	Provincial Elections Act. Amended: 1949 c.19  <del>1947 c.25</del> 1951 c.25 1952 c.3	1939 c.16 and amendments. Indians and Japanese no longer disenfranchised. Alternative voting system enacted. Voting age changed to 19 and Doukhobor prohibition removed.
SBC 1953II c.5	Provincial Elections Act, 1953. An Act respecting Elections of Members of the Legislative Assembly.	Simple majority voting reinstated. Prohibition against entertainment, music, buttons, flags, ensigns, etc. (in effect since 1871) changed to apply only to election day. Paid agents no longer disqualified from voting. Provision made for holding of plebiscites "on any matters of public concern" at discretion of Lieutenant-Governor in Council.
RSBC 1979 c.103	Election Act. Amended: 1982 c.48  1985 c.5	RS 1960 c.306 Repeals section allowing women to vote if married to eligible voter. Language requirement dropped. Prohibition against public opinion polls repealed. "British subject" no longer eligible to vote.
1952	Single transferable vote used for first time in general election 12 June 1952. ★	
1952	Voting age changed to 19 (SBC 1952 c.3).	
1952	Doukhobor prohibition removed (SBC 1952 c.3).	
1953	Single transferable vote used for second and last time in general election 9 June 1953. Simple majority voting reinstated (SBC 1953II c.5). ★	

## 5. Polling on Electoral Reform

The following are key results from polls over the past few years soliciting views of Canadians and/or British Columbians on voting reform. Unless otherwise stated, the results are reported as a proportion of decided respondents (i.e., ignoring “do not know” or “no opinion” responses):

- **May 2025, ResearchCo:**<sup>14</sup>

Canada should implement a system of proportional representation for federal elections	<b>77%</b>
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- **Jan 2025, EKOS:**<sup>15</sup>

Proportional representation means that the total number of seats held by each party in Parliament would be roughly equivalent to each party’s percentage of the popular vote. Do you support or oppose moving towards a system of proportional representation in Canadian elections?	<b>78%</b>
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- **2022, EKOS:**<sup>16</sup> Assessed extent of public agreement with key principles:

In order for a political party to form a majority government, it should have the support of over 50% of Canadian voters	<b>80%</b>
An electoral system should encourage parties to cooperate and compromise so that the most important policies that are passed in Parliament reflect the support of over 50% of Canadian voters	<b>91%</b>
The overall composition of Parliament should be an accurate reflection of how people voted	<b>92%</b>

- **2020, Leger:**<sup>17</sup> Assessed extent of public agreement with key principles (percent saying important or very important):

COVID-19 has created an opportunity for change in many areas, including health care, environment and our social safety net. How important do you think improving our democracy is to achieving lasting changes for the better?	<b>93%</b>
How important are each of the following characteristics?	
A system that encourages parties to work together more in the public interest	<b>97%</b>
A system where Members of Parliament (MPs) must listen more to their constituents	<b>96%</b>

<sup>14</sup> [researchco.ca/2025/05/08/exit-poll-2025-2](https://researchco.ca/2025/05/08/exit-poll-2025-2)

<sup>15</sup> [fairvote.ca/03/02/2025/national-poll-shows-strong-support-for-proportional-representation](https://fairvote.ca/03/02/2025/national-poll-shows-strong-support-for-proportional-representation)

<sup>16</sup> [fairvote.ca/nationalpoll/](https://fairvote.ca/nationalpoll/)

<sup>17</sup> [fairvote.ca/poll2020](https://fairvote.ca/poll2020)

A system that encourages Members of Parliament (MPs) to work on longer-term solutions to problems rather than quick fixes	<b>96%</b>
A system where all votes count regardless of where you live or who you vote for	<b>94%</b>
Improving the representation of each of Canada's regions in the government	<b>94%</b>
Ensuring that laws passed have the support of parties representing at least 50% of voters	<b>93%</b>
Some citizens groups are proposing a reform of the voting system in Canada to a more proportional system. This means that if a party gets 40% of the vote, about 40% of the Members of Parliament (MPs) elected will be from that party. Do you support or oppose moving to proportional representation in Canada? (% indicates those in support)	<b>76%</b>

- **Sep 2019, Angus Reid:**<sup>18</sup> Assessed extent of public agreement with key principles:

In order for a political party to form a "majority government," it should have the support of over 50% of Canadians	<b>82%</b>
An electoral system should encourage parties to cooperate and compromise so that the important policies that are passed in parliament reflect the support of over 50% of Canadians	<b>90%</b>
The overall composition of Parliament should be an accurate reflection of how people voted	<b>90%</b>
Support moving towards a system of proportional representation in Canadian elections	<b>77%</b>
The Liberal government was wrong not to pursue electoral reform - it should have kept its promise	<b>70%</b>

- **Dec 2018, ResearchCo:**<sup>19</sup> Assessed extent of public agreement (in BC) with key principles immediately following 2018 referendum results:

A party should only win majority power if its candidates won a majority of the votes	<b>76%</b>
A party should not hold majority power if its candidates won fewer than 40% of the votes	<b>69%</b>
Almost all votes should help elect an MLA	<b>76%</b>
In each region of the province, MLAs should be elected from different parties in close proportion to how voters voted in each region	<b>66%</b>

<sup>18</sup> [fairvote.ca/17/09/2019/angusreidpoll](https://fairvote.ca/17/09/2019/angusreidpoll)

<sup>19</sup> [researchco.ca/wp-content/uploads/2018/12/Tables\\_ElectoralReferendum\\_21Dec2018.pdf](https://researchco.ca/wp-content/uploads/2018/12/Tables_ElectoralReferendum_21Dec2018.pdf)

Voters should be able to vote for their top candidate without worrying about 'splitting the vote'	<b>83%</b>
Voters should be able to choose among different candidates from their preferred party	<b>66%</b>
The voting system should not disadvantage independent candidates	<b>78%</b>
Even if a voter's top choice isn't elected, the voter should still be able to make their vote count for a more popular candidate rather than having it ignored	<b>59%</b>
An independent, non-partisan process should be set up to reflect on the results of this referendum and recommend what British Columbia should do next	<b>65%</b>

