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SPECIAL COMMITTEE ON ELECTORAL REFORM

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Friday, March 25, 2022 — 11:00 a.m.

Chair: Kate White

**SPECIAL COMMITTEE
ON ELECTORAL REFORM**

Members:

Kate White, Chair
Brad Cathers, Vice-Chair
Hon. John Streicker

Clerk:

Allison Lloyd, Clerk of Committees

Witness:

Graham White, Professor Emeritus of Political Science,
University of Toronto

EVIDENCE**Whitehorse, Yukon****Friday, March 25, 2022 — 11:00 a.m.**

Chair (Ms. White): I will now call to order this hearing of the Yukon Legislative Assembly’s Special Committee on Electoral Reform. Allow me to introduce the members of the Committee. My name is Kate White. I am Chair of the Committee and Member of the Legislative Assembly for Takhini-Kopper King. Brad Cathers is Vice-Chair of the Committee and Member for Lake Laberge. Finally, the Hon. John Streicker is the Member for Mount Lorne-Southern Lakes. This Committee was established by the Yukon Legislative Assembly on May 26, 2021. The Committee’s purpose is to examine electoral reform and report to the Assembly its findings and recommendations. In our study of potential changes to the voting system, the Committee is seeking input from subject matter experts.

We have with us now Dr. Graham White. Dr. White is a retired professor of political science at the University of Toronto, where his teaching and research is focused on governmental institutions such as legislatures, cabinets, and bureaucracies, primarily at the provincial and territorial level. He spent several years working in the non-partisan Clerk’s office at the Ontario Legislature before joining the university.

He has been writing about the politics of the Canadian north since the late 1980s, and he is currently completing a book about the Nunatsiavut Assembly. Dr. White is a former president of the Canadian Political Science Association and a former editor of the *Canadian Journal of Political Science*.

We will start with a short presentation by Dr. White and then Committee members will have the opportunity to ask questions.

We will now proceed with Dr. White’s presentation.

Mr. White: Thank you, Madam Chair, and thank you, Committee members, for inviting me to participate.

Let me begin by acknowledging that I am speaking to you from what has been, for thousands of years, the traditional lands of the Huron-Wendat, the Seneca, and the Mississaugas of the Credit. Today, this meeting place is still home to many indigenous people from across Turtle Island.

Let me begin with a few general observations. The first one is that any change to the rules in government, and especially to the electoral system, is going to create winners and losers. Now, the gains and losses may be very small, and it’s not at all to be presumed that this is done — changes are made for political gain. On the other hand, political gain can sometimes be the object of the exercise, as we can see with the appalling changes that are being pushed through in a number of American states these days.

Secondly, almost any significant change in process or structure in government, which is to say with electoral rules, will have unintended consequences. Again, they may not be very major, and many of them can be anticipated, but, although I was never a big fan of Donald Rumsfeld, he was on to something when he talked about “known unknowns” and

“unknown unknowns”. You need to think things through clearly and expect the unexpected, as it were.

An example of what I’m talking about here is — as people have told you, I think, in some of your earlier meetings — that there is a distinct possibility that, were you to change the electoral system, people would not vote the way they had been — that changing the system itself might change the way they vote.

Thirdly, I would like to reiterate a key point made by my friend and colleague Peter Loewen, who spoke to you earlier, and that is that you need to be clear on the problem you are trying to solve through electoral reform.

I read the transcript of the debate in the Assembly when the Committee was created. There really wasn’t much discussion about what the problem was that the Committee was being established to deal with. There was one MLA who talked very positively about living in New Zealand and being quite impressed by the electoral system, the MMP system, that they have there, but there really wasn’t too much — although I do understand that this has been a long-standing topic of discussion in Yukon. So, I will assume that, first and foremost, what the Committee is concerned about achieving is perhaps getting a closer link between how Yukoners voted and what the composition of the Assembly is.

My final general point is that I would suggest that you pay attention to the research, which I know you are doing, but interpret it carefully. A good example here is that, overall, the research is very clear that legislatures that are elected by either PR or MMP have a greater diversity among their members. However, that is not the same as saying or expecting that, if you change from first-past-the-post to MMP, it will automatically increase the diversity, because there are all kinds of factors in play here.

Let me turn to specific Yukon concerns. It is obvious that the Yukon political system shares many features with other Canadian or non-Canadian jurisdictions, but, as they used to say on *Sesame Street*, one of these is not like the others. In considering electoral reform, it is really critical — and far more than in most places, I would suggest — to factor in how distinctive Yukon is in terms of demography, geography, and politics. All I really need to do to emphasize that point is to recall that, of all the places in North America he could have run for elected office, Elvis Presley chose to run in Yukon.

Let’s think a little bit about either PR or MMP in a Yukon context. Pure proportional representation means no constituencies, and I can’t imagine that this is possibly going to be worth even thinking about, so let’s move on from that. But what about mixed-member proportional, MMP, as they have in Scotland, in New Zealand, and what was proposed for Ontario by the Citizens’ Assembly? With a House of 19 members, as you have in Yukon, in order to bring — at least in my thinking this through — the vote and the seat proportions into reasonable synchronization, you would need to have at least five or six list seats — quite possibly more, but certainly no fewer than five or six, which would be somewhere about 25 to 30 percent of the current 19 members. In Scotland, 43 percent of the 129 members they have there are elected by list. In New Zealand,

40 percent of their 120 members are elected by list. Since distortions created by first-past-the-post are more pronounced in smaller houses, then you would probably need more than five or six — maybe eight, but let's just stick with five or six. So, if we are going that route, there are two possibilities. The first is that you keep the size of the House at 19. That would give you 13 or 14 constituencies and five or six MLAs elected by the list.

The seven — what are referred to in Keith Archer's report and by other people as the seven "rural seats" — I would step back and say that, for me at least, in the Yukon context, they are not so much rural as small community seats. I think that is an important distinction, of which you are perfectly well aware. So, if you are going to keep the House at 19 but add five or six list seats, that means that you would have to consolidate those seven small community seats into no more than four or five.

Let me do a thought experiment here. How enthused would you be in explaining to the folks in, say, Teslin or Ross River that they are now going to be in a riding with Watson Lake, or telling people in Haines Junction or Burwash Landing that they are now going to be joining a riding that includes Dawson or maybe Carmacks and Pelly Crossing? I suggest that this would not be a very enjoyable exercise.

Relatedly, in my reading of the plebiscite that Nunavut ran in the run-up to creating Nunavut where there was a proposal to create a gender-equal legislature, it was defeated for a number of reasons, but one of the reasons that it was defeated was because, if you are going to have two members per constituency — one man, one woman, which was the proposal — then the ridings would have to be bigger, and there was a lot of pushback at the community level because they did not want more than one, or at most two, communities in the same riding. That relationship between individual voters and the elected member is a pretty important one.

It is certainly problematic to go that route — keep the 19. The other possibility would be that you keep all of the existing constituencies but add five or six more, or maybe more, MLAs who would be elected by lists. I am guessing that, as in most places, a proposal to significantly increase the size of the Legislature would be a tough political sell. The key here — and, again, I'm not telling you anything that you are not very much aware of, as working politicians — is that there is such a close connection between Yukoners and their elected MLAs. That is one of the distinctive features that you need to keep in mind when you are thinking about possibly adopting a system developed elsewhere.

I live in a middle-class area of Toronto with single-family dwellings. I am pretty sure — I have never asked, but I am pretty sure — that neither of my next-door neighbours, well-educated as they are, could tell you who their member of their provincial parliament is or who their member of the federal parliament is. In a large urban area, that is really not a big deal. The individual connection simply is not there in the way it is for you, especially for people in small communities.

A related point here — and that has to do with: What would be the role of a list MLA? There have been some issues — and there is some research on this in places like Scotland and New Zealand, which have MMP — about the distinction between the

constituency members and the list members or, as they call them in New Zealand, the "electorate members". It is certainly hard to say how this would unfold in Yukon, but it certainly could be problematic. What exactly would the list members be doing? Perhaps they could do some extremely useful things that constituency members don't have the time for, but then there would be the question: How would the public perceive them? How would their colleagues in the Assembly, the constituency MLAs, perceive them and relate to them? That is an issue.

Clearly, I am raising a lot of concerns and problems with MMP, but there may be — and I guess it is really a third possibility, though I said earlier that there were two — a way to attain better proportionality without wholesale amalgamation of ridings or significantly increasing the size of the Legislature. What if you left all seven of those small community ridings as is, but have MMP in Whitehorse? Whitehorse, of course, has over 70 percent of the territorial population. You could add one or two seats, which would be not unreasonable in terms of representation by population. That would give you a total of 13 or 14. You would have six or seven constituency members and six or seven list members. You could have, on a smaller scale, MMP to at least take the worst edges off of the distortion that first-past-the-post has created. I agree — as somebody was quoted in the Archer report as saying that it is important that everyone has the same kind of experience when they are voting, but I would suggest that it is not an absolute requirement and it's certainly not, for example, something that our American friends worry overly much about. Also, although I have never actually been in Yukon during an election, I am prepared to guess that the way in which elections unfold on the ground, in real life for real voters, is quite a bit different in Whitehorse than in Old Crow or Carcross. I am not sure — if that approach appeals, I think that it is surmountable to not worry overly much about giving different experiences to different voters.

Let me finish off with four final points. Alternate vote, which is in the Archer report, does retain all of the constituencies and therefore avoids some of the problems that I have suggested could occur, and at the same time, it ensures that every MLA is elected with a majority of voters in their riding. But, as Keith Archer's report points out, it does not really deal very effectively with the distortions that you get from a first-past-the-post system. So, if that is really what you are concerned about, alternate vote is not going to do it.

Secondly, First Nations — I haven't, to this point, mentioned First Nations, not because they are unimportant, but because they are so important. I have tried to think through the implications of an MMP system or other systems for First Nation people in Yukon and their relations with non-indigenous people and have frankly not gotten very far. It is not just, of course, that First Nations comprise a substantial proportion of the territorial population, but many of them have geographically defined self-governments and, of course, to make life interesting, some of them don't.

I think what I'm telling you is that I know enough about Yukon First Nations to realize that I don't know enough and that this is an extremely complex area. I would not attempt to

go very far in suggesting what you might want to do, other than obviously, if there is, on the table, a significant reform or change proposal, there would have to be very extensive consultations and discussions with First Nations about the possible implications.

The third point — and, again, this is something that you have heard on a number of occasions — is that any major change would require popular support through a referendum. In that referendum, there would need to be a strong, neutral, well-funded public education campaign — the sort of thing that, unfortunately, was totally missing in Ontario. That is not news to you.

I would add that I would strongly urge you, if you are going that route, to not piggyback it on an election. Yes, it would save some money, but if the Ontario experience is anything to go by — and in this instance I think it is — important debate and discussion on a possible new electoral system would simply get lost in the election. People, meaning candidates and voters, would quite naturally be far more interested and attentive to what the issues and the personalities are in the election than to a somewhat arcane question about voting systems.

My final point is that it is baseball season, so here is an idea out of left field. I don't know the extent to which cynicism is an issue in terms of the electoral system in Yukon or the political system, and even if it is, I think the following is worth thinking about a little bit. I don't believe that it has happened for a few years now, but I do know that it is a long-standing tradition, if you will, for MLAs to switch parties or to leave their parties and sit as independents. Let me suggest to you that it would be interesting and, in my view, appropriate to require at least the switchers — perhaps not the people who move to become independents, but at least the switchers — to resign and face a by-election. It is fairer for the voters. Yes, personality is important and individual Yukon candidates are more important to voters than in lots of other places, but parties are obviously important as well, so it is fairer to the voters. But, more significantly, in a small legislature like you have in Yukon, one MLA changing allegiance could make the difference between a majority and minority government or, for that matter, even the government's capacity to remain in power. A little off the wall, but that is why you have academics coming to natter at you.

So, with that, I will thank you for your attention and be happy to pursue any discussions that you care to pursue.

Chair: Thank you so much for that presentation — and a beautiful reminder, since today I am joining you all from the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

Brad Cathers is also joining us today from the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

Hon. Mr. Streicker: Same — I am in town.

Chair: Dr. White, there is a distinct possibility that we could have been spread far enough that we would hit more than two of our First Nations. I really appreciate your land acknowledgement. We centre a lot of what we do in that, so it is a reminder for me to include that.

Thank you for that presentation. How it is going to work is that I will start with Mr. Streicker and give him an opportunity for a question and follow-up. We will move on to Mr. Cathers and then I will also ask questions. Of course, I will make sure that I identify everyone before they start.

Hon. Mr. Streicker: Dr. White, you are the first presenter who has given us some real context for the north — quite different. Often one of our questions for people is about how their presentation to us might apply to a small jurisdiction or a small legislature — not small geographically.

Because you have had some experience with the north, I wonder if you would like to make a little bit of comment about the one difference between us and the other two territories. We are the one northern jurisdiction that has chosen a party-based system, and the others have not. In the context of electoral reform, what might that mean for us? There are certain things that you nailed for us. We, of course, don't refer to rural ridings. We think of them as communities, just as you described. That, for us, is how we think, but we don't usually talk to people from Outside that way; we will just call them "rural" so that they get that it's different.

I guess I am impressed by that insight, and I'm just wondering if you can provide any thoughts about, as we move down this path of considering electoral reform, the difference between partisan and not.

Mr. White: I should begin by telling you that the reason I first got interested in doing the north was to look at this strange beast in Yellowknife called "consensus government", which had a Westminster basis but no political parties, with the fascinating overlay of a strong indigenous component.

Also, as the Chair mentioned at the outset, I have just finished off a book about the Nunatsiavut Assembly, which is another consensus government. It is actually an Inuit self-government that runs by consensus.

I have to tell you that, 30 years on, I am still kind of trying to figure it out and also come to a conclusion as to whether this is a better way to go. I begin with the premise that it can't possibly happen in a large assembly — that is not going to happen — but in a smaller assembly, it has a number of advantages, aside from you getting a more civilized type of debate. It means that — and no disrespect at all, but if you have 19 members and you are drawing a government from 10 or 11, which is, of course, in Yukon, a landslide, that's not a lot to pick talent from. That is no slur on members; it really isn't. But at least in Nunavut and NWT, everybody is eligible to serve in Cabinet. In NWT, they do have regional quotas. The talent pool is essentially the entire Legislature, and there is a lot to be said for that.

One of the downsides, however, is that it is difficult in that kind of context to make tough decisions. One of the characteristics — I don't want to say that it is a good thing or a bad thing, necessarily — of a Westminster system, particularly one with a majority government, is that they can take tough, unpopular decisions if they think it is the right thing to do. That is much more difficult to do in a consensus system, especially where the non-Cabinet ministers outnumber the Cabinet by several. Then there are also accountability concerns. Whatever

its other shortcomings may be — and I have to say that I am a fan of the Westminster system — Westminster systems are pretty good on accountability. They are not perfect, but they are pretty good. Unfortunately, that is not really the case in a consensus system. Sure, they have Question Period and committees to look into issues, but when it comes time for election, everybody runs as an independent. You can't vote for or against the existing government because it really no longer exists. The direct accountability from the Cabinet to the individual MLAs in the Assembly is very strong. The accountability to the people is very weak.

I am not sure if that's the kind of thing that you wanted to know.

I guess that a final other thing is that occasionally one hears folks in Yukon suggesting that maybe this would be the route to go. There is a certain "the grass is greener" effect looking at the positive sides of consensus government, but to me, it is almost inconceivable that a party system, as you have in Yukon or anywhere else, could then transform itself into a consensus system. I can't see that happening.

Hon. Mr. Streicker: Thank you, Graham, for that response. Just turning for a moment — you described some possibilities around MMP and various blends that might work, and for the first time, I heard this real trade-off discussion around local representation versus trying to get a truer sense of what the electorate is choosing through the election.

I am wondering if you could talk a little bit more about any of those options that you provided for us and what that might do for accountability, representation, democracy, the partisan system, et cetera. Any change that happens to us is a big change, and so I am just wondering if you can talk through a little bit more about your insights around that.

Mr. White: Let me take them slightly out of order. In terms of democracy, I have to tell you that, in general, I am a big fan of MMP. I was very disappointed — not surprised, but very disappointed — when Ontario voted it down because I just don't think that it is appropriate for a political party to get 37, 38, or 39 percent of the vote and have a majority government with all the powers that come with it.

But I do want to emphasize — I hope that it was clear in my presentation — that, given the size and the demographic of Yukon, it is a very, very different kind of ballgame. But, really, the main reason why systems go by proportional representation or MMP is to have a more democratic outcome in giving the voters the legislature they actually voted for. That one was relatively easy.

Accountability — that one is tougher, especially when you are talking about list members. Here, one of the questions would be that if you went with a list, would it be what are called "open lists" or "closed lists"? The closed list is the party itself — it puts people on the order that the party wants, therefore, close to guaranteeing at least the first one or two people are going to be elected, whereas with an open list, you just have the names and voters themselves choose. That, to me, especially the closed list, is problematic for accountability. To take a really bizarre possibility, if Ontario had gotten MMP and some party was sufficiently deluded to put me at the top of their list,

I would get elected. In real life, I would never get elected. Where is the accountability? Where do the voters have the option there to exercise their views? What is the accountability of that member? Because the member is there. That list member is elected because the party put he or she at the top, not because the voters were enthused about this person. So, I think that accountability can be problematic.

Representation — well, it depends on what variation you are looking for. If you have kept a sufficient number of individual ridings — so that there are individual MLAs who are closely connected to their voters and therefore representing them — to me, that is really what you want because on the other side of it, in that kind of sense, the list members don't have to represent, they are not going to be running around doing constituency work that takes so much time. They are going to be freer to look at policy issues, to be true legislators, which, to me, is a good thing.

I guess what I am saying is that there is sufficient quality of representation in that kind of system and you get the benefit of having members who have the luxury to spend more time and energy doing policy issues, developing legislation, sitting on committees, doing all of those things that all members are expected to do but often don't have time to do, because they have to appropriately spend time on their individual riding concerns. So, in that sense, representation seems to be okay.

Mr. Cathers: I found your presentation and your answers so far quite interesting. One of the things that has struck me with a number of the presentations we have received — and I am in no way intending to diminish the perspective of those people — is just a lack of familiarity with the north itself and recognizing — I do appreciate that, in your case, you clearly have familiarity with some of the unique situations that we deal with. In the analogy you gave about your neighbours, you suspected that they would not be able to name their MP or MPP. We have here — as you are probably well aware, it is quite common that, especially long-term MPs or MLAs are on a first-name basis with a lot of constituents, who would refer to them by their first name and all of their neighbours would know who they were talking about. I think that we are in a situation that applying some of the assumptions culturally from other political systems to the smaller systems that we have here in the north may or may not be valid.

It is interesting, as well, just on a non-scientific basis of what people have raised with me about either a preference for changing to a system that weights parties more heavily or moving to a system like NWT or Nunavut, that, just on an anecdotal basis, I tend to hear about the same number of people either arguing for more weight to a party vote or getting rid of parties altogether. I was interested by your analogy — "the grass is greener" system there. I guess what I would focus on right now is just — my question would be — you talked about the problems with a closed list system, if we were to adopt MMP. What sort of model would you suggest is appropriate for dealing with potentially MMP and allowing for it to be a more accountable model of that?

Mr. White: Let me say in response to your comments at the outset, I remember talking to a Nunavut MLA a long time

ago and he was lamenting to me: “You know, in Ontario, Mike Harris can lay off 5,000 people. We lay off two guys and I see them the next day in the Northern Store.”

Anyway, in terms of lists, an interesting point here — I mentioned in my presentation that it is possible to run a neutral public education campaign. The reason that I am confident about that is that, when we had our referendum in Ontario, I did a lot of speaking to seniors groups and community groups and so on. I tried to lay out the pros and cons of first-past-the-post and the MMP and so on, and a lot of the time, at the very end, they would say: “Well, Professor White, what do you think? What should we do?” — which I took as a sign that I had been pretty neutral, that they didn’t know what I thought, which was that I liked MMP, but that hadn’t come across. So, I think that you can be neutral.

But, at the same time, what was, for me, significant — relating actually to your question now — was that when the problems with first-past-the-post were explained and MMP were explained, a lot of people for the first time were quite enthused about it until it got to the point where they found out that the proposal on offer from the citizens’ assembly was for a closed list which the parties themselves would develop, and that was a non-starter for a lot of people. A lot of people said: “Proportional, yeah; that is not a bad idea. What do you mean? The parties get to put any kind of political hack who couldn’t otherwise get elected at the top of their list?” That was very problematic for a lot of people.

The open list can get over that to some extent, but it is still a question of who gets on the list. The parties are probably still going to control that perhaps, and if memory serves, at least the NDP in Ontario and maybe one of the other parties — I can’t remember — committed to yes, if there was going to be a closed list, they would run internal party elections to determine who would be on the list and in what order. Hmm, I am not sure that really goes a long way.

As I say, an open list is certainly — in those sort of the terms that you were talking about here — an open list is far more preferable, largely because it is much more out of the control of the parties. But it is not entirely out of the control of the parties, but then, most of the electoral process isn’t either. So, I am not sure that is a huge problem. Certainly, I think that the public, to the extent that it was explained to them, would be far more in favour of an open than a closed list.

Mr. Cathers: I think the only thing I would just ask on that is if you have any other thoughts to elaborate on the nature of that open list, since not all open list systems are identical.

Mr. White: I can’t say as I do. This is not something that I have spent a lot of time thinking about, other than that the open lists are clearly, in my view — in any system but I think in a place like Yukon — are clearly preferable to a closed list.

Chair: I really appreciate, just to echo my colleagues, that you are aware of the Yukon and our makeup in communities and First Nation governance with both signed and unsigned final agreements.

There were two things that I wanted to talk about. One, I wanted to ask: So, when we are talking about mixed-member proportional and then we are talking about the closed or open

list, do you think — again, this would be different from anywhere else — but do you think that if those list members — if the requirement was that they were candidates in that election, would that help ease some of that concern? So, instead of having people who hadn’t put themselves out for election, what we are talking about is people who have just made themselves very public. So, our in our current iteration, the Liberals had — my gosh, I have to make sure that I do the math right — nine elected folks, as did the Yukon Party, and the NDP, we had three, but each of us had 19 candidates who ran in the election. So if our lists, for example — it had to include the people who ran so all 19 candidates could be on that list. Do you think that this would address some of the concerns that exist?

Mr. White: Sorry, you are suggesting that, in effect, the list would be made up of unsuccessful constituency candidates?

Ms. White: Yes, I am.

Mr. White: Yes, I know that there are some places — I can’t say as I recall where they are — where there is a variation on that or you can both run on the list and in a constituency. Please don’t ask me where they are because I simply don’t remember. That is certainly an interesting possibility, but then how do you determine, of the unsuccessful candidates, who is on the list? I think that is a particular issue in Yukon because you have ridings where, for good reason, the number of voters varies enormously. Old Crow is one. There are certainly fewer than 200, whereas there are Whitehorse ridings with 1,500 or maybe even 2,000 voters. You couldn’t simply take the unsuccessful candidate with the highest number of votes because that would automatically shut out people from the smaller communities.

Would you take it in terms of proportion? Well, that is problematic too. Far be it for me to correct Madam Chair, but my recollection is that not all three parties ran full slates last time, so if you are in a situation where there are only two candidates or maybe a situation where there are five or six and you lose, but your proportion of the votes will be heavily determined by how many other candidates there are.

I am good at finding difficulties here. I am sure that there must be a sensible way around this, but right now, it’s not occurring to me. I think that the general idea of picking people for the list from the unsuccessful candidates would probably be a good idea. Let me take another step back. Here, I guess I am revealing that my knowledge of Yukon is relatively slim. Where I am going is that one gets a nomination as a party candidate through the party or through a constituency nomination process, but there are some ridings, surely, where there would have to be a really significant, major, unexpected change for the incumbent or the incumbent’s party to lose an election; therefore, the candidates for the losing parties wouldn’t necessarily have the same kind of status or the same kind of popular support, if you will, from their own parties.

Anyway, I guess I am spinning my wheels. I am sure it could be done. You would need to think through how you wanted to do it. Perhaps each party would be empowered to decide what process it would use.

Ms. White: I am going to take this as a badge of honour because it will get rid of my bad math. It is actually eight and eight and three, so thank you, Mr. Streicker, for that correction. I will take this as a badge of honour that I stumped a professor of political science today, which I appreciate.

I think that the reason why I brought that forward in that way is that I fundamentally believe that all sorts of people should be in politics. I can tell you that I come from a trades background. I did not go to university or college. Each of us and every person in our Assembly has incredibly diverse backgrounds. I think that is a powerful thing that we have. When I talk about the people, you know, every candidate becomes someone on that list. Maybe it is the party that decides and it's not in any specific way, but I can tell you that each party, as you have candidates come forward or people get nominated in those ridings, every one of those people are incredibly valuable from all parties.

I had candidates run against both Mr. Cathers and Mr. Streicker, and they also had other candidates, but I think that every single person who puts their name forward is valuable and they deserve to be in these spots and so that is why I thought about that list.

The other question that I kind of think of, based on some of that, is when you talked about what the job of a list MLA would be. I can tell you straight up from my experience that I have a riding, or a constituency, that I am elected in, but I work for every single person because anyone in the territory can reach out to me and ask for support. I live in the City of Whitehorse but ask questions about communities because we are very connected, and so I think that the point you made about "What do list MLAs do?" is an interesting one. I think, just by the very nature of the territory, here it could totally settle itself out in a different way. Just even you talking about what could happen, or what that would be, is valuable. I guess it is just a statement and not a question, which normally, I would cut myself from asking, but I thank you for that, and I am going to move on to Mr. Streicker.

Hon. Mr. Streicker: Graham, we have talked a lot about a potential system, but I think that, for us, as well, we are trying to understand process about considering electoral reform. We have this special committee; we have hearings and a survey coming up — let's say we get to the end. What is your suggestion? Do you think referendum? Do you think citizens' assembly? Citizens' assembly and referendum? Again, if you could frame your answer in the context of a territory, right? Again, that difference between a large population — we do have a concentrated population in one area, but you know what the Yukon is roughly like, so if we were to do process around electoral reform, what are your suggestions?

Mr. White: Certainly, the citizens' assembly approach has a lot to recommend it. It can potentially — and one hopes it will — mean that ideas that come from your Committee or from elsewhere, for that matter, will be thrashed out by some ordinary people, most of whom presumably won't have any vested interest in the outcome other than they want the best for the territory. That is one of the very strong points about the citizens' assembly.

At the same time, one of the characteristics of a citizens' assembly is that the people who sign up for it are doing so because they have a strong public spirit. They are giving up a lot of time; it's inconvenient; they may even be losing money in terms of time off of jobs and so on to do this important public service. A consequence of that to me is that there is therefore built in a strong — I don't want to say "bias" — expectation that if all these good people are spending all that time and energy devoting it to this important matter and after all that time where they've studied up and heard from people and so on, they say, "Well, the system in place is not that bad; we'll stick with the status quo" — to me, that's not terribly likely to happen.

There's going to happen — not for everyone — some will say no; I'm not convinced. I am not convinced that we really need to change or this is the way to change. When I think a significant proportion of people will, perhaps in a very subtle and internal kind of way, say, "Well, why did I spend all of this time thinking about this and working on it if I'm not going to recommend some change?" In all that, I guess there is an underlying question of how interested people are in having change, but I think that is a reality of a citizens' assembly.

I do think that if there is to be a citizens' assembly, the process, which you asked about, needs to be very clear on what happens when the citizens' assembly comes up with a specific proposal. Will there be a binding referendum? Meaning that if it passes, the proposal becomes law, as opposed to a plebiscite, which is essentially a public opinion poll that is not binding on the government, will there be a binding outcome from it? That is something that needs to be thought out fairly clearly. Certainly, my view is that if you are going to go the citizens' assembly route, you need to empower them to put something before the people that will bring about a real change if the people support it. Again, that is all contingent on there being a top-notch, neutral, well-funded public education campaign.

Mr. Cathers: Thank you, and thanks, Graham. I do appreciate your answer very much; I found it quite interesting — particularly the last one regarding a citizens' assembly.

A couple of the points that have been raised by some of the previous presenters have been related to the self-selection bias which can occur, which I would argue is a worse problem in a smaller jurisdiction in that if you either ask people to apply or randomly select and offer an invitation, there is going to be the natural tendency that people who are interested in the topic of electoral reform are far more likely to participate than those who are not interested in it.

I appreciated your point, as well, about the subtle internal way that someone who is involved in such a process may naturally have a tendency to want to recommend some change so that they don't feel like they have put a lot of time in and gotten nowhere.

I would just ask two questions, actually. If a citizens' assembly was recommended, how do you try to compensate for the self-selection bias and the bias toward making a recommendation for some change? The second question I would ask is: Do you have any thoughts on the best structure for a referendum, if one were to occur?

Mr. White: The self-selection question is one that people raise a lot. I am not prepared to say that it might not be more significant in Yukon. I am not in a position to comment one way or another. But my recollection — I attended a few meetings of the Ontario citizens' assembly, and there has been some research — my recollection of the Ontario process was, if I am correct here, that random names were taken off of voters lists and people were sent invitations and explained what was up. My recollection is that the vast majority of the people who served on the citizens' assembly really didn't know anything about electoral systems, and why would they? Other than politicians and guys like me from the university, who knows about electoral systems, really? That, I don't think, was a problem in Ontario, although I take your point that, in a smaller society, it might be. But I think that one of the underlying premises in the process that political science folk call a "deliberative democracy", the citizens' assembly being one example, is that people are genuinely open. They are prepared to have dialogue. They are prepared to listen and to think and thrash things out. The strong sense that I have is that, in both the British Columbia and the Ontario citizens' assembly, that happened. Now, in I think both active or even former members of the Assembly or legislature were not allowed to serve and that there was a certain screening in that sense, but I don't believe that was a problem. What you do about the implicit expectation that there will be a recommendation for change — that is more difficult.

In terms of ending up with a referendum, the real thing that I really would emphasize is that if you are spending all this time, energy, and some money with a citizens' assembly or your committee on public education and so on — if you are really genuinely interested in knowing what the people think, don't piggyback it on an election because so much of it will be just lost in the shuffle and you're probably not going to get a true reading.

Ms. White: Unfortunately, we have reached the end of our time today. That went lightning fast. Before I adjourn this hearing, I would like to say a few words on behalf of the Committee.

First, I would like to thank the witness, Dr. White. I would also like to thank the Yukoners who are listening and watching this hearing now, live, or into the future. Another hearing is scheduled for later today. Transcripts and recordings of the Committee's hearings with expert witnesses are available on the Committee's webpage at yukonassembly.ca/SCER.

The Special Committee on Electoral Reform would like to encourage all Yukoners 16 and older to complete the electoral reform survey currently being conducted by the Yukon Bureau of Statistics. In addition to the information from the survey, the Committee is collecting public feedback in the form of written submissions. The Committee also intends to hear from Yukoners at community hearings in the future.

This hearing is now adjourned.

The Committee adjourned at 12:00 p.m.