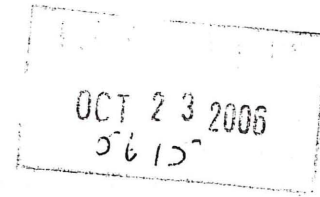
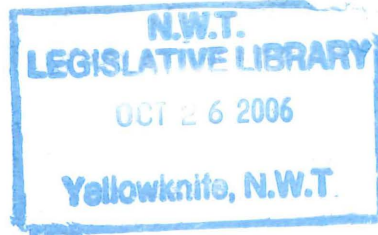




October 18, 2006

Braden 60-15(5)



**All Members
NWT Legislative Assembly
Yellowknife, NT**

I am writing to offer facts and views for your consideration in the upcoming debate on redistribution of territorial electoral districts.

In the 1830s, crusading newspaper editor and later founding Father of Confederation Joseph Howe took the British Empire to court. He won his case, establishing in the British North American common law the principle that taxation must be accompanied by legislative representation on a basis proportional to population. The principle was continued in the later confederation of the Dominion of Canada. In ancestral Aboriginal practice, consensus decision-making firmly holds that all those affected by a decision must have a voice in its debate, and that all voices are equal. Recently, the Friends of Democracy court decision upheld these principles in determining that the then distribution of seats held by Yellowknife members was not a just balance of representation. The situation is scarcely altered today.

The Friends of Democracy took up the formidable task of out-lawyering a government because they saw a political process failing to provide a just distribution of electoral seats to Yellowknife, contrary to the common law, constitutional practice and ancestral governance principles of our society. The will of the Court has since been plowed under in a six year political process resulting in proposals that make skepticism credible.

The territorial government's Bureau of Statistics reports that 19,429 persons reside in Yellowknife, 45.2 per cent of the total NWT population of 42,982. The current electoral distribution of the NWT Legislative Assembly grants seven seats to Yellowknife members, 38.2 per cent of the distribution among 19 seats. Proposals now before the Assembly could result in the addition of one or two seats to the Assembly. If one non-Yellowknife seat is added, the City's representation in the Assembly would slip to 35 per cent of the seats. If two are added and one is granted to Yellowknife, the City would be left at approximately 38 per cent of seats. Meanwhile in Tu Nedhe, about 600 constituents command the vote of one legislator, as opposed to the approximately 2,775 electors represented by each Yellowknife MLA.

Proportion of population is not the only consideration looked to in Canadian parliamentary practice. The difficulty of crafting regionally and culturally reflective

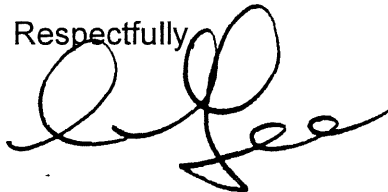
electoral districts for the widely dispersed rural communities, in just balance with the urban communities, makes a complex task. Nevertheless, proportional representation is the fundamental principle from which the consideration of other factors embarks.

Opponents of a more populous proportional distribution assert that seven Assembly members are adequate to serve the needs of Yellowknife's constituents. This is not the issue. The issue is that when the most basic expression of the democratic will is called--a vote by Members of the Assembly--the people are foremost represented according to a distribution of votes justly reflecting their proportion of numbers in the total population. In ancestral Aboriginal governance, the common law, Canadian constitutional tradition and in the recent case dealing specifically with the question, correspondence to the distribution of the population of the electorate is the primary test of just democracy. Thirty-five or 38 percent of the democratic voice for 45 per cent of the population fails the test of justice.

Go back to the beginning. Even our wise legislators have failed to provide a just solution to the competing political demands of Yellowknife versus everybody, urban versus rural, north versus south versus east versus west. What's next? Representation reflecting the proportion of youth and elderly, or total air miles for legislators' travelling between constituency communities? Or be truly retrogressive and distribute seats according to the proportion of the tax burden borne locally. You can only jiggle this so far before degenerating to cynical horse-trading. The harder you press your thumbs on the scales, the more the customers--the citizens--are short-changed.

Citizens look to legislators to protect as well as prosecute their democracy. Prove the skeptics wrong and make our democracy democratic.

Respectfully

A handwritten signature in black ink, appearing to read 'Craig Yeo', written in a cursive style.

Craig Yeo
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