



**Oral Report to the Standing Committee
on Procedures and House Affairs**

**Tuesday 23 November 1999
House of Commons, Ottawa**

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I'd like to thank the Committee for allowing us to appear and discuss Bill C2. My name is Stephen Best and I'm a director of Environment Voters. With me is Liz White, also a director.

The Committee has heard a number of witnesses speak about 3rd party political advertising. To offer another perspective, we would like to provide the Committee with a case study of one group that does nothing but 3rd party campaigning in elections: Environment Voters.

Environment Voters' campaigns are exactly the kind that have caused the greatest concern to some members of this committee, the Supreme Court of Canada, the Lortie Commission, the Chief Electoral Officer, and the drafters of Bill C2.

Our goal today is to explain -- using a practical example -- that 3rd party campaigns, like those of Environment Voters, are not a perversion of democracy or elections, but rather the opposite. They are one way -- perhaps the only way -- for Canadian citizens to overcome the anti-democratic aspects of our current electoral system.

Over the next 10 minutes, I'll touch on the environmental situation that caused the founding of Environment Voters, the political reasons we have become involved in the electoral process, our campaign strategies and tactics, and one option available to Environment Voters if Bill C2 is passed in its present form.

Since 1970 the environmental movement has grown by about 5,000%. Estimates of public contributions to Canadian environmental groups vary between 100 and 250 million dollars per year. This voluntary "voting with their wallets" shows an extremely high level of public concern about the environment.

Yet, contrasting the growth of the environmental movement since 1970 with the change in the quality of the environment reveals a disturbing political picture. Since 1970, while the environmental movement was growing by 5,000%, the quality of the Canadian environment was declining by 38%. Today, Canada has one of the worst environmental records in the developed world. How is this possible?

Despite widespread public support for strong environmental and wildlife protection laws and the urgent ecological necessity, governments -- with only a few notable exceptions -- have not only actively resisted passing the laws necessary to protect Canada's environment they have also worked to undermine the few that still exist.

Environment Voters was founded in response to this failure in public policy. For the record, this failure is killing people and is destroying the eco-systems that we all depend upon for our health, social security, and economic well-being. The environment is not a frivolous issue; failure to protect the environment has -- and is having -- dire consequences.

Public policy is the result of pragmatic political calculations and it is always made with one eye on the ballot box. Making public policy is generally not an exercise in making the right decision (what ever that might be), but rather in balancing the demands of politically relevant actors. The hoped for outcome is more or less good government, but more importantly re-election.

By "politically relevant" we mean the capacity to influence votes. Homeless people don't vote so their demands are less politically relevant than chemical producers.

Before Environment Voters existed, environmental issues also -- like the homeless -- had less political relevance than chemical producers. A good environmental record would not help in the re-election of the governing party's candidates in their electoral districts, nor would a poor one hinder it.

The reason for this can be found in our antiquated, constituency-based, "first past the post" electoral system which distorts the political relevance of issues and interest groups. Interests that have a strong, geographically discrete component such as oil extraction, fishing, and mining have more political relevance than interests that are geographically diffuse, such as the environment. Indeed, this systemic bias works, in almost all cases, to the detriment of the environment. The new Canadian Environmental Protection Act, Canada's position on the Kyoto global warming initiatives, and the current Canadian seal hunt quotas are recent examples.

Environment Voters was formed to give environmental issues political relevance. It's important to note that the strategy that will be outlined here would not be necessary if Canada had an electoral system based on modern concepts of proportional representation. In countries that have adopted proportional representation, environmental policies tend to be much better than Canada's, because in those countries, the environmental vote matters.

To make environmental issues politically relevant, Environment Voters campaigns in elections to provide a political benefit to a party for having a good environmental record while in government, and to exact a political cost for a poor one. The benefits and costs are measured in votes and seats won or lost.

Environment Voters' first campaign was in the 1999 Ontario election. The Progressive Conservative Party of Ontario has one of the worst environmental records in North America. To exact a political price for this record, Environment Voters campaigned in 7 electoral districts. Of the 7 targeted PC candidates, only 3 returned to Queen's Park.

However, if the current Minister of the Environment is able -- as he has promised -- to improve Ontario's environmental record, Environment Voters will be campaigning in favor of PC candidates in the next Ontario election.

Environment Voters campaigns at the electoral district level. From experience, we know we can shift, on average, 4% of the vote. With this in mind, Environment Voters selects electoral districts for campaigning which, based on the voting history, will likely be decided by this amount or less.

Environment Voters only campaigns in electoral districts that are held by members of the governing party. They are the only politicians that voters can hold accountable for the government's environmental record.

Whether campaigning in favour of the governing party's candidate or in opposition, the process is the same. The latest political campaign techniques are used.

To find out where to campaign in an electoral district, we do a three election, poll-by-poll voting history analysis. Core votes and swing areas are identified.

To find out who we'll be talking to and what to say, we acquire demographic information and conduct detailed opinion surveys in the swing areas.

We prepare extensive dossiers and profiles on the incumbent which include press clippings, still images, and video. We also gather similar information about the challengers as they become known.

From the research, we develop our political messages. Videos are produced to carry the message. They are distributed door-to-door. Other direct media such as the telephone and the mails may also be used.

It has been asked in this Committee if there is any evidence of damage done by 3rd party campaigns. Elections are a zero sum game. One candidate's damage is another's good fortune. A poll by poll analysis done after the Ontario election showed an average 5.46% decline in the PC vote in the polls where Environment Voters campaigned compared to a .95% decline where we didn't campaign. As for the Liberals who were the major beneficiaries of the Environment Voters campaign, in the Environment Voters polls the Liberals' vote increased by an average of 14.31% compared to 8.81% in polls where Environment Voters did not campaign. Environment Voters campaigns, which are highly targeted and research based, tend to work. Untargeted, generic political advertising about issues have little, if any, effect.

3rd party spending restrictions in Bill C2 are designed to end the kind of campaigns Environment Voters runs. C2's \$3,000 spending limit on 3rd parties makes it impossible to effectively communicate with the thousands of voters necessary to have any influence in an electoral district -- a fact that is well understood and intended by the government.

Nevertheless, Environment Voters can still campaign in the next federal election in the manner described above without contravening any of the provisions of C2 and spend -- if the monies were available -- unlimited sums.

The drafters of C2 have cherry picked those elements of the Lortie Commission and Libman vs. Quebec which can best be used to restrict political speech during elections and best serve the electoral, fund raising, and patronage interests of the major political parties. Consequently, there are a number of strategies left to Environment Voters under C2, but the most obvious one is to either run or support a slate of independent candidates who distribute Environment Voters campaign materials under their spending restrictions. If a campaign calls for more funds than can be spent under one candidate's limits then multiple candidates can be run. Registered and eligible political parties are restricted under C2 to running one candidate in an electoral district. 3rd parties, such as individuals, businesses, unions, organizations, and Environment Voters, however, can

contribute to as many independent candidates as they choose and as much money as they see fit.

In practical terms then C2 will have minimal impact on Environment Voters' election plans except to slightly increase the accounting and paperwork involved.

The electoral system in Canada seriously distorts how issues are prioritized by the government. This has meant that Canadians now suffer under some of the worst environmental conditions in the developed world. Environment Voters was formed to correct this problem by raising the political relevance of environmental issues by making the government's environmental policies matter, for the first time, during elections: the most important event on the democratic calendar.

We would like to ask the committee to recommend to the government that the provisions in Bill C2 that restrict 3rd party spending be removed. It is only through 3rd party election campaigns that many issues, such as the environment, have any hope of being properly and fairly considered by the government, until such times as Canada reforms its electoral system. We ask this in the same spirit that the Minister expressed in his appearance before the Committee when he talked about, "the importance of what is incumbent upon us -- perfecting our democratic process."

In closing, please accept our thanks for allowing us to speak with you today. Both Liz White and I would be pleased to answer any questions.