

DECLINED BALLOTS

For many reasons, some people choose to not vote. This is their right. However, citizens who do not want to vote for any candidate on election day have options other than staying at home. They can show up and cast a ballot that will be rejected in the counting process, or they can show up and formally decline their ballot.

BALLOTS THAT DO NOT COUNT AS A VOTE FOR ANY CANDIDATE

1. Rejected Ballots

For a ballot to be rejected, it must be marked improperly or illogically by the voter. For example, if a ballot is marked for more than one candidate, it will be rejected during the counting process. (Improperly or illogically marked ballots are commonly called spoiled ballots. However, spoiled ballots are something different. Under Saskatchewan election law, a spoiled ballot is a ballot kept by the deputy returning officer and not counted. Ballots are considered spoiled if there is a printing problem with the ballot. Ballots are also considered spoiled if a voter improperly fills it out, and instead of placing the ballot in the ballot box they give it back to the returning officer and exchange it for a new one.)

With rejected ballots, it is impossible to know the voter's motivations. Some voters may be genuinely expressing dissatisfaction with the options available or the system of government in general. However, other people may have simply made a mistake when filling in their ballot. There is no way of distinguishing the people who made an honest mistake from the people who specifically rejected their options.

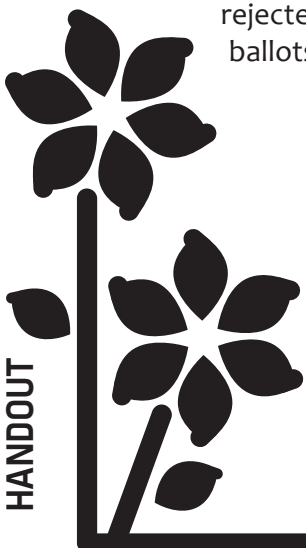
To bring more clarity and options to voters who wish to reject all the choices on a ballot, Ontario, Manitoba, Saskatchewan, and Alberta have given provincial election voters the option of declining their ballot.

2. Declined Ballots

When a voter receives a ballot at the voting station, they have the option of declining to use it. To exercise this option, the voter must return the ballot to the election official without filling it in, and declare that they wish to "decline their ballot." When this is the case, the election official must record the ballot as declined.

Ballots can be declined in Saskatchewan's provincial elections. However, our election laws do not require declined ballots to be specifically reported with election results. Instead, the declined ballot count is lumped in with the spoiled ballot count. This means that the public does not know how many ballots were intentionally declined.

The other jurisdictions with allowances for declined ballots believe that declined ballots should be publicly and separately reported. For example, Alberta and Manitoba election results include a breakdown of rejected ballots and declined ballots. Ontario goes one step further, by breaking down rejected ballots, declined ballots, and ballots left blank but placed in the ballot box.



PRESERVING THE SECRET BALLOT

Declining your ballot is a legitimate form of political expression, but it is not a secret process. Voters must publicly declare their desire to decline a ballot and hand it back at the polling station. Compare that to the voters who cast a vote for a candidate or deface their ballots: their decision is secret.

The lack of secrecy when declining a ballot poses problems. Secret ballots help prevent people from being intimidated, threatened, or bribed. When a ballot is secret, nobody can force you to vote a certain way, nor can they reward you for your voting choice. As well, the secret ballot limits your ability to demand favours for your voting choice. Declining a ballot, however, is a public act. This undermines political privacy, a principle that Canada has recognised since its first use of the secret ballot in the 1874 federal election.

Manitoba's election laws acknowledge the importance of secrecy for voters who wish to decline their ballot. They allow voters to write "declined" on their ballot and place it in the ballot box. This method retains political privacy while having the ballot counted as declined.

WHY DECLINE YOUR BALLOT?

Declined ballots offer voters a chance to officially register dissatisfaction. If they reject all of the candidates—or perhaps even the system of government in general—declining their ballot is a way to have their voice heard on election day. Conversely, simply defacing a ballot and putting it in the ballot box can mean any number of things, from political protest to honest mistake.

Nevertheless, declined ballots are not individually reported in Saskatchewan elections. Instead, the count is lumped into the spoiled ballot category. This lack of reporting can potentially reduce the political effectiveness of a declined ballot in our provincial elections.

Discuss

1. Under what circumstances is it okay to decline a ballot? Are there better ways to address political dissatisfaction than declining a ballot?
2. In 2014, an Ontario citizen launched a non-partisan "Decline Your Vote" campaign to raise awareness of declined ballots. The campaign appeared to impact that year's provincial election: 31,399 ballots were declined, compared to just 2,335 in the previous election.
 - a) Would more people decline their ballots if they were aware of the option?
 - b) Whose responsibility is it to make people aware of the declined ballot option?
3. What would happen if declined ballots outnumbered ballots cast for candidates in an election? In other words, what would happen if declined ballots "won"?
4. Would you make any changes to Saskatchewan law in relation to declined ballots? If so, what would you change?

Voters cannot post photos of their ballots to social media. In fact, cell phones and cameras must not be used in polling places, even to photograph your ballot for your own private collection. A photo could allow another person to confirm your vote. This undermines the principle of the secret ballot and creates possibilities to punish or reward people for voting a certain way.

