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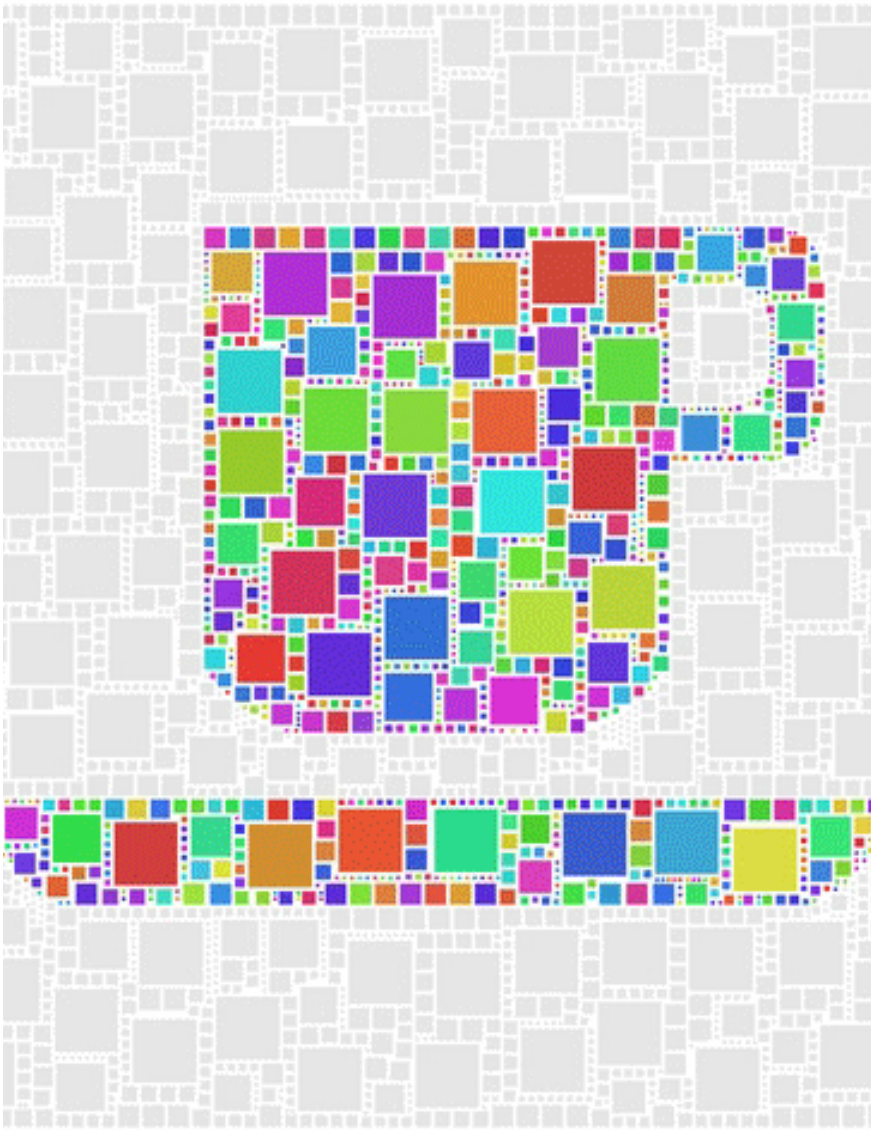
ThinkEvans Pty Ltd
PO Box 112
Coogee NSW 2034 Australia
www.thinkevans.com.au



What is consensus? Well, it rather depends on the context.

by Carolyn Evans and Tanya van der Wall

Common use makes 'consensus' a confusing word. The word is used equally to imply some form of general but informal agreement (or lack of evident disagreement), and to 'define' (speaking very loosely) the formal outcome of a decision making process, and to describe the character of processes by which such agreement might be reached – like 'consensus decision making'. On top of that, 'consensus decision making' itself means many things to many people – the term has no strict definition, though it is often used as if it did.

A good starting point to unscramble those meanings is acknowledging that finding 'consensus' and taking a formal vote are neither inherently good or bad, and not mutually exclusive anyhow. More important is the leadership role to articulate a clear direction for the entity, including through binding decisions - vital to the entity moving ahead on a reasonably certain basis. To that end, a modicum of procedure and 'rules of order' for meetings help both chairs and members - by showing what consensus means for that group, what discursive process might be used to find it, and how evidence of consensus in a decision might be shown through voting.

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Technicalities:
voting mechanisms

Voting on the voices

Perhaps the most widely used voting method for meetings, this is the approach where the chair asks “those in favour, say aye” etc., and those voting speak their individual decision.

Standing vote

Also called a “division”, where those voting rise to express their vote and thus clarify the numbers for or against. Used particularly if the result of a voice vote is not clear, and very common in parliaments - where it may involve filing past a teller designated for "yea" or "nay", who "tells" the vote by counting those passing.

Ballot vote

Where individuals cast a vote using a ballot paper (or its electronic equivalent). Often used for changes to rules or bylaws and election of office bearers, as it creates a tangible record of votes cast. Where allowed under the rules of order for the entity, a ballot by email or mail can also facilitate decisions between meetings.

Proxy vote

Where one party is duly authorised to cast a vote on behalf of another. Common amongst shareholders, and the members of associations, such as for voting at annual general meetings.

Secret ballot

Originally an 'Australian' ballot - votes are cast such that an individual's vote is not known to any other person.

Origins

The origins of voting to determine a group decision reach back to the earliest civilizations, gradually formalised in the west after the example of practice in religious orders. For example, since at least the middle ages such a group might decide many things by a vote of all members - from choosing a leader to which meal to abstain from as a Lenten fast. In a related development, the etymology of 'parliament' is Anglo-French ('parler' meaning 'to talk'), and the term is thought to have arisen from the habit of such religious orders making their decisions over discussion when meeting for a meal.

While there is a plethora of ‘how to’ books on meetings, a better reference for chairs and members of decision making groups is enduring authorities, such as Robert’s Rules of Order and Erskine May. Between these two, the vast majority of issues are covered as to the varieties of voting systems and their applicable purposes, as well as the traditions of when and how to apply or suspend established rules of practice for decision making entities. The two are broadly consistent in their guidance, although the level of specificity differs depending on the particular topic.

Robert’s ’deliberative assemblies‘ is an embracing terms that includes not only parliamentary type bodies but most groups convened to make binding decisions - incorporated entities, boards of directors, executive committees, management committees, associations, unions, clubs, cooperatives, and so on. Robert’s also notes the importance of the hierarchy of authorities for governing a meeting. The authorities that govern both the assembly and decisions of such bodies are firstly the prevailing law (federal, state and local as applicable), the applicable constitution of the entity or its equivalent (some legal instrument that serves to create the organisation), followed by rules made under that constitution. Thereafter, for many practical purposes in running a meeting, the adopted rules of order (whether Robert's or any other, even a bespoke set for that organisation) govern the means of making and recording decisions for which a given group is so empowered.

What 'constitutes' consensus?

In conjunction with the actual method of voting, the single most important issue in making a decision at a meeting is what constitutes a binding decision - how do the rules provide for such an outcome to be achieved? Put another way, given a proposal (such as a motion - written or spoken, with or without notice), what constitutes a binding consensus to proceed as proposed? There are two central issues:

- Who is a 'member' for the meeting, in that they have a right to participate that includes a right to vote? Some audiences will have a right of access to observe the meeting (such as rate payers typically have to view a town council meeting) but no right to vote (usually limited to councillors).

- What will signify agreement to the proposal? That is, under the rules that prevail for the meeting of that group, what outcome of the vote is sufficient for a proposal/proposed decision to succeed?

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The members

Eligibility for voting is what this is all about. There are many ways to access a meeting, fewer where one acquires a right to be heard, but in either case that remains distinct from being eligible to vote in decisions by that group.

Voting is a signal of an individual member's decision to support a proposal or otherwise, and the result of voting is then the group's decision (whether in favour of the proposal or otherwise).

Such results are commonly determined by a majority of the members present. Where allowed, members appointing a proxy are said to be present by that proxy. However, not all groups provide for the use of proxies under rules governing that meeting, group, assembly, or organisation.

Unless otherwise specified (such as in an entity's constitution), a majority vote is usually taken to mean 'a majority of those members present, entitled to vote, and casting a vote.' For certain classes of decisions, it is not unusual to specify something larger than a simple majority - such as a two-thirds, or, more exceptionally, a three-quarters majority. This is seen where the new decision would overturn one previously made, including where it would change the rules for that group (eg. board policies for a board).

Occasionally, a majority of the entire membership is specified, typically for more significant decisions that may impact the fundamental or existential nature of the organisation. This form of words means a majority of all members regardless of whether they are present and/or actually cast a vote.

The total votes cast is the sum of those for and against, leaving aside any member who abstains or does not participate. It is not that remarkable to see some members abstain, and others may choose not to participate in a particular vote for some reason (deliberately, or even just to take an urgent phone call). Neither is a problem per se, but chairs and tellers need always to take care to have an unambiguous count of votes actually cast.

Individuals should note that, unless the rules of the organisation specifically provide otherwise, they will usually be bound by the decisions made, even if they don't participate - hence the expression 'abiding by a majority decision'.

The numbers

The way in which agreement to the proposal is signified or determined must also be established definitively, in rules given by the governing body (such as a board) or by the adoption of a parliamentary authority such as Roberts or Erskine May. Such rules will stipulate the form and substance of the decision needed to support the proposal, very commonly being the nature and extent of the majority required to move forward. Common practice is to first seek some form of consensus, in the sense of that as a compromise solution, hearing all participants and discussing objections until those objecting are satisfied that they have been heard - whether on not that impacts the proposal on the table. Formally seeking consensus, to be seen in a unanimous vote in favour, is quite rare, simply for often being impractical.

Technicalities: outcomes

Unanimous consent

A less formal version of voting on the voices, the chair instead asks only for objections - there being no objections, the chair may then declare a proposed decision passed unanimously. Any objection will usually lead to a voice vote being taken for an unambiguous outcome.

Majority vote

More than half the votes cast are in favour of the proposal, often called a simple majority.

Majority of the membership

More than half of the entire membership entitled to vote - whether or not members are present or actually cast a vote.

Plurality vote

Where the outcome is decided by the largest number of votes cast (where one person must be elected, for example) - arranged in descending order if multiple outcomes are required (eg. to elect more than one person).

Abstention

This is where someone who is entitled to vote abstains from so doing - the meaning is literal, in that they choose not to cast a vote and so are removed from the count. The trap for the unwary is to count this as a vote cast, which is incorrect is most cases.

Veto power

From the Latin - 'I forbid' - this means a veto holder has the power to overturn a decision.

Casting vote

Power to cast a tie-breaking vote, usually held by the chair.

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References:

There are many, but these may save reinventing the wheel.

Robert's Rules of Order

Robert's is widely used in North America and by bodies having their origins there (such as service organisations founded in the USA).

This reference is often adopted as meeting procedures for an organisation generally, or for particular decision making groups such as boards or committees, or for ordering the proceedings of large occasions like professional conventions.

Written by General Henry M. Robert and published in 1876, it has been updated regularly to the present. RONR is the abbreviation used to cite the main reference, which is quite lengthy and detailed.

RONRIB indicates RONR 'in brief' which is the shorter handbook - pithy and clear, every chair would do well have a copy handy.

Erskine May's Parliamentary Practice

Typically just 'Erskine May', this is recognised as a seminal text especially for Westminster style parliaments. First published in 1844 by Sir Thomas Erskine May, then Clerk of the House of Commons, his successors have revised it routinely since.

Erskine May is acknowledged as the authoritative text book on the law and practice of both Houses of Parliament in Britain. Considered to form part of the British Constitution, every parliament in Australia makes uses of it.

Beware: it is much heavier going for the general reader.

The voting outcome required for a proposal to succeed usually turns on the significance of the issue at hand. Most commonly a majority vote is said to evidence sufficient consensus and thus to represent a binding decision (given a quorum etc). This serves for most of the ongoing business of meetings, and allows a duly pragmatic balance between showing consensus (in the sense of that being a shared viewpoint) and allowing business to proceed despite dissent or when not all members are present and/or voting.

Exception cases occur where greater than a simple majority is called for or a majority of the entire membership is required, usually limited to more serious matters, where fundamental change to the entity is proposed. In these cases, a two thirds vote *or* a majority of the entire membership is usual, but both together is rare. Examples include organisational mergers in the private sector, demutualisation of a mutual membership entity, or, in the not for profit sector, changes to membership requirements, or to office holder eligibility for an association or club. More than a simple majority is also usual for amending or rescinding an earlier decision - for example, those for which RONR prescribes a two thirds majority include decisions to suspend the rules of the assembly (eg. motions to close, limit or extend a debate on a motion) where rules are the result of an earlier decision.

Where a decision offers several options (eg. possible locations for an event, or possible nominations for some office), a plurality vote may be used. Thus, the option receiving the largest number of votes cast would be duly declared the decision of the assembly, even if it did not receive a majority vote.

Stuck in the mud by minority 'veto'

Equating 'consensus' with unanimity has one very clear result - a dissenting minority acquires the power of veto over a majority of members who are in favour of a proposal. While exceptional circumstances may seem to call for this approach, great caution is advisable - on first blush seeking unanimity may seem attractive as due evidence of a sound decision, but practice much more suggests that tying decision making to this standard operates to stymie any decision being made at all (which may mean the group is thus failing to act), or achieving 'consensus' only by exhaustion (where those dissenting simply cease to, rather than being convinced of the merits of the other view).

The bottom line

Establishing parameters for binding decisions ensures that the organisation can actually make decisions and move forward with confidence. No one way suits all circumstances and the job of leadership is to use the appropriate method and standard, all things considered, and then duly record a clear outcome. A lack of objection will usually suffice for deciding many repetitive, routine matters; a simple majority vote for matters of general business. A higher threshold is well-advised for more significant matters, including rescinding or altering important decisions already taken - here a two thirds majority is a widely used standard but not magic. Its benefits are that it strikes a pragmatic balance between achieving broadly based support for a proposal, and removing all doubt by a formally unanimous vote in favour (always unlikely to be achieved and so probably unrealistic even to seek).

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