

## Completing the ‘Three-Peat’: Recent Provincial Elections in British Columbia

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### Abstract

*British Columbia held its 39th General Election on May 12, 2009. It produced a result very close to the previous election in May, 2005, with Gordon Campbell’s Liberal Government returned with 48% of the popular vote and 49 of 85 seats (or 57.6% of the MLA’s) in an expanded British Columbia legislature. For Gordon Campbell, his victory to a third term made him only the fourth Premier in British Columbia to be elected for a third term, and the first since William Bennett and the Socreds from the mid 1970’s to the mid 1980’s.*

*Until Gordon Campbell, all First Ministers since 1986 had served no more than one term, some considerably less. (VanderZalm, Johnston, Harcourt, Clark, Miller and Dosanjh (between 1986 and 2001 – an average of 2.5 years each), During this decade and a half of electoral turmoil, British Columbia became the first Canadian jurisdiction with Recall and Initiative legislation, as well as adding a separate Referendum Act.*

*To understand the 2009 result, having an idea of its prelude is helpful. That prelude included two General Elections – in 1996 and 2001 which were controversial and resulted in British Columbia’s shift to fixed election dates for 2005 and 2009. The latter two elections both also included a referendum on electoral reform. Both of these failed.*

### Prelude: 1996 and 2001 – The Perfect Electoral Storm

The British Columbia General Elections of 1996 and 2001 represented a perfect political storm for the province; they also represent essential reading for anyone seeking to understand recent BC matters political. In 1996 an increasingly unpopular NDP Government changed leaders and manage to win a majority - 52% - of the legislative seats (39 of 75) with 37,534 fewer votes (39.45% ) vs. a Liberal Opposition which also changed leaders (and had 41.82% of the vote but just 33 seats). Most observers and voters had anticipated the Liberals taking power. Two Social Credit splinter Reform Party MLA’s and one Progressive Democratic Alliance (former Liberal

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Leader Gordon Wilson) were also elected – on a combined 15.01% of the 1996 popular vote. A total of 15 registered parties contested the election – only four running more than 65 (of 75) candidates. The problem for the BC Liberals was that there were three major parties (Liberals (75 candidates), Reform BC (75 candidates) and the breakaway Liberal – Progressive Democratic Alliance (66 candidates) who managed to split the rightist vote in the province – a phenomenon exaggerated further by 17 Libertarian, 38 Social Credit, 14 Family Coalition, 8 Conservatives and 5 Western Canada Concept candidates also in the race.<sup>2</sup>

### 36<sup>th</sup> British Columbia General Election (May 28, 1996)<sup>3</sup>

Party	Votes	% of Popular Vote	# of Cands.	# of Seats
NDP	624,395	39.45%	75	39
Lib	651,929	41.82%	75	33
Reform	146,734	9.27%	75	2
PDA	90,797	5.74%	66	1
Green	31,511	1.99%	71	0
Others / Inds	27,338	1.73%	151	0

Turnout: 71.50% Number of Parties/Candidates: 15/513

Over the next five years British Columbia had three NDP Premiers, including one – Glenn Clark - chased from office due to an ethical scandal. In 2001, the reverse effects of single member plurality worked in the Liberals' favour. They won 57.62% of the votes in that General Election and took 97.33% (77 of 79) legislative seats in a slightly expanded BC House. The NDP 'Opposition' lost party status despite receiving 21.56% of the 2001 vote, a drop of almost 18%, ending up with just 2 MLA's elected. To achieve Official Opposition status in the BC Legislature required a minimum of four seats. Despite having their request for Official Opposition status turned down by the Speaker, he did allow considerable leeway in the chamber and referred to then NDP leader Joy MacPhail as 'opposition leader'.

### 37<sup>th</sup> British Columbia General Election (May 16, 2001)<sup>4</sup>

Party	Votes	% of Popular Vote	# of Cands	# of Seats
Lib	916,888	57.62%	79	77
NDP	343,156	21.56%	79	2
Green	197,231	12.39%	72	0
Unity BC	51,426	3.23%	56	0
BC Marijuana	51,296	3.22%	79	0
Other/Inds	31,399	1.98%	91	0

Turnout: 70.95% Number of Parties/Candidates: 22/456<sup>5</sup>

<sup>2</sup> See Elections BC, *Statement of Votes: 36<sup>th</sup> Provincial General Election, May 28, 1996*, passim.

<sup>3</sup> Compiled from Elections BC, data, *ibid.*

<sup>4</sup> Compiled from Elections BC, data, such as *Statement of Votes: 37<sup>th</sup> Provincial General Election, May 16, 2001*.

For ordinary British Columbia voters, winning an election, in 1996, while running 2.37% behind in voter support and then, in 2001, having another party winning over 97% of the legislative seats with just under 58% of the votes represented an electoral conundrum.<sup>6</sup> One outcome – discussed elsewhere in this issue by Pilon – was the creation of the Citizens' Assembly on Electoral Reform, which recommended an STV solution/referendum for the following 2005 General Election. Another outcome of the 2001 contest, and the Liberal's *New Era Document* platform, was legislation to fix future BC general election dates – at four years from the previous one.

## The 2005 British Columbia General Election

In 2005, relative normalcy under British Columbia's single member plurality system returned to the BC legislature. 2005 also represented BC's first fixed election date election and first electoral reform referendum. In the General Election, the Gordon Campbell Liberals retained majority power – with 46 of 79 seats in the BC legislature for 45.8% of the popular vote; the NDP returned to Official Opposition status with the remaining 33 Seats, for their 41.52% share of the total vote under new leader Carol James. No other parties – there were 45 registered political parties in BC in 2005 – managed to win any seats, despite the fact that 25 of these parties contested the election; there were a total of 412 candidates running for the 79 seats.

In the electoral reform referendum, BC's super-majority requirement of 60% was not met – it received the support of 57% instead – and failed. The closeness of this vote kept it alive through the next BC election in 2009.

### 38<sup>th</sup> British Columbia General Election (May 17, 2005)<sup>7</sup>

Party	Votes	% of Popular Vote	# of Cands	# of Seats
Lib	807,118	45.80%	79	46
NDP	731,719	41.52%	79	33
Green	161,842	9.17%	79	0
DR BC	14,022	0.80%	32	0
BC Marijuana	11,519	0.65%	44	0
BC Cons	9,623	0.55%	7	0
Other/Inds	25,500	1.51%	92	0

Turnout: 62.36%-Reg Voters / 57.8% Estimated Voters

Number of Reg.Parties / Parties with Candidates / Candidates: 45 / 25 / 412

<sup>5</sup> To be a registered political party in BC, an organization must submit a solemn declaration to the Chief Electoral Officer that its primary purpose is "the fielding of candidates." {BC Election Act, S 158(1)}. See [www.elections.bc.ca/index.php/can/polparties/political-party-registration-policy](http://www.elections.bc.ca/index.php/can/polparties/political-party-registration-policy).

<sup>6</sup> For a more complete report on 2001, see Elections BC, *Statement of Votes: 37<sup>th</sup> Provincial General Election, May 16, 2001*, passim.

<sup>7</sup> Compiled from data by Elections BC; for example, *Statement of Votes: 38<sup>th</sup> Provincial General Election, May 17, 2001*.

*Incumbents Re-Elected: 38*

In the lead-up to the 2005 British Columbia election there were a few items of note: For example, Elections BC had had its overall budget cut – over 3 annual increments – by 45%. That involved re-organization, loss of corporate memory and efforts to do things differently. For example, Elections BC worked with Elections Canada to develop a comprehensive voters list, engaged in outreach before and during the election – in 16 languages – and despite significant efforts at voter engagement/education saw the voter turnout drop again.<sup>8</sup>

## The 2009 Provincial General Election in British Columbia

The 39<sup>th</sup> General Election of May 12, 2009 produced no immediate major surprises for British Columbians. One of Gordon Campbell's first-term *New Era Document* promises in 2001 was to set fixed election dates for British Columbia – four years after the previous one. May, 2009 was the second such event. As noted elsewhere (in Dennis Pilon's article, this volume), attached to the 2009 BC General Election was a second BC referendum on adding a reformed STV system to future BC elections or maintaining the FPTP status quo. As Pilon notes, the status quo versus electoral reform was the clear winner in British Columbia. The "why's" are a bit more 'nuanced'.

Having produced no short-term overall electoral outcome surprises, there were a few memorable items to note in the 2009 BC contest – and its immediate and ongoing aftermath: the first was turnout. *In the May 12, 2009 BC General Election there was a continuing downward trend in voter participation: in the most recent BC election only 51% of all estimated voters bothered to cast a ballot, down 8% from 2005 – this despite the fact that Elections BC did its 'best job ever' in identifying and registering eligible voters. The political disconnect trend identified across most liberal democratic states is well reflected in British Columbia.*

### The 2009 Campaign

The election itself, fully anticipated by all parties and interests, began with the writ 'dropping' on April 14, 2009. Major issues and positions covered the economy and the state of BC finances and the environment and social policy. The two major political parties were relatively silent on the electoral reform question. The Green Party's platform had already been public for almost a month before the writ. The main uncertainty was the impact of the 2008 Electoral Districts Act. To account for population growth and shifts, the Legislative Assembly added six new seats.

One not entirely anticipated consequence of having British Columbia provincial elections on the second Tuesday in May, every four years, is that the normal budgetary cycle/approval process in the house was truncated in March/April 2009 and overlapped into the campaign; that slide meant that the 2009 Budget formed the meat of the *Liberal electoral platform*. By Budget Day, 2009, (February 17), early indicators of the global economic meltdown were showing. The Governing Liberals outlined a 3-year fiscal plan indicating limits on spending (with exceptions for areas such as health and education). This would be funded by deficit spending, BC's first in five

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<sup>8</sup> See Elections BC, *Statement of Votes: 38<sup>th</sup> Provincial General Election, May 17, 2005*.

years, The Premier forcefully put the top on this deficit at \$495m during the campaign (a promise that came back to bite him in the electoral aftermath).. This was also partly to be paid with a three-year public sector wage freeze, a ¼ cut in government advertising and limits on travel, discretionary spending and contracted work.

To the budget plan, the Liberals announced spending on local hospitals in Victoria, Greater Vancouver, the Okanagan and the North, promised all day Kindergarten (for autumn, 2010), new Law and Medical schools in the Okanagan, a Bill of Rights for Seniors in residential care facilities (following recommendations of the BC Ombudsman), CCTV cameras for school yards, etc<sup>9</sup>.

There was also ongoing debate about Premier Campbell's moves to establish a carbon tax. The Campbell government moved forward with a carbon tax at a time when federal Liberals were imploding with the idea as part of Stephane Dion's electoral agenda. In British Columbia, Campbell pushed this forward in February, 2008, more than a year ahead of his 2009 election contest. Commentators noted the BC Premier's interest in legacies and his increasing links with California's Governor on matters related to the internal combustion engine, carbon use and the environment.<sup>10</sup> Campbell managed much of the local politics around the carbon tax by promising it would be "revenue neutral", and by phasing it in over annual increments.<sup>11</sup>

The *New Democrat platform*, under leader Carol James, included opposition to the Carbon Tax, preferring a cap and trade approach, one favoured in many North American jurisdictions, including with Canada's Harper Tory government in Ottawa.; the New Democrats courted the youth vote with promises of a return to tuition freezes, getting rid of BC's "training wage" and increasing the province's minimum wage to \$10 per hour– then indexing it to inflation. By 2009, BC had the lowest minimum wage in Canada. To appeal to the agricultural sector, the NDP promised to allow farm gate food sales and establish a Rural Economic Development fund and Buy-BC, a long-running program ended under the Liberals, was to be restored. Other platform highlights included a freeze on new private 'run-of-river' power projects, limiting raw log exports, mirroring California's tailpipe emission standards on the environment and jobs, guaranteeing hospital/surgery wait times, a return of BC Ferries to government control and a small business tax freeze for 1 year.<sup>12</sup> .

There is no shortage of political party choices for British Columbia voters, some quite long-standing. In the 2009 General Election there were 22 'registered parties' – from the most serious Green Party, which received 8.1% of all BC votes – though no seats, despite running in all 85 constituencies - to a long list of minor party groupings. The *Green's platform* supported a YES vote on the STV Referendum, promised to balance the BC Budget while increasing taxes on polluters, promoting Green jobs, and banning 'cosmetic pesticides, combining much of BC social

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<sup>9</sup> See (a) Province of British Columbia, *2009 Budget*, (Feb.17, 2009); and (b) Liberal Party of BC, *2009 Election Platform* @ [http://bcliberals.com/platform/strong\\_leadership\\_and\\_stable\\_government](http://bcliberals.com/platform/strong_leadership_and_stable_government). - Accessed March 17, 2010.

<sup>10</sup> See, for example, the Pacific Coast Collaborative Commission, Province of British Columbia.

<sup>11</sup> On this see, for example, BC Ministry of Small Business and Revenue, *BC Carbon Tax*. Revenue neutral was defined as any increases in revenues due to the carbon tax would be returned via reductions in income tax, corporate tax, plus a 'climate action dividend of \$100 to every British Columbian.

<sup>12</sup> BC NDP *2009 Election Platform* @ <http://www.bcncsp.ca/why-ndp/BCNDP-platform-2009>.

spending into a BC Livable Income Plan and forgiving student loans for any graduate who worked in BC for five years after graduation. Under FPTP, the Greens were not able to elect any MLA's, though they did impact several electoral outcomes.<sup>13</sup>

Amongst other 'minor parties', were the long-standing *BC Conservative Party* (24 candidates), *BC Reform* (4 candidates), *BC Reconfederation* (22 candidates), *BC Libertarian Party* (6 candidates) and the *Western Canada Concept Party*, led by western separatist, and their only candidate, lawyer Doug Christie. If a voter did not like any of these political choices there were two communist parties (a) the *CPBC* (3 candidates) or the Marxist-Leninist *People's Front* (4 candidates) to choose from, or a voluntary simplicity *Work Less Party* (2 candidates), the *Nation Alliance Party*, running 2 candidates on antiracism, in Richmond). Finally, BC's long-standing *Marijuana Party* ran only 1 candidate – as leader Marc Emery was fighting extradition to the US on drug trafficking charges. His party's main message was "vote Green". Remaining electoral combatants also might have joined up with the *Sex Party* (3 candidates) or *Your Political Party* (with just 1 candidate).<sup>14</sup> Collectively, all minor parties and independents managed just 3.82% of the popular vote in BC's 2009 General Election, and zero seats.<sup>15</sup>

As is de rigueur now, BC managed 3 Leaders' Debates – two on morning radio (CBC, April 21 and CKNW on April 23) and one on all three BC television networks - May 3<sup>rd</sup> just over a week ahead of the May 12<sup>th</sup> vote. Premier Gordon Campbell and Opposition Leader Carol James were joined on each by Jane Sterk, former Esquimalt city councillor and Green Party Leader. The Premier stuck to his "maximum \$495 million" deficit and the idea that voters could count on his Liberals in tougher economic times vs. the unsuccessfully tested NDP or untested Greens. The debates were fairly tame events, producing no knockouts, technical or otherwise.

### 39<sup>th</sup> British Columbia General Election (May 12, 2009)<sup>16</sup>

Party	Votes	% of Popular Vote	# of Cands	# of Seats
Lib	751,661	45.82%	85	49
NDP	691,564	42.15%	85	35
Green	134,616	8.21%	85	0
BC Cons	34,451	2.10%	24	0
Indep/DeltaS	17,253	1.05%	1	1
Others	10,997	0.57%	66	0

Turnout: 55.14%-Reg Voters / 51.34%- Estimated Voters

Number of Reg.Parties / Parties with Candidates / Candidates: 32 / 15 / 345

<sup>13</sup> Green Party BC, *BC's Greenbook 2009-2013: A Better Plan for BC*, @ <http://www.greenparty.bc.ca/greenbook>. - Accessed April 1, 2010. See also, <http://greenpolicyprof.org/wordpress/?p=199>.

<sup>14</sup> Each of these political parties has an individual website re details on platforms/positions/ leadership as well.

<sup>15</sup> See [www.elections.bc.ca/index.php/can/polparties/regpolparties](http://www.elections.bc.ca/index.php/can/polparties/regpolparties) - accessed April 21, 2010.

<sup>16</sup> Compiled from data by Elections BC; for example, *Statement of Votes: 38<sup>th</sup> Provincial General Election, May 12<sup>th</sup>, 2009*

An analysis of polls around the fourth week of the campaign showed little to shake up the BC status quo: At the start of April 2009, the BC Liberals were polling at 52%, vs. 35% for the NDP and 12% for the BC Greens – figures virtually the same as an earlier Mustel poll in February, 2009.<sup>17</sup> Ipsos had the Liberals slightly lower – at 46%, and the NDP with the same 35%; BC Greens were found at 15% in their April 7, 2009 poll.<sup>18</sup> On May 7<sup>th</sup>, just days before the actual election Mustel found 47% Liberal support compared to 38% for the BC NDP and 12% Green, indicating a small slide from the Liberals to NDP over the course of the campaign.<sup>19</sup> The actual results were Liberals 48%, New Democrats 44% and Greens 8%, so there was a late shift, particularly to the NDP. Voter turnout – for eligible voters - was down to 51%.

The May 12, 2009 Election Day outcome itself was anti-climactic: two sitting Liberals and two New Democrats lost their seats but the governing Liberals picked up three new seats; the NDP managed to add two as well to compensate for their loses. Unusually, a full-fledged Independent, former Delta municipal councillor Vicki Huntington defeated transplanted Attorney-General Wally Oppal in Delta South by 32 recounted votes. Here a number of quite local issues, such as farmland preservation, a local First Nation (Tsawwassen) Treaty which had produced a range of local reactions to the FN development goals and highly controversial overhead hydro power transmission lines, helped explain the outcome. BC's Attorney-General happened to live in Tsawwassen but had been successful representing Vancouver-Fraserview. The Campbell Liberals felt they had a good chance to lose their traditional hold on Delta South, and were looking for a new political home for star candidate, former West Vancouver Police Chief, Kash Heed. Their answer was to ask the sitting Cabinet Minister to switch to Delta South; fellow South Asian Kash Heed then ran in Wally Oppal's Fraserview seat. In the General Election, Heed won (and was named Solicitor General) and Oppal lost and forfeited his Attorney General Cabinet post. Vicki Huntington, a former Federal public servant and daughter of former Conservative MP Ron Huntington, who had topped several previous Delta municipal election polls, running as an Independent, prevailed in the General Election after an official recount.

The BC House included 49 Liberals, in government, and 36 MLA's in Opposition - 35 of them New Democrats – after the 2009 General Election. One Liberal (Blair Lekstrom, Peace River South) left to sit as a second Independent by Spring, 2010 due to the anti-Government HST Initiative – a possible harbinger of political re-alignment on the right in BC. In 2009, however, voter support for the two main parties was virtually unchanged from the 2005 contest – each up a little under 1%.

As for conclusions, the 39<sup>th</sup> BC General Election of May 12, 2009 produced a virtually unchanged result but is best understood in terms of its prelude. The prelude included controversial electoral outcomes in 1996 and 2001, subsequent fixed election legislation, an extended debate on electoral system change, and – immediately post election – an aftermath which has seen initiative, referendum and recall all come in to play – making the 2009 General Election more interesting historically than the actual legislative seat outcome might suggest.

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<sup>17</sup> <http://www.mustelgroup.com/pdf/20090414.pdf> - accessed April 9, 2010.

<sup>18</sup> <http://www.ipsos-na.com/news-polls/pressrelease.aspx?id=4320> – accessed. April 17, 2009

<sup>19</sup> <http://www.mustelgroup.com/pdf/2009o507.pdf> - accessed April 11, 2010.