



The FAIR Newsletter



Spearheading the Direct Democracy Movement in British Columbia - Volume 1, Issue 1 - Spring 1994

Welcome to The FAIR Foundation's first newsletter. This FIRST issue marks many beginnings: it is being published in time for what may be the FIRST Direct Democracy Conference ever held in British Columbia. The one day seminar is being held at the Burnaby Hotel and Conference Centre on April 16th.

This newsletter also marks the FIRST year, since 1919, in which B.C., or any province for that matter, has seriously embarked on a path toward participatory democracy: Recall and initiative legislation has been promised by the current government sometime this Spring sitting of the Legislature. Finally, during the last two years, it is the FIRST time touch-tone telephones have been used by Canadians to vote (at two political leadership conventions: one in Nova Scotia and the other in B.C.) . . . ushering into Canada the age of *tele-democracy*!

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Comparison of the Proposed BC Legislation versus That Existing in Other Jurisdictions.

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WHO OR WHAT IS FAIR?

The FAIR Foundation is an organization of concerned citizens that wishes to promote "fair" government by encouraging citizen participation in the decision-making process of government. We believe the time has come for citizens to be able to vote directly on important issues and to be able to recall elected representatives that misrepresent the constituency or themselves.

Our acronym is FAIR : "For Action In Referenda"

The Purpose of The FAIR Foundation is:

- To promote fair, workable and binding recall, initiative and referendum legislation in British Columbia, the rest of Canada and elsewhere.
- To stimulate public awareness of referendum rights, how it can be implemented and the benefits of direct democracy (participatory democracy and/or tele-democracy).
- To help citizens with the petitioning and referendum process.

We are a non-profit, non-partisan and non-issue biased organization located in Victoria, the capital of British Columbia. Our newsletter is distributed worldwide to: most provinces in Canada, the United States, France, Australia, Finland, Switzerland and Great Britain.

REFERENDUM RIGHTS

A SOLUTION WITH FAR-REACHING IMPLICATIONS

THE GROWING NEED . . .

. . . TO REPRESENT OURSELVES

We all have our own individual concerns on the various issues-of-the-day: over-taxation, government spending, free trade, water exportation, capital punishment, Clayoquot Sound, CORE, unemployment insurance, pension indexing, The Young Offenders Act, environment, education, immigration, etc.

The way our current system of government works, is such, that all these issues are decided upon by elected representatives and not by a majority of the people.

Unfortunately the elected representatives have a very difficult time deciding these sensitive issues, because there is a flaw in the antiquated system of government we have inherited: Representative democracy doesn't represent the people . . . it represents THE PARTY!

This is what we feel is the major problem in Canada and British Columbia today, but we could be wrong.

We are a little frustrated by the feeling that the person we send to The Capital soon learns how to toe the party line instead of learning how to best represent the constituents that voted for him or her. The party, of course, is ultimately concerned with getting re-elected, which clouds the decision-making process.

Eric Neilsen, retired conservative MP, formerly Brian Mulroney's deputy minister and now outspoken critic living in Richmond B.C., recently was quoted on CTV's W5 as saying:

"Politicians are greedy . . . greedy for votes. They want to get re-elected . . . If the good of the country is put foremost instead of: 'Am I going to get re-elected if I make this decision?', then you're on the right track in politics."

Mr. Neilsen, eight years ago, while an MP, authored a 21-volume report on how to make the bloated federal government more efficient. It was tabled one day in the House of Commons and shelved the next in the Legislature Library.

We need to reform our current system of government, not only for the benefit of ourselves, but also for the sake of our politicians that seem to be getting a bad name for misrepresenting us.

If we, the citizens, could shoulder some of the responsibility for the decision-making, then our views could be *fairly* represented AND the politicians wouldn't have to take all the blame for the 'tough' decisions that have to be made . . . a WIN-WIN situation!

We need political reform . . . reform in how we govern ourselves that's more responsive to our modern need for direct input into government. We need *referendum rights*: the ability to vote on issues and to recall our elected representatives, if need be.

We need a form of direct democracy . . . that represents THE PEOPLE!

. . . continued on page 3

Definitions -

Recall: A process by which voters can force the resignation of an elected representative.

Initiative: A vote on an issue put to the citizens by enough concerned citizens who petition the government for a referendum on the issue. This has, up until now, been denied to Canadians.

Plebiscite: A vote on an issue put to the citizens by the government that is not binding upon the government; e.g. the vote on the Charlottetown Accord held in Canada, October 1992.

Referendum: Strictly speaking, a vote on an issue put to the citizens by the government that is binding upon the government. Loosely speaking, any vote by citizens on an issue; e.g. the vote on the Charlottetown Accord was called a "referendum" by the government but was really a "plebiscite" because it was not binding.

Free Vote: The ability of a representative to vote independently of party concerns.

Democracy has been evolving over the centuries toward a "true" democracy, which could be defined as:

*"a system of government by the whole population;
a classless and tolerant form of society."*

Here's what some well-known thinkers have said :

"Democracy is a dynamic, not a constant; a means, not an absolute; its condition is freedom and its aim is truth."

- James Higgins 1956

"My political ideal is democracy. Let every man be respected as an individual and no man idolized."

- Albert Einstein

"We can have democracy in this country or we can have great wealth concentrated in the hands of a few, but we can't have both."

- Louis Brandeis, 1941

"The government is servant to the people and not its master."

- Winston Churchill, 1948

Here, in Canada, we are better off than most. We have a budding democracy for which many elsewhere would die . . . but is it a "true" democracy or an "elected dictatorship" as Peter C. Newman says?

The purpose of our elected representatives is to represent our views in The Capital and pass legislation that reflects the wishes of the majority. At the moment, they can only guess how we feel based on phone calls, letters, editorials, rallies and demonstrations. It's only at the polls that they find out!

Canadians, at election time, are known to vote against the worst alternatives rather than for the best party, leader or representative. Witness what happened to the party-in-power in the last federal election in 1993. They were "turfed", rather defiantly, out of office.

What we end up with is a system that was described by Ralph Waldo Emerson:

"a government of bullies tempered by editors."

We give our politicians a series of blank cheques for four or five years and hope that they will be fiscally

responsible! However, if they want to double our debt or drive us into bankruptcy . . . there is nothing we can do about it! As long as the party-in-power has a majority government, then we are at the mercy of their power . . . power that is protected by rules . . . rules that govern our current political system.

The rules of the game:

- # 1 - WE MUST accept the fact that we need elected representatives to govern us;
- # 2 - WE SHOULD vote for the member or party with the best promises;
- # 3 - WE MUST accept any broken promises once elected;
- # 4 - WE MUST let the newly elected government spend as much money as they want, to try to keep their promises so they can get re-elected;
- # 5 - WE MUST accept the fact that we will end up paying for these spending sprees by increased taxation;
- # 6 - WE MUST wait four or five years to vent our frustrations in an election and then, and only then, may we elect another party-in-power;

OR The alternative to these rules: throw our hands up in the air and say:

"I'm mad as hell and I'm not gonna vote any more!"

Regardless, the game goes on.

Isn't it time to question these rules?

Do we really need a system where our elected representatives have so much power and make all the decisions? We used to. Back at the time of confederation, we had to send someone to The Capital to represent us, otherwise we wouldn't be heard at all.

Nowadays, we can phone, fax or fly to the Capital. But even though we are better educated than ever before on the issues, we don't have the ability in our political system to vote on any issues!

Why don't we have the right to vote on issues?

Because we aren't smart enough? If we were smart enough to be able to vote on the complicated Charlottetown Accord, surely we are smart enough to vote on less complex issues. If we are smart enough to be called up as jurors, then aren't we smart enough to be able to decide what we think is best for ourselves as individuals?

Because it would be too expensive? According to Maritime Tel & Tel, it would only cost the government approximately \$1.00 per voter to set up a system of direct democracy plus \$1.00 each time a vote was called for us to vote on any number of issues . . . at a fraction of the cost of our last Charlottetown plebiscite.

Consider this possibility for important issues: the politicians merely debate the issues and we, the citizens, make the final decisions using telecommunication technology which could be timely, secure and cost-effective. That way we could initiate certain laws that the majority of us felt were necessary.

Why haven't we adopted direct democracy earlier?

Because we have been perhaps too "timid", as Patrick Boyer points out in his book: Direct Democracy in Canada. In 1919, the government of B.C. passed the Direct Legislation Act paving the way for an early form of direct democracy. The Act was, however, never proclaimed because it was thought to be "unconstitutional": Citizens couldn't legally be passing legislation . . . only the Legislature could do that!

But on October 17, 1991, by chance, a plebiscite on recall and initiative referenda appeared on the ballot during the B.C. provincial election. Not surprisingly, over 80% of the voters voted in favour of *referendum rights*. There was a change in government. The new government promised it would abide by the results of the ballot box, if they got in.

Up to now, the new government has spent two years and a lot of money researching the issue and promising to introduce Recall and Initiative Referendum legislation in the next sitting of the Legislature (mid-March to mid-July, 1994). The FAIR Foundation hopes that legislation will be passed that is workable and fair!

We suspect that the government will make the requirements and petition-signing thresholds so high, that it will prevent us from using the recall or initiative mechanisms!

Even if we, the citizens, did manage to get a referendum through, it still wouldn't be binding on the government to legislate it because the proposal is not to make recall and initiative referendums binding. (See the Summary of the Committee's Report on pages 5 and 7.)

As a long time student of direct democracy recently said about this:

"If they (the government) want to embarrass themselves . . . go ahead. It will be obvious to the general public that they are stonewalling the idea (of recall and initiative). Who's kidding who?"

Legislating unrealistic signature thresholds would be a charade. It would be similar to our parents first promising, and then giving us, a ten-speed bike as a graduation gift. On graduation, we find that the bike only has one speed instead of ten. We would be better off to keep on walking!

Fair recall and initiative legislation will make it quite possible for us to develop a better system of democracy that allows full citizen participation that serves the majority and yet is sensitive to the needs of minorities.

We, the citizens of B.C., need to become more empowered and act as a counter-balance to the powers of government. This would help the government to become more accountable as well as more democratic!

Right now, here in B.C., we have an opportunity to implement a form of direct democracy . . . but it must be workable and . . . it must be *fair*.

A better system of government is possible.

Let's do what we can to help it evolve!

*" If we continue to think
the way we've always thought . . .
we'll always get what we've always got."*

* * *

Summary of the Committee Report on RECALL & INITIATIVE LEGISLATION in B.C.

On October 17th, 1991, British Columbians overwhelmingly approved (by over 80% of voters) both recall and citizen-initiated referendums in two referendum questions. Two years later, on November 23, 1993, an all-party standing committee produced a report with recommendations on recall and initiative legislation. The report suggested creating a series of "hurdles" over which the citizens must jump in order to achieve initiative legislation. The big question is whether or not these hurdles are: reasonable, practical or *fair*? Or is it the intent of the government to create legislation that "not only won't work . . . but wasn't designed to work" (a theory held by MLA Jack Weisgerber)?

A SUMMARY OF THE INITIATIVE HURDLES:

- # 1 - 10% of the eligible voters in each and every electoral district in B.C. must sign the petition within 60 to 90 days to force a referendum.
- # 2 - Employees of interested groups would be prohibited from being volunteer petitioners!
- # 3 - The Chief Electoral Officer could have the power to block or re-write the initiative question.
- # 4 - For an initiative to clear the next hurdle, it would have to receive at least 50% plus 1 votes of the eligible voters. Assuming a typical 75% B.C. voter turnout (historically the highest in Canada), that would mean that 67% of those who voted would have to vote in favour of it.
- # 5 - The committee recommends that these votes not be held during general elections, which could reduce voter turnout, thereby increasing the success threshold even higher than 67%.
- # 6 - Also, the province-wide initiative referendum would have to be passed by a "double majority", i.e. it must also be passed by 2/3 of all the provincial ridings.
- # 7 - If the initiative were to pass over all those hurdles, it would not be binding on the government to legislate it. It would only have to be "introduced" during the next sitting which means it could be delayed for years in committee hearings and debates.
- # 8 - Finally the Committee recommends spending

limits on the petition drive and initiative campaign unlike the Charlottetown plebiscite where no such restrictions were applied.

A SUMMARY OF THE RECALL HURDLE:

A recall petition would have to be signed by 50% + 1 of the voters who were on the voters' list in the previous general election . . . which doesn't take into account that some of these voters will have moved out of the riding and that most, if not all, winners got in with less than 50% of voter support (a plurality not a majority).

SOME OF THE REACTIONS TO THE REPORT:

The Canadian Taxpayers Federation said:

"It is the position of the CTF that if the government proceeds on the basis of the Committee's recommendations, British Columbians will be no closer to citizens' initiative than they were before the vote taken in October 1991. In other words, the government will have failed to honour the democratically expressed will of the people . . . The Committee's recommendations are far from a workable model of citizens' initiative, and if implemented would effectively deny voters the capacity to directly decide matters of public importance."

- Victoria, February 1994

The National Citizen's Coalition's response to this report is as follows:

"The committee produced a deeply flawed report that was a transparent exercise in cynical, hypocritical manipulation".

- Toronto, December 1993

Times Colonists headline:

"'Appalling' referendum threshold will kill grassroots swell - critics."

- Victoria, November 25, 1993

Editorial from the Times Colonist:

"Committee missed the democracy boat."

- Victoria, November 24, 1993

Headlines in the Globe and Mail:

"B.C. eyes strict recall rules. Recall of MLAs would be hard."

- Toronto, November 24, 1993.

* * *

Copies of the Report are available from the Provincial Government, Clerk of Committees, Room 224 in the Legislature. Phone: 356-2933.

CHART COMPARING DIFFERENT *SIGNATURE* REQUIREMENTS

CHART COMPILED by THE *FAIR* FOUNDATION (from various sources available on request)

EXISTING JURISDICTIONS:

Location	Initiative Petition Requirements	Time for Signatures	Recall Requirements
The USA (in general) - Population of 250 million	49/50 States <u>require</u> voter approval on constitutional change 39/50 " allow voters to challenge legislative bills 22/50 " allow voters to initiate any kind of legislation 15/50 " allow the usage of Recall 14/50 " allow voters to initiate constitutional changes		
Average for 24 States -	5.15 % of <u>registered</u> <u>voters</u>	660 days or 22 months	
California - Population of 30 million	5 % of the <u>last votes</u> <u>cast</u> for governor ... 8 % if constitutional in nature	150 days or 5 months	
Oregon - Population of 2.8 million	6 % of the <u>last votes</u> <u>cast</u> for governor ... 8 % if constitutional in nature	Unlimited time period	
Washington State - Population of 4.8 million	4 % of <u>last</u> <u>votes cast</u> for Referendum and 8 % for Initiative	180 days or 6 months	25-35 % need to sign a petition depending on position
Switzerland - Population of 6.5 million (In use since 1891)	0.8 % of <u>total popu-</u> <u>lation</u> for Referendum; 1.6 % for Initiative or 1/3 of cantons		

NOTES: In B.C., at the time of the last provincial election and referendum (October 17th, 1991), out of a total population of 3,368,000, there were 1,988,282 registered voters. 1,493,200 (or 75.1 % of those eligible) voted, representing the number of last votes cast. In the referendum, over 80 % voted in favour of Recall & Initiative legislation. Two years later a government committee proposed certain requirements.

**PROPOSALS
for BRITISH COLUMBIA:**
(Population of 3,368,000)

Organization	Petition Requirements	Initiative Time for Signatures	Initiative Referendum Requirements	Recall Requirements
BC Committee Report to the Government Proposal	10 % of <u>registered voters</u> in all 75 ridings	2 - 3 months	50% + 1 votes in 2/3 of all ridings	50% + 1 vote of <u>reg'd voters</u> within 60 days
B.C. Direct Legislation Act of 1919	25% of the voters in 75% of electoral districts must sign the petition plus 10% of the voters overall must also sign. (This Act was passed but has not been proclaimed (activated) to this date.)			
Canadian Taxpayers Federation (CTF) Proposal	7.51% of <u>registered voters</u> in at least 4 of 7 regions	12 - 13 months	50% + 1 votes + a majority in 4 of 7 regions	Recall not addressed by the CTF
The FAIR Foundation Proposal	3.0% of <u>registered voters</u> using paper or <u>electronic</u> petitions	18 months	50% + 1 votes + a majority in 4 of 7 regions	50% + 1 of <u>last votes cast</u> in the approp. constituency
National Citizens Coalition (NCC) Proposal	3.0% of <u>registered voters</u>	4 months		

INITIATIVE SUMMARY Required # of Signatures	AS A % OF: Last Votes Cast	Registered Voters	Total Population	Time Allowed	1981-1990 Results
BC Committee (Proposal)	13.3%	10.0%	5.9%	2-3 mos.	
Wyoming	15.0%	10.8%	5.3%	18 mos.	No success
Illinois		10.0%	5.3%	24 mos.	No success
CTF (Proposal)	10.0%	7.51%	4.4%	13 mos.	
Washington	8.00%	6.74%	3.1%	6-10 mos.	Successful
Oregon	6.00%	4.52%	2.3%	unlimited	Very successful
FAIR (Proposal)	4.00%	3.00%	1.8%	18 mos.	
NCC (Proposal)	4.00%	3.00%	1.8%	4 mos.	
Switzerland			1.6%		Very successful
California	5.0%	2.86%	1.3%	5 mos.	Very successful

There is a direct correlation between the required number of signatures and the success or failure of the petition process. In the U.S., the two States with the highest thresholds of required signatures (Illinois with 10.0% and Wyoming with 10.8%) have had no success in getting any initiatives to the referendum stage between 1981 and 1990 because the signature thresholds have been too high. The Committee reporting to the Government of B.C. recommends equally high signature thresholds with less time to collect them! This, in our view, means creating non-functional legislation. WHAT A WASTE OF TIME, EFFORT & MONEY!

The FAIR proposal is modelled after jurisdictions where signature requirements are proven to be attainable: Washington, Oregon and Switzerland. If it has worked successfully in those places . . . why not use it here?

A BRIEF HISTORY OF THE FAIR FOUNDATION

The FAIR Foundation was born with the creation of our first petition (below) on November 1st, 1993. This was a result of the frustration of three concerned citizens waiting for the government to do something about fulfilling its two-year-old promise to pass recall, initiative and referendum legislation. Up until then, a committee had been formed and seemed to be studying the results of the ballot box "to death". Some members of the all-party committee quit because of unnecessary delays and excessive costs. However, on November 23rd, the committee finally produced a report (summarized on page 5). Shortly afterwards, the government announced it would introduce referendum legislation in the next sitting (March 15 - July 15, 1994) and so we decided to suspend our petition . . . for the time being.

On December 21st, 1993 The FAIR Foundation was incorporated under the Societies Act with its main purposes as outlined on page 1 of this newsletter. On January 16th, we elected five officers to the Board of Directors: Ian Woods, Lorenzo Bouchard, Christine Monford, Joel Harvey and Lee Glover. On January 24th, we were interviewed by Terry Moran of The Regional News Group (article appearing next page) and also by "Tasma" of Shaw Cable in the Western Communities of Victoria. Since then we have been researching, networking, educating and membership building . . . awaiting the "big" moment . . . when the first government sponsored referendum legislation is finally introduced.



OFFICIAL F.A.I.R. PETITION #1* TO THE UNITED NATIONS

*TO ENFORCE THE REFERENDA RESULTS OF OCTOBER 17th, 1991
IN BRITISH COLUMBIA, CANADA (*started November 1st, 1993).*

Whereas, the United Nations is noted for attempting to protect the sanctity of the Ballot Box results in Democracies around the World, and

Whereas, in the province of British Columbia, Canada on October 17, 1991 two referenda questions resulted in 80.89% of the ballots cast being in favour of legislating recall referenda and 83.02% of the ballots cast being in favour of legislating initiative referenda, and

Whereas to date, nothing has been legislated on recall or initiative referenda.

We, the undersigned, being of voting age, therefore request the assistance of the United Nations in enforcing the results of the ballot box by helping us institute RECALL and INITIATIVE REFERENDA legislation in British Columbia WITHOUT DELAY as part of our democratic rights.

We, the undersigned, feel our democratic rights are being unfairly withheld in British Columbia and we petition you, the United Nations, for your help !

INSTRUCTIONS:

1. All persons of VOTING AGE of any nation are invited to sign this petition.
2. READ what you are signing.
3. Only sign this petition ONCE.
4. Please duplicate any blank petitions and distribute.
5. Send filled petitions and any donations or requests to:
The FAIR Foundation,
Box 8158, 714 Yates Street,
Victoria, B.C. V8W 1L0

The FAIR Foundation is a non-profit organization which stands "For Action In Referenda": the process of referring a political question to the electorate for a direct decision by general vote.

SIGNATURE	PRINTED NAME	PRINTED ADDRESS	CITY	PROV./ST.	P.C./ZIP

REGIONAL NEWS

Direct democracy, kitchen-table style

By Terry Moran

Regional News Reporter

Having established a snappy acronym, FAIR — For Action in Referenda — is about to start its campaign to restructure government at the top: by petitioning the United Nations to enforce recall and referenda (R&R) rights that four out of five British Columbians voted for in 1991.

Grassroots political movements — all dedicated to shaking up the status quo — have been sprouting up around kitchen tables everywhere.

There are now at least 11 such groups in B.C., with Coalition Unaccepting of Rash Bureaucracy (CURB), headed by Walter Flux of Castlegar, and Revolt Against Government Excess (RAGE), with Merv Cody in Salmon Arm, also reaching for acronyms.

Of the five founding members of FAIR, Ian Woods, real estate agent '915' is the executive director (and acronymist). But, clearly, Lorenzo Bouchard is the promulgating force behind FAIR.

Bouchard, a taxi driver, relentlessly circled the B.C. legislature during the Spring '93 session with a placard denouncing the government's stall on R&R legislation and made several presentations to the legislative committee struck on the issue. His wife, provincial government employee Christine Monford, bank receptionist Lee Glover and systems consultant Joel Harvey round out the group.

"We're hoping to get 100,000 signatures for the U.N. petition," Woods says. U.N. Secretary General Boutros Boutros-Ghali already knows of this denial of democratic rights occurring in B.C., he says.

Bouchard wrote Boutros-Ghali on April 28, and while he hasn't yet heard back from him, "the attitude of the government members changed dramatically after I took that tack," Bouchard says.

Bouchard feels — and Okanagan West (Cliff Serwa — Social Credit) West Vancouver-Garibaldi (David Mitchell —

Independent) MLAs from the all-party legislative committee agree — that he helped put R&R on the order paper this spring.

FAIR, less than a month old, hadn't heard of any of the other groups and Woods is excited about the "spontaneous combustion for direct democracy that's taking place in B.C."

While FAIR has a more clearly defined political agenda than most of the other groups (mainly spawned by the Canadian Taxpayers' Federation), its founding members don't mind appearing under the taxpayer revolt rubric; and they vote Reform, which campaigned for direct democracy and solicited the irate taxpayer vote with great success in Western Canada in the October federal election.

FAIR's members reject the notion that direct democracy will lead to a tyranny of the majority. They feel a system of safeguards would have to be in place and,

besides, as Bouchard says: "the current system is a tyranny of the elite."

In their view, direct democracy would be a truer reflection of the underlying values and character of the people. Switzerland is their paradigm for where direct democracy is currently in practice.

The legislative committee produced a report that ensures nothing short of child molestation would result in a MLA being recalled, according to FAIR and, once again, both Serwa and Mitchell agree.

Both MLAs describe the legislative committee as "a charade." Serwa says had they been willing to play along they could have whistle-stopped the province on \$100 per diems — while the Legislature was in session — with the other members.

Mitchell says direct democracy will be "the issue of 1994."

In search of super democracy

The first question economist Diane Francis fielded Friday at the Newcombe Auditorium was from Ian Woods of FAIR (For Action in Referenda), which is spearheading the direct democracy movement in Victoria.

Predictably, Francis was four-square behind the idea that people should be constantly engaged in the democratic process "and not just once every four years." Woods's question prompted her to aver that she voted Reform on October 25, bringing whoops of delight from

the audience.

FAIR, particularly systems consultant and founding member Joel Harvey, is interested in taking things one step further: super democracy (computerized referenda both on-line and ongoing). The Reform Party wants politicians on a much shorter leash, super democracy could do away with politicians altogether.

"While it may sound a little futuristic, the technology is in place right now with Internet, Harvey says. U.S. President Bill Clinton's

State of the Union address confirmed the importance of Internet "the information super highway," or Freenet in Victoria, by indicating that he wants universal access to the on-line computer network for "every American student."

Harvey says: "We'd like to see computer communications reach the point where you could personally decide — dollar for dollar — where your taxes are going."

Lee Glover, another of FAIR's founding five members, says she sees the electronic voting and other input as a way to broaden "participation on debates on issues, and we'll be well served by that."

VICTORIA REGIONAL NEWS
MARCH 30, 1994

Just a note to thank reporter Terry Moran for a nice job on The Fair Foundation story that appeared Feb. 2. Just a note though, there were two minor inaccuracies. We didn't state that we were trying to get 100,000 signatures for the UN Petition. We said we would try and get 100,000 signatures if the NDP government doesn't create any recall and initiative referendum legislation by July 15, 1994. We are a non-partisan group and none of us stated how we voted in the last election, federally or provincially. One director voted for "Referendum Rights" thereby spoiling the ballot.

Ian Woods, Director
The Fair Foundation

TELE-VOTING - AN INTERVIEW WITH JOEL HARVEY

The following is an interview with Joel Harvey (a Director of The FAIR Foundation) on "tele-voting" which Joel hopes will one day be incorporated into our electoral process and used with direct democracy tools such as Initiatives, Referenda and Recall.

FAIR: What is tele-voting, Joel?

JOEL: Very simply, tele-voting is using the telephone system to register your vote on an issue.

FAIR: Has tele-voting been used before and if so, where?

JOEL: The last two Liberal conventions in B.C. used tele-voting as did the Liberal leadership convention in Nova Scotia. Maritime Tel and Tel developed the system and market it in Canada. At the leadership convention, overload problems occurred but since then, Maritime Tel & Tel have resolved the problems. They're using the system widely in eastern Canada.

FAIR: What about security and privacy with the voting process?

JOEL: Issues of security and privacy have been addressed by Maritime Tel & Tel and have passed several audits by independent firms. Additionally, the electronic and physical security issues have been addressed and audited. Briefly, each voter would get a Personal Identification Number (PIN) and password and would use these each time they voted. The equipment housing the data and results is located in a secure, concrete building in the Maritimes. Don't forget that the current manual system of voting is open to abuses and is not free from errors.

FAIR: Is tele-voting expensive?

JOEL: Maritime Tel & Tel reports that for 2 million voters in B.C., it would cost \$1 per person to set up the system and \$1 per person for each access to vote (which means several issues could be decided upon simultaneously). The initial setup would cost \$2 million. Voting would cost \$2 million per referendum or recall. Compare this to the cost of our last provincial election: 1.4 million people voted (out of a possible 1.9 million eligible voters) and cost the taxpayers \$13,486,501 (statistics from Elections BC). This translates to \$9.03 per vote cast . . . a very costly venture and only used to elect new governments.

FAIR: Is tele-voting difficult to use?

JOEL: The ease of use is the same as any telephone menu system. Advanced and paper ballots would still be available for those that need it. Seniors who normally wouldn't get out to vote, would have an opportunity. One method of voting, where YES or NO are the only options, would be to have two different phone numbers: one for the YES vote and the other for the NO vote . . . a very simple system with minimal interaction by the voter. Similar systems are in place on television with various programs which ask viewers to call in for an "on-the air" survey.

FAIR: I understand that you are also very interested in electronic petitioning. Can you explain a bit about this?

JOEL: Sure. Anyone can initiate a petition to launch an "initiative". Using the above technology, it would be easier to have province-wide direct democracy processes such as petitions for initiatives or recall. Initiatives registered and started would be given phone numbers for the YES and NO votes. Ads could be placed in the media. Voters would call with their unique PIN's and register their support for a petition. Thus, "tele-petitions" would gather signatures much easier and faster.

FAIR: Any last comments, Joel?

JOEL: I just want to say that expanding on the above ideas and technologies, citizens could vote on individual issues, bills or budget items. Each citizen could directly represent their own vote rather than being misrepresented or unrepresented by their elected members. Direct democracy and citizen involvement are working well in Switzerland and many states in the U.S. Developing our own unique form of direct democracy, with electronic voting and dynamic citizen involvement, would help us achieve a more fair and mature democracy.

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Look for more informative articles on "tele-voting" and "tele-democracy" in future issues.

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"The price of doing the same old thing is far higher than the price of change."

- President Bill Clinton

DIRECT DEMOCRACY - QUESTIONS & ANSWERS WITH LORENZO BOUCHARD

The following is an interview with Lorenzo Bouchard, a Director of The FAIR Foundation and an activist for "direct democracy" for over 12 years. In this interview, you will see what has happened to Canada in the past, that will continue happening in the future, if we don't do something about it!

FAIR: Why do we need "direct democracy"?

Lorenzo: Direct democracy will give citizens a sense of self-respect in our governmental process, which currently is destroyed through frustration and manipulation created by back room decisions affecting national and provincial policies. Also it will help control corruption in Crown Corporations and other bodies associated with government policies and spending.

FAIR: Won't the process of referenda and recall be costly?

Lorenzo: The current method of doing business by the government is by far the most expensive and wasteful system conceivable . . . lacking accountability as the following examples show:

Example 1: When the C.C.B. and the Northland banks declared bankruptcy, it cost the Canadian taxpayers \$3.332 billion. Although the Depositor's Insurance Act only guarantees \$60,000 per depositor, the federal government paid \$946 million to Chase Manhattan Bank, the Bank of Abu Dhabi, the Bank of Saudi Arabia and the Bank of Japan. In the past, the banking community, not the taxpayers, covered their own losses. At the same time, Canadian banks paid only 2.4% taxes on \$7 billion profits over an 8 year period.

Example 2: The sale of Petro Fina cost Canadian taxpayers over \$1.7 billion. Later the assets were found to be worth only \$250 million. The heart of the company, the refinery, was eliminated from the deal and elected M.P.s only found out about it two years later. Maurice Strong, a negotiator for Petro Fina, had a \$1 million fee transferred to his account at Sogener Bank, 16 Rue le Corbusier, 1208 Geneva, Switzerland without Parliamentary approval. After the deal was completed, Prime Minister Mulroney, contrary to an election promise, stopped the Auditor General from getting all the necessary

documents on the Petro Fina deal through the courts.

These are but two instances of corruption and abuse where the accountability clauses of referendum and recall could save the taxpayers vast sums of money. The wasted and pilfered funds from the Petro Fina fiasco alone could finance many referendums!

FAIR: Are Canadians able to handle the questions presented to them through the referendum process?

Lorenzo: We know that there is a small element within our society that is not well prepared nor endowed to handle the referendum process. Their combined effect on the process will be minimal since:

- a) many choose not to vote;
- b) if they do vote, it's never all in the same direction.

Currently, the decision-making process lies with the self-proclaimed elite. They, with great knowledge and foresight, have led the nation to a \$500 billion nation debt while ensuring for themselves well padded pension plans, severance packages and favoured directorships. The key to successful referendum and recall processes is education. We must create television and radio programming to offer meaningful debate by all parties and present the information to the public. This will help in creating an informed public prior to voting. We can also introduce courses on referendum and recall processes into our school system to educate upcoming voters.

FAIR: Can't we elect an honest representative who will change the abuses in our present system of government?

Lorenzo: We already have elected, over the past 100 years, many sincere and honest individuals to our various legislatures and Parliament. Our present system of government has not allowed these individuals to fully represent their constituents nor to alter the process. The process is controlled by the majority party who's responsible for:

- the passing of all bills;
- having the PM or Premier appoint the Privy Council;
- rarely offering a free vote;
- invoking closure stops opposition party debate;

- keeping thinking backbenchers in line through the use of perks, party funding or support and, if all else fails, ostracization.

Only the public can alter this process through Referendum and Recall.

FAIR: Any other comments on these issues?

Lorenzo: The invoking of closure is the most dangerous method of control and should automatically activate a referendum. According to Hansard, one good example highlighting the abuse of closure is the following: CSIS, our secret police, was created without accountability to Parliament while many respected officials, such as all

the provincial Attorney Generals and many church leaders, protested.

Through the process of closure, CSIS was created and accountable to only two people, Prime Minister Trudeau and Justice Minister Kaplan, for nine months. In all other democratic countries, the secret police is accountable through an overview committee. An overview committee in Canada was only created after the P.M. and his party was defeated in the next general election. Democracy in Canada cannot withstand this type of abuse. Having a referendum after invoking closure is a must if democracy is to survive and flourish here.

RECOMMENDED READING LIST:

Direct Democracy: The Politics of Initiative, Referendum & Recall by Dr. T.E. Cronin

The People's Mandate by Patrick Boyer

Direct Democracy in Canada by Patrick Boyer

* Canada at the Crossroads: After Referendum Where Do We Go? by Dr. William Downe

* Available from FAIR for \$6 (includes postage)

NEXT ISSUE:

Random Thoughts on Direct Democracy
by Dr. T.E. Cronin

Review of Dr. William Downe's book *

Direct Democracy at work in Rossland, B.C.

Results of the FIRST Direct Democracy
Conference in Burnaby, B.C.

. . . and more!

We hope that you enjoyed this issue and will join us in supporting the cause to help promote direct democracy here in British Columbia, in Canada and elsewhere in the World. Please recycle this newsletter by passing it on to a friend.

To become a member of The FAIR Foundation (which includes a one year subscription to The FAIR Newsletter) **SEND your name and address along with \$20 for regular membership** (\$10 for students or those on limited incomes) **TO: The FAIR Foundation, Box 8158, 714 Yates Street, Victoria, B.C., Canada V8W 1L0**
Cheques should be made payable to "The FAIR Foundation". Sponsor 2 new members to FAIR and get your next year's subscription FREE! (Please be sure the new members you sponsor mention your name when applying.)

Since we are a non-profit organization that is not deemed a charity, tax receipts cannot be issued. The opinions expressed in this newsletter are designed to demonstrate the process of direct democracy and are not in favour of any particular issue. Letters to the Editor will be gratefully received. Those printed may be shortened or edited.

CALL TO ACTION: If you can spare 15 minutes of your time and would like to help, then may we suggest that you write The Premier at The Parliament Buildings, Victoria, B.C. V8V 1X4 with your opinion(s). Suggested wording: *"I understand that Recall & Initiative Legislation is about to be passed and I feel that the signature thresholds should be reasonable. I have read The FAIR Newsletter and feel that 10% of registered voters is much too high for initiative petitions. Instead it should be ____%, which I think would be fair and workable. As well, I feel that we should allow a longer time to collect signatures. Three months is not enough. It should be more like ____ months. Also, I feel that any referendums passed by a majority of voters should be binding on the government. Finally, for Recall Legislation, 50% + 1 vote of last votes cast is plenty of signatures to recall an MLA! Yours Truly . . ."*