

EXECUTIVE **SUMMARY**

This is a holistic vision for the transformation of Bermuda into a modern Utopia. It makes the philosophical case for that transformation and proposes solutions for how to do so. However, this is not just an idealist's dream; this vision is attainable, notwithstanding some of the difficult choices Bermuda has to make. It makes far more sense for the whole electorate to make decisions rather than a very select few; then everyone can take responsibility for the island's future success or failure.

As an island of sixty thousand inhabitants, Bermuda is merely the size of a provincial town, albeit one whose isolation means it must offer services that towns of similar size do not. Bermuda faces the worst economic crisis since the Great Depression, exacerbated by the fact that it has enjoyed decades of virtually unbroken prosperity.

There are over 200 civil servants per square mile and given the money and manpower thrown (and wasted) at administering this island it is remarkable that the streets aren't paved with gold and the inhabitants aren't the smartest people on Earth. These are desperate times and while on the surface things don't seem too bad, Bermuda has a situation looming fast that is similar or possibly worse than the Greece debt crisis. The debt per capita is four times that of Greece and Bermuda has an extremely limited ability to service the interest, let alone the increasing debt.

Politically Bermuda is a mess and the system needs to be reformed. The Westminster System's flaws are well known:

- Its adversarial nature causes unnecessary divisions, magnifies minor differences of opinion and reduces consensus;
- The winner takes all election system wastes talent, which is finite in Bermuda due to its small size; and
- The Cabinet system of government devolves power to a small group of people at the top of the hierarchy, who serve only at the pleasure of the Premier.

There is a breakdown in trust of politicians and this does not work in Bermuda's public interest or for the island's common good. Switzerland has an enviable system where big issues are decided by referendum and specifically they have a mechanism whereby a petition signed by 10% of the electorate automatically triggers a binding referendum.

The idea of an amendment to the Referendum Act of 2012 was proposed to the OBA in June of 2012, when the party was the Opposition. The benefits were seen by the then Opposition as a way to have more influence in the island's 'democratic' process. However, after the OBA won the election of 2012 the party seems to have lost interest and

*Let us train our minds
to desire what the
situation demands.*

SENECA

*The formula for Utopia
on earth remains
the same: to make
a necessity of virtue.*

CLIFTON FADIMAN

decided that sharing power more democratically was less appealing. Canvassing for this simple change has been unsuccessful so far and the only people who can do it are the very people charged with that responsibility – the elected leadership of the Country, who also have the most to lose from these reforms.

The OBA has treated the Voters' Bill of Rights with similar disdain. Before the 2012 election various members of the party gave every indication that they were in favour of these basic and simple and very sensible checks and balances. To date few of the suggestions made by the Voters Rights Association (VRA) have been implemented. Their suggestions in short are:

- The Right to vote
- The Right to fixed-term elections
- The Right for election candidates to debate
- The Right to recall elected parliamentarians
- The Right to a fair absentee ballot voting system
- The Right to confirm electronically tabulated votes through verifiable paper records
- The Right of independent observers and auditors during a parliamentary election
- The Right to Voter Referenda
- The Right to have proportional representation on boards, councils and committees of a governmental nature

In addition, the VRA has made constructive suggestions regarding the Ombudsman, the Auditor General, the Attorney General, the Human Rights Commission, Elected Parliamentarians and Civil Servants; and the island deserves to have these sensible suggestions considered, tweaked where necessary and then implemented.

Bermuda's public education system has been tinkered with unsuccessfully for the last 45 years, entirely to the students' detriment. In many ways this one failure has rippled through the whole of the island to bring it to its current state, which perpetuates the socio-economic and racial divide.

The island's environment has been put under an exceeding amount of stress over the last few decades and is in great need of concerted remedial conservation. Aggressive invasive species continue to threaten reforestation attempts. Many parts of the island look shabby, the roads are in poor condition and this reflects badly upon Bermuda as a country when seen by visitors to the island.

The present government, try as it may, isn't doing enough, or quickly enough, to arrest this alarming slide. One of the biggest issues is that the island has a semblance of democracy that is confused with real democracy and the sooner Bermuda becomes truly democratic the better. While there have been successes on this beautiful island, the collective administration by the three governing political parties in the last 50 years has left Bermuda in an untenable mess. The current political status quo has unfortunately demonstrated it is incapable of changing and evolving itself as the situation requires.

Rather than scrap the current system as some have proposed, it would be wise to create a big enough shift to modify the decision making process in favour of the electorate without creating political unrest. The issue is that the current system, coupled with economic problems, is causing widespread alienation, which will lead to extremism if it is not addressed.

The time for transformation is now: if not now, then certainly well before the next election. Reform is absolutely vital before Bermuda is potentially decoupled from the dollar and any semblance of depression now will seem like an economic boom in 10 years time. The critical component of this vision is the amendment to the Referendum Act.

If we can understand the problem, the answer will come out of it, because the answer is not separate from the problem.

KRISHNAMURTI

We must reform if we would conserve.

FRANKLIN DELANO ROOSEVELT

AMENDMENT TO THE **REFERENDUM ACT 2012**



The Westminster System is often criticized as a parliamentary system of government that has not worked democratically enough for Bermuda; instead the island has been governed oligarchically (government by a small group of people). No political system is perfect but independent members of Parliament in Bermuda could work well as a central core group that holds the balance of power. Alongside this central core of independent MPs would be the ability for the electorate to trigger a binding referendum by way of a petition signed by a requisite number of voters. This would promote greater participatory democracy.

- Historically, fear and suspicion from supporters of Bermuda's opposing parties have not allowed the possibility of demonstrating how a central core of independent MPs can work. Each party has manipulated this 'us' or 'them' syndrome to their advantage but to Bermuda's detriment.
- The Voters' Bill of Rights is a great initial blueprint for Bermuda. Geoff Parker, Stuart Hayward and so many members of the Voter's Rights Association (VRA) have done incredible work with their proposal for a Voters' Bill of Rights. There is also a solution that will allow the Voters' Bill of Rights to become reality, which is . . .
- The Referendum Act of 2012 is a beautiful piece of legislation . . . almost. One amendment to the act will allow Bermuda to have a constitutional system of referenda that creates binding decisions made by the voting public.
- Consider Switzerland's constitutional system, that has a mechanism where a petition signed by 10% of the electorate automatically triggers a binding referendum -the ideal scenario for Bermuda.
- If instituted in Bermuda a petition signed by 4,000 voters will trigger a binding referendum. There will be some poorly conceived petitions, of course, as no system is perfect. But there will also be issues that are politically sensitive, risky or will be very difficult to tackle in Bermuda's current structure that could then be addressed, making it a very useful tool for everyone.
- Such a referendum protocol removes much impasse and frees the island's elected politicians to focus on the actual crafting of new or amended legislation to meet the will of the people.
- This is a much truer democracy, and not the oligarchic system that we have at present. It will keep all politicians more accountable to the electorate.
- It then becomes much less important which party is in power, and like the Swiss system the issues are debated and decided upon and it becomes much less about the personalities involved.

The salvation of mankind lies only in making everything the concern of all.

ALEXANDER SOLZHENITSYN

Power undirected by higher purpose spells calamity; and high purpose by itself is utterly useless if the power to put it into effect is lacking.

THEODORE ROOSEVELT

- There are huge benefits to Bermuda with this one simple amendment to the Referendum Act 2012. Any politician that doesn't support the amendment is not a proponent for democracy, in reality. Historically democracy has been supplanted in Bermuda, and most other countries, by oligarchy and this is a solution that will lead to a much better system.
- There will be inevitable teething issues but the alternative is dire - an inefficient system with inadequate guardians, who are not solving our deep and desperate issues.
- This would in turn produce independent MPs, one hopes from their respective parishes, who will have their local area as a primary concern, but also have a good understanding of Bermuda's macro issues.
- Costs of implementing this system cannot be ignored. There are fairly simple and cost effective solutions such as quarterly referenda and each voter having an electronic account in the form of a Digital Certificate, as currently used in Switzerland.
- Tampering could still happen but would be checked and balanced as results in a small jurisdiction are much easier to verify.
- Any political party within Westminster system that has an absolute majority will not institute meaningful reforms that curbs its own power but merely introduces changes that are in the interests of that party.

There will be no end to the troubles of states, or indeed... of humanity itself, till philosophers become kings in this world, or till those we now call kings and rulers really and truly become philosophers. PLATO

All that is required is for a well drafted Private Members' Bill to be introduced by two Members of Parliament for the Amendment to the Referendum Act 2012. The logistics and mechanics of this amendment require debate and consultation to arrive at the best solution for the process to work well. The proposed amendment would then be debated and voted upon in the upcoming Parliamentary Session; and all MPs must be free to vote without any party whip. Bermuda will then have the potential to become a model on how to institute good and gentle reform rather than have polar swings or worse, revolution, which destabilizes further and merely replaces inadequate rulers with . . . inadequate rulers.

There is one thing stronger than all the armies in the world: and that is an idea whose time has come. VICTOR HUGO

Therefore, this simple amendment to the Referendum Act will bring a much stronger participatory democracy in the matters that are important to the citizens of Bermuda.



We shall have to repent in this generation, not so much for the evil deeds of the wicked people, but for the appalling silence of the good people. MARTIN LUTHER KING, JR.