

CASE STUDY

Saskatchewan's History of Direct Democracy

Early in Saskatchewan's history, citizens began lobbying for direct democratic power. These demands were not so much a made-in-Saskatchewan phenomenon as they were a spillover from successful movements in the United States.

In the late 1800s, many midwestern Americans felt that the ruling elite were ignoring the interests of the average person. Organised labour and farmer collectives picked up this torch, and began to lobby for direct democracy. Labourers and farmers both argued the same thing: giving the average citizen more democratic power would keep the elite in check.

American politicians were sympathetic to demands for direct democracy. By 1911, thirteen states legislated some form of direct democracy. There were three common forms:

- Recalls: a vote on whether or not to remove a sitting politician from office.
- Initiatives: a vote to approve or reject a law proposed by a citizen.
- Referendums: a vote to approve or reject a law passed by the government.

To trigger a recall, initiative, or a referendum, people would first circulate a petition. If enough signatures were collected (usually around 8-10% of eligible voters), the government would be obliged to hold a vote.

American zeal for direct democracy crept northwards. Advocates for direct democracy began speaking in Saskatchewan, often invited here by our labour and farmer organisations. Saskatchewan's strongest supporters were the Trades and Labor Council of Regina and the Saskatchewan Grain Growers' Association. Their widely-read newsletters, *Saskatchewan Labor's Realm* and the *Grain Growers' Guide*, often lobbied for direct democracy.

Saskatchewan's politicians heard the calls for direct democracy. In the 1912 provincial election campaign, both the Liberals and the Conservatives promised that if they gained power, they would implement some form of direct democracy.

The Liberals won the 1912 election. Despite their campaign promise, they were uneasy about direct democracy. They feared it would give too much power to the masses. Premier Walter Scott privately asked party representatives to pour cold water on the idea at local constituency meetings.

Nevertheless, the Liberals could not easily throw away an election promise. So they introduced a bill called *The Direct Legislation Act*. It



received unanimous approval by all parties in the 1912-1913 legislative session.

The Direct Legislation Act allowed for referendums and initiatives with the following caveats:

- Referendums: if the signatures of 5% of the population were collected within 90 days of a law being passed, the government would have to put the law directly to the people for a vote of approval.
- Initiatives: if a citizen proposed a law and collected the signatures of 8% of the population, the government could either instate the proposed law at the next legislative session, or put the proposed law to a public vote for approval.

Under the legislation, referendums and initiatives could not impact supply and means. In other words, citizens could not use their direct democracy powers to force the government to spend money, nor could they force the government to change its tax laws.

The Direct Legislation Act was not immediately put into effect. Rather, a referendum on it was

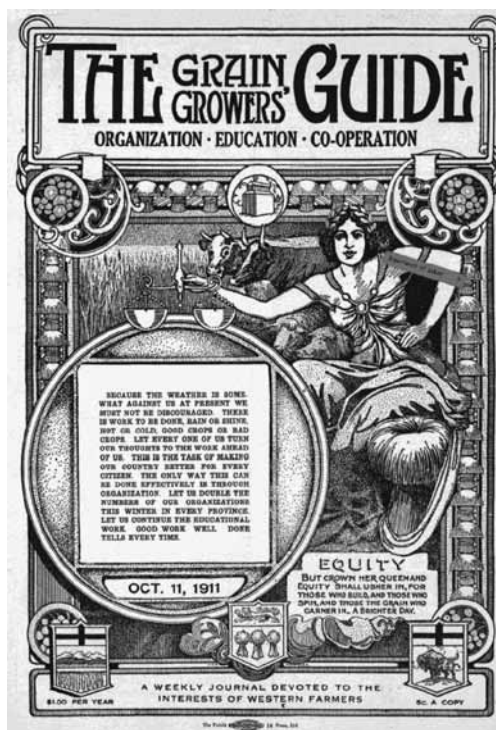
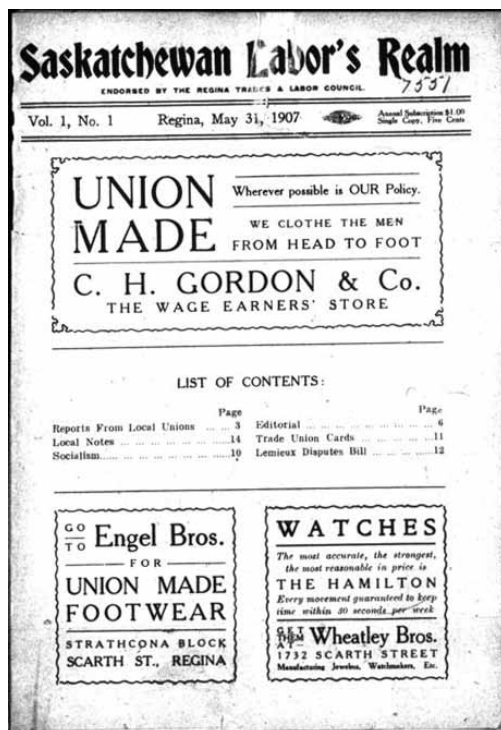
held, asking Saskatchewan's citizens to approve or reject the law.

The referendum had two requirements for the act to come into effect. The first requirement was for a simple majority: 50% of votes cast must be in favour of the act. The second requirement was more controversial, and purposely meant to sink the law. It set a minimum level of voter turnout: at least 30% of Saskatchewan's 161,561 eligible voters must vote yes. If these two requirements were not met, there would be no direct democracy in Saskatchewan.

The government did two things to lower voter turnout. First, they held the referendum in November 1913. By holding the vote at the tail end of the busy harvest season, supporters of direct democracy had little time to drum up widespread interest in the referendum. Second, the government did the bare minimum to promote the referendum.

On referendum day, 32,133 ballots were cast. The results were:

- 26,696 votes in favour of the act
- 4,897 votes against the act
- 540 spoiled ballots



First issue of Saskatchewan Labor's Realm, May 31, 1907.

The Grain Growers' Guide, October 11, 1911. It was the most-read farmer's publication in western Canada.

83% of the ballots cast were in favour of *The Direct Legislation Act*, meeting the 50% approval threshold. However, the result did not meet the voter turnout requirement. Only 16.5% of *all* voters in the province said yes to direct democracy. Consequently, *The Direct Legislation Act* never came into force.

After the vote, Premier Walter Scott said “The notable lack of interest taken in the matter as disclosed by the poll goes to show that the people of this Province are not sufficiently advanced to have the laws of the Province made under the plan of Direct Legislation.” His message was clear: Saskatchewan citizens were not interested enough in direct democracy to make it workable.

Despite Premier Scott’s dislike of direct democracy, his government called a referendum on prohibition in 1916. In fact, since the rejection of *The Direct Legislation Act*, the provincial government has initiated eight plebiscites and referendums.

Nearly 80 years after the defeat of *The Direct Legislation Act*, the outgoing Progressive Conservative government reintroduced the idea. In 1991, *The Referendum and Plebiscite Act* was passed into law. It gave citizens the power to force plebiscites. These powers will be discussed in the next lesson.

DISCUSS

1. Was it reasonable for the Saskatchewan government to set a minimum voter turnout to allow *The Direct Legislation Act* to become the law? Is a law legitimate if it does not have the expressed support of most people?
2. Did the low voter turnout in the 1913 referendum suggest that direct democracy gives too much power to a motivated minority?
3. It has been said that if somebody sits out an election, they are willing to accept the decision of those who go out and vote. Discuss this statement.