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—
Chair

Mr. Gary Goodyear

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• (1105)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Good morning, ladies and gentlemen.

We're going to start the meeting now. We're waiting for one more witness representative to show up, but perhaps they will mingle in as we get started. We are going to get started because we have a number of witnesses to hear from and ask questions of, so time is of the essence.

I would like to advise members again that this meeting is being held in public.

Delivered to you this morning should have been a copy of a letter from Ms. Johnson as follow-up to our last meeting. There were some requests for information in writing. You have that before you. Hopefully that will help complete the questions of Ms. Johnson.

The purpose of the meeting today, of course, is consideration of Bill C-16, an act to amend the Canada Elections Act, specifically with a focus on fixed election dates.

We have witnesses from the various parties. I'm assuming these are our new witnesses. We will proceed in a suggested order. I suggest that we proceed in the order of the Conservative Party first, the Bloc Québécois second, the New Democratic Party third, and the Green Party.

I'm open to instructions from the committee, but I have found that the meetings of five-minute rounds have worked well. However, today we have a number of witnesses, and with the committee's permission I would like to suggest we extend that to seven-minute rounds, at least for the first round, to allow for multiple answers.

Is it okay that we proceed with seven-minute rounds for the first round? I'm seeing nods. Is there any disagreement on a seven-minute round?

Ms. Jennings.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): I have no objection to a seven-minute round for the first round, but I do have a question on a piece of information that I'd like before we begin.

The Chair: By all means.

We will proceed on the first round with seven-minute rounds for questions and answers, and then we'll go back to a five-minute round of questions and we'll proceed as long as we have to.

Ms. Jennings.

Hon. Marlene Jennings: I understand that the Liberal Party of Canada was invited to be here today and had to decline because of the super weekend, etc. I'd like to know if the members of this committee would be prepared to invite the LPC back on another more convenient date. That's all I would like to know.

The Chair: I'll open that question to the committee without comment from myself.

The question proposed by Ms. Jennings is that we set up a separate time for the committee to meet, whereby the Liberal Party of Canada would therefore have an opportunity to attend. They were not able to attend, apparently because of the super weekend that was held.

Are there any comments on that?

Mr. Preston first, then Mr. Hill, unless you want to decline.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): No, go ahead, Mr. Hill.

• (1110)

Hon. Jay Hill (Prince George—Peace River, CPC): I was going to point out that I'm a little concerned about fairness and equity to the other parties that were able to attend now. I certainly would be open to a written submission from the Liberal Party. They would have an advantage, in a sense, of being able to review the submissions that are made verbally and I assume would also be made available to the committee in writing following today and then make their submission along the same lines. Certainly we welcome that from them, but I have a little problem with scheduling a specific meeting just to coincide with their schedule.

The Chair: Ms. Jennings.

Hon. Marlene Jennings: That is a very good suggestion that we proceed, at least to begin with, by asking LPC to make a written submission, and then depending on whether there are issues that arise out of it, there may be a desire on the part of committee members to have a face-to-face meeting.

The Chair: I am seeing all nods on that, so that is how we will proceed. I will remind the committee as well that on Thursday we're meeting with other witnesses. Mr. Owen had brought up the issue that there may be a need to hear other witnesses, so perhaps we can even discuss that if they need to attend and if we need to have other witnesses, we could combine them at that meeting.

For now the decision is to request a written submission from the Liberal Party, and if we need to meet with them, we'll certainly do that. Let's proceed, then, if we can, to the main business of the day.

First of all, let me thank all of you for coming out this morning. It's a pleasure to see some of you again. The rest are new to me, but I thank you very much for coming out and taking your time to help fill the committee in on some of the questions we have with respect to fixed election dates.

We'll start off with a five-minute introduction, if that's what you need. If you don't, we'll just move around and then we'll open it for questions.

We'll start the round with Mr. Donison.

Thank you.

Mr. Michael D. Donison (Executive Director, Conservative Party of Canada): Thank you, Mr. Chair, and thanks to you and members of the committee for giving the Conservative Party and the other political parties the opportunity to appear before you today to speak to Bill C-16, which deals with fixed date elections.

I suggest, Mr. Chair, we call it fixed-date elections rather than fixed election dates. What we are fixing is the date, not the election.

Generally speaking, Mr. Chair, first of all—and then I want to speak a little bit specifically about the effects it will have on political parties from an operational point of view—this is an idea whose time has come. This has already been incorporated into other Westminster British parliamentary systems, and I think you've already had evidence before the committee to that effect. I would reference, of course, the province of Ontario, the province of British Columbia, the province of Newfoundland, and also commissions in both Prince Edward Island and New Brunswick have recommended to their governments the same.

It is certainly the situation in the Scottish Parliament, in the Welsh Parliament, and I believe in three of the Australian state legislatures, all on the British Westminster model, and I'm not aware of any evidence that it's not working as it has been adopted by them.

Really what this idea does is a few things. I'll speak generally and then I'll speak specifically about parties. I think it combines incremental reform with the maintenance of the flexibility needed in our system of responsible government based on the British Westminster model. So it's an incremental, non-constitutional formal change.

What I've observed over the years, Mr. Chair, is when politicians are in opposition they often talk good talk about electoral and parliamentary reform but somehow when they get into government they don't seem to deliver. I think what you have before you is in this case we have a prime minister and a government who specifically campaigned on this issue and are now in government and prepared to implement it.

In many ways—and of course there has been lots of commentary, academic and otherwise, about this—of all the Westminster models, Canada probably has the most concentrated prime ministerial system, in the sense that the Prime Minister is institutionally, politically, and legally more powerful in Canada than in other Westminster systems. This is really a relinquishment, a voluntary relinquishment of prime ministerial discretionary power when it comes to calling an election.

Specifically in terms of political parties, I think what's important about this proposed reform is that it improves both fairness and predictability in our electoral system, fairness in the sense that the governing party of the day, particularly in a majority government situation—and members may want to talk about that—will no longer be at an advantage over the opposition parties in terms of the timing of the election, because everyone, including all citizens and voters, will know the election date. Therefore I think it creates a level playing field for all parties, both government and opposition.

I think the second and even more important reason, from my point view as an executive director of a political party, is it will allow a lot more predictability, predictability in terms of planning, whether it's organizing the party for election ramp-up, or volunteer and candidate recruitment. And I would particularly emphasize candidate recruitment. I notice, for instance, in a paper that I think has been presented to you by Professor Milner, that he suggested—and this is an idea I hadn't thought of, actually, Mr. Chair—that it will increase the chances of women and minorities to have much better advance notice in terms of planning their lives so that they can participate as candidates in the political process. I hadn't actually thought about that. I think it's something that needs to be considered as well, and I think commends the bill even further.

So really what we have, Mr. Chair, is a situation where we're going to replace the current situation where the best interests of the current governing party in terms of the timing of the election will be replaced with what is in the best interest of the country and of citizens.

I would just like to finish off, and then I'll of course be open to questions. I want to quote a Canadian politician, an eminent Canadian politician, on this very subject. I have his text and I can certainly table the document. He said as follows:

Elections are democratic events that belong to all of us. They do not belong to the party in power, to manipulate for its own partisan advantage. Elections do not belong to premiers, to use as they see fit for their own political agenda. Elections belong to all of us, as citizens, and we have a right to know when they will be held, so that we can plan effectively and participate fully. Mr. Speaker, elections belong to all political parties, so that all of us are on an equal footing and can compete for office fairly.

I'm quoting from the statement in the Ontario legislature of the Honourable Dalton McGuinty, the Liberal Premier of Ontario, when he introduced the bill creating fixed election dates in the province of Ontario.

Thank you, Mr. Chair.

• (1115)

The Chair: Thank you very much, Mr. Donison.

We will now move to the Bloc Québécois. I assume one of you will be speaking.

Mr. Gardner. Thank you for coming, sir.

[*Translation*]

Mr. Gilbert Gardner (General Director, Bloc Québécois): Thank you, Mr. Chairman.

In the Bloc Québécois, we are in favour of the principle that underlies this legislation, but we are not fooled by it. The Prime Minister's prerogative remains, and nothing in this bill assures us that the fixed date will be respected, particularly where a minority government is concerned.

The other aspect we feel is important is the date proposed in the Bill. Quebec's specificity expresses itself in a variety of ways, and it can be difficult for people from outside Quebec to really understand all that this implies. For more than 30 years now, regulations in Quebec have meant that moving day for many people occurs within a specific period, which is July 1st. On July 1st, 250,000 households move, representing, overall, some 575,000 voters, or approximately 10% of the Quebec electorate.

Previously, Mr. Kingsley demonstrated that it would be impossible for him to capture all the data, particularly from Quebec, and associated with people moving, and postpone the filing of voters lists from October 15 to November 15, in order to incorporate these changes. He apparently said that he would do everything he could to ensure that the voters lists would be as consistent as possible with reality. If he now says it's impossible for him to file voters lists that reflect changes that have occurred in Quebec by October 15, it is even less possible for him to do that in September.

Surely no parliamentarian would want to jeopardize the voting rights of the entire population of Newfoundland or of everyone living on Prince Edward Island even though their population, all told, is less than the number of voters who move in Quebec — the equivalent of about seven ridings. For example, the entire City of Quebec or the Saguenay—Lac-Saint-Jean, Côte-Nord or part of the Gaspé regions could see their right to vote jeopardized.

Consequently, as far as we are concerned, the date selected is a real issue the Committee will have to look at. We believe the Committee should be looking at other options as regards an appropriate date.

Thank you.

• (1120)

The Chair: Thank you very much, Mr. Gardner.

[*English*]

That's an interesting point, and I appreciate your bringing that up before the committee.

Now let's hear from Anne McGrath of the New Democratic Party, please.

Ms. Anne McGrath (President, New Democratic Party): Thank you very much for the invitation to come and speak to you about Bill C-16 from the perspective of the NDP.

We have circulated a brief and everybody should have a copy of it. It goes through some of the reasons we support the bill, introduces a caution, and mentions some of the further steps that we think need to be taken.

We support the bill because we believe that setting fixed dates will strengthen democracy in Canada and will help to build confidence in a fair and transparent electoral system, something that I think is definitely needed in our current climate.

As a matter of fact, the idea of these fixed dates was part of a seven-point ethics plan that was put forward by our leader, Jack Layton, and the Honourable Ed Broadbent prior to the last election. It included a proposal for fixed election dates and some other very important initiatives that were designed to revitalize our democracy, make government accountable to Canadians, and restore confidence in our electoral system.

The reason we have for supporting fixed election dates is that we believe it will level the playing field for the political parties. The timing of the election has been a powerful tool for governing parties in our system. The flexibility that they have to call an election when they're ready and in the best possible position provides an advantage for the governing party that we think is unfair and undermines democracy and transparency. We think setting the date at predictable intervals, rather than when pollsters think the timing is right, will be a great improvement.

We also believe it offers greater predictability for Canadians, for Elections Canada, which currently has to be prepared at all times, for the government, and for political parties. We think Parliament can then focus on governing and on making Parliament work for people. It also means that Elections Canada doesn't have to spend our tax dollars to be in a constant state of election readiness.

We also support the legislation because we think it will help to restore confidence in the fairness of our electoral system. It's hard to say how many, but some Canadians have definitely lost faith in our democracy. We think this legislation will help to restore fairness and, very importantly, the perception of fairness.

We think Canadians will be more likely to vote and to participate in the political process if the system is fair and accountable. Others have spoken about the increase in the diversity of the voters, particularly appealing to women and young people.

Of course, we hope it will also result in increasing voter participation rates. We think that if Canadians know in advance when the election day is, they'll know how important it is and what the issues are. It will allow us to better promote the issues in the election, make sure voters are registered, and make sure Canadians exercise their right to vote.

There is a caution that we think is important. With an election looming, the government party may have an advantage other than that of fixing the election date, and that is, using government resources to promote the party to the electorate through advertising, announcements, and campaign-like tours. We think it is a caution that we need to keep a close eye on.

We are recommending that the legislation be passed in the context of further reforms that are very important in revitalizing our democracy: things like taking power out of the hands of lobbyists and making sure decisions are made in the open; having appointments that are based on merit rather than political connections; reforming the appointment of Supreme Court judges, with an independent committee to provide criteria, examination, and debate; ending abuses in the appointment of other public officials; improving our freedom of information legislation; passing a whistle-blower act that applies to the private and public sectors; passing a new act to make MPs accountable when they switch parties so that electors can decide whether or not they approve of that decision; passing a leadership accountability act so that we can look at party leadership contests; and ensuring some form of proportional representation.

The Chair: Thank you.

I want to assure the witnesses that some of the conversations taking place around the table are as a result of the interesting points that are being made, but I would request that my colleagues keep that to a minimum.

Ms. McGrath, I would also request that the witnesses try to stay focused. There are so many interesting things we could talk about, but I want to leave those things for a future date. We want to stay focused on the issue of fixed dates for the election.

I will let you continue, but if you could stay focused on this issue, it would be very helpful.

• (1125)

Ms. Anne McGrath: All right.

In summary, then, we support this legislation, but we do believe it is in that context of other reforms.

The Chair: Thank you very much. I appreciate that.

Now we'll move to a representative from the Green Party, David Chernushenko. Welcome.

Mr. David Chernushenko (Senior Deputy to the Leader, The Green Party of Canada): Thank you very much.

I would like to thank you, Mr. Chairman and members of the committee, for inviting the Green Party to offer our views today on Bill C-16. I'll take just a few minutes to summarize our views.

We do not oppose the bill; however, we do not believe there is any particular benefit to be gained from moving to fixed election dates. While there are many possible pros and cons, none of the alleged benefits seem so strong as to make it a priority to move forward with this amendment.

If the goal of Bill C-16 is to reinvigorate democracy in Canada by making elections more fair, by increasing voter turnout, by increasing accountability, or by some other argument in favour of fixed election dates, we do not agree that any of these will be the inevitable result.

Because Canadian parliamentary tradition requires that a government have the confidence of a majority of the House of Commons, we do not see how a fixed election date is desirable, or even necessarily possible. As a political party that must plan for elections,

it might seem at first glance that a fixed date would make our lives simpler and our preparations more predictable. But given that a government might still fall at any time, we would still need to be on a near constant state of readiness—as would Elections Canada, for that matter.

While the Green Party believes wholeheartedly that many aspects of our electoral system need improvement, moving to fixed election dates is not on our list of priorities. Rather, we believe all of the time and energy being devoted to this bill could and should be devoted to moving towards a more proportional form of representation.

We do wish to see a higher voter turnout; increased citizen engagement; greater government transparency and accountability; higher involvement of youth, new Canadians, and marginalized Canadians; and reduced cynicism about politics in general. We believe these are all necessary and laudable goals that must be addressed by the government. However, we do not see how a fixed election date will necessarily help.

To reiterate our views, we are not against fixed election dates, but we do not see this bill as the kind of significant electoral reform that Canada needs. We hope it would be just the start of electoral reform.

Thank you.

The Chair: Thank you very much.

Colleagues, we're going to move to our first round of questioning. I'll remind you to try your best to keep your questions short; maybe the answers will be as succinct. We have a lot of material and a lot of witnesses. You can ask an individual witness for a comment, but by all means, ask for brief comments from all the witnesses. It's whatever you choose.

To start our first round, seven minutes please, Mr. Owen.

Hon. Stephen Owen (Vancouver Quadra, Lib.): Thank you, Chair.

Welcome, witnesses, and thank you for your presentations. My question is very brief, and it's really to all of you.

Ms. McGrath mentioned the concern, I think quite appropriately, about a government not using government public advertising. The concern, which we should all properly have, is that the government not misuse its power of public policy announcements and advertising, confusing voters who might otherwise think that what is political advertising is really government advertising.

I think that's an appropriate caution, but as officials, as you all are, of national political parties, I'd be very interested to know your specific experience, concern, or otherwise with the issue that's raised by some, that where you have a fixed date, it can lead to prolonged election campaigning—the year before, say—and constrain a government's ability to get its business done. So it can impact policy, potentially, and have a financial drain impact, or be a financial advantage.

Those are some concerns we've heard. We'd welcome and value your views on whether those are realistic problems with regard to fixed election dates—or flexible fixed election dates, as this is—or whether, if there are concerns at all, there are other ways to overcome those concerns.

Thank you.

• (1130)

The Chair: You wanted a comment from all the witnesses?

Hon. Stephen Owen: I'd like a comment from all or any.

The Chair: That would be fine.

Why don't we start from the left, with Mr. Chernushenko?

Mr. David Chernushenko: Thank you.

I believe those are concerns that you raised. There is, of course, the possibility that the moment we get anywhere close to that date we'll be in campaign mode for a very long period. We do see that in the American model. We probably see it in other countries too, but we're less aware of it. That is certainly a concern.

Another concern might be that just as students might be inclined to constantly be in preparation for exams, we might find governments in that final year so focused on the election that to some degree the business of the House and bigger issues that might be out there would be distorted.

Hon. Stephen Owen: Mr. Chair, I'd like to comment on that. When I was a student I never had that problem of being distracted by a fixed exam date.

The Chair: Ms. McGrath, go ahead, please.

Ms. Anne McGrath: I think there probably is something to that, but I think that's the situation in the current system as well. We've seen situations where we're in kind of constant campaign mode. Recently federally that's been the case, and provincially as well. I can recall one time being nominated as a candidate for an election that was imminent and being a candidate for a year and a half to two years for the imminent election. I don't think this necessarily creates that dynamic.

The Chair: Mr. Donison, go ahead, please.

Mr. Michael D. Donison: Mr. Owen, I'm from British Columbia, as you are, and we don't have to just speak in theory; we can look at practice. Correct me if I'm wrong, but British Columbia has gone through a full cycle of fixed election dates, and I don't believe those difficulties arose. I think British Columbians and the politicians accommodated that. You may have other evidence I don't have, but I'm not aware of any particular abuse by any of the parties. I think Professor Milner's paper about putting in a fixed election date is very good.

I always had that fear too that we'd move to some sort of American model where we're constantly campaigning, but the empirical evidence is that in those jurisdictions I've just cited this doesn't seem to happen. It's not happening in Ontario, to my knowledge, it hasn't happened in B.C., and it hasn't happened in the Scottish and Welsh parliamentary electoral cycle. We don't have to just deal in theory; we can deal in practice. Other Westminster models have adopted it. This phenomenon we had a fear about doesn't seem to actually arise.

The Chair: Thank you.

Monsieur Gardner, go ahead, please.

[*Translation*]

Mr. Gilbert Gardner: I do not believe that Bill C-16 in any way changes a Government's morality or integrity. Under the current system, as with the system being proposed, people who are intent on using public funds for partisan purposes will still be able to do so. However, one fact remains: of the 40 parliamentary democracies across the globe, the vast majority have opted for fixed dates.

So, as regards the use of public funds, I don't think Bill C-16 will really change anything. The last time, in 2004, the election was postponed by almost a month in relation to the anticipated date. One may wonder how taxpayers' money was being used during that month. The same thing applies to the 2006 election. Even a passing glance at the short recent history of federal elections would probably show that ads, investments, and projects of various types were announced days or even weeks before an election was called, something that was the Prime Minister's prerogative.

[*English*]

The Chair: *Merci.*

Mr. Owen, you have two minutes.

Hon. Stephen Owen: Perhaps Mr. Proulx has something to say.

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): I want to thank the witnesses for being with us today.

Mr. Gardner, I have a question for you. You're absolutely right with respect to the number of people moving on July 1st. However, when a member of your party questioned Mr. Kingsley on that very issue, he replied that there was no problem and that they would probably be emphasizing the fact that Canadian citizens can register on voting day, in any case. At the same time, that leads to a whole host of problems, in the sense that they are not on the correct lists, and as a result they don't necessarily receive their mail, and so on.

The second problem that I see, as regards the date, is the conflict that might arise between federal and municipal elections held in Quebec, despite what is asserted in a background paper issued by the Leader of the Government in the House of Commons and Minister for Democratic Reform. Indeed, that document states that the third Monday in October was selected because it is the least likely to conflict with fixed date provincial elections, statutory holidays, religious holidays, and municipal elections. They probably forgot to consider the situation in Quebec.

So, in 30 seconds, could you give us an overview of the impact — something I know quite a bit about — of overlapping dates, particularly from the organizational standpoint.

• (1135)

[*English*]

The Chair: Make it twenty seconds.

[Translation]

Mr. Gilbert Gardner: There is no doubt, given that municipal elections take place on the first Sunday of November, that there will be a considerable amount of “traffic”, so to speak, in terms of posters, organization, and even knowing what specific election or polling station is being referred to. So, there is likely to be quite a lot of confusion.

All the mitigation measures intended to neutralize the effects of people moving on the electoral list are unacceptable. Planning in advance to hold an election at a date when it is well known that 575,000 people may not have their names on the voters list is simply an act of bad faith.

[English]

The Chair: Thank you very much.

Mr. Reid, seven minutes, please.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Thank you.

I think Monsieur Gardner is raising a good point. We should not assume that it's a mutual thing, not the same groups of people. Not every sector of the population is likely to move as frequently as other sectors. We can expect, for example, that young people are likely to move more frequently than people who are senior citizens. As a result, certain groups are more likely to be left off the list than other groups, and that's a valid concern. Trying to capture that is very important.

I'm not sure I have an actual preferred date.

[Translation]

Mr. Gardner, is there a date that your party prefers?

Mr. Martin Carpentier (Director, Bloc Québécois): We have to look at the various options, because there is the matter of municipal elections, but also because the weekend that precedes the third Monday in October is Thanksgiving weekend, which occurs every year. That could pose a problem in terms of voter turnout. Also, in Quebec, there are quite a lot of school holidays in both the universities and CEGEPs around that time of the year, which affects people who are eligible to vote.

The date that we could suggest, and which does not conflict with provincial civic or other holidays, would be the first Monday in May. There is one time between now and the year 2020 that the previous weekend will be Easter weekend, and that is in the year 2011. That would be the only time that advance polls would take place during a holiday period. Otherwise, there is the matter of the date, but we could also raise quite a number of other things that are affected if the third Monday in October is selected.

The first Monday in May would not conflict with anything. Furthermore, students are still in educational institutions. We always talk about encouraging young people to vote, but in that case, they would still be in their institutions, in the place where they are probably on the voters list.

Mr. Scott Reid: The first Monday in May coincides with exam period, does it not? If I'm not mistaken, that is when exams begin in the universities. That could pose a significant problem.

Mr. Martin Carpentier: That could also be problematic.

Mr. Gilbert Gardner: I have one last comment to make on that. I think it's up to the Committee to take a very careful look at the entire calendar. An initial review suggests the first Monday in May, but I do think it's up to the Committee to consider selecting a date that will have no negative impact on the electorate. The third Monday in October would have an adverse effect: a population equivalent to that of Prince Edward Island and Newfoundland is moving. If those people are not on the voters list, that is a problem. If the entire population of Northern Ontario is moving, that is problematic. Well, it also causes a problem in Quebec.

• (1140)

[English]

Mr. Scott Reid: I would like to invite the other witnesses to comment, from their points of view, on the merits of the government-suggested date versus other dates that you might think are preferable. I'm interested in hearing what you have to say here, but if you want to take these thoughts back and submit a written comment to the clerk for distribution to all members of the committee, that would be equally valid.

Have you any comments on the preferred dates?

Mr. Chairman, maybe you should choose who goes first.

The Chair: Mr. Gardner, you have had sufficient comment on that issue. If you want to comment further, please do.

I think we'll move in the opposite direction: Mr. Donison.

Mr. Michael D. Donison: The difficulty, Mr. Chair, is that for any date you choose, there will always be potential conflicts. Of course the bill allows for some flexibility in that regard, in terms of cultural or religious events and so on.

Certainly from a party operational point of view, I think the third week in October is very good in terms particularly of voter turnout. I think that is already before you. The weather is still good at that time of the year. The snowbirds haven't left, usually, by that time. There is a myriad of reasons. The third Monday in October is probably the best date that the government has been able to find, and it is quite satisfactory from a political party point of view.

Ms. Anne McGrath: I don't have a better suggestion for a date, although I think these considerations should be taken into account.

The Chair: Does the Green Party have any comment?

Mr. David Chernushenko: Similarly, it would appear that date is a good one, but I would certainly want to take into account what appears to be a legitimate concern raised by this big moving date in Quebec. I want to particularly signal, similarly, that we talked about student exams. I would venture to say there is somewhere close to an equal amount of movement around the end of the academic year with university and college, where hundreds of thousands of students go home or move on to summer jobs. That is something we would want to take into consideration, into account, in late April or early May.

My experience, in general, is that people who want to vote will find a way to vote, and people who have decided that they don't want to vote won't vote. While we do need to think seriously about the date, I wouldn't get too hung up on it.

Mr. Scott Reid: I have one very last—

The Chair: I'm sorry, could I just ask Mr. Gardner to make his comment first?

[*Translation*]

Mr. Gilbert Gardner: I just want to mention that the Committee cannot rely on an act of faith by the Chief Electoral Officer, to the effect that he will do everything in his power to ensure that the voters list is complete. He has an obligation to get results.

I understand that people are entitled to decide whether they want to exercise their right to vote or not, but the first condition to be met before that can occur is to have one's name on the voters list. And it is the responsibility of the Chief Electoral Officer to provide a complete list of electors.

I believe there are three ways of solving the problem. The first would be to ask the Government of Quebec to change the date when people move in Quebec, which I see as quite improbable. The second would be to make Quebec a sovereign country: Canada could then choose whatever date it likes. The third would be to look at the calendar again in order to find a better date.

[*English*]

The Chair: Mr. Reid, you have one minute.

Mr. Scott Reid: Thank you.

The motivating principle behind the choice of the third Monday in October was primarily, as I understand it, an effort to avoid any conflicts with other electoral dates, and also an effort to pick something that did not wind up conflicting with any religious holidays. Some of those are moveable feasts and there is a way of adjusting. A third thing was trying to do it at a time that doesn't hit when people are preoccupied with some other very important activity.

As we search for these, I don't think any date is perfect. If you do write back to us with further thoughts, I would appreciate it if you could indicate, in principle, what the most important considerations are. You can point out specific dates but indicate the principled reasons behind them. Mr. Gardner has actually been very clear in saying he has a principled reason based on people being unable to get onto the electoral rolls. In the end, as Parliament searches for the date that gets put into the law, if it gets changed from the one that's been suggested by the government, it has to have some guidance on what the principles are under which we are operating and what the hierarchy of one principle or one consideration over another might be in the eyes, ultimately, of the people who are trying to administer these elections, the various parties.

• (1145)

The Chair: Thank you, Mr. Reid. I'm sure the witnesses didn't expect homework, but we certainly would appreciate and look forward to your comments on Mr. Reid's question.

We've run out of time.

I'd like to now go to Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Thank you, Mr. Chairman.

I'd like the representative of the Conservative Party to answer the following question. Have you looked at voting day?

I would like the representative of the Bloc Québécois to comment on that as well, because last week, Mr. Proulx asked a number of questions about the fact that in Quebec, school and municipal elections are held on a Sunday. Do you believe holding elections on a Sunday would increase the voter turnout?

[*English*]

Mr. Michael D. Donison: I think your specific question, Mr. Guimond, is whether Sunday voting would increase the voter turnout.

[*Translation*]

Mr. Michel Guimond: That's exactly the question that I just asked. You are probably not used to my being so precise and to the lack of a long preamble...

Do you think that by holding elections on a Sunday, voter turnout would increase?

[*English*]

Mr. Michael D. Donison: Perish the thought, Mr. Guimond. I didn't have that thought at all.

Are you suggesting Sunday as well as Monday, or are you just saying Sunday as the election day?

Mr. Michel Guimond: I just want your opinion.

Mr. Michael D. Donison: I think traditionally, historically, for a lot of Canadians that is not regarded as an appropriate day for that kind of public political activity, so I wouldn't be favourably disposed to a Sunday date.

I think that since Sir John A's day, or Laurier's day anyway, the tradition has been Monday, or Tuesday if the Monday's a holiday. I think that's what Canadians are used to, and I don't see any reason to change that.

As to whether it would change turnout, it might actually diminish turnout. There are a lot of Canadians who just simply wouldn't vote on that particular day.

[*Translation*]

Mr. Michel Guimond: Mr. Gardner, what about Sunday?

Mr. Gilbert Gardner: You talked about the fact that school and municipal elections occur on a Sunday in Quebec. Of course, we're talking about different levels of government. The voter turnout for school elections is between 10 and 15%. At the municipal level, it's about 40 or 50%, at most. Those are relatively low turnout rates — at least lower than voter turnout for a federal election or an election held in Quebec since, for many years, the voter turnout was about 80% when the election was held on a Monday. That rate has dropped in recent elections.

I don't think one can make a direct connection between voter turnout and choosing to hold an election on a Sunday or a Monday. Of course, from an organizational standpoint, people's availability may, at first glance, seem greater on a Sunday, but there is no reason to believe that the voter turnout rate would be higher if the election were held on a Sunday.

However, I would just like to seize this opportunity to digress for one moment. Quebec's motto is *Je me souviens*. And yet when you look at Canadian registries of electors since Confederation, you see that although governments were free to choose any voting day, they chose dates that occurred in all the seasons: fall, spring, summer and winter.

One of the reasons why a government might prefer having an election in the month of October may have to do with the process for getting a budget passed. Indeed, almost 40% of the elections held since Confederation were held during the budget process. So, even though governments were free to choose the date, they chose a date inside the budget process. I don't think that could be an argument in support of the idea of holding an election in the fall.

Mr. Michel Guimond: I have another question for you, Mr. Gardner. If the October 19 date is maintained... I imagine that you have done some simulations with the election calendar — for example, Day 31, and so on. This is an area where we, as candidates, may not possess the necessary skills. In an election campaign, we go where the organization tells us to go. In the case of an election held on October 19, when would the advance polls be?

Mr. Martin Carpentier: They would take place the previous weekend, which is Thanksgiving weekend.

Mr. Michel Guimond: As I understand it — and I don't know whether people have seen this — Thanksgiving is a statutory holiday which always falls on the second Monday of October. So, we are able to determine right now when Thanksgiving will fall in 2058. It will always be on the second Monday of October. That being the case, if elections are held on October 19, the advance polls will always be on Thanksgiving weekend.

Do you think that holding the advance polls on Thanksgiving weekend is likely to result in a higher voter turnout?

• (1150)

Mr. Martin Carpentier: To be perfectly honest, there are no statistics on that. On the other hand, it is the last long weekend before the holidays. A lot of people go out of town, if only to another area, either in Quebec or somewhere else. So, I'm not sure that as far as election workers or returning officers, or even organizations and the voter turnout are concerned, this is the best date for the three days of advance polls, since the final advance poll day would be Thanksgiving Day.

Also, I would like to respond to Mr. Guimond's question about preliminary lists. Normally, when candidates file their nomination papers, they receive their preliminary list within five days. In the case we're talking about here, Day 31 would be September 18. So, in light of all the explanations provided previously, we see a problem in terms of updating the lists.

Mr. Michel Guimond: Thank you, Mr. Chairman.

[English]

The Chair: Merci.

Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): I'd like to thank all the guests who presented today. It's helpful to get the perspective of those who are from the party side of the equation. You all bring a different perspective.

We're going to have people who have examined the whole constitutionality question and concerns about convention, etc., so I'm going to save that for another day and not bring it up, unless you feel the need to. From the New Democratic Party perspective, we support this bill because we believe it will result in a more level playing field. It was something we proposed before the last election. However, there's a caveat. The government has the public purse, and the advantages therein. There are concerns about advertising and doling out the dough at election time.

I would like to get your perspective on bringing in changes to make sure that governments aren't allowed—and we could talk about dates—to use government advertising right before an election. We would need amendments or parallel legislation brought in for this. That's number one.

Number two: October is not a bad date, since the budget has already taken place. The estimates might be out, but the government wouldn't have the opportunity to dole out the money. There should be some curtailment. Just before an election, the announcements come out and the money starts flying around all over the country. I'd like your take on this.

I'll start with that, and then I have some other questions. For now, though, I'd just like your take on curtailment of funding around advertising and government announcements, except in emergencies.

The Chair: The question has been proposed to all our witnesses?

Mr. Paul Dewar: Yes.

The Chair: Let's start with Mrs. McGrath, then.

Ms. Anne McGrath: This is an important point. It's one of the reasons it's essential to place this legislation in the context of broader electoral and democratic reform. For instance, in the last election there were some things that could have been seen as pre-election activities—economic statements, mini-budgets, and that kind of thing. This is something we need to keep a close eye on. There needs to be a broader democratic agenda around all the things that have been put forward. We also have to be constantly vigilant, whether this legislation passes or not. The government always has this ability. It's incumbent on all of us to be vigilant, to make sure that governments don't abuse their power to control the public purse, make announcements, advertise, and engage in election-type touring.

• (1155)

The Chair: Mr. Chernushenko.

Mr. David Chernushenko: It's a legitimate point you raise, Mr. Dewar. Whether what's required is vigilance or tighter rules, this concern will have to be addressed. But this reform needs to be part of a bigger package of electoral reform. Fixed election dates alone will do little to address the longer list of goals that all of us around the table want to see achieved. Spending is one issue. It will have to be addressed, as will proportional representation. There is a longer list; each of us might have one, but I think all these points need to be taken into account.

The Chair: Mr. Donison, and then Mr. Gardner.

Mr. Michael D. Donison: I put faith in the intelligence of the electorate. With a fixed election date, if governments try to use government advertising, it's patent. The electorate will know. If a government on the eve of a fixed election date starts engaging in government advertising, it will be obvious. Right now, particularly in a majority situation, governments can do that and the opposition doesn't know. So I think this bill will ameliorate the situation. It will give us transparency.

I also think—Mr. Owen may know more about this than I do—that this wasn't the problem in British Columbia. In British Columbia, the election date was obvious. The Liberal government of Mr. Campbell was very circumspect—not because of any law but because of the political consequences. The electorate can see through this. With a fixed-date election, governments are going to have to be careful, regardless of whether there are rules or regulations. Politically, they get into a dangerous field. What they're doing will be obvious to all the voters, more so than at present.

The Chair: Thank you, Mr. Donison.

Monsieur Gardner.

[*Translation*]

Mr. Gilbert Gardner: My friend here has just given me a clear indication that Jean Charest is going to be defeated in Quebec. Some \$3 billion have been spent since the month of June.

As you were saying earlier, I think that if we want to have some control over a government's integrity and morality as regards the use of public funds in a pre-election period, we will have to establish an actual complaint process. Also, an independent authority will be required, in order to determine whether the actions of the Government are inconsistent with the Elections Act and what is authorized in the way of election spending.

And the fact is that we are currently in a pre-election period of sorts. Right now, there is absolutely nothing. The legislation before you will in no way change the current reality. I think it's a little futile to think that we will be in a position to implement effective control mechanisms.

[*English*]

The Chair: You have twenty seconds left, Mr. Dewar.

Mr. Paul Dewar: I'll save it for the next half.

The Chair: Thank you, sir; I appreciate it.

We are starting our second round now. I'll remind members we're down to five-minute rounds each. We've done very well, but it's five minutes now.

I have Ms. Jennings up next, please.

[*Translation*]

Hon. Marlene Jennings: Thank you very much, Mr. Chairman.

Thank you for your presentations.

I simply want to say that as a Quebecker, I have the same concerns as you do, Mr. Gardner, with respect to the date set out in the Bill as the fixed election date.

For a number of years in a row, I myself had to move on July 1. My view is that the proposed date is really problematic for Quebeckers.

My question is mainly for Ms. McGrath, and possibly Mr. Chernushenko as well.

First of all, Ms. McGrath, you stated that having fixed election dates would encourage Canadians to exercise their right to vote, which would lead to higher voter turnout rates. I'd like you to tell us—I looked, but was unable to find any—what studies you have that show a positive correlation between fixed election dates and the voter turnout rate?

I do know of studies showing that there are jurisdictions where they have fixed dates, but they also have penalties and sanctions that apply to citizens who do not exercise their right to vote. However, I have seen no studies where the decision to vote is one the citizen is truly free to make, and where the turnout is much higher than in those jurisdictions where there are no fixed election dates. So, I would be very interested in having that information.

My second question is addressed to Mr. Donison. How will Bill C-16 limit the Prime Minister's power to go to the Governor General's residence to ask that an election be called at a time other than the fixed date? I read the Bill very carefully and I saw no such restriction there. Indeed, the Leader of the Government in the House of Commons was boasting about the fact that Bill C-16 in no way limits the Governor General's discretionary power to call an election at any time before the fixed date.

Can you tell me where you see such a restriction, since you mentioned that we now have a Prime Minister and a party that would be ready, as you said, to

• (1200)

[*English*]

“walk the walk and talk the talk”. Where is it in Bill C-16?

The Chair: Thank you.

We have one minute for each answer, if we want to divide it that way.

Ms. McGrath, you can go first, and then Mr. Donison.

Ms. Anne McGrath: I can't cite any particular studies that talk about the increase in participation rates as a result of a fixed election date, although I'm assuming there is research done for this committee that could probably put forward some of that research.

I think, from an intuitive point of view, that there is in the population a general unease or lack of faith in the democratic system. That's not necessarily going to be fixed by something like this; as I said before, that's in the context of a larger democratic reform package. But I believe that knowing when the election is, having the ability to advertise widely, having the issues out there, will encourage more people to participate actively in the electoral process.

I'm assuming that the research capacity of this committee would be able to put forward some of the relevant studies. As a matter of fact, I think I read some of that in the background for your committee.

The Chair: Thank you.

I'm going to allow a little bit more time on this, because you didn't comment on the issue of punitive measures for folks who don't vote. Could we just get a comment on that very briefly, please?

Ms. Anne McGrath: I know there are jurisdictions that do have that and that it has increased the electoral rate. My own preference actually is to have more proactive approaches to it. So I wouldn't necessarily support at this point penalties as a result—

Hon. Marlene Jennings: On a point of order, I did not propose it. I simply brought in my question about what studies exist. There are jurisdictions with fixed dates and with punitive measures. Therefore, where are the studies that show the correlation that when you have the freedom to vote and fixed dates, you have higher voter participation?

I don't want to cause any confusion, but in no way did I wish to suggest that there be punitive measures.

The Chair: Thank you for that clarification.

My understanding in the answer is that you don't know of any studies that are available.

Ms. Anne McGrath: No.

The Chair: Thank you very much.

Mr. Donison, one minute, please, on your answer.

Mr. Michael D. Donison: One minute on this question, Mr. Chair? I'll try.

Mr. Chair, Madam Jennings is absolutely right when she says that legally nothing in Bill C-16 changes the current legal situation or the conventions of the Constitution. The reason it cannot is because the only way that can be affected is a constitutional amendment under section 41, which would require unanimous agreement, because it would affect the office of the crown.

However, we don't have to deal with theory. We can deal with practice. Again, I would cite all of the jurisdictions in the Westminster model that have adopted the fixed-date election. None of them has restricted the old discretionary powers of the crown, but in all cases they're working. And I gave a concrete example, Mr. Chair. If Mr. McGuinty, the premier of this province, decided to go to the Lieutenant Governor, he'd have to have an awfully good reason to dissolve now.

What fixed date elections do is create the expectation in the political classes and in the citizenry that this is the new norm, the new standard. So a prime minister or a first minister who decides to use his discretionary political power and rely on the crown's legal discretionary power would be treading on very difficult political ground. The reality is that jurisdictions have adopted it, and almost, I would dare to say, a convention of the Constitution has evolved, in which those first ministers simply do not...unless it's a national crisis or the government loses clear confidence, and that's very rare in a majority situation.

Theoretically, you're right, Madam Jennings, but in practical reality this will set the new standard. Certainly we've witnessed that in B.C. and Ontario.

●(1205)

The Chair: Thank you very much.

Sorry, we're going to have to close on that round. Perhaps we could get a question back again. I see Mr. Gardner would like to comment, but we've gone way over on that round.

Are there questions from the government side? No questions.

Please, Mr. Reid.

Mr. Scott Reid: Yes. I'm not sure if I have the authority to assign homework, so if the witnesses wish to actually make a comment on the question I proposed to them, as opposed to me imposing a written submission on them, they could do so.

The Chair: Do the witnesses remember the question from the first round?

Then let's go with this round as Mr. Reid's questions.

We'll start this time with Mr. Donison on Mr. Reid's question from the first round.

Mr. Michael D. Donison: On your specific question, Mr. Reid, I will take the assignment of making a written submission. I'd be willing to do that and I will undertake to put something together as soon as I can.

The Chair: Mr. Gardner.

[*Translation*]

Mr. Gilbert Gardner: We can certainly give this some thought, but in terms of the principles, there is certainly the fact that this date would directly conflict with well-known dates, such as the first Sunday in November, when municipal elections are held in Quebec, not to mention the other point that I spoke about at length — namely the fact that many people move around that time and the voters list in Canada would not be complete.

[*English*]

The Chair: Thank you.

Mr. Chernushenko.

Mr. David Chernushenko: Certainly we will submit something.

The Chair: Thank you.

And the same thing, Ms. McGrath. You're willing to submit something.

We'll move to the next round. Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond: Mr. Donison, I'd like to come back to something you said earlier and which sounds a lot like the answer I got from the Government House Leader.

The Prime Minister, even if he had a majority government, would retain the right or privilege, to a certain extent, of being able to go and see the Governor General and ask him or her to dissolve the Government for a valid reason.

Do you agree with me that what constitutes a good or major reason is totally subjective? It is certainly not objective information. In law, what you see as a good reason may not be what I consider a good reason; it's subjective.

Do you remember the pretext Jean Chrétien used to call an election in 2000, when he had just been re-elected in 1997? I remember it as if it happened yesterday. He was at Rideau Hall. After visiting the Governor General, reporters asked him why, when it had been less than four years since the last election, he had decided to call another. He answered that he needed a mandate from the people of Canada in order to spend the budget surpluses as he was intending to do.

Mr. Marcel Proulx: That was a good reason.

Hon. Marlene Jennings: It was an excellent reason.

Mr. Michel Guimond: As long as we have a fiscal imbalance, the federal Government will rack up budget surpluses while the provinces are in dire straits, and that won't change as long as they are part of that system.

Do you realize that the answer you gave earlier and the one I got last week from the Government House Leader was a subjective one: you say it will have to be for a good reason. But who will be able to decide what a good reason is? Of course, if the electorate feels it's a futile or a partisan reason, or that it's just an attempt to pull a fast one on the Opposition, it can always sanction the Government.

I'd be interested in hearing your comments.

[English]

The Chair: Mr. Guimond, are you asking everyone, or only Mr. Donison?

• (1210)

[Translation]

Mr. Michel Guimond: I would like to hear from Mr. Donison first.

[English]

The Chair: Thank you.

Mr. Donison, please.

Mr. Michael D. Donison: Mr. Chair, I think I can only refer to what I said before. We cannot alter the legal situation. You're right, it is a bit subjective, but unless there's a national crisis or in the case of a majority government, for some reason—which is rare in our system, or almost impossible—the government loses the confidence of the House, I think we have to maintain the flexibility of the responsible government model.

I think the reality is that a prime minister.... You cite the example of 2000, and I would also cite the same thing that happened in the 1997 election with a federal majority Liberal government; and the same thing happened in 2004. Those were all premature elections, and I would submit to you that in the case of Mr. Chrétien in 1997—I'll try not to be partisan here, Mr. Guimond—and Mr. Chrétien in 2000 and Mr. Martin in 2004, those elections were all premature. They were all called clearly, I think—and there are books written on this—to catch the new opposition leading party with a new leader, flat-footed.

I would suggest to you that once this becomes law, a prime minister at his peril will attempt to do what Mr. Chrétien and Mr. Martin did in 1997, 2000, and 2004.

[Translation]

Mr. Michel Guimond: But nothing in the current wording of this Bill guarantees that the same thing could not happen again. Certainly, the difference is that now the term is fixed. And don't tell me that if the Government has lost the confidence of the House... Imagine if we had a majority government. Let me give you an example. It goes without saying that if the Government has a minority and loses the confidence of the House, it will have no choice but to call an election.

I would just repeat what Ms. Michaëlle Jean said in interviews she gave to mark the end of the first year of her reign — comments that really made me laugh. She said that the most difficult decision she had had to make in the last year was to dissolve Parliament. But she had no choice! She had better not try and have us believe that this was a difficult decision, that she was tortured and didn't sleep all night; the fact is she didn't have a choice! So please don't raise that argument.

If it were a majority government, and if the Bill passes with its current wording, would the Prime Minister still be able to call an election before the end of the term?

[English]

Mr. Michael D. Donison: Mr. Guimond, as I said earlier, there are no guarantees here. The only way you could have a guarantee is by amending the Constitution. We don't want to go down that route. But short of that, I think what you're going to find—again I cite experience—is that first ministers will tread.... That's the ultimate sanction on politicians, with all due respect: the ire of the electorate. I think that any prime minister, especially in a majority situation, who calls an early election after this becomes law will need to have a very, very good explanation for the Canadian people as to why he's calling the election early. Mr. Chrétien and Mr. Martin were not held accountable in that way in those three elections.

The Chair: Thank you very much.

That ends that slot, and it's Mr. Dewar, please, for five minutes.

Mr. Paul Dewar: Thank you, Chair.

There are a couple of other questions that are outstanding with regard to this. I've been using the language “flexible fix”, because I think it's important for the citizenry to understand that this is a minority Parliament and we'd still have the opportunity for Parliament to fall and of course to go into an election.

In terms of participation, when we asked the folks in B.C. and the chief electoral officer there about their experience in encouraging—with reference, Mr. Donison, to Mr. Milner's paper—more women and visible minorities and aboriginal peoples to participate in the democratic process, she wasn't able to cite anything. I would hope when we look at this—it's a very important area, for us at least in the New Democratic Party, and I'm sure for everyone—that in and of itself, having this law is not enough. A couple of other things need to be done.

We've talked about enumeration. We need to put resources and any savings we can find—particularly if there are savings, and it's been mentioned that in B.C. there are some, because you are able to rent offices and hire people ahead of time and make some savings there—into an enumeration process that is truly democratic. We have censuses, we have tax time, we have many ways of gathering data, but we really need to put the pressure on an enumeration process that allows people not just to know when the date is, but be able to participate. I'll just mention that and see whether it's an issue among folks.

The other thing is, how do we get more women, more visible minorities, and more aboriginal people to both participate—and we don't have the data on that—and to stand as candidates, as was mentioned? We've done some things in our party, and I'm glad to say we have within our caucus a higher percentage of women in the House than any other party.

What are some of your thoughts about this? I'll just open it up to the panel.

• (1215)

The Chair: Thank you.

Perhaps this time we'll start with Monsieur Gardner. Are you prepared to answer?

[Translation]

Mr. Gilbert Gardner: I do not believe that Bill C-16 will really contribute to greater equity in terms of the candidates and the people who get elected. I think that there will have to be some profound changes within society before we will see greater equity, and I don't think Bill C-16 will in any way change the current, unfortunate reality.

There is another type of legislation, in parliamentary democracies across the planet, that sets a specific timeframe. For example, it states that an election must be held within a two-month period. If you compare voter turnout rates in those parliamentary democracies that have fixed dates with others that don't have them, you will see that there isn't much variation. Certainly, there are cultural traits associated with voter patterns, but as a general rule, there is not much variation in terms of turnout rates. Consequently, I don't think that the fact of having a fixed date or an approximate date will change the behaviour of the electorate in terms of their voting patterns.

[English]

The Chair: Thank you.

Mr. Chernushenko.

Mr. David Chernushenko: Thank you.

Given the—very few, I would say—tangible benefits of going down this road, when we start talking about flexible fixed election dates I'm left with the conclusion that this is much ado about nothing. If we want to keep certain aspects of our current system that allow flexibility, require responsible government, require the confidence of the House, we are left with a fixed election date that isn't fixed. This leads to the conclusion that there are much more important, more fundamental things that a government can be doing to address the democratic deficit than moving to fixed election dates.

So it comes back to our general point here today from the Green Party, which is that while we see no particular reason to oppose it, we also don't see why we should invest all these resources in moving ahead with it when there are others, such as proportional representation, such as looking at how within each party we can be getting more candidates from visible or non-visible minorities, more gender balance, etc..... I would rather see the effort go into that.

The Chair: I'm not sure that answered Mr. Dewar's question about how it would help the voter turnout of aboriginals and women. However, we are running out of time. Could we stick to the question, Mrs. McGrath, please?

Ms. Anne McGrath: Yes. Redirecting resources that are currently spent on a constant state of election readiness toward voter participation programs would be a very good benefit. We've seen some examples: Elections Canada has undertaken some programs in the past; other organizations like teacher's unions, for instance, did some excellent work trying to improve young peoples' participation in the vote—young people who aren't necessarily old enough to vote yet, but to improve that particular level of participation. Those things are very important.

With respect to participation as candidates and in other ways, specific measures must be taken. People here have asked a lot about studies. One study that always sticks in my mind is an International Labour Organization study in about the mid-nineties that said at the current rate of progress, women will achieve economic and political equality with men in about a thousand years. We need to do something.

The Chair: Thank you very much.

Mr. Donison, I'm going to allow a short answer, so you can participate in this, but we are over time. Please.

Mr. Michael D. Donison: Mr. Chair, in my opening remarks I said the bill is incremental. It's not revolutionary and it's not going to solve all these problems. I still think it's an improvement.

Particularly in the case of recruiting more minorities, women, and aboriginal people, the mere fact that predictability has increased will raise all votes for all candidates, and therefore it will also raise for them as well. But I wasn't suggesting for one minute this bill is going to solve those kinds of problems and face all the political parties, but it's certainly a movement incrementally in the right direction. It improves the atmosphere and the predictability for all potential candidates.

• (1220)

The Chair: Thank you.

We're going to move to our next round, and I only have one name on the list for this third five-minute round, so I'm looking for names, if anybody wants to get on the list.

Monsieur Proulx.

Mr. Marcel Proulx: Thank you, Mr. Chair.

Mr. Donison, we've covered the possibility of the Prime Minister deciding he has a good reason. We've covered the possibility of running to the end. What if the government decides they're going to make sure to lose a confidence vote? What would the Governor General be able to say then?

The Chair: To whom was the question directed, Mr. Proulx?

Mr. Marcel Proulx: Mr. Donison.

The Chair: Thank you. I didn't hear that. My apologies.

Mr. Donison.

Mr. Michael D. Donison: You're asking me to give an opinion on a constitutional issue, the discretion of the Governor General in a situation like that. I don't know how to answer your question, because we can start speculating: how does the Governor General know the government has manipulated? The opposition may say the government has manipulated. The government may say we didn't manipulate other people. I wouldn't know how to answer that.

Mr. Marcel Proulx: Okay, so you're agreeing with me that if the Prime Minister decides he wants an election, what he has to do to be above board is to make sure his government gets defeated.

Mr. Michael D. Donison: No, I don't think I said that.

Mr. Marcel Proulx: Oh, you don't agree with me. Oh, I see.

Mr. Michael D. Donison: I'm simply saying that in our British Westminster model, if the government is defeated on a matter of confidence, that is what the crown must take cognizance of. The constitutional experts can argue on that.

I think the point, though.... Again I emphasize the practical versus the theoretical. Honourable members keep talking about the theory, and I understand that. But again I point you to the empirical evidence: in jurisdictions where this has happened, there has been no legal restraint on the power of the prime minister or the crown. The political reality is that politicians act within that paradigm. It almost creates a new paradigm. Therefore, if it's apparent to the opposition and the press that the government is manipulating its own defeat in this new paradigm, the prime minister and his government are going to face a bigger consequence than they did in the past.

The Chair: Thank you. You still have three minutes.

Mr. Marcel Proulx: I'll share my time with Madam Jennings.

The Chair: Thank you, Mr. Proulx.

Madam Jennings, please.

Hon. Marlene Jennings: Thank you.

Mr. Donison, I'm slightly confused, because you say that in those jurisdictions where you have flexible fixed elections, because the prerogative still exists, it has created a new paradigm. My understanding is that B.C. has only just gone to fixed election dates. Ontario is only now going to fixed election dates. Other provinces have only said they will go to fixed election dates. In Australia, these two state legislatures you're talking about have only recently gone to fixed election dates. So the affirmations you're making are based on very, very recent.... We're talking about systems where they have one flexible-fixed or possibly two flexible-fixed. We're not talking about systems where those flexible fixed election dates in parliamentary democracies have existed for 50 or 60 years.

If you have examples where flexible fixed systems have existed for a longer period, I wish you would bring it forward. Otherwise, this is really intuitive or anecdotal at this point. And I don't believe there is sufficient clear and convincing evidence to make the kinds of affirmations and conclusions you're making.

Mr. Michael D. Donison: I may have gone too far, Madam Jennings, in terms of saying it's a new paradigm. I think it is intuitive to a great extent. All I'm saying is that you have some empirical evidence—some—and I just think the reality will be that politicians will act in a certain way. That's my supposition, but I guess we'll see.

But at least this is an improvement. I again make the point that this kind of legislation is going to make it politically more difficult for a first minister in the British model to call a premature election. It will be much more difficult than in the past. That is just intuitive, and I think that makes political common sense. I guess the testing will be in the pudding, but it is certainly a movement in the right direction.

● (1225)

The Chair: Thank you. That time is up.

Mr. Lukiwski, please.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): This will be hopefully very brief, because I just want to underscore what Mr. Donison is saying in answer to Mr. Proulx's question. If any majority government attempted to cause its own defeat, it would be patently obvious, not only to the opposition members but to the members of the public and the members of the media, who would castigate any government for doing so. That government would pay, in my opinion, a very steep political price for doing so.

I think there are checks and balances in the system that will stop that from happening. I do not believe we need to have any definitive or legislative processes put into place other than what we already have. Frankly, anyone who has been even a casual observer of politics in this country would surely recognize the fact that there would be a steep political price to pay. So I do not think this is going to be something that is going to be much of a concern for anyone under this new legislation.

The Chair: Okay.

Is there a question at all for the panel?

Mr. Tom Lukiwski: No, it was just a comment.

The Chair: Thank you.

I have no other names on my list, but I will offer time to the remaining parties. Did you want to ask a question or make comment?

Mr. Dewar, please.

Mr. Paul Dewar: Just to be clear on why we support this legislation, Mr. Milner talks about it and we might have the opportunity to talk to him. When he juxtaposed and looked at other jurisdictions where they have this in place, from his study, there seems to have been an improvement—and I would use the word “incremental” for sure. There are other things that need to be done, and I think he has suggested that as well.

But we also have to look at what the status quo is. The amount of cynicism that was injected into our political culture when prime ministers used their power cynically, just to advantage themselves, far outweighs the concerns I have about fixed election dates. This sets the parameters so that the people, be they the fourth estate or others, can examine this. I'm willing and we're willing to have this reform take place and then we can get on with real democratic reform...well, not real, but more substantive democratic reform, like PR.

Thank you.

The Chair: I'm assuming there's no question there for the panel either.

I'm going to thank the witnesses now, because it looks like we're done with our questioning. I appreciate very much all the witnesses coming out again today. We do often give brief notice, but we appreciate your preparedness in turning out today.

I will dismiss the panel, and I thank you again on behalf of the committee.

As the panellists gather their papers, the meeting remains in public.

I just want to remind members that the next meeting is on Thursday, when we will have a panel of experts. Professor Henry Milner will be appearing via video conference from Sweden; Professor Andrew Heard will be appearing via video conference from Victoria; and Professor Louis Massicotte will actually be here in person, in Ottawa. That's just a reminder, and the room will be 253-D. You will get reminders from the clerk.

Are there any further questions or pieces of business? Seeing none, I declare the meeting adjourned.

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