



Speaking Notes

Women and Electoral Reform in New Brunswick

by the

New Brunswick Advisory Council on the Status of Women

to the

New Brunswick Commission on Legislative Democracy

June 2004

The N.B. Advisory Council on the Status of Women welcomes the opportunity to present its views to the Commission on Legislative Democracy. We applaud the government's initiative in creating this Commission. This exercise has the potential of improving citizen participation and reducing alienation with the political process.

Women have a large stake in the work of this Commission. More than 80 years after winning the right to vote and 70 years since becoming eligible to run as provincial candidates, New Brunswick women are still seeking equality of influence. Women constitute just 13% of members of the Legislative Assembly, a situation that has **deteriorated** in recent years. Nor do women get their fair share of appointments to provincial government agencies and commissions.

Our provincial electoral system is failing women. The flaws of our current democratic practices contribute to people's estrangement from politics. Because many of the changes needed for women's equality require political action, this estrangement hurts women.

The sentiment of citizen alienation is exacerbated by low citizen participation between elections. The consequences for women are particularly severe because they do not have the critical mass of elected representatives needed to place their issues on the government agenda.

The Advisory Council was pleased to partner with the Commission earlier this year to alert women to these issues and to the reform process underway in New Brunswick. In fact, we had begun our involvement in this issue early last year: in June 2003 the

Advisory Council held a public meeting in Tracadie on the issue of electoral reform, with invited guests from the Québec movement for a democratic society. Since March 2004, the Advisory Council has held 14 public information sessions on the topic. We also addressed dozens of meetings of women's groups and visited some high schools. By these various methods, the Advisory reached about 900 women.

We learned several things from these meetings. We learned that while this topic is new to most people, ordinary citizens can speak eloquently about the problems with the current way of doing things in politics and government. The need and potential benefits of electoral reform are quickly understood by most women. For many the appeal of proportional representation is the basic fairness of seats corresponding to votes. Citizens from municipalities which have a mixed municipal system, both at-large and ward councilors, often likened proportional representation (PR) to this system.

In our information tour of the province, we heard about the importance of direct representation, especially for rural residents. Direct representation must remain a part of our system. We also saw that most women have given a lot of thought to the barriers discouraging women from running for office. Finally we note that some women expressed interest in knowing how people are nominated to provincial government boards, commissions or agencies.

Our remarks will touch **three major areas**. The first focuses on the electoral system; the second, women's under-representation in

public life; and the third, public participation in government decision-making between elections.

Our formal brief is being translated and will be sent to the Commission by July 5.

Changing our Electoral System

New Brunswick's single-member plurality system often produces distorted electoral results that do not reflect the popular will. It also limits plurality of ideas and contributes to citizen's growing disillusionment with formal politics. **The Advisory Council therefore submits the following recommendations.**

1. That the provincial government introduce a mixed member proportional system for electing our MLAs, in which some members are elected in single-member geographical districts by first-past-the-post, and others are chosen through a proportional representation list system used in a corrective or compensatory manner to ensure that the proportion of seats held by each political party corresponds closely to the total votes received by each party.
2. That at least 40% of Legislative Assembly seats should be PR list seats and the overall allocation of seats should be done at the provincial level.

3. That the voting ballot should allow for two separate choices: the selection of a riding representative and of a political party. The party ballot should present a closed list of candidates, so that voters choose a slate of candidates in the order presented by the party of their choice. These lists, distributed for public scrutiny before the election, can be an important tool for favouring a more balanced range of candidates with regards to gender and other considerations than is usually obtained with single-member geographical ridings.
4. That the threshold or minimum percentage of the party vote to be eligible for PR list seats be set at 5% to avoid fragmentation of parties.

We considered how best to represent New Brunswick's First Nations population, which is thinly spread throughout the regions. **We recommend the following:**

5. That legislators and representatives of the First Nations communities decide on formulas for the allocation of at least two seats in the New Brunswick Legislative Assembly for elected representatives of the First Nations peoples, and for the fair representation of women and men in these seats.

We now wish to address a **second** area of concern:

The Under Representation of Women in Elective and Appointed Office.

Women are 51% of the population but just 19% of candidates in the last provincial election and, as we've said, only 13% of MLAs in the current Legislature. Aboriginal women, ethnic minorities and persons with disabilities are all but absent. Moreover, only 29% of all members of provincially appointed agencies, boards and commissions are women.

This imbalance calls into question the fairness of our democratic system and flies in the face of Canada's international commitments to achieve equal representation of women and men in all areas of political and public life. It also deprives society of the different perspectives that women can bring.

Replacing our single-member plurality system with a mixed member proportional system will favour the election of more women and minorities, but this alone will not guarantee improved representation for women and other groups. **We therefore recommend:**

6. That the provincial government set a target of equal proportions of women and men on provincial bodies and adopt a pro-active approach to recruit and

select potential female appointees. Vacancies on provincial agencies, boards and commissions should be publicly advertised and the government should systematically use and promote existing databases such as the Advisory Council's Talent Bank to identify potential appointees.

The problem of political party's role in the under representation of female candidates in New Brunswick, may be, as political scientist Sonia Pitre says, "a question less of resistance to female candidates as such than of the willingness to do something about it." Her recent study of New Brunswick's three major parties showed that this is because for the most part, party elites harboured a "false perception that the recruitment and selection of candidates is an entirely neutral process, which is not the case."

In an electoral system using party lists to select some members, political parties would be under public pressure to actively recruit women and minority candidates so that they can present more balanced lists of candidates to voters. But more is needed. Given the seriousness and persistence of the problems of unbalanced gender representation and limited diversity among candidates, political parties must take planned and sustained action to correct it. **We therefore recommend:**

7. That the government introduce legislation requiring political parties to adopt a plan to bring about gender balance. The plan should cover the

candidate search process, riding nominations and proportional representation lists. An initial goal of 30% female representation to be reached within 3 election periods should be gradually increased to 50%.

To address the problem that many women underestimate their talents and lack the self-confidence needed to seek nomination, **we recommend:**

8. That the provincial government, in collaboration with political parties, fund training and mentoring initiatives designed to encourage and prepare women to run for and hold elective office. Initiatives could be undertaken in partnership with women's and community groups and municipalities. Such training and mentoring programs would provide specialized campaign skills training and support in areas including policy development, debating techniques, public speaking, leadership and strategic planning.

Many women prefer to avoid the confrontation and adversarial positioning they see in political life, preferring settings where negotiation and consensus are in use. Changing the conditions in which the political game is played is a challenge. Change may come over time as more women enter the race and as a result of electoral

system reform. As women advance towards the critical mass needed to influence decision-making, this may also help transform political culture. Also, many women are reluctant to run for office because they lack the necessary financial support and social services are inadequate.

While the Advisory Council recognizes that greater political participation by women depends in part on changes in general society - including societal attitudes, an enhanced status of women in the labour force, more equal sharing of family responsibilities, improved availability of child care and other supports - it also depends on specific changes in the political realm. We recommend:

9. That the provincial government revise its limits on electoral financing to limit the costs of getting nominated and running election campaigns. While some limits on candidate and party spending for general and by-elections currently exist, there are no legislated spending or contribution limits on contributions for nomination campaigns in N.B.
10. That the provincial government set fixed dates for elections so that candidates and politicians can make plans to reorganize their paid work and family commitments to meet their political obligations.

Direct discrimination on the basis of an individual's party affiliation may also constitute a barrier to running for office. The Advisory Council has been made aware of cases where an employee

was fired or refused employment because of the employee's decision to run for office for a particular party.

11. That political belief or activity be added to the prohibited grounds covered by the N.B. Human Rights Act, as proposed in legislation currently before the Legislative Assembly. Moreover, the provincial Human Rights Commission should have the material and human resources needed to pursue complaints on these grounds.

The final aspect of the issue we wish to address is that of:

Enhancing Public Involvement in Government Decision-Making

Democracy is also about what happens between elections when elected representatives and civil servants develop policies and services. Non-governmental stakeholders have valuable expertise that is currently not being adequately tapped by politicians and bureaucrats. Consultation, when it is carried out, is sometimes short-lived and carelessly conducted. Members of community organizations and interest groups have told the Advisory Council that they feel largely excluded from the decision-making process.

The silo effect is often a reality. Social and economic problems must be addressed in a comprehensive manner, requiring interdepartmental cooperation. Poverty is a case in point, because poverty raises issues of income support, economic development and training and literacy concerns, each the responsibility of different departments. Gender equality concerns also tend to get lost in the shuffle of budget allocations and departmental initiatives. **We therefore recommend:**

12. That the provincial government actively promote and expand mechanisms for bridging the gap between citizens and government, so that groups and women from diverse realities may become true players in the decision-making process. In this regard, the government should consider more frequent recourse to models along the lines of the Ministers' Working Group on Violence Against Women or the Social Policy Renewal process as a method for engaging the community and benefiting from its input.
13. That the provincial government commit to the use of a gender equality perspective at all stages of legislative change, policy development and program delivery, with the objective of ensuring that the results are of equal benefit to women and men in all their diversity. The adoption of a gender-based analysis approach as an integral part of governance

is key to achieving substantive equality for the citizens of New Brunswick.

On the issue of referendums, the Advisory Council believes it is important that this form of direct democracy be carefully regulated. We have concerns about the potential dangers of referendums. Many issues are too complex to be decided on the basis of a “yes” or “no” response to a referendum question. Women’s rights and minority rights may be endangered by a direct vote on certain controversial issues. A referendum model suitable for Canada must be shaped by a respect for our existing political values. Referendums may be a mechanism for increasing public influence over policy decisions, but only if used in accordance with clear guidelines. **We therefore recommend:**

14. That use of referendum be guided by the following rules:
 - only the government may directly initiate a referendum, and only after an issue has been debated in the Legislature. Citizens may present petitions to the government to request the holding of a referendum, but the government is responsible for deciding on the referendum question. Referendum questions are framed with the objective of obtaining public input on policy options through a process involving discussion by an all-party

legislative committee.

- the number of questions that can be put to voters at one time is limited.
- a referendum is allowed only as part of a process involving public debate after a public education campaign overseen by a non-partisan body.
- spending by parties, groups and individuals is limited during referendum campaigns and all sources of funding must be disclosed.
- some funding is provided by government for those interested sides of the referendum debate which are unable to invest a minimum amount in the referendum campaign.
- a “compound” majority is needed to pass, that is a majority of all voters, as well as a majority of voters in a majority of the individual electoral districts.
- the results of a referendum are not binding on government.

We invite your questions.