



Submission to Alberta Electoral Boundaries Commission – January 2017

A. Introduction

Public Interest Alberta has advocated for a broad range of approaches to strengthening Alberta's democracy as a top priority since our organization was founded in 2004.

Public Interest Alberta's Democracy Task Force sees the current work of the Alberta Electoral Boundaries Commission as a rare opportunity to make important changes to strengthen the key democratic element of representation by population, where the need for improvements is particularly pressing in our province.

We are very pleased to have the opportunity to offer our observations and recommendations to the Commission and will be focusing on three main issues and areas of concern:

1. **What are the key democratic principles that should guide the Alberta Electoral Boundaries Commission as they do their work?**
2. **To what extent do Alberta's existing electoral boundaries reflect the principles and practices of strong democracy?**
3. **What approach to electoral boundaries redistricting is most compatible with strengthening Alberta's democracy?**

B. Democracy and electoral boundaries

Democracy as a concept can be interpreted in different ways, but we believe there are several fundamental elements that are basic to strong systems of democracy.

In particular, we believe that at its heart, democracy is grounded in the principle of **political equality** – the idea that citizens must be seen as equal in terms of having a say in the political system and must have equal rights under the law.

Closer attention to that principle has led to recent improvements in our system, including provincial legislation to eliminate corporate and union contributions to candidates and parties and to reduce contribution limits to ensure that citizens determine the outcome of elections rather than wealth and institutional power.

But political equality requires something more specific in terms of electoral boundaries – the electoral districts must be solidly based on representation by population, the principle that elected representatives must represent approximately equal numbers of constituents to ensure that no person's vote is worth more than that of another.

For example, if one constituency has 20,000 eligible voters and another has 40,000 voters, the votes of those in the first constituency are effectively worth twice that of those citizens in the second setting.

Obviously, not only does such a situation dramatically subvert the principle of political equality, but it also has the clear potential to undermine the democratic principles of majority rule and minority rights, particularly if there are large departures from representation by population.

However, this does not mean that constituency sizes must be exactly equal; small variations will be needed to take into account particularly problematic and compelling local circumstances in some instances. But the key is that the default position must be that of approximately equal populations for constituencies, and the variances should be minimal as a consequence.

C. Electoral boundaries in Alberta: the current situation

Unfortunately, Alberta has allowed substantial, unwarranted, and unnecessary departures from representation by population in terms of our electoral boundaries, to the extent that our current system can be described as one of “unfair variance by design.” In the process, we have sacrificed important aspects of political equality and have unfairly advantaged some groups of voters and disadvantaged others.

The current system has been fostered by several factors, most notably in allowing an initial variance of 25% (above and below) from the average population per constituency. This, in effect, translates to a situation where some constituencies can sit at 75% of the average constituency size, while others are 125% of the average, a variance equal to 50% of the population in an average constituency. For example, if the average population per constituency is 48,000, with a 25% variance allowed both above and below the average, that leads to an acceptable variance of 12,000, so that the lowest would be 36,000 and the highest would be 60,000 – in this situation, the larger constituency is 1.667 times the size of the smaller one.

The initial situation is then made worse over time by subsequent population shifts, often involving increases in rapidly-expanding urban and suburban settings and declines in rural areas.

As a result, Alberta has dramatic and troubling departures from representation by population, leaving many Albertans significantly over-represented or under-represented. These problems are clearly illustrated by the numbers of eligible voters in constituencies in the 2015 provincial election: Edmonton-Whitemud had approximately 37,000 eligible voters, while Spruce Grove-St. Albert and Calgary-South East both had approximately 46,000. In contrast, Lesser Slave Lake had roughly 20,000 eligible voters, Dunvegan-Central Peace-Notley had approximately 16,000, and Fort McMurray-Conklin had just over 15,000.

This means that in 2015, voters in Fort McMurray-Conklin had three times the “voting power” of voters in Calgary-South East. One Alberta MLA speaks for three times the number of voters represented by another Alberta MLA. This is not consistent with political equality.

Voters in these heavily-populated constituencies have a diminished voice in the legislature and the issues that matter to them do not carry the weight they should. More importantly, the fundamental principle of political equality has been dramatically sacrificed – and to what end?

The usual explanation for resorting to these types of inequalities in the past was that it was difficult for MLAs to effectively represent voters in constituencies that had large areas and more sparse populations, so those MLAs were given smaller numbers of constituents to deal with.

The problem from the beginning was that this expedient involved substantially undermining the principle of representation by population, and that difficulty has grown dramatically in recent years,

as demonstrated in the inequitable population of constituencies in the 2015 election – a situation of conspicuous unfairness.

Rather than allowing for such wide population variance, a better solution would be to stick much more closely to representation by population and political equality, and then recognize that different types of constituencies have different circumstances and representational challenges. Instead, effective representation requires different levels of support for different types of constituencies. If so, the Legislative Assembly should respond accordingly and ensure MLAs can effectively serve their constituencies. This can be done by increasing the nature and extent of supports to meet these challenges, but without subverting the principles of democracy in the process.

Of course, rural areas with sparse populations are not the only constituencies in which MLAs face unique challenges when providing effective representation. For example, MLAs in densely populated urban constituencies with larger numbers of voters face serious challenges related to representing populations with higher poverty rates and more diverse language groups. Moreover, recent improvements in communications and information technology have made it much easier to reach constituents and provide effective representation in rural areas.

In the end, however, the Electoral Boundaries Commission should not be addressing these representational challenges. That is the responsibility of others. The Electoral Boundaries Commission should focus on enhancing political equality and fairness through representation by population. Currently, the situation is unfair because constituency populations are far from equal.

D. A democratic approach to redrawing Alberta’s electoral boundaries

It is not our intention to suggest specific changes to the boundaries of particular constituencies. Rather, we believe that it is important to outline the key principles and overall changes that we hope will guide the Commission’s work. If these basic elements are adopted, the specific changes to boundaries will be grounded in and guided by a strong commitment to ensuring political equality and representation by population.

1. Reduce the current 25% variance in the constituency population size to 5%.

The current legislation allows variances of 25%, but that was meant to serve as an outside limit, in very different times.

Clearly, the goal should be to have constituencies of equal population size, but due to the desire to take into account some local circumstances (for example, existing community and municipal boundaries) some modest degree of latitude is necessary. The proposed five per cent variance would actually amount to ten per cent, since it would allow five per cent above and below the average.

In addition, the Commission should not make use of their power to create any of the four “special exceptions” constituencies of even wider variance as allowed under the legislation, since the particular circumstances of these areas can be better addressed through other means, such as by providing more assistance and support to MLAs.

2. The Electoral Boundaries Commission should call for increased support to MLAs to assist them in effectively representing their constituents and addressing their varying needs

While acting on a commitment to political equality and representation by population, the Electoral Boundaries Commission should point out that they are no longer using population variance to address the challenges of representation. In doing so, the Commission should call on

appropriate bodies to ensure that all MLAs have the necessary staff and technical support to address those their representational challenges.

Such additional support is not only justifiable, but long overdue. It will mean that the Legislative Assembly must revise and enhance the formula for providing support, with the goal of allowing all MLAs to more effectively represent their constituents and their unique circumstances in rural, urban, and suburban constituencies throughout the province.

The increased costs are an investment in strengthening democracy in our province and a necessary complement to the move to more political equality and representation by population.

E. Conclusion and Next Steps

Public Interest Alberta's Democracy Task Force is encouraged by the opportunity for strengthening our democracy that is being provided by the work of the Alberta Electoral Boundaries Commission, and will be taking advantage of further opportunities for engagement as well as encouraging other individuals and organizations to be involved.

We wish the members of the Commission well in their important work, and look forward to the next steps in the coming months.