

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

JOAN RUSSOW and THE GREEN PARTY OF CANADA

Applicants

- and -

**ATTORNEY GENERAL OF CANADA,
THE CHIEF ELECTORAL OFFICER OF CANADA
and HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Respondents

AFFIDAVIT OF JOAN RUSSOW

I, Joan Russow, of the City of Victoria in the Province of British Columbia, MAKE

OATH AND SAY:

1. I am the former National Leader of the Green Party of Canada, having lead the party from 1997 to 2001. I have been involved in political activities for over 30 years, analyzing government policy documents, preparing briefs, and addressing the inequities within the current political system in Canada. I have a Master's degree in Education and a Ph.D. in Interdisciplinary Studies. I am a co-founder of the Ecological Rights Association and the Global Compliance Research Society. I have co-taught a course in Global Issues in the Environmental Studies Program at the University of Victoria.

2. In 1993 I joined the Green Party and assisted in developing the 1997 election platform in the area of international affairs. I have run in three Federal elections, in Victoria in 1997 and 2000, and a Federal by-election in Okanagan-Coquihala in September, 2000. Since becoming active in politics, I have been concerned by the unequal treatment of political parties, women, and minorities in Canada's Single Member Plurality (SMP) electoral system.
3. In February 1998 I attended the preparatory meeting for the formation of the World Federation of Green Parties of America and presented, along with the United States representative, a resolution promoting Proportional Representation (PR) as an alternative to SMP.
4. As a Green Party member and federal candidate, as well as a Green Party voter, I have been directly affected by the unfair rules of the *Canada Elections Act*. In the 1997 Federal election, the Liberal Party candidate in Victoria, David Anderson, won the riding with 34.8 percent of the vote. Although I received 5.4 percent of the vote, it was not possible to translate this support into any representation in Parliament because the SMP system only gives seats to candidates who win the plurality of votes.
5. Because voters who support the Green Party are a distinct minority of the population and are geographically dispersed across the country, they have no hope of winning any representation in Parliament. Many people who endorse the values and policies advocated by the Green Party vote for other parties for that reason. From my experience

as a candidate and President of the party, I have no doubt that the 55,583 votes received by the Green Party in the 1997 Federal elections, and the 104,260 votes in the 2000 Federal elections do not accurately reflect the number of Canadians who support the Green Party platform. The number of votes won by the Green party would have been much higher but for the SMP rule which discourages citizens from voting for small parties. This is because many people choose not to waste their votes by casting ballots for parties that are unlikely to obtain a plurality of votes. Citizens often vote for candidates that they do not actually support in order to prevent the election of a candidate they support even less.

6. During the 1997 Federal election, my Liberal Party opponent, David Anderson, asked voters who intended to vote for the Green Party to vote for him in order to prevent the Reform Party candidate from winning. Indeed, even members of the New Democratic Party criticized the Green Party for splitting the vote in several ridings. Many voters told me that they wanted to vote for me in the 1997 election, but were afraid that in doing so they would inadvertently contribute to the election of candidates they strongly opposed. They decided instead to cast their ballots strategically and voted for other parties that had a chance to defeat the parties they liked the least. This type of strategic voting would not be a feature of an electoral system based on the principle of proportional representation.
7. The experience of Green Parties in other countries whose election laws are based on the principle of proportional representation provides strong evidence that the Green Party in Canada would win enough support across the country to claim seats in the House of

Commons. In Europe, Green Parliamentarians number in the hundreds, including 36 members of the European Parliament. They have been coalition partners in Government in Finland, France, Germany, Italy, and Belgium.

8. Even in Great Britain, Green Party candidates have been able to win seats in elections conducted under the principle of proportional representation. Until 1999, the Green Party had had no success in electing any candidates for any office in the United Kingdom even though it had been an active participant in British politics for more than a decade. In 1999, the first elections for the new Scottish Parliament were held using a form of proportionality and the Scottish Green party achieved 4% popular support and elected its first parliamentarian. One month later, in the elections that were held for the European Parliament, support for Scottish greens rose nearly 50 per cent to 5.8 per cent and two Green candidates were elected to the Parliament in Strasbourg from England.
9. Not only has the Canada Elections Act made it difficult for supporters of the Green Party to get their views represented in Parliament, it has also meant the Green Party has been excluded from participation in political debates as well. In national political debates the Green Party has been unable to represent its supporters' interests because participation is granted only to political parties with elected members in the House of Commons. A result of this exclusion is that the Green Party has not had an equal opportunity to present arguments publicly and gain additional support for its political platform. The Green Party, as well as other small parties without elected representatives, has been excluded from numerous other important political activities.

10. In addition to discriminating against me as the leader of and voter for a small political party, the Canada Elections Act made my chances for election significantly less because I am a woman. The statistics show that women are seriously underrepresented in Parliament. Females constitute 20.59% of members of the House of Commons in the current Parliament, which is the same proportion as in the previous Parliament. By comparison, as the affidavit of Professor Douglas Amy proves, women are elected in much higher numbers in countries whose election laws are based on the principle of proportional representation.
11. Under PR, citizens who supported the Green Party platform would be able to vote according to their preferences and know that their votes would count. Even if it only won a few seats in Parliament, the Green Party would be able to more effectively represent the views of its members and supporters.

Sworn before me at the City of Victoria in the)
 Province of British Columbia, this day)
 of April, 2001)
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 Notary Public

 Joan Russow