

Brief to the Special Committee on Electoral Reform

Submitted by Mark Popkevich
R.M. of Brokenhead, Manitoba
October 7, 2016

Some of the submitted briefs which I've managed to read so far present proposals which would require constitutional change, although most would satisfy the five stated principles of electoral reform outlined on the Committee's 'About' page much more fully than would any change that is restricted to present constitutional parameters.

Many of those proposals are similar in a lot of ways, or point in the same direction. They are promising and even exciting, and if one combines their best features one can almost see behind them a common and practical vision for a new Canada. However, they need closer scrutiny and more public discussion and co-ordination.

The present government has committed itself to changing the first-past-the-post electoral system before the end of its term. That is a good first step, but a proper examination and treatment of the issue must leave the door open to any constitutional changes required to implement the best proposal(s).

The party system on which our electoral process rests is too adversarial and divisive. Good government should promote communication, co-operation and reasonable compromise.

Under our present system, governments generally act primarily in the best interests of their party, which are too often not the best interests of the people. The best change to our electoral system would involve changing our adversarial approach to governance. The attitude of Canadian politics must change from one of combativeness to one of co-operation and compromise. That would most readily be brought about by changes that involve amending the Constitution.

The proposal that follows is compatible with many of the ideas set forth in other briefs.

A Proposal for Dynamically Moderated Governance

Democracy should be an ongoing process. In this age of instant communication and rapidly-changing world events, marking one 'X' on a ballot every four years is hardly democratic. At Canada's founding a century and a half ago our democracy was better than most other countries' politics, but all governments everywhere are hard-pressed these days to cope with our high-speed, increasingly complex, inter-dependent societies.

Governance by a single political party is itself a large part of the problem.

Which party ever has all the right answers? Which party has all the best answers? Not one. Thus the best political party is the one most willing to communicate with the others, interacting with the rest of the political community in the same mature manner that any normal adult individual interacts with one's own community. That is, with communication, respect, open-mindedness, empathy, and the appropriate humility that comes from all of that.

A political party almost always represents either an entrenched conservative or liberal habit or bias, or a special interest. Those are single-sided attitudes. But a proper response to any situation is not achieved by a single-sided approach. A proper response includes proper consideration of all opinions and options.

A single-sided anything is inconceivable nonsense. Canada's affairs have been too often dictated by single-sided nonsense rather than by logic, communication, respect and spirited involvement. Trusting one political party with absolute power over the nation's affairs for four years is at best counterproductive and at worst extremely dangerous.

There are just too many problems and threats facing us for our traditional political processes to handle effectively. It's time we established a truly participatory, equitable and ethical democracy, strongly rooted in our neighbourhoods and communities. We could begin by lessening the influence of vested interests in our politics.

This proposal has two principal points. The first is to do away with general elections completely, and let each riding or electoral district determine how and when to elect its MP. Let's call it dynamic moderation (DM). Each riding would be responsible for all aspects of electing its own Member of Parliament, including scheduling an election, and any recall procedures. The entire government wouldn't usually change to a large degree at once. Changes would be more gradual, and more in accord with the general public mood, as members' terms expire or if their constituents deem that they need to be replaced. That should strengthen the voice of communities while moderating any undue influence of "governing" parties, thus lessening to some degree present concerns for proportional representation (PR), although DM seems compatible with most of the proposed forms of PR.

The second aspect is the election of cabinet ministers. The cabinet should be responsible to ALL elected representatives, not just those of their preferred party. A simple way of achieving that would be to have a cabinet with ministries that are defined and fixed constitutionally, but whose purviews may be adjusted by legislation, as practical

conditions dictate. The cabinet would be elected, either by the general public or by members of the legislature or parliament, each minister individually and not necessarily all at once. Candidates need not be associated with a particular party. Ministers could be elected for varying terms of perhaps from two to four years, depending on the requirements of the position. The term may be ended before expiration if the minister has lost the confidence of the house (or of the public).

Under a DM system the process of designating the Prime Minister would need to be modified. Several possibilities come to mind, including direct election, election by sitting members of the house, election by cabinet ministers, or an adaptation of the present system of appointing the leader of the party with the most seats as the Prime Minister.

The right to recall elected officials should be constitutionalized. With some form of recall procedure being applicable to any elected official, those representatives who are unable to co-operate and negotiate with others holding conflicting views could be dismissed by their electorates. Those ministers who prove unable to address in a satisfactory manner most of the issues in their jurisdictions, and who have lost the confidence of the house and/or their electorates, could be replaced.

DM would prevent political parties from gaining inordinate power, and would help to keep the prime minister or premier appropriately humble and on the right track, which would be better defined by the electorate. Lobbyists would be more restrained in their influence. Power would not tend so much to aggregate in exclusive cabals out of proportion to the general political will. MPs would be much more responsive to the will of their constituencies. Election fatigue would be diminished.

These principles could apply at any level of government - federal, provincial or municipal.

Recommendations:

1. Our electoral system needs a major overhaul in order to make Canada more capable of meeting the very serious challenges of surviving the twenty-first century. But a properly-considered modernization of the electoral system would include certain constitutional changes, and probably provision for technological and infrastructure upgrades as well. Accomplishing all of that before the next federal election is not feasible. Therefore, whatever form of legislation is implemented to change the electoral system before the next election, it should explicitly address, perhaps by extending and further defining the mandate of this committee, the need to examine more closely those proposals requiring constitutional changes, and to co-ordinate a discussion to synthesize those ideas to whatever degree is possible.

2. On mandatory voting:

Mandatory voting would violate the individual's rights to voluntary participation and freedom from coercion. If those are not somehow covered by the Bill of Rights, they should be.

Making voting mandatory would do nothing to instill any sense of civil responsibility within an individual, and there is no reason to believe it would provide a more accurate reflection of the political will.

In a truly free and democratic society, making something mandatory should be avoided whenever possible. Moreover, the enforcement costs of anything mandatory dictate that it should be avoided whenever possible. As well, it is likely that mandatory voting would probably produce a result quite similar to that which would have been obtained without it.

Mandatory voting seems to be a desperate measure of dubious benefit. When voting is seen to become more effective, hopefully soon after this Committee has completed its work, voter participation will naturally increase.