

# The Public Purpose

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## NOT SO GRANDE MONTREAL: DESPITE BARRIERS, VOTERS STRIKE A BLOW FOR DEMOCRACY

By Wendell Cox

What if the state of California had required Howard Jarvis and his associates only five days to obtain the signatures necessary to qualify Proposition 13 for the 1978 ballot. Obviously, there would be no Proposition 13, home-owners would be paying much more in property taxes and the Gray Davis sabotaged economy would have been visited on the state a couple of decades early with implementation of the explosive property tax increases that local governments had already announced.

Or, what if the U.S. Constitution required that for a state's presidential election balloting to be valid, 35 percent of *eligible* (not "registered") voters had to cast their ballots for the winning candidate? Here's what it would have meant. In the 2000 election, the results from all but five states and the District of Columbia would have been thrown out. About as many electoral votes would have been recorded as were obtained by Walter Mondale or George McGovern, both of whom avoided a negative total only because it was a statistical impossibility.

Sounds ridiculous, doesn't it? But then, imagine if it were a special not a general election --- like the election where three percent of *registered* Dallas County voters participated in an election to authorize billions of dollars of bonds for light rail (the bond issue was authorized). Getting 35 percent of the eligible voters (not registered voters) to vote a particular way in a special election is not easy.

But all of the above describes the current state of democracy in Quebec.

It all started when the previous government forcibly merged more than 200 cities into approximately 40 larger cities. The most important merger was in Montreal, where 28 smaller cities on Montreal Island were merged into the mega-city of Montreal. Other large mergers included the Ottawa suburbs in Quebec, which became Gatineau, a number of suburbs in the Quebec city area and others in the Longueuil area, on the "south shore" of the St. Lawrence River across from Montreal.

Doubtless part of the justification was the old blather about efficiency. You see, larger cities are more efficient than smaller cities. Yeah, sure. Chicago is more efficient than Highland Park? Minneapolis is more efficient than St. Louis Park? Toronto is more efficient than Markham? Denver is more efficient than Golden? It has been reported that some residents in the forcibly

merged Montreal area cities have noted a drop in the quality of services and higher taxes. That surely is surprising.

Anyway, the former government didn't consult the people who lived in the municipalities that it sentenced to death. Instead it followed the give-conservatism-a-bad-name-high-handedness that led the former Mike Harris Ontario government to forcibly merge six municipalities into mega-Toronto. However, at least the former Quebec government did not act in direct opposition to the 70 percent anti-merger votes that occurred in each of the municipalities forced into Grande Toronto.

But mistake it was. So much so that the Liberals made de-merger a big issue in the provincial elections last year, and it helped propel them to victory. They promised people the right to vote to undo the forcible unions that had been thrust upon them. But when the time came for a bill to be tabled, the new Liberal Charest government's approach fell short. Democracy is OK. But not too much of it.

So Bill 9, which authorized the de-merger elections, allowed just five days (yes, only five days) to obtain the signatures of 10 percent of the eligible voters in each of the forcibly merged jurisdictions. It further also required *35 percent of the eligible voters cast their ballot for de-merger* to gain their freedom. That means that a 68 percent turnout of all eligible voters (not registered voters) in which slightly more favored de-merger than opposed it would not be sufficient to restore a city that had been unceremoniously and undemocratically forced into a larger city. But there's more. The government will rule on the validity of the election in any jurisdiction where de-merger wins.

Rules such as these would have rendered initiative and referendum wholly ineffective in the US states where they are allowed, and there would be no US president (Canada could be called upon to send one of the soon-to-be losers from the national election south to form a caretaker government).

So, it was surprising when 89 former municipalities were able to produce the required 10 percent of eligible voter signatures in just five days. What is even more surprising is that 32 of the 89 municipalities were able to produce majorities in today's election so large that the 35 percent of eligible voter threshold required for de-merger was reached. So, with the scales so weighted against democracy that Proposition 13 could never have qualified for the ballot in California and an American president could not have been elected, citizens of Quebec cared enough to produce a clear victory for local control in more than one-third of the cases. Among the soon to be reborn municipalities (pending the pleasure of the government), the average margin of victory was nearly 60 percentage points --- 79.5 percent for de-merger and 20.5 percent against.

But there were nearly as many jurisdictions -- 25 -- that were denied democracy. These were the places where majorities supported de-merger, but the number of "yes" votes did not reach the 35 percent threshold. The margin of denied victory in these stillborn municipalities was nearly 20 percentage points --- 59.6 percent for de-merger and 40.4 percent against.

But not all went well for the proponents of de-merger. In the 32 now dead municipalities, a majority voted to keep their places in the new, larger municipalities. But that is as it should be. Here, despite the scales being tipped against democracy, democracy prevailed.

If the biased electoral procedure had been reversed --- if a 35 percent “no” vote had been required to *prevent* de-merger, only nine municipalities would have remained in the larger cities and 80 would have been de-merged. Democracy would have been denied in 32. This is not to suggest that such an anti-democratic approach would have been appropriate, it is rather to highlight the inappropriateness of the procedure used in the election.

It is not surprising that the greatest blow to amalgamation occurred in formerly Grande Montreal. There, 22 former municipalities qualified for the referendum. Of these, 15 garnered sufficient “yes” votes to de-merge. All of the other seven voted to de-merge as well, averaging a 66 percent majority, with the lowest “yes” total being 57 percent.

Grande Montreal Mayor Gerald Tremblay trundled out to de-merger candidate Westmount yesterday to urge voters to vote “no.” He got his answer --- 92 percent for de-merger. Even so, Westmount’s “yes” share placed it only third among the Montreal municipalities.

Commenting on the election results, the Mayor told the *Montreal Gazette* this evening that “it is a great victory for Montreal,” because parts of the city remain that were not in before the forced merger. It seems an odd glee that would celebrate not allowing freedom of determination for ex-municipalities that voted nearly two to one to leave.

The south shore suburb of Longueuil was also a loser, with four of five municipalities producing sufficient “yes” votes to de-merge. The one jurisdiction in which de-merger failed produced a 65 percent “yes” vote. Overall the average “yes” vote among the five Longueuil colonies was 72 percent.

But the foes of de-merger were much more successful in the other largest urban areas. The ville de Quebec lost only 2 of its 12 municipalities. An additional three seeking freedom with a greater than 50 percent “yes” vote will remain captive. Interestingly, only one vote was the difference in Saint-Emile, where 1,770 voted “no” and 1,769 voted “yes.” But, it wasn’t close at all, because of how the National Assembly (the Quebec legislature) tipped the scales of democracy. Across the river in Levis, none of the four municipalities produced a qualifying majority, but two voted for a de-merger that will be denied by the 35 percent rule.

In Gatineau, only one of four elections were successful, though another produced a non-qualifying de-merger majority.

It is only to be hoped that the Charest government will revisit the issue and authorize a new round of referendums. Cities that were established decades or even centuries ago should have more than five days to qualify a ballot issue on their survival. Further, the will of their electorate should be honored, at whatever turnout percentage. This would allow the six Montreal municipalities denied their voice by the unreasonably short signature period a chance to vote on

the issue and allow the citizens of all of the forcibly joined communities the genuine democracy that characterized the electoral processes of Quebec and Canada until the present farce.



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