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Electoral Reform Submission to the House of Commons Special Committee on Electoral Reform (ERRE)

By

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PART ONE

The most often repeated statement made about all the electoral systems which the Special Committee and the Canadian public have been asked to consider is just that none of the extant systems are perfect. But rather than add, subtract or modify features of this or that system, do so as an expression of good faith in the critic's judgments, most of the conversations in town halls have taken the form of "mine is better than yours" debates.

The first recommendation we wish to propose arises from our commitment to conversation as opposed to the defensive/ offensive posturing of partisans.

Consider:

Would not FPTP be a better system if we required that it operate under its best conditions which is in a Two Party System? (that FPTP operates best under these conditions is never denied and indeed affirmed by all scholars including Earnest Manning in *Political Realignment: A Challenge to Thoughtful Canadians* '67.

There are various ways of encouraging FPTP's ideal conditions.

1. De-regulate campaign financing in the manner that the American's did when they passed "Citizen's United". The American thinking on this subject had less to do with freedom of speech for corporations than it did with freeing FPTP so as to ensure that the winning candidate should have attained a majority. When campaign financing is deregulated it favors the largest parties who alone have the fund raising organization in place.
2. Require that coalition- building occur PRIOR to elections.
3. Another way of ensuring ideal conditions for FPTP is by requiring that all parties seeking elections run in all 338 ridings. Needless to say a wan

version of this option failed to withstand a constitutional challenge (*Figueroa v Canada (AG)*, [2003] 1 S.C.R. 912).

FPTP has also been charged with failing to represent voters who have cast ballots for losing candidates.

1. If we loosened the hold of the party whip as former PM Paul Martin proposed and as the British have done, then the MP could act more in keeping not only with his riding supporters but with the entire constituency.

It has been claimed that Alternative Vote favors the major parties who will, in this system, pick up voters second choice.

1. If losing parties are permitted to re-pledge support to the party which offers them the best deal, then less major party bias will prevail.

It has been claimed that Proportional Representation sometimes empowers marginal/ extremist parties. This claim is effectively the same charge that Expert Witnesses Barry Cooper and Emmet MacFarlane expressed.

1. Assuming that imposing thresholds would not withstand a constitutional challenge, PR advocates could strengthen their preferred system by taking up the 2nd recommendation in section on FPTP – eg requiring that coalition building occur prior to elections. This alternative would also give voters a clearer idea of the platform choices by which they wish to be governed.

Both open and closed List PR have received little traction in part because both fail to safeguard local representation.

1. An argument can be made that local representation is not all that important at the Federal level and that its import is usually only for big business.

PART A CONCLUSIONS

Before the Canadian public was asked to consider the various electoral systems each system should have been modified and strengthened so that it appears in its best guise. Moreover, the Committee and the PCO should have made clear whether the charges made about this or that system are factually correct or not. So, for example, the public needs to know whether redefining riding boundaries

and adding members to each, as required by various versions of PR, will trigger a constitutional – like debate which could enter an impasse if a single province refuses to enter the consensus.

PART TWO

The PCO has published five principles for Canadian federal electoral reform:

1. Effectiveness and legitimacy
2. Greater engagement
3. Accessibility and inclusiveness
4. Integrity of voting process
5. Accountability of local representation

It could go without saying that electoral reform is only one way and perhaps not the best way to promote the five principles. Below is a short list of alternative ways in which we could make our democracy stronger.

Effectiveness and legitimacy:

1. If voter intention is considered linked to a party platform, then the platform needs to be more or less firm. Intention and results go their separate ways when a party's campaign promises are left-leaning but the party intends to rule from the right or when the platform makes promises which are not feasible.

Two Recommendations:

- a. Replace "X in the box" voting with contracts in which each voter and each party co-signs. Honeymoon clauses may appear in certain party contracts.
- b. Party Platforms are vetted by independent auditor

Greater engagement

One Recommendation

- a. Elections Canada should negotiate for greater engagement by community or sector. Elections Canada should report the results of negotiations with youth, First Nations etc. to parliament.

Accessibility and inclusiveness/ integrity

One Recommendation

- a. The complexity of the voting process is only superficially tethered to vote counts and aberrant behaviors such as robo-calling. The real complexity is in the way that voting fragments a nation and in the manner that voting demands that the voter relinquish her power and authority to one or the other representative/ party. We recommend that our government de-emphasize elections and voting and create many more opportunities for conversation, collective decision making oriented to building broader consensus.

Accountability of local Representative

One Recommendation

- a. Loosening the party – whip as former P.M. Paul Martin proposed will allow MPs to more easily bond with their constituents and with the needs of the entire riding. (same as above)

General

Three Recommendations

- a. Providing free internet access on the model of our national health care program (single -payer) will go a distance towards unbinding the national conversation and preparing for such eventualities as on- line voting
- b. Passing a “record keeping act” which Canada does not currently have in place will go a distance towards furthering values such as “transparency” and efficiency

- c. Considering a mandatory post- secondary community service program will go a fair distance towards building the melting pot which Canada urgently requires.