

STATES OF JERSEY



CHIEF MINISTER ELECTION: ISLAND-WIDE VOTE

Lodged au Greffe on 1st April 2014
by Deputy S.Y. Mézec of St. Helier

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree, in principle, that the Chief Minister should no longer be elected by members of the States, but should instead be selected through an Island-wide vote of registered electors from candidates proposed by members of the States after each general election:

provided that this new system will not be instituted until the States have agreed appropriate amendments to the rôle and powers of the Chief Minister to enable a system of government including the selection of the Chief Minister in this manner to be workable;

- (b) to request the Privileges and Procedures Committee, in consultation with all members, to bring forward to the States for approval, proposals on the necessary framework to allow the Chief Minister to be elected by the public.

DEPUTY S.Y. MÉZEC OF ST. HELIER

REPORT

“If one meets a powerful person, one can ask five questions: what power do you have; where did you get it; in whose interests do you exercise it; to whom are you accountable; and, how can we get rid of you? Anyone who cannot answer the last of those questions does not live in a democratic system.”

The late former Labour MP and Cabinet Minister, Tony Benn

Since the failure of previous Assemblies to adopt the full reform package comprehensively laid out in the Clothier report, it is virtually universally agreed that Jersey’s system is in desperate need of reform, both in terms of the composition of the States Assembly and the machinery of government.

On 18th March 2014 the Chief Minister lodged P.33/2014 to enhance the powers of the Chief Minister. In my election manifesto, I said that any attempts to give more power to the role of Chief Minister must come with more democratic accountability. I have lodged this proposition as a direct response to P.33/2014, and hope that members will consider this proposition in light of that.

Democracy

Our job as members of Jersey’s parliament is not to act as anonymous managers, acting behind the scenes to run Jersey like a private business, but it is to construct a vision based on our mandate from the people, to change Jersey society and make it better in a way that satisfies the desires of the public that elected us.

Currently faith in the States of Jersey and the democratic process is at rock-bottom. The Jersey Annual Social Survey last year showed that 75% of Islanders did not have faith in the States of Jersey. 60% of Islanders do not vote. Jersey’s democracy is in a permanent state of crisis, and governments with such weak mandates suffer from a lack of legitimacy.

It is clear that something needs to drastically change.

Whilst one aspect of this will be to democratise our electoral system (which I hope will be achieved by a ‘yes’ vote in the referendum this October), it is not the ‘be all and end all’ to encouraging greater democratic participation. The most important thing we could do would be to provide voters with the belief that their vote matters and can deliver change.

To achieve this, we need a system in which voters can choose the head of our government and are able to give a clear mandate for a vision to take our Island forward.

Currently, no such system exists in the Island and I believe this is what contributes to such high voter apathy. Voters do not see a connection between where they put their cross on a ballot paper and the results. How often on the doorstep are we turned away by potential voters with the phrase “I don’t vote because it makes no difference”?

In the United Kingdom, a voter knows that if they vote for their local Labour Party candidate, it is not just a vote for that individual, but it is also a vote for Ed Miliband to be Prime Minister and to put together a Cabinet of other Labour MPs to implement the policies and visions detailed in the Labour Party Manifesto. The same is true of all the parties. There is a clear link between how one marks their ballot paper and what government is formed.

No such mechanism can exist in Jersey without party politics.

In October, the public will elect 49 independent States Members, all of whom stand on individual manifestos, none of which will be particularly detailed or costed, and all of which will be un-implementable, as there will be 48 other members who will not have signed up to the same programme in advance.

I believe that if this proposition is passed, the presidential style that this new election would take would revitalise democracy in Jersey. Ordinary voters would know that their vote counts and would be able to see a direct connection between how they vote and what decisions are eventually made.

A democratic deficit made worse by P.33/2014

What is proposed by Senator I.J. Gorst in his proposition to enhance the powers of the Chief Minister, in many ways, makes perfect sense.

It makes sense that if there is to be a head of government, that he or she should have some authority and ability to construct the most effective and cohesive team possible. A team that is a conglomeration of people with conflicting politics and personalities is inevitably not going to be as effective.

In the United Kingdom, the Prime Minister is able to decide who is in his or her Cabinet and can reshuffle Ministers. But that Cabinet will almost always contain other members of the governing party (or coalition partner) who have signed up to their manifesto. This will not be the case in Jersey.

P.33/2014 seeks to put more power in the hands of one person, but makes no attempt at all to make that position more accountable to the public.

Power that was formerly held by an elected assembly will be transferred to an appointed office which, historically, has not even been held by the States Member with the greatest democratic mandate for the job.

As a unilateral move, P.33/2014 may be a forward step for effective government, but it is a backwards step for democracy.

A potential model

Ultimately it would be for the Privileges and Procedures Committee to propose the exact fine details of how this would work, but the model that I would suggest as most democratic and workable would be as follows –

1. The general election to the States of Jersey occurs as normal.
2. Once members are elected, their first job at a specially convened States Sitting will be to formally nominate their preferred candidates for Chief Minister.
3. An Island-wide campaign commences, culminating in a public vote 4 weeks after the general election.

The number of nominations required to get on the ballot should be significant, so that only candidates are put forward that can command the confidence of the States Assembly. States Members should also be able to nominate more than once, so that there is less chance of there being only one nominated candidate who wins by default.

In the event that more than 2 candidates are nominated, the election should be done using the Alternative Vote system, to ensure that the winner has a majority.

I believe that this model provides the right balance between having a Chief Minister with a mandate from the public, whilst also being likely to have the confidence of States Members, to avoid the potential situation where the Chief Minister suffers a vote of no confidence shortly after being elected.

This model is workable and will not leave Jersey without a government for long periods of time due to political crises.

Conclusion

The opportunity that a focused Island-wide debate on the direction that we, as a community, want Jersey to go down and how we want our government to be led, is an opportunity for a democratic discourse that Jersey has never had before.

Candidates would have to outline their vision for Jersey in a comprehensive way, putting together manifestos more detailed than what we are normally presented with during general elections, and they would have to be more transparent in how they campaign and who their political allies are. All of this would be healthy for democracy.

The presidential style that the election would resemble would be far more captivating than our general elections currently are, and would hopefully inspire Islanders to pay more attention to politics, so that they are more informed and enthusiastic when they are asked to vote on any subject.

Democracy is the best form of government. A system that incorporates criticism and leaves all members accountable to the Public is fundamental to the rights of ordinary people to determine how their society is run. No parliament or assembly should be able to chip away at that and leave voters with less influence.

I hope members will see that, without a party political system, we cannot give more power to one individual without also requiring them to become more accountable.

Financial and manpower implications

The cost of holding a Senatorial election is usually approximately £30,000, which is most likely what a Chief Minister election would cost. However, this amount is insignificant compared to the amount of money that could be saved by having a better and more cohesive government.