

2. Round Table input on the Proposed Constitution

The following provides some of the examples of the impacts of the proposed constitution and what may or may not be errors in the document.

A. Establishment

With this constitution there are no accountability frameworks. These would start with substantive statements not just procedural ones

The constitution preamble has been removed. Other than a reference to Liberal values which are not defined there is no description of what we believe.

-stating Liberal values is different from liberal values. The new constitution's use of big "L" Liberal remains an empty vessel because the constitution doesn't list or state the values and guiding principles

Also related to preamble

Examples for key values and guiding principles that are missing include- they give direction to our work and something that Liberals and Liberal values stand for

- "individual freedom, responsibility and human dignity in the framework of a just society;
- political freedom in the framework of meaningful participation by all persons;
- the preservation of the Canadian identity in a global society;
- the pursuit of equality of opportunity for all persons; and
- the enhancement of our unique and diverse cultural community"

In Section 6 only the Party may accept contributions. This appears to prevent a pass the hat event at a riding level. EDAs could not accept contributions directly. They would need to be sent to LPC. This also applies to campaigns. The EDA and campaigns can hold and administer property and funds but only the Party can accept contributions. Section 6 also appears to prevent EDAs from having a "local" bank account to deposit cheques from donors who only support a specific candidate or local community's EDA. It guarantees total control of ALL monies by LPC central.

B. Registered Liberals

In Section 7 the National Board sets out the requirements to become a Registered Liberal. These requirements were included in the LPC constitution.

In Section G 29, the National Campaign Committee has the power to establish the process of registering to vote during nomination meetings. Registering Liberals should be consistent, dealt with by one body and defined in the constitution for fairness and clarity.

The wording in Section 9 is ambiguous. Membership in the constitution should include removal and expiration.

In Section 10 Registered Liberals have the right to attend conventions. In the current constitution there is a right to be a delegate who has the right to speak and vote. Without further details this constitution has removed membership rights at conventions unless the National Board grants them.

C. Electoral District Associations

In Section 12 the purpose of EDAs does not include the selection of candidates. The LPCA model EDA constitution requires the EDA to be active in the selection of candidates in accordance with the National Board process. The EDA shall endorse and support the candidate.

About EDA representation

The model of leadership and management of the party consistently is achieved by reducing the representation of the EDAs and Commissions, all others remain equal. There are 338 EDAs and about 55 will sit on provincial bodies, at the National Board 13 and Management committee 2. The only simplification is reducing the voice of the EDA with no accountability of those bodies to the EDAs. Commissions are up to 52 provincial and territorial, with 4 at National and 1 on the Management Committee. With no process to empower and in fact with less ability to serve the community it appears the EDA is the proverbial mosquito slowing the train.

Both the NDP and the CPC have an identical clause referring to the role of the EDA.

NDP ARTICLE IX ELECTORAL DISTRICT ASSOCIATIONS

Description The Electoral District Association is the primary organization through which the rights of the members of the Party are exercised.

CONSERVATIVE PARTY OF CANADA 5.ELECTORAL DISTRICT ASSOCIATIONS

5.1 The electoral district association is the primary organization through which the rights of members are exercised.

The Green Party of Canada's constitution states in **Bylaw 8 EDAs and Provincial Divisions**

8. The EDA is the primary grassroots Unit of the Party through which Members exercise their rights.

Fundamentally the new LPC constitution has centralized beyond any of Canada's other political parties who do have multiple constitutions. There should be a fulsome conversations about this direction and the details that should be in a constitution to support the move if it isn't to be one of full central control.

Some of the matters that appear to be missing from the EDA's role and responsibility include; developing an EDA plan for outreach and election readiness, membership attraction and retention, development of budgets and financial plans, communication with the membership and community. These actions are consistent with the EDA as the central unit of the party and as they are not included in the constitution, the assumption is the central party is taking control of members. How can EDAs build meaningful relationships and support candidates and the Board be accountable to the members of the EDA without these powers?

There is no list of the officers of an EDA although they are listed for other LPC organizational boards. Will there be no Treasurer, CFO as defined in the Elections Act because central will take over the roles? Periods for the officers are not mentioned. The

reference is to a general meeting not an annual general meeting. This should be discussed by EDA prior to the final vote on the proposed constitution. Comparing H 32 the Commissions bylaws and amendments the proposed constitution states that “amendments will only occur after thorough and effective communication and consultation with the affected commission” but there is no parallel protection and process for EDA bylaws and changes

D. National Board

In Section 17 there is a reference to bylaws being ratified at the next convention.

There are no requirements on the % of support needed to ratify a bylaw at the National Convention. If the bylaw is not ratified there is no clause to prevent the National Board from passing a similar bylaw after the convention. There does not seem to be a process to amend bylaws by the Registered Liberals.

In Section 17 the National Board sets procedures for the Permanent Appeals Committee and appoints the committee. This is to hear disputes on bylaws approved by the National Board. The appointment of the Permanent Appeals Committee creates a conflict of interest and a clear appearance of bias at the outset. This clause requires attention to correct this flaw.

If the leader is elected by weighted EDA balloting, should the officers also be so elected? Basic details of the election should be in the constitution for Officers if for leader.

Section x. under Powers states :

“the rules governing the election, responsibilities, removal and limitation on Provincial or Territorial Boards”

Should be restated as:

“the rules governing the election, responsibilities, removal and limitation of **Registered Liberals** on Provincial or Territorial Boards”

Although it sounds positive with the leaders consent but in fact is this a clause that gives the leader a veto or should it say that consent shall not be unreasonable denied? The constitution should include Notice provisions for meetings. Officers should also have express roles in the constitution so members and EDAs can hold accountable.

Management Committee

There is a Management Committee and a National Board. The majority of the members are the same. This appears to be an added complication to the organization. On the National Board caucus is represented but not at the National Management Committee. The National Campaign Committee has no vote at the National Board but does have a vote at the National Management Committee. It is inconsistent and unclear why these choices were made.

The powers are ambiguous and offer very inconsistent treatment as between Commissions, EDAs and PTAs. Granting all powers of the National Board only subject to direction has no communication or accountability framework and should be expressly clarified.

F. Provincial or Territorial Boards

In Section 23 on PTAs all Board positions include the phrase “elected by the Registered Liberals who live in the Province”. For the Director it simply says the Director elected for such Province or Territory with no “by the Registered Liberals who live in the Province”. This looks like an oversight.

In Section 23 on Provincial Board there is no requirement that the Directors at Large represent the Province. They could all be from one EDA. Is this intended?

H. Commissions

In Section 32 the Governance statement for Commissions states that no changes will be made to their Commission bylaws without thorough and effective communication with the affected commission. This statement is not included in any other bylaw developed. Comment by Cal. I would be much happier if there was a robust process to engage the membership on bylaws prior to passing them at the National Board. Ideally the bylaw would be proposed, developed and then vetted throughout the EDAs and membership prior to bringing it to a vote at the National Board.

The clause relating to the establishment of Commissions is weak and not reflective of the reasons there are commissions. This should be examined to create clear roles for the commissions. They are not ad hoc outreach structures.

The Commissions should be named in the constitution and only removed through the amendment of the constitution. Removal through bylaw is inappropriate for some if not all of the commissions.

M. Leader

It appears that the one member one vote for leadership has been overturned with this constitution. The leadership will be determined by EDA weighted voting. This removes caucus voting and many others who had votes plus the delegate system and backfilling which resulted in one person one vote. The use of one person, one vote was heavily debated at conventions. There should be an opportunity to see how the members feel now. It was difficult to understand why so much leadership detail was placed in the constitution when it might be better placed in bylaw. Procedurally overturning a membership position with a constitution is questionable unless it is voted as a separate motion.

K. Policy

The clause is insufficient and weak wording. The policy process should be more detailed and discussed by members before a final vote on the constitution.

O. Transition

In Section O the Council of Presidents and LPCA Governance Committee will be disbanded if the constitution passes.

This means that there is no body at which every EDA can advance issues and interests or share with other EDAs. This is a problem because there is no accountability to the EDAs at the PTB or with the PTB Director of the province. Should the election of the Director like the party leader be based on balanced EDA votes