

Ahead to the Past: the Return of the Delegated Leadership Convention

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Abstract

Since Confederation, the electorate responsible for the selection of Canadian political party leaders has progressively widened; by the end of the twentieth century, most parties were employing some variant of the universal ballot (thereby giving all party members a voice in leadership selection). Nevertheless, the 42 person executive of the Nova Scotia Progressive Conservatives rolled back this democratic tide by organizing a delegated convention to replace departing leader John Hamm. The Conservatives justified their decision by claiming that such a convention would be the most fair, the most equal, and the most exciting way to select their new leader. This article demonstrates, however, that these claims are difficult to substantiate. There was much drama on voting day, but the Conservatives were, in fact, very fortunate in that respect. Equality between constituencies was heightened, but only at the cost of introducing a substantial inequality between individual party members. As to fairness, it seemed entirely irrelevant to the proceedings. Ultimately, not even a majority of delegates approved of the change in process.

Even in “counter-revolutionary” Canada, democratizing claims are difficult to resist. Since Confederation, changes in the federal franchise have widened the pool of Canadian citizens able to participate in the electoral process by eliminating restrictions based on class, gender, and race. Once members of a social group have become eligible voters their subsequent disenfranchisement has rarely been contemplated and never achieved. Virtually all Canadian adults are now eligible to vote, and it is likely that, through re-defining “adult” to include those aged sixteen or seventeen, the franchise will be further widened in the future.

A similar pattern has been apparent in the selection of Canadian party leaders. Again, the eligible electorate has progressively widened. In the period immediately after Confederation, the preference of a single individual, the Governor-General, was paramount for the party in

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power. As Courtney explains, parties “deferred to the wishes of the Governor General when the Crown was involved in selecting a new prime minister” (1973: 32). This power subsequently devolved, first to the parliamentary caucus and, after World War I, to delegates of the rank and file membership. Again, the effect was like a ratchet pawl; no return to the status quo ante was possible. By the end of the twentieth century, a new notch had been gained. Canadian political parties replaced the delegated convention with some variant of the universal vote, thereby giving all party members a leadership ballot.

Many concerns were raised about the move away from convention. Political scientists noted that a direct membership vote could change the socio-demographic mix of the ‘selectorate’ since the rules for conventions generally required specific representation based on gender and age (Courtney, 1995: 245; Stewart, 1997: 111). They also raised concerns about the loss of regional guarantees. Conventions in Canada were originally designed to ensure that each constituency had equal representation regardless of their membership ensuring that, in regional terms the convention resembled the country. As Cross concedes: “In a direct election there is no way to ensure an equitable number of voters in each region” (2004: 94). Of even greater concern was the possibility that new members, with less commitment to the party and fewer opportunities to engage with the candidates, would overwhelm long time party members. As Courtney explains, “parties both forfeit and fail to reward the wisdom, experience, and political savvy of their most established and dedicated activists with respect to one of their most important functions, that of choosing a leader” (1995:245). Finally, issues related to the convention itself were highlighted as potential losses to the party. These included the media attention garnered, the excitement of conventions and the collective experience shared by the members (Courtney, 1995: 246-247). As Stewart summarizes, a delegated convention provides “a distinctive, relatively elite leadership electorate, grounded in the party, representing all regions and guaranteeing representation to women and youth, which carefully evaluates the candidates, and on the basis of those evaluations, chooses the party’s leader. Such an electorate is threatened by universal ballots” (1997: 112). Despite these concerns (see Stewart and Stewart, 2007: 187-197), the move away from delegated conventions was widely regarded as irreversible.

Nevertheless, on October 15, 2005, the 42 person executive of the Nova Scotia Progressive Conservatives opted to roll back the democratic tide. To replace departing leader John Hamm, the party decided to hold a delegated convention on February 11, 2006. The race’s favorite was Central Nova MP Peter MacKay who, three years previously, had secured the leadership of the national wing of the party before merging it with the Canadian Alliance. Yet even leaving aside the \$40,000 pay cut entailed by a move to the Nova Scotia Premier’s Office, provincial politics seemed to hold little allure for MacKay. “Peter’s not going to throw away a chance to be prime minister in the next couple of years, or national leader,” noted one Tory insider, “to make what could be a 10-year commitment in Nova Scotia.” (*Halifax Daily News*, 4 October, 2005: 2). Within a week of Hamm’s resignation, MacKay had officially opted out of the race; he would stay in Ottawa and continue his “uneasy alliance” with leader Stephen Harper (*Halifax Daily News*, 8 October, 2005: 11).

Others were less reticent. First to declare was Bill Black, a 54 year old Halifax businessman. Black was widely recognized as a successful and innovative entrepreneur; as head of Maritime Life, he had won kudos for building a multi-million dollar company while converting prime view offices into employee lounges (*Halifax Daily News*, 30 October, 2005: 16). On the other hand, Black was

a political novice; he had never held elected office and had only recently won a highly competitive contest to become the Tory nominee in the vacant riding of Halifax-Citadel.

The next candidate in the race, Neil LeBlanc, had a very different profile. The 49 year old LeBlanc had spent fourteen years in the legislature (the last four as John Hamm's deficit-taming Minister of Finance) before leaving provincial politics in 2003 to become the Chief Administrative Officer for the municipality of Argyle. LeBlanc had remained active in Conservative circles, however, and his leadership ambitions were an open secret. With five members of the government caucus attending his campaign launch, the media quickly dubbed LeBlanc as the front-runner.

Another potential candidate was Peter Kelly, the mayor of the Halifax Regional Municipality. As discussed later, Kelly's potential candidacy may have influenced the choice of the selection method as the mayor had expressed support for the universal ballot and it was expected that he would be able to mobilize many voters in the capital region (*Halifax Daily News*, 6 October, 2005: 2). The choice of a delegated convention undoubtedly helped to discourage Mayor Kelly.

One might have anticipated that several Conservative front-benchers would also have entered the fray, but such luminaries as Michael Baker, Ernie Fage and Cecil Clarke declined to offer. Thus, the way was clear for Rodney MacDonald, the 33 year old ECMA-nominated fiddler and former gym teacher from Cape Breton who already had six years of cabinet experience. At least initially, some members of the media dismissed MacDonald's chances: "With due respect to Tourism Minister Rodney MacDonald, who is expected to throw his hat into the ring this week, it's hard to imagine him being able to pull ahead of either of the perceived front-runners (Black and LeBlanc)" (*Halifax Daily News*, 31 October, 2005: 10). Nor, despite the presence of eight members of the government caucus, was MacDonald's campaign launch particularly auspicious. MacDonald had a grab-bag of ministerial responsibilities in the final Hamm administration: Tourism and Culture, Immigration, and Health Promotion. Alas, to announce his candidacy as planned, MacDonald was obliged to send senior officials not only to open a national tourism conference in Halifax, but also to attend meetings in Ottawa chaired by the federal Citizenship and Immigration Minister to map Canada's immigration strategy (*Halifax Daily News*, 5 November, 2005: 7). Despite MacDonald's protestations that the public interest was being well represented at both gatherings, neither the media nor the opposition was much impressed by this apparent dereliction of duty (*Halifax Daily News*, 5 November, 2005: 7).

The contest's rules were straightforward. The three candidates had a \$250,000 spending cap, and financial statements were to be made public three weeks after the vote. Membership sales were cut off on December 27, 2005, the constituency delegates were selected in a two-week period between January 7 and 21, 2006, and a series of all-candidate debates were held around Nova Scotia. Entering the convention, it was apparent that no candidate had secured enough delegates to win on the first ballot, but the relative standing of Black, LeBlanc and MacDonald was far from clear (especially with many of Black's Halifax supporters declining to take a day off work to listen to the speeches at the Metro Centre)¹ (*Halifax Daily News*, 11 February, 2006: 6). Thanks to barcodes on the delegate badges, voting proceeded smoothly on February 11, although the closeness of the first ballot results necessitated a recount. Eventually, it was announced that MacDonald had secured 789 votes, while Black had 742, and LeBlanc 730 (with 3 spoiled). LeBlanc briefly huddled with his advisors before donning a Rodney MacDonald scarf and leading a flotilla of party luminaries to the Cape Bretoner's box. The final ballot was an anti-climatic affair with MacDonald receiving 1263 votes to Black's tally of 855 (with 12 spoiled). Like

Conservative icon Robert Stanfield, Rodney MacDonald had secured his party's leadership at the age of 34. Two weeks later, MacDonald was sworn in as Nova Scotia's 26th Premier.

How are we to understand the Nova Scotia Progressive Conservative party's return to a delegated leadership convention? Certainly, few could have predicted that eventuality. Since allowing all party members a direct say in leadership election is manifestly more "democratic" than restricting the franchise to those fortunate enough to be selected as constituency delegates, proponents of the former procedure would have been presumed to hold the master trump at the meeting of the party's executive. Moreover, a return to the status quo ante could lessen the lucrative flow to the party of fresh membership fees. Delegated conventions provide some incentive for candidates to undertake membership recruitment drives, but only in those constituencies where the delegate selection outcome is in some doubt. By contrast, under the universal ballot, a member's geographic location is irrelevant, and all new recruits are equally valuable. Furthermore, retiring leader John Hamm clearly preferred that his successor be elected by a universal ballot: "I like the idea of all members of the party being able to express themselves" (*Halifax Daily News*, 1 October, 2005: 4). Finally, the Nova Scotia Tories had not been scarred by an unfortunate experience with an all-member leadership vote. The party had only employed this method on one previous occasion in 1995, when outgoing leader John Hamm had easily triumphed on the first ballot. While Hamm had taken some time to grow into the role (even, at one point, facing down a full-fledged caucus revolt), his popularity with the electorate was a key factor in his party's successes in the 1999 and 2003 provincial elections. Shortly before the Premier announced his retirement, provincial party president John MacDonell stated: "It's in the best interests of the province and the party for John Hamm to stay in the leadership of the party as long as he is willing to do so" (*Halifax Daily News*, 27 July, 2005: 2). In short, there were few obvious justifications for Nova Scotia's Progressive Conservatives to race ahead to the past when the party's executive met in mid-October, 2005 to lay the ground rules for a leadership race.

At this meeting, the rejection of the all-member vote was overwhelming. Reviewing the method of leadership election in the context of an actual contest inevitably raises the concern that tactical considerations may affect the choice of selection method. Other concerns expressed by party insiders related to constituency equality and the need to ensure positive publicity for the party in the run up to a general election. In the end, the party's executive was presented with four different options:

- one member, one vote system like that used to elect John Hamm in 1995 and utilized federally by the Alliance party in 2000;
- hybrid system where every member gets a vote but each riding is allocated 100 points irrespective of number of members and those points are allocated proportionately (as in the federal Conservative election of Stephen Harper in 2004);
- delegated convention in which all but ex officio and independent delegates were bound on the first ballot to support a specified candidate (as in the federal Liberal convention that elected Stéphane Dion in 2006); and
- return to the delegated convention.

Although a few executive members voiced support for the first two options, a large majority of the executive plumped for a return to a delegated convention. True, the decisive meeting lasted

almost six hours, but this was still far brisker than the thirteen hour marathon which had approved the move to the universal ballot in 1995. Somewhat surprisingly, only a handful of executive members wished to retain the one member, one vote method. Although the press claimed that a “backroom tug of war” had ensued (*Chronicle-Herald*, 15 October, 2005: B6), recollections of participants suggest that the final decision had been greeted by an “enthusiastic round of applause” and that no member of the executive had “left the room angry” (Interview with senior Conservative official, Halifax, 19 March, 2009). According to President MacDonell, the party brass felt that the delegated convention was “the most fair, the most equal, and the most exciting way to do this” (*Halifax Daily News*, 16 October, 2005: 6). The following section will consider each of these rationales.

Most Exciting:

Choosing a leader is serious business, but the process employed need not be dull or drab. Political parties have traditionally regarded leadership renewal as an opportunity to build connections with an otherwise disengaged citizenry, to pique interest, to cultivate attention and to capture support. In this regard, however, all-member votes have generally failed. Outcomes are often obvious. In the previous decade, Nova Scotia parties had, employed a variant of the universal ballot five times; in every instance, the result was a first round walkover. Moreover, with party members able to cast their ballots by mail or by telephone or at local polling stations, the convention proper has lost its sense of occasion as funereal hospitality suites and pathetic floor demonstrations. Rows of empty chairs became the norm. On one level, the 1995 Tory convention which selected John Hamm was clearly a success. Yet this “incredibly dull” (*Chronicle-Herald*, 4 October, 2005: B3) gathering had been derided as an occasion “when a few hundred people tried to look like a thousand” (*Chronicle-Herald*, 22 October, 2005: B4). The party brass clearly thought that a delegated convention would be more successful in marketing the Tory brand.

Were their aspirations realized? Not initially. As in 1995, when the looming Quebec sovereignty referendum dwarfed the Conservative leadership race, other matters deflected public attention from Messrs. Black, LeBlanc and MacDonald. For much of the time, the death rattles of Paul Martin’s minority federal administration, the subsequent election campaign and the installation of Canada’s first non-Liberal government in over a decade absorbed the political attentions of most Nova Scotians. As well, the Tory contest had to compete with the usual holiday festivities, “when most sensible people are focused on other matters than politics,” (*Halifax Daily News*, 2 January, 2006: 10) and with the Winter Olympics. One report on the race commenced with “Talk about being overshadowed” (*Chronicle-Herald*, 2 January, 2006: A7); another headlined it as “Ho-hum” (*Chronicle-Herald*, 15 December, 2005: B4). A mid-campaign poll discovered that 72 per cent of Nova Scotians could not name any of the candidates, although Neil LeBlanc bravely insisted that nobody expected the public to be absorbed in “the pre-game show” (*Halifax Daily News*, 14 December, 2005: 5). A week before the vote, one of the convention’s co-chairs finally detected increasing interest in the event. “We’re down to the wire and, politically, people don’t have that much else to do right now,” averred Judy Streach. “The excitement is building, no question” (*Chronicle-Herald*, 2 February, 2006: B1).

Yet if the Tory campaign failed to galvanize the attention of most Nova Scotians, the same cannot be said of voting day. Delegated leadership conventions have considerable theatrical

potential. On this occasion, the combination of a large and raucous crowd, the tightness of the first ballot results and the movement en masse of LeBlanc and his people to the MacDonald camp made for an engrossing spectacle. It was, by one account, “the most exciting convention Nova Scotia has seen in 15 years” (*Halifax Daily News*, 12 February, 2006: 5).

To a large degree, however, the Conservatives were merely very fortunate. Ken Carty (1994) has argued that few delegated contests since the 1970s have been decided on the convention floor because of pre-contest intimidation and slate politics. With most delegates locked into supporting a particular candidate well in advance of the vote, there have not been sufficient undecided voters available for convention events to affect the outcome. The Nova Scotia Tories faced this situation in 2006. Of course, prominent Conservatives attempted to heighten the drama by mystifying the unpredictability of what was to come. “There’s a lot of – again to use a Maritime expression – ‘loose fish’ at the convention,” asserted Peter MacKay, “people that haven’t quite made up their minds” (*Chronicle-Herald*, 11 February, 2006: A4). News that Genesta Hamm, the outgoing Premier’s wife, was still undecided and poring over the candidates’ literature added to this perception (*Chronicle-Herald*, 10 February, 2006: A4). The reality, however, was different. As Table 1 makes clear, the pool of undecided voters at the convention was very small.² Only 8 per cent of the delegates indicated that they made up their minds at the convention and only another 7 per cent were undecided in the week before the convention. Fully 64 per cent of the delegates reached a decision more than a month before the convention. Thus, the events at the convention were unimportant for most of the delegates. Of course, given the closeness of the race, the 8 per cent who made up their minds at the convention could well have been important.

We can compare these numbers with the results from the 1995 universal ballot.³ In 1995, 11 per cent of the voters made their voting decision on the last day, with an additional 8 per cent deciding in the last week. Thus, the pool of undecided was actually stronger in the universal ballot.

Table 1: Timing of Voting Decision

	2006 Convention	1995 Universal Ballot
Decided at Convention or day of Universal Ballot	8%	11%
Decided in last week	7	8
Decided Earlier	85	81

With such a small group of undecided voters, the “overwhelming majority” of the Nova Scotia PC executive who were convinced that a delegated convention would “grab the most media attention” was rather fortunate (*Halifax Daily News*, 16 October, 2005: 6). They could as easily have replicated the tedium of the 1998 New Brunswick Liberal meeting where one candidate’s success with delegate slates had effectively rendered superfluous the actual vote (Stewart and Stewart, 239-242).

Most Equal:

President MacDonell's suggestion that a return to a delegated convention would enhance political equality seemed implausible. After all, the premise of the universal ballot is that all party members should have an equal say in leadership selection. A delegated convention, by contrast, creates three classes of party members. At the top of the hierarchy are those whose service to the party (as members of the executive, as candidates, and the like) is deemed worthy of automatic enfranchisement. About two hundred and fifty of these ex officio delegates were eligible to attend the Nova Scotia PC convention. One of the major arguments in favour of conventions has been the potential role played by these party officials, who presumably have the long-term interests of the party at heart and an immediate interest in choosing the best leader. As well, their roles give them potential insight into the candidates' abilities that is not available to ordinary delegates (see for example, Courtney, 1995: 287). In this case, a plurality of the ex officio delegates was allegedly in the camp of Neil LeBlanc (*Chronicle-Herald*, 17 January, 2006: B2.) The next group of members includes those ordinary delegates whose enfranchisement is dependent upon election at constituency association meetings. There were 45 such delegates elected in each of Nova Scotia's 52 ridings (for a total of 2340). A number of considerations drove the size of the constituency delegations. A large convention would make a splash in Metro. As well, when the party had held a universal ballot in 1995, only 2985 participated and if the delegate total approached that number in 2006, it would spike the guns of those who claimed that the move back to a delegated convention had excessively constrained participation by the membership. In the end, 2264 voted on the first ballot, so they were relatively close on that score.

Below the delegates were the party members who had no direct say in the choice of their new leader. Despite the large number of delegates and the low participation rate in 1995, it appears that the new circumstances enticed many more Nova Scotians to involve themselves. In 1995, when the Conservatives chose John Hamm, the party was mired in third place in the legislature. This time, however, participants in the Conservative leadership process were choosing a premier. Not surprisingly, membership in the Nova Scotia Tories grew by 56 per cent (from 6000 to 9400) in the interval between the end of September 2005 and the late December 2005 membership cutoff (*Chronicle-Herald*, 6 January, 2006: B1). This ensured that three-quarters of party members were effectively disenfranchised by the return to a delegated convention. The party may actually have cut itself off from stronger membership gains that could have accompanied the direct election of a premier.

Table 2 indicates that differences of opinion existed between ex-officio delegates and their counterparts. On the first ballot, as suggested by media analysis, Neil LeBlanc won plurality support from ex officio delegates. However, he ranked third in votes cast by constituency delegates. Bill Black received the least support from ex officio delegates, a trend that was accentuated on the second ballot when his support from this group grew by only 3 percentage points, despite the elimination of LeBlanc from the contest. On the first ballot, Black was only marginally behind in votes cast by constituency delegates and remained more competitive with this group on the final ballot as well.

Table 2: Vote by Delegate Type

	Ex officio Delegates	Delegates from Constituency Associations
1st Ballot		
Black	26%	35%
LeBlanc	39	29
MacDonald	35	36
N=	65	376
2nd Ballot		
Black	30%	40%
MacDonald	70	60
N=	64	363

Constituency association president Joan MacKinnon launched appeals to both the party's chief electoral officer and the convention's rules committee on the grounds that the Bedford results did not "reflect the guiding principles of our party, its vision and mission statement" (*Chronicle-Herald*, 11 January, 2006: A6). "People were manipulated," claimed MacKinnon. "If I went in to vote for Bill Black and I was handed my slate of delegates to vote for and I came out of that meeting finding out that I voted in the majority for Rodney MacDonald, I would be very angry" (*Chronicle-Herald*, 14 January, 2006: B7). Perhaps, but with the official rules making no reference to full, partial, joint or any other type of slate, there was no chance of overturning the Bedford results, and both appeals were lost. However, the LeBlanc team stated their position "that joint delegate slating ought not to be permissible" (*Chronicle-Herald*, 14 January, 2006: B7). Yet even before their Bedford appeals had been dismissed, LeBlanc's organizers were availing themselves of the same tactic. In two Metro ridings where Bill Black appeared dominant, supporters of MacDonald and LeBlanc constructed joint slates (without much luck in Halifax Chebucto, but with some modest success in Timberlea-Prospect) (*Halifax Daily News*, 24 January, 2006: 12).

The media's coverage of the convention did not suggest that these tactics were widespread. It is perhaps surprising that they were not more widely adopted, given the incentives candidates have to elect delegates predisposed to support them, and the dangers of one candidate sweeping the delegation with plurality support.

Controversy at the delegate selection phase should not have been unexpected; indeed, such shenanigans have become endemic features of the modern delegated convention. Inevitably, their effect has been to disenfranchise some long-standing and committed party activists, while granting a vote to others who, by every reasonable criterion, are less deserving of same (see Stewart 1997: 127). Neil LeBlanc professed to be troubled by this circumstance and suggested that, irrespective of their candidate preference, strong party workers should be supported by all three organizations. "I'm prepared to respect," asserted LeBlanc, "that at least some of the core workers go to the convention" (*Chronicle-Herald*, 14 January, 2006: B7).⁴ Unfortunately, this proposal jibed poorly with the LeBlanc camp's objections in principle (although not always in practice) to the construction of joint slates.

Examining the past record of party involvement of the delegates in 2006 does not indicate that restricting the decision to convention delegates enfranchised a group with much stronger party roots.⁵ As Table 3 shows, 17 per cent of the 1995 voters had never worked for the Conservative party and 8 per cent joined the party the year of the vote. In contrast, 11 per cent of the 2006 delegates reported memberships of less than a year, and the percentage claiming memberships of more than 10 years declined by almost 10 percentage points. The percentage of delegates who had never worked for the party was marginally higher than in 1995 at 20 per cent. It is thus difficult to argue that this was an electorate with substantially deeper party roots than that enfranchised in the 1995 universal ballot. In both cases, individuals with deep roots made the choice of a leader. With respect to engagement, 70 per cent of the delegates attempted to persuade others to vote for their favoured candidate, but this was only marginally higher than the 61 per cent of universal ballot voters who tried to influence others in 1995.

Table 3: Party Background and Process involvement

	2006 Convention	1995 Universal Ballot
Member for less than a year	11%	8%
Member for more than 10 years	53	63
Worked previously for party	80	83
Persuaded others	70	61

Ultimately, the Bedford nomination meeting had some impact on the contest's outcome. Had LeBlanc secured all forty delegates, as had been anticipated at the meeting's outset, he would have been on approximately equal terms with Rodney MacDonald on the first ballot;⁶ Bill Black would thus have been eliminated from the decisive final round. As Table 4 makes clear, it is likely that, independent of any endorsement from their fallen champion, the majority of Black's first ballot supporters would have moved to Rodney MacDonald in sufficient numbers to put the Cape Bretoner over the top in any case.

Table 4: Second Preference Rankings

First Preference	Black	LeBlanc	MacDonald
<i>Second Preference</i>			
Black	NA	23%	37%
LeBlanc	38%	NA	63
MacDonald	62	77	NA
N=	146	135	170

When delegates were asked to rank order their preferences, it becomes clear that MacDonald was the convention's overwhelming choice. More than 3/5 of the delegates who indicated that Black was their first choice ranked MacDonald second. Thus, a LeBlanc – MacDonald final ballot would have almost certainly also resulted in a MacDonald victory. MacDonald thus appears to be the clear Condorcet winner. Black would have been unlikely to win a direct contest with

LeBlanc either. Only 37 per cent of those who ranked MacDonald as their first choice placed Black as their next choice.

When President MacDonell talked of employing a delegated convention in order to heighten political equality, he was not speaking of the individual member (since, at that level, the effect was the opposite). Instead, he was referring to equality among the 52 constituency associations. Under the universal ballot, no such equality exists; a riding association with 1000 members has ten times the voting influence of one with only 100 members (although that influence would not be structured by or mediated through the constituency association). Such a circumstance contains pitfalls for any party that must compete in general elections in which every constituency is of equal importance. Consider the case of Bill Black. During his contested nomination struggle in Halifax Citadel, the constituency rolls swelled by over 1000 members (or one-sixth of the party's provincial total at the time). Under a universal ballot, and leaving aside subsequent recruitment drives there and elsewhere, the Conservatives of Halifax Citadel would account for 16 per cent of the total votes. Under a delegated convention, by contrast, the corresponding figure would be only 2 per cent. Thus, the guarantee of constituency equality embedded in the latter, but not the former, process would oblige candidates to seek support in most, if not all, parts of the province. One observer noted that the "last thing" the Tories wanted was a candidate who wins through a concerted regional campaign, then goes over like a lead balloon in the rest of the province" (*Halifax Daily News*, 2 October, 2005: 14). Only a delegated convention, it was thought, could provide the necessary protection against such a scenario. As Cross explains:

[i]n a direct election there is no way to ensure an equitable number of voters in each region: the electorate is comprised of whichever party members choose to participate. Logic dictates and experience shows, that the electorate will come disproportionately from areas where a party has strong electoral support (2004:94).

As Table 5 indicates, the convention did provide a somewhat different regional portrait than the 1995 convention. Residents of Halifax made up a much larger proportion of the convention electorate. The percentage of Cape Bretoners was unchanged by these rules, resulting in a diminution of the voice of the Conservative party's rural mainland base. It is likely that the party desired this sort of representation because it provided a greater voice for the Halifax region, an area where the party wished to grow. Unfortunately for this ambition, the Halifax voters fell disproportionately into the camp of Bill Black and were eventually on the losing side.

Table 5: Regional Composition of Party Electorate

	2006 Convention	1995 Universal Ballot
Halifax	37%	28%
Cape Breton	16	15
Rural Mainland	48	58

In embracing the principle of constituency equality, the Tory executive was mindful of the recent leadership travails of the Nova Scotia Liberal Party. On three occasions since John Hamm had been elevated to the Conservative leadership, their Liberal opponents employed the universal

ballot to select their new head. In every instance, the influence of Cape Breton members had been disproportionately high and the Liberal Party's experiences in subsequent general elections had been disappointing. Their most recent all-member vote elevated Francis MacKenzie to the party leadership in the fall of 2004, but one year on, it seemed certain that MacKenzie would prove to be an electoral mill-stone. Columnists referred to the "bombastic vacuum otherwise known as Francis," (*Chronicle-Herald*, 21 September, 2005: B3) and complained that his speeches were "somehow sounding plastic and saccharine at once" (*Halifax Daily News*, 28 September, 2005: 2). In justifying the executive decision, President MacDonell commented: "We certainly looked at the process the Liberal party has followed and the results the Liberal party has obtained" (*Halifax Daily News*, 16 October, 2005: 6).

That the Tory leadership rules were designed to induce the candidates to seek backing in all parts of Nova Scotia did not mean, however, that there would be no regional variations in delegate support. As Table 6 makes clear, the "Neighbourhood Effect" was ubiquitous. Each of the three candidates received disproportionate support from the delegates from their area, and if voting had been restricted to each candidate's home county, there would have been three different winners. The loyalty of Cape Breton is particularly noteworthy. MacDonald won the support of every delegate from his home county of Inverness and his support on the rest of the island was strong. More than 80 per cent of Cape Breton delegates opted for MacDonald on the first ballot. LeBlanc was also popular in his home region winning the votes of 88 per cent of the Yarmouth county delegates. He also won 88 per cent of the vote in neighbouring Digby county and 70 per cent in the adjacent county of Shelburne. Black also benefited from "Neighbourhood Effect," winning 52 per cent of the votes cast by residents of Halifax county. However, not only was Black's neighbourhood support less overwhelming, it did not extend to adjacent counties.⁷ MacDonald was far more popular among delegates from Guysborough and Hants, while LeBlanc carried the support of a majority of Lunenburg delegates.

The loyalty of Cape Breton delegates played a major role in MacDonald's victory. Absent his Cape Breton vote, MacDonald would have finished third on the first ballot resulting almost certainly in a LeBlanc victory. A vote without Halifax delegates would have left Black off the second ballot.

Table 6: The Neighbourhood Effect

	Share of Vote in Home County	Overall Vote Share	Neighbourhood Boost
First Ballot			
Black	52%	32%	+20
LeBlanc	88%	32%	+56
MacDonald	100%	36%	+64
Second Ballot			
Black	53%	37%	+16
MacDonald	100%	63%	+37

It is also interesting to note the continued relevance of religion on voting choice in the party. Ninety-three percent of the delegates identified themselves as either Roman Catholic or Protestant and voting divisions on this basis were significant on both ballots. Black (an Anglican) won a narrow plurality of 36 per cent of the Protestant vote on the first ballot, but received only 24 per cent of the Catholic vote. MacDonald (like LeBlanc, a practicing Catholic) won almost half of the Catholic vote but trailed both other candidates among Protestant voters. Even on the final ballot, MacDonald carried 71 per cent of the Catholic vote and only 59 per cent of the Protestant vote. On both ballots, Black won the support of most of the delegates who came from a non-Christian religion or claimed no religious affiliation. More than half of these voters were from the Halifax area.

The return to a delegated convention by the Nova Scotia PCs advanced one type of equality (that between constituencies), while retarding another (that between individuals). Such a balance would resonate with those Canadian parliamentary reformers who wish to graft a "Triple-E" Senate on to a "rep by pop" House of Commons. Yet for those who consider democratic institutions to be principally concerned with the representation of people rather than space, this tradeoff is more difficult to countenance.

Most Fair:

It has long been known that institutions are not neutral, that particular configurations of rules and structures can advantage some social actors and disadvantage others. The relative "fairness" of these effects, however, is more problematic. Was it more or less fair that the 1983 federal PC leadership convention which elected Brian Mulroney employed a multiple ballot with a mandatory majority as opposed to a single plurality vote (from which Joe Clark would have been victorious) or some variant of a single ballot Borda count (with a John Crosbie triumph the likely outcome)? No straightforward answer seems possible, even though much was clearly at stake – not merely the fates of these individual politicians, but also the constellation of ideological, cultural and social forces they represented. So it was in October, 2005. Most observers were manifestly aware that the Nova Scotia Tory brass was making a decision of some import. One noted that the executive's ruling "could cost some contenders any chance of succeeding Premier John Hamm" (*Halifax Daily News*, 1 October, 2005: 4). Another claimed that "for the candidates considering a leadership bid, much could be won or lost with today's decision" (*Chronicle-Herald*, 15 October, 2005: B6). One of the pre-race favourites, Justice Minister Michael Baker, refused even to contemplate a bid until he had been fully apprised of the rules.

Yet while all agreed that the contest's rules were consequential to the outcome, there was no consensus as to which types of candidates would be most advantaged by a particular institutional arrangement. Consider this analysis:

Party insiders yesterday speculated that a one-member, one-vote election might help contenders from rural areas where the Tories are strong – contenders such as Ernie Fage and Rodney MacDonald. A delegates' convention, where the 52 ridings are more evenly represented, might favour city candidates such as Peter Kelly and Bill Black (*Halifax Daily News*, 30 September, 2005: 5)

Or this one:

Phoned-in or mailed ballots would be popular in the rural mainland, where most Tories live. Metro Halifax has lots of ridings, but fewer party members, and might prefer leaving the decision to delegates...

There would be a lot of pressure within the mainland-dominated caucus not to have a delegate system that would favour a metro candidate (*Halifax Daily News*, 1 October, 2005: 4).

These understandings were predicated on the premise that the leadership electorate under a universal ballot would closely conform to the existing membership rolls. Yet given the fevered membership recruitment drives of previous all-member votes, the validity of this assumption could legitimately be questioned. Thus an alternative, much more plausible, analysis was also in circulation. A delegated convention, went this line of argument, would reflect an

attempt to keep control of the party in the rural areas, where its grassroots ties are strongest. This method also tends to favour candidates whose power bases are primarily rural by limiting the influence that would come from the more populous area of metro Halifax under the OMOV (one member, one vote) model (*Chronicle-Herald*, 15 October, 2005: B6).

From this perspective, maintaining the universal ballot “would be a great boon” (*Chronicle-Herald*, 15 October, 2005: B6) to someone such as Bill Black; alas, the candidate himself was to muddy the waters further by coming out in favour of a delegated convention. “We’re going to have to fight an election sometime within the next 12 months, and being the winner of a divided party won’t be that satisfactory,” Black insisted. “I think all of the people who decide to go for it should feel an obligation to really seek support from all parts of the province” (*Halifax Daily News*, 18 October, 2005: 2).⁸

Amid the confusion, Peter Kelly may have had the clearest sense of his own interests. When Hamm announced his resignation, the mayor of the Halifax Regional Municipality “was at the forefront in the speculation over a successor” (*Halifax Daily News*, 27 October, 2005: 11). Kelly did nothing to discourage such suggestions, but cautioned that much hinged on the forthcoming decision of the party executive. “The process in place will either be inclusive,” he observed, “or it may be, sadly, exclusive depending upon the decisions made.” Driving the point home, Kelly praised the party’s 1995 universal ballot:

It worked very well. It was fair. It was open. It was inclusive. It was affordable. And if that’s the approach they take, then I would be encouraged (*Halifax Daily News*, 6 October, 2005: 2).

Kelly had been re-elected as HRM’s mayor in 2004 with a massive 80 per cent share of the vote, and hoped to put his potent political machine to work in metro recruiting fresh members for the Nova Scotia PCs. Yet the Tory executive opted for a delegated convention, a decision that some interpreted as “an effort to shut (Kelly) out” (*Chronicle-Herald*, 22 October, 2005: B4.) Estimates of the proportion of the executive that had already begun to identify with a potential candidate even as they were formulating the convention rules and processes range from about one-third to over 90 per cent, but all agree that there were few Peter Kelly adherents among them. While

some executive members insist that “even those who had clear preferences were not acting strategically at the meeting,” (Interviews with senior Conservative officials, Halifax, 18 May, 2007 and 19 March, 2009) others are less certain. One of the mayor’s few supporters did not even bother to voice his preference for the all-member vote. His speaking turn was so late that a steamroller of support for the delegated convention seemed unstoppable. Even so, Kelly’s supporter remains certain that the executive decision was driven by a perceived need “to stop Peter Kelly” (Interview with senior Conservative official, Halifax, 17 April, 2009). If that was, their intent, it proved successful. Kelly was “clearly disappointed” (*Halifax Daily News*, 18 October, 2005: 2) with the outcome and despite having commissioned a poll that purported to show that the Tories would enjoy greater electoral success under his leadership than that of any other contender (with Peter MacKay second and Neil LeBlanc third), he bowed out of the race (*Chronicle-Herald*, 26 October, 2005: B1).

Kelly’s decision was presumably based not merely on the fact that the return to a delegated convention would blunt the efficacy of a large-scale recruitment drive in metropolitan Halifax.⁹ In actuality, as Table 7 makes clear, there was only a modest rise in new members during the sign-up window and no particular regional bias could be detected. As well, Kelly must have known that the process favoured candidates with close links to the government caucus. Conservative MLAs, who would have been largely bypassed under the universal ballot, suddenly re-emerged as potential power brokers at the delegate selection stage. As soon as the contest rules were announced, even little-known backbenchers began to be courted by possible candidates. “We’re getting some calls. I’m not sure you’d call it love,” observed Ron Chisholm (Guysborough-Sheet Harbour). “It’s an interesting time and they’re after our support, no doubt about it” (*Chronicle-Herald*, 19 October, 2005: A1). Both Neil LeBlanc and Rodney MacDonald, with years of experience in the Tory caucus, were much better situated than neophyte Bill Black to garner the support of MLAs.

Table 7: Membership Change in the Nova Scotia Progressive Conservative Party

	Nov. 3	Dec. 27	Change	Percentage
TOTAL	6,045	9,519	3,474	57%
<i>Metro Halifax</i>	<i>2,557</i>	<i>3,892</i>	<i>1,335</i>	<i>52%</i>
<i>Outside of Halifax</i>	<i>3,488</i>	<i>5,627</i>	<i>2,139</i>	<i>61%</i>
Average - Metro Halifax	142	216	74	
Average - Outside of Halifax	103	166	63	
Average - Overall	116	183	67	

Community Services Minister David Morse acknowledged that Black was hampered by his status as a political outsider: “Even though he has an outstanding résumé, I think that will present an obstacle to his candidacy” (*Halifax Daily News*, 15 November, 2005: 2). Ultimately, Black was able to win the backing of only one of the 25 member government caucus (maverick MLA Mark Parent). LeBlanc, by contrast, had 9 cabinet ministers and 3 back-benchers in his entourage, while MacDonald enjoyed the support of 4 ministers and 5 back-benchers. At the delegate selection phase, these endorsements were often pivotal. Thus, Education Minister Jamie Muir, who had blandly observed that “some people who are going to be delegates are going to look to

the sitting member to help them with their decision,” (*Halifax Daily News*, 15 November, 2005: 2) was able to deliver all the delegates from his Truro-Bible Hill bailiwick to Neil LeBlanc (*Chronicle-Herald*, 17 January, 2006: B2). In contrast, Bill Black’s sparse caucus support obliged him to concentrate on the so-called “orphan” ridings (those without an incumbent Conservative MLA) in metro Halifax and the rural mainland. Even after the delegates had been selected, the influence of sitting MLAs could be detected. Thus, Brooke Taylor, a MacDonald backer, worked hard to ensure there was no backsliding among his riding’s delegates. “Like a doctor with house calls,” noted the Colchester-Musquodoboit Valley MLA, “I have done personal visits with everyone” (*Halifax Daily News*, 9 February, 2006: 7).

Nor were delegates entirely free from elite manipulation on the convention floor. While the impact of backroom dealings and candidate endorsements on convention voting have often been exaggerated (Stewart and Stewart, 130-142), they are not inconsequential. Bill Black blamed his second ballot thrashing in some measure on the very public decision by Neil LeBlanc and his team to move to the Rodney MacDonald entourage. “The third-place candidate should sit there and let their delegates make their own choice,” complained Black. “If Mr. LeBlanc had sat on his hands, and the cabinet ministers had gone 50-50, it would have been a real different picture. But there it is” (*Halifax Daily News*, 12 February, 2006: 4). In fact, there was a natural affinity between the camps of the two non-Haligonians; it had long been recognized that the “dream scenario for both of the Tory insiders was to be on a second ballot with Black” (*Sunday Herald*, 12 February, 2006: A1). As demonstrated in Table 2, LeBlanc was in all probability only “leading” his delegates in a direction most were already heading. The endorsement was thus largely redundant.

Another element important in assessing the fairness of the process is the nature of the electorate. Analyses of conventions generally note the relatively elite nature of these gatherings and a tendency to over-represent youth and under-represent women. Universal ballots, in contrast, tend to provide more representation for women and increased participation by seniors (Cross, 93). The switch back to conventions in 2006 had only a modest effect on these matters. As Table 8 shows, women were slightly better represented in the universal ballot as were those without university degrees; in contrast, young people made up a larger proportion of the convention electorate (perhaps because of a party requirement that at least five delegates from each constituency be under the age of twenty-six). One could not argue, however, that the convention delegates were more representative of the Nova Scotian population. Once more, the claim that the delegated convention is “most fair” is far from certain.

Table 8: Characteristics of Voters

	2006 Convention	1995 Universal Ballot
Women	39%	43%
Under 30	12	8
60 and older	42	40
University Degree	47	39

President MacDonell justified his party’s return to a delegated convention as “the most fair, the most equal, and the most exciting way” to select their new leader. Upon closer inspection,

however, these claims are difficult to substantiate. True, there was much drama on voting day, but given the low proportion of undecided delegates, the Conservatives were very fortunate in that respect. Equality between constituencies was, heightened, but at the cost of introducing a substantial and capricious inequality between individual party members.¹⁰ As to fairness, it seemed entirely irrelevant to the proceedings. The decision to adopt a delegated convention rather than a universal ballot may have advantaged a candidate such as Rodney MacDonald and disadvantaged a candidate such as Bill Black. The reverse decision might well have had the reverse effect. Matters of fairness were simply beside the point.

Can the decision of the Tory brass be justified on more pragmatic grounds? If Rodney MacDonald was the party's best option to succeed John Hamm, then rejecting the universal ballot at least had some internal merit. Most neutral observers of the race, however, regarded Neil LeBlanc as "the blue chip stock" of the three candidates (*Chronicle-Herald*, 17 February, 2006: A5). One analyst itemized the positive attributes of the former Minister of Finance (the most political experience, the most long-term public exposure, the most charming, the most caucus support, and "by far the best people skills") and concluded: "On paper, Neil LeBlanc is the best candidate in the Tory leadership race" (*Chronicle-Herald*, 8 February, 2006: B2). Perhaps, but organizational skills (or at least the ability to put together an effective organization) are also an indispensable feature of political leadership, and it cannot be denied that at several points in the campaign, the LeBlanc team was out-organized. His successor may not warrant John Hamm's extravagant praise ("Rodney is another Angus L.") (*Halifax Daily News*, 18 February, 2006:15), and MacDonald's vapid campaign slogan ("Respected, ready, real") should at least have set some alarm bells ringing. Nevertheless, while MacDonald received some internal party criticism for only securing a minority government in the June, 2006 provincial election, it is worth noting that he did at least as well as any of the other four Nova Scotia Premiers in the latter half of the twentieth century who had assumed the post mid-term (Henry Hicks, Ike Smith, Donald Cameron and Russell MacLellan). His party's thrashing in the 2009 provincial election, however, renders the definitive judgment on the collective wisdom of the Nova Scotia Tories in placing Rodney MacDonald at their head.

The Conservatives were not alone in moving back to conventions; their Liberal counterparts, who also held a traditional convention in April 2007, joined them in this 'retreat from democracy'. The Liberals had lost three straight elections and did not even enjoy official opposition status in the Nova Scotia legislature, which helps explain the move away from universal ballots. Blame for this turn of events has been attached to the leaders, particularly Francis MacKenzie, and blame for his selection, as we noted earlier, has fallen to some degree on the leadership process.¹¹

We conclude our analysis by giving the final word on the merits of universal ballots to the 2006 Conservative delegates. Almost two-thirds of the delegates felt that all members of the party should select the leader. This view was consistent among the supporters of all candidates: only 32 per cent of Black voters, 31 per cent of LeBlanc voters and 42 per cent of MacDonald voters disagreed with the universal ballot voter option. Thus, even among party delegates and even before the outcome of the 2006 provincial election, a preference for all-member votes dominated. Had the question also been put to the 7500 party members who were effectively disenfranchised by the return to a delegated convention, one can reasonably surmise that support for the universal ballot would have been even stronger. The arguments put forward by members of the Conservative executive (who, it is worth noting, were assured of

enfranchisement under whichever method they selected) were obviously insufficient to convince the Conservative grassroots.

Conclusion

The Conservative executive may have enthusiastically abandoned the universal ballot, but their rationale for the shift was far from compelling and the threats said to accompany the universal ballot were likely exaggerated. The 2006 convention was fortuitously more exciting than the preceding universal ballot, but it is far from apparent that it was “more fair” or “more equal”.

While it is clear that conventions are more compelling to the media, it is not clear how much of this media attention spills over to the general public and it is certainly the case that fewer individuals become directly involved in the process. Thus, excitement comes at the cost of engagement. Although the Conservatives escaped huge controversy in the delegate selection process, it seems inevitable to us that slate politics will again intrude on the convention process.

It remains to be seen whether parties in other provinces will join in this retreat from all-member votes. Certainly, some of the concerns raised in Nova Scotia have not been borne out in other jurisdictions. The Ontario Conservative system permits for the equal weighting of all constituencies and the Alberta Conservative universal ballot in December 2006 attracted widespread media attention *and* turned more than 144,000 Albertans out to vote in polling stations across the province in snowy and cold conditions. Regardless of the reaction of parties, it is almost certain that those political scientists who miss the convention process will greet a return to delegated conventions with great enthusiasm.

Endnotes

¹ During the speeches, LeBlanc made the unfortunate gaffe (for a former finance minister) of confusing “billion” with “million.” In LeBlanc’s words: “There’s just you, your experience, tens of thousands of public servants and a \$6 million budget to manage” (Sunday Herald, 12 February, 2006: A3).

² Information on delegates and behavior at this convention comes from a mail survey. Surveys were sent to 1000 delegates and 461 responses were received. The sample is quite representative on the key variable of candidate choice.

³ Data on voters and behavior in the 1995 Universal Ballot comes from a mail survey. Surveys were sent to 1800 votes and 957 responses were received. The sample is quite representative on the key variable of candidate choice (see Stewart and Stewart, 2007: 6, 13).

⁴ According to one senior Tory, some of these longstanding “core workers” were obliged to jump on to apparently unstoppable bandwagons at the constituency level in order to ensure enfranchisement, even though they were determined to vote for a different candidate at the convention.

⁵ Our earlier work suggested that the movement to the universal ballot in the Maritimes had not created a large group of ‘tourists’ and uncommitted voters swamping the leadership selection process (Stewart and Stewart, 48-60). Of course, any comparison between the 1995 and 2006 Conservative conventions must be sensitive to contextual differences. In 1995, the Tories were a dispirited opposition party; in 2006, by contrast, the Conservatives had been in office for seven consecutive years and were choosing not just a new party leader, but also a new provincial premier.

- ⁶ The arithmetic is not quite as straightforward as it might seem, since a handful of elected Bedford delegates did not attend the convention and were replaced, immediately prior to the first ballot, by upgraded LeBlanc alternate delegates.
- ⁷ The stronger nature of the Neighbourhood Effect in rural areas is a recurring theme in Maritime leadership elections (Stewart and Stewart, 84).
- ⁸ In fact, Bill Black's strategic position was quite complicated. If he were certain to be the only candidate from metropolitan Halifax, Black would have preferred an all-member vote. Had such a method been employed, however, the mayor of HRM, Peter Kelly, would likely have entered the contest, to Black's detriment.
- ⁹ Of course, the return to a delegated convention would also limit any large-scale recruitment drives in the more rural parts of Nova Scotia. "If Peter Kelly had been blown out of the water by Rodney MacDonald packing the rolls with new members from Inverness," noted one senior Tory, "that would not have been helped the party either." (Interview with senior Conservative official, Halifax, 19 March, 2009)
- ¹⁰ See David K. Stewart and R.K. Carty, "Leadership Politics as Party Building" in William Cross, ed., *Political Parties, Representation and Electoral Democracy in Canada*, Toronto: Oxford University Press, 2002 for a discussion of how constituency equality creates membership inequality.
- ¹¹ Their return to a delegated convention was uncontroversial; a meeting open to all Nova Scotia Liberals to discuss changes to the universal ballot attracted fewer than 200 participants, most of whom supported a delegated convention. The Liberal convention, which allowed for a maximum of 30 delegates from each constituency undoubtedly reduced the role of Cape Breton in the process and for the first time in three elections elected a leader without ties to the region. Like the Conservatives, the Liberals also attracted much media attention. However, in terms of engaging Nova Scotians, while more than 20,000 memberships were purchased during previous universal ballot elections, only 8241 memberships were sold in the party by the February 21, 2007 deadline for participation in the delegate selection process. Fewer than 1400 delegates eventually voted at the late April convention. Although the Liberal constitution indicates that "every person who is a member in good standing... shall have a vote to select the leader," the party's return to convention did not require constitutional changes since the party maintained: "Every member is still going to be entitled to vote, to select the delegates... Every member will be included and that meets the criteria in our constitution." However, during the election of delegates, ordinary members could not vote even indirectly for the leader since delegates, unlike the federal Liberal system, were not bound to vote for a particular candidate on the first ballot. It is difficult to argue that the delegates were authorized by the members in their constituency or accountable in any way to those members.

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