

ARTICLE / PRESS RELEASE

No Brexit-Type Vote For Canada
We Have The Clarity Act

Bill C-20, passed by the Parliament of Canada in the late 1990's, otherwise known as the 'Clarity Act', ensures that all Canadians are fairly and democratically represented by a way of a "clear expression of a will by a clear majority of the population." While the bill was drafted in response to the less-than-clear Quebec referendum question in both 1980 and 1995, it applies to all provinces. The Clarity Act is an integral component of our federalist system and seeks to protect Canadians from an underrepresented and unclear referendum question. I had the distinct honour as Deputy Unity Critic under Leader Preston Manning to strongly martial Reform Party Support for acceptance.

The Clarity Act served to balance the pre-requisite of all societal organizations and constitutions that call for 66% (or two-thirds) of voter support for substantive changes that diametrically impact all members (read citizens) existing rights and those that wish for only 50% + 1 for change, because these changes will be difficult to reverse when enacted. The Clarity Act cites over 10 times that approval for referendum must be determined by a clear expression by a clear majority of the population eligible to vote. This means that a majority of all eligible voters must be considered, not just those who show up at the polls to vote.

Furthermore, the Supreme Court of Canada, agreeing with Bill C-20, specifies that any proposal relating to the constitutional makeup of a democratic state is a matter of utmost gravity and is of fundamental importance to all of its citizens.

As such any substantial change of our rights and freedoms would require an amendment to the Constitution of Canada (which requires the consent of seven out of ten provinces representing at least 50% of the population). In addition, changes proposed require the comprehensive consultation of the

affected groups surrounding the referendum question to be posed. These are the House of Commons, the Senate, the Legislative Assemblies of the provinces, the Aboriginal peoples of Canada, and any other group considered to be relevant.

This process safeguards equal access to fair democracy for all affected parties. Before the Clarity Act, Canadian unity was at risk with a low threshold of electorate numbers believed by some to be only 50% + 1 for referendum success.

Even the Federal NDP's constitution is an example of an organization with higher base rules for major change and calls for a clear majority of 66%, as was the case when the CCF changed its name to NDP. Surely, major issues in Canada to be decided by referendum should share the same importance as the CCF's name change, thus requiring 66% support or meaningful support of the majority of the population. Today the NDP, for political support in Quebec calls for, a 'simple majority of 50% + 1 of valid votes cast to favour secession of Quebec from Canada. This is simply a majority of those that show up to vote and not a clear majority of the will of the population and a recipe for disaster.

In Britain's recent referendum, they set the bar of acceptance at 50% + 1 of voters that turned out to vote which was some 72% of eligible voters. Which means that over 28% of the population did not vote, and the election was hardly a clear expression of the will by a clear majority of the population. As this was a plebiscite on separation from the European Union, only 37% of eligible voters voted to leave, taking the 63% of the rest of their population with them. And Britain cannot now push the Brexit toothpaste back into their European unity tube!

Due to the great complexity of the issue, a simple 'stay' or 'leave' question was risky, to say the least, as well as an unnecessary provocation between Ireland, Scotland and England. If Great Britain had a "Clarity Act" as does Canada, the question would be such that it would be to affirm if Britain was to leave EU and require this affirmation by over 50% of all eligible voters not just those that showed up to vote. Then they would consult their major states— provincial legislations for their approval so that they do not affront

regional wishes unnecessarily. It would have required some 50% of the 45 million eligible voters or some 22.5 million not the 17.5 million 'Yes' votes. This proposal would then have failed.

Following the near disastrous proposed 50%+1 1995 voter acceptance level Quebec referendum, I flew to Montreal to obtain a Western Chapter franchise and founded the Edmonton Chapter of the Montreal based Special Committee for Canadian Unity (SCCU), a group in which I am still active today. The SCCU was first established in 1994, when the Parti-Quebecois came to power under Jacques Parizeau, determined to take Quebec out of Canada.

We drew harsh lessons from that near disaster. Acceptance of a 50% + 1 of voter turnout meant that with a ninety percent turnout only 45% was needed to separate Quebec from Canada. Scotland came very close under these same foolhardy 50% + 1 acceptance levels. Britain should have been paying heed to Canada's solution.

The SCCU's Aim is:

- To challenge unconstitutional actions in the courts of Canada
- To organize and encourage Canadians everywhere, to spread the message of the benefits of Canadian unity.

Information on the SCCU can be found at www.specialcommittee.com.

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