

## The Nova Scotia Provincial Election of 2009

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### Abstract

*With over 45% of the popular vote in the provincial election of 2009, the New Democratic Party elected members in 31 of Nova Scotia's 52 constituencies – enough to form a majority government in the House of Assembly. For the first time in Nova Scotia's history, neither the Liberals nor the Progressive Conservatives hold power. Given the growing convergence among the parties' policy platforms, the change in government does not indicate an ideological shift in the province. Instead, it is a signal of general frustration with the two traditional governing parties and a consequent willingness to try something new.*

### Nova Scotia Politics, Pre-dissolution<sup>1</sup>

On May 4, 2009, almost three years into Rodney MacDonald's PC minority government, the opposition parties voted down a money bill. The government proposed spending \$260 million of Nova Scotia's "offshore offset" on schools, roads and infrastructure, despite the stipulation in the *Provincial Finance Act* that this money be earmarked for debt reduction. The plan would have required an amendment to the law, which neither of the opposition parties was prepared to support (CBC News, cbc.ca, May 4, 2009). At the time of dissolution, the governing PCs held 21 seats, the NDP 20 and the Liberals nine. One seat was held by an independent member and another was vacant.

From the outset, the consensus was that this election was the NDP's to lose. Opinion poll data collected by Corporate Research Associates (CRA) shows that public satisfaction with the MacDonald government dropped from 61% in August 2006 to 41% in May 2009 (Corporate Research Associates, May 2006-2009). A plurality of respondents identified NDP Darrell Dexter as the leader who would make the best Premier; he maintained this ranking consistently from August 2006 onward (Corporate Research Associates, May 2006-2009). The MLA for Cole Harbour since 1998 and party leader since 2001, Dexter has consolidated a reputation as a centrist rather than as a left-wing ideologue. He led the NDP from third place to first by promoting balanced budgets, tuition freezes, 100% health care coverage for seniors, reduced waiting times for surgeries and the elimination of the HST on home heating oil. The broad assortment of issues on which he campaigned has allowed the party to appeal to various geographical and demographical constituencies across the province.

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Under Stephen McNeil's leadership, it was expected that the Liberal Party would improve its standings from the 2006 vote. He was chosen on April 28, 2007 at the party's convention. He defeated runner-up Diana Whalen, MLA for Halifax Clayton Park, with 718 votes to her 650 on the second ballot (CBC News, cbc.ca, April 30, 2009). The MLA for Annapolis since 2003, McNeil brought experience that his predecessor, Francis MacKenzie, lacked. (MacKenzie became leader of the party in 2004, but waited until 2006 to contest a seat in the House of Assembly. MacKenzie's bid to be the MLA for Bedford failed and the Liberals were reduced to third party status in the legislature with only nine seats.) Upon becoming leader, McNeil acquired responsibility for rebuilding the party, reconnecting with voters and providing a viable alternative to the PC government and the NDP government-in-waiting. His strategy was to shift the party to the right of centre by advocating tax cuts for small businesses and the deregulation of the gas industry in order to stimulate the economy.

Rodney MacDonald became Premier of the province and leader of the Progressive Conservatives in February of 2006. He sought a mandate from the people a few months later and managed to maintain his party's minority government status, albeit with two seats fewer than before dissolution. Party faithful had hoped that MacDonald, young but politically experienced, would rejuvenate the party's image, but he failed to secure the trust and confidence of Nova Scotians. In addition to doubts about his leadership, a number of factors likely contributed to the party's decline in the years after the 2006 election. For example, one of MacDonald's cabinet ministers, Ernie Fage, left both cabinet and caucus early in 2007 upon being charged with leaving the scene of an accident. He was subsequently found guilty and fined \$800 (Canadian Press, herald.ns.ca, June 10, 2009). Later that year, the immigration department was the subject of controversy because of its business mentorship program. Applicants would pay \$130,000 in exchange for a six-month work placement with a Nova Scotia business. Minimum salary was set at only \$20,000 (!). The government decided to abort the program, mindful of the growing consensus that participants had not been given a fair return on their investment. Those who paid for but had not yet received a placement would be entitled to a refund of \$100,000. CBC News reported that the refunds could cost provincial taxpayers \$60 million (CBC News, cbc.ca, October 17, 2007). In the months before the government lost confidence in May 2009, opposition parties protested its refusal to bring forward a budget in a timely fashion. The Standing Committee on Economic Development went as far as to subpoena senior officials from the finance department in order to tap them for information on the province's fiscal situation (CBC News, cbc.ca, March 24, 2009). The budget that eventually came forward could not be balanced without amendments to the *Provincial Finance Act* and, as discussed above, neither opposition party would cooperate. The campaign kicked off with government and opposition blaming each other for forcing the province's fifth election in 11 years.

## The Campaign Trail

Opinion polls results from the first two weeks of the campaign indicated a solid three-party competition. The NDP held the support of 37% of decided voters, the Liberals 31% and the Tories 28% (Corporate Research Associates, May 2009). These numbers would have put the New Democrats in minority government territory, but voter intentions shifted in their favour as the next few weeks unfolded. As expected, health care and the economy were the dominant issues during the campaign. On the former, the NDP was most vocal. Dexter pledged to reduce wait times and to make sure that emergency rooms stay open (CBC News, cbc.ca, May 7, 2009). ER closures are of particular concern to voters in rural regions, where the NDP has historically done poorly. The party's focus on this issue likely helped them to expand their support base beyond the Metro Halifax area and into the North, South and Eastern shores. Liberal leader Stephen McNeil was concerned about a shortage of health care professionals in the province and, as a solution, promised free tuition for 100 medical students who would agree to work in "under-served" regions of the province (CBC News, cbc.ca, May 12, 2009). The Tories, in part out of fear that they would lose votes to the Liberals, attempted to define the campaign as a two-way race between themselves and the NDP. They spent more time attacking the NDP's health care strategy than on advancing a clear plan of their own. Conservative health minister Karen Casey implied that Dexter's plans

to shrink the budget would mean a reduction in health care services for Nova Scotia (CBC News, cbc.ca, May 30, 2009).

All three parties advocated tax cuts of different kinds to stimulate the economy. Both the Tories and the Liberals wanted to cut taxes for small businesses. In addition, the Liberals advocated a micro-credit program to help new business owners. To finance these measures, McNeil suggested that the funding for the cabinet-controlled Industrial Expansion Fund be decreased. The MacDonald government defended this program as a way to invest in Nova Scotia businesses and claimed that each dollar contributed by taxpayers generated a return of \$1.89. McNeil claimed that the program amounted to a “political slush fund” for the Tories. Dexter seemed to concur and argued that the funds be distributed by an arms-length organization rather than by cabinet (CBC News, cbc.ca, May 6, 2009). The NDP promised a balanced budget for 2010/2011 if elected and vowed to eliminate the HST on home heating oil (CBC News, cbc.ca, May 17, 2009).

There were two televised leadership debates during the campaign. In the first, leaders took questions posed by three journalists and in the second, they responded to queries submitted by members of the public. There is nothing to suggest that the debates had a discernible effect on the election results. All three leaders’ answers came across as scripted and rehearsed; there was not much in the way of spontaneous exchange. At a low point in the second debate, Premier MacDonald compared Darrell Dexter to a car thief. MacDonald and McNeil took aim at Dexter, the front-runner, during both debates. They were hoping to shake public confidence in the NDP’s health care plan and its ability to manage the economy (CBC News, cbc.ca, June 5, 2009).

Ultimately, the campaign failed to expose significant ideological differences between the three parties. They seemed to converge at the political centre in attempt to broaden their appeal and maximize their votes. In the absence of serious divisions on policy questions, the campaign was fought largely on issues of leadership and trust. Attack ads were a consistent theme throughout the campaign, but the Conservatives’ efforts intensified on the homestretch – when an NDP victory seemed all but inevitable. CRA polls conducted from May 18-30 found that 44% of decided voters favoured the NDP, while the Liberals and Conservatives had 28% and 26% of respondents’ support, respectively (Corporate Research Associates, May 2009). This left the PC team with a little over a week to stop the bleeding. Their strategy was based on largely on innuendo and scare tactics. On the final Friday of the campaign, the Progressive Conservatives began running radio ads alleging that the NDP had received \$45,000 in illegal campaign contributions from labour unions. In fact, the NDP had received nine donations of \$5000 (the maximum legal limit for party contributions) from nine different unions. They returned all of the money when party officials learned that Mainland Nova Scotia Building Trades Council had offered to reimburse the unions. The NDP took issue with the claim that the donations were “illegal” and asked radio stations to stop airing the ads (MacLeod, metronews.ca, June 8, 2009).

During the final week of the campaign, PC headquarters mailed out 5,500 copies of a letter penned by John Bell of Beaverton, Ontario. He had lived in Ontario during Bob Rae’s NDP government. The purpose of the note was to convey to Nova Scotians his unpleasant memories of that experience. He wrote:

I voted NDP in the past because I thought there needed to be a change. They told me they wouldn’t raise taxes and they would live within their means. Sounds a lot like what Darrell Dexter and the NDP are saying in your election, doesn’t it? (Myrden, *The Chronicle Herald*, June 6, 2009)

Candidates for the NDP labeled the move as a “desperate,” last-minute scramble for votes. Clearly, it was too little too late – Darrell Dexter and the NDP were about to make history.

## Election Night

The 2009 election set a number of records. Most notably, it produced the province's first New Democratic government. The 2009 campaign included more female candidates than any other in the province's history at 54. Twelve of them won seats – the most ever in Nova Scotia (CBC News, June 9, 2009). Although advance polls were busier than usual, overall turnout as a percentage was the lowest ever – only 57.95% of registered voters actually participated (Elections Nova Scotia, 2009). In 2006, turnout was 59.89% (Elections Nova Scotia, 2006). The drop in the voter participation rate was discussed in the provincial press in the days following the election but, as it turns out, the preliminary statistics did not tell the whole story. The official results, which Elections Nova Scotia released a few weeks after voting day, confirmed the decline in the percentage of registered electors who participated. However, the absolute number of voters increased by 7,819 - from 406,052 in 2006 to 413,871 in 2009. Voter turnout as a percentage declined because the number of *registered* voters increased by 36,131 – from 678,036 in 2006 to 714,167 in 2009. A rise in the number of first time voters is the most likely explanation here. Absolute vote totals for the three major parties show that the Tories had 58,916 fewer votes in 2009 than in 2006. The NDP got 46,428 more votes in 2009 and the Liberals collected 17,288 additional votes, for a combined total gain of 63,716 votes.

As stated earlier, the NDP elected 31 members to the House of Assembly with 45.26% of the popular vote. By comparison, in 2006, the NDP formed the Official Opposition by winning 20 seats with 34.63% of the popular vote.<sup>2</sup> Metro Halifax has been a stronghold for the NDP in recent elections and 2009 was no exception. Of the 19 seats in the area, the NDP won 13; this is unchanged from 2006. However, the party's share of the popular vote in Metro climbed from 47.35% in 2006 to 54.3%. In Cape Breton, only two of the nine seats are held by NDP Members – again, no change since 2006 – but each of them won with over 70% of the popular vote in his riding. In the Annapolis Valley, the NDP gained two seats at the Conservatives' expense and in the Northeastern region, snagged six seats from the Tories. They swept all five seats on the South Shore, up from two seats in 2006, with 49.5% of the popular vote. As recently as the 2003 election, all five South Shore seats went Conservative. Southwest Nova is the only district in the province with no NDP Members, although over 20% of votes cast there were for NDP candidates.

**Table 1: 2009 Nova Scotia Election Results (CBC News, cbc.ca, June 9, 2009)**

Political Party	# of seats	Share of popular vote
New Democrats	31	45.26%
Liberals	11	27.22%
Progressive Conservatives	10	24.52%

**Table 2: 2006 Nova Scotia Election Results (CBC News, cbc.ca, June 14, 2006)**

Political Party	# of seats	Share of popular vote
Progressive Conservatives	23	39.57%
New Democrats	20	34.63%
Liberals	9	23.44%

Not much changed in Cape Breton or in Metro Halifax, so the NDP won the election by making gains in the Annapolis Valley and on the shores. Each of the 11 additional seats that the NDP won in 2009 had been a Tory seat after the 2006 election. With only 10 seats and 24.52% of the popular vote, the Progressive Conservative Party fell to third place after having governed since 1999. Of the 18 cabinet ministers in the MacDonald government, 16 sought re-election and eight were defeated (CBC News, cbc.ca, June 9, 2009). Rodney MacDonald won his seat in Inverness easily with over 56% of the popular vote, but the message

was clear: Nova Scotia was ready for change. The Liberal Party went from nine seats in 2006 to 11 in 2009, gaining approximately four points on their popular vote percentage. Outnumbering the Tories by a single seat, the Liberals are now the Official Opposition. This status comes with certain advantages, including better funding for research and staffing (Smith and Turnbull, *Canadian Parliamentary Review*, 2008).

## Conclusion

Ten days after the election, Darrell Dexter announced the members of his first cabinet. He decided on a team of 12, figuring that a small cabinet would allow for “agile” decision-making and effective horizontal governance (Jackson, *The Chronicle Herald*, June 13, 2009). Nine of them were veteran MLAs with over 10 years of experience and three were rookies. All of the NDP MLAs who served with Dexter in the House since 1998 were included in cabinet except for one – Howard Epstein, the Member for Halifax Chebucto. After the swearing-in ceremony, Epstein told media that he was disappointed to be left out and suggested that a 15-member cabinet would have been more reasonable, given the heavy workload that cabinet must haul. Why Epstein in particular did not make the cut is not entirely clear, but Dexter did say that considerations of geography and diversity affected his choices (Jackson, *The Chronicle Herald*, June 20, 2009). Epstein is a Metro MLA. With 13 Members from Metro Halifax (himself included), the new Premier was forced to exclude some of them who, by all estimates, would have had much to contribute around the cabinet table. For example, Leonard Preyra of Halifax Citadel-Sable Island would have been a logical choice for cabinet given his background as a political science professor, but he too will remain on the backbench for the time being. Of the 12 people appointed to cabinet, there are six from Metro Halifax, two apiece from the South Shore and the Annapolis Valley, one from Cape Breton and one from Northeast Nova Scotia. As compared to the regional composition of the NDP caucus, Metro Halifax and the Annapolis Valley are slightly over-represented in cabinet. Cape Breton and the South Shore have proportional representation in the caucus and cabinet, but Northeast Nova Scotia seems to have gotten short-changed: the region elected one quarter of the NDP’s caucus but was given only one seat in cabinet. Thirty-three percent of ministers are women, compared with 29% of caucus members.

It is conceivable that Dexter left Epstein out of cabinet as part of a strategy to promote the NDP’s image as a party of the political centre. Epstein, a former director of the Ecology Action Centre, is known as an unapologetic environmentalist. His supporters see him as person of principle, but his detractors dismiss him as an ideologue. As explained in a previous paragraph, the NDP in Nova Scotia is far from the extreme left side of the spectrum. Members believe in a social welfare system, better health care and support for the poor, but not at the expense of a balanced budget. Conservative attack ads tried to paint Dexter’s NDP as a clone of Bob Rae’s, but this image did not resonate with voters who either knew better or did not care. The ideological positioning of the political parties in Nova Scotia is a bit out of sync with what tradition would have us expect. Stephen McNeil’s Liberals, the most vocal supporters of tax cuts and deregulation, lean slightly farther right than their competitors do. This point is not to be overstated, as all three parties have shown themselves capable of both fiscal conservatism and reform liberalism. Recall that the budget that brought down the Conservative government was full of spending promises for infrastructure, education and other things, but the party campaigned on tax credits and fiscal prudence. Because of this convergence at the centre, the NDP victory cannot be taken as evidence of an ideological shift in the province. CRA President Don Mills describes the mood in the province as one of “capitulation” (CBC News, [cbc.ca](http://cbc.ca), June 1, 2009). Instead of deep and profound support for the NDP, there was a willingness to “give them a shot” given the lack of enthusiasm for the other two parties.

Two weeks after the election, Rodney MacDonald stepped down as the leader of the Progressive Conservatives but remains the MLA for Inverness. Karen Casey, MLA for Colchester North and former cabinet minister, was chosen as interim leader. Both the Conservatives and the Liberals will spend the next few years (at least) in “rebuilding” mode. It seemed that many Conservative supporters, including lifelong members, questioned MacDonald’s leadership from the start. He placed first on the first ballot at

the convention in 2006 and defeated businessman Bill Black on the second, because the rivalry between Black and the third candidate, veteran MLA Neil LeBlanc, divided the party. MacDonald was the consensus candidate but, in retrospect, there is a sense that either of his competitors might have been more suited to the job of running the province. In order to become competitive again, it is essential that the Tories reconsolidate and find a new leader who is able to connect with voters. The harder it is to differentiate the parties in terms of ideology, the more important it is to have a leader in whom voters have trust and confidence.

Stephen McNeil's leadership helped to improve the Liberals' position in the House, but its overall share of the popular vote was likely a disappointment to at least some of its members. The previous election was an all-time low for the party and the 2009 results delivered only modest improvement. The provincial election of 1998 was the last one to produce a Liberal government. This was also the election in which the NDP set a provincial record for itself – under Robert Chisholm's leadership, the party took 19 seats in the House with 34.6% of the popular vote. The Liberals won 19 seats as well - four of them in Metro Halifax, seven in Cape Breton and the rest scattered around the other four regions. Just over a decade later in 2009, the Liberals hold onto their four in Metro but are down to three in Cape Breton and failed to elect anyone either in Northeast Nova Scotia or on the South Shore. Cape Breton has long been considered a Liberal stronghold, but this phenomenon might be changing. In the six non-Liberal ridings in Cape Breton, Liberal candidates came second in three. However, in two of these, NDP candidates won with over 70% of the popular vote. These numbers do not suggest an overwhelming capacity for Liberal growth on the Island. Liberal candidates placed second in 13 of the 35 non-Liberal ridings on the mainland, 11 of them in the Metro region. The Halifax-Dartmouth area seems the most promising place for the Liberals to concentrate in the near future, but the NDP will be tough to unseat.

During his election night speech, Darrell Dexter promised an immediate audit of the province's finances and a budget by early October. It is too early to tell, at the time of writing, what the change in government might mean for the public service. Premier Dexter has said that his government will conduct "assessments" of deputy ministers but did not specify whether he intends to make any changes (Jackson, *The Chronicle Herald*, June 20, 2009). When the Committee on Economic Development compelled the appearances of senior finance officials in March of 2009, there was obvious tension between NDP MLA Graham Steele and deputy finance minister Vicki Harnish. Dexter appointed Steele as the new finance minister, which means that he and Harnish will have to work together. They have each indicated a willingness to do so.

On June 25, the new Assembly met for the first time but just for the day. Members unanimously endorsed Charlie Parker, NDP MLA from Pictou West, as its new Speaker (Fairclough, *The Chronicle Herald*, June 26, 2009). Nova Scotia had earned a reputation for running effective, stable minority governments over the past six years, but the NDP will enjoy the protection that majority status confers, at least for this mandate.

## Endnotes

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<sup>1</sup> I extend my thanks to Don Mills and Corporate Research Associates, who provided the polling data referred to in this article.

<sup>2</sup> For a discussion of the 2006 provincial election in Nova Scotia, see Turnbull, Lori. "The 2006 Provincial Election in Nova Scotia." 2007. *Canadian Political Science Review* Vol. 1(2) December, pp. 63-68.

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