

Candidate Nomination in Canada's Political Parties

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The defining characteristic of candidate nomination in Canadian political parties is the almost complete lack of public regulation. Political parties are left on their own to decide how they nominate their candidates. They can choose to elect a candidate through a vote of their local membership or not; they can allow their leader to unilaterally select candidates or not; and, if they decide to permit contests, they determine all of the procedures including the timing, venue and the eligibility requirements both for voting and for standing as a candidate for nomination. Added to this is a reluctance on the part of the parties to establish one set of rules governing all their nomination contests. Often these are left to provincial committees and can vary significantly from one region to another, while in other parties significant discretion over candidate selection is vested in the central campaign. When the latter is the case, the central campaign's involvement is typically uneven, leaving the electorally poor boroughs on their own while closely scrutinizing, sometimes orchestrating, the nomination process in constituencies that are electorally important to the party. The result is that there often is dramatic variance in the way candidates are nominated both within and between parties.

This very lack of consistent standards is one of the most commonly heard criticisms of the party candidate nomination process. More and more voices are being heard in support of public regulation of these contests. The argument in support of this position is essentially two fold. First, that candidate nominations are an integral part of the Canadian democratic process and thus should be subject to the same democratic standards of openness, fairness and transparency that govern general elections. And, second, that the political parties have not done an adequate job of organizing these contests in a manner consistent with these democratic norms.

In this chapter, I begin with a discussion of why party candidate nominations are central to Canadian democratic practice, then consider the current state of these contests, and, finally, review the case for significant reform including increased public regulation.

Why Party Candidate Selection Matters

It has long been settled that candidate selection is one of the defining activities of political parties. In terms of legislative recruitment, distribution of power within parties, and defining the relationship between parties and their partisans, candidate nomination is a key event in all modern democracies.¹ Notwithstanding the fact that nominations are universally important, there are six features of Canada's electoral and party systems that raise the salience of candidate selection for voters. These are: 1, the limited ability of voters to choose their preferred local representative in the general election; 2, the significant degree of regionalisation of the party system resulting in regionally dominant parties and often reducing the general election to secondary importance; 3, the near monopoly of candidates nominated by the major parties on election to the House of Commons; 4, the tradition of brokerage-style parties accommodating many representational demands in their nomination processes; 5, the possible increase in free votes in the House of Commons; and, 6, the opportunity party nomination contests offer for grassroots participation in the democratic process. Each of these is discussed below.

The 'single member plurality' electoral system (SMP) used in Canada limits the amount of choice voters have when casting their general election ballot. SMP allows voters to express only one opinion on the ballot, and this one preference influences both the selection of their local representative and the selection of the party to form the government. Unlike some other electoral systems, SMP does not allow voters to mark one preference solely on the basis of their preferred local candidate and a separate one for their preferred party. The result is that most voters cast their ballot primarily based on their views of the national parties, their leaders and policy

positions.

Research indicates that most often the identity and characteristics of the local candidates play a minor, secondary role in voter choice.² This means that the only opportunity voters have to consider the type of person they would like to be their Member of Parliament, and to influence this selection unencumbered with other considerations such as their views of the parties' leaders, is at the candidate nomination stage. Reflective of this is the frequency with which we hear anecdotes of voters 'holding their nose' to vote for a local candidate they don't like because she represents their preferred party.

This can be contrasted with other electoral systems such as open list proportional systems. In these systems, general election voters are charged with both the selection of individual representatives and with casting a separate ballot for their preferred party. What's important for our purposes is that, in these systems, voters have greater choice – casting separate ballots for their preferred party and their preferred candidate. In open list systems, general election voters choose representatives from among a list of candidates presented by their favoured party. For example, a single district might have 10 members to be elected. A party, winning 40 per cent of the vote, is entitled to four of these ten seats. The party nominates ten candidates and voters choose which four are elected. By contrast in the Canadian SMP system, the party nominates a single candidate in each district and there is no intra-party, general election competition. The result is that the only chance voters have to influence the identity of a representative from their preferred party is during the candidate selection process.

The Canadian party system also influences the importance of party candidate selection in the choice of a parliamentary representative. In recent elections, the party system has been extremely regionalized with individual parties dominant in parts of the country. For example, the Conservatives won every seat in the province of Alberta in the 2006 election. In 25 of the province's 28 electoral districts, Conservative candidates defeated their closest opponent by more than 30 percentage points (and 17 won by at least 50 percentage points). Even the Liberal party, which suffered a significant decrease in its vote share maintained regions where it was dominant. For example, in the strongly federalist Montreal area ridings of Mount Royal, Westmount--Ville-Marie and Saint-Laurent--Cartierville, Liberal candidates won by an average of more than 40 percentage points. In these areas of the country the general election is little more than a formality. The choice of a Member of Parliament is made during the nomination contest of the regionally dominant party. Candidates are well aware of this, as one Conservative candidate in Alberta said: "For me the nomination is the election ... Once I'm nominated, the election is over."³

A third characteristic of the Canadian party system that highlights the importance of party candidate selection is the near monopoly the major parties have on the selection of Members of Parliament. It is extremely rare for a candidate to be elected to parliament in the first instance as an independent. In the 2006 election one of the 308 successful candidates was an independent (André Arthur in the Quebec City riding of Portneuf--Jacques-Cartier). Prior to this, the last candidate to be first elected as an independent was Anthony Roman in the Toronto area riding of York North in 1984. The result is that essentially the only path to the House of Commons is through a party nomination contest. This can be contrasted with other jurisdictions such as

Ireland. In each Irish election a significant number of independent candidates is successful.⁴ For example, in the last Dail elections of 2002, 13 independent candidates were elected. This means that candidates have an alternate route to the major parties and voters have the option of rejecting the offerings of the parties and selecting a different candidate. Except in very rare circumstances, Canadian voters are essentially limited to choosing from among the candidates offered by the parties, making their selection process of greater consequence.

The Canadian tradition of big-tent, brokerage parties also increases the importance of party candidate selection. The norm is for parties not to represent narrow, sectarian interests. This means that groups wanting to increase their representation in Parliament need to ensure their members are nominated by the parties in winnable constituencies. For example, Acadians in New Brunswick do not have their own political party (nor do Francophones in Northern Ontario or Anglophones in Quebec). Instead, if they wish to ensure that members of their community are elected to Parliament they need to ensure that they are nominated by the major parties. This can be contrasted with other countries such as Belgium in which each of the major societal cleavages (largely based on language) is represented by its own party and there are no significant parties that transcend the divide. In this context French speaking voters know that their interests will be represented in the general election by a party made up wholly from their community as do German speaking voters. In the Canadian case, voters from linguistic and identity groups without their own political parties need to focus on the party nomination process to ensure that an equitable number of candidates from their community are chosen. The same is true for groups such as women and visible minorities. There are no parties exclusive to these groups.

Thus, in order to increase their numbers in the House of Commons they need to increase their representation among candidates nominated by the major parties.

There has recently been significant discussion relating to the role of the Member of Parliament and a possible weakening of party discipline. Former Prime Minister Paul Martin raised the salience of this issue with his address on the so called 'democratic deficit' during his 2003 campaign to lead the Liberal party. Martin promised to institute a three line whip system which would allow for more frequent votes in the House in which back bench members (and in rare instances, government ministers) would not be required to follow a party line.⁵ He did institute the three line system upon becoming Prime Minister. However, given his government's minority status the reform never was fully tested. The new Conservative government has also pledged to allow 'free' votes. Their 2006 election platform includes both a pledge for a free vote on the issue of same sex marriage and a general commitment to: "Make all votes in Parliament, except the budget and main estimates, 'free votes' for ordinary Members of Parliament."⁶

Should there be a significant increase in the occurrence of free votes, then party nomination contests take on a greater significance. In the current practice, voters need not be very concerned with the policy views of candidates for office as they are almost certain to reflect the views of their party should they be elected. However, if MPs become increasingly free to vote as they see fit in the House, then voters will have greater incentive to seek out and consider candidates' views in choosing their MP.⁷ Given, as discussed above, that there is limited choice available to voters in a general election, the nomination contest takes on greater importance in this regard. For example, the Conservative party supporter who strongly favours extending the definition of

marriage to include same sex partners will want to ensure that the party's nominee in her riding shares this view given the party's commitment to a free vote on the issue.

Party candidate selection potentially offers one of the few opportunities available to voters for meaningful participation in the country's democratic life. Very few voters will run for political office, attend a party's national convention or travel to Ottawa to meet with Members of Parliament. Because nominations typically take place at the constituency level, they offer the opportunity for widespread voter participation. Parties around the world are experiencing a crisis in terms of attracting supporters to active membership.⁸ Canada is no exception and, in fact, compares unfavourably to most other western democracies in terms of the proportion of voters who are active members of political parties.⁹ Research indicates that voting in nomination campaigns is a key incentive to membership in Canada's political parties.¹⁰ Given the findings of Young and Cross that voting in a nomination contest is one of the leading inducements to membership, open and accessible nomination contests are vital to the long term health of parties as membership organizations.

Consistent with the criteria set out above, the evaluation of party candidate selection in this chapter primarily focuses on how open, fair and transparent the process is both for voters and would be candidates. In doing so, the following questions are highlighted: how much control do local voters have over the selection of their candidates; are there significant barriers to participation for both voters and candidates in nomination contests; are the contests organized in a fair and open fashion; and, are they welcoming to candidates from under represented groups.

Local Party Members and Candidate Nomination

Central Party Interference

It has long been argued that the norm in terms of party candidate nomination is for the local party members to have significant discretion in the choice of candidate. Some have observed that a defining characteristic of party organization in Canada is a trade off between strong party discipline in the House of Commons and local discretion in the selection of candidates.¹¹ Put simply, the argument is that the local party members decide who to send to Ottawa and once there the local representative is expected to follow orders from the central party elite. While the second part of this equation may still be true, the first is highly suspect. The 2006 election witnessed unprecedented central party involvement in the selection of local candidates. The reality is that in no instances are the local members able to select a candidate completely unfettered from interference from central party dictates while in many cases the central party is able to select a candidate with no ability of local party members to influence the choice.

The single most important act influencing the character of candidate nominations in the 2006 election was the decision by party leaders Martin and Harper to ensure the renomination of all of their party's incumbent Members of Parliament. The result was that in the 135 ridings won by the Liberals in the 2004 election, 121 of the incumbent MPs opted to run again and were renominated by their leader's fiat.¹² Similarly, of the 99 Conservatives elected in 2004, 89 opted to run again and were renominated by dictate of Mr. Harper. This means that in the vast majority of ridings in which the parties were most likely to elect an MP (those they had already proven electorally successful in) local voters were given absolutely no say over who would be their local

candidate. In the end, of the 124 Conservative candidates who were elected, 86 were incumbents who were renominated by the party leader as were 96 of the 103 successful Liberals. At best then, local party members were able to choose their candidate in less than one-third of the ridings the Conservative party won compared with about one in 15 for the Liberals.

This does not mean that there is no central party involvement in other nomination contests. Indeed, the central party leadership was actively involved in many other selections - particularly where it thought the party had a chance for electoral success. In the Liberal Party, the leader has routinely appointed non-incumbents as candidates in key ridings in recent elections. The practice began in 1993 with Mr. Chrétien's appointment of 14 new candidates and was repeated in his reelection campaigns in 1997 and 2000.¹³

When Mr. Martin became party leader he spoke against these appointments and suggested that he would break from this tradition. Prior to the 2004 election he said: "Essentially we are a democratic party, and a democratic party says you win your nomination."¹⁴ Nonetheless, the party's central leadership unilaterally appointed a handful of Liberal candidates in the 2004 election and, in addition to reappointing all incumbents, arranged nominations of preferred candidates in the 2006 election.

The party leaders' ability to control party nominations is enshrined in the Canada Elections Act. Beginning with the general election of 1972, party affiliation is listed next to the local candidate's name on the ballot paper. Elections Canada does not want to be in the position of sorting out who is and is not the official candidate of a party in each riding. Accordingly, it requires that local candidates have the signature of their party leader on their nomination papers

in order for the party label to appear on the ballot. The ability to withhold this signature from a candidate who may be chosen by local party members and to bestow it on one with no indication of local party support essentially provides the party leader with absolute authority over candidate nominations.

Perhaps wary of criticism of too many centrally inspired candidate appointments the parties sometimes orchestrate local events to ensure the nomination of their preferred candidate while not having to formally anoint him. An example of this, from the 2006 election, occurred in the riding of Etobicoke--Lakeshore where the Liberal party appears to have ensured the selection of Michael Ignatieff amidst significant local opposition. The local party president claims he learned late on a Friday that incumbent Liberal MP Jean Augustine was not running for reelection. At the same time he was informed the deadline for would be nomination candidates to file their extensive nomination paperwork was 5 p.m. the next day. Not surprisingly, and despite the efforts of two local party members to become candidates, central party officials determined that only Mr. Ignatieff fulfilled the necessary candidacy requirements by the expedited deadline. According to a *Globe and Mail* editorial the nomination maneuvering in this riding “smells to high heaven and makes a mockery of Prime Minister Paul Martin’s claims to be a true believer in party democracy.”¹⁵

Tensions often arise when there is a lack of communication between central party officials and both the local party association and would be nomination candidates. Candidates often complain that the rules are changed or deadlines are imposed without their receiving adequate notice. Often they contend that these are deliberate efforts by the central party to favour other

candidates. There are many examples from recent elections of would be nomination candidates claiming that the deadline for filing nomination papers was expedited without their having adequate warning or that the deadline for signing up new members was moved forward without their having the opportunity to file the membership papers of their newly recruited supporters. The parties' nomination rules, that often set out such deadlines, usually allow for changes to be made by the central campaign committee for reasons such as electoral urgency, and thus there is no technical violation of the rules. Of course, even if there is, the only recourse a spurned candidate has is to appeal to the party itself for a remedy.

The central party has many tools at its disposal to influence a nomination contest short of unilaterally appointing a candidate. Generally, local associations require approval from party headquarters before they are able to hold their nomination contest. The central party often exercises control over things like the timing of the nomination. This permission can be withheld for a variety of strategic reasons including, for example, a desire to bide time while the party tries to entice a particular 'high profile' individual to seek the nomination. In the 2006 campaign, this appeared to be the case in the Quebec riding of Vaudreuil-Soulanges where former Liberal MP Nick Discepola was planning to seek the nomination and the local party's efforts to hold a contest were delayed by the central party. In the end, it became clear that the party was holding the riding in hopes that it could entice former astronaut Marc Garneau to be their candidate.¹⁶

Like the Ignatieff case, the central party's actions in support of Garneau reflect a desire to pave the way for so called 'star' candidates. Central party officials often find that this type of

recruited candidate, who typically has not toiled in the party for long periods and does not have the extensive networks of grassroots community support necessary to be successful in a nomination contest, is reluctant to become a candidate without being assured of the nomination. In the cases of Ignatieff and Garneau this challenge was magnified by the presence of other candidates who had deeper connections with the local party and had been organizing for the nomination contest for some time. The party justifies these actions as a way of enticing quality individuals to electoral politics without requiring that they first spend months or years building local bases of support.

Would be nomination candidates are required to have their candidacies approved by central party authorities. In the Liberal party, and similarly in the other parties, nomination candidates are required to complete a lengthy “Nomination Contestant Personal Information Form.” In addition to basic information such as name and date of birth, the candidate is asked to provide 10 years of residential history, 10 years of employment history, information on cultural and community organizations they have belonged to, information relating to matrimonial and custody proceedings, details of any disciplinary action ever taken against them, whether they have ever been suspended, expelled or forced to withdraw from a post secondary education institution, whether ever discharged, suspended or asked to resign from any employment, whether involved in any employment based law suits or charged with workplace harassment or fraud, disciplined by any professional association, ever denied entry into Canada or another country, subject to any outstanding tax liabilities, charged with plagiarism or cheating on school exams, ever charged with any crime, offence or delinquency, ever declared bankruptcy, and whether any civil suit judgments or garnishments are outstanding. They also must consent to a collection of

information from “any person, government, educational institution, police force, military authority, investigative agency, retail credit agency, governing body or other organization...”¹⁷

The requirement that the central party give their approval to all nomination contestants is justified on the grounds of preventing extremist candidates or those whose nomination may embarrass the party (for example, someone facing ongoing court proceedings). Nonetheless, these practices provide the central party with another tool in influencing the nomination outcome. In attempting to ensure a desired outcome, a party leader can deny candidacy to all but their preferred candidate. Would be candidates who are not permitted to run sometimes claim this is the motivation behind their denial. It is difficult to know how often this provision is utilized. Every election includes some high profile cases of individuals being denied the ability to seek a nomination. For example, the Conservatives denied an application for candidacy from former Saskatchewan Premier Grant Devine in 2004. The party provided no reason why Devine, wanting to run in the Saskatchewan riding of Souris--Moose Mountain, had his application denied but it was apparently related to the scandals that plagued his provincial administration. There are others, besides the few cases that reach the national media, who have their applications for candidacy denied, but there is no way to be certain of the exact number.

The New Democratic Party, while generally allowing its local members more scope in the choice of a candidate, is unique in imposing a requirement that local associations conduct a meaningful search for female and minority candidates before they are allowed to hold a nomination meeting. This requirement is discussed further in a later section of this chapter considering how accessible nominations are to members of under represented groups.

Few Contested Nominations

One result of the central appointment of candidates in the vast majority of the ridings in which a party is likely to elect an MP, is that there regularly are very few contested nominations. As one senior party operative explained to me, contests are not permitted in the most desirable constituencies (those the party currently holds) leaving a couple of dozen others where the party might be competitive and then a large number of ridings where the party has little or no chance of success. In these later ridings, the local and central parties often work hard to ensure they have one credible candidate never mind a contested nomination. Surveys of constituency associations in the past suggest that about one-third of local nominations are typically contested.¹⁸

Beginning with the 2004 election, Elections Canada requires local associations that hold a nomination meeting to file a report providing details within 30 days of the meeting. For purposes of this analysis, the data reported to Elections Canada by 1 February 2006 is used. The major parties all claimed to have nominated a full slate of candidates by 1 January so all constituencies that held a nomination contest should have reported by this date. Nonetheless, the numbers vary dramatically by party. 206 Liberal associations filed reports by this date compared with 143 Conservatives, 112 New Democrats and 73 Bloc. If a party does not hold an official nomination meeting - it is not required to file a report which may explain most of the lack of reporting. The available 2006 data support the finding that significantly less than half of all nominations are contested. Overall, about one-quarter of the constituency associations of the major parties report contested nominations for the 2006 election. There is, however, considerable variance among the parties. Slightly fewer than ten per cent of Liberal associations

report holding a contested nomination compared with 7 per cent for the Bloc, 35 per cent for the New Democrats and 53 per cent of Conservatives. However, these numbers have to be interpreted very carefully because of the different rates of reporting on nomination contests among the parties. Most of the associations not reporting are likely ones in which there was no formal nomination meeting and thus no contest, meaning the actual rate of contested nominations may be significantly lower than the data suggest (particularly for the NDP and Conservatives where the reporting rate is significantly lower).

Data collected from the 2004 election provide a very different picture in terms of the number of contested nominations. Eagles, et al, report a significantly higher rate of contested nominations in this election.¹⁹ However, they too rely on reports filed by constituency associations with Elections Canada and find that not all associations have reported (for example their sample includes about half of all NDP local associations). As they acknowledge, this likely means that the actual percentage of contested nominations is significantly lower than what they report. Nonetheless, the 2004 election in many ways provided a perfect storm in terms of the availability of nominations to be contested. First, none of the parties protected their incumbent MPs and many were challenged. This was the first time in several elections that Liberal incumbents were not protected and there was likely some built up ambition leading to challenges, along with remnants of the party's recent leadership struggles being played out on the ground with contests between Martin and Chrétien supporters. Second, a redrawing of electoral boundaries resulted in nomination contests between sitting MPs from the same party (for example, the high profile Liberal cases of Copps and Valeri in Hamilton East--Stoney Creek, and Liberals Parrish and Maloney in Mississauga--Erindale). Third, the merger of the Alliance and Progressive

Conservative parties almost immediately prior to the campaign resulted in many local contests between representatives of the two former parties. In many ridings, the Conservative party's nomination contest became part of the continuing struggle for control of the new local organization between old Progressive Conservative and Canadian Alliance factions.

Barriers to Participation

While we cannot be certain of the exact numbers, it is clear that most nominations in the major parties in the 2006 election were contested by only a single candidate. When there is a contested nomination, and the choice is left to the members, there are significant barriers to participation. Imagine a general election in which elections Canada announced that as a cost saving measure the following reforms will be implemented: a \$10 poll tax, one polling place only per constituency, and the voters list will close 7 - 90 days prior to the election, varying by province, with no on site registration permitted. Surely, such rules would be met with outrage and would be successfully challenged as violating the Charter guarantee of the right to vote. Yet, these are the very rules that organize candidate nomination in our political parties.

All of the parties restrict voting in nomination contests to their dues paying members. The cost of membership varies among the parties, and among provinces within some parties, but is typically in the ten dollar range. We know that many, if not most, nomination voters join the party for the sole purpose of participating in the choice of a candidate and partake in no other party activity.²⁰ Thus, the membership fee for these folks is nothing more than the cost of eligibility to vote in the contest. Nomination candidates were widely believed to purchase bulk memberships for their supporters so that the poll tax would not be a disincentive. Opposed to

such mass mobilizations, the parties have begun to insist that all new members pay their own fees, effectively meaning that anyone without the means of paying is disenfranchised.

All of the parties have cut-off dates by which voters must belong in order to be eligible to vote.

Again these vary widely both among parties and by province within some parties. The range seems to be from as long as 90 days to as little as seven days prior to the nomination contest.

The purpose of the cut-off date is two fold. A minimal cut off period is required so the party can ensure that members meet eligibility requirements (such as residency in the riding) and to allow all candidates access to a voters' list. Those preferring a long cut off date argue that it is illegitimate to allow voters who are not long term members of the party to participate. They argue that the mobilization efforts in contested nominations that sometimes see thousands of new members joining are not in the party's best interest and are not fair to the long term members who see their votes swamped at the nomination contest by the new comers who often have no established attachment or commitment to the party.

The effect of lengthy cut-off dates is compounded by the fact that many nominations occur well in advance of the election call. For example, the Conservative party nominated almost all of its candidates by mid - May 2005 for the January 2006 election. In this case the early nominations partially reflected the possibility of the minority government falling at any moment.

Nonetheless, research on elections following majority parliaments shows that parties routinely nominate many of their candidates well before the official campaign begins.²¹ This means that voters wishing to vote in one of these nomination contests are required to belong to the party weeks before a nomination meeting and months before the election call. For the casual partisan

of a political party, who is not paying close attention months before an expected election call, the cut off date may pass before they even know the nomination contest is occurring. And, unlike in general elections, there is no possibility of registering at the polls.

In fact there are not 'polls' for nomination contests. In the 2006 general election, Elections Canada organized approximately 20,000 voting locations across the country, an average of 65 per constituency. For nomination contests there is one polling station per constituency. This means that all interested voters have to travel to a single location in order to cast a ballot. This is an obvious impediment to participation as in many ridings this can require travel of a hundred kilometers or more. Even in geographically compact urban ridings, this can require a voter to travel to another part of their city to vote.

The number of voters participating in a nomination contest varies dramatically. Again, in terms of overall voter participation it is imperative to keep in mind that in most local parties there is no contest for voters to participate in. When there is a contest, the numbers participating range from 5,000 or more in the most hotly contested races to a few dozen in others. Two contests in the 2004 election provide examples of both extremes. In the Liberal nomination contest in Hamilton East--Stoney Creek there were 5,313 voters. This nomination was contested by two long serving Liberal MPs, Sheila Copps and Tony Valeri, who were running against each other at least partially as a result of redistricting following the 2000 election. The total membership in the riding association was approximately 11,000 meaning that, even in this high profile contest, only about half of those eligible to vote did so. Almost all of the members were recruited into the party by either the Valeri or the Copps campaign as the number of memberships they reported

selling to their supporters exceeded the total number of eligible voters. In the same election, 49 New Democrats gathered in the riding of Edmonton East, the only Alberta riding the party has ever won, to choose from among three candidates for their nomination. Most nomination contests lie somewhere in between in terms of the number of party members voting.

We do not have comprehensive information on the numbers attending nomination contests as there is no requirement that the parties compile or report these data. In fact, in many contests, the local organizers will announce the winner but not the vote totals for individual candidates making it even more difficult to know how many participated. A survey conducted after the 1993 election of local associations found that the mean attendance at contested nominations in the major parties was slightly less than 600.²² The available evidence from the 2006 election suggests that this is likely still a good estimate, though there is a tremendous range both within and among parties. For instance, 1,545 Conservatives turned out to select Jim Prentice as their 2004 candidate in Calgary Centre-North compared with 165 party members voting in the Conservative nomination contest in the Manitoba riding of Saint Boniface in 2006.

Under Represented Groups and Candidate Nomination

Voter Mobilization

One result of the rules governing participation in nomination contests, is that the campaigns tend to be organized as recruitment and mobilization efforts. The first task of a nomination candidate is to identify his supporters and sign them up as party members. Most local party associations have a very small membership between elections. The result is that nomination contestants often seek to flood the local association with their supporters in advance of the membership cut off

date. This is a far more common practice in the Liberal and Conservative parties where cut-off dates are typically 21 days or less before the contest as opposed to the New Democratic Party where they are as long as 90 days. The shorter cut off period provides the candidates with more time to line up their supporters. The difference in practice is that contested NDP nomination meetings tend to have fewer voters and an electorate that is made up primarily of longer term party members.

These recruitment campaigns often take place within ethnic communities. As far back as the 1962 election, Howard Scarrow observed large scale recruitment in ethnic communities in the Ontario riding of Urban where Scarrow estimates that three-quarters of the 1200 nomination voters were new Canadians.²³ The ethnic communities being mobilized change over time, but the dynamics remain the same. In the 2006 campaign, Liberal candidate Omar Alghabra, a former president of the Canadian Arab Federation, successfully sought the nomination in Mississauga--Erindale in part by mobilizing support in the Arab and Muslim communities; and Conservative David Xiao mobilized Chinese immigrants in support of his nomination bid in Edmonton Centre. In the 2004 campaign, Conservative Chuck Cadman was defeated in his bid for renomination in Surrey North by a candidate who mobilized significant support among Indo-Canadians. Recruiting support from ethnic communities is attractive to candidates needing to mobilize hundreds of supporters as these are often hierarchical communities in which the endorsement of the leadership can result in a significant number of supporters.

Mobilization among new arrivals to Canada is often highly controversial. Unlike general election voters, nomination voters need not be citizens nor 18 years of age. Complaints are

occasionally heard regarding large numbers of ethnic voters attending a nomination meeting, many who cannot speak either French or English, who appear to have limited understanding or interest in the contest other than voting for the candidate they've been instructed to support.

While some argue that these lax rules provide a way into the democratic process for new arrivals, others contend that these participants are gaining nothing from the experience and are simply used by candidates in need of supporters. There is evidence that virtually none of these ethnic voters who are mobilized into the parties for purposes of voting in a candidate nomination contest maintain their membership afterwards.²⁴

Social conservatives, apparently mobilized largely around the same sex marriage issue, were also active in recruiting voters in Conservative party nomination contests in the 2006 campaign. An example of this is Darrel Reid, a former president of the group Focus on the Family Canada, who successfully sought the party's nomination in Richmond. An email message sent to members of a group called Defend Marriage (BC) urged them to take out membership in the party and support Reid's nomination bid.²⁵ Gloria Galloway identified: "At least three riding associations in Nova Scotia, four in British Columbia and one in suburban Toronto (that) have nominated candidates with ties to groups like Focus on the Family, a Christian organization that opposes same-sex marriage."²⁶ Similar to mobilization in ethnic communities, these campaigns can cause dissension among the party's long time members. In the Richmond case, the local party president quit in protest "charging that the Tory party is 'getting dangerously close' to being overtaken by the religious right."²⁷

Representativeness of the Candidate Pool

There are significant representational deficits in the Canadian Parliament. Both visible minorities and women are under represented. After the 2006 general election the number of women in the House of Commons dropped to 64, representing fewer than 21 per cent of all members. This is the fifth consecutive election in which the proportion of women elected has essentially stalled at just over one-in-five. Advocacy groups interested in increasing the number of female MPs have correctly identified the parties' candidate selection processes as a crucial barrier. Given the near monopoly the major parties have on the election of MPs, the key to electing more women to the House of Commons is for the parties to nominate more women in constituencies they have a chance of winning. The criticism of the parties is that they nominate too few women and when they do nominate women they do so disproportionately in constituencies in which they have little chance of electoral success. Data from the 2006 election support both of these contentions.

As illustrated in Table 1, women were under represented in each of the parties candidate pools in the 2006 elections. The numbers increased slightly from the 2004 election but remain far from the 50 per cent level. There is a significant range among the parties with just 12 per cent of Conservative candidates being women, compared with 26 per cent for the Liberals, 31 per cent for the Bloc and 35 for the New Democratic Party. Interestingly, Table 1 shows that women comprise a slightly higher percentage of MPs in the Bloc and NDP caucuses than they represent as a share of the candidate pool. This is not the case in the Liberal and Conservative parties where the proportion of women in caucus is lower than the proportion in the candidate pool. This means that Liberal and Conservative female candidates are more likely to be nominated in

ridings the party lost in 2006 while the Bloc and NDP were slightly more likely to nominate women in ridings they won. This point is further illustrated in Table 2 which shows the number of female candidates nominated by each party by province for the 2006 election. The provinces in which the Liberal party nominated the largest proportion of female candidates were Quebec and Alberta. Consistent with expectations at the outset of the campaign, the party won no seats in Alberta and suffered dramatic losses in Quebec - winning no new seats. Similarly, the Conservatives nominated one of their largest proportion of female candidates in Quebec, a province in which they anticipated few victories at the time the nominations were made.

Table 1 ²⁸
Females candidates by party (1993- 2006, as a percentage of all candidates)

	1993	1997	2000	2004	2006
				elected	elected
Bloc	13	21	23	24 / 26	31 / 33
Liberal	22	28	22	24 / 25	26 / 20
NDP	38	36	31	31 / 26	35 / 41
PC/ Conservative	23	19	13	12 / 12	12 / 11
Reform/Alliance	11	10	10		

Table 2

Female candidates by party and province (2006)

	Bloc	Conservatives	Liberals	NDP
Newfoundland (7)	-	1	1	4
PEI (4)	-	0	0	2
Nova Scotia (11)	-	0	0	4
New Brunswick (10)	-	0	1	3
Quebec (75)	23	13	26	24
Ontario (106)	-	12	29	37
Manitoba (14)	-	3	3	3
Saskatchewan (14)	-	2	2	5
Alberta (28)	-	2	8	10
British Columbia (36)	-	4	7	15
Territories (3)	-	1	2	1
total	23	38	79	108

When seeking the leadership of his party in 2003, Mr. Martin appeared to agree with those who argue for the nomination of more women when he pledged that: “We cannot go into this election campaign unless we have the largest number of women candidates in Liberal riding history...We have to go out across this country and, in riding after riding, recruit young women who want to dedicate themselves to the public service.”²⁹ Nonetheless, the party failed to make significant gains in either the 2004 or 2006 campaigns.

In prior elections, Mr. Chrétien justified some of his candidate appointments on the basis of wanting to increase the number of women in the House of Commons. Similarly, in the 2006 election, in some ridings without a Liberal incumbent re-offering, the nomination appears to have been reserved for a female candidate. An example of this is the riding of Ottawa West--Nepean in which would be candidate Jacques Shore dropped out of the nomination contest

telling his supporters that “the National Campaign Team advised him they want a woman to run.”³⁰ A party official justified the pressure placed on Mr. Shore to drop out of the contest on the basis that it was consistent “with the Prime Minister’s commitment to ensure the participation of more women in national politics.”³¹ While this may seem a laudable objective, and perhaps an acceptable justification for the curtailment of local democracy, the vast majority of cases in which the central party involves itself have nothing to do with gender and indeed guarantee the nomination of a disproportionate number of male candidates.

Like Mr. Martin, Mr. Harper has also expressed dissatisfaction with the number of women nominated by his party. Shortly after the 2006 election he told the media: “There really weren’t the number of women candidates I’d like to see. I think there are things the party can do to assist the nomination of female candidates in the future...”³² It is not clear just what ‘things’ Mr. Harper has in mind.

It is not by coincidence that the NDP both nominates more women than the other parties and nominates women disproportionately in constituencies that it has a chance of winning. The Party has adopted a *Nomination and Affirmative Action Policy* that states that “New Democrats are committed to the goals of gender-parity and diversity, and recognize that one of the ways to help move those goals forward is by ensuring that our candidate team is gender-balanced and reflects the diversity of the country.” In support of these goals the party has set the following objectives: a minimum of 60 per cent of ridings where the NDP has a reasonable chance of winning have women running as NDP candidates for election; a minimum of 15 per cent of ridings where the NDP has a reasonable chance of winning have NDP candidates who reflect the diversity of Canada; and, that ridings currently held by the NDP, where the incumbent is not seeking re-election, shall be given special attention to try to ensure that affirmative action candidates become NDP candidates for election.

The party enforces this objective through the following provision: “Ridings may only submit requests for nominations to a provincial or territorial committee charged with overseeing the

federal process after the following steps have been taken: A) a Candidate Search Committee has been established reflecting the diversity of the riding; and, B) there are one or more candidates for nomination from affirmative action groups.”³³ In order for a local association to hold a nomination without a candidate from an under represented group, it must convince the central campaign that real efforts were made to recruit women and visible minorities to run. Previously, the party offered financial incentives to female nomination contestants. It has stopped this practice because of a belief that these contributions from the party to a nomination candidate are “no longer permitted under the Election Finances Act.”³⁴

One of the biggest factors working against an increase in the number of female candidates in the Liberal and Conservative parties is the guarantee of renomination for incumbents. These candidates are overwhelmingly male and they are running in constituencies that previous elections suggest are among the party’s most competitive. The NDP’s focus on ridings that they previously held and that they identify as winnable is crucial to a successful strategy of increasing the number of women in public office.

The 2006 data make clear that when there are nomination contests, a female candidate is likely to be among the contenders. Of the associations filing reports with Elections Canada by 1 February 2006, we find very few contested nominations, but, when there is one, women candidates are reasonably well represented. Table 3 illustrates the number of contested nominations by party and the number of these with a female candidate for the nomination.

Table 3.

Number of reported contested 2006 nominations by party and the number of these with a female nomination candidate.

	Bloc	Conservative	Liberal	NDP
Contested nominations	5	76	20	39
number contested by a woman	1	23	10	26
total nominations reporting	(73)	(143)	(206)	(112)

The success rate for women contesting these nominations varied significantly by party. In the NDP, 17 of the 26 associations that had a women contesting the nomination chose a women candidate. In the Conservative party a woman was successful in five of the 23 contests that had a women candidate and the same was true in two of the ten Liberal contests. The sole contested Bloc nomination with a female candidate resulted in a woman being chosen. This suggests that for the Liberals and Conservatives the problem is both one of too few women running for nominations and not competing as well as men when they do.

There are 23 visible minorities in the House of Commons following the 2006 election, marking an increase of one from 2004. This represents 7.5 per cent of all members while this group comprises 14.9 per cent of the Canadian population. Comprehensive data on the number of visible minority candidates in the 2006 election is not available at the time of writing. According to media reports, approximately 7 percent of the NDP's candidates were visible minorities as were nine of the Bloc Québécois' 75 candidates. Liberal and Conservative officials report that they do not keep track of minority candidates.³⁵ In the 2004 election, as illustrated in Table 4, all of the parties nominated disproportionately few visible minority candidates. It is interesting that the Conservative party led the way in nominating representatives from the visible minority community while they trail far behind in the nomination of women.

Table 4³⁶

Visible Minority Candidates Nominated by Party in 2004. (Number and per cent of total candidates).

Bloc	5	(6.7)
Conservatives	33	(10.7)
Liberals	26	(8.4)
NDP	29	(9.4)

Reforming Party Candidate Nomination

There have been many recent calls for reform of party candidate nomination processes. Groups advocating for greater numbers of women in politics, current and former parliamentarians, officials within the parties, academic and media observers, and leaders of public interest groups have all called for significant changes to the ways parties choose their candidates. A recent study of the nomination process by the Canadian Association of Former Parliamentarians concludes that “current practices are badly flawed and in need of substantive amendments in order to bring them into line with accepted democratic principles.”³⁷ And, Rudyard Griffiths, the Executive Director of the Dominion Institute, echoing a sentiment expressed by many observers, has argued that: “It’s time the parties got out of the business of running nominations and turned the process over to an independent body such as Elections Canada.”³⁸

As suggested at the outset, the governing norm of candidate selection has been that it is an internal party decision and accordingly it should be left to the parties to orchestrate the contests and set the rules governing them. This began to change ever so modestly in the 2004 election. Beginning with that election, there has been public regulation of the financing of nomination campaigns. This is a modest change, as the spending limit was set relatively high (at 20 per cent of the general election limit or approximately \$15,000) and evidence suggests that this impacts

on spending in only the most exceptional races as the vast majority of nomination candidates spend nowhere near this amount.³⁹ The general rule, however, that the parties organize these contests as they see fit, remains intact.

The legitimacy of this approach can be challenged on two grounds. The first is that candidate nomination is such an important part of Canadian democracy that it cannot be justifiably viewed as an internal matter of interest only to the parties. The second is that the parties either cannot or are not willing to effectively regulate these contests and ensure they are governed by generally acceptable democratic norms. The review of the current state of candidate nominations presented in this chapter supports both of these propositions.

The major parties themselves have begun to question the current norms of candidate selection. The Conservative party platform for the 2006 election includes the following pledge: “A Conservative government will: Ensure that party nomination and leadership races are conducted in a fair, transparent and democratic manner,” and will: “Prevent party leaders from appointing candidates without the democratic consent of local electoral district associations.”⁴⁰ The wording of this platform plank suggests that the government may be considering more public regulation of these contests.

At their 2005 national convention, the Liberals considered several changes to their nomination rules proposed by the party’s Ontario and Prince Edward Island wings. These included a prohibition on candidates being appointed by the leader, removing the right of the leader to prevent a party member from seeking a nomination, a uniform membership cut-off date of 90 days for eligibility to vote in a nomination contest, and a requirement that all members pay their own membership fees. The first three proposals were defeated at the convention while the fourth passed.

The most comprehensive proposal for reform of the candidate nomination process was made by the New Brunswick Commission on Legislative Democracy in 2005. The Commission

recognized that candidate nomination is an integral part of the province's democratic practice and reported that: "The Commission heard from New Brunswickers that there should be a standard set of rules to ensure that these contests are conducted in a fair, open and transparent manner."⁴¹ To accomplish this the Commission made a series of recommendations including: that all nominated candidates be chosen by a vote of local party members, that nomination voters be subject to the same eligibility requirements regarding citizenship and age as are general election voters, that there be a standard membership cut-off date of seven days prior to the nomination contest, that the maximum membership fee a party can charge be set at \$5, and that party leaders be required to certify that all local nominations are conducted in a fair and democratic manner.⁴²

Some may argue that more open, democratically inspired nomination contests may lead to a decline in the number of women and minority candidates nominated. There is little to support this argument. While some party leaders justify their meddling in nominations as a way of increasing the number of female candidates, the reality is that most of this central party meddling is done on the behalf of male candidates (most often incumbents and 'star' candidates). In addition, there is no systematic evidence that nomination voters will discriminate against women in democratically organized contests⁴³ (just as there is no evidence that voters discriminate against female candidates in general elections). The NDP example makes a strong case that the way for parties to increase their number of female candidates is through candidate recruitment and outreach in every constituency, and particularly in ridings where the party is competitive.⁴⁴ Women in the Liberal caucus were at the forefront in demanding regulation of the financing of nomination contests, and women MPs have been in the forefront of calls for greater democratization of the process to provide a more level playing ground among nomination candidates.

As observed at the outset, candidate nominations are key events in the life of every political party. As Schattschneider observed long ago, "the nominating process has become the crucial process of the party. He who can make the nominations is the owner of the party."⁴⁵ Similarly,

Ranney contends that what it is at stake in candidate nominations “is nothing less than control of the core of what the party stands for and does.”⁴⁶ It is precisely because the stakes are so high that the parties will never be able to appropriately regulate candidate nominations themselves. When control over the party is at stake, competing interests will utilize whatever resources are available to them to ensure that they emerge successful. If candidate nomination simply had implications internal to party organization that would be acceptable. However, because these contests significantly influence which groups and interests are represented in Parliament they serve a much broader democratic purpose. It is this broader democratic purpose that demands that candidate nomination processes not be subsumed by internal fighting between party factions nor that they be organized to serve the particular self interest of a political party. The time has come for full public regulation of these important democratic contests in a manner consistent with the standards set for general elections.

Notes

*Valuable fact finding and general detective work was provided by John Crysler. Thank you to the party operatives who provided insight on their nomination processes.

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1. See for example, Richard S. Katz, “The Problem of Candidate Selection and Models of Party Democracy,” *Party Politics* 7:3, 277-296 (2001); Michael Gallagher, “Introduction,” in Michael Gallagher and Michael Marsh (eds.), *Candidate Selection in Comparative Perspective: The Secret Garden of Politics* (London: Sage Publications, 1988); and Lars Bille, “Democratizing a Democratic Procedure: Myth of Reality?” *Party Politics* 7:3 (2001), 363-380.
 2. See André Blais, E. Gidengil, A. Dobryzynska and R. Nadeau, “Does the Local Candidate Matter? Candidate Effects in the Canadian Election of 2000,” *Canadian Journal of Political Science* 36 (2003), 657-64.
 3. David Xiao as quoted in “Three Scrappy Conservatives Fight for Edmonton-Centre Nomination” *The Edmonton Journal*, 5 May 2005, B3.
 4. Liam Weeks, “Explaining Voting for Independents Under STV Elections: the Irish Case,” presented at the Annual Meetings of the American Political Science Association, Chicago (2004).

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5. See Peter Aucoin and Lori Turnbull, "The Democratic Deficit: Paul Martin and Parliamentary Reform," *Canadian Public Administration* 46:4 (2003), 427-449.
 6. *Stand up for Canada: Conservative Party of Canada Federal Election Platform*, 44 (2006).
 7. See William Cross, "Members of Parliament, Voters and Democracy in the Canadian House of Commons," *Parliamentary Perspectives* v.3 (2000).
 8. See Susan Scarrow, "Parties Without Members? Party Organization in a Changing Electoral Environment," in Susan J. Pharr and Robert D. Putnam, eds., *Disaffected Democracies: What's Troubling the Trilateral Countries?* (Princeton, NJ: Princeton University Press, 2000), 129-156.
 9. William Cross and Lisa Young, "The Contours of Political Party Membership in Canada," *Party Politics* 10:4 (2004), 427-444.
 10. Lisa Young and William Cross, "Incentives to Membership in Canadian Political Parties," *Political Research Quarterly* 55:3 (2002), 547-569 .
 11. See, for example, R. K. Carty, "The Politics of Tecumseh Corners: Canadian Political Parties as Franchise Organization," *Canadian Journal of Political Science* 35:4 (2002), 723-745 .
 12. Belinda Stronach, elected as a Conservative in 2004, is included in the 121 Liberals renominated by Paul Martin for the 2006 election.
 13. There appear to be three motivations for Chrétien's appointments: to pave the way for star candidates, to modestly increase the number of female candidates, and to prevent the nomination of 'undesirable' candidates. See William Cross, "Grassroots Participation in Candidate Nominations," in Joanna Everitt and Brenda O'Neill, eds., *Citizen Politics: Research and Theory in Canadian Political Behaviour* (Toronto: Oxford University Press, 2002), 373 - 385.
 14. "Arranging for Ignatieff," *Globe and Mail* 29 Nov 2005, A20..
 15. Ibid.
 16. "Liberals Coy About Dumping Discepola for Astronaut Garneau," *Montreal Gazette*, 23 November 2005, A8. The party did nominate Garneau and he was defeated in the general election.
 17. The candidate information form is included as an appendix to the "National Rules for the Selection of Candidates for the Liberal Party of Canada," as amended 20 January 2004.
 18. R. K. Carty and Lynda Erickson, "Candidate Nomination in Canada's National Political Parties," in Herman Bakvis, ed., *Canadian Political Parties: Leaders, Candidates and Organization* (Toronto: Dundurn Press, 1991), 97-189, 120.
 19. Munroe Eagles, Harold Jensen, Anthony Sayers and Lisa Young, "Financing Federal Nomination Contests in Canada - An Overview of the 2004 Experience," presented at the 2005 meetings of the Canadian Political Science Association, London Ontario.
 20. William Cross, *Political Parties* (Vancouver: UBC Press, 2004).
 21. R. K. Carty and Lynda Erickson, "Candidate Nomination in Canada's National Political Parties," in Herman Bakvis, ed., *Canadian Political Parties: Leaders, Candidates and Organization* (Toronto: Dundurn Press, 1991), 97-189, 135.
 22. William Cross, "Grassroots Participation in Candidate Nominations," in Joanna Everitt and Brenda O'Neill, eds., *Citizen Politics: Research and Theory in Canadian Political Behaviour* (Toronto: Oxford University Press, 2002), 373-385, 380.
 23. Harold A. Scarrow, "Nomination and Local Party Organization in Canada: A Case Study," *Western Political Quarterly* 17 (1964), 55-62.

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24. William Cross, *Political Parties* (Vancouver: UBC Press, 2004), 66.
 25. Douglas Ward, "Religious Right Uses Its Clout," *Vancouver Sun*, 30 July 2005, C4.
 26. Gloria Galloway, "Christian Activists Capturing Tory Races," *Globe and Mail*, 27 May 2005, A1.
 27. Douglas Ward, "Religious Right Uses Its Clout," *Vancouver Sun*, 30 July 2005, C4.
 28. The 1993, 1997 and 2000 data come from William Cross, *Political Parties* (Vancouver: UBC Press, 2004); and the 2004 figures from Nikki Macdonald, "Women Beneath the Electoral Barrier," *Electoral Insight* (Ottawa: Elections Canada, January, 2005).
 29. Gloria Galloway, "Martin calls for 52 per cent Women MPs," *Globe and Mail*, 14 November 2003, A5.
 30. Mohammed Adam, "Men Need Not Apply in Ottawa West - Nepean Liberal Race," *Ottawa Citizen*, 28 June 2005, B1.
 31. Ibid.
 32. Transcript of Stephen Harper's 26 January 2006 news conference, transcript reviewed at www.ctv.ca website.
 33. "Nomination and Affirmative Action Policy," in "NDP Prospective Candidate Information Package, Election 2005/06," section A, 4-6.
 34. "NDP Prospective Candidate Information Package, Election 2005/06," section H, 18.
 35. John Gray, "Once More, Few Women, Fewer Minorities," CBC.ca Reality Check Team, 3 January 2006.
 36. These numbers are from Jerome H. Black, address to Canadian Study of Parliament Group Conference, 9 December 2005, Ottawa, ON.
 37. "Analysis of the Canadian Association of Former Parliamentarians Survey: The Political Nomination Process in Canada," 8 March 2005, (Ottawa), 2.
 38. Rudyard Griffiths, "Calling All Demagogues," *National Post*, 10 January 2006, A 15.
 39. Munroe Eagles, Harold Jensen, Anthony Sayers and Lisa Young, "Financing Federal Nomination Contests in Canada - An Overview of the 2004 Experience," presented at the 2005 meetings of the Canadian Political Science Association, London Ontario.
 40. "Stand up for Canada: Conservative Party of Canada Federal Election Platform, 2006," 44.
 41. *Final Report and Recommendations*, New Brunswick Commission on Legislative Democracy (2005), 80.
 42. Ibid, 83.
 43. See, for example, R. K. Carty and Lynda Erickson, "Candidate Nomination in Canada's National Political Parties," in Herman Bakvis, ed., *Canadian Political Parties: Leaders, Candidates and Organization* (Toronto: Dundurn Press, 1991) 146-47.
 44. This is consistent with the recommendation of the Royal Commission on Electoral Reform and Party Financing for the establishment of local candidate search committees mandated to encourage more women to seek party nominations.
 45. E. E. Schattschneider, *Party Government* ((New York: Rinehart, 1942), 101.
 46. Austin Ranney, "Candidate Selection," in David Butler, Howard Penniman and Austin Ranney, eds., *Democracy at the Polls* (Washington D.C.: American Enterprise Institute, 1981), 75-106, 103.