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Strengthening Canadian Democracy: The Views of Parliamentary Candidates

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Democracy*



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Summary

The democratic reform agenda has been driven by the recognition that many members of the general public in Canada are dissatisfied with aspects of the democratic regime. Any debate over democratic reform necessarily has to take into account the specifics of that dissatisfaction and how ordinary Canadians might regard proposals for change. These are the major reasons why surveys of the general population play a valuable role in deliberations about change.

But in order to gain a fuller comprehension of what ails and what may cure Canadian democracy, it is also important to take into account the sentiments and views of elites. This is the premise of Jerome H. Black and Bruce M. Hicks' study, which draws upon data from the 2004 Canadian Candidate Survey. This was a survey of candidates who ran for the Canadian Parliament in the June 28, 2004, general election. Included in the survey sample were candidates from the Bloc Québécois, the Conservative Party, the Green Party, the Liberal Party and the New Democratic Party.

The broadly based questionnaire delved into the backgrounds and political experience of the candidates and explored their views on a range of issues. In this study the authors focus on the candidates' overall levels of satisfaction with Canadian democracy and their opinions on the setting of election dates, the nomination process, the first-past-the-post system, proportional representation, the representation of women and visible minorities, free votes, party discipline and the power of Canada's courts. Their analysis has two main thrusts: one, an examination of the views of the candidates running for the five parties, by party affiliation; the other, a comparison of their views with those of the public at large, as captured in the Canadian Election Study of 2004 as well as in a survey conducted by Paul Howe and David Northrup for the IRPP in 2000.

With regard to the views of candidates, Black and Hicks find that they are inclined to favour many democratic reform proposals. A majority in all five parties agreed with having fixed election dates and more free votes. There was also significant support for other reforms, which varied according to the party. On the issue of altering the electoral system, there was considerable polarization, with the Green and the NDP candidates sharply in favour of proportional representation and the Bloc, Conservative and Liberal candidates adamantly against it. With reference to the underrepresentation of women and visible minorities, there were also noticeable differences, but they covered the full range of opinion. At one end of the spectrum were the Green and NDP candidates, who were most preoccupied with these representational gaps, while the Conservative candidates were at the opposite end of the spectrum, and Bloc and Liberal candidates fell in the middle.

This speaks to another clear pattern: where there were notable party differences, more often than not the Conservative candidates stood apart. For example, on the question of who should have the final say on the interpretation of the Constitution, only the Conservatives — overwhelmingly — thought that it should be Parliament, rather than the courts.

In comparing the views of the candidates with those of the general public, Black and Hicks offer two perspectives. One involves looking at which party has the most candidates on the same side as the general public; from this perspective, the NDP candidates were most frequently on-side with public opinion, followed by the Green and Bloc candidates. Looking at it from another perspective, since the public itself is often divided, one could identify the party that reflects similar divisions as being most in step with the public; from this vantage point, the Liberal Party was favoured. From either perspective, however, Conservative candidates were least likely to be in accord with the views of the public.

At the same time, the candidates of all the parties favoured, one way or another, some change to Canada's process, system and institutions of governance. This is the larger message Black and Hicks convey: their examination of the views of political elites provides additional evidence of the desire to reform Canadian democracy.

Résumé

L'insatisfaction du grand public face à certains aspects de notre régime démocratique a été un des principaux moteurs alimentant les projets de réforme démocratique. Tout débat sur la question doit donc tenir compte de cette insatisfaction et de l'avis des citoyens sur les diverses propositions de changement, d'où l'utilité des sondages d'opinion.

Mais pour mieux comprendre ce dont souffre notre démocratie et ce qui pourrait en améliorer le fonctionnement, il est tout aussi important de connaître le point de vue des élites. Telle est la prémisse de cette étude dans laquelle Jerome H. Black et Bruce M. Hicks examinent les résultats d'un sondage mené auprès des candidats aux élections canadiennes du 28 juin 2004. L'échantillon comprend des candidats du Bloc québécois, du Parti conservateur, du Parti vert, du Parti libéral et du Nouveau Parti démocratique qui ont répondu à un questionnaire exhaustif permettant de connaître leurs antécédents professionnels et leur expérience politique, de même que leurs points de vue sur une variété de questions.

Les auteurs présentent d'abord les résultats sur la satisfaction globale des répondants à l'égard de la démocratie canadienne et sur ce qu'ils pensent des scrutins à date fixe, du processus de mise en candidature, du système majoritaire uninominal, de la représentation proportionnelle, de la représentation des femmes et des minorités visibles, des votes libres, de la discipline de parti et du pouvoir des tribunaux. Puis ils analysent l'opinion des candidats selon leur appartenance politique et comparent leurs points de vue à ceux du grand public tels qu'ils sont exprimés dans l'Étude électorale canadienne de 2004 et dans le sondage mené en 2000 pour l'IRPP par Paul Howe et David Northrup.

Les auteurs constatent d'abord que les candidats appuient de nombreuses propositions de réforme. Tous partis confondus, une majorité d'entre eux se disent ainsi en faveur des scrutins à date fixe et des votes libres. Mais l'appui aux autres réformes varie selon les partis. La modification du système électoral suscite par exemple une forte polarisation, les candidats verts et néo-démocrates se prononçant clairement pour la représentation proportionnelle tandis que les bloquistes, les conservateurs et les libéraux s'y opposent catégoriquement. La sous-représentation des femmes et des minorités visibles suscite aussi des réactions variables : elle préoccupe fortement les candidats verts et néo-démocrates, modérément les bloquistes et les libéraux, et peu les conservateurs.

Les résultats du sondage révèlent un autre schéma : les conservateurs font presque toujours bande à part lorsque d'importants écarts séparent les partis. S'agissant par exemple du pouvoir d'interpréter la Constitution, ils sont seuls à

considérer — à une écrasante majorité — que ce pouvoir revient au Parlement plutôt qu'aux tribunaux.

Pour comparer les points de vue des candidats à ceux de la population, les auteurs utilisent deux approches. Selon la première, qui consiste à déterminer le parti totalisant le plus grand nombre de candidats du même avis que le grand public, les néo-démocrates arrivent en tête, suivis des verts et des bloquistes. La seconde approche inverse la perspective en tenant compte d'une opinion publique elle-même divisée, et le Parti libéral, où existent des divisions semblables à celles de la population, arrive alors bon premier. Mais suivant l'une et l'autre approche, les candidats conservateurs restent les moins susceptibles d'être du même avis que le grand public.

Sous différentes formes, les candidats de tous les partis n'en appuient pas moins certains changements à nos processus, systèmes et institutions de gouvernance. En ce sens, concluent Black et Hicks, l'analyse des points de vue de nos élites politiques apporte une confirmation supplémentaire du besoin de réformer la démocratie canadienne.

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Introduction

The Strengthening Canadian Democracy research program, established by the IRPP in 1999, included an essential examination of the views of ordinary Canadians concerning their basic institutions of governance. That information was compiled in the context of a national survey carried out in the first quarter of 2000 and provided the basis for Paul Howe and David Northrup's *Policy Matters* study in July of that year. The study, appropriately titled "Strengthening Canadian Democracy: The Views of Canadians," contained survey data and authors' analysis that helped to inform debate on everything from electoral reform to the balance of power between the judiciary and the legislatures (2000).

One of the stated objectives of sampling public opinion in the study was to attempt to gauge the vitality of Canada's political system and to help explain democratic discontent (and perhaps even provide solutions). By querying Canadians about their electoral system, their political parties and their institutions and practices, it was suggested that not only could the health of Canadian democracy be assessed, but proposals to address any infirmities could be developed.

The same suggestion is offered in connection with the present report on a survey of an important category of political elites — those men and women who participate in the electoral process as candidates for national legislative office. To examine their opinions is to focus on individuals who have first-hand knowledge of the electoral system, political parties and institutions of governance. These are people who have asked their fellow Canadians to send them to Parliament in Ottawa, thinking either that their views most accurately represent those of their communities or that the changes they want to bring about are in the best interests of their communities and the country.

This contribution should complement and extend the existing body of research that aims at informing ongoing discussions about democracy in Canada. The information presented here is taken from the 2004 Canadian Candidate Survey, which was done out of McGill University.¹ In particular, the survey probed the opinions of those who ran in federal ridings in the general election that took place on June 28, 2004. Our target population included members of the four federal political parties that fielded candidates in all 308 ridings — that is, the Conservatives, Greens, Liberals and NDP — as well as the Bloc Québécois, which contested the 75 seats in Quebec.²

The survey had an overall response rate of about 44 percent, which is not an insignificant achievement for a national-level survey of political elites based on a self-administered questionnaire. Since that election was held during a compressed period, it was decided not to ask candidates to fill out a substantial

questionnaire (approximately 10 pages) in the midst of the campaign. Rather, initial contact was made with candidates during the election period, but requested participation was limited to answering a short biographical questionnaire, providing written consent (for ethics purposes) and, importantly, supplying post-election contact information that would allow for the subsequent delivery of the main questionnaire. The main questionnaire was sent out to candidates in the fall; and an on-line Web-based version was provided as an alternative. A multi-pronged approach aimed at getting candidates to complete the questionnaire, either via the Internet or in hard-copy form, was undertaken using mail, e-mail, telephone and the assistance of the five political parties.³

The main questionnaire was divided into five sections, covering political background, experience with candidate selection, views about representation and members of Parliament, positions on social and political issues, and personal background. The survey was carried out with a variety of goals in mind and not just to deal with dimensions associated with the Strengthening Canadian Democracy research agenda. Still, many of the issues raised through that series were covered in our research, and in several instances we purposefully employed questions identical to those posed in the Howe and Northrup survey. Our intent was to provide some basis for comparing the views of candidates with those of the general population. We also emulated relevant questions that were framed in the 2004 Canadian Election Study, conducted by Blais, Everitt, Fournier, Gidengil and Nevitte.⁴ The 2004 survey used some questions that were not asked in the Howe and Northrup survey; but it was useful when it came to standardizing the time frame for comparing elite- and mass-level views. Thus, the following analysis employs both studies of the general population.

The report is also laid out in a manner similar to Howe and Northrup's *Policy Matters* paper, though the list of topics covered here is less extensive. Overall satisfaction with Canadian democracy is examined first; then, under the broad rubric of elections and representation, we consider the setting of election dates, the nomination process, the first-past-the-post electoral system, proportional representation, the representation of women and visible minorities, and free votes and party discipline; finally, we examine the power of Canada's courts.

By way of introduction, the following section provides a bit more information about response rates and more generally justifies an approach that examines the results broken down by party affiliation. Stratifying by party adds another important dimension to the analysis, as it allows for some commentary on the relative congruency between the views expressed by the different candidate teams and those found among the Canadian population as a whole. This is possible with most of the topics considered in the analysis.

Methodology and Response Rate

There are two significant and general reasons to consider patterns of candidate response exclusively in the context of party distinctions. First of all, self-selection processes can ordinarily be expected to drive politically active individuals, such as office-seekers, toward the party with which they already share an ideological — or, at least, a general — orientation. The standing expectation, then, is that candidates within the same party will tend to have similar outlooks and that they differ from the views of those in other parties; in other words, the biggest source of variation will be evident on an interparty basis. Reinforcing this approach, as a pragmatic matter, is the simple fact that the party differences in many of the areas of democratic reform considered here are quite well known. For instance, it is strongly anticipated that NDP and Green candidates will be most in favour of electoral reform, particularly the idea of altering the current system to incorporate elements of proportional representation. As another example, it is also expected that Conservative candidates will be predisposed to favour the exercise of parliamentary over judicial power.

A second broad reason for emphasizing data patterns based on party differences stems from the variable response rates across the party teams. As table 1 shows, the overall response rate of 44.1 ($n = 577$) masks a fair amount of variation. At one end were the Green candidates, who were most likely to participate in the survey (58.4 percent), while at the other end were the Bloc candidates, who were least likely to take part (28 percent). After the Greens, NDP candidates were most apt to participate in the research project, and nearly half did so (47.1 percent). In between them were the Conservatives and the Liberals (38 percent of candidates for the former responded to the survey, and 37 percent of candidates

Table 1
Response Rates of Candidates, by Party

	Number of candidates	Number of responses		Response rate (%)
		Internet	Mail	
Bloc	75	3	18	28.0
Conservative	308	24	93	38.0
Green	308	85	95	58.4
Liberal	308	19	95	37.0
NDP	308	32	113	47.1
Total	1,307	163	414	44.1

Source: Canadian Candidate Survey (2004).

for the latter). Given this unevenness in participation rates, a simple combining of candidate responses would produce misleading summary results, since the views of the Greens and the NDP would be disproportionately counted.

Table 1 also suggests how the electronic Web-based option contributed to higher return rates. Altogether, 163 individuals — 12.5 percent of all candidates — availed themselves of the Internet-based version of the survey. More importantly, over a quarter (28.2 percent) of those who participated in the project did so this way. No doubt a subset of these individuals would still have participated by mailing back a hard copy of the questionnaire, but we got the impression that many would not have done so. In fact, an early request from a significant number of candidates for an alternative to mailing led us to provide for an electronic response. Not surprisingly, the Greens were especially insistent in this regard, and, indeed, nearly half the party's candidates — 85 of the 180 who responded — used the paperless option; Green candidates also constituted slightly more than half the 163 who participated through the Internet. At the same time, it is true that Green candidates did not universally select this alternative, and candidates from all five parties, in varying proportions, took advantage of the Internet-response option.

Overall Satisfaction

Howe and Northrup used as their starting point a consideration of ordinary Canadians' summary views about democracy, government and politics, something entirely appropriate in a study aimed at gauging the health of Canadian democracy. In response to the key question asked in their survey, "On the whole, are you very satisfied, fairly satisfied, not very satisfied or not at all satisfied with the way that democracy works in Canada?" 71 percent of Canadians indicated that they were very (11 percent) or fairly (60 percent) satisfied. Such figures do not suggest wholesale national discontent with the democratic process, and the two authors quite rightly caution against overstating "the magnitude of the problem" (Howe and Northrup 2000, 6). Of course, at the same time, it would be wrong to characterize these response levels as indicative of wild enthusiasm.

This point of departure may be less compelling when we take into account how those running for Parliament might assess the overall functioning of Canadian democracy. On the one hand, it might be argued that candidates have a certain level of trust and investment in the democratic system. Unlike a rising number of Canadians who are reluctant even to vote, these men and women are willing to engage in the process to achieve change (or, at the very least, to attain

the responsibility of public office). Moreover, many of these candidates reported histories of political involvement at various levels — such as working on previous campaigns, holding party positions or being elected to other public positions. This level of engagement implies that these office-seekers would be distinctive in having higher-than-average levels of satisfaction with Canadian democracy.

On the other hand, this is a survey of candidates following an election in which several contestants were vying for each position. There were inevitably winners and losers, and, by definition, there were many more of the latter. With the election fresh in their minds, many candidates could well have been influenced in their views of Canadian democracy by their runner-up experiences.

Candidates were asked the same satisfaction-with-democracy question that Howe and Northrup used. Table 2 reports the responses differentiated by party affiliation. The variation across party lines is vivid. The extraordinarily high levels of dissatisfaction among NDP and Green candidates are especially striking. Two-thirds of the former and 86 percent of the latter revealed that they were either not very satisfied or not at all satisfied. Liberal candidates located themselves at the other end of the spectrum, with 93 percent reporting some degree of satisfaction. Bloc and Conservative candidates occupied the middle ground, with near identical percentages (approximately two of every three reported being satisfied).

In reality, the relatively high levels of dissatisfaction voiced by NDP and Green candidates are likely driven by other considerations besides their recent negative personal experiences with electoral democracy. Quite apart from the nature and philosophy of individuals who choose these parties as vehicles for change, both parties had much to complain about in the 2004 election (from the Greens' exclusion from the leaders' debates to the Liberals' last-minute targeting of NDP supporters in their "stop the Conservatives" appeal); moreover, both parties have a protest dimension to them, which, when combined with their respective (partially

Table 2
Candidates' Satisfaction with Democracy, by Party (%)

	Very satisfied	Fairly satisfied	Not very satisfied	Not at all satisfied
Bloc	14	52	24	10
Conservative	13	53	28	5
Green	2	13	55	31
Liberal	22	70	8	0
NDP	4	31	51	15
<i>n</i> = 566				

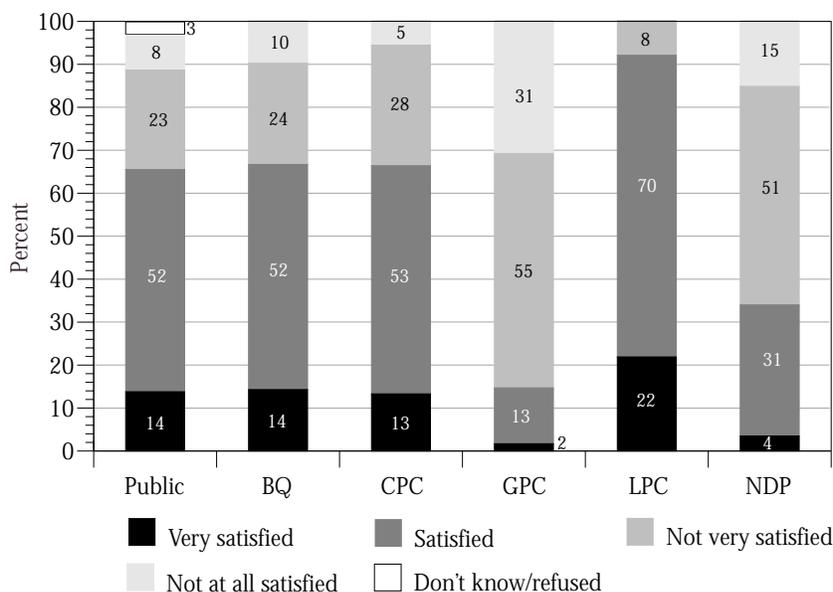
Source: Canadian Candidate Survey (2004).
Note: Figures may not add to 100 due to rounding.

overlapping) ideologies, indicates ongoing frustration and disenchantment. And dislike of the first-past-the-post electoral system was probably uppermost in the minds of large numbers of candidates in both parties as they communicated how they felt about Canadian democracy (an issue we will examine later).

Similarly, the Liberal candidates' high levels of satisfaction with the way Canadian democracy functions likely involves more than electoral success, since satisfaction was not limited to winning candidates; after all, the election barely returned the Liberals to a minority government. What it may reflect is the sort of person who runs for the Liberal Party: someone who believes in the system and believes that he or she can make a difference from the inside. As well, many probably equate the party (as the recurring incumbent party) with Canadian governance itself.

Figure 1 displays the party distributions in the form of bar graphs and juxtaposes them against responses to the same question asked in the 2004 Canadian Election Study. Most members of the general public polled following the election indicated that they were satisfied with the way democracy works; in particular, 66 percent voiced some degree of satisfaction (with 14 percent reporting that

Figure 1
The Public's versus Candidates' Satisfaction with Democracy



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
Note: n = public: 3,138; candidates: 556. Figures may not add to 100 due to rounding.

they were very satisfied and 42 percent fairly satisfied). The fact that this figure is marginally below the 71 percent reported by Howe and Northrup may not necessarily index attenuation in satisfaction over the four-year time span. It might reflect the difference in surveying the public outside and inside the context of an election, the outcome of which will necessarily make many people unhappy. In this vein, note that Howe and Northrup pointed out that the satisfaction levels associated with the 1993 and 1997 elections were 66 percent and 58 percent, respectively (Howe and Northrup 2000, 6).

The comparisons between the general public's response and that of the candidates indicate that the Bloc Québécois and the Conservative candidates are most in line with the public, being largely satisfied but not entirely so. The Green candidates' high levels of dissatisfaction put them most at odds with public sentiment, which is also true (to a slightly lesser extent) for NDP contestants. The Liberal candidates were equally distinctive, but in the other direction, as they had the most candidates who were positively inclined toward Canadian democracy at a level significantly beyond that reported by the general population.

Elections and Representation

What provides Canadians with the *demos* dimension of democracy is consultation at the time of election. This is the cornerstone of the democratic system. It gives the system its legitimacy and gives the government such things as direction, mandate and even reward and punishment.

Because of its import, and perhaps because the system in place in Canada evolved as opposed to having been designed, electoral reform has been a preoccupation for many decades. During the year of this study, no fewer than four provinces held broad public consultations on electoral reform, and the issue of how Parliament is elected was an item during the 2004 federal election.

Candidates have intimate knowledge of the electoral system. They have experienced the process first hand. As well, many cut their teeth working on other campaigns or running for other positions. The one thing they know is elections — even if they do not all know how to win them.

Setting election dates

Under the current system, the election date is set by the prime minister, with the only constitutional limitation being that one must be held no later than five years after the last one.⁵ Sometimes, an election is triggered by a loss of confidence by the House of Commons, but more often than not it is simply the result

of public opinion polls that put the PM's chances of winning a majority of Commons seats in a favourable light.

This governing-party advantage is the central complaint that reformers make: flexible-date elections are inherently unfair to opposition parties, because the opposition is forced to operate in an environment of uncertainty and cannot do the necessary planning. The claim is also made that the government's upper hand prompts cynicism among the general public, because people tend to view the government's approach as manipulative and opportunistic.

Desserud points out that an argument in favour of establishing fixed-date elections is that some savings to the public purse may be involved, since predictable elections can be administered more efficiently (Desserud 2005). However, he does caution against moving from the status quo without a full understanding of how fixed-date elections interact with, and potentially undermine, the principle of responsible government (50-1). Another often-cited risk is that parties and candidates would start their (unofficial) campaigns much earlier; in this regard, American practice, with its long campaigns and accompanying high expenditures, is cited as a negative point of reference. Milner has examined these sorts of arguments and concludes that the benefits of moving to fixed-date elections are greater than the costs (2005).⁶

We asked candidates, "Do you think that there should be a fixed date for federal elections?" Candidates from all parties, save the Liberals, were overwhelmingly in favour; and, indeed, for the Bloc, Conservative and Green candidates, the levels of support for such change range from 90 to 92 percent; and a still-substantial 75 percent of NDP candidates wanted fixed dates (table 3). The reason for this, no doubt, is their desire to take the planning advantage away from the incumbent Liberals. Corroboration for this perspective was obtained when we asked candidates an open-ended question about what changes they

Table 3
Candidates' Views on Whether We Should Have Fixed Election Dates, by Party (%)

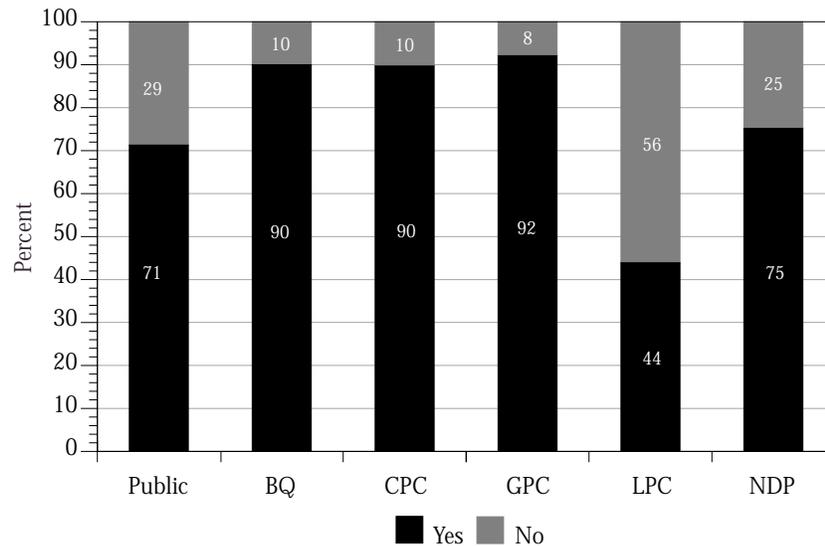
	No	Yes
Bloc	10	90
Conservative	10	90
Green	8	92
Liberal	56	44
NDP	25	75
<i>n</i> = 552		

Source: Canadian Candidate Survey (2004).
 Note: Figures may not add to 100 due to rounding.

would like to see made to the nomination process; the largest single category of response involved issues such as notice and time to properly launch a serious bid (specific data are not shown).

Correspondingly, the fact that a majority of Liberal candidates opposed the idea of fixed elections is not surprising. After all, the Liberals have held power in the federal Parliament for more time than any other political party during the last 100 years, giving the Liberal PM the home court advantage. It is interesting to note that the Liberals were not overwhelmingly opposed to a fixed election date and, indeed, 44 percent of the party's standard-bearers favoured a set date. This indicates that the ability of the PM to call an election is not something that a substantial minority of candidates on the hustings believe is in their own personal interest. After all, the PM calls the election when he or she thinks the party can avail itself of an opportunity to win a majority of seats, without necessarily taking into account how subsets of the party's candidates might fare; often, gains in one region come at the expense of other regions. Moreover, the date of the election is the most closely guarded secret in Ottawa, and it usually takes all candidates from all parties (at times, even the PM's own cabinet) by surprise. Clearly, not all candidates see the benefits of letting the PM call the election whenever he or she sees fit.

Figure 2
The Public's versus Candidates' Views on Whether We Should Have Fixed Election Dates



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
Note: n = public: 1,645; candidates: 552. Figures may not add to 100 due to rounding.

In their 2000 survey, Howe and Northrup found that the public preferred a set date over letting the government decide the timing of an election, and it did so by a two-to-one margin.⁷ Figure 2 takes into account the responses of the population surveyed in the 2004 Canadian Election Study, in which the question matched the one asked of candidates. The bar indexes the fact that a large majority of the public — 71 percent — was positively disposed toward a change. This puts the NDP candidates most closely in line with public opinion and the Liberal candidates most at odds. In short, a majority of the public and most legislative office-seekers want to have fixed election dates.

The nomination process

As we have already mentioned, dissatisfaction with the current system of flexible-date elections is suggested by the fact that some candidates, when asked about the nomination process, raised concerns about having insufficient time to prepare. However, when asked, “Who should organize candidate selection contests in the local ridings — political parties or Elections Canada?” candidates overwhelmingly replied that control should stay in the hands of the political parties.

Unlike responses to other questions, the responses to this one were fairly uniform. The percentages in support of party control range from 78 for the Greens to 100 for the Bloc. The unanimity among Bloc candidates in support of maintaining party control is, perhaps, not surprising. Not wanting to let Elections Canada organize the nomination process could be rooted in sovereignty concerns; the party would naturally resist having a federal agency regulate its internal affairs. The relatively greater support for Elections Canada on the part of Green candidates might reflect a greater degree of trust in independent agencies and a natural opposition to the way that the mainstream parties have functioned.

A larger point is that even when we control for whether a candidate had to face a nomination selection contest or was appointed/acclaimed, we still find overwhelming support for leaving the nomination process in the hands of the political parties (table 4). Selection experiences do not seem to have much bearing on the way the Conservative and NDP candidates responded. There is a modest difference for Liberal candidates: of those who won their nomination contests, 80 percent supported party management of the nomination process; of those who were acclaimed/appointed, the figure is 91 percent. It is particularly noticeable that the lowest level of support for party control (60 percent) is among the Green Party candidates who won their nomination contests. This may reflect the problems that the party, as a relatively new entity seeking to establish itself nationally, had in running nomination meetings.

Table 4
Candidates' Support for Political Parties' Management of the Nomination Process, by Party (%)

	Won in nomination meeting¹	Was acclaimed or was appointed by party²
Bloc	100	100
Conservative	86	88
Green	60	80
Liberal	80	91
NDP	89	90
<i>n</i> = 549		

Source: Canadian Candidate Survey (2004).

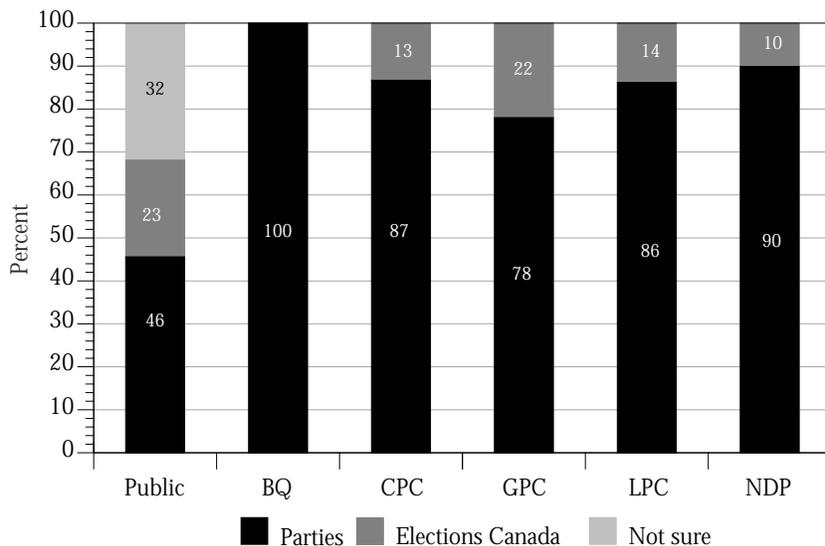
¹ *n* = BQ: 3; CPC: 63; GPC: 20; LPC: 49; NDP: 46.

² *n* = BQ: 17; CPC: 49; GPC: 151; LPC: 58; NDP: 93.

It is worth keeping in mind that this is a survey of candidates who were ultimately selected as their parties' standard-bearers — people who benefited from the existing system, rules and management. Therefore, the tendency for some candidates who faced a nomination battle to want Elections Canada to organize the process rather than their own parties may be significant. Alternatively put, if almost 20 percent of the people who won their nomination battles want the system to be taken out of the hands of their respective parties, then the issue of the fairness of the nomination process warrants further study. Still, as a practical matter, given the position of the Bloc and the strong support of candidates from the other parties, it is unlikely that management of the nomination process will be taken out of the parties' hands any time soon.

In turning to consider public sentiment, we see that many people do not have an opinion on the nomination process since it is an element of the electoral process that receives less sustained attention from the media and thus is probably less visible to the average citizen than other aspects of the electoral process. The 2004 Canadian Election Study did pose the same question asked of the candidates, but it combined the responses of those who indicated that they were not sure with those who indicated that *both* Elections Canada and the parties should organize candidate selection contests — it is likely that a large proportion of the 32 percent in that combined category were simply uncertain about the process. That said, figure 3 does show that more members of the public lean toward leaving the nomination process in the parties' hands (46 percent) than favour having Elections Canada take over the process (23 percent). While the sentiments of the general population point in the same direction as the views of candidates, the spread in wanting party control over management by Elections Canada is

Figure 3
The Public's versus Candidates' Views on Who Should Manage the Nomination Process



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 1,651; candidates: 554. Figures may not add to 100 due to rounding.

noticeably less — by a two-to-one rather than a four-to-one margin. Public sentiment is most closely aligned with Green Party candidates.

The first-past-the-post electoral system

Canada's electoral system has long been the focus of attention and debate.⁸ What has particularly drawn commentary over the years is the tendency of the first-past-the-post (or single-member plurality district) system to allow the winning party to gain more seats relative to its share of the vote; in fact, this over-rewarding usually allows the party to capture a majority of seats in Parliament without getting a majority of the popular vote. At the same time, these surpluses come at the expense of some of its competitors, particularly third parties that are not regionally based; and, alternatively, regionally based third parties can gain advantages over their national competitors.

However, the fact that the current system produces these artificial majorities is exactly what supporters point to as its chief virtue. One-party majority governments bring government stability, longer tenability and thus predictability — features that are strongly valued by proponents. For critics, however, the

greater preoccupation is fairness, because of the slippage that occurs when votes are translated into seats. The process is regarded as unfair to those voters who have cast their ballots for losing parties and unfair to those parties that fail to receive their due share of seats.

Howe and Northrup found more critics than supporters of the status quo when they looked at the Canadian public; and, indeed, they discerned a modest increase in the number of critics in 2000 compared to a study undertaken in 1990 for the Royal Commission on Electoral Reform and Party Financing (Lortie Commission). The question, common to both surveys, was: "Under our present system a party can win a majority of seats without winning a majority of the votes. Do you find this acceptable, unacceptable or do you not have an opinion on this?" In the earlier survey, 27 percent of the respondents said that such a state of affairs was acceptable, 39 percent said that it was unacceptable, while 34 percent indicated that they were unsure. Ten years later, the percentages were 23, 49 and 29, respectively. In the words of the two authors, "Canadians today are more likely to have an opinion on this issue and that opinion is more likely to be negative" (Howe and Northrup 2000, 14).

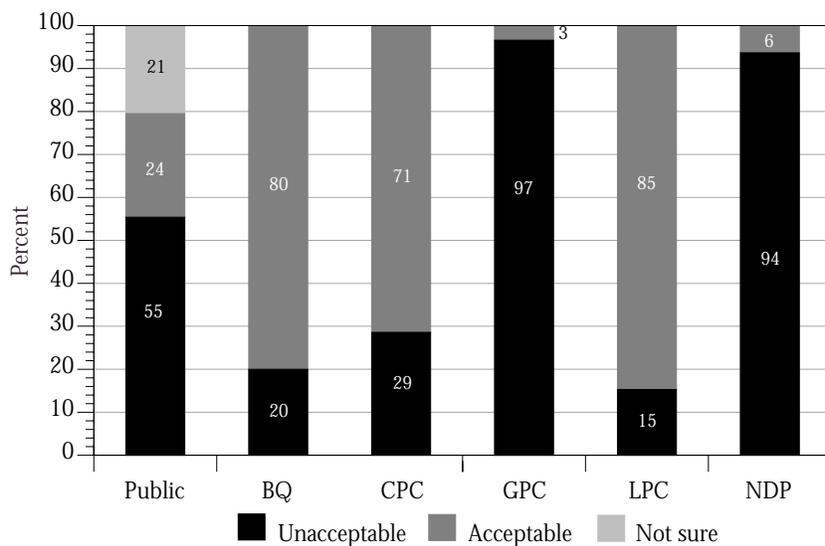
The same question was posed in the candidate survey, the results of which are set out in table 5. Candidate views on the current electoral system are divided sharply along party lines, with Bloc, Conservative and Liberal candidates (80, 71 and 85 percent, respectively) overwhelmingly accepting a system that allows a party to form the government without getting a majority of votes, and Green and NDP candidates emphatically finding it unacceptable (97 and 94 percent, respectively). In the case of the Conservatives and Liberals, candidates clearly see the merits of a system that has given them power in the past. While the Bloc has not formed and cannot form a government, since it fields candidates only from Quebec, it has nevertheless been winning a majority of seats in that province and has formed the official opposition under the first-past-the-post system. The fact

Table 5
Candidates' Views on the First-past-the-Post Electoral System, by Party (%)

	Acceptable	Unacceptable
Bloc	80	20
Conservative	71	29
Green	3	97
Liberal	85	15
NDP	6	94
<i>n</i> = 566		

Source: Canadian Candidate Survey (2004).

Figure 4
The Public's versus Candidates' Views on the First-past-the-Post Electoral System



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 1,657; candidates: 566. Figures may not add to 100 due to rounding.

that the NDP has not formed a government at the federal level and the Green Party has yet to elect a member of Parliament no doubt strongly influences their views, though we should note that the NDP has formed provincial governments under the single-member plurality district system, so its objections to the current system may not be prompted exclusively by how that system impacts on the party's electoral success but rather includes arguments of principle.

The investigators of the 2004 Canadian Election Study also employed the same question, thus providing the basis for the comparisons shown in figure 4. A majority of the population — 55 percent — found it unacceptable that a party could win a majority of seats in Parliament without winning a majority of the votes, while only 24 percent regarded this arrangement as acceptable (with 21 percent uncertain). While the public is far from unanimous on this score, sentiment leans more toward the position taken by candidates from the NDP and the Green Party than toward that of those who ran for the other parties. The general population data also provide evidence of growing disenchantment: four years after Howe and Northrup's survey, there has been a six-point increase in the percentage finding the current system unacceptable.⁹

Proportional representation

The system most often proposed as an alternative to the first-past-the-post system, currently used by Canada, is proportional representation (PR) — in some form, whether pure or mixed. We asked candidates how strongly they agreed or disagreed with the statement that “a party that gets 10% of the vote should get 10% of the seats” (table 6).

Once again, the opinion on the basic precept of proportional representation breaks down strikingly along party lines, with Bloc, Conservative and Liberal candidates opposing PR, and the Liberals being the most opposed. In particular, fully 87 percent of the candidates running for the Liberals, the party that has most benefited from the first-past-the-post system, disagreed with the idea of parity between votes and seats (with 63 percent disagreeing and 24 percent strongly disagreeing). Bloc and Conservative candidates were somewhat less negative, but overwhelming majorities (76 and 72 percent, respectively) still voiced disagreement with the statement about proportionality. Not surprisingly, the NDP and the Greens were the most supportive of the idea. Among NDP candidates, 69 percent indicated strong agreement with the statement and another 27 percent voiced agreement (for a total of 96 percent). Green candidates as a group were even more adamant: 84 percent agreed strongly, and overall 98 percent were positive.

Members of the general public were also divided over proportionality, though more agreed than disagreed with the statement that a party that obtains a tenth of the vote should receive a tenth of the seats (figure 5). Specifically, in the 2004 Canadian Election Study, 45 percent of those surveyed agreed (10 percent strongly) with the question's premise, while 36 indicated disagreement with it (8 percent strongly); a further 19 percent indicated that they were not sure. This division is not reflected closely in any of the parties, but the overall positive sentiment toward proportionality among the population lines up more with the Greens and (especially) the NDP than with the three other parties.

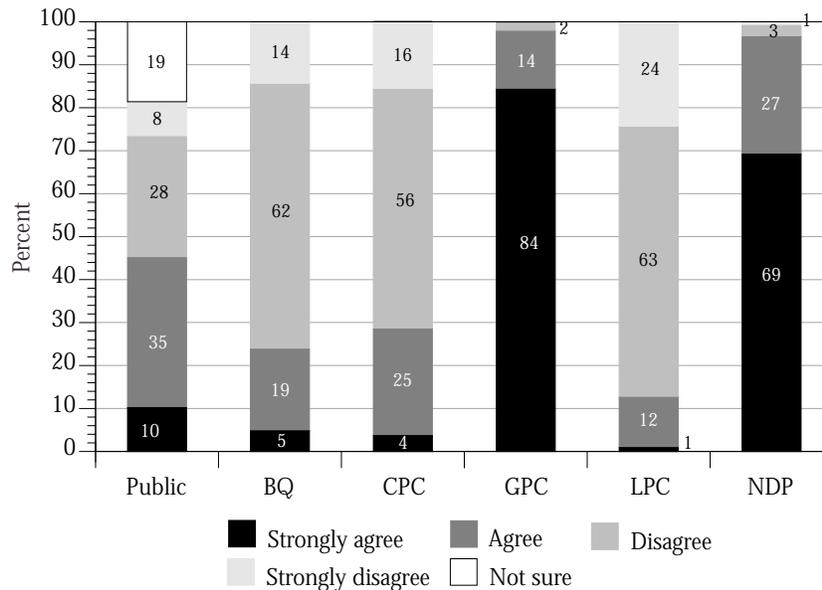
Table 6
Candidates' Views on Proportional Representation, by Party (%)

	Strongly agree	Agree	Disagree	Strongly disagree
Bloc	5	19	62	14
Conservative	4	25	56	16
Green	84	14	2	0
Liberal	1	12	63	24
NDP	69	27	3	1
<i>n</i> = 562				

Source: Canadian Candidate Survey (2004).

Note: Figures may not add to 100 due to rounding.

Figure 5
The Public's versus Candidates' Views on Proportional Representation



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 1,661; candidates: 562. Figures may not add to 100 due to rounding.

Representation

Most people believe that representation should not be exclusive to one group (specifically, white males, who historically and currently form the majority), though there is frequent dispute over whether representation needs to perfectly reflect society as a whole. There are also debates about the sorts of remedial actions that should be taken to address imbalances in representation.¹⁰ The 2004 Canadian Candidate Survey covered a lot of ground related to traditionally underrepresented social groups, especially women and visible minorities, and thus it is a rich data set. Much of that research is still in the preliminary stages and will be examined more fully in upcoming papers (and a subsequent book), but the material presented here includes initial observations about representation with regard to these two important social categories.

Candidates were asked whether they thought it was a serious problem “that there are many more men than women in the House of Commons.” As was the case with responses to many other questions in the study, responses to this question varied sharply by party affiliation (see table 7). NDP and Green candidates were

Table 7
Candidates' Views on the Underrepresentation of Women in the House of Commons, by Party (%)

	Very serious problem	Serious problem	Not a very serious problem	Not a problem at all
Bloc	14	48	33	5
Conservative	1	24	51	24
Green	37	44	15	5
Liberal	13	44	40	3
NDP	44	39	14	4
<i>n</i> = 570				

Source: Canadian Candidate Survey (2004).

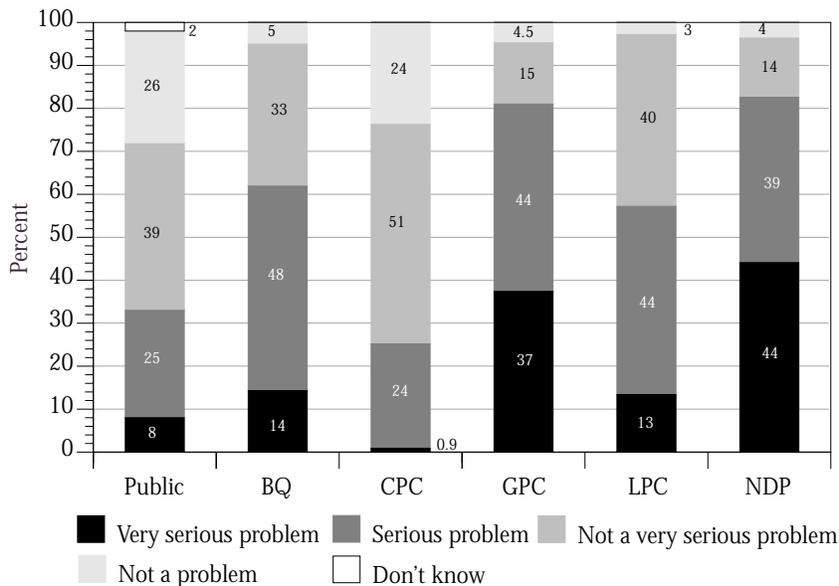
Note: Figures may not add to 100 due to rounding.

concerned about the lack of women representatives (about 8 of every 10 candidates from both parties thought it was a problem), with the NDP candidates holding stronger views on the subject (44 percent of them thought it was a very serious problem). At the other end of the spectrum were the Conservatives, the majority of whom (75 percent) thought that the lack of women in the Commons was not a problem; in particular, 51 percent thought it was not a serious problem, and 24 percent expressed the view that it was not a problem at all. This clearly reflects an individualistic view of representation that is predominant in the party, particularly in the larger premerger Canadian Alliance component — a view that accords little legitimacy to the idea that Parliament should reflect the major social groupings in society.

The 2004 Canadian Election Study did not ask the question about the underrepresentation of women, but the Strengthening Canadian Democracy Survey did. Figure 6 takes into account the responses given by Canadians in that 2000 survey. Only 33 percent of the general population regarded the underrepresentation of women in Parliament as a problem, of which 8 percent thought it was a very serious problem. On the other side, 39 percent indicated that it was not a serious problem, and 26 percent indicated that it was not a problem at all. It would appear, then, that Canadians are not overwhelmingly concerned about this state of affairs, and in this regard the closest fit is with the Conservative Party.

Given that public opinion may be shifting on this issue, and in order to standardize the time frame for comparing candidate responses and public sentiments, we turned to a somewhat different question about women and representation, which was posed in both the 2004 Canadian Candidate Survey and the 2004 Canadian Election Study. Respondents at both levels were asked if they agreed or disagreed with the statement that the “best way to protect women’s interests is to have more women in Parliament.” The first bar in figure 7 suggests

Figure 6
The Public's versus Candidates' Views on the Underrepresentation of Women in the House of Commons



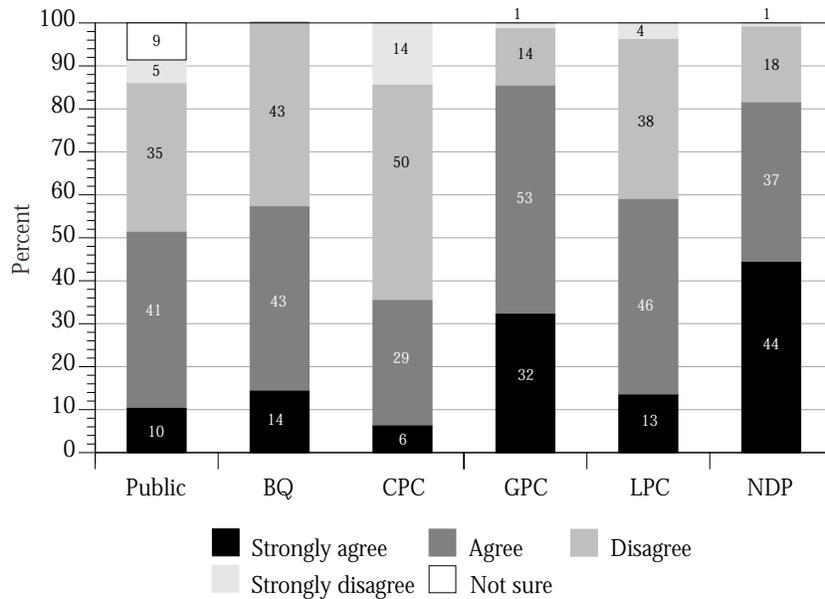
Sources: Public: Howe and Northrup (2000); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 659; candidates: 570. Figures may not add to 100 due to rounding.

some positive public sentiment for the basic premise of group-based representation — namely, that women MPs are more likely to provide effective representation for women. In fact, a small majority of Canadians — 51 percent — felt that women legislators (MPs) are best positioned to look after the interests of women.

As is evident, the Green Party and the NDP had the most candidates who agreed with the proposition about more women in Parliament — at 85 and 81 percent, respectively (the NDP had more candidates who felt strongly about the issue, at 44 percent). The divisions on this issue within the Canadian public were most strongly reflected in the Liberal Party and the Bloc Québécois, with a slight majority of their candidates — 59 and 57 percent, respectively — expressing the need for women to be represented in Parliament. Using this measure, we see that the views of the Conservative candidates were the most at odds with the public; a decisive majority of 64 percent disagreed with the premise that the best way to protect women's interest was through female MPs (14 percent disagreed strongly).

Women are not the only social group who are underrepresented in Parliament. The percentage of visible minority MPs continues to lag far behind their

Figure 7
The Public's versus Candidates' Views as to Whether Women's Interests Would Be Better Served with Greater Representation in Parliament



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 1,667; candidates: 563. Figures may not add to 100 due to rounding.

relative incidence in the population (Black 2002; Black forthcoming). Candidates were asked a question comparable to the one posed about women — namely, whether they thought it was a serious problem “that there are relatively few visible minorities in the House of Commons.” In general, the party-based pattern of responses mimics the one for gender, though it would appear that candidates of several parties see the underrepresentation of visible minorities as less of a problem than the limited presence of women (table 8). The Conservative candidates were most dismissive of the idea that there should be a greater minority presence in Parliament (only 20 percent indicated that the absence of visible minorities was a problem, a level of concern that is even lower than it was for women, at 25 percent).

This attenuation in concern is even more pronounced among Liberal candidates. They shift from a majority of 57 percent who think the lack of women is a serious or very serious problem to a majority of 56 percent who think the absence of visible minorities is not a very serious problem or not a problem at all. This is a bit of a puzzle, given that the party has traditionally projected an image of

Table 8
Candidates' Views on the Underrepresentation of Visible Minorities in the House of Commons, by Party (%)

	Very serious problem	Serious problem	Not a very serious problem	Not a problem at all
Bloc	15	50	30	5
Conservative	2	18	54	26
Green	30	44	23	4
Liberal	8	37	48	8
NDP	46	38	14	2
<i>n</i> = 553				

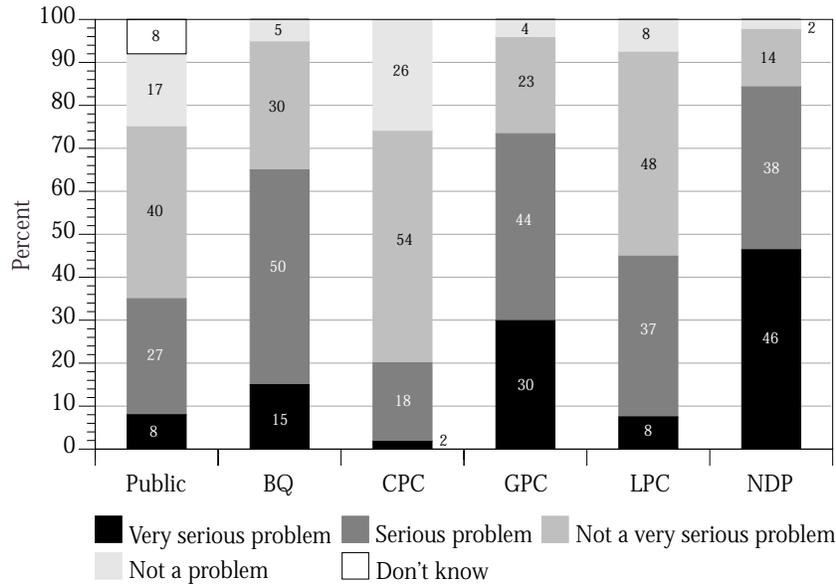
Source: Canadian Candidate Survey (2004).
 Note: Figures may not add to 100 due to rounding.

inclusiveness with regard to minorities and has generally had more visible minority MPs than any other party. Perhaps this is the very reason that Liberal candidates responded the way they did: they believe that their party already provides adequate representation. The proportion of Green candidates indicating a preoccupation with visible minority underrepresentation is slightly smaller than that with respect to the absence of women (74 versus 81 percent), but on this question candidates for the Bloc and the NDP exhibited about the same level of concern.

Using data from the Strengthening Canadian Democracy Survey of 2000, we compared the views of candidates with those of the public (figure 8). The general population appears to have similar reactions to the absence of visible minority and women MPs, the levels of concern being 35 and 33 percent, respectively. More specifically, 8 percent thought that the underrepresentation of visible minorities was a very serious problem, while 27 percent regarded it as a serious problem. These percentages situate the public between the Conservatives and the Liberals.

Finally, in the candidate survey we asked respondents whether they agreed or disagreed with the statement that having more visible minority MPs helps protect the interests of visible minorities (in other words, a question similar to the one asked about women). Unfortunately, this item was not used in the 2004 Canadian Election Study, but it is still worthwhile to note there is a tendency for candidates to be somewhat less likely to agree with the proposition in the case of visible minorities than in the case of women (specific data are not shown). Among Liberal candidates, 47 percent agreed that more visible minorities in Parliament would benefit minorities compared to the 59 percent who had been in agreement with regard to women. For the NDP, the figures were 75 percent versus 81 percent; and for the Greens, 76 percent versus 85 percent. For the Conservatives, the level of agreement is similarly low for visible minorities and women. Interestingly enough,

Figure 8
The Public's versus Candidates' Views on the Underrepresentation of Visible Minorities in the House of Commons



Sources: Public: Howe and Northrup (2000); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 659; candidates: 553. Figures may not add to 100 due to rounding.

only BQ candidates were more in agreement in the case of visible minorities, though the difference is modest (62 percent versus 57 percent). The other point to make about this question on the possible benefits of visible minority MPs is how it, too, produces results that vary strongly by party affiliation.

Party differences become even more pronounced when the questioning shifts from whether there is a problem to identifying possible solutions to it. We inquired whether candidates approved of “party training programs for women,” “party quotas and affirmative action for women candidates” or “special financial support for women candidates” in order to increase the number of women in the Commons. It is to be expected that Conservative candidates, because of their philosophical approach, would respond more negatively to the notion of taking proactive measures, especially establishing quotas, but also providing financial assistance. At the same time, the former approach is also likely to be problematic for a significant proportion of candidates in the other parties, though the number would be smallest in the NDP. The other point to bear in mind is that candidates might interpret initiatives designed to assist women (or visible

minorities) in winning nominations and election contests as impediments to their own chances of electoral success (rather than levelling the playing field).

Table 9 does indeed demonstrate that Conservative candidates are the most opposed to initiatives to assist women — their strongest opposition being over quotas, with 94 percent disapproving and 60 percent strongly disapproving. Only for training programs, the least proactive of the measures, do they indicate support (72 percent). Along with the Conservatives, the other three parties were more in favour of offering training programs to women than they were of either quotas or financial assistance. The NDP is the only party in which a majority of candidates are in favour of any and all initiatives that would aid women. Green and Bloc candidates were divided on the issue of quotas — about half supported the idea and half opposed it — while 35 percent of Liberal candidates approved of quotas. On the question of financial assistance, NDP candidates continued to be overwhelmingly in favour, with 78 percent supporting this initiative, though the majority of Liberal and Bloc candidates were also supportive, at 57 percent and 52 percent, respectively.

No such questions were asked in the 2000 and 2004 surveys of the Canadian public, so no direct comparisons are possible. Howe and Northrup did ask, however, two broad questions about remedial measures (posed to different half-samples) — namely, whether respondents favoured or opposed requiring the parties to choose “more female candidates than they do now” and “as many female as male candidates.” With regard to the first item, 51 percent indicated that they favoured forcing the parties to have more women candidates, while 31 percent opposed the move. When it came to the stronger item on parity, 41 percent approved and 40 percent disapproved. From these results, one can conclude that there is substantial support among the general public for augmenting the number of female candidates running for Parliament (Howe and Northrup 2000, 17-18).

The results for remedial measures to assist visible minorities are largely similar to those seen for women, though the level of support is slightly less, especially in the case of quotas and financial assistance (table 10). The NDP persisted in being the most supportive, and it was the only party in which a majority of candidates approved each of the three approaches to assisting visible minorities to obtain more seats in the Commons, with 93 percent supporting training programs, 66 percent backing quotas and 74 percent favouring financial assistance. No party other than the NDP had a majority of candidates who supported either financial assistance or quotas for visible minority candidates. The Conservatives were overwhelmingly opposed to both initiatives (97 percent against quotas, and 90 percent against financial assistance). As they were in the case of women, the Liberals were more willing to support financial assistance over quotas, and the Green candidates showed the reverse trend. Like the Liberals, the Bloc supported

Table 9
Candidates' Views on Proposals for Increasing the Number of Women in the House of Commons, by Party (%)

a) Party training programs

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	33	57	0	10
Conservative	26	46	20	9
Green	30	55	10	6
Liberal	46	38	12	4
NDP	59	34	6	1
<i>n</i> = 573				

b) Party quotas

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	10	38	29	24
Conservative	0	6	34	60
Green	13	37	36	14
Liberal	10	25	38	27
NDP	44	26	19	10
<i>n</i> = 569				

c) Special financial support

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	19	33	33	14
Conservative	4	10	31	55
Green	12	29	45	14
Liberal	24	33	26	17
NDP	52	26	17	4
<i>n</i> = 572				

Source: Canadian Candidate Survey (2004).

Note: Figures may not add to 100 due to rounding.

financial assistance over quotas in both instances and showed somewhat diminished support for visible minorities relative to women.

Turning to public opinion, Howe and Northrup asked their respondents in 2000 what they thought of requiring parties to choose more visible minority candidates (19-20).

Table 10
Candidates' Views on Proposals for Increasing the Representation of Visible Minorities in the House of Commons, by Party (%)

a) Party training programs

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	38	52	0	10
Conservative	22	44	19	16
Green	29	53	12	6
Liberal	32	48	14	6
NDP	47	46	6	1
<i>n</i> = 568				

b) Party quotas

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	10	33	38	19
Conservative	0	3	39	59
Green	11	34	39	16
Liberal	6	18	49	28
NDP	34	32	24	10
<i>n</i> = 562				

c) Special financial support

	Strongly approve	Approve	Disapprove	Strongly disapprove
Bloc	10	38	24	29
Conservative	2	8	36	54
Green	10	28	46	16
Liberal	12	29	40	19
NDP	40	34	22	5
<i>n</i> = 565				

Source: Canadian Candidate Survey (2004).

Note: Figures may not add to 100 due to rounding.

Here, too, there was more support (46 percent) than opposition (32 percent). In short, among the general public, there are more people who favour measures to increase the diversity of the candidate pool than there are people who oppose doing so, for both gender and race, and the Conservative candidates were most at odds with public opinion.

Free votes and party discipline

A free vote is a vote on a bill or a motion that the government has declared is not a question of confidence — that is, it is not a vote on official government policy, the defeat of which would bring down the government. MPs and senators can vote as they wish, relying on their personal views, the views of their constituents or some other guide in making their individual vote choices. Some have argued that Parliament has fallen into disrepute and is no longer relevant to the public, in large measure because of strict party discipline, something that could be remedied by more free votes (Dobell 2003). Others insist that responsible parliamentary government does not lend itself to a wholesale shift away from party discipline and that these sorts of reforms could undermine the system itself (Smith 1999). There is also the question of how MPs might obtain mandates from their constituents to exercise this increased responsibility (Cross 2000).

At one level, one could argue that there is nothing to compel an MP to vote along party lines. Unlike countries that have legislation that prohibits breaking party ranks or formal penalties to discourage it,¹¹ Canada has no official mechanism to punish MPs. To be sure, for the government, in particular, powerful carrots (for example, cabinet positions) can be offered or withdrawn, thus becoming sticks (for example, choice office space can be taken away or, more dramatically, a party can refuse to sign nomination papers). In the end, however, an MP is likely to vote in whatever way will ensure his or her re-election. Nevertheless, Canada is the birthplace of the free vote. In this country, party discipline has been a point of contention for MPs and candidates for several decades, even making its way into party platforms. In fact, on the public record, MPs have been almost unanimous in arguing for a relaxation of party discipline and more free votes. Most recently, a consultative study undertaken by the Library of Parliament under the direction of parliamentarians found that MPs overwhelmingly believe that the institution “has lost its way,” placing the blame squarely on “strongly enforced party discipline” (Bennett et al. 2003, 7).

We asked candidates to tell us if they agreed or disagreed with this proposition: “We would have better laws if Members of Parliament were allowed to vote for what they thought was best rather than having to vote the same way as their party.” As we had expected, based on party platforms and public pronouncements, the majority of candidates surveyed from each party supported free votes (table 11). Ninety-one percent of Conservative, 88 percent of Green, 76 percent of Bloc, 62 percent of NDP and 58 percent of Liberal candidates were in favour. However, the interesting result is that candidates were not universally in favour of the freedom to vote their own views, and of those who were in favour, many did not hold their views strongly.

Table 11
Candidates' Views on Whether MPs Should Be Allowed to Vote Freely, by Party (%)

	Strongly agree	Agree	Disagree	Strongly disagree
Bloc	38	38	19	5
Conservative	48	43	9	0
Green	52	36	11	1
Liberal	16	42	34	8
NDP	24	38	32	6
<i>n</i> = 564				

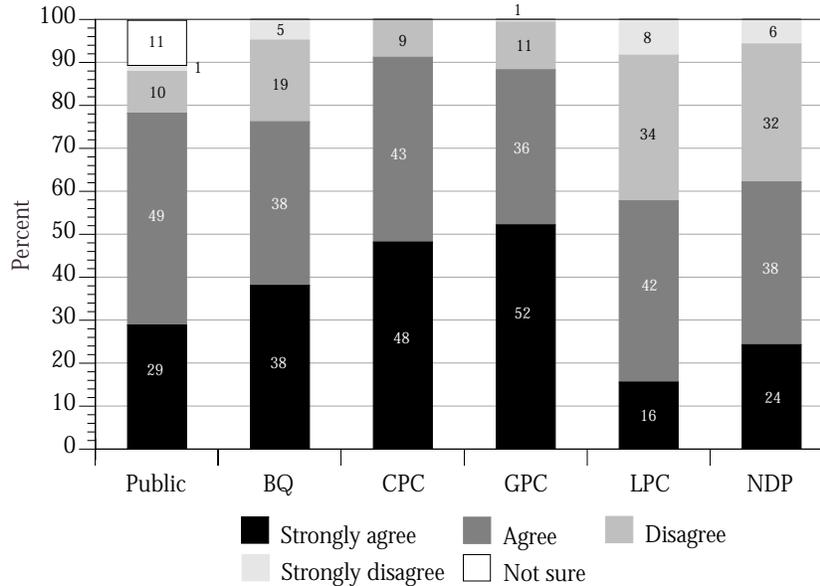
Source: Canadian Candidate Survey (2004).

The strength of candidates' views is highly relevant, given that this issue has attained an almost normative status among politicians and has come to be seen as a panacea for most of the systemic problems with governance. Further, it is expected that politicians will be highly supportive of something they have claimed for some time to be a serious problem. In light of this, it is not surprising that Liberal candidates, who see themselves as part of a governing party, held their views least forcefully, with only 16 percent strongly in favour of free votes. The Greens were most supportive of the idea, with 52 percent strongly in agreement, and no Green Party candidate has ever been an MP. Arguably, the most surprising result comes from candidates of the Conservative Party. Free votes and referendums were a major component of the party's platform in this election, yet only 48 percent of Conservative candidates felt strongly that MPs should vote according to their own views instead of along party lines.

So why would candidates who are running to represent their communities in Parliament not be more strongly in favour of the freedom to vote their own views? One possibility is that the free vote debate is designed to appease constituents and shift focus away from MPs, who must go door to door defending individual policies. Blaming the system and the whips for particular votes would have benefits, not the least of which is the avoidance of responsibility. Another possibility is that many of the candidates feel more comfortable when decisions on issues are made by their own and/or their opponents' political parties and party leadership, and they question whether free votes would deliver policies and legislation that they, and perhaps the general public, would find palatable.

Figure 9 takes into account results from the 2004 survey with respect to the general population. Overwhelmingly, the public is of the view that we would have better laws with free votes. Nearly 8 of every 10 indicated that they agreed (49 percent agreed, and 29 percent agreed strongly) with the assertion;

Figure 9
The Public's versus Candidates' Views on Whether MPs Should Be Allowed to Vote Freely in the House of Commons



Sources: Public: Canadian Election Study (2004); candidates: Canadian Candidate Survey (2004).
 Note: *n* = public: 1,662; candidates: 564. Figures may not add to 100 due to rounding.

only 11 percent thought that it would be better to force MPs to vote along party lines. Interestingly, the Bloc candidates were the most closely aligned with public opinion on this issue, though the Conservatives were the most in favour and the Green Party candidates were the most committed to the idea.

The Power of Canada's Courts

In 1982, Canada patriated its constitution from Britain and enshrined the Canadian Charter of Rights and Freedoms, setting the document above all legislatures with an amending formula that prevented legislatures from changing the document unilaterally on a whim. This new constitution was said to be the "supreme law of Canada," and the courts were given the power to interpret it and strike down any law that was in conflict.¹² At the same time, a clause was placed in the Constitution to permit legislatures to temporarily override portions of the Charter of Rights and Freedoms if they so desired (referred to as the

Table 12
Candidates' Views on Who Should Have the Final Say on the Constitution, by Party (%)

	Parliament	Courts
Bloc	48	52
Conservative	86	14
Green	19	81
Liberal	40	60
NDP	22	78
<i>n</i> = 559		

Source: Canadian Candidate Survey (2004).

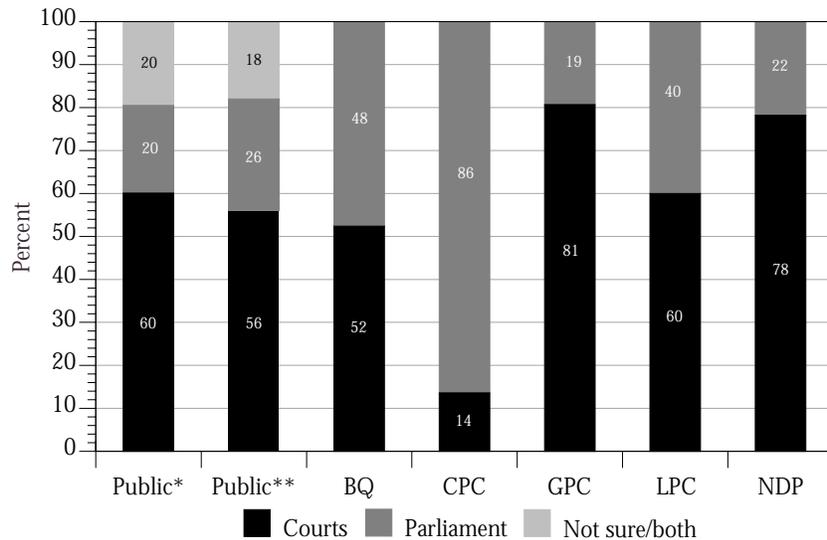
“notwithstanding clause”).¹³ This seeming contradiction has led some in academe to argue that Parliament is and should be supreme,¹⁴ while others have argued that Parliament and the Supreme Court should share jurisdiction over the Constitution.¹⁵ Some see this debate as an American one (Roach 2001), and as ideologically driven (Smith 2002), but it has continued for two decades.

We asked candidates, “When Parliament passes a law, but the courts say it is unconstitutional on the grounds that it conflicts with the Charter of Rights, who should have the final say?” (table 12). A large majority of parliamentary candidates indicated that they would rather entrust the interpretation of the Constitution to the courts than to Parliament. The one notable exception was the Conservatives, who favoured Parliament at the remarkably high level of 86 percent; this would seem to prove that opposition to the courts being the final arbiter of rights is ideologically driven.

The response from the Bloc candidates was almost equally divided. This may reflect a number of jurisdictional and philosophical objections to the court and the Constitution: the Charter was part of the 1982 patriation of the Constitution, which the PQ government of René Lévesque and the Quebec National Assembly at the time opposed; and the Quebec government has repeatedly taken the position that the selection of three Supreme Court judges should be made by Quebec, not Ottawa. In fact, in light of these objections, the fact that a slim majority supported the courts is surprising.

The results from the general population also point to a preference for the courts. The 2004 Canadian Election Study used an abbreviated version of the question that we employed, and it also juxtaposed, as response possibilities, the courts with government.¹⁶ Sixty percent of the surveyed public thought that the courts should have the final say, while only 20 percent believed that government should have it (with 20 percent indicating uncertainty or that both the courts and

Figure 10
The Public's versus Candidates' Views on Who Should Have the Final Say on the Constitution



Sources: Public: Canadian Election Study* (2004); Howe and Northrup** (2000); candidates: Canadian Candidate Survey (2004).
 Note: n = public*: 1,654; public**: 628; candidates: 559. Figures may not add to 100 due to rounding.

government should have the final say). The 2000 survey by Howe and Northrup had similar results. While the researchers administered somewhat different questions to two half-samples, the one highlighted here is virtually identical to ours, except that it substituted “the legislature” for “Parliament.”¹⁷ Its results also indicated that the public trusts the courts more, and by a wide margin: 56 percent favoured the courts; 26 percent supported the legislature (with the remainder uncertain). Not only do these comparable figures in the two surveys suggest a certain robustness that is independent of the vagaries of question wording changes,¹⁸ but the survey record over time — from 1987 on, as Howe and Northrup point out — has consistently demonstrated the same pattern: the public puts more of its faith in the courts than in Parliament by a margin of about two to one (Howe and Northrup 2000, 41-2).

Figure 10 brings the candidate and general population data together. Conservative candidates are most out of step with the views of the general public, and by a substantial amount. In terms of the distribution of opinion on trusting Parliament over the courts, the Bloc Québécois and the Liberal Party are most

reflective of broad public opinion. NDP and Green candidates are most supportive of the public position.

Conclusion

Thomas Jefferson once said that society must be refounded every 20 years to give each generation the opportunity to reshape it according to its own vision. While this admonishment may seem extreme, and unlikely, it does carry an important message for those who are charged with managing the institutions of governance.

Historically, significant changes to the polity are usually undertaken only as a consequence of major social or political upheaval, such as a revolution or threat of secession. In fact, there is evidence that wholesale changes are not even possible without such an impetus. However, inertia should never be confused with efficaciousness, and complacency should never be confused with acceptance.

Societies evolve, and institutions of governance must be periodically examined to determine their ongoing effectiveness and relevance. For example, if we look at the electoral franchise alone, we see that at the time of Confederation almost as large a percentage of the population was denied the vote as today enjoy it — that franchise would not have been extended if it were not for periodic review, and no one today would suggest that this has not been right for Canadian democracy. To be sure, the evolution of the franchise is different from Jefferson's restructuring based on societal wants, but, at the very least, it speaks to the benefits of periodic re-examination to see if the institutions of governance continue to meet societal needs.

IRPP's Strengthening Canadian Democracy series was established in 1999 to make a scholarly contribution to the ongoing public debate about the way politics is undertaken in Canada. In the interim, IRPP has found evidence supporting various changes to institutions of governance, not the least of which is an appetite for making institutions more representative and responsive. In examining the views of political candidates, we offer an interesting glimpse into a specific segment of Canadian society: those people who, during the 2004 general election campaign, asked Canadians for the opportunity to effect change; a subset of these candidates was given the public trust to attempt to bring about reform. In this study, we have heard from the representatives and would-be representatives themselves.

Because of the importance of party differences that we identified at the outset, we analyzed results separated by party. After all, candidates present themselves as a group seeking election to Parliament not only to represent their respective communities but, collectively, to govern. They are bound together by ideology, leadership, goals and organization. We found that in many cases the

views of Conservative candidates were in stark contrast to those of candidates from the other parties. One of the most dramatic examples of this arose from the question of who should have the final say on the interpretation of the Constitution. Only the Conservatives thought that Parliament should have the last word, and by an overwhelming majority. On the question of the underrepresentation of women in the House of Commons, only the Conservatives did not think that this was a problem. The same was true on the question of visible minorities: most Conservatives were at odds with the majority of other candidates, who said that the underrepresentation of visible minorities was a matter of concern.

That being said, when it comes to improving the plight of underrepresented groups, the majority of candidates from all parties (including the Conservatives at similar numbers and strength to the Bloc members and the Liberals) supported the provision of training programs for both women and visible minorities to increase their numbers in the House of Commons.

The second area where the majority of all parties' candidates were in agreement was the question of leaving the nomination process in the hands of the parties. This is not a surprising result, given that these party stalwarts won their respective parties' nominations or were acclaimed by those parties. What was surprising was that the candidates were not unanimous on this issue. On the question of moving to fixed election dates, there was almost agreement across party lines. The only party partially resistant to this idea was the Liberal Party, which has historically benefited from the current practice, but even it was not entirely opposed to the reform.

The final area where all candidates were in general agreement was having more free votes in the Commons. While the majority of candidates favoured making this change, the idea has been so frequently discussed in the public sphere by leaders, candidates and commentators that it has an almost normative quality. The fact that the candidates were not even more strongly in favour suggests that the debate warrants closer scrutiny. Sometimes a popular change is proffered as a panacea for a number of problems it cannot fix. After all, this group of people was running for the very institution where free votes would occur.

Not surprisingly, most candidates from each of the parties that received a number of seats equal to or greater than their percentage of the popular vote were satisfied with democracy. The candidates whose parties received more votes than seats were, to varying degrees, dissatisfied with democracy and the first-past-the-post system. They would largely prefer to move toward proportional representation, an electoral system employed by most other democracies and one that has been discussed at the provincial level in Canada and increasingly by political parties and commentators.

The Canadian system can also be characterized as responsible parliamentary government (or the British system), which brings the executive and

legislative branches together in the single institution of Parliament. As a result, it could be argued that Parliament has two distinct functions: representation and governance. In an important way, the tension between these two roles fuels much of the debate over institutional change. For example, persons concerned with making Parliament more representative might argue for reforms such as proportional representation or visible minority and female quotas or more free votes, whereas persons more concerned with governance might argue that such alterations lead to ineffectiveness, if not instability.

This natural tension prompts two suggestions for how the views of candidates might be reconciled with those held by the general public. On the one hand, the party with the most candidates in support of public opinion is the party most likely to deliver what the public wants. On the other hand, since the public is never unanimous in its views, the party with divisions most similar to those divisions that exist within the general public is best able to represent the public.

When we juxtaposed the views of candidates from the five political parties and those of the general public, an interesting trend began to emerge. For the most part, NDP candidates, followed by those from the Green Party and the Bloc Québécois, were most frequently and most ardently on the side of public opinion. However, when one considers the splits in the general public, these were more often than not reflected by the divisions inside the Liberal Party. From either perspective, Conservative candidates tended to be most at odds with public opinion.

It is important to keep in mind that this paper did not look at broad questions of public policy, so we make no statement about congruency between candidates' responses and public sentiments in this regard. Our interest was simply to look at the institutional markers that have been part of the Strengthening Canadian Democracy series. On this front, the self-characterization by the Liberals that they are a big tent that brings national debates into the party and the self-characterization by the NDP that they bring the conscience of the public into Parliament both appear to have some legitimacy.

But, regardless of which parties are likely to deliver change and which parties are most reflective of the views of the Canadian public on these matters, these latest findings on the views of one group of elites suggest a desire for changes to the processes, systems and institutions of governance in the Canadian polity.

Notes

The authors would like to thank John Biles and Erin Tolley of Metropolis Canada and Citizenship and Immigration Canada for their input in the early stages of the project, as well as officials of the five political parties who assisted in obtaining contact information for the candidates and in distributing some of the surveys.

- 1 The survey was partially funded by Metropolis Canada and Citizenship and Immigration Canada.
- 2 When Chuck Cadman won as an independent candidate, we increased the sample for the survey by one (to 1,308).
- 3 The parties assisted by providing letters of endorsement and by distributing the questionnaires on our behalf, but they did so only during the latter stages of the project. We purposefully decided not to approach them at the outset because of a concern that they might exert an influence over the survey by suggesting particular responses to their candidates or by encouraging a boycott. However, once the response rate was above 30 percent and there was a significant drop-off in the rate at which the questionnaires were being returned, we did approach the parties for help, pointing out to them that we already had a sizeable number of responses. In the end, all of the parties provided letters of endorsements (four) or sent supportive e-mails (one), and all distributed the questionnaires on our behalf. (By this time, we were also concerned that the postelection contact information that we had obtained was no longer accurate.)
- 4 The 2004 Canadian Election Study is a research project undertaken by André Blais, Joanna Everitt, Patrick Fournier, Elisabeth Gidengil and Neil Nevitte, and it is based primarily on a large survey of Canadian voters. The questions and responses included in this paper are drawn from the mail-back questionnaire, with the exception of the question on satisfaction with democracy, which came from a postelection telephone survey.
- 5 Section 4(1) of the Canadian Charter of Rights and Freedoms, *Constitution Act, 1982*; however, section 4(2) allows for the House of Commons to make an exception in times of war.
- 6 Milner also makes some important arguments about how fixed voting dates could help deal with seasonal obstacles to voting, attract more women candidates and assist in boosting voter turnout.
- 7 In response to the question "Do you think we should have set dates for elections, or that the government should decide when elections are held, or do you not have an opinion on this?" the percentages were 54, 20 and 26, respectively (Howe and Northrup 2000, 12-13, 67).
- 8 The literature on the strengths and weaknesses of the current electoral system and possible alternatives, including proportional representation, is voluminous. A relatively recent volume on the subject is Milner (2004); see also Courtney (2004), chap. 6.
- 9 Alternatively put, the gap between the two categories (acceptable versus unacceptable) has widened from a ratio of 49:29 to 55:24.
- 10 See, for example, Kymlicka (1998); see also Redekop (1998) and Shouls (1998).
- 11 For a discussion of party discipline legislation in other countries, see Australian Library of Parliament (2002-03).
- 12 "The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect" (*Constitution Act, 1982*, Sched. B, Part II, s. 52[1]).
- 13 The clause that permits a legislature to override the Charter is section 33, and it is usually referred to as the

“notwithstanding clause” because it reads, in part, “Parliament or the legislature of a province may expressly declare in an Act of Parliament or of the legislature, as the case may be, that the Act or a provision thereof shall operate notwithstanding a provision” (*Constitution Act, 1982*, Sched. B, Part I [Charter], s.33[1]).

- 14 The most vocal critics of the Charter and the courts have been R. Knopff and E.L. Morton; see, for example, their *Charter Politics* (1992).
- 15 See, for example, Manfredi (2001).
- 16 “If a law conflicts with the Charter of Rights, who should have the final say? Courts/Government/Not Sure.”
- 17 The second question had a somewhat different structure, provided more information to the respondent and used “government” as the reference: “If a law conflicts with the Charter of Rights, who should have the final say? The courts because they are in the best position to decide what is just and unjust, or the government because they are elected by the people.”
- 18 The second question in the 2000 survey produced comparable results as well: 63 percent favoured the courts, and 27 percent favoured the government.

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