

Striking a balance between effective representation and voter parity

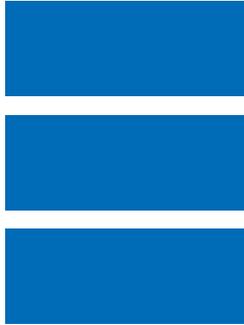
Electoral Boundaries Commission / **Interim Report**

Dr. J. Colin Dodds, Chair

November 2018



NOVA SCOTIA



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Electoral Boundaries Commission

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The Honourable Mark Furey
Attorney General and Minister of Justice
Department of Justice
1690 Hollis Street, PO Box 7
Halifax, NS B3J 2L6

November 28, 2018

Dear Minister,

On behalf of the Electoral Boundaries Commission 2018–19, I am pleased to submit our Preliminary (Interim) Report as required by the Select Committee on Establishing an Electoral Boundaries Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Colin Dodds", with a horizontal line underneath.

Dr. J. Colin Dodds, Chair

Introduction

On March 27, 2018, the House of Assembly passed a resolution to form a Select Committee on Establishing an Electoral Boundaries Commission. Our role is to recommend changes to electoral boundaries and the names of the electoral districts that make up the membership of the House of Assembly. The House of Assembly Act requires that this process take place at least once every ten years.

The last such review was held in 2011-12. The Electoral Boundaries Commission 2018-19 was created as a result of particular circumstances that are discussed in the *Background* section of this report on pages 8-11.

Our commission was created by the select committee, under the chairmanship of the Honourable Geoff MacLellan. This committee appointed nine people to our commission and set out our Terms of Reference, which can be found on page 5 of this report.

This interim report presents our proposals to adjust Nova Scotia's electoral boundaries taking the following into consideration:

- the Terms of Reference
- a commissioned report prepared by Dr. J. Bickerton
- input from the public consultation process about the commission's proposed draft boundaries

The select committee instructed us to provide, in this interim report, "electoral boundaries for 51 electoral districts and for at least one different total number of electoral districts" (Terms of Reference #7). This has been followed. This instruction flowed from the *Commission on Effective Electoral Representation of Acadian and African Nova Scotians: Report and Recommendations*, also known as the Keefe Report. In recommending 51 electoral districts—the current number—to the select committee, the Keefe Report stated that this will "inform a discussion about whether 51 seats will adequately provide effective representation in the future" (Keefe 2018, 7). The option to provide a different number of electoral districts also came from the Keefe Report, though it only referred to "a higher number" for the commission to consider and gave the example of 54 electoral districts. The basis for this recommendation was: "The more ridings there are, the more flexibility boundaries commissions will have to craft boundaries in accordance with the principles of effective representation" (Keefe 2018, 7).

In our deliberations and following the Terms of Reference, we have had to balance effective representation for all Nova Scotians with voter parity. We did so by reviewing three things:

- the status of the previously protected electoral districts
- alternatives to protected electoral districts that would secure the representation of Acadians and African Nova Scotians
- changes to Nova Scotia's population distribution since the current electoral boundaries were created in 2012

In presenting this interim report, we welcome further input from the public and will hold further public meetings across the province before presenting our final report by April 1, 2019. As mandated by the Terms of Reference, this will contain "only one recommendation of electoral boundaries" (Terms of Reference #8).

Structure and operation

On July 13, 2018, the Select Committee on Establishing an Electoral Boundaries Commission established an independent Nova Scotia Electoral Boundaries Commission tasked with recommending changes to the electoral districts in the province. The committee appointed nine people:

- Dr. Colin Dodds, Chair (Halifax)
- Angela Simmonds, Vice Chair (Westphal)
- Michael J. Baker (Hammonds Plains)
- Paul Gaudet (Saulnierville)
- Dr. Glenn Graham (Antigonish)
- Michael J. Kelloway (Sydney)
- Léonard Lefort (Chéticamp)
- Dr. Peter M. Butler (Halifax)
- Carlotta Weymouth (Dartmouth)

The commission had a full-time staff of two people, Callee Robinson and Julia Kinsman, both acting as Office Administrators. Pierre Gareau and Andrew Cameron of Elections Nova Scotia provided technical assistance in the areas of mapping and spatial data analysis.

We would like to thank two people in particular:

- Paul Read of Legislative Television and Broadcasting Services who oversaw the recordings taken at each of our public meetings
- Gabriel Comeau of Echovoix for the simultaneous translation provided at the public meetings in Argyle, Chéticamp, Clare, and Richmond

As well, we want to thank all those who provided transcription and audiovisual services as well as those who set up the meeting rooms at all of our public meetings.

The commission was physically located at Elections Nova Scotia and, during the course of its work, held nine business meetings:

- August 23, 24, 27, and 28
- September 26
- October 10, 11, 16, and 22

With the help of Communications Nova Scotia, we published a website in English and French which includes the following information:

- the dates and locations of public meetings
- resources to help the public understand the commission's work, including previous boundary commission reports and the commission's draft boundary proposals for 2018
- information on how to register to speak at a public meeting and how to send written submissions to the commission

We also set up a Facebook page on which we announced upcoming public meetings and published maps and resources.

We agreed that the chair would serve as our official spokesperson and that the vice chair would take on this responsibility if the chair was unable to do so.

Terms of Reference

These are the Terms of Reference provided by the Select Committee on Establishing an Electoral Boundaries Commission. These terms are mandatory, not a matter of guidance.

- 1 There is a right to effective representation, and elector parity is the prime factor in determining the electoral boundaries.
- 2 Deviation from elector parity is justified because of geography.
- 3 Deviation from elector parity may be justified because of historical, cultural, or linguistic settlement patterns and because of political boundaries.
- 4 Subject to number 5, the estimated number of electors in each electoral district may vary by no more than 25 per cent above or below the estimated average number of electors per electoral district.
- 5 There may be one or more exceptional electoral districts where, in exceptional circumstances, the estimated number of electors in the electoral district is more than 25 per cent above or below the estimated average number of electors per electoral district.
- 6 Electoral districts may be non-contiguous.
- 7 The preliminary report must include electoral boundaries for 51 electoral districts and for at least one different total number of electoral districts.
- 8 For greater certainty, the final report must include only one recommendation of electoral boundaries.
- 9 The preliminary report is to be submitted to the premier or his designate on or before November 30, 2018.
- 10 Subject to number 11, the final report is to be presented to the premier or his designate on or before April 1, 2019.
- 11 The commission and the premier or his designate may, by agreement, extend the deadline on or before which the final report is to be presented if the commission so requests.

The House of Assembly Act provides that

- (a) The Terms of Reference are binding on the commission.
- (b) The commission shall prepare a draft of proposed boundary changes prior to its first public hearings.
- (c) The commission shall prepare a preliminary report and hold public hearings prior to preparing the preliminary report.
- (d) Following the preparation of the preliminary report, the commission shall hold further public hearings prior to preparing its final report.

Background

Nova Scotia currently uses a single member, simple plurality electoral system more commonly referred to as 'first past the post.' This system depends on fairly distributed electoral districts, also called ridings or constituencies. Each electoral district elects one member of the legislative assembly (MLA).

To ensure electoral districts are created fairly, the Nova Scotia House of Assembly Act states that an independent electoral boundaries commission be established at least every 10 years. The role of the commission is to review the electoral boundaries of Nova Scotia and to recommend changes to those boundaries where necessary.

Key issues: voter parity and effective representation

Electoral boundaries commissions have been consulting the public and making recommendations since 1991. The commissions are guided by two key concepts:

voter parity – This is the notion that every vote carries the same weight. We achieve voter parity by creating electoral districts that contain roughly the same number of voters.

effective representation – We acknowledge that voter parity may limit the voices of minority voters, so allow for the creation of electoral districts that contain fewer voters to allow for those minorities to be represented effectively in the legislative assembly.

We arrive at voter parity by determining what the average number of voters should be in each riding. This is arrived at by dividing the total number of voters in Nova Scotia by the number of electoral districts. We then take into account specific features such as geography, political boundaries, and historical, cultural, or linguistic settlement patterns, and allow the numbers of voters per district to deviate from the average by plus or minus 25 per cent.

In the case of minority voters, such as Acadians and African Nova Scotians, we are permitted, under the Terms of Reference (page 5), to create electoral districts in which the estimated number of voters in the district is more than 25 per cent below the estimated average number of voters per electoral district. Such a district is called an exceptional electoral district and is created to ensure effective representation in the legislative assembly for minority voters.

Effective representation in Nova Scotia

Effective representation has been the guiding principle in re-drawing electoral boundaries since 1991 when the Supreme Court of Canada made a landmark ruling now known as the Carter decision. In that decision, Madame Justice Beverley McLachlin wrote that section 3 of the Canadian Charter of Rights and Freedoms, which guarantees Canadian citizens the right to vote, is really a guarantee of effective representation: “Ours is a representative democracy,” McLachlin wrote. “Each citizen is entitled to be represented in government” (as quoted in Landes 1992, 7). McLachlin went on to explain that being represented means both “having a voice in the deliberations of government” and having “the right to bring one’s grievances and concerns to the attention of one’s government representative” (as quoted in Landes 1992, 7).

This decision means that any changes to electoral boundaries made after 1991 could be deemed unconstitutional if they do not uphold the value of effective representation.

Effective representation of minority communities

The Carter decision led to an all-party agreement to establish Nova Scotia’s first independent electoral boundaries commission. The commission delivered its report in 1992.

The Terms of Reference given to the 1991-92 Electoral Boundaries Commission included “minority representation, including, in particular, representation of Acadian, Black and Mi’kmaq peoples of Nova Scotia” (Landes 1992, 13).

In analyzing the Terms of Reference, the 1991-92 commission concluded that minority group representation might be encouraged by creating somewhat smaller constituencies in terms of voters or population in order to generate more effective representation for these groups. The commission called these constituencies ‘protected constituencies.’

The commission, therefore, decided to create the protected constituency of Preston “to promote more effective representation of the Black community in the Legislature” (Landes 1992, 28). It also decided to maintain the existing electoral districts of Clare, Argyle, and Richmond “to promote the effective representation of the Acadian community in the House of Assembly” (Landes 1992, 29).

The 1991-92 commission consulted the Mi’kmaq community and, at the community’s request, made no recommendation regarding Mi’kmaq representation. It did recommend, however, that the House of Assembly commit to further consultations with the Mi’kmaq people.

Ten years later, in 2002, when a new electoral boundaries commission was formed, it recommended the continued protection of the electoral districts of Preston, Clare, Argyle, and Richmond. This was based in part on the Terms of Reference given to that commission which included “minority representation, including, in particular, representation of Acadian and Black peoples of Nova Scotia” as a “primary factor to be considered” (Dodds 2002, 5).

The commission also based its recommendation to continue the protection of the four electoral districts on the most recent population statistics available at the time. Those statistics showed that both the Acadian and African Nova Scotian communities had larger populations than the average electoral district. They also showed that each group had significant population concentrations in each area. For example, “Within the District of Clare in Digby, 70 percent of the population have French as their mother tongue” and in nearby Argyle “that percentage is 54 percent” (Dodds 2002, 36).

Based on those same population statistics, the commission found that 66 per cent of Nova Scotia’s African Nova Scotian population resided in Halifax County with most living either in the electoral district of Preston or Needham in the north-end of Halifax. Further, the percentage of African Nova Scotians was higher in Preston than in Needham.

Effective representation and voter parity

There were two other significant Terms of Reference for the 2002 commission:

- The commission was instructed to draw boundaries for 52 electoral districts.
- The commission was to ensure that the voting population of each electoral district deviated by no more than plus or minus 25 per cent from the average, except for extraordinary circumstances.

The electoral districts of Preston, Argyle, Clare, and Richmond were deemed to be extraordinary circumstances and thus allowed to contain less than 25 per cent fewer voters than the average electoral district.

The 2002 Electoral Boundaries Commission also looked at each region of Nova Scotia to see if any was either over-represented or under-represented in terms of elected representation. Because of a significant population shift from rural Nova Scotia to the Halifax region, it found that Halifax County was under-represented while Cape Breton was over-represented. It therefore recommended removing one electoral district from Cape Breton (Cape Breton–The Lakes) and adding one electoral district to Halifax County (Waverly–Fall River).

Controversy surrounds the 2012 Electoral Boundaries Commission

As required by the House of Assembly Act, a new independent electoral boundaries commission was appointed in 2011 to recommend the electoral boundaries and names of electoral districts that make up the House of Assembly. The commission was to issue its report in 2012.

There were three key clauses in the Terms of Reference given to the 2012 commission that resulted in controversy:

- Clause 2(a) of the Terms of Reference restricted the commission to a maximum of 52 electoral districts.

- Clause 2(c) allowed the commission to deviate from voter parity for reasons of geography—for example, if a district was too large to allow for effective representation for reasons of community history and interests, in particular, the province’s Acadian and African Nova Scotian populations.
- Clause 2(d) which stated: “Notwithstanding 2(c), no constituency may deviate by a variance greater or less than 25 per cent from the average number of electors per constituency” (MacNeil 2012, 6).

The commission at the time found that sections 2(c) and 2(d) of the Terms of Reference contradicted each other. They found that they could not promote the effective representation of Acadians and African Nova Scotians and stay within the plus or minus 25 per cent deviation rule.

Clause 2(d) presented us with a considerable challenge, particularly with respect to the four constituencies (Argyle, Clare, Preston, and Richmond) that had been protected for the past 20 years. Enlarging the number of voters for each to reach 75 per cent of the average number of voters would mean the loss of the established boundaries that were accorded in 1991. (MacNeil 2012, 7)

The commission, in its initial report, recommended maintaining the protected electoral districts of Argyle, Clare, Richmond, and Preston, viewing the Terms of Reference as guidelines rather than mandatory rules.

The Attorney General of the day refused to accept the commission’s interim report, arguing that the commission had failed to comply with the Terms of Reference. The Attorney General instructed the commission to write a new interim report that followed the rule of voter parity (Clause 2(d)). This the commission did. Consequently, the new report recommended the elimination of the four formerly protected electoral districts.

The 2012 Electoral Boundaries Commission report is challenged in court

As a result of the 2012 Electoral Boundaries Commission report, the *Fédération acadienne de la Nouvelle-Écosse* (FANE) took legal action against the province. This, in turn, led the province to seek the advice of the Nova Scotia Court of Appeal. In January, 2017, the court ruled that the Attorney General’s intervention had thwarted the 2012 electoral boundaries commission in the performance of its constitutional mandate, as required by section 3 of the Canadian Charter of Rights and Freedoms. It ruled that the government must let the independent commission carry out its work in an unimpeded fashion. The commission, the court ruled, should submit its report, unaltered, to the House of Assembly in the form of a bill. Finally, the court raised the possibility that the constitutional right of Acadians and African Nova Scotians to effective representation had been unjustifiably limited or denied.

The Keefe Commission

In response to the Court of Appeal's decision, the Nova Scotia Government established the Commission on Effective Electoral Representation of Acadian and African Nova Scotians, also called the Keefe Commission, in April, 2017. The commission was instructed to recommend to government the best ways to achieve effective representation for Acadians and African Nova Scotians in a manner consistent with the Carter decision. It was also instructed to seek the advice of Acadians and African Nova Scotians and to look at a variety of options, including designated seats.

Effective representation for Acadian and African Nova Scotian voters

The commission published its report, *Representation: Toward More Effective Representation of Acadian and African Nova Scotians Report and Recommendations*, also known as the Keefe Report, in 2017. In it, the commission recognized “the tendency of our electoral system to submerge minority voters” (Keefe 2018, 5). The commission also discussed the benefits of creating “exceptional ridings,” the term it used to describe the formerly protected electoral districts of Clare, Argyle, Preston, and Richmond. The ridings are exceptional, the commission reasoned, “because they had exceptionally small populations compared to the others” (Keefe 2018, 5).

“Exceptional ridings promote representation by improving the chances of African Nova Scotians seeing someone who looks like them in the legislature, and of Acadians having an MLA they can talk to in their mother tongue” (Keefe 2018, 5).

After looking at a number of options, the commission concluded that there are two ways to improve effective representation for Acadians and African Nova Scotians:

- 1 Improve the chances of electing Acadians and African Nova Scotians.
- 2 Strengthen other means of representation. (Keefe 2018, 6)

To improve the chances of electing Acadians and African Nova Scotians, the report made four recommendations directed at the future boundaries commission:

- Maintain the plus or minus 25 per cent rule, except in exceptional circumstances (Recommendation 4).
- Allow future boundaries commissions to create electoral districts that exceed the plus or minus 25 per cent rule in exceptional circumstances and not to specify those circumstances (Recommendation 5).
- Allow future boundaries commissions to create electoral districts that are non-contiguous—that is, an electoral district may be made up of 2 or more areas that do not touch each other (Recommendation 6).
- Allow future boundaries commissions to create more than 51 electoral districts (Recommendation 7).

Effective representation for rural voters

The Keefe Commission also noted the steadily increasing population gap between urban and rural Nova Scotia, with most of the population growth “confined to a one hour radius of Halifax” (Keefe 2018, 79).

The commission stated that if Nova Scotia were to maintain the existing 51 electoral districts, there would be fewer, but geographically larger, rural ridings. This would reduce rural access to MLAs and “combine unrelated communities against their will” (Keefe 2018, 79).

The alternative, the commission noted, is to create more electoral districts. This would give boundaries commissions more flexibility and would support other efforts to promote “effective representation of rural residents in general, and Acadians and African Nova Scotians in particular” (Keefe 2018, 79).

The commission asserted that it did not recommend more electoral districts but that it wanted boundaries commissions to be allowed to “produce two or more maps, one at the current 51 seats and another at a higher number to inform the discussion about whether 51 seats will adequately provide effective representation for Nova Scotians in the future” (Keefe 2018, 7).

“The more ridings there are, the more flexibility boundaries commissions will have to craft boundaries in accordance with the principles of effective representation” (Keefe 2018, 7).

Nova Scotia Electoral Boundaries Commission 2018-19

The current commission was created as a result of the recommendations in the Keefe Report. We are tasked with recommending boundary changes that conform to the principles laid down in the Carter decision and in the Nova Scotia Court of Appeal decision of January, 2017.

St. Francis Xavier University Professor James Bickerton, a member of the 2012 commission, has studied the history of electoral boundaries commissions in Nova Scotia and has outlined a number of options for us.

Effective representation for minority populations

Bickerton argues that we “[have] no reasonable option but to prepare boundary changes that, at minimum, restore some version of the four protected constituencies (or exceptional electoral districts)” (Bickerton 2018, 12). This could be done in one of three ways:

- Restore the electoral districts of Preston, Argyle, Clare, and Richmond to their original boundaries.
- Adjust the boundaries of the four protected constituencies in accordance with population shifts and public consultations.
- Enhance effective representation for Acadians and African Nova Scotians by including “previously excluded individuals or communities” (Bickerton 2018, 12) by, for example, creating non-contiguous electoral districts “that would link together two or more ‘islands’ of minority populations” (Bickerton 2018, 12).

Effective representation for rural Nova Scotians

Bickerton noted that many people had come forward asking for a reduction in the number of electoral districts, which would result in fewer MLAs sitting in the House of Assembly. They pointed to a reduction of councillors in the Halifax Regional Municipality as ordered by the Nova Scotia Utility and Review Board. It was argued that having fewer MLAs in the House would save taxpayers’ money.

Bickerton argued that there is a difference between municipal and provincial governance.

Since the province is the level of government primarily responsible for providing most public and social services, it is crucial that Nova Scotian electors have representation in the legislature ... In particular, voters must have the capacity to hold their government accountable for policies, programs, and governance practices, the essence of “effective representation” that the Supreme Court identifies as the right of all Canadian citizens. (Bickerton 2018, 16)

It is our task, as the 2018-19 Electoral Boundaries Commission, to recommend changes to electoral boundaries and the names of the electoral districts that make up the House of Assembly while also taking into account all of the above information.

Approaches and strategies to more effective representation

Effective representation in a Nova Scotian context

As stated in the *Background* section of this report (page 6), voter parity has become a basic aspect of political equality. However, as noted in the *Background* section (see page 7), the Carter decision heavily influenced the way electoral boundaries are adjusted in Canada. To reiterate, in 1991, the Supreme Court found that the entrenchment of the right to vote in section 3 of the Charter was not simply to ensure equality of voting power, but to ensure effective representation: “Deviations from absolute voter parity, however, may be justified ... Factors like geography, community history, community interests and minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic” (Saskatchewan v Carter, 1991 SCC 158). As a result of this decision, any changes to electoral boundaries in Nova Scotia and across Canada would have to conform to the Carter ruling or risk being challenged and potentially struck down as unconstitutional.

Since 1991, leaving aside the 2012 controversy (page 8), Nova Scotia’s electoral boundaries commissions have worked with terms of reference that adhere to the Carter decision, reflecting the need to balance voter parity against other factors. To reiterate, our Terms of Reference (page 5) emphasize voter parity as the prime factor for establishing electoral boundaries but permit deviation for the following justifications:

- geography
- historical, cultural, or linguistic settlement patterns, and political boundaries such as municipal boundaries, Statistics Canada community boundaries, or traditional county boundaries

Our task is therefore a challenging and subjective one. In adhering to the Terms of Reference we do our best to foresee and consider possible knock-on effects that may affect adjacent electoral districts when boundaries are adjusted. Knock-on effects could be judged to be beneficial or detrimental. Such effects may include disruptions to boundaries surrounding communities of interest, traditional political boundaries, or the entitlement index.

The entitlement index refers to the voter parity rule, which holds that the estimated number of electors in each electoral district may vary by no more than 25 per cent above or below the estimated average of electors per electoral district.

Keeping all this in mind, it makes sense to look more closely at the 2018 Terms of Reference and effective representation in the Nova Scotian context.

Geography

In a province with many coastal communities and some expansive, sparsely populated territory, the notion of deviating from voter parity on the basis of geographical considerations can elicit conflicting urban-rural viewpoints. There is a trend in Canada and Nova Scotia towards increasing urbanization. As rural electoral districts lose their populations to urban centres, the task of maintaining geographically manageable rural constituencies that fall within the entitlement index becomes more difficult. In attempting to maintain voter parity, the number of rural electoral districts in a jurisdiction often decreases as the boundaries are redrawn. The reconfigured electoral districts then risk becoming unwieldy. This may result in increased travel distances and related expenses for affected MLAs and their constituents. In turn, as metropolitan centres increase in population, they gain more electoral districts. One could argue that an indirect result of the way boundaries are redrawn actually contributes to further rural decline. In contrast, urban voters argue that their vote is diluted when preferential treatment is given to rural areas beyond meeting relative voter parity. We have considered both points of view and feel that the allowance for geographical considerations in the Carter decision and clause 2 of the Terms of Reference are justified. For example, we looked at ways to reduce the geographic size of the Guysborough-Eastern Shore-Tracadie electoral district. It stretches well over 200 kilometres from its southern-most point within the Halifax Regional Municipality to its northeastern tip near the community of Canso. **Just as the 1992 Electoral Boundaries Commission deemed it necessary to grant the electoral district of Victoria exceptional status because of geographic considerations, we have redrawn the boundaries of the Guysborough-Eastern Shore-Tracadie electoral district for the same reason. While this change creates a marked deviation from parity, we believe it will not negatively affect the voting rights of other Nova Scotians. The new boundaries yield a more manageable electoral district, (Guysborough-Tracadie), which provides a more manageable geographical range for more effective representation.**

Historical, cultural, or linguistic settlement patterns and political boundaries

In the Nova Scotia context, we interpret “historical, cultural or linguistic settlement patterns” and “political boundaries” in the Terms of Reference, as following the spirit of the Carter decision in which the court balances voter parity with “community history, community interests and minority representation” (Saskatchewan v Carter, 1991 SCC 158). Of note, Justice McLachlin stated in the majority opinion that “the list is not closed” (Saskatchewan v Carter, 1991 SCC 158). Political scientist John Courtney reveals how voter parity and other considerations are both important and intertwined in his description of communities of interest and how they are consistent with achieving effective representation:

Community of interest is based on the recognition and acceptance of the idea that a geographically concentrated group shares a certain attribute in common. That attribute might be defined according to location, as with a neighborhood or a set of

municipal boundaries; as the product of a common pursuit, such as an economic interest; or as the presence of a common trait, such as a social, racial, religious, or linguistic characteristic. Drawing constituency boundaries according to a district's communit(ies) of interest is seen as a way of ensuring communication between citizens and their representative and of enhancing the representational process generally. (Courtney 2002, 9-10)

Courtney also emphasizes that “the concept of effective representation is neither definitive nor exclusionary” (Courtney 2001, 223), which reiterates the subjective balancing act that electoral boundaries commissions must undertake. Successive electoral boundaries commissions in Nova Scotia have worked with the premise of ensuring effective representation for the Mi'kmaq, Acadians, and African Nova Scotians. This is reasonable as a number of Nova Scotia's indigenous and early-settling ethno-cultural communities have lived in the province for centuries and are recognized as distinct pillars central to the character and history of Nova Scotia.

Nova Scotia has been home to Black Loyalists, Maroons, slaves, and Black Refugees since the seventeenth century. Over the centuries, individuals and families from all over the world joined the descendants of these first African Nova Scotians as part of the African diaspora. African Nova Scotian communities have been segregated from flourishing white neighborhoods. They have continuously faced oppression, racism, poverty, and lack of opportunity. This has prevented individuals and communities from being included in a just and equal society.

While today there are fewer instances of overt racism, African Nova Scotians and their communities continue to face systemic racism and a continued lack of empathy and accountability. While laws and policies often appear to be fair on their face, and are frequently described as colour-blind and neutral, this is not how African Nova Scotian communities perceive them. It is, therefore, no surprise that speakers at our public meetings told us of their lack of trust in government and in its authority.

African Nova Scotian communities are more than geographic areas where an African Nova Scotian MLA or municipal councillor may be elected. The first African Nova Scotians have been here for more than 300 years. They have developed unique cultural traditions, artistic expressions, and spiritual and religious practices. It is not just about geography—it is about lived experiences, community interest, and reconciliation.

It is important to balance effective representation and voter parity with community interest for people of African descent and, in particular, African Nova Scotians to ensure that African Nova Scotian communities are not continuously disadvantaged.

Similarly, pressure to assimilate has been placed on Nova Scotian Acadians and the often less mentioned, though more populous, Gaelic heritage community. Through settlement patterns, the Gaelic community has enjoyed effective representation by electing MLAs who are sensitive to and identify with their cultural, social, and economic interests, particularly in the constituency areas of Antigonish, Victoria, and Inverness. This has not been the case for the Acadian population. During our

first round of public meetings, we heard from both the FANE and from Acadians in Chéticamp and its environs that only two Acadians have been elected in the Inverness constituencies since Confederation. Acadians have, to a large extent, been unable to converse in French with their MLAs. The Acadian population is concentrated just south of Cape Breton Highlands National Park in an electoral district that stretches from Port Hawkesbury to Meat Cove. Here, an MLA could live almost 200 kilometres from the Acadian core. It is always possible that the MLA could choose not to locate a constituency office in or near the Chéticamp area.

Yet, Acadians can trace their roots to 1604—long before this province was called Nova Scotia. They harnessed the seas and developed a dyke system. They were expelled from the colony and their lands expropriated from 1755 to 1760. Although they were subsequently allowed to return, they were dispersed across the province. These experiences, although in the past, have shaped the personal, community, and provincial identity of Acadians. Acadians are a proud, resilient people and a symbol, geographically and politically, of a strong historical and cultural presence in Nova Scotia. But, as Caroline-Isabelle Caron, of Queen’s University pointed out in the Spring 2008-9 edition of *Port Acadie*, the Acadians of Nova Scotia are a triple minority:

- They are French-speaking Catholics in an ocean of English speakers who fill most of the North American continent.
- They are a small pocket of French speakers in a Canada dominated by the *Québécois*.
- They are a minority in *L’Acadie* given the large Acadian population in New Brunswick.

One could argue that the term Acadian ridings that came from the 1992 Electoral Boundaries Commission denotes more than a geographic representation and an *enclous* where ballots are counted on Election Day. The protected status gave more than the fulfillment of Charter principles, but a structural construct and societal commitment to the protection and development of a distinct part of Nova Scotia. A review of the transcripts of the public meetings of the 2012 Electoral Boundaries Commission reveals the voices of Acadians arguing that the removal of their electoral districts would lead to a slow and painful extinction through assimilation of the Acadian identity and language and a loss of a voice in the House of Assembly. This was echoed in the public meetings we held at which presenters pointed to the significant drop in voter turnout in the 2017 provincial election. When discussing non-contiguous electoral districts, presenters pointed to the need to recognize and respect the particular aspects of the different Acadian communities.

We have taken these concerns seriously and recognize the importance of exploring and balancing the concept and options of effective representation for this significant Acadian enclave, as well as revisiting the restoration of the exceptional electoral districts. Of course, these considerations have had to fall within the parameters of practical application and fairness to other voters. In such cases, we must balance deviation from voter parity with countervailing factors and ask whether the deviation

runs the risk of diluting the vote of others to the point that they receive inadequate representation. This was noted in the Carter decision. It is important, therefore, to recall the following from Justice McLachlin:

55 ... I adhere to the proposition asserted in Dixon, supra, at p. 414, that “only those deviations should be admitted which can be justified on the ground that they contribute to better government of the populace as a whole, giving due weight to regional issues within the populace and geographic factors within the territory governed.” (Saskatchewan v Carter, 1991 SCC 158)

The courts have stated that the right to vote comes with the right to effective representation. The Keefe Commission highlights two types of representation—substantive and descriptive. Substantive representation occurs when an MLA champions your causes, values, and views. Descriptive representation means you and your MLA share a common characteristic or a mutual recognition in the form of a shared identity, such as race or language. Addressing these types of representation has been an important part of the work of electoral boundaries commissions in Nova Scotia. How effective representation is realized is an exercise in interpretation. **Previous electoral boundaries commissions, the Keefe Commission, and we at the current commission have all paid close attention to descriptive representation because minority groups are vital to the cultural, social, and economic fabric of the province. As such, they have a right to effective representation, however it may be achieved.** The above commissions have noted that effective representation for minority groups can be pursued through a variety of avenues. One approach could be to analyze the benefits and failings of Nova Scotia’s electoral system altogether and to discuss whether there are viable alternatives such as proportional representation. As electoral systems expert Dennis Pilon notes, proportional representation “tends to lead to better representation of women and minorities than plurality or majority systems” (Pilon 2000, 20). It is, however, outside our mandate to review other types of electoral systems as other Canadian provinces have done. Our duty is to draw fair and non-partisan electoral boundaries within our current and historic first-past-the-post electoral system and to explore a range of approaches that could enhance effective representation in specific situations and contexts.

Governance

When we think of elections, constituencies, policies, and so on, we often think of government. However, societal and governmental goals need not be attained and directed by government alone. In many Western democracies, a system of governance has evolved through which a number of public, private, and civil society organizations consult with government to influence and implement policy. Results vary. For instance, various influential organizations not only take part in, but may emerge from, such processes. These institutions and organizations may become key players in advancing the needs and protections of various groups, including those dedicated to fostering and protecting languages and cultures of minority groups. We

see this in Nova Scotia where the Department of Communities, Culture and Heritage includes offices that act as liaisons between the provincial government and its early-settling ethno-cultural minority groups. These offices include Acadian Affairs and Francophonie, African Nova Scotian Affairs (ANSA), and Gaelic Affairs. Aboriginal Affairs is a separate and independent agency. These offices and agencies work with community organizations, facilitating provincially funded programming for these communities and working with stakeholder groups to implement initiatives like the French Language Services Act and ANSA Community Voices programming. Some governance institutions, often allocated by governments, can provide more cultural and political autonomy for minority groups. The Keefe Report illustrates a key Nova Scotian case:

A Nova Scotian example is the *Conseil scolaire acadien provincial* (CSAP), established in 1996, to provide Acadian self-governance in the key area of primary and secondary education. This separate school board elected by members of the Acadian community, in accordance with their Charter rights as members of an official languages minority community, manages a school system comprising of 22 schools and 5000 primary to 12 students throughout the province. (Keefe 2018, 61)

While the presence of vibrant institutions can enhance representative views for minorities, the Keefe Report notes that it is important to have minority community members in upper-level and managerial positions in structures such as the public service, agencies, boards, advisory organizations, and the judicial system. The Keefe Report also highlights other modes of improving minority representation at the municipal government level. Existing and potential municipal boundaries may encase historic and linguistic communities of interest, as is the case with the municipalities of Argyle, Clare, and Richmond. Although not required by law, each of these municipalities offers services in French to varying degrees. Clare offers all services in French and English and conducts council meetings in French with simultaneous English translation. These arrangements echo the cultural distinctness of these communities.

While the above governance processes and institutions aim to raise public awareness about and nurture minority communities, they do not address effective representation with regard to representative parliamentary government within the provincial order of government in Canada's federal system. In other words, such governance arrangements do not directly equate to increasing the chances of electing an MLA who will represent a minority community's interests in the legislature, whether on the government backbenches, in opposition, or in cabinet.

Maintaining exceptional electoral districts

Canada is recognized worldwide for its accommodation of diversity and minority rights within its democratic institutions. The Supreme Court of Canada has stated that minority rights are a cornerstone of the country's constitutional order. As shown in the *Governance* section of this report (page 17), Nova Scotia has pursued a number of

initiatives to enhance its accommodation of minority rights. A key undertaking was the establishment of protected, or exceptional, electoral districts. The Keefe Report noted that in 1992 exceptional ridings—exceptional in that they had exceptionally small populations by comparison to others—were “tailored to ‘communities of interest’ in order to improve the chances of electing Acadians and African Nova Scotians” (Keefe 2018, 5) in areas of the province that have significant minority group concentrations with unique social and cultural histories. In its historical review of electoral boundaries processes in Nova Scotia, the Nova Scotia Court of Appeal decision highlights that “there are no specifically-designated Acadian seats, nor is there a specifically designated Black seat” (NSCA 2017, 12). However, the creation of the exceptional ridings of Preston, Clare, Argyle, and Richmond was, in effect, a form of affirmative gerrymandering akin to government initiatives enabled under sec. 15(2) of the Charter. Simply stated, sometimes different treatment is necessary to provide a historically marginalized minority some form of equality with that of the majority. **We adopt the justification for exceptional ridings presented by the 2012 Electoral Boundaries Commission in its May, 2012 Interim Report:**

Like the Mi’kmaq people, the Acadian and African Nova Scotian communities have a particular cultural uniqueness and territorial basis in Nova Scotia that supports the argument for retaining a form of ‘special status’ in the electoral redistribution process. This status follows from the fact that they constitute minority cultural communities that are indigenous to Nova Scotia, and further can be said to have fairly well-defined territorial ‘homelands’ in this province that have been continuously occupied for hundreds of years. Their distinctiveness derives from their long evolution as ethno-linguistic (Acadian) or racial (African Nova Scotian) minorities within an English-speaking majority of predominantly British heritage, but also, just as importantly, from their unique indigenous cultures that have developed over centuries of relative isolation as coherent communities (due to remote rural locale and/or social exclusion). In short, these minority cultures are both distinctively Nova Scotian and deeply rooted in specific, territorially-based communities within the province. (McNeil 2012, 59-60)

While Acadians and African Nova Scotians reside throughout the province, this does not diminish the significance of historical anchor communities with notable concentrated populations, particularly those within the exceptional districts. These enclaves are not only cultural centres but distinctive ‘homeland’ locales promoting living cultures based on centuries of generational transmission. Minority languages and cultures, often located on peripheries, face increasing challenges due to globalization. Their very existence is at stake. We feel that it is important to use this opportunity to continue to foster and protect these communities so that they can continue to develop and survive. It must be noted that we agree with those who spoke at our public meetings and at those of previous electoral commissions: Those MLAs who represent exceptional electoral districts are expected to take on the dual role of representing and protecting the interests and identities of Acadians and African Nova Scotians in their own electoral districts as well as those belonging to these cultural communities wherever they live in the province.

We have drawn boundaries for these electoral districts in a non-partisan and fair manner to encase a concentrated minority. We have deviated from voter parity to favour minorities in the electoral process by increasing the weight of their vote in smaller ridings. In establishing these exceptional electoral districts, we acknowledge the significance of these minority groups to our province's history and cultural life. These electoral districts are symbols of recognition, as well as tangible institutional arrangements that are designed to enhance constitutionally protected effective representation. We concur with various speakers from the public meetings. In the past, the exceptional electoral districts have been a way for these culturally rich minority groups to influence the legislative process. The ridings also maintain and foster the cultural vibrancy of these communities. These electoral districts were an affirmation, by the majority, of the significance of these distinct minority communities to Nova Scotia's cultural, social, and economic experience. In existence until 2012, these exceptional electoral districts had also become a covenant. If contravened through abolishment or substantial change, Acadians and African Nova Scotians would perceive such actions as a betrayal by the province and a possible infringement on their right to effective representation.

Political scientist James Bickerton, a commissioner on the 2012 Electoral Boundaries Commission and an expert in parties and elections in Canada, submitted a background report (the Bickerton Report) to us in which he emphasizes a number of important considerations that apply to maintaining exceptional electoral districts. Here, he is speaking specifically about Acadians:

In its deliberations, the 2012 Electoral Boundaries Commission recognized that there are a number of legal, constitutional and political factors relevant to the question of protected constituencies. French is one of Canada's official languages, given effect by the Official Languages Act (1969), amongst other laws and programs. Further, constitutional protection for minority language rights is entrenched in Sections 16-23 of the Charter of Rights and Freedoms. Provincially, the French Language Services Act and the creation of the Acadian school board are measures taken to preserve and promote the linguistic rights of French-speaking Nova Scotians. The protection offered to the three Acadian constituencies was an additional measure taken to recognize and protect the indigenous Acadian communities from whence the vast majority of Nova Scotia's French-speaking population derives. The Constitution also explicitly acknowledges – in section 15(2) protecting the constitutionality of affirmative action programs – that equality for minorities needs to be understood as something other than 'sameness' of treatment; different treatment is sometimes necessary to achieve a form of equality that equates more closely with fairness for minorities, especially those that historically have been discriminated against. (Bickerton 2018, 7)

We agree with this reasoning. Thus, in the wake of the Nova Scotia Court of Appeal decision and recommendations of the Keefe Report, which addressed the 2012 elimination of the exceptional ridings, we favour returning to the pre-2012 exceptional

electoral districts. **We conclude that the four formerly protected electoral districts should be restored, at the very least, in some version that would provide truly effective representation.** This includes four options:

- Restore the electoral districts to their precise pre-2012 status.
- Make minor changes to the exceptional district boundaries based on public input and population shifts.
- Recommend major electoral boundary changes to one or more electoral districts.
- Bring forward for public input the possibility of creating a fifth exceptional electoral district to address the concentrated Acadian population in Chéticamp and its environs in Northern Inverness.

The fourth option was highlighted on a map as electoral district #99 during the public meetings. It proposed a riding stretching from Margaree Harbour northward to Meat Cove. We also looked at the option of expanding this proposed new electoral district to include most of ‘the Margarees,’ the national park, and the coastal communities of Victoria County that surround it. However, we did not discuss this option extensively, nor did the public. **An exceptional electoral district would address effective representation for Chéticamp and its surrounding communities. It may also inadvertently, and perhaps conveniently, provide boundaries that facilitate the Acadian community of interest in the Chéticamp area, and the Gaelic cultural community of interest to the south throughout Inverness.** However, such an exceptional electoral district is also problematic in that the resulting deviation from voter parity is quite acute. Finally, returning to the previous options, the third approach above relates to one of our Terms of Reference, which allows for the creation of non-contiguous electoral districts.

Non-contiguous electoral districts

A non-contiguous electoral district is one that combines two or more non-attached pieces of territory—most likely encompassing a notable community of interest—to form one electoral district. There are two obvious potential non-contiguous electoral districts that could emerge from the boundaries process:

- an electoral district that joins part of the exceptional riding of Richmond, particularly Isle Madame and its environs, with the Acadian community of Chéticamp and its environs in Inverness County
- an electoral district that joins all or parts of the exceptional ridings of Clare and Argyle

At our public meetings we heard a small number of favourable opinions regarding this suggested method for enhancing effective representation. This applied to both these Acadian areas, as well as the African Nova Scotian population in Metro Halifax. However, both the public and we, as the commission, more strongly support restoring the traditional exceptional electoral districts as closely as possible to their previous

configurations. This speaks to geographic challenges associated with non-contiguity, particularly with regard to Richmond-Chéticamp, and the cultural distinctiveness of these enclaves and the centuries-long historical territorial attachments and localisms that these communities continue to hold. For the above reasons, both the public's response and our own to the non-contiguous option were lukewarm at best. As a result, **we do not recommend non-contiguous electoral districts as a viable option to address effective representation at this time.**

Administrative districts, members-at-large, and reserved seats

During our public meetings, we sought public input on administrative districts, otherwise known as at-large, or reserved, seats. One such seat was made available to the Mi'kmaq in 1992 but they have chosen not to exercise this option. Such districts would ensure African Nova Scotian and Acadian representation in the legislature by reserving designated seats for them. MLAs occupying those seats would be elected by voters on separate voter lists. African Nova Scotians and Acadians would be given the choice to either vote for a representative of an electoral district or to vote for an African Nova Scotian or Acadian candidate contesting one of the at-large seats. Party candidates would be chosen in the same nomination processes as usual. It would, therefore, be possible that an independent candidate or candidates from the Liberal, NDP, Progressive Conservative, or Green parties would run for election. If brought into play, the number of seats could vary: African Nova Scotians and Acadians could be granted one or more seats each. We envision at least four scenarios:

- Replace the exceptional electoral districts with one administrative seat each for Acadians and African Nova Scotians. The elected representatives would then become the voice for all African Nova Scotians, Acadians, and francophones across the province.
- Supplement the exceptional electoral districts with one or more administrative seats. The elected representative would then become the voice for all African Nova Scotians and Acadians and francophones across the province who do not live within one of the exceptional electoral districts.
- Create one or two non-contiguous territorially based seats—for example, one in South West Nova and one in Cape Breton—and one administrative seat for the rest of the province.
- Create three regional administrative districts—one each for Cape Breton, mainland Nova Scotia, and South West Nova. This approach would likely mean that the Acadian population would be assigned more seats than the African Nova Scotian population because of proportionality. Overall, this approach would likely require two to four compiled voter lists to which members of these communities would voluntarily register. This scenario was brought to us during a public meeting.

We have reached the same conclusion as previous commissions with regard to administrative districts and do not recommend this option for effective representation at this time. Bickerton said it best when he reiterated the views of the 2012 Electoral Boundaries Commission:

The compilation of several alternative voter lists, the voluntary nature of voter subscription to these lists, and the need to ensure no overlap between each of these lists would present a considerable administrative burden and challenge. Second, the voluntary nature of the lists and the voter option to instead remain on constituency voter lists would likely mean very small electorates for these seats relative to the average number of electors in constituencies, even compared to the number of electors in the four currently protected ridings. As well, removing some or most minority voters from their territorial constituencies would virtually guarantee that those constituencies would return a non-minority representative, who would be elected by a reduced (perhaps significantly so) number of electors. Indeed, it is possible that both certain territorial constituencies and the at-large ridings would have fewer than the required minimum number of electors...The non-exclusivity of legislative representation that would inevitably result from...at-large seats would mean that some voters would enjoy a form of double representation in the legislature, since voters for these seats also would continue to reside in one of the non-designated constituencies represented by an elected MLA.

Finally, there was a general concern on the part of Commissioners that departing from the parliamentary tradition of territorially based representation might have certain unforeseen consequences for the effective functioning of the legislature. Under some circumstances, it could raise questions about the legitimacy of the designated seat-holders to speak on behalf of the communities they claimed to represent. It could stimulate demands from other groups not so favoured, that they too should have their specific group interest and identity represented in the legislature. Representative democracy as practised in Nova Scotia has been based on the principle that elected members of the legislative assembly have the mandate and responsibility to represent all their constituents, without bias or prejudice based on political, cultural, racial, or other differentiating characteristics. (Bickerton 2018, 17-18)

It is debatable to what degree, or how probable it would be, that other groups would raise concerns about favoured treatment for Acadians and African Nova Scotians if this alternative approach was adopted. The same concerns could apply to the next option although, as history has shown, there has been no significant backlash against favoured treatment received in the form of the previous long-established exceptional electoral districts.

Dual-member electoral districts

In dual-member electoral districts, electors cast two votes and send two representatives from one electoral district to their legislature. This system has been used in New Zealand to assure Maori minority representation in the legislature. It was brought in in the 1990s along with proportional representation as part of that country's electoral reforms. Prince Edward Island used dual-member electoral districts from 1893 to 1994. Nova Scotia also used dual-member electoral districts—the last of which, Inverness and Yarmouth, were eliminated in time for the 1978 provincial election. In an earlier era, such districts allowed a single riding to enjoy both Protestant and Catholic representation in the legislature. More recently, dual-member electoral districts were proposed for the new territory of Nunavut in 1997. It was intended to give electoral equality to women, as noted by political scientist Lisa Young:

In an effort to remedy this persistent representational deficit, the Nunavut Implementation Commission (NIC)...proposed a dual-member constituency electoral system with gender equality. Under the proposed system, each electoral district would be represented by one male and one female MLA. Voters would cast two ballots: one for their preferred male candidate and the other for their preferred female candidate. In this variation on a dual-member plurality electoral system, the male and female candidates who received the largest number of votes would each be elected. (Young 1997, 307)

While this proposal was defeated in a referendum, it still shows that dual-member electoral districts are an option that should be taken seriously, as we can see through its continued use in New Zealand. A variation of the approach could be applied to addressing representational deficits for minority cultural groups in Nova Scotia. Dual-member electoral districts can be considered a compromise between the exceptional electoral district and members-at-large strategies. The institutional design of dual-member electoral districts may address a number of variables pertaining to effective representation that are outlined in the Carter and Nova Scotia Court of Appeal decisions, the Terms of Reference, previous Nova Scotia electoral boundary commission reports, and the Keefe Report. These include culture, geography, communities of interest, and, in a more elastic sense, voter parity.

Considering the current political culture in Canada, it would seem unlikely that voters would appreciate one group of electors being given the right to cast two votes in an election. Canadian citizens are accustomed to transparency, equality, and fairness. Canadians, therefore, expect a one-person, one-vote electoral system. With that in mind, voters from other electoral districts could see a two-vote dual-member method as a form of double representation. However, **we envision a single-vote variation of dual-member electoral districts that can fairly address effective representation challenges faced by electors in the Acadian region of Chéticamp in Northern Inverness.** During the public consultations, citizens from the Chéticamp area expressed frustration over what they saw as an effective representation deficit:

- Only two Acadians were elected in the Inverness riding since 1867.

- French-speaking Acadians have not been able to speak with their elected representatives in French.
- It is difficult for MLAs and constituents to meet with each other in an unwieldy electoral district such as Inverness, which is more than 200 kilometers long from its southernmost to its northernmost points.

To address these issues, **we are looking for public input on the possibility of designating the electoral district of Inverness as a dual-member constituency.** Self-identifying Acadian voters from the entire electoral district could choose to cast one of two ballots:

- the same ballot used by the general electorate to elect an MLA to represent the geographic electoral district

OR

- a ballot containing the names of self-identifying Acadians fluent in French used to elect an Acadian MLA

Being constituency-wide, this system could increase the voting pool for the Acadian MLA and partially offset voter parity concerns. Elections Nova Scotia statistics show us that this arrangement would not dilute the vote for the usual constituency MLA to the point that it would deviate from parity. However, the number of electors for the Acadian MLA would deviate from parity significantly. The question is: can this deviation “be justified on the ground that [it] contribute[s] to better government of the populace as a whole,” as McLachlin stated in the Carter decision? Party candidates would still be chosen using the current nomination processes so it is possible that Liberal, NDP, Progressive Conservative, Green, or other party candidates would be up for election. We have discussed whether directives or legislative measures would be taken to stipulate that political parties be required to nominate fluent French speakers to run for the Acadian MLA position. We have not yet reached a conclusion.

In the above scenario, the possibility of electing an Acadian MLA is not just increased; it is guaranteed. Other voters and groups of interest could question the legitimacy and fairness of guaranteeing the election of a minority MLA from such a small pool of electors. The response to this has been explored throughout the report. Chéticamp and its surroundings compose a unique, rich, living, and cohesive cultural community that has survived a lengthy presence on its peripheral territory. It can be argued that its history and population are significant enough that they cannot be ignored in the boundaries process. These are some of Chéticamp’s special circumstances:

- The community only experienced Acadian representation twice since Confederation.
- Chéticamp was not included among the exceptional electoral districts, which allowed for 20 years of symbolic recognition and descriptive local representation for Acadians of the other protected ridings.

- Acadians, particularly those in and around Chéticamp, have experienced marginalization in the form of deportation, peripherality, and, in the last century, land expropriation at the hands of the federal government.
- The Chéticamp community faces threats to its survival through assimilation.

Because of these circumstances, we feel compelled to grant the community the dignity of considering options that are also fair to the rest of the province's voters. In this case, the argument for different treatment may be warranted. Still, one could argue that other communities could use this case as a precedent. One may ask why Inverness Acadians should get different treatment while other groups do not. But we have already seen that different treatment can be justified for legal and constitutional reasons, and it has already come in the form of exceptional electoral districts, which have received relative support and no significant backlash from across the province. It would seem, at the very least, that Chéticamp could be considered an anomaly and, with that said, it is a case that cannot be dismissed outright.

Some final points about a dual-member electoral district for this specific case are:

- It would eliminate the minor administrative burden of redrawing new boundaries and possibly reorganizing polls.
- It would probably draw less criticism than would an exceptional electoral district from communities that may prefer to remain in the Inverness constituency or, depending on its configuration, the Victoria–The Lakes riding.
- It would offset possible knock-on effects from implementing an exceptional electoral district, which could emerge for Victoria–The Lakes' northern communities with regard to parity and disruption of traditional political boundaries and communities of interest.

Designated or at-large representation in a dual-member electoral district: Dual-member plus

Another innovative effective representation option involves combining dual-member electoral districts with at-large representation. This method could provide effective representation for a widely dispersed at-risk minority which has also maintained a notable cultural presence in a specific locale. In this case, we are highlighting Chéticamp and its environs. While holding a majority presence within that locale, the group in question remains a minority in the wider context of its provincial population, as well as its electoral riding. The method can be used to address two issues:

- a history of under-representation at a time when a regionally concentrated minority community with a notable population may be struggling to survive as a final crucial centre of living culture
- the reality that smaller communities, individuals, and families may no longer live in peripheral locales but in other, often urban, areas and may also want descriptive representation that can effectively speak to cultural matters

Chéticamp would be a case in point. The approach can be considered a way to fill in the final piece of a complex effective representation puzzle for Nova Scotian Acadians. Acadians in Inverness could choose to vote for an Acadian member from their territorial constituency of Inverness, as is the case with dual-member electoral districts. Because the number of electors would be notably lower than the provincial riding average, the Acadian MLA from Inverness could be assigned the additional responsibility of being the main at-large MLA for Acadians living throughout the province but outside the exceptional ridings. For example, this MLA could represent Acadians in Pomquet, Port Hawkesbury, Sydney, and HRM. Further justification for this arrangement can be found in the *Maintaining exceptional electoral districts* section of this report (page 18). Voters and candidates would be compiled through self-identification. A voluntary list of voters from outside the electoral district would have to be compiled and those voters would vote in a system similar to that established for the Acadian school board (CSAP). The number of electors for this particular MLA could thus be increased while Acadians living in unrepresented areas could now have the option of voting for an Acadian who could represent their identity and interests in the legislature (descriptive representation). **We found this hybrid method to be problematic.** Although it would most likely increase the number of electors for the Acadian representative, bringing the voting contingent for that MLA closer to parity, the approach presents other difficulties:

- An extra list of voters would need to be compiled from across the province, outside of the exceptional ridings.
- Acadian voters from across the province would face geographical barriers such as the need to travel long distances to meet with their MLA.
- There is the possibility that a rural MLA may not hold other interests in common with Acadians in other locales, particularly in urban areas.

Population and electoral data

Previous electoral boundaries commissions used Canadian Census data from Statistics Canada to determine where to draw electoral boundaries while ensuring that each electoral district meets the voter parity requirement set out in the Terms of Reference.

However, Elections Nova Scotia offered us an alternative dataset that includes the 2016 Census data (Census 2016) as well as data from the Nova Scotia Registry of Motor Vehicles, Elections Canada, and provincial and municipal elections: Elections Nova Scotia's Registry of Electors, extracted June 29, 2018 (ENS 2018). This dataset is updated monthly whereas the Census data is on a 10-year cycle. The last Census took place in 2016 so the next is not due until 2026.

We compared the two sets of data—ENS 2018 and Census 2016—and found that ENS 2018 showed more than 30,000 more electors in Nova Scotia than Census 2016. ENS 2018 showed a total of 743,500 electors against 712,875 electors in Census 2016. Part of the discrepancy may be due to the fact that ENS 2018 is more recent by two years during which time those who were 16 in 2016 would have been of voting age by June 29, 2018. For our final report due on April 1, 2019, we may use the most recent data available from Elections Nova Scotia's Registry of Electors.

In using the more current dataset (ENS 2018), some rural electoral districts show a smaller number of electors than is reflected in Census 2016. The vast majority of electoral districts, however, show an increase, which, in the case of Bedford, extends to over 1,000 electors. From what we heard at our public consultations, the move to urbanization will continue.

Since we could use only one dataset on which to base our deliberations, we chose to use ENS 2018. Data from this source forms the basis for all of the boundary proposals made in this report.

You can find the datasets for the 2002 and 2012 electoral commissions by clicking on the report links at nselectoralboundaries.ca under *Resources*.

The public consultation process

We held a series of public meetings in the following areas:

Argyle	Clare	Richmond
Baddeck	Dartmouth	Sackville
Bedford	Halifax	Shelburne
Chéticamp	Preston	Sydney

We invited the public to attend the meetings in person and make submissions to the commission orally, write to the commission, or do both. We encouraged people to register to speak at the public meeting being held in their area but, if time permitted, we allowed those who had not registered to speak.

We asked the public to comment on the following options:

- 1 Restore the electoral districts of Clare, Argyle, Richmond, and Preston as was recommended in the Electoral Boundaries Commission Interim Report of May, 2012.
- 2 In addition to 1 above, make Chéticamp and its environs part of the restored Richmond electoral district (non-contiguous electoral district).

OR

- 3 In place of 2, make Chéticamp and environs an extraordinary electoral district.
- 4 Create additional electoral districts in Bedford and Cole Harbour.
- 5 Seek input from the public on the creation of a members-at-large group to provide for effective representation and voter parity.

Maps showing the above options and how they would affect both the electoral districts mentioned and neighbouring electoral districts were posted at each public meeting.

We acknowledge that restoring the four electoral districts as proposed means that adjustments may have to be made to the boundaries of neighbouring electoral districts. We would also need to add two new electoral districts and adjustments to address the imbalance in other electoral districts that do not fall within the voter parity rule set out in our Terms of Reference (Clause 4).

In addition to holding public meetings, we reached out to the Confederacy of Mainland Mi'kmaq through Executive Director Don Julian to request an opportunity to consult with the organization regarding our Terms of Reference and our work towards effective representation.

We are very conscious of the fact that not enough notice was given for both the dates and locations of our first round of public meetings as well as the draft boundaries we were proposing. The next round of public meetings will take place in January and February of 2019, and we will ensure that adequate notice of those meetings will be given through the media and through our website: nselectoralboundaries.ca.

Proposed electoral distribution

Based on the Terms of Reference we were given by the Select Committee on Establishing an Electoral Boundaries Commission, what we heard at our public meetings, the analysis provided by Dr. James Bickerton, and the arguments presented in *Approaches and strategies to more effective representation* (page 13), we recommend the following four options:

- Draw electoral boundaries such that there are **51 electoral districts** in Nova Scotia.
- Draw electoral boundaries such that there are **55 electoral districts** in Nova Scotia, which include the four formerly protected electoral districts of Argyle, Clare, Richmond, and Preston.
- Draw electoral boundaries such that there are **55 electoral districts** in Nova Scotia but **56 seats** in the House of Assembly. This would include the dual-member electoral district of Inverness, which would have one MLA to represent the geographic electoral district and one MLA to represent the Acadian constituency.
- Draw electoral boundaries such that there are **56 electoral districts**. This includes the added exceptional electoral district of Chéticamp.

Important information to help you understand the tables in this section:

- **Electors** are defined as Canadian citizens 18 years of age and older and Nova Scotian residents for six months or more.
- **Seat entitlement** is based on the number of electors. It is calculated by dividing the total number of electors by the number of electoral districts.
- The data used in each table was provided by Elections Nova Scotia's Registry of Electors, extracted June 29, 2018.

51 electoral districts

The Terms of Reference (page 5) given to us by the select committee state that “the preliminary report must include electoral boundaries for 51 electoral districts and for at least one different total number of districts” (Clause 7).

In complying with this clause, while also taking into account the population shifts that have occurred in Nova Scotia since 2012 when electoral boundaries were last revised, we have had to make some adjustments to the current electoral districts.

Table 1 shows the number of electors per electoral district in the electoral districts that were created by the 2012 Electoral Boundaries Commission and are still in use today. Source data was provided by Elections Nova Scotia’s Registry of Electors, extracted June 29, 2018 (ENS 2018).

Seat entitlement represents how far from the average number of electors each district deviates. For example, if a district has exactly the average number of electors, its seat entitlement is 1. According to the Terms of Reference we were provided, “the number of electors per electoral district may vary by no more than 25 per cent above or below the estimated average number of electors per electoral district” (Clause 5) except in exceptional circumstances. That means **seat entitlement for any given electoral district should be no more than 1.25 and no less than 0.75 except in exceptional electoral districts.**

Table 1: Current electoral districts using ENS 2018 data

Electoral district	2018 Electors	2018 Seat Entitlement
01 Annapolis	16,488	1.13
02 Antigonish	13,987	0.96
03 Argyle-Barrington	12,287	0.84
04 Bedford	21,506	1.48
05 Cape Breton Centre	12,823	0.88
06 Cape Breton-Richmond	10,938	0.75
07 Chester-St. Margaret’s	15,223	1.04
08 Clare-Digby	14,146	0.97
09 Clayton Park West	17,554	1.20
10 Colchester-Musquodoboit Valley	13,996	0.96
11 Colchester North	14,288	0.98

Proposed electoral district		2018 Electors	2018 Seat Entitlement
12	Cole Harbour-Eastern Passage	14,951	1.03
13	Cole Harbour-Portland Valley	17,922	1.23
14	Cumberland North	13,008	0.89
15	Cumberland South	10,822	0.74
16	Dartmouth East	14,780	1.01
17	Dartmouth North	16,345	1.12
18	Preston-Dartmouth	11,399	0.78
19	Dartmouth South	17,714	1.22
20	Guysborough-Eastern Shore-Tracadie	10,018	0.69
21	Eastern Shore	12,438	0.85
22	Fairview-Clayton Park	17,268	1.18
23	Glace Bay	12,188	0.84
24	Halifax Armdale	12,248	0.84
25	Halifax Atlantic	15,142	1.04
26	Halifax Chebucto	17,257	1.18
27	Halifax Citadel-Sable Island	14,420	0.99
28	Halifax Needham	16,276	1.12
29	Hammonds Plains-Lucasville	12,956	0.89
30	Hants East	18,362	1.26
31	Hants West	15,302	1.05
32	Inverness	11,012	0.76
33	Kings North	15,705	1.08
34	Kings South	17,256	1.18
5	Kings West	15,000	1.03
36	Lunenburg	14,136	0.97
37	Lunenburg West	16,055	1.10
38	Northside-Westmount	16,357	1.12

Proposed electoral district		2018 Electors	2018 Seat Entitlement
39	Pictou Centre	12,675	0.87
40	Pictou East	11,746	0.81
41	Pictou West	10,908	0.75
42	Queens-Shelburne	13,831	0.95
43	Sackville-Beaver Bank	13,831	0.95
44	Sackville-Cobequid	15,832	1.06
45	Sydney-Whitney Pier	17,718	1.22
46	Sydney River-Mira-Louisbourg	15,297	1.05
47	Timberlea-Prospect	15,921	1.09
48	Truro-Bible Hill-Millbrook-Salmon River	1,5897	1.09
49	Victoria-The Lakes	12,137	0.83
50	Waverley-Fall River-Beaver Bank	14,943	1.03
51	Yarmouth	13,641	0.94
Total		743,500	51
Average		14,578	1.00

NOTE: Based on 51 seats, the acceptable range of electors that fall within the ± 25 per cent of the provincial average of electors per electoral district ($743,500/51 = 14,578$) is a minimum of 10,934 to a maximum of 18,223.

Table 1 shows the electoral district of Bedford as having a seat entitlement of 1.48, which is outside the allowable deviation from voter parity. We, therefore, adjusted the Bedford (04) boundary to reduce its seat entitlement to fall within the allowable deviation from voter parity. To complicate matters, we could not add to the neighbouring electoral district of Clayton Park West because it was close to the limit of electoral parity with a seat entitlement of 1.20. We, therefore, took a portion of Bedford and a portion of Clayton Park West (09) and added them to Hammonds Plains-Lucasville (29).

The electoral district of Hants East (30) was also slightly outside the allowable deviation from voter parity with a seat entitlement of 1.26. To remedy this situation, we moved the communities of Shubenacadie and Milford out of Hants East and placed them in the electoral district of Colchester-Musquodoboit Valley (10).

While the seat entitlements for the electoral districts of Cumberland South (15) and Guysborough-Eastern Shore-Tracadie (20) also fall below the lower limit allowed to achieve relative voter parity, we have decided to leave them as they are. The seat entitlement for Cumberland South is very close to voter parity at 0.74. The electoral district of Guysborough-Eastern Shore- Tracadie is already the largest in the province geographically; therefore, we feel that Clause 2 of the Terms of Reference allow this district to deviate from voter parity for geographic reasons.

The above changes are shown in Table 2.

Illustrations of the above changes can be seen on maps 51-6 and 51-7.

Table 2: Proposed 51 electoral districts using ENS 2018 data

Proposed electoral district	2018 Electors	2018 Seat Entitlement
01 Annapolis	16,488	1.13
02 Antigonish	13,987	0.96
03 Argyle-Barrington	12,287	0.84
04 Bedford	17,733	1.22
05 Cape Breton Centre	12,823	0.88
06 Cape Breton-Richmond	10,938	0.75
07 Chester-St.Margaret's	15,223	1.04
08 Clare-Digby	14,146	0.97
09 Clayton Park West	16,952	1.16
10 Colchester-Musquodoboit Valley	15,636	1.07
11 Colchester North	14,288	0.98
12 Cole Harbour-Eastern Passage	14,951	1.03
13 Cole Harbour-Portland Valley	17,922	1.23
14 Cumberland North	13,008	0.89
15 Cumberland South	10,822	0.74
16 Dartmouth East	14,780	1.01
17 Dartmouth North	16,345	1.12
18 Preston-Dartmouth	11,399	0.78
19 Dartmouth South	17,714	1.22

Proposed electoral district	2018 Electors	2018 Seat Entitlement
20 Guysborough-Eastern Shore-Tracadie	10,018	0.69
21 Eastern Shore	12,438	0.85
22 Fairview-Clayton Park	17,268	1.18
23 Glace Bay	12,188	0.84
24 Halifax Armdale	12,248	0.84
25 Halifax Atlantic	15,142	1.04
26 Halifax Chebucto	17,257	1.18
27 Halifax Citadel-Sable Island	14,420	0.99
28 Halifax Needham	16,276	1.12
29 Hammonds Plains-Lucasville	17,331	1.19
30 Hants East	16,722	1.15
31 Hants West	15,302	1.05
32 Inverness	11,012	0.76
33 Kings North	15,705	1.08
34 Kings South	17,256	1.18
35 Kings West	15,000	1.03
36 Lunenburg	14,136	0.97
37 Lunenburg West	16,055	1.10
38 Northside-Westmount	16,357	1.12
39 Pictou Centre	12,675	0.87
40 Pictou East	11,746	0.81
41 Pictou West	10,908	0.75
42 Queens-Shelburne	13,831	0.95
43 Sackville-Beaver Bank	13,831	0.95
44 Sackville-Cobequid	15,832	1.06
45 Sydney-Whitney Pier	17,718	1.22
46 Sydney River-Mira-Louisbourg	15,297	1.05

Proposed electoral district		2018 Electors	2018 Seat Entitlement
47	Timberlea-Prospect	15,921	1.09
48	Truro-Bible Hill-Millbrook-Salmon River	15,897	1.09
49	Victoria-The Lakes	12,137	0.83
50	Waverley-Fall River-Beaver Bank	14,943	1.03
51	Yarmouth	13,641	0.94
Total		743,500	51
Average		14,578	1.00

NOTE: Based on 51 seats, the acceptable range of electors that fall within the ± 25 per cent of the provincial average of electors per electoral district ($743,500/51 = 14,578$) is a minimum of 10,934 to a maximum of 18,223.

55 electoral districts, including the four formerly protected electoral districts

While requiring that we provide boundaries for 51 electoral districts, the Terms of Reference also require that we provide boundaries **for at least one different total number of districts**. In fact, we have provided boundaries for three additional options, of which this is the first.

We chose to maintain the four exceptional electoral districts of Argyle (03), Clare (09), Richmond (46), and Preston (44) because these are anchor communities with notable concentrated populations of minority cultural communities—Acadian and African Nova Scotian—that are indigenous to Nova Scotia. We feel that it is important to use this opportunity to continue to foster and protect these communities so that they can continue to develop and survive.

We have drawn boundaries for these electoral districts in a nonpartisan and fair manner to encase a concentrated minority. We have deviated from voter parity to favour minorities in the electoral process by increasing the weight of their vote in smaller ridings. In establishing these exceptional electoral districts, we acknowledge the significance of these minority groups to our province's history and cultural life. **These electoral districts are symbols of recognition as well as tangible institutional arrangements that are designed to enhance constitutionally protected effective representation.**

You can read the entire rationale for maintaining the exceptional electoral districts in *Maintaining exceptional electoral districts* on page 18.

Table 3 shows the number of electors per electoral district where there are 55 electoral districts, including four exceptional electoral districts in which the number of electors in three of the exceptional electoral districts deviates from voter parity by more than 25 per cent. The data used was drawn from ENS 2018.

This option includes several other changes:

- We added a new electoral district to the Bedford region because the old electoral district of Bedford deviated greatly from the voter parity rule. Therefore, we created the electoral districts of Bedford Basin (04) and Bedford South (05). Bedford Basin includes most of the previous electoral district of Bedford. Bedford South includes parts of the old Bedford electoral district as well as parts of the old Hammonds Plains-Lucasville and Clayton Park West electoral districts.
- We removed the part of the Eastern Shore electoral district that had been transferred in 2012 to Guysborough and restored it to the Eastern Shore electoral district (22). While this now reduces the seat entitlement of the Guysborough-Tracadie (25) electoral district to 0.57, we feel that this is permissible and in agreement with Clause 2 of the Terms of Reference.

- We also adjusted boundaries in Dartmouth, as the seat entitlements of Dartmouth South (19) and Cole Harbour-Portland Valley (14) were very close to the upper limit allowed under the voter parity rule. There were enough electors in these two districts to create an additional electoral district, which we did—Cole Harbour-Dartmouth (13).
- We made several adjustments across the province to align electoral boundaries more fully with community boundaries.

Illustrations of the above changes can be seen on maps 55-2, 55-4, 55-7, and 55-9.

Table 3: Proposed 55 electoral districts (including 4 exceptional electoral districts) using ENS 2018 data

Proposed electoral district	2018 Electors	2018 Seat Entitlement
01 Annapolis	11,419	0.84
02 Antigonish	13,987	1.03
03 Argyle	6,285	0.46
04 Bedford Basin	13,356	0.99
05 Bedford South	10,404	0.77
06 Cape Breton Centre-Whitney Pier	14,897	1.10
07 Cape Breton East	13,675	1.01
08 Chester-St. Margaret's	15,223	1.13
09 Clare	6,669	0.49
10 Clayton Park West	15,446	1.14
11 Colchester-Musquodoboit Valley	15,521	1.15
12 Colchester North	14,284	1.06
13 Cole Harbour-Dartmouth	15,967	1.18
14 Cole Harbour-Portland Valley	10,194	0.80
15 Cumberland North	13,006	0.96
16 Cumberland South	10,824	0.80
17 Dartmouth East	14,780	1.09
18 Dartmouth North	16,345	1.21
19 Dartmouth South	13,557	1.00
20 Digby-Annapolis	12,546	0.93

Proposed electoral district		2018 Electors	2018 Seat Entitlement
21	Eastern Passage	10,228	0.76
22	Eastern Shore	15,744	1.16
23	Fairview-Clayton Park	15,591	1.15
24	Glace Bay-Dominion	13,812	1.02
25	Guysborough-Tracadie	7,700	0.57
26	Halifax Armdale	14,524	1.07
27	Halifax Atlantic	15,142	1.12
28	Halifax Chebucto	14,425	1.07
29	Halifax Citadel-Sable Island	16,653	1.23
30	Halifax Needham	16,276	1.20
31	Hammonds Plains-Lucasville	12,810	0.95
32	Hants East	16,823	1.24
33	Hants West	15,300	1.13
34	Inverness	13,661	1.01
35	Kings North	15,694	1.16
36	Kings South	16,115	1.19
37	Kings West	16,154	1.19
38	Lunenburg	14,171	1.05
39	Lunenburg West	13,209	0.98
40	Northside-Westmount	16,357	1.21
41	Pictou Centre	12,691	0.94
42	Pictou East	11,579	0.86
43	Pictou West	11,063	0.82
44	Preston	1,1055	0.82
45	Queens	11,280	0.83
46	Richmond	7,442	0.55
47	Sackville-Beaver Bank	13,831	1.02

Proposed electoral district		2018 Electors	2018 Seat Entitlement
48	Sackville-Cobequid	15,738	1.16
49	Shelburne	11,360	0.84
50	Sydney-Membertou	16,489	1.22
51	Timberlea-Prospect	15,921	1.18
52	Truro-Bible Hill-Millbrook-Salmon River	15,915	1.18
53	Victoria-The Lakes	12,137	0.90
54	Waverley-Fall River-Beaver Bank	14,580	1.08
55	Yarmouth	13,645	1.01
Total		743,500	55
Average		13,518	1.00

NOTE: Based on 55 seats, the acceptable range of electors that fall within the ± 25 per cent of the provincial average of electors per electoral district ($743,500/55 = 13,518$) is a minimum of 10,139 to a maximum of 16,898.

55 electoral districts, 56 seats in the House of Assembly

This option uses the same data shown in Table 3. The number of electors and seat entitlements remain the same. The difference is the addition of a dual-member electoral district in Inverness (34).

The electoral district of Inverness includes Chéticamp and surrounding Acadian communities. The district itself stretches from Port Hawkesbury to Meat Cove with the Acadian enclave nestled just south of Cape Breton Highlands National Park. This Acadian 'homeland' has only been represented by an Acadian twice since Confederation. To remedy this situation, Inverness would elect two representatives to the House of Assembly. Self-identifying Acadian voters from the entire electoral district could choose to cast one of two ballots:

- the same ballot used by the general electorate to elect an MLA to represent the geographic electoral district

OR

- a ballot containing the names of self-identifying Acadians fluent in French used to elect an Acadian MLA

Being constituency-wide, this system could increase the voting pool for the Acadian MLA and partially offset voter parity concerns. In this option, the possibility of electing an Acadian MLA is not just increased, it is guaranteed. We think this is warranted, as Chéticamp and its surroundings compose a unique, rich, living, and cohesive cultural community whose population is significant enough that they cannot be ignored during this boundary review process.

You can read more about dual-member electoral districts and how they relate to Chéticamp, in particular, in *Dual-member electoral districts* on page 24.

The electoral district of Inverness is located on **map 55-2**.

56 electoral districts

Our fourth option is an electoral map with 56 electoral districts, including five exceptional electoral districts:

- Preston (45)
- Argyle (03)
- Chéticamp (09)
- Clare (10)
- Richmond (47)

Note the addition of the exceptional electoral district of Chéticamp. We propose adding Chéticamp as an additional exceptional electoral district for a number of reasons:

- The community has had Acadian representation in the House of Assembly only twice since Confederation.
- Chéticamp was not included among the exceptional electoral districts, which allowed for 20 years of symbolic recognition and descriptive local representation for Acadians of the other protected ridings.
- Acadians, particularly those in Chéticamp, have experienced marginalization in the form of deportation, peripherality, and, in the last century, land expropriation at the hands of the federal government.
- The Chéticamp community faces a threat to its survival through assimilation.

An exceptional electoral district for Chéticamp would address effective representation for Chéticamp and surrounding Acadian communities. It may also inadvertently, and perhaps conveniently, provide boundaries that also benefit the Gaelic cultural community throughout Inverness.

Note: During our public meetings, the proposed Chéticamp electoral district was shown as district #99 on the map.

You can read more about adding Chéticamp as an exceptional electoral district in *Maintaining exceptional electoral districts* on page 21, and about Chéticamp's special circumstances on pages 24-26. You can read more about descriptive representation on page 17.

Illustrations of the above changes can be seen on **maps 56-2, 56-6, and 56-9**.

Table 4 shows the number of electors per electoral district where there are 56 electoral districts, including five exceptional electoral districts in which the number of electors in four of the exceptional electoral districts deviates from voter parity by more than 25 per cent. The data used was drawn from ENS 2018.

Table 4: Proposed 56 electoral districts (including 5 exceptional electoral districts) using ENS 2018 data

Proposed electoral district	2018 Electors	2018 Seat Entitlement
01 Annapolis	11,419	0.86
02 Antigonish	13,987	1.05
03 Argyle	6,285	0.47
04 Bedford Basin	13,356	1.01
05 Bedford South	10,404	0.78
06 Cape Breton Centre-Whitney Pier	14,897	1.12
07 Cape Breton East	13,675	1.03
08 Chester-St. Margaret's	15,223	1.15
09 Chéticamp	2,585	0.19
10 Clare	6,669	0.50
11 Clayton Park West	15,446	1.16
12 Colchester-Musquodoboit Valley	15,521	1.17
13 Colchester North	14,284	1.08
14 Cole Harbour-Dartmouth	15,967	1.20
15 Cole Harbour-Portland Valley	10,194	0.77
16 Cumberland North	13,006	0.98
17 Cumberland South	10,824	0.82
18 Dartmouth East	14,780	1.11
19 Dartmouth North	16,345	1.23
20 Dartmouth South	13,557	1.02
21 Digby-Annapolis	12,546	0.94
22 Eastern Passage	10,228	0.77
23 Eastern Shore	15,744	1.19
24 Fairview-Clayton Park	15,591	1.17
25 Glace Bay-Dominion	13,812	1.04

Proposed electoral district		2018 Electors	2018 Seat Entitlement
26	Guysborough-Tracadie	7,700	0.58
27	Halifax Armdale	14,524	1.09
28	Halifax Atlantic	15,142	1.14
29	Halifax Chebucto	14,425	1.09
30	Halifax Citadel-Sable Island	16,653	1.25
31	Halifax Needham	16,276	1.23
32	Hammonds Plains-Lucasville	12,810	0.96
33	Hants East	16,823	1.27
34	Hants West	15,300	1.15
35	Inverness	11,076	0.83
36	Kings North	15,694	1.18
37	Kings South	16,115	1.21
38	Kings West	16,154	1.22
39	Lunenburg	14,171	1.07
40	Lunenburg West	13,209	0.99
41	Northside-Westmount	16,357	1.23
42	Pictou Centre	12,691	0.96
43	Pictou East	11,579	0.87
44	Pictou West	11,063	0.83
45	Preston	11,055	0.83
46	Queens	11,280	0.85
47	Richmond	7,442	0.56
48	Sackville-Beaver Bank	13,831	1.04
49	Sackville-Cobequid	15,738	1.19
50	Shelburne	11,360	0.86
51	Sydney-Membertou	16,489	1.24
52	Timberlea-Prospect	15,921	1.20

Proposed electoral district		2018 Electors	2018 Seat Entitlement
53	Truro-Bible Hill-Millbrook-Salmon River	15,915	1.20
54	Victoria-The Lakes	12,137	0.91
55	Waverley-Fall River-Beaver Bank	14,580	1.10
56	Yarmouth	13,645	1.03
Total		743,500	56
Average		13,277	1.00

NOTE: Based on 56 seats, the acceptable range of electors that fall within the ± 25 per cent of the provincial average of electors per electoral district ($743,500/56 = 13,277$) is a minimum of 9,958 to a maximum of 16,596.

Maps of proposed electoral districts

51 electoral districts

55 electoral districts

56 electoral districts

51

55

56

The following pages contain the maps of the proposed electoral boundaries for the four options outlined in the previous chapter, *Proposed electoral distribution*.

As one of the four options listed in *Proposed electoral distribution* contains the same number of electoral districts as another option, there are only three series of maps: one showing 51 electoral districts, one showing 55 electoral districts, and one showing 56 electoral districts.

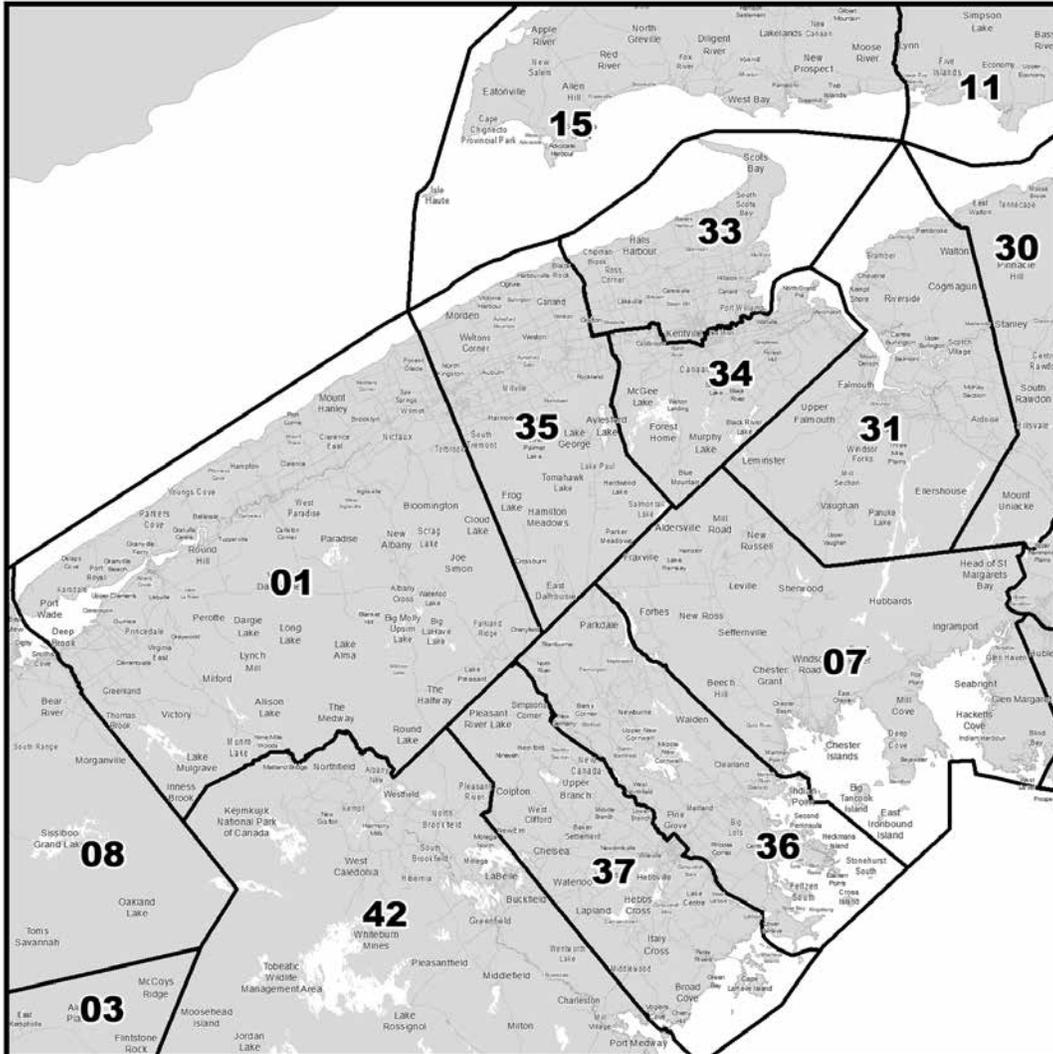
The maps are labelled according to the series to which they belong. For example, all maps within the series showing 51 electoral districts are labelled 51-1, 51-2, and so on. The maps are organized according to the following nine regions:

- Annapolis Valley
- Cape Breton
- Cape Breton inset (showing Cape Breton's urban districts)
- Central Nova
- Fundy Northeast
- Halifax Regional Municipality
- Halifax Regional Municipality inset (showing HRM's urban districts)
- South Shore
- Southwest Nova

You will see that some electoral districts appear on more than one map. That is because some districts are adjacent to districts included on the map.

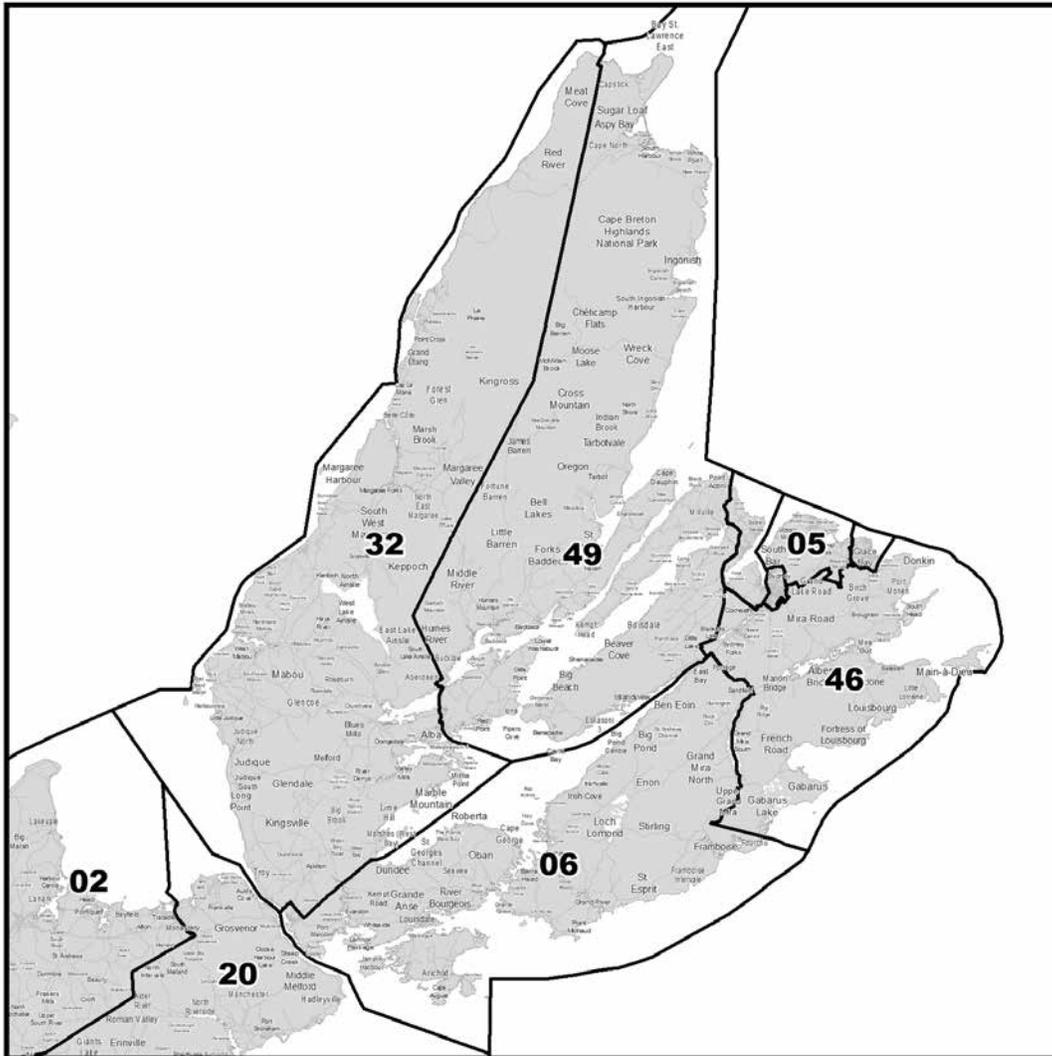
Annapolis Valley

51-1



Electoral districts

01	Annapolis	31	Hants West
03	Argyle-Barrington	33	Kings North
07	Chester-St. Margaret's	34	Kings South
08	Clare-Digby	35	Kings West
11	Colchester North	36	Lunenburg
15	Cumberland South	37	Lunenburg West
30	Hants East	42	Queens-Shelburne



Electoral districts

- 02 Antigonish

- 05 Cape Breton Centre

- 06 Cape Breton-Richmond

- 20 Guysborough-Eastern Shore-Tracadie

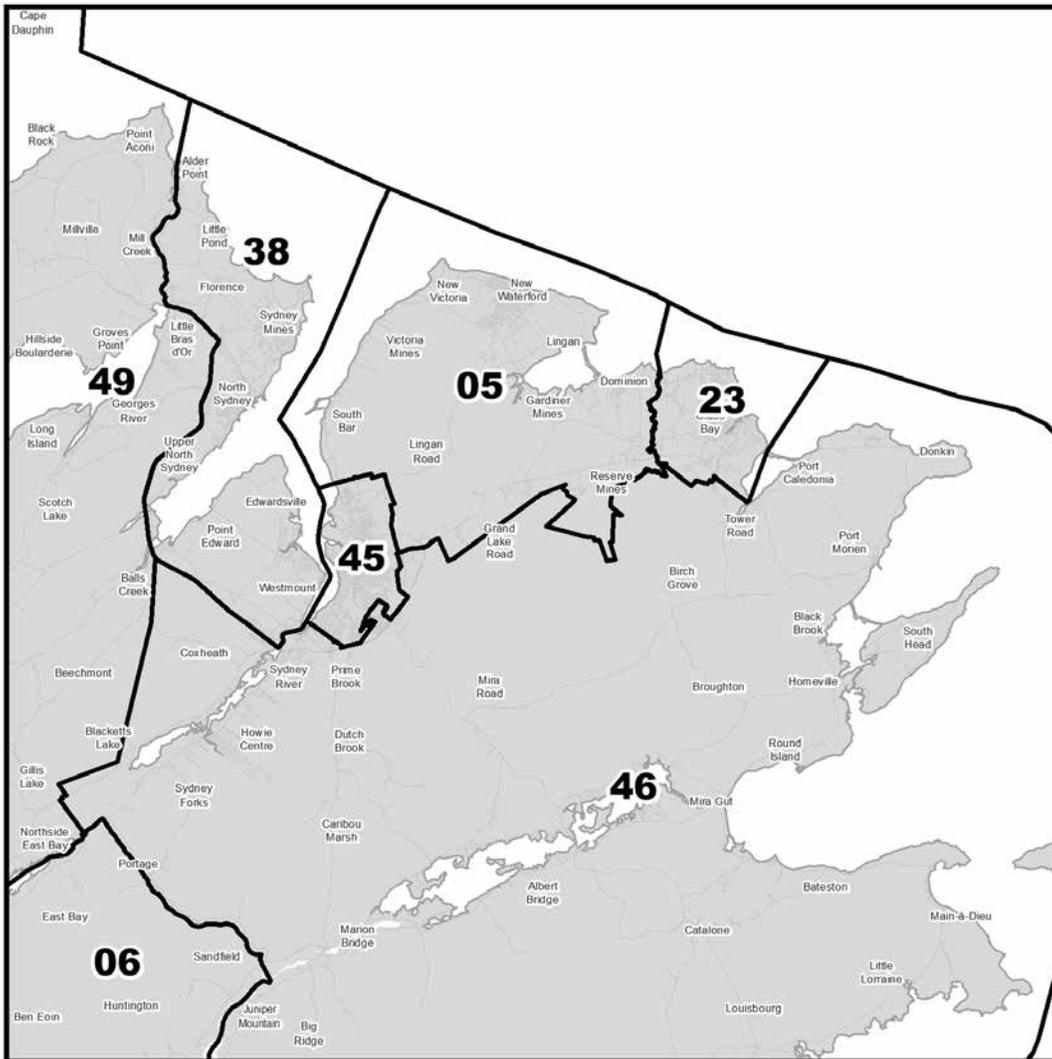
- 32 Inverness

- 46 Sydney River-Mira-Louisbourg

- 49 Victoria-The Lakes

Cape Breton inset

51-3



Electoral districts

- 05 Cape Breton Centre

- 06 Cape Breton-Richmond

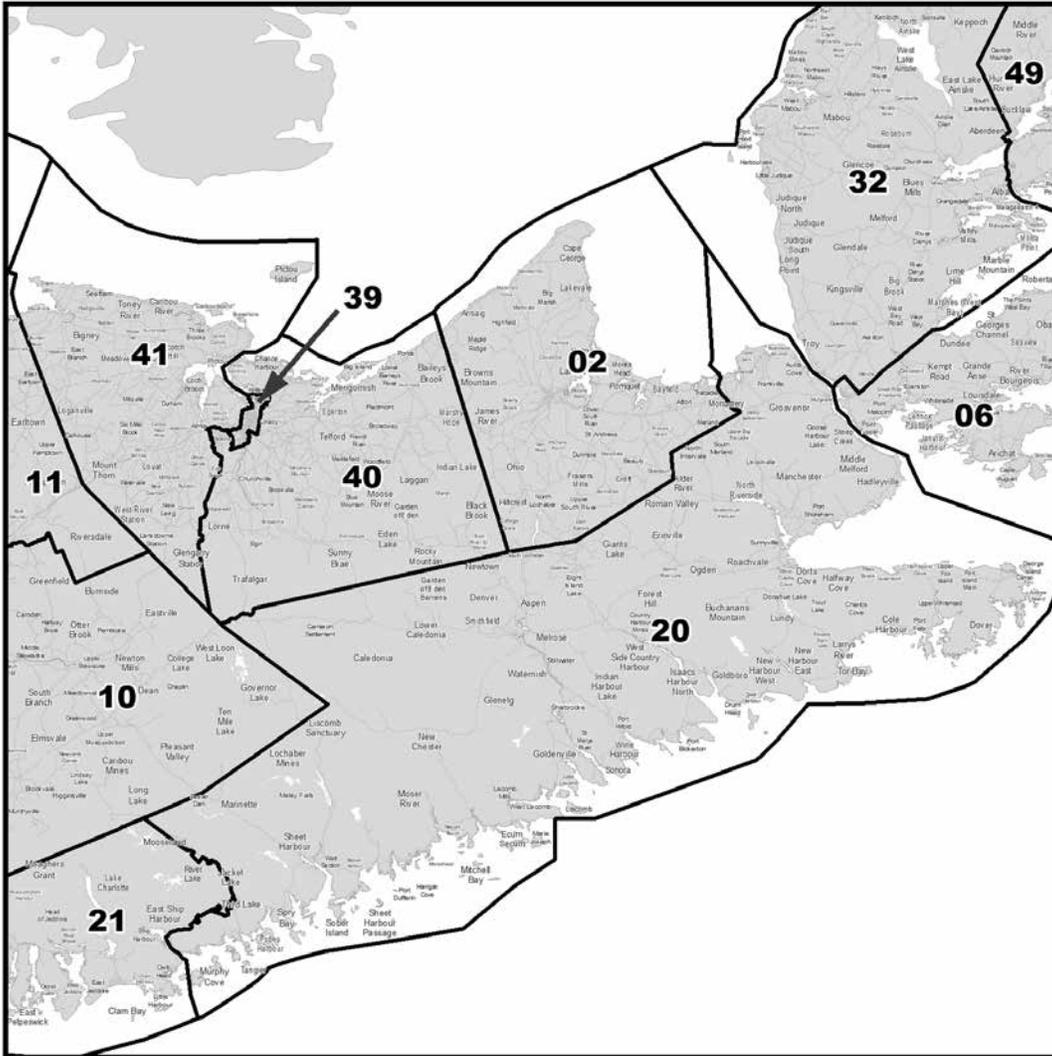
- 23 Glace Bay

- 38 Northside-Westmount

- 45 Sydney-Whitney Pier

- 46 Sydney River-Mira-Louisbourg

- 49 Victoria-The Lakes



Electoral districts

- 02 Antigonish

- 06 Cape Breton-Richmond

- 10 Colchester-Musquodoboit Valley

- 11 Colchester North

- 20 Guysborough-Eastern Shore-Tracadie

- 21 Eastern Shore

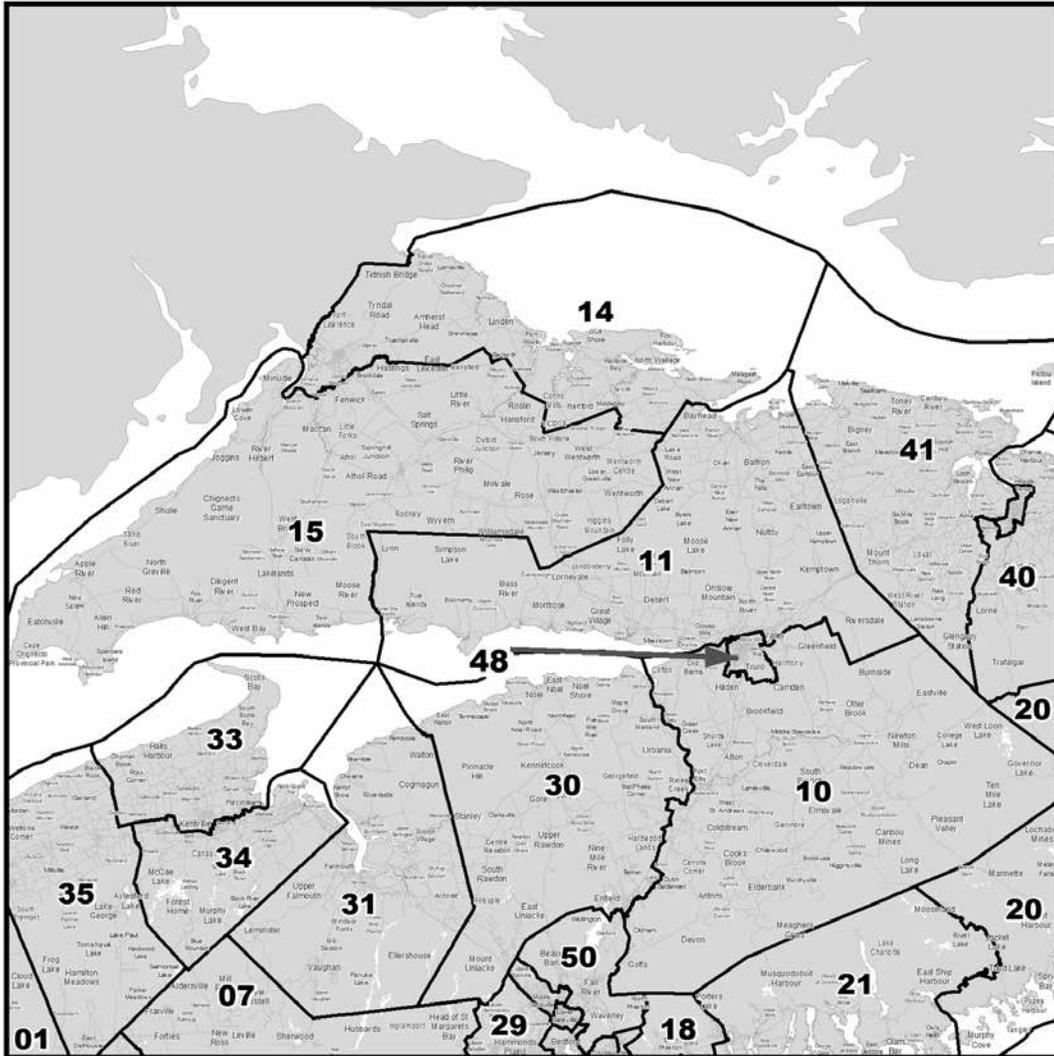
- 32 Inverness

- 39 Pictou Centre

- 40 Pictou East

- 41 Pictou West

- 49 Victoria-The Lakes

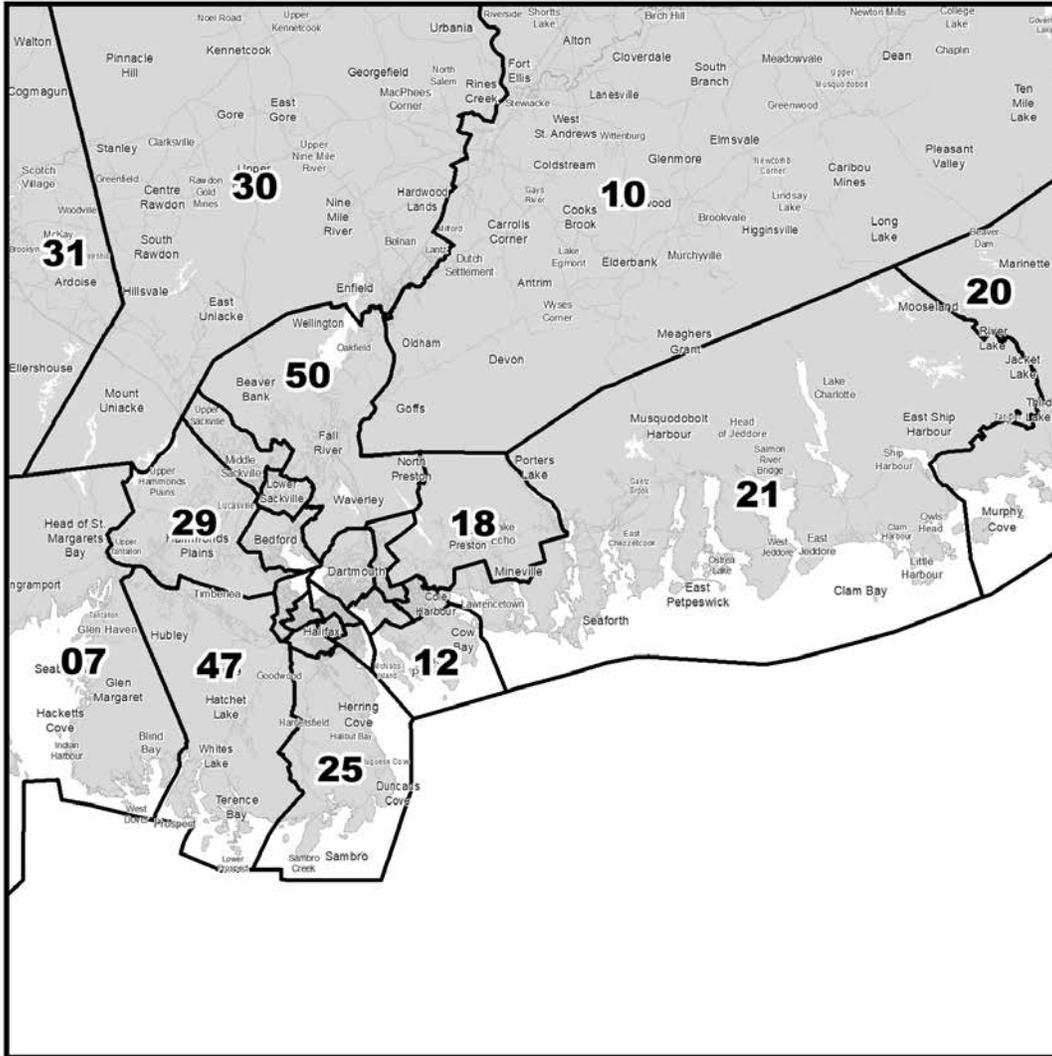


Electoral districts

01	Annapolis	30	Hants East
07	Chester-St. Margaret's	31	Hants West
10	Colchester-Musquodoboit Valley	33	Kings North
11	Colchester North	34	Kings South
14	Cumberland North	35	Kings West
15	Cumberland South	40	Pictou East
18	Preston-Dartmouth	41	Pictou West
20	Guysborough-Eastern Shore-Tracadie	48	Truro-Bible Hill-Millbrook-Salmon River
21	Eastern Shore	50	Waverly-Fall River-Beaver Bank
29	Hammonds Plains-Lucasville		

Halifax Regional Municipality

51-6

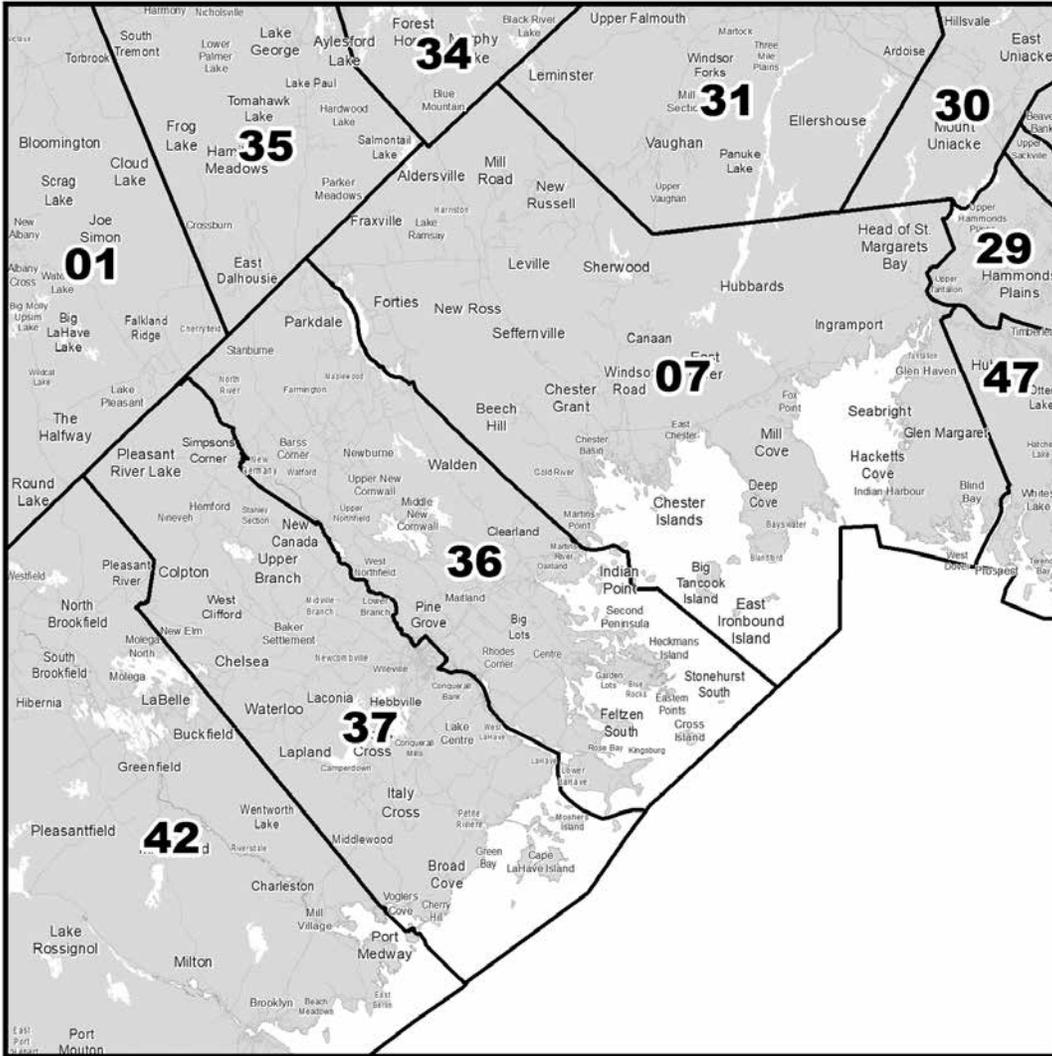


Electoral districts

07	Chester-St. Margaret's	25	Halifax Atlantic
10	Colchester-Musquodoboit Valley	29	Hammonds Plains-Lucasville
12	Cole Harbour-Eastern Passage	30	Hants East
18	Preston-Dartmouth	31	Hants West
20	Guysborough-Eastern Shore-Tracadie	47	Timberlea-Prospect
21	Eastern Shore	50	Waverly-Fall River-Beaver Bank

South Shore

51-8

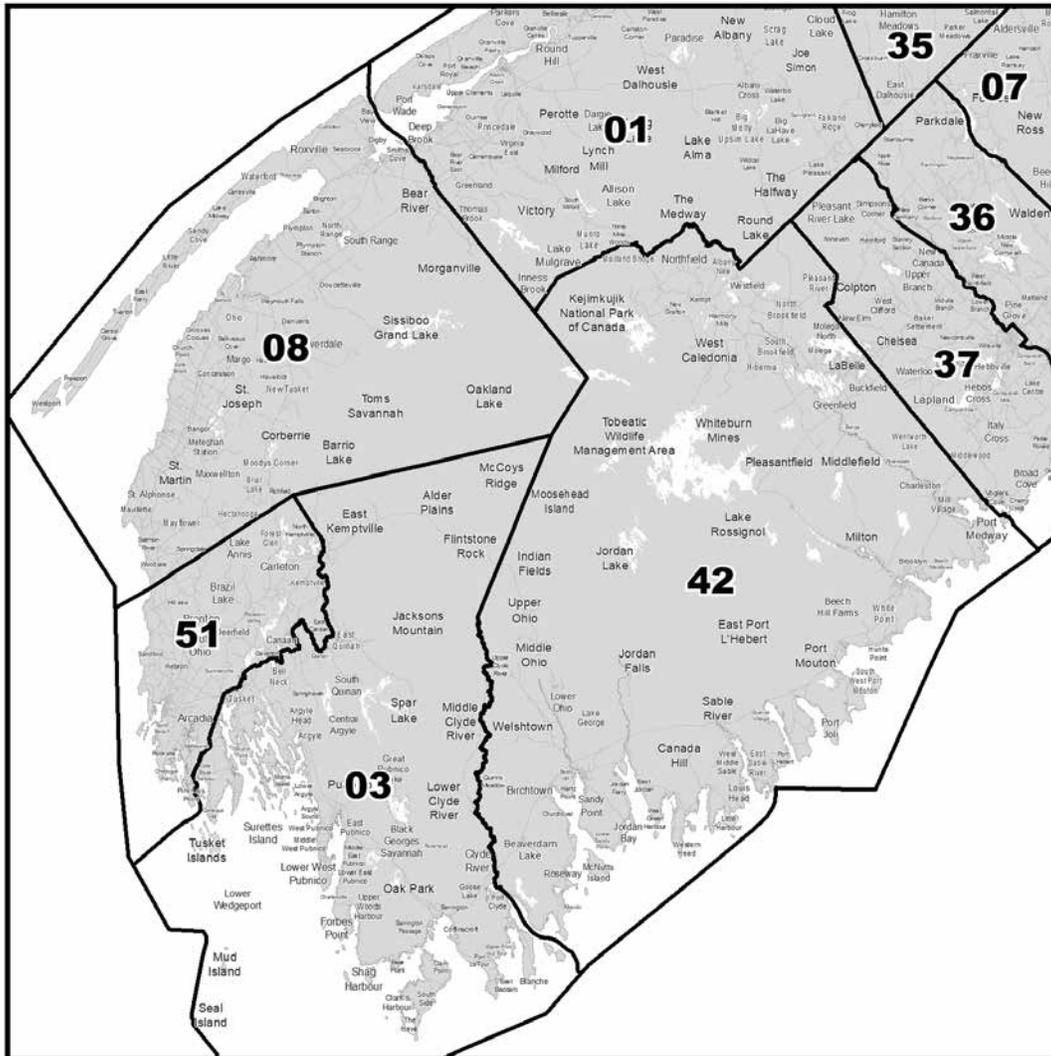


Electoral districts

01	Annapolis	35	Kings West
07	Chester-St. Margaret's	36	Lunenburg
29	Hammonds Plains-Lucasville	37	Lunenburg West
30	Hants East	42	Queens-Shelburne
31	Hants West	47	Timberlea-Prospect
34	Kings South		

Southwest Nova Scotia

51-9



Electoral districts

- 01 Annapolis

- 03 Argyle-Barrington

- 07 Chester-St. Margaret's

- 08 Clare-Digby

- 35 Kings West

- 36 Lunenburg

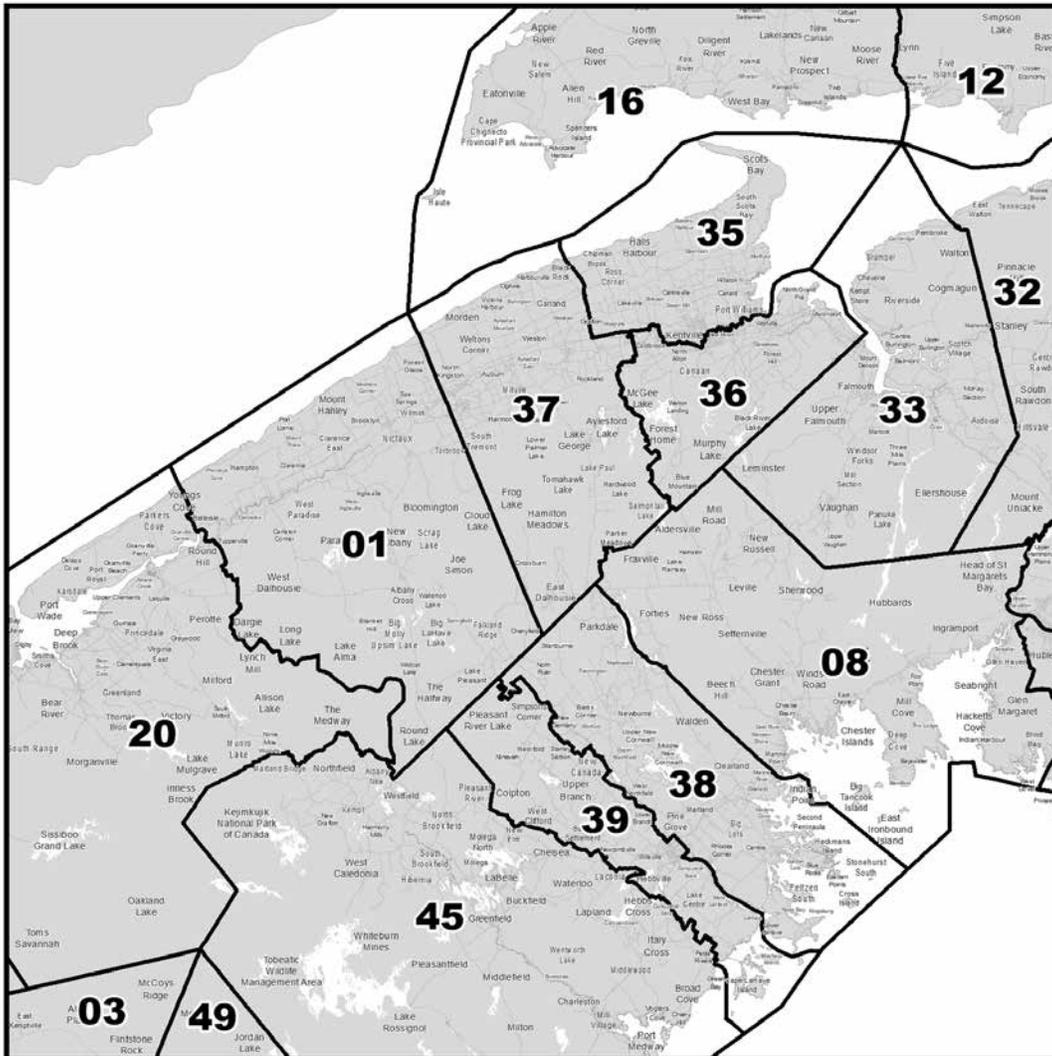
- 37 Lunenburg West

- 42 Queens-Shelburne

- 51 Yarmouth

Annapolis Valley

55-1



Electoral districts

01 Annapolis

03 Argyle

08 Chester-St. Margaret's

12 Colchester North

16 Cumberland South

20 Digby-Annapolis

32 Hants East

33 Hants West

35 Kings North

36 Kings South

37 Kings West

38 Lunenburg

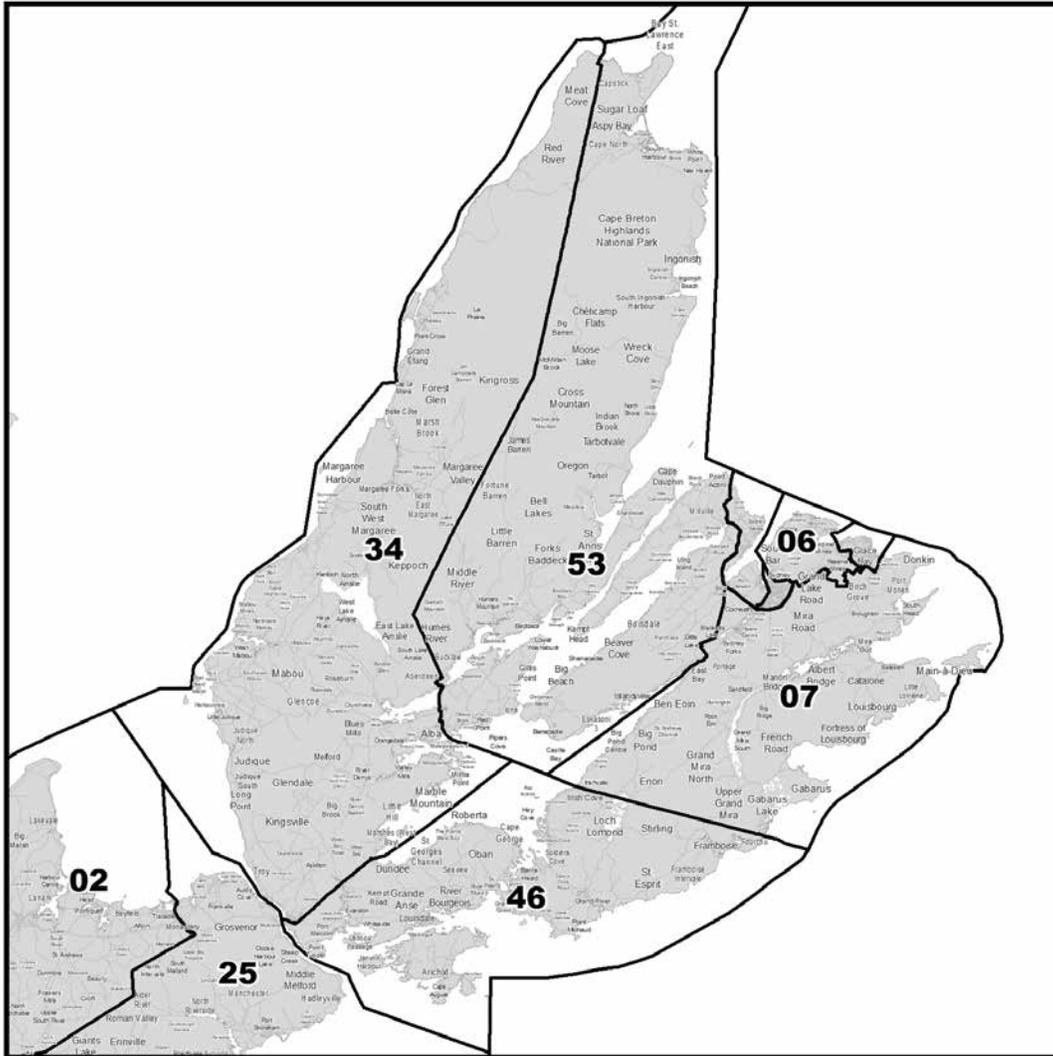
39 Lunenburg West

45 Queens

49 Shelburne

Cape Breton

55-2

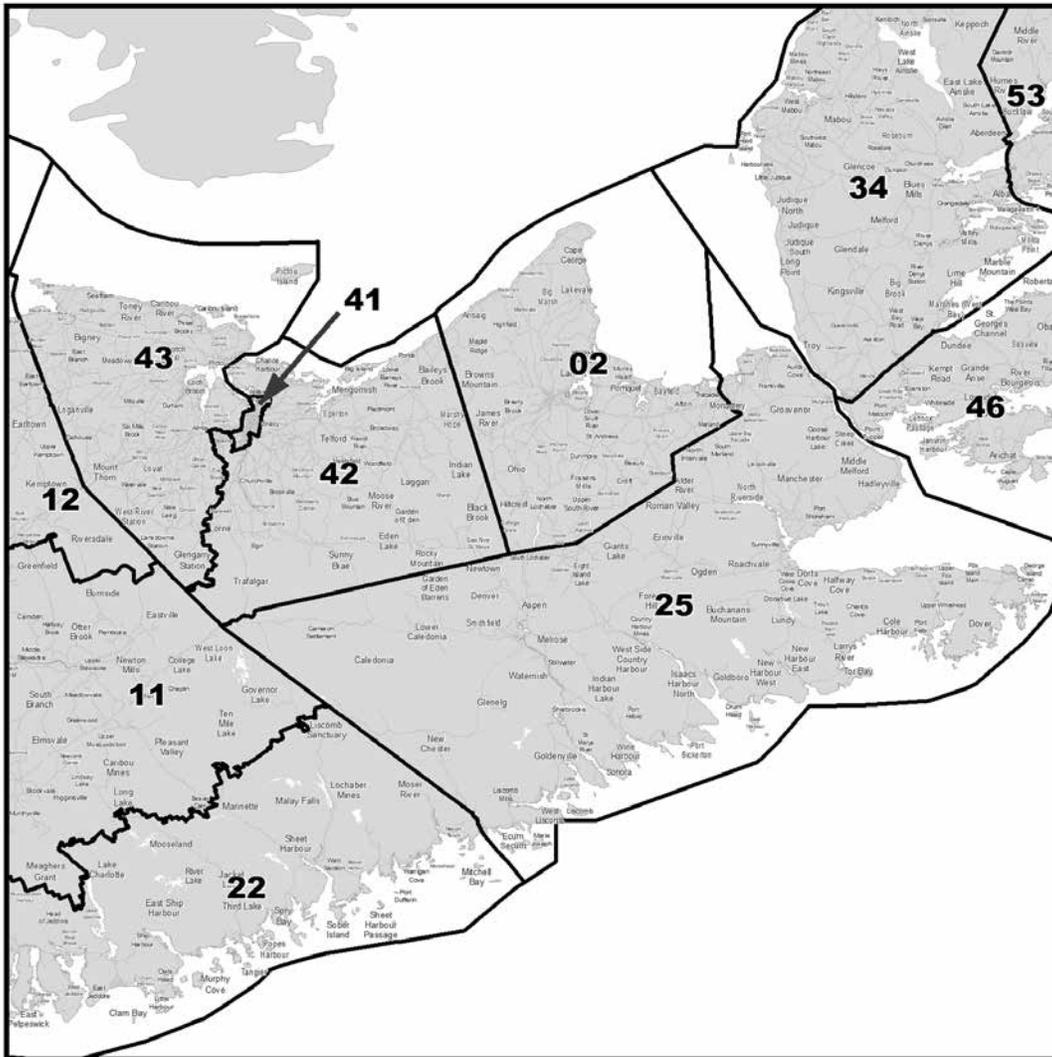


Electoral districts

- 02 Antigonish
- 06 Cape Breton Centre-Whitney Pier
- 07 Cape Breton East
- 25 Guysborough-Tracadie
- 34 Inverness
- 46 Richmond
- 53 Victoria-The Lakes

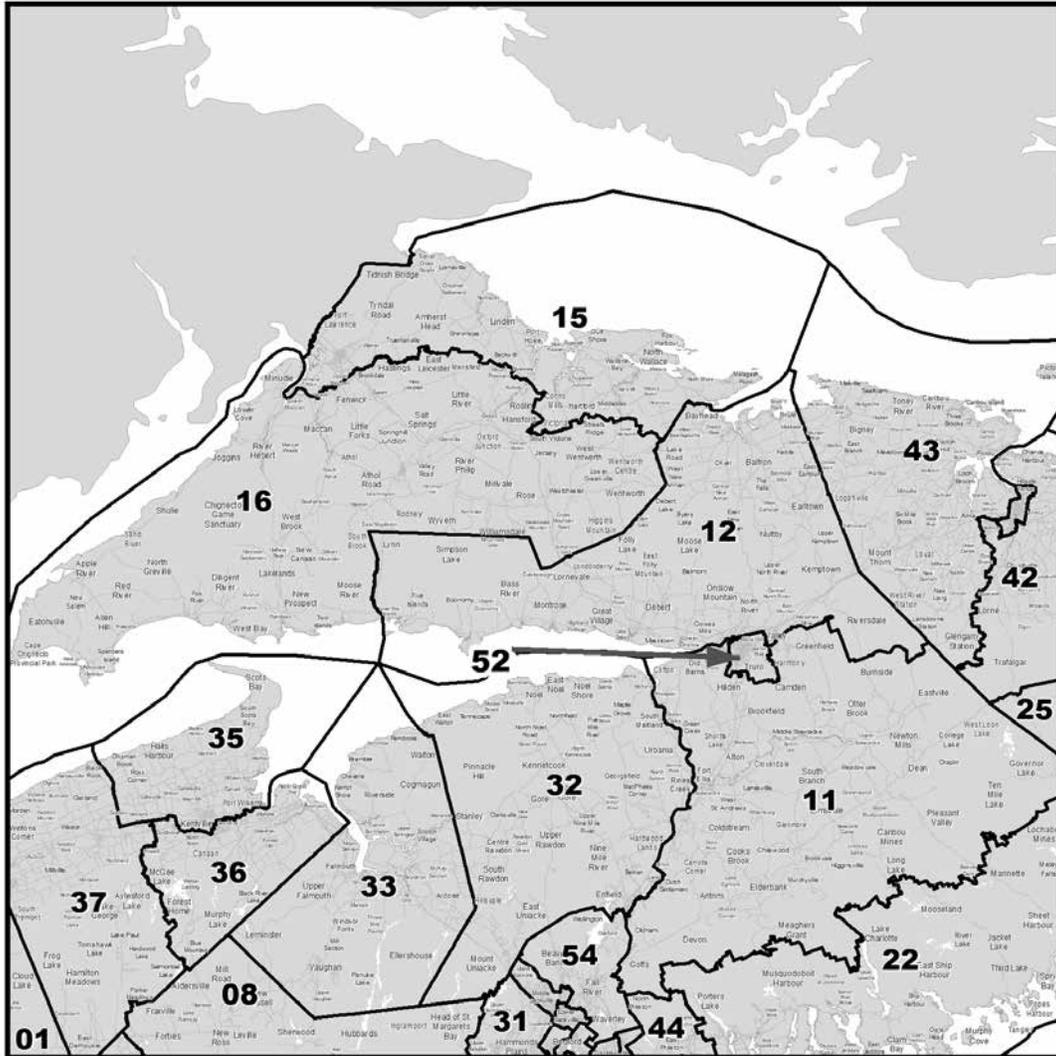
Central Nova

55-4



Electoral districts

02	Antigonish	41	Pictou Centre
11	Colchester-Musquodoboit Valley	42	Pictou East
12	Colchester North	43	Pictou West
22	Eastern Shore	46	Richmond
25	Guysborough-Tracadie	53	Victoria-The Lakes
34	Inverness		

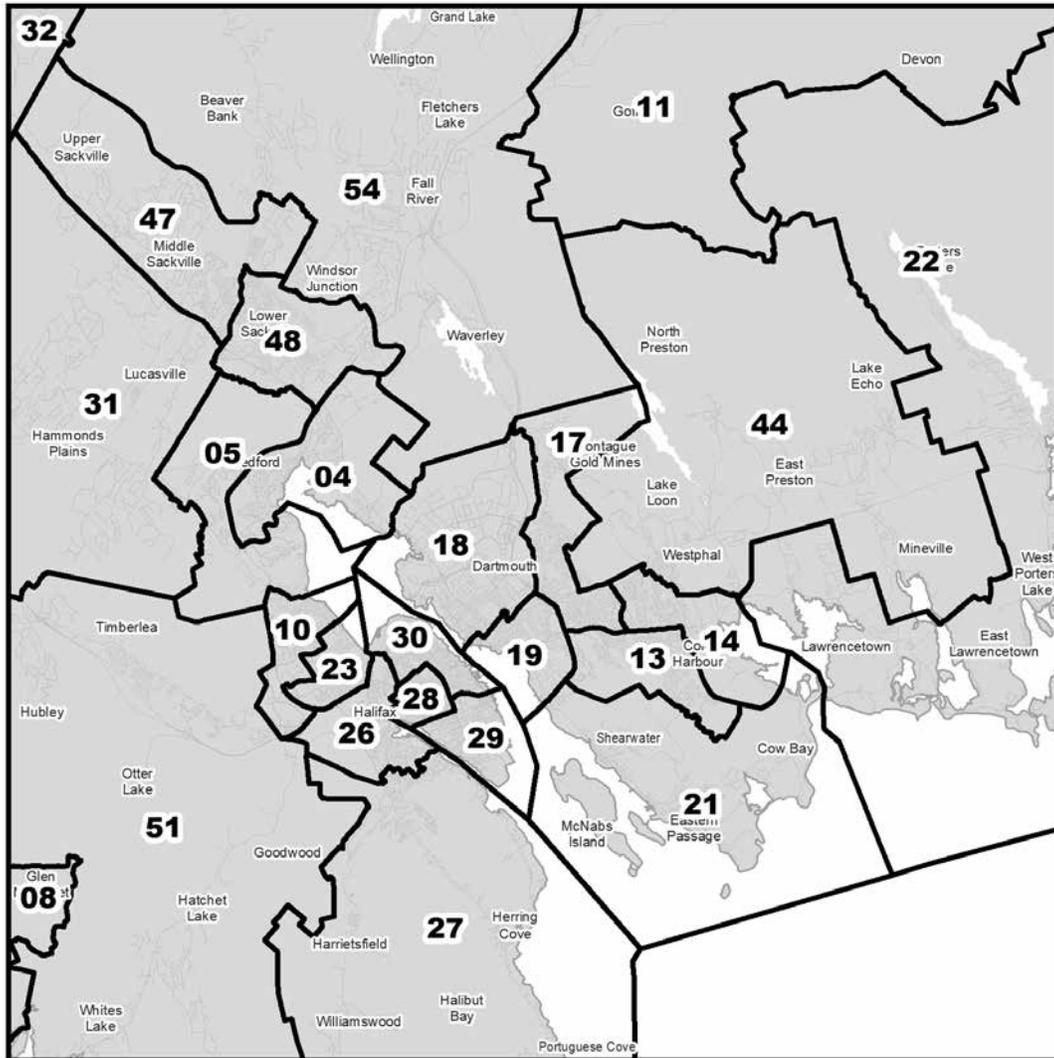


Electoral districts

01	Annapolis	33	Hants West
08	Chester-St. Margaret's	35	Kings North
11	Colchester-Musquodoboit Valley	36	Kings South
12	Colchester North	37	Kings West
15	Cumberland North	42	Pictou East
16	Cumberland South	43	Pictou West
22	Eastern Shore	44	Preston
25	Guysborough-Tracadie	52	Truro-Bible Hill-Millbrook-Salmon River
31	Hammonds Plains-Lucasville	54	Waverly-Fall River-Beaver Bank
32	Hants East		

Halifax Regional Municipality inset

55-7

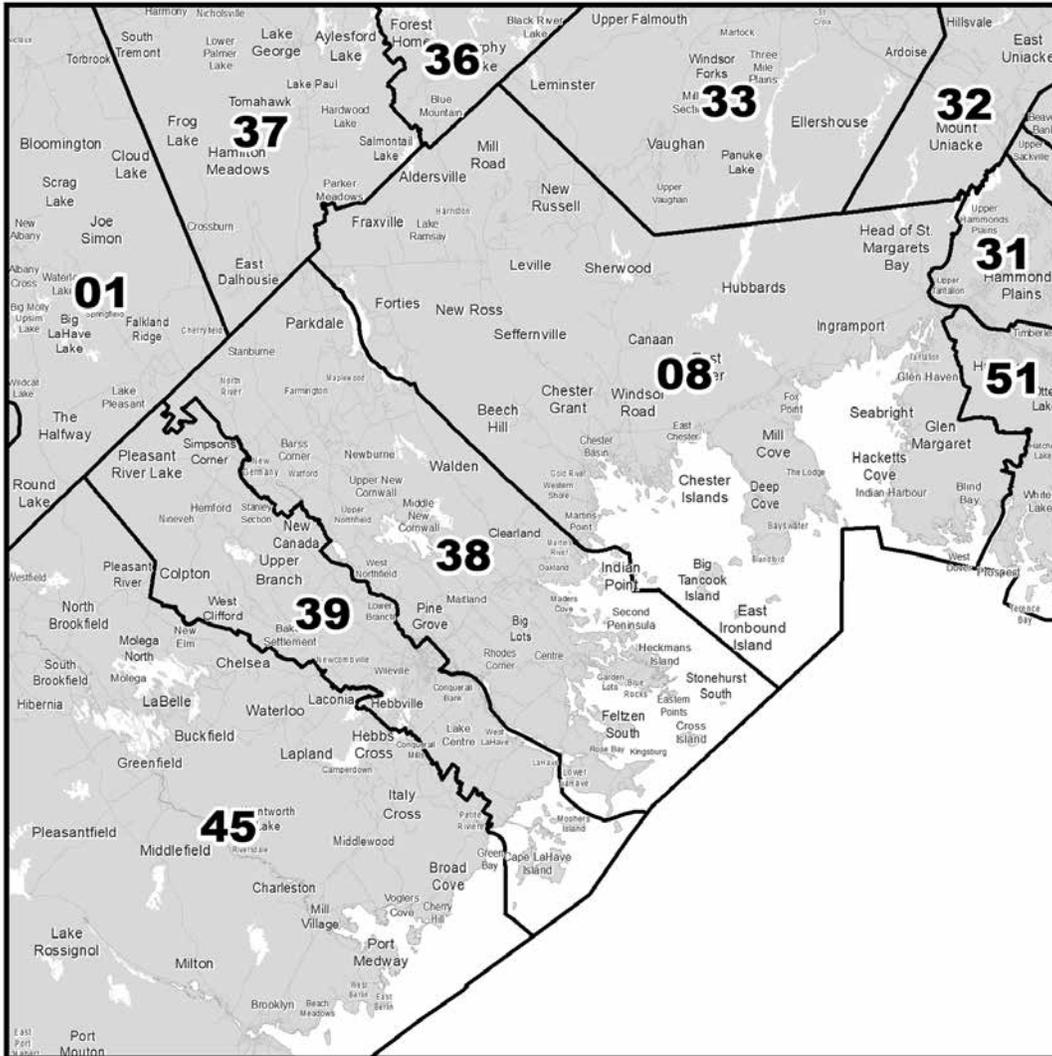


Electoral districts

04	Bedford Basin	23	Fairview-Clayton Park
05	Bedford South	26	Halifax Armdale
08	Chester-St. Margaret's	27	Halifax Atlantic
10	Clayton Park West	28	Halifax Chebucto
11	Colchester-Musquodoboit Valley	29	Halifax Citadel-Sable Island
13	Cole Harbour-Dartmouth	30	Halifax-Needham
14	Cole Harbour-Portland Valley	31	Hammonds Plains-Lucasville
17	Dartmouth East	32	Hants East
18	Dartmouth North	44	Preston
19	Dartmouth South	47	Sackville-Beaver Bank
21	Eastern Passage	48	Sackville-Cobequid
22	Eastern Shore	51	Timberlea-Prospect
		54	Waverly-Fall River-Beaver Bank

South Shore

55-8

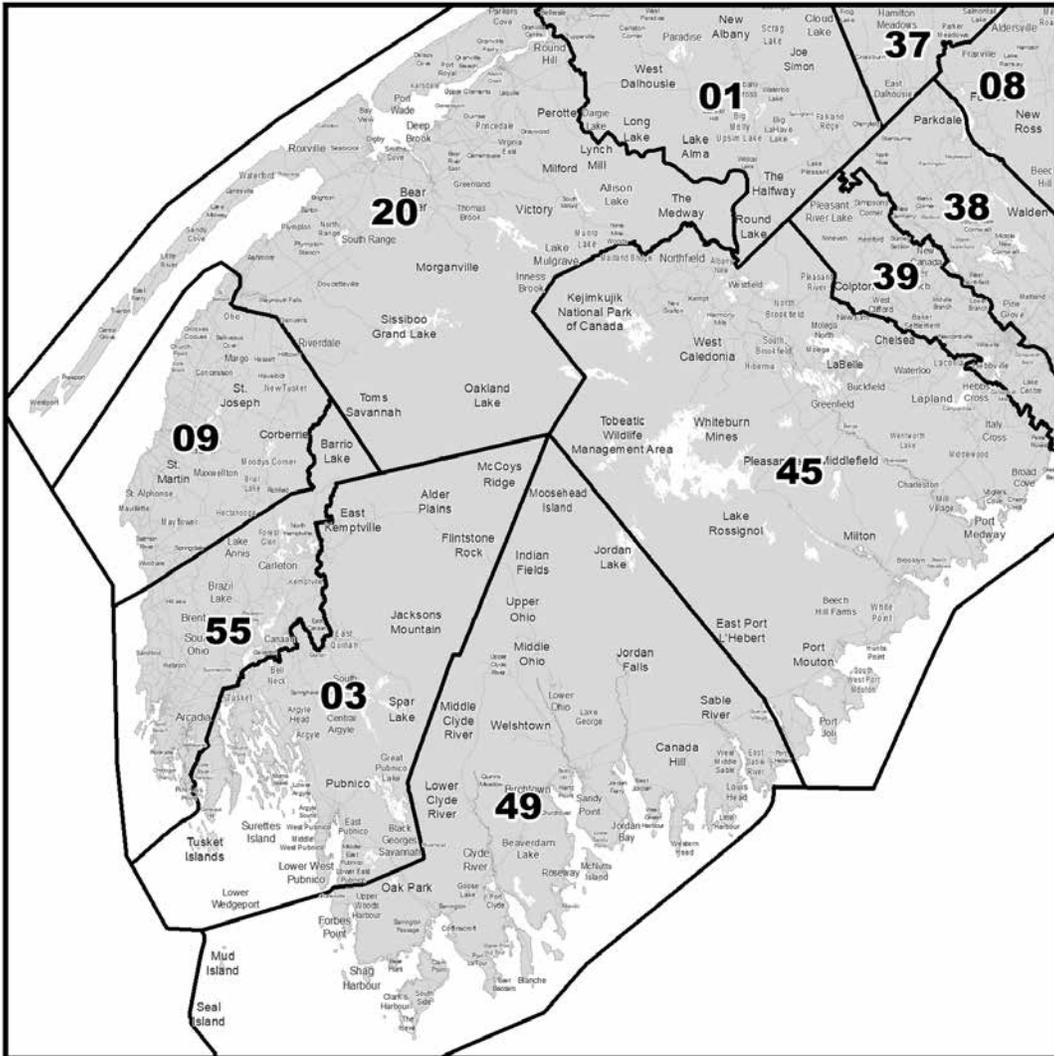


Electoral districts

01	Annapolis	37	Kings West
08	Chester-St. Margaret's	38	Lunenburg
31	Hammonds Plains-Lucasville	39	Lunenburg West
32	Hants East	45	Queens
33	Hants West	51	Timberlea-Prospect
36	Kings South		

Southwest Nova

55-9

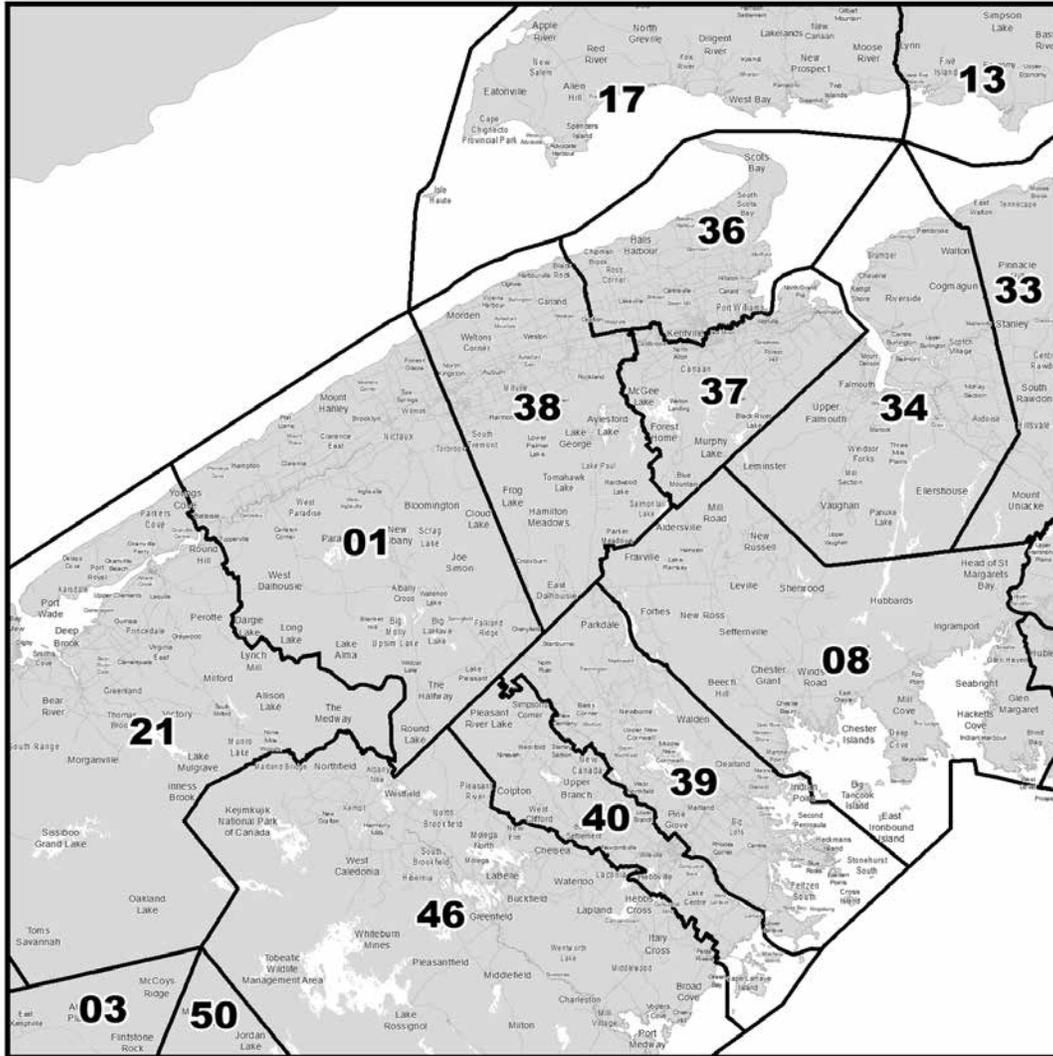


Electoral districts

01	Annapolis	38	Lunenburg
03	Argyle	39	Lunenburg West
08	Chester-St. Margaret's	45	Queens
09	Clare	49	Shelburne
20	Digby-Annapolis	55	Yarmouth
37	Kings West		

Annapolis Valley

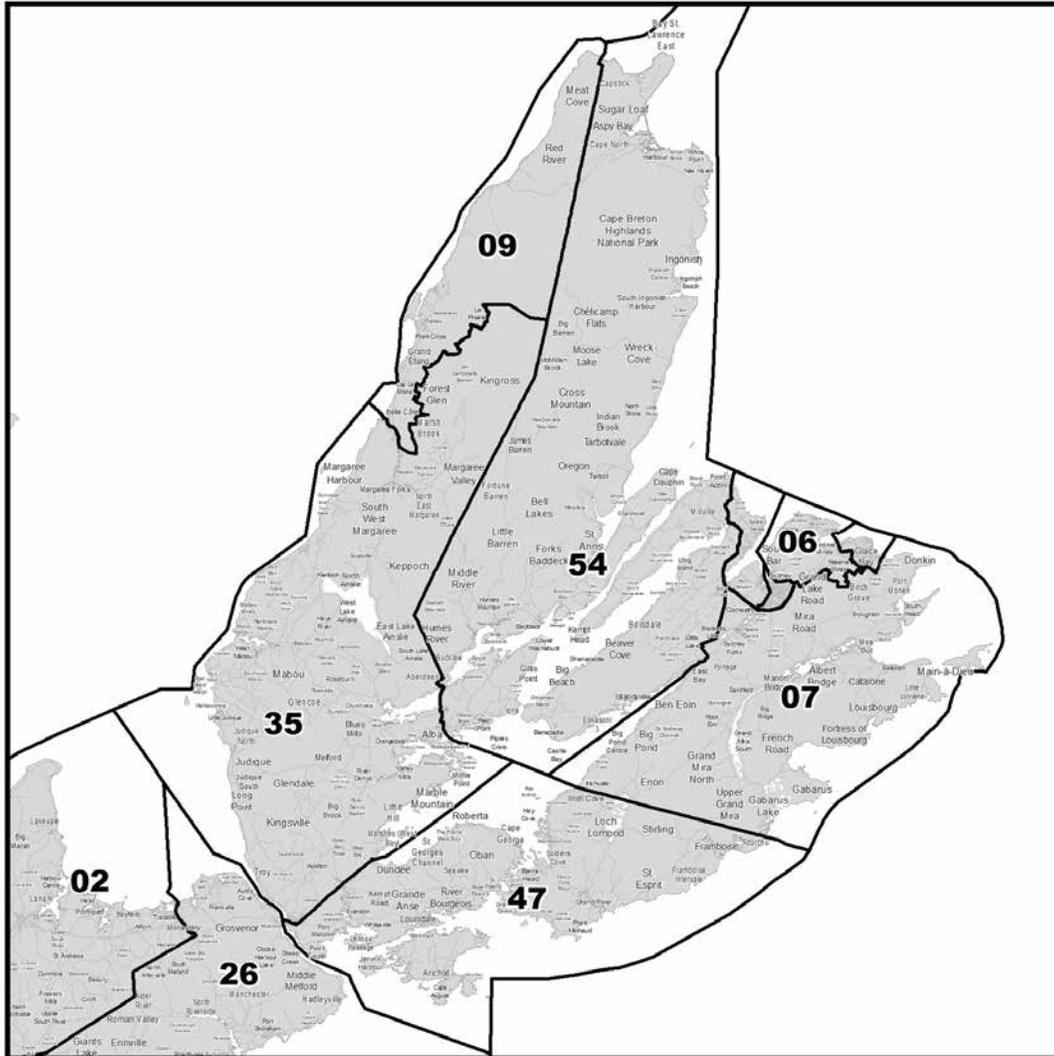
56-1



Electoral districts

01	Annapolis	36	Kings North
03	Argyle	37	Kings South
08	Chester-St. Margaret's	38	Kings West
13	Colchester North	39	Lunenburg
17	Cumberland South	40	Lunenburg West
21	Digby-Annapolis	46	Queens
33	Hants East	50	Shelburne
34	Hants West		

Cape Breton



56-2

Electoral districts

- 02 Antigonish

- 06 Cape Breton Centre-Whitney Pier

- 07 Cape Breton East

- 09 Chéticamp

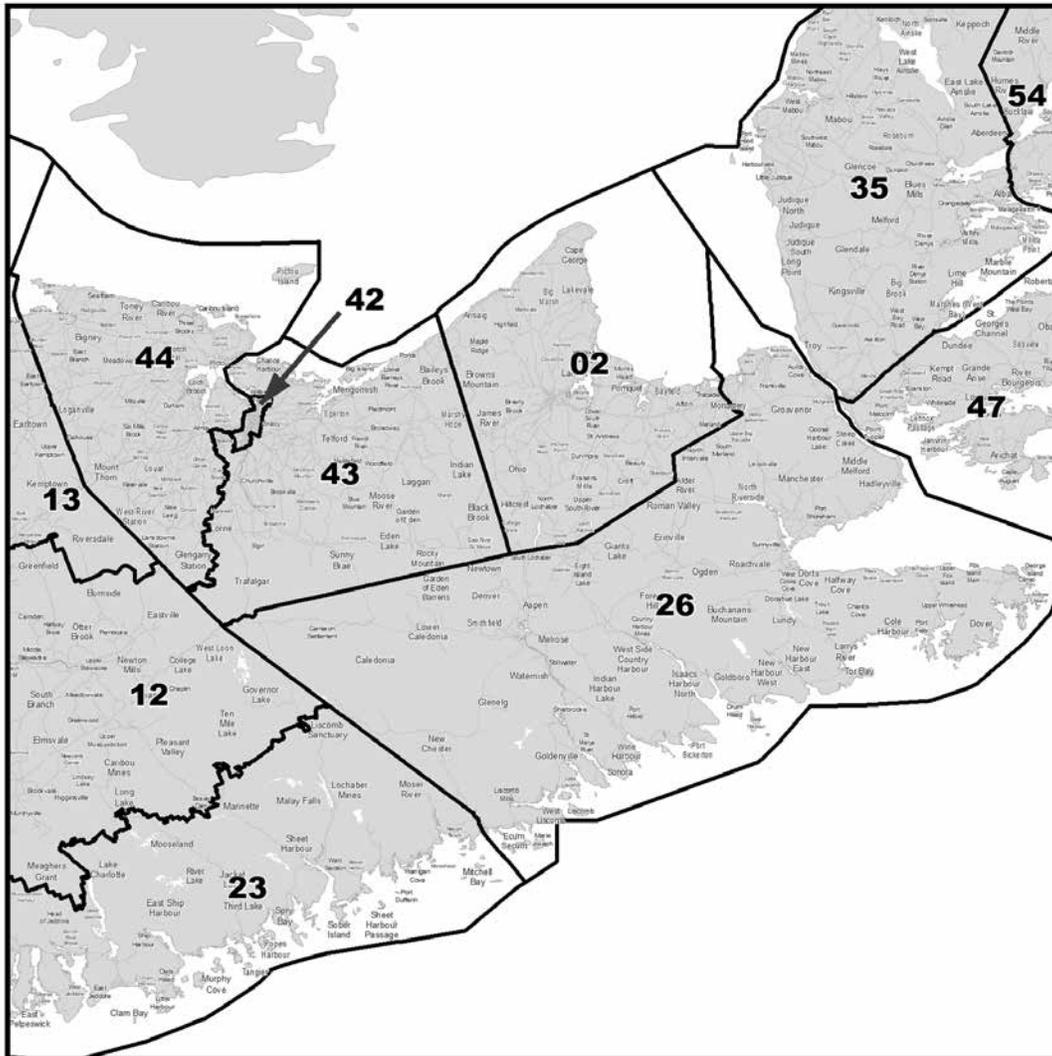
- 26 Guysborough-Tracadie

- 35 Inverness

- 47 Richmond

- 54 Victoria-The Lakes

Central Nova



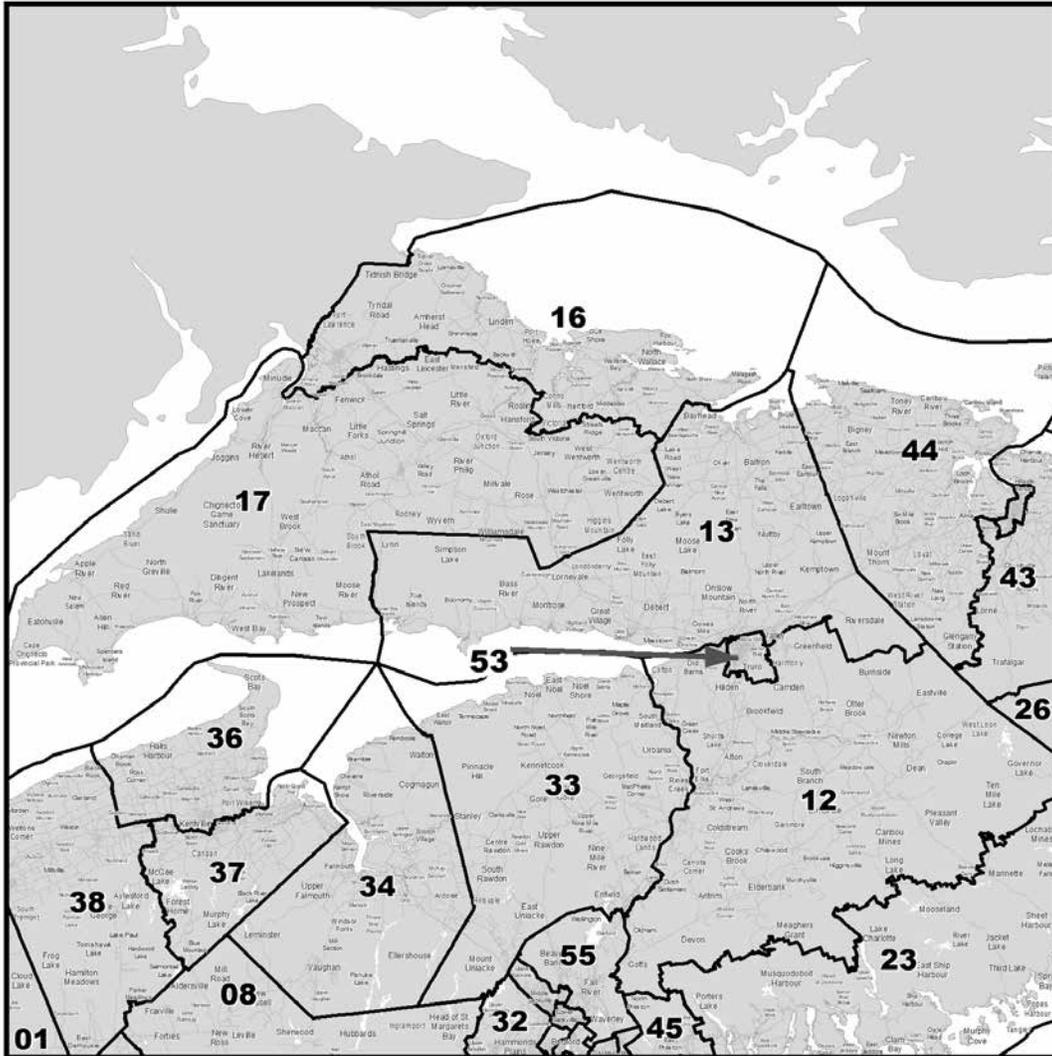
56-4

Electoral districts

02	Antigonish	42	Pictou Centre
12	Colchester-Musquodoboit Valley	43	Pictou East
13	Colchester North	44	Pictou West
23	Eastern Shore	47	Richmond
26	Guysborough-Tracadie	54	Victoria-The Lakes
35	Inverness		

Fundy Northeast

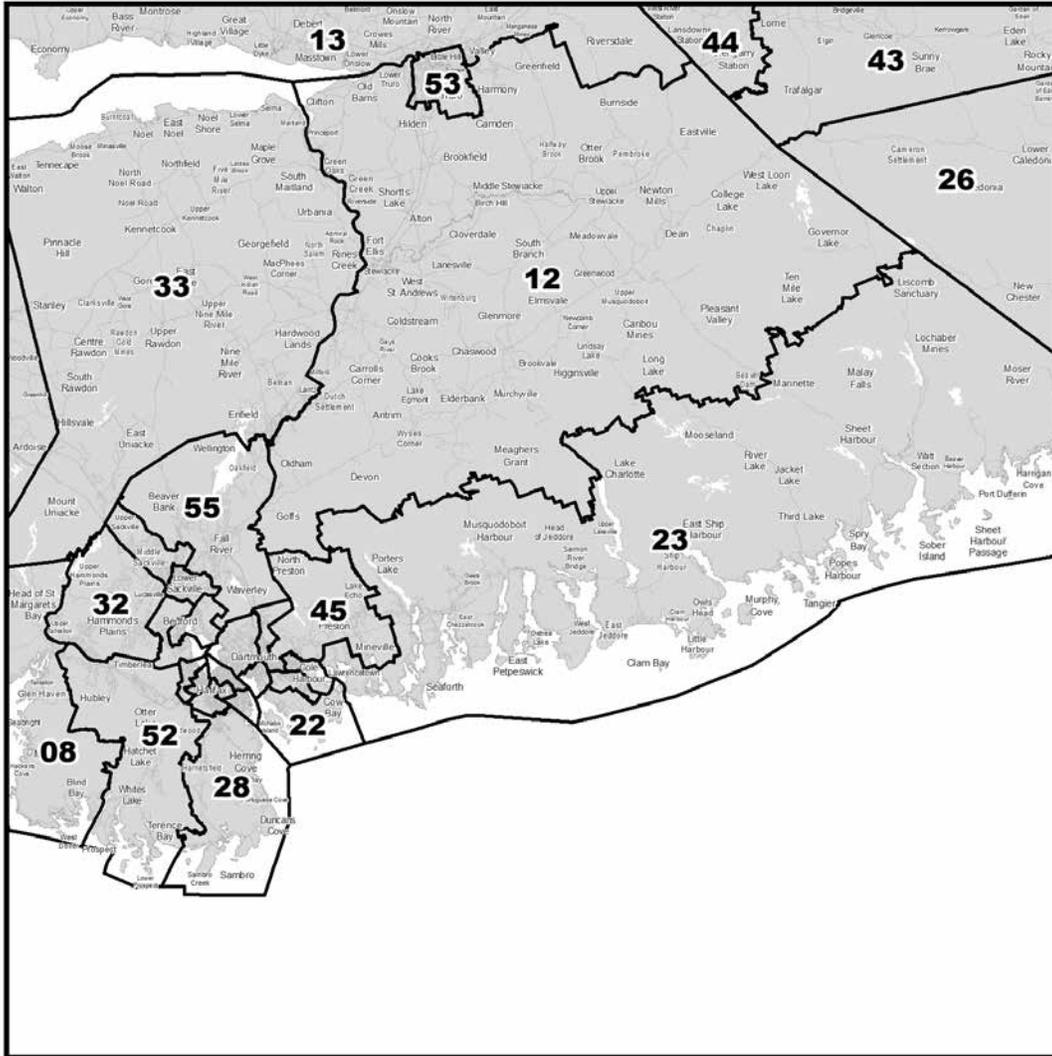
56-5



Electoral districts

01	Annapolis	34	Hants West
08	Chester-St. Margaret's	36	Kings North
12	Colchester-Musquodoboit Valley	37	Kings South
13	Colchester North	38	Kings West
16	Cumberland North	43	Pictou East
17	Cumberland South	44	Pictou West
23	Eastern Shore	45	Preston
26	Guysborough-Tracadie	53	Truro-Bible Hill-Millbrook-Salmon River
32	Hammonds Plains-Lucasville	55	Waverley-Fall River-Beaver Bank
33	Hants East		

Halifax Regional Municipality



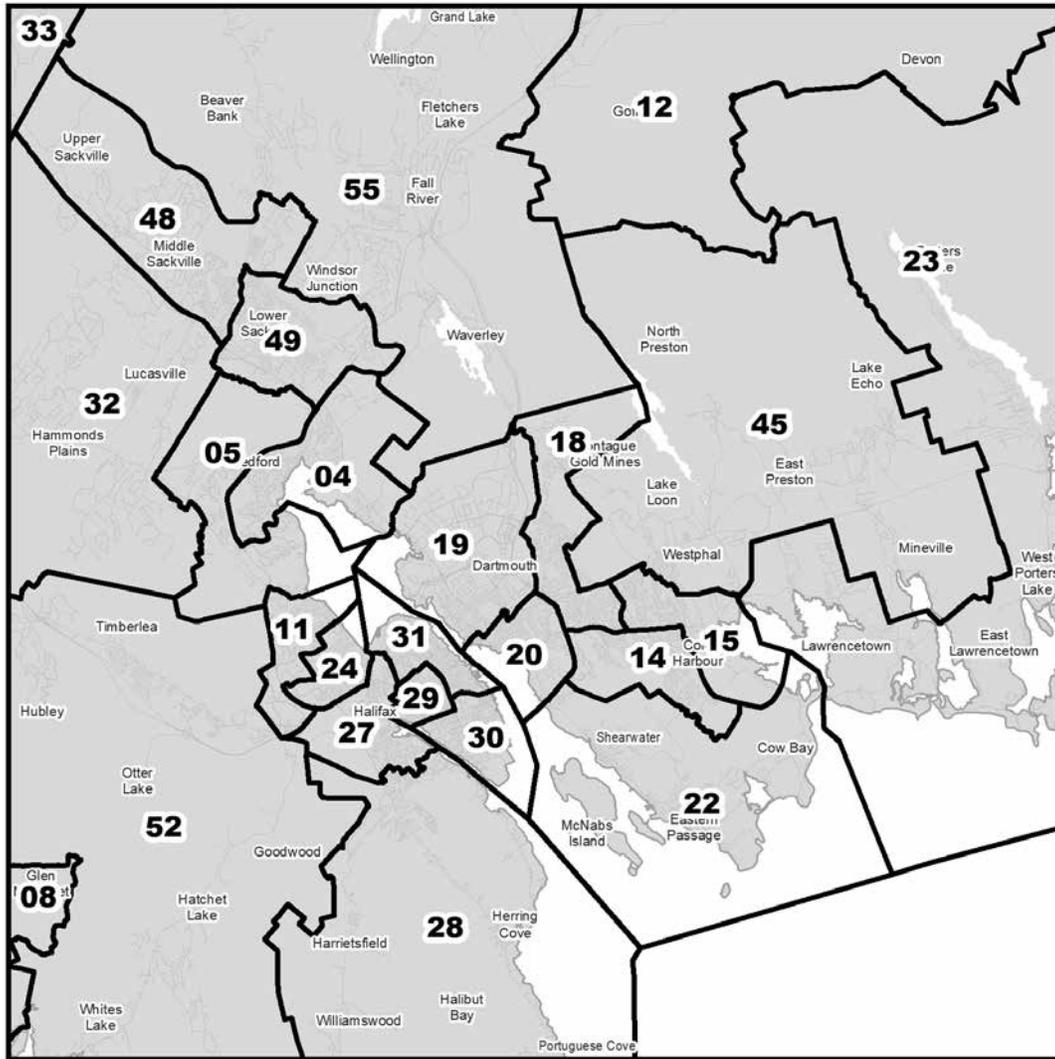
56-6

Electoral districts

08	Chester-St. Margaret's	33	Hants East
12	Colchester-Musquodoboit Valley	43	Pictou East
13	Colchester North	44	Pictou West
22	Eastern Passage	45	Preston
23	Eastern Shore	52	Timberlea-Prospect
26	Guysborough-Tracadie	53	Truro-Bible Hill-Millbrook-Salmon River
28	Halifax Atlantic	55	Waverley-Fall River-Beaver Bank
32	Hammonds Plains-Lucasville		

Halifax Regional Municipality inset

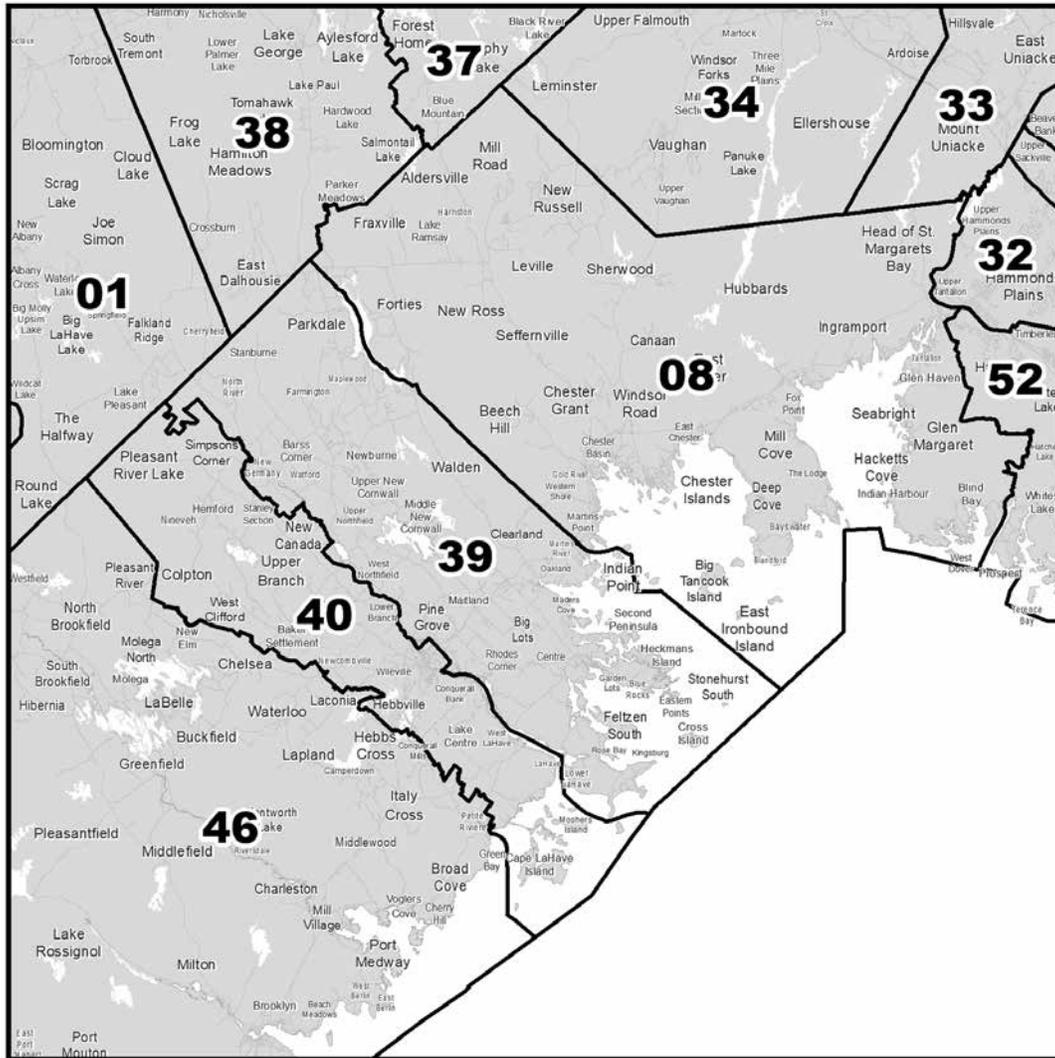
56-7



Electoral districts

04	Bedford Basin	24	Fairview-Clayton Park
05	Bedford South	27	Halifax Armdale
08	Chester-St. Margaret's	28	Halifax Atlantic
11	Clayton Park West	29	Halifax Chebucto
12	Colchester-Musquodoboit Valley	30	Halifax Citadel-Sable Island
14	Cole Harbour-Dartmouth	31	Halifax-Needham
15	Cole Harbour-Portland Valley	32	Hammonds Plains-Lucasville
18	Dartmouth East	33	Hants East
19	Dartmouth North	45	Preston
20	Dartmouth South	48	Sackville-Beaver Bank
22	Eastern Passage	49	Sackville-Cobequid
23	Eastern Shore	52	Timberlea-Prospect
		55	Waverley-Fall River-Beaver Bank

South Shore



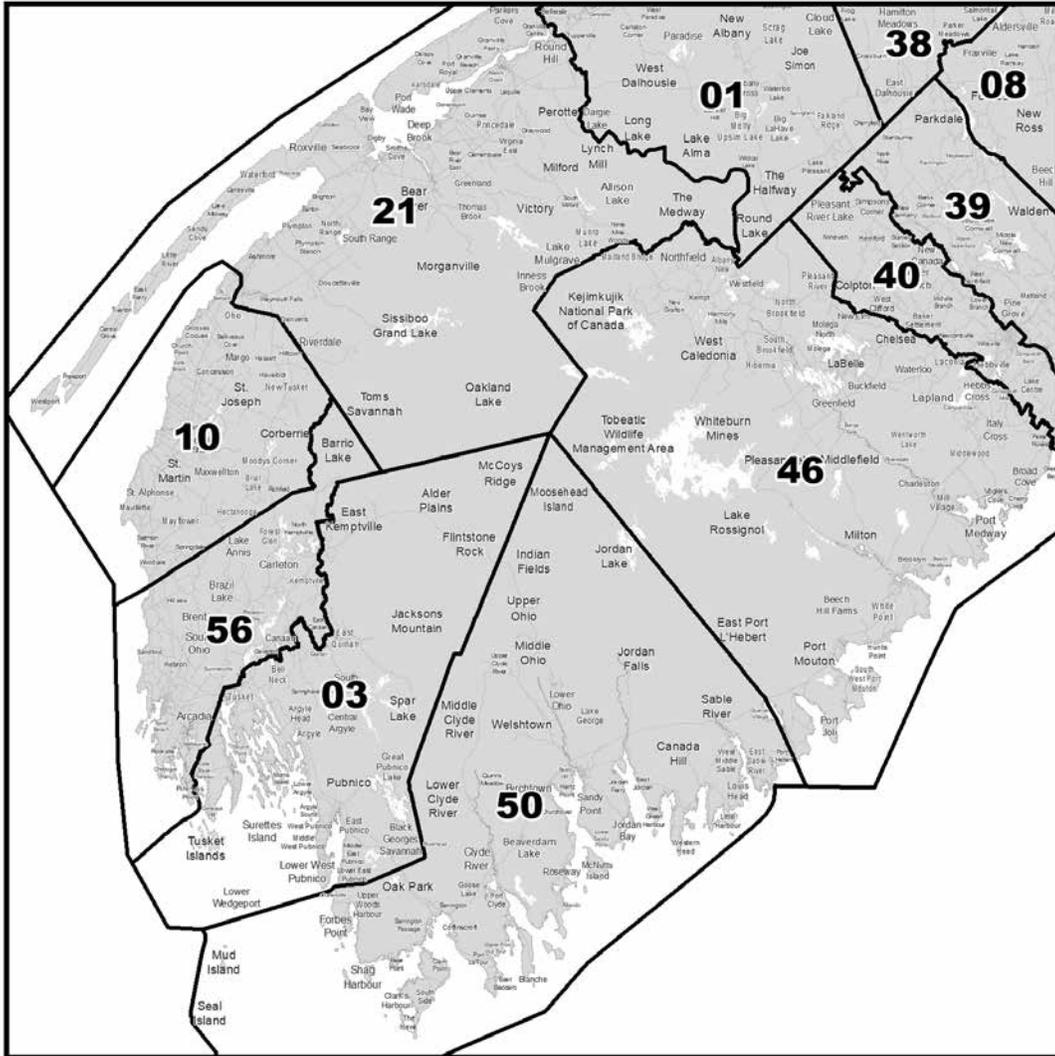
56-8

Electoral districts

01	Annapolis	38	Kings West
08	Chester-St. Margaret's	39	Lunenburg
32	Hammonds Plains-Lucasville	40	Lunenburg West
33	Hants East	46	Queens
34	Hants West	52	Timberlea-Prospect
37	Kings South		

Southwest Nova

56-9



Electoral districts

01	Annapolis	39	Lunenburg
03	Argyle	40	Lunenburg West
08	Chester-St. Margaret's	46	Queens
10	Clare	50	Shelburne
21	Digby-Annapolis	56	Yarmouth
38	Kings West		

Appendix A

Public Meetings Schedule

Sackville	Tuesday, September 4, 6–8 pm Location: Acadia Hall, 650 Sackville Dr.
Bedford	Wednesday, September 5, 6–8 pm Location: BMO Centre, 61 Gary Martin Dr.
Halifax	Thursday, September 6, 6–8 pm Location: Future Inns, 30 Fairfax Dr.
Shelburne	Friday, September 7, 6–8 pm Location: Osprey Arts Centre, 107 Water St.
Tusket	Saturday, September 8, 10 am–12 pm Location: Salle Père-Maurice-LeBlanc in <i>Centre communautaire de Par-en-Bas</i> , 4258 Route 308
Clare	Saturday, September 8, 7–9 pm Location: Clare Veterans Centre, 9938 Hwy. 1, Saulnierville
Preston	Wednesday, September 12, 6–8 pm Location: Black Cultural Centre for Nova Scotia, 10 Cherry Brook Rd.
Dartmouth	Thursday, September 13, 6–8 pm Location: Cole Harbour Place, 51 Forest Hills Pkwy.
Richmond	Friday, September 14, 6–8 pm Location: Louisdale & District Fire Hall, RR#1 Hwy. 4, Louisdale
Chéticamp	Saturday, September 15, 6–8 pm Location: Royal Canadian Legion Br. 32, 15438 Cabot Trail Rd.
Baddeck	Saturday, September 22, 10 am–12 pm Location: Inverary Resort, 368 Shore Rd.
Sydney	Saturday, September 22, 7–9 pm Location: Cambridge Suites Hotel, 380 Esplanade

Appendix B

Presenters (in order of presentation)

Sackville, Tuesday, September 4

Bill Horne, MLA, Waverly-Fall River-Beaver Bank
Bill Turpin
Alex Holmes
Charles Gaudet
Hon. Kelly Regan, Minister of Community Services, MLA, Bedford
Patrick Sullivan, President and CEO, Halifax Chamber of Commerce

Bedford, Wednesday, September 5

Mary Ann McGrath
Patrick Sullivan, President and CEO, Halifax Chamber of Commerce
Brad Johns, MLA, Sackville-Beaver Bank
Darrell Johnston
Carol Darling

Halifax, Thursday, September 6

Charlene Boyce, Co-President, Nova Scotia Green Party
Linda Mosher
Stephen Chafe, Leader, Independent Citizens Coalition of Nova Scotia
John Grant
Irvine Carvery
Mary Ann McGrath

Shelburne, Friday, September 7

Karen Mattatall
Adelard "Ed" Cayer
John Davis
Robert Redding
Penny Smith, Warden, Municipality of the District of Shelburne
Jim Smith
Roy O'Donnell
Timothy Gillespie
Roger Taylor, Councillor, Municipality of the District of Shelburne
Jackie Grace
Kathy Jones

Tusket, Saturday, September 8

Suzanne Saulnier, Executive director, *Centre provincial de ressources préscolaire*
Norbert LeBlanc, Interim President, *Fédération acadienne de la Nouvelle-Écosse*
(FANE)
Marie-Claude Rioux, Executive director, FANE
Danny Muise, Deputy Warden, Municipality of Argyle
Alain Muise, CAO, Municipality of Argyle
Hon. Chris d'Entremont, MLA, Argyle-Barrington
Brent Surette, *Conseil acadien de Par-en-Bas*
Réal Boudreau
Clyde Devillier
Père Maurice LeBlanc
Janelle d'Entremont

Clare, Saturday, September 8

Evelyn LeBlanc-Joyce, *La société acadienne de Clare*
Natalie Robichaud
Gordon Wilson, MLA, Clare-Digby
Jean LeBlanc
Marie-Claude Rioux, Executive director, FANE
Tim Boudreau
Ronnie LeBlanc, Warden, Municipality of Clare
Stéphane Cyr, CAO, Municipality of Clare
André LeBlanc, Vice President, *Équipe d'alphabétisation Nouvelle-Écosse*
Glenda Doucet-Boudreau, President, *Association Madeleine LeBlanc*
Elaine Thimot

Preston, Wednesday, September 12

Irvine Carvery
David Hendsbee, Councillor, Halifax Regional Municipality
Connor Smithersmapp
Brian Mintus
Dolly Glasgow-Williams
Charles Taylor
Alma Johnston-Tynes
Pam Thomas
Ernest Simmonds
Justine Colley-Leger
Bev Doman

Dartmouth, Thursday, September 13

Barry Alexander
Lucien Comeau
Martin Tuberge
Ross Haynes, Senior Fellow, Atlantic Institute for Market Studies
Pete Smith
Jeff Meanie
Daniel Thériault, *Fédération culturelle de la Nouvelle-Écosse (FÉCANE)*

Richmond, Friday, September 14

Norbert LeBlanc, Interim President, FANE
Marie-Claude Rioux, Executive director, FANE
Richard Cotton
Yvon Samson, President, *Société la Picasso, Centre communautaire culturel de Petit-de-Grat*
Cetus David
Paul Gagnon, Executive director, *Société acadienne Sainte-Croix*

Chéticamp, Saturday, September 15

Norbert LeBlanc, Interim President, FANE
Marie-Claude Rioux, Executive director, FANE
Paul Daniel Gallant, Representative, Community Committee of Chéticamp-Le Moine
Napoléon Chiasson, President, *Société Saint-Pierre*
Joline Larade
Alfred Poirier, Deputy Warden, Municipality of the County of Inverness
Réjean Aucoin

Baddeck, Saturday, September 22

Stephen MacAskill

Sydney, Saturday September 22

Giselle LeBlanc-Lavoie
Shane Russell
Clermont Charland, President, *Centre communautaire Étoile de l'Acadie*
John Shaw
Laurie MacCuish
Tim Menk

Appendix C

Written submissions

received July 30–October 18, 2018

(in alphabetical order)

Lucien Comeau

George Cottreau, *Regroupement des aînés de la Nouvelle-Écosse* (RANE)

Fédération acadienne de la Nouvelle-Écosse (FANE) (2)

Fédération des parents acadiens de la Nouvelle-Écosse (FPANE)

Wayne Fiander

Paul Gagnon, *Société acadienne Sainte-Croix/La Picasse, centre communautaire culturel*

Kenneth Gaudet, *Conseil scolaire acadien provincial* (CSAP)

Ross Haynes, Atlantic Institute for Market Studies (AIMS)

Karen Mattatall

Senator Thomas J. McInnis

David Nantes

Paul Strome

Appendix D

Summary of written submissions

The following is a summary of comments we received through written submissions. Members of the public and interested groups submitted comments via email, letters sent by mail, and through our website and Facebook page. The comments listed here were received before the release of this interim report. Full Hansard transcripts of what was said at the public meetings will be available on our website: nselectoralboundaries.ca.

The comments appear in point form under six headings.

At-large representation

- Do not add seats to the legislature for which MLAs would represent particular constituencies 'at large.' (See *Administrative districts, members-at-large, and reserved seats*, page 22).

Communication

- Improve communication by putting up posters and mailing information to every address about the Electoral Boundaries Commission's public meetings.
- Hold an Electoral Boundaries Commission public meeting in Chéticamp.

Effective representation

- Ensure effective representation for Acadians.

Exceptional electoral districts

- Reinstate the previously protected electoral districts of Clare, Argyle, and Richmond.
- Make Chéticamp a new exceptional electoral district.
- Do not restore or create exceptional electoral districts or seats in the House of Assembly based on race, colour, ethnicity, clan, or indigenous identity.
- Do not create or restore protected electoral districts for 'special interest groups.'

Individual electoral districts

- Redraw electoral boundaries in Cow Bay-Eastern Passage to avoid 'backyard boundary lines.'
- Redraw electoral boundary lines in Shelburne as proposed.

Number of seats in the House of Assembly

- Limit the number of seats in the House of Assembly to 40.
- Maintain the current number of seats in the House of Assembly.

Appendix E

Composition of the Provincial Electoral Boundaries Commission

To promote fairness and impartiality, the Select Committee on Establishing an Electoral Boundaries Commission agreed that the commission may not appoint anyone who currently fills one or more of the following roles or has done so in the past:

- member of the House of Assembly (MLA)
- member of the House of Commons (MP)
- member of the Senate
- Chief Electoral Officer

The committee agreed that the commission must broadly represent the population of Nova Scotia and, therefore, must include at least one person who represents the Acadian community and at least one person who represents the African Nova Scotian community.

The committee further agreed to appoint members to the commission based on their experience, skill, and commitment to ensure that, to the greatest degree possible, Nova Scotia's electoral boundaries result in effective representation for all its citizens.

Based on this understanding, the following individuals were appointed to the Electoral Boundaries Commission:

- Dr. Colin Dodds, Chair, (Halifax)
- Angela Simmonds, Vice Chair (Westphal)
- Michael J. Baker (Hammonds Plains)
- Paul Gaudet (Saulnierville)
- Dr. Glenn Graham (Antigonish)
- Michael J. Kelloway (Sydney)
- Léonard Lefort (Chéticamp)
- Dr. Peter M. Butler (Halifax)
- Carlotta Weymouth (Dartmouth)

Special Circumstances

In the event that a member of the Electoral Boundaries Commission cannot complete his or her duties, the committee will name an alternate.

Appendix F

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