



Brief to the House of Commons Special Committee on Electoral Reform

Quebec Community Groups Network

October 3, 2016
Montreal

The QCGN is concerned that the Government of Canada has not provided Canadians a specific electoral system on which to be consulted. Arriving at a recommended electoral system has been delegated to this Committee, with the decision on which system to pursue resting with the government. Members of the Committee undoubtedly understand the complexity of various systems under consideration, and the esoteric nature of the material. Indeed, so far the discussion at this Committee has been dominated by specialists, a term used broadly to include technical experts, and people and groups with an ongoing interest and specialization in electoral systems. This should come as no surprise when beginning with a blank sheet of paper, and indeed, the Committee is mandated to seek out expert testimony.

Without a specific system to discuss, and a clear understanding of how that system will affect their interests and be an improvement over first past the post, our members and community have shown little interest in engaging in this discussion, a condition noticed across the country by objective observers. Indeed, at the end of August, less than 20 per cent of Canadians were aware the federal government is talking to them about changes to our election system.¹ Some have characterized this indifference as apathy, but we consider it symptomatic of attempting to engage Canadians on a subject that is broad and ill-defined, technical, and that has failed to resonate with most people. We do not believe the reasons for electoral reform have been made clear to average Canadians, and why this is a pressing issue.

The QCGN would not characterize the current outreach on electoral reform by this Committee or others as consultation, the starting point for which is a concrete proposal to discuss. The road to consensus - general but not perfect agreement on a specific system - is arrived at by informed discussion. We might recall from *Reference re Secession of Quebec* the importance of clarity in arriving at consensus. There must be sufficient information presented in a manner accessible to the average Canadian, that gives the reasons for change, the pros and cons – especially for minority and marginalized communities – of a proposed system, and space for an open discussion with government that has a clear path to accommodating modifications.

The QCGN is opposed to mandatory voting. Voting is a Charter right, not an obligation. The idea of the state forcing a citizen to exercise a right runs counter to our democratic heritage. All state infringements on inherent rights and freedoms run the risk of inequitably and adversely affecting minority and marginalized populations. Our collective aim should be to create an electorate that is engaged, makes informed decisions, and whose active participation in our democratic system is normative.

The QCGN supports electronic voting if - objectively - the integrity of the vote is equal to or exceeds the current system. There is an intuitive link between electronic voting and making voting more accessible, and perhaps therefore a tool to increase participation rates. However, we must be careful not to treat

¹ *Saying Public Consultations Aren't Enough, Majority (55%) of Canadians Want National Referendum on Electoral Reform*, Ipsos Press Release, 31 August, 2016. <http://www.ipsos-na.com/news-polls/pressrelease.aspx?id=7355>, accessed 21 September 2016.

electronic voting as a panacea. Besides a level of security that can maintain the vote's integrity, electors will have to have substantively equal access to high-speed reliable internet, a device on which to vote, and a sufficient degree of digital literacy.

Education is the key to youth engagement. The QCGN welcomes the Committee's discussions related to youth engagement. We have made note of expert testimony that laments the lack of understanding of Canada's system of government, and are under no illusion that this democratic illiteracy does not extend to other levels of government. We recommend that the Government of Canada, in partnership with the provinces and territories, develop a compulsory civics course for Canadian children at the secondary 4 (grade 11) level. On completion of the course, students would be registered to vote in the first following election after reaching the age of 18. We believe this is a positive step to engage youth, create an engaged electorate that makes informed decisions, and whose active participation in our democratic system is normative.

The linchpin to effectiveness and legitimacy, citizen engagement, accessibility and inclusiveness, and system integrity is local representation, directly accountable to a geographically defined electorate. Voting districts must be manageable in terms of geography and population. The QCGN remains skeptical of multi-member districts, which would seem to be much larger – in terms of population – than current ridings. The voice of minority populations is diluted when district populations increase; English-speaking Quebec continues to experience this first hand. This dilution reduces the ability of minority communities to have their interests recognized and addressed. Alienation and disengagement from the political system ensues.

General Principles for Electoral Reform

Effectiveness and legitimacy: There being no proposed measure, the QCGN will not make a recommendation on a specific system. In general, however, we would encourage reforms to how the House operates, beginning with those contained in the original version of the Honourable Michael Chong's reform bill in the last Parliament. The democratic will of Canadians is meant to be expressed through their Members of Parliament, making decisions using their best judgment. Our system was not designed to be run by fiat emanating from the executive branch of government. It is not a healthy sign that, as one witness explained to the Committee, a startling number of voters in the last election believed they were voting directly for a Prime Minister. Reform is necessary, and it should start in the House.

We note that some systems under consideration like *Mixed Member Proportional*, and *List Proportional* give more power to political parties. List Proportional creates two classes of Members; one accountable to the riding, and one potentially to the party. It is not clear how increasing party power is in the best interest of minority or marginalized populations. Experts contend that these systems produce niche parties to advance special interests, forcing coalition governments and power sharing, thus increasing system effectiveness and legitimacy.

The QCGN, as an official language minority community at a nexus of national unity, notes that our country is established on the principle of peace, order and good government, and held together through continual compromise often requiring difficult and unpopular decisions. And we are a country of many nations, some officially recognized, some not. Perhaps one of the strengths of our current system is that it discourages special interest and regional parties, and favours parties that are able to build broad support from across Canada on a broad spectrum of issues. Our main political parties are organizations ready to govern. Our geography, history, and diversity make Canada a country where national unity will always be a preoccupation. We need institutions that unify our common identity and aspirations, not amplify differences.

Engagement: Are we too fixed on voter turnout? There is a belief among some that low voter turnout reduces the legitimacy of democratic institutions, an argument coincidentally used by those wishing to abolish school boards in Quebec. But this is a risky road to travel, leading us to some troubling questions. What level of voter turnout is needed to achieve government legitimacy? What happens if voter turnout falls below the threshold? Are the decisions of one government more legitimate because it had the support of more voters? Should the courts take this into consideration when adjudicating legislation?

Voter turnout is too easy a metric. The effectiveness of democracies is measured subjectively and objectively, and broad concepts like 'engagement' not easy to nail down. Our form of government is far more than numbers; returning again to *Reference re Secession of Quebec*, "democracy...means more than simple majority rule."

What is the 'engagement balance' we would like to achieve in our confederal system? The issues that touch Canadians on a daily basis, education, health, employment, the administration of justice, municipal services, etc. are not areas of federal jurisdiction. Is it realistic to assume Canadians will have the time and energy to 'engage' with the federal political process more than they currently are? Some have commented on the general withdrawal of the federal government from the public field over the past decade; that trend might reverse under the current government. If there is an ebb and flow of the federal government from the lives of ordinary Canadians, should we not anticipate this mirrored in levels of political engagement?

Finally, we are very uncomfortable with the notion of 'opportunities for inclusion of underrepresented groups in the political process'. The diversity of the current Parliament is historic, and not limited to the current government. This was accomplished by the parties, without legislative or regulatory interference. Because of this, it is progress that can truly be thought of as organic and transformative, the best kind and longest lasting change. The challenge of any other approach is the need to define 'underrepresented'. The Committee's mandate mentions, "women, Indigenous Peoples, youth, seniors, Canadians with disabilities, new Canadians, and residents of rural and remote communities." There are a lot of groups not on that list, including members of Canada's official language minority communities.

In our experience the presence of English-speaking Quebecers in the House does not guarantee the interest of the community will be heard, given consideration, and addressed. Members of Parliament – in

any system now in place or proposed – have to work within a complex social network, that imposes its own norms and expectations. Moreover, to remain successful, Members must play to a broad constituency, and might be cautious of being pigeon-holed as the ‘minority’s’ voice – especially if it is an unpopular minority...

We see no benefit and significant risk therefore in imposing ‘opportunities’ for the underrepresented.

Conclusion

There is a difference between discussing and consulting. A consultation seeks advice - a question on a specific subject – with a view to mitigating harm, accommodating needs, and through a dialectic process hopefully arriving at a final solution that meets the interests of all parties. A discussion is broader, seeking to arrive – but not necessarily so – at a decision through the open exchange of ideas. Successful consultation produces tangible results; fruitful discussion is more open ended, less focused on outcomes, more focused on process. We have not been provided with an evidenced-based reason on why our electoral system need change. We have not been provided a proposed model.

And so, we consider this a discussion on general principles, not a consultation on electoral reform. We look forward to providing the government with our community’s response to changes in our electoral system, when there is a specific proposal on the table. We are awaiting the results of a legal impact study – commissioned not by government, but the by the *Fédération des communautés francophones et acadienne du Canada* – on the effects of electoral reform on our official language minority communities. No doubt that study will help us frame our analysis of the outcome of these discussions.

The path to increasing the participation of Canadians in federal elections lies not through coercion, but inspiration and values level behaviour. How we get there is a matter of transformation through education, and a focus on youth engagement. Creating and maintaining a politically literate citizenry is a core responsibility of every democracy.

We will keep people interested and engaged if they believe their Member of Parliament – for whom they voted – has a reasonable opportunity to effectively engage in the national discussion, and make value-based decisions on the evidence. The cynicism of the electorate felt by some observers is directly related to Parliament not working as it was designed; power is too concentrated and unchecked within the executive. This is not a matter of style, it is systemic, and it can be fixed by the House without electoral reform.

The QCGN is a not-for profit organization that brings together 50 community sector organizations from across Quebec that serve the needs of Canada’s English linguistic minority communities, which we refer to collectively as the English-speaking Community of Quebec (ESCQ). More than 1 000 000 people – half of all Canadians living in an official language minority community – are English-speaking Quebecers.