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Fair Elections Act: Slow it down, Mr. Poilievre (2)

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On Monday, we criticized the Harper government's Fair Elections Act's unnecessary provisions that would make it more difficult for voters to register at the polls. There are several other troubling aspects to the legislation, which we will be examining over the course of this week. Today: an entirely uncalled-for amendment that would allow a political party to exclude from its campaign expenses the cost of raising funds from previous donors. The clause raises giant red flags. It's based on no democratic principle that we can identify. It seems designed to promote political advantage rather than electoral fairness.

The Conservative Party has the largest and deepest list of past donors. A rule treating the cost of outreach to potential new donors as a campaign expense, but exempting from campaign spending limits the cost of contacting previous donors, would give the Conservatives an obvious advantage over their opponents. Note that this amendment has been included in legislation that is intended to be passed in time for next year's general election.

Critics, including Marc Mayrand, the Chief Electoral Officer, are also concerned that it will be impossible to ensure that calls to previous donors don't also include requests to volunteer for the party, put up a lawn sign or get out the vote. It could be an easy way to transform election expenses limited by law into election expenses not limited by law.

Pierre Poilievre, the Minister for Democratic Reform, has dismissed both criticisms by saying "the number of donors a party has is a tiny fraction of the number of supporters it has," and furthermore, "the parties would be calling the people ... least likely to miss voting day, they're obviously civically engaged enough."

Translation: There would be no point to cheating, so why would anyone bother? This is not generally a good way to design airtight legislation regarding election-campaign expenses. In fact, the amendment seems less about reforming democracy or making elections fair, than it does about helping parties squeeze every last drop out of their expense limits.

There is an easy and obvious fix: Ditch this clause of the Fair Elections Act. It looks like a partisan loophole – pretty much the last thing our democracy needs.

Tomorrow, we'll take a look at two more wrong-headed elements of the bill, including a provision giving parties the power to name thousands of poll supervisors – election workers who are supposed to be non-partisan.