

Ottawa, ON  
July 15, 2020

Stéphane Perrault  
Chief Electoral Officer  
Elections Canada  
30 Rue Victoria  
Gatineau, QC J8X 4H7

By email: [consultations@elections.ca](mailto:consultations@elections.ca)

Dear Mr. Perrault,

I trust that you are well and coping as best as possible during these challenging times. Please accept this as a formal response to your July 6<sup>th</sup> email, in which you asked me, as CEO of the Centre for Israel and Jewish Affairs, to reply to a list of questions concerning the management of future elections as they relate to scheduling conflicts.

I want to first acknowledge and commend you for the consideration you and your organization have extended to Canada's Jewish community. You personally, as well as your staff, have always been willing to engage constructively with us, and this is deeply appreciated.

To your specific questions:

1. ***Recognizing that religious holidays and cultural practices may not fall on the same dates one year to the next, in the foreseeable future:***
  - ***What would be a suitable fixed election date in October that would not prevent electoral participation and observation of religious or cultural practices in your community? (recognizing that Advance Polls must be on the Friday, Saturday, Sunday and Monday of the week before election day)***
  - ***If you answered no, are there other possible dates that should be considered?***

The Jewish calendar is structured as a hybrid solar-lunar model, which means that the dates of the holidays change in the secular calendar year after year. As I mentioned in our June 12, 2019, meeting and in our October 28, 2019, letter, our recommendation is that the fixed election date be moved to the first Monday in November, so that a conflict between Election Day and a Jewish Holy Day does not ever recur.

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It is our understanding that no other faith community will be affected by this change, since even if the election date were ever to fall on the holy day of another faith (which we do not think is the case), unlike in Judaism, no other religion imposes restrictions that would prevent an individual from being able to vote on a religious holy day.

That said, it is worth noting that fall is hunting season, which is of importance for many indigenous communities and nations. I trust that Elections Canada will consult with them and take that into consideration moving forward.

For your ease of reference, I have attached the dates of the Jewish Holy Days for the next 50 years in a separate document.

**2. *What are other dates throughout the year that should be avoided, as they would prevent members from your community from participating in a federal election?***

Observant Jews would not vote on the following Holy Days:

In the autumn: Rosh Hashanah (2 days), Yom Kippur, Sukkoth (first two days), Shmini Atzeret, Simchat Torah.

In the spring: Passover/Pesach (the first two day and the last two days of the eight-day holiday), Shavuot (2 days).

As Jewish Holy Days commence at sundown of the previous day, an election held on the day immediately preceding those days would cause important problems for the observant Jewish community. (See attached calendar)

**3. *How could early voting opportunities address some barriers to voting created by conflicts with religious practices? (See this [link](#) outlining early voting options)***

Based on our 2019 election experience, combined with an elaborate outreach campaign, the other options offered by Elections Canada mitigated – to a degree – the disadvantages to voters flowing from the election day coinciding with a Jewish High Holy Day.

The Additional Service Points placed in Jewish institutions (identified by the Returning Officers in consultation with the local Jewish community) were particularly appreciated. We understand that this corresponds with what Elections Canada has heard, as evidenced by an email from Lisa Drouillard to my colleague Richard Marceau dated October 17, 2019.

That said, while advance voting options are essential alternatives, as many things happen in the last week of an election which can have an impact on the choice of the voters, they still put voters availing themselves of advanced voting options at a disadvantage.

**4. *What are the potential impacts of such conflicts in election dates with religious holidays on candidates for federal election and their campaign volunteers?***

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The potential impacts of conflicts in election dates with religious holidays are very important and especially problematic. Observant candidates and observant campaign volunteers are prohibited from any form of campaigning on those days and thus would be faced with numerous constraints that would compromise their ability to contest the election on a level playing field. The handicaps are substantial and material. Despite consultations with several rabbinic authorities, there appear to be no solutions that effectively restore balance of opportunity for such candidates.

Indeed, while voters can avail themselves of other voting options, for candidates and campaign volunteers to be prohibited from being active on election day is a significant – if not unsurmountable -- problem which underscores the importance of ensuring that Election Day does not fall on a Jewish Holy Day.

**5. *If Parliament were to amend the Canada Elections Act to move ordinary polls from a Monday to a two-day period over Saturday and Sunday, would this address barriers to voting for your community?***

Observant Jews would not vote on a Saturday (as it is the Jewish Shabbat/Sabbath). Voting on a Sunday (or any other day of the week) is not an issue, provided it does not fall on one of the Jewish Holy Days discussed above – although it should be noted that Friday being the Eve of the Sabbath would trigger the same constraints described above regarding the onset of Jewish Holy Days at sunset of the preceding day.

**6. *Briefly describe your community or organization and the membership you represent where applicable (number of members, location, primarily urban or rural membership, etc.).***

Canada's Jewish community is comprised of approximately 380,000 individuals.

The Centre for Israel and Jewish Affairs (CIJA) is the advocacy agent of the Jewish Federations of Canada – the central organizing hub of communities across the country. We are a national, non-partisan, non-profit organization, representing the perspectives of 150,000+ Canadian Jews affiliated through local Federations.

I hope this answers the questions you posed and assists in the important design and planning tasks before Elections Canada. My team and I remain, of course, available to discuss these and related matters at your convenience.

Sincerely,



Shimon Koffler Fogel, President and CEO  
Centre for Israel and Jewish Affairs