

Research essay example

[Countries](#), [Canada](#)



1. 0 Introduction

Canada has had elections since 1792; that was when the Upper and Lower Canada conducted their first elections. Elections in Canada are held at different levels of the government including the federal (national), territorial, provincial as well as municipal. Minimally the citizens must be 18 years in order to vote for any representative. The Canadian parliament has two chambers which include a lower chamber, the House of Commons with 308 members and the upper chamber, the Senate with 105 members. The members of the House of Commons serve for maximum of four years and are elected in single seat constituencies while the Senate has a permanent term, or rather the members may stay until they are 75 years of age. The Senate is not an elected body. The elected members of the House of Commons are representatives of the geographical divisions called electoral districts (or ridings) which are currently 308 in number. The national elections are governed by Canada Election Act. Canada's electoral system is governed by a system called 'single-member plurality' or 'first-past-the-post' system (Brown and Pelletier 2011).

The Members of Parliament to be elected must belong to a political party. There are 18 such registered parties in Canada. Each party nominates a candidate for each riding. The most popular political parties currently are; the Conservative Party, the New Democratic Party, the Liberal Party, the Bloc Québécois and the Green Party. A government is usually formed by the party that wins most ridings. The leader of that party then becomes the Prime Minister and forms a majority government if the party wins more than 154 ridings. If he wins 154 or less ridings, he forms a minority government. Such

a position is not steady, so unless this government wins the confidence of the House of Commons and the Senate they might lose power (Brown and Pelletier 2011).

2. 0 Background Information

The Constitution Act of Canada founded the parliamentary government mainly composed of a House of Commons and appointed Senate. It divided Canada into four provinces; Ontario, Quebec, Nova Scotia and New Brunswick. It is also responsible for the establishment of the Canadian federal government. Canada became a sovereign state in 1931. It had been a British colony. Canada also adopted a first-past-the-post electoral kind of system for its federal elections. Since 1867 up to 1993, two major parties have alternated in power under this electoral system; the Liberals and the Progressive Conservatives. The Conservatives ruled all the way from 1867 up to 1993 except for five. Since the beginning of the 20th century to its end, the Liberals were in power for almost seventy years .

The alternating of power between only two parties came to an end in 1993 when the Progressive Conservatives experienced an unbelievable defeat. They lost all but two seats in the House of Commons since history. They were replaced by the Reform Party, currently known as the Canadian Alliance, which also became the major right-wing force at federal level. The Liberals won the elections in that year and stayed in power all the way from 1993 to 2006 since the Canadian Alliance were unable to beat up the challenge. The Progressive Party never fully recovered from the devastating defeat in 1993. They merged with the Canadian Alliance in 2003. Together they formed the New Conservative Party of Canada. They then made a comeback in 1997.

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This new party was strong and proved to be a major challenge for the Liberals. In the 2004 elections the Liberals won but with a minority government. This was due to the strength that the New Conservative Party had gained. The New Conservatives got a great share of votes hence became the Official Opposition Party. There had not been a minority government since 1979.

In 2005 the ruling party, the Liberals, found themselves in a threatening situation. They and the New Democratic Party had formed a treaty in April, 2005 on backing of the government's federal budget. A number of faults and presence of infringements of the law cost the New Democratic Party a majority in the House of Commons. In the following month, the Liberals were subjected under a question of confidence but fortunately they won the confidence vote. The minority government stayed in power until November 2005. At this time their treaty with the New Democratic Party broke down and they failed the vote of confidence as well. The government was therefore forced to call for a general election in January 2006. The Liberals lost to the Conservatives but fell short of a majority. They therefore formed a minority party. The resignation of the Liberals leader Prime Minister Martin followed suit. The leader of the Conservatives then was Stephen Harper.

In the general election in 2008, the Conservatives were re-elected though they only won themselves a minority government. The Liberals on the other hand fared quite badly. The Conservatives leader, Harper continued as the overall Head; though the Prime Minister had some criticism against this due to the claims of abuse of power. It was said he had developed a habit of

prorogation of the government, that is, to suspend the parliament, at leisure. This issue of prorogation of the government led to a political crisis in the same year, after the conservatives introduced a financial update that did not include an economic incentive package against an anticipated recession. It was also accused of including a suggestion to eliminate public support to political parties and also that it barred temporarily the right of the federal public servants to strike. This proved to be quite difficult for opposing parties. They tried combining efforts to out-throw the Conservatives from leadership but failed. The Conservatives prorogued the parliament till January, 2009. In 2009, the conservatives prorogued the parliament again in December. This compelled the Opposition Parties to join forces in March, 10 to pass a non-obligatory motion in order to prohibit proroguing of the government for longer than seven days without proper consent of the full House of Commons .

Following the general elections in 2011, the conservatives were re-elected and they won themselves a majority government. This was the 41st general election since history. Prior to this a vote of non-confidence had been passed on the Conservative minority government. This is what led to a call of these general elections. The Liberal Party got the least seats in history and lost their position of the Opposition Party to the New Democratic Party which had never attained such a position before. The Bloc Québécois lost official party status, something that had never happened before. Three recounts were made. According to Canada Elections Act, a recount is conducted whenever votes between the first two contestants with the highest votes do not exceed a thousand of the total votes.

However, controversies arose in these elections. Some losing electoral districts brought up allegations against a fellow contestant Ruth Ellen Brosseau. They claimed that her nomination papers had loopholes such as missing some signatures and also having addresses in place of signatures. Elections Canada however, took over this case and declared the papers legit. There also were reports of voter suppression by the Conservative Party which was claimed to be a tactic to cut off Liberal supporters . Failure to prove this allegation led to its dropping. The alternation of power between the Conservatives and the Liberals is though likely to continue, since the rest of the political parties are almost un-noticeable.

3. 0 The Canadian Electoral System

Canada currently has 308 electoral districts. Only a single member is elected as a Member of the Parliament by the voters in each riding. In each of the political parties a candidate is nominated for each riding. The party that wins most ridings then forms a government, with the leader of the party becoming the Prime Minister. The government formed may either be a majority government or a minority government depending on the number of riding it wins. The party that wins the second highest number of seats then becomes the official opposition party. Though there are several parties in the Canadian government, the major ones are the Liberal party and the Conservative party.

National elections in Canada are governed by the Canada Elections Act.

When a new government is elected it stays in power for four years, though in some cases the Prime Minister may request the Governor General to conduct

elections at a different time as he deems fit. The general elections can also be delayed under special circumstances. These include a delay in returning the writs, which are the formal documents authorizing the proceeding of elections, or due to a major event such as a war. For instance, the elections were delayed due to 'World War 1. By-elections can be held in between general elections in case some members lose their seats. For instance a by-election is scheduled for 19th March this year in Toronto, Danforth.

Referendums can also be held in case of major issues. For instance the most recent referendum was held in 1992 on proposed constitutional changes in the 'Charlottetown Accord'.

In order to conduct general elections, the Prime Minister requests the Governor General to dissolve the government. The Governor sets the day by which the writs should be returned which is by law a minimum of 36 days before the Election Day. The Prime Minister may call for this election anytime, although by law, the parliament should serve for four to five years after the return of the writs. Nevertheless, the law is not against the Prime Minister calling for the dissolution of the government whenever he feels sensible. This may for instance happen when a government fails a vote of confidence (Brown, 2011). The timing of conducting the elections is also put into consideration. Elections in Canada are mostly held in spring or fall in order to avoid the problem of holding this outdoor activity over winter, which is generally harsh, or during summer which is when most Canadians have holiday (Brown and Pelletier, 2011).

Every Canadian aged over 18 years of age is eligible to vote with an exception of the Chief Electoral Officer and the Deputy Chief Electoral

Officer. The number of people who were allowed to vote or become candidates in past years was less due to the gender and social discrimination that existed then; at first only men with certain specific qualifications were allowed to vote and only those over 21 years could become candidates. Women and some members of certain religious groups had no permission to vote or become candidates. However, by around 1920 most of these discriminations have been scrapped off, some such as those involving racial and religious grounds were not entirely abolished until 1960. The Canadian Elections Act prohibits inmates serving a sentence of at least 2 years from voting. However, the Supreme Court of Canada has made a ruling that against such a law.

4. 0 The Election Body and Law

The body responsible for conducting the federal elections in Canada is the Elections Canada. It is an independent, non-biased agency that is headed by the Chief Electoral Officer of Canada. It has a major role of being constantly prepared for an election at all times. Currently, the Chief Electoral officer is Marc Mayrand. The Chief Electoral Officer is appointed by the ruling of the House of Commons. The aim is to ensure all parties partake of this selection. Once selected the Chief Electoral Officer checks in to the parliament without delay. He is neither subject to the government nor to the political parties. He thereby serves till resignation or retirement. The Governor General however, has the power to suddenly terminate his service legally in case of any cases of breaching of the law, but this can only be done after addressing the House of Commons and the Senate about this. The role of the Chief Electoral Officer is not only administering both general and by-elections but also

administration of referendums and any other important issues of the electoral commission, as per the Canada Elections Act .

The Chief Electoral Officer appoints a Returning Officer for each electoral district. The role of the returning officer is to prepare for and conduct the elections. He is appointed for a 10 year period. He must be a competent, skilled and efficient person capable of completing his tasks within a specified duration of time. Since his work involves a lot of dignity and honesty, his personal traits also need to be respectable. Naturally, their work is impartial and non-partisan hence they must as a rule, abstain from any activities that are politically biased in nature during their period of performance. The work of a returning officer involves working for long hours and mostly under pressure since he must be present all day watching all activities during an election period. They are allowed to participate in various undertakings in the electoral proceedings; for instance, they have to keep updated concerning any new legislation and be trained in the new introduced procedures. The Chief Electoral Officer may also require the returning officer to partake of some exclusive development plans and consultations to help advance the convenience of access of the electoral system for all electors.

4. 0 National Registers of Electors

In a National Registry is where information of each voter is entered. This is a catalogue containing the personal information of every Canadian who's fit to vote. This information includes their names, addresses, sex, and their date of birth as well as unique identifiers to aid in keeping track of change in their personal information. This information is supplied by the provincial, territorial and federal records as well as by the voters themselves. This is vital to

Elections Canada, since it uses this catalogue in coming up with voters lists for electoral events. The lists produced from the National Register of Electors are disclosed to the election administrators for electoral intents. They are also shared with the provincial, electoral and municipal electoral agencies that have signed data-sharing agreements with Election Canada that the personal information of the voters is protected. The reason they obtain this data should be for uses that are legalized under their respective legal code. The Canada Elections Act also allows the distribution of this information to the parliament, political parties as well as the candidates. Elections Canada though, ensures the safeguarding of the electors information. The National Registry of Electors is designed to ensure easy registration for the electors. It is also advantageous in that, when these lists are shared with the provincial and municipal organizations, it lessens chances of deception. It also assists get higher qualities of electors and enables saving for the tax payers. (Brown and Pelletier, 2011)

The citizens can chose not to have their names in the Registry. This choice does not affect the rights of the citizens to vote. Election Canada ensures the safeguarding of the voters rights by ensuring that the information submitted is not misused. This is done by regulatory of the contact by the employees as well as ensuring that such information is not availed on the internet.

Whenever Elections Canada shares information with any relevant organizations, it attaches an endorsement with the recommended precautions to be regarded while handling the electors' personal information. For instance, under the Privacy Act, an elector may appeal to access their personal information as held by the Elections Canada. The Privacy

Commissioner of Canada is allowed at any time, to assess the handling and the consumption of this info to ensure elector's rights are respected. Once the elector's information is under Elections Canada, it is shielded by the Canada Election Act and the Privacy Act. These acts make it inadmissible for this information to be used for purposes other than electoral purposes. However, once the information is shared with the territorial or provincial agencies, the safeguarding responsibilities change. The information is no longer under the Privacy Act or Canada Elections Act but instead the legislation of these agencies watches over it (Brown 2012).

5. 0 Conclusion

In Canada, the federal elections are an activity conducted in every four years, though flexibility is allowed for when the Prime Minister finds it judicious. The citizens of Canada elect Members of Parliament to the House of Commons to make decisions and formulate laws for them. Hence regular elections are necessary in order to ensure continued collaboration with the elected Members of the Parliament and to have fair and peaceful revolutions in the government. Elections in Canada are free and fair allowing all citizens, even the disabled to participate as long as they are aged 18 and above. Elections Canada is the body that is responsible for preparation and conducting of these elections. A single Member of Parliament is elected for each riding. The contesting members must belong to one of the registered political parties. Controversies that come up in the elections are clarified by the Elections Canada though in adverse cases the court has to intervene. An elector or a candidate has rights to raise any issue they have against the elections in court.

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