

## With this act, Conservatives might win the battle, lose the war

Posted by Joan Russow

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By Konrad Yakabuski

(Fernando Morales/The Globe and Mail)

<http://www.theglobeandmail.com/globe-debate/suppressing-turnout-might-win-the-battle-but-not-the-war/article17829753/>

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I'm not sure whether Pierre Poilievre dreams of becoming a Republican when he grows up, but the Minister of State for Democratic Reform and his boss, Prime Minister Stephen Harper, should consider the mistakes of their U.S. brethren before ramming their flawed elections bill through Parliament.

From its patronizing title to its self-serving provisions, Mr. Poilievre's Fair Elections Act is a Conservative version of the kind of bills Republican state legislatures have tried to pass, in some cases successfully, as a seawall against the demographic tsunami threatening their party.

( [What is the Fair Elections Act?](#) *Read The Globe and Mail's easy explanation*)

The origin of such bills lies not in any high-minded desire to make elections fairer or root out voter fraud. They are blatant attempts to tilt the playing field in favour of a party that has been unable, nay unwilling, to increase its core support beyond a shrinking base of the electorate.

Republicans seem bent on trying to win or hold on to power by making voting harder specifically for those most likely to vote against them. Mr. Harper's aims may not be so sinister, but his party risks paying a heavy price if it is seen as resorting to such lowly voter suppression tactics.

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The thousands of Canadians who stand to be disenfranchised by Bill C-23's elimination of vouching – which allows a voter with proper ID to vouch for the identity of one without it – are hardly the only ones likely to be upset. The provision offends Canadians' basic sense of fairness.

When it comes to exercising our most basic democratic right, the fewer the barriers, the better. Showing ID may be easy for most Canadians, but it's not always simple in remote communities or poor neighbourhoods where people can live without ever needing official identification. For many people, procuring ID is the equivalent of a literacy test they cannot pass.

Here, the principle is paramount. In a democracy, the right to vote cannot be dependent on certain socially conferred privileges. A let-them-eat-cake attitude would and should backfire.

Senator Nicole Eaton is just one Tory who doesn't get it. "I'm not sure I understand what the hysteria is about," she told The Canadian Press last week. She said she would go further than C-23 does, and require voters to prove their citizenship before casting a ballot.

Put your hand up if you don't have a valid passport or haven't seen your birth certificate in years.

In concocting the fantasy of creeping voter fraud, Mr. Poilievre and Mr. Harper may have plugged into a wedge issue that plays well with their base. But do they really want to win an election this way? Apparently so.

"We believe, and most people believe, elections should be decided by secret votes, not secret voters," Mr. Harper said last week.

Republicans have employed similar language in tabling more restrictive voting laws. Before the 2012 election, several Republican-led states passed legislation requiring specific voter ID

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cards or eliminating advance polls on Sundays. The measures were rightly challenged as illegal attempts to suppress minority turnout. Black churches, for instance, often hire buses to take congregants to the polls after Sunday services. And one in 10 Americans has no government-issued photo ID.

The result was a colossal backlash that cost GOP nominee Mitt Romney the White House. Court injunctions prevented many of the state laws from taking effect before the election. And indignation toward Republicans seeking to disenfranchise them drove African-Americans to the polls in record numbers. Even blacks ambivalent toward President Barack Obama lined up for hours to spite the Republicans. For the first time, black turnout surpassed white turnout. If both races had turned out in the same proportion they did in 2004, Mr. Romney [would have won](#).

Yet, several GOP legislatures are now back at it, passing stricter voter ID rules and ending same-day voter registration. If upheld, such laws may help the GOP win an election or two. But they will further alienate minority voters and fair-minded people of all races. That isn't much of a growth strategy.

Do Conservatives think this is a model to emulate?

A rabid partisan such as Mr. Poilievre may think his bill is “terrific.” But unless he radically amends C-23 – to reinstate vouching, allow for neutral poll clerks and empower regulators – the Tories will not soon live this down. They may even pay the ultimate price in 2015.

PEJ Comment

One motive, of C-23, was surely to undermine the role of the Commissioner of Elections

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For some time I have wondered about the delay, by Elections Canada, in investigating, and prosecuting the infamous 2006 Conservative in-and-out scheme; it was not until the August 2008 meeting of the Parliamentary Committee on Ethics and Access to Information that the issue of the in-and-out scheme was addressed.

Perhaps the delay was caused by the fact that the role of prosecuting fraud was no longer in the hands of the Commissioner on Elections.

This morning I watched the CPAC broadcast of April 1, 2014 meeting of the Standing Committee on Procedure and House Affairs . Yves Côté, the Commissioner of Canada Elections appeared before the Committee: his responsibility, until 2006, was to investigate and prosecute potential violations of the Elections Act, and Fraud. His role was diminished in December 12, 2006, when under Part 3 of the Federal Accountability Act, the Director of Public Prosecutions Act (PPSC) was created His role became only to investigate not prosecute but request the PPSC to prosecute, if he felt his investigation warranted it.

In his April 1, 2014 presentation to the Parliamentary Committee Yves Côté, expressed his concern that now his role has been further diminished, in the so called "fair" Election Bill C- 23; his office will be no longer under Elections Canada but under Director of Public Prosecutions Act

In August 2008, when there was the meeting of the Parliamentary Committee on Ethics and Access to Information and subpoenas were issued to the 67 impugned candidates, the Conservative leadership advised them first of all not to appear and then to ignore the subpoenas. ; this was when the role of prosecutor was no longer with the Commissioner but with the PPSC. Then Harper succeeded in persuading the GG to dissolve Parliament.

it is disappointing that 67 Conservative candidates were enticed by the following; They should have know that it was fraudulent

"The selling points used to persuade local campaigns to participate in the media buy were that it was without cost to the local campaigns, because the Fund would be providing the monies, and the promise that the media buy 'expense' to the local campaign would be eligible for the 60% rebate of paid election expenses from Elections Canada". ( [http://www.ppsc-sppc.gc.ca/eng/nws-nvs/2011/10\\_11\\_11b.html](http://www.ppsc-sppc.gc.ca/eng/nws-nvs/2011/10_11_11b.html))

In April 10 submission, by the Commissioner, he reasserted the missed opportunity of giving him the power to compel.

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The question needs to be asked; How often since 2006, has the Commissioner of Canada Elections requested the PPSC to prosecute and the PPSC refused to do so.

Another question, that needs to be addressed is about the implications, in Bill C-23, of files being destroyed by the parties one year after the Election.