

GLOBE EDITORIAL

Fair Elections Act: Slow it down, Mr. Poilievre (5)

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‘I am very preoccupied,’ Chief Electoral Officer Marc Mayrand told a parliamentary committee last week, “with the limitations Bill C-23 imposes on the ability of my office to consult Canadians and disseminate information on electoral democracy, as well as to publish research. I am unaware of any democracy in which such limitations are imposed on the electoral agency.” To read the so-called Fair Elections Act is to become convinced of the truth of Mr. Mayrand’s argument, and not just on this point. The legislation seems to be trying to make it harder for him and his agency, Elections Canada, to do their jobs – a non-partisan job that is essential for the health of our democracy.

Democratic Reform Minister Pierre Poilievre appears intent on pushing this legislation forward with as little scrutiny as possible. That’s why, over the course of this week, we’ve been going through the bill’s defects, of which there are many. The bill contains measures that, under the false pretext of fraud prevention, will prevent some eligible Canadians from voting. It creates a huge campaign-spending loophole, and one that will particularly benefit the Conservative Party. It gives the winning party in each riding the power to name some key election officials, instead of leaving this authority with an impartial Elections Canada. And while promising to give law enforcement “sharper teeth, a longer reach and a freer hand,” in pursuit of violators of election law, parts of the bill instead restrict Elections Canada’s ability to investigate wrongdoing.

And then there’s this: For years, Elections Canada has conducted public outreach campaigns, to counter declining voter participation, by encouraging people to vote. Bill C-23 aims to end that. As with much in the bill, there’s no evidence suggesting this would be a good idea, and no expert opinion calling for it. Nevertheless, the legislation aims to limit the chief electoral officer’s election-related activities to overseeing the vote, telling people how to cast a ballot, and generally remaining silent on other matters. Mr. Mayrand says that the bill “imposes a severe limit” on his ability to “communicate with the public.” This will reduce or end Elections Canada’s ability to run civic-engagement programs or conduct research. The bill even says that each time the chief electoral officer wants to temporarily hire technical experts or specialists, he must seek funding from the government. That’s not just petty, it’s wrong. The chief electoral officer must be independent of and insulated from the government of the day. That’s why he reports to Parliament, and not to Mr. Poilievre.

The Fair Elections Act needs a rewrite and a rethink. It isn't good for Canadian democracy. It's also very bad for the image of the Conservative government. A decade ago, Conservatives used to campaign against this sort of creeping partisanship. How times have changed.