









Electoral Integrity Project





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Canadian Provincial Elections during the Covid-19 Pandemic

Case Study, 17 December 2021

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Contents

Canadian Provincial Elections during the Covid-19 Pandemic	5
1. Introduction	5
2. Provincial case studies	6
3. Public attitudes towards Covid-19 and elections in Canada	. 14
4. Discussion and conclusion	. 21
References	. 23
About the authors	. 27
About International IDEA	. 28

Canadian Provincial Elections during the Covid-19 Pandemic

Holly Ann Garnett Jean-Nicolas Bordeleau Allison Harell Laura Stephenson

1. Introduction

When the Covid-19 pandemic hit Canada in early 2020, the country had just had a federal election the previous October. But with a newly elected minority government, election talk, including the threat of another election, never quite faded. However, it was Canada's provinces that held the first elections under pandemic conditions. In Canadian public policy, provinces are often considered policy laboratories, or the testing grounds for new policy innovations, including in electoral management (Atkinson et al. 2013). Therefore, all eyes within Canada were watching to see how the pandemic conditions would affect electoral management and the public's willingness to participate.

Within a year (between September 2020 and March 2021), four Canadian provinces held elections. The first of these, in New Brunswick and British Columbia, were early elections called by minority governments, whereas the third, in Saskatchewan, was a regularly scheduled election. The final province, Newfoundland and Labrador, did not have a regularly scheduled election until 2023; however, under provincial rules an unelected premier who steps in after a premier resigns must hold an election within a year of assuming office, and therefore Newfoundland and Labrador held a general election in February–March 2021 (several months before they were required to by law).

This case study¹ first presents the conditions under which each of these provinces held elections, discussing how and why the election was called, the rate of Covid-19 cases in the province at the time and how the management of the election unfolded. Then, it employs survey data about Canadians from each province, collected by the Consortium for Electoral Democracy (C-Dem), gathered in the periods leading up to and following the elections in each province. These data allow us to present public attitudes and behaviours about holding an election during a pandemic, choices about how to vote and measures taken to ensure

comfort and safety at the polls. The case study concludes with lessons learned from holding elections during a pandemic in the Canadian context.

2. Provincial case studies

The first section of this case study will explore the four provincial elections that were held between March 2020 and March 2021 (approximately a year after Covid-19 prompted the first lockdowns in Canada). These elections took place, in chronological order, in the following provinces: New Brunswick, British Columbia, Saskatchewan, and Newfoundland and Labrador. All Canadian provinces operate under a parliamentary system with a first-pastthe-post electoral system, meaning that the candidate with the most votes in each district wins and the party with the most winning candidates forms the provincial government. Each province also operates its elections through a central provincial electoral management body (EMB). These independent bodies report directly to the provincial legislatures. It is the legislatures that make amendments to electoral law and regulations.

It should be noted that Canada held a federal election in September 2021; however, this case study focuses solely on the four earliest provincial elections held during the pandemic since they faced the biggest test from the pandemic. These four provinces held elections in the early stages of the pandemic, when vaccines were not readily available and the stress on the electoral system was at its highest.

2.1. The electoral system in Canada

Canada is a federal parliamentary constitutional monarchy, meaning that it operates under the auspices of the British monarchy through a constitutional parliamentary democracy. The Constitution Act of 1867 establishes two levels of government—federal and provincial. This federalist approach to governance implies that elections must be held at more than one level. In other words, voters must elect legislative representatives at both the federal and provincial levels. This case study examines elections exclusively at the provincial level.

Each level of government is responsible for its own electoral process. At the federal level, an independent EMB (Elections Canada) organizes federal elections in Canada. At the provincial level, each province has its own independent EMB which operates separately from the federal EMB. So, for example, the province of Ontario operates its elections through its own EMB, Elections Ontario. All EMBs, whether provincial or federal, operate independently and report to the legislative assemblies for which they operate elections (e.g. Elections Ontario reports to the Ontario legislature). Each EMB is headed by a chief electoral officer (CEO), who acts as the chief executive for the electoral process. Every province therefore has its own EMB with its own legislation regarding the conduct of elections.

While the EMBs and election laws are different from province to province, the process of calling an election remains the same throughout Canada. For an election to be called, the head of government (either the prime minister at the federal level or premier at the provincial level) needs to request the dissolution of their legislature to the representative of the Crown (the governor general for federal elections and the respective lieutenant governor for provincial elections). Once the legislature is dissolved, the appropriate regal representative issues the writs of election to the EMB. Formally, the power to call an election therefore rests in the hands of the regal representatives. In practice, however, these regal representatives act on the request of their respective head of government.

2.2. Background

The first Canadian province to be put in a pandemic election situation was New Brunswick. The province is home to 747,101 people, 569,862 of whom were eligible to vote in the

election (Elections New Brunswick 2021a; Statistics Canada 2018). Elections are held regularly under a four-year fixed-date schedule unless a snap election is called beforehand (New Brunswick 2014). The province's Legislative Assembly was composed, in 2020, of members of four political parties (in decreasing order of their respective share of seats): the Progressive Conservative Party of New Brunswick, the New Brunswick Liberal Association, the Green Party of New Brunswick and the People's Alliance of New Brunswick.

Although an election was expected in September 2022, the province's Premier, Blaine Higgs, called a snap election on 17 August 2020, after failing to negotiate with opposition parties regarding a minority governing plan (Poitras 2020). The election call generated controversy about whether an election should be forced during a public health crisis. While the ultimate decision was debated, the pandemic itself did not make up a major part of parties' and candidates' platforms (Poitras 2020). However, due to the probability of a surge in Covid-19 cases during the election, some issues did arise over the campaign period regarding the legal and executive powers related to emergency measures during elections.

A few days following New Brunswick's general election, the premier of British Columbia requested the dissolution of the provincial parliament and the launch of an election campaign. The lieutenant governor officially issued the writs of election on 21 September 2020 for an election to take place on 24 October 2020 (Elections British Columbia 2021). The third-largest Canadian province by population, British Columbia is home to 4,648,055 people, of whom 3,524,812 are eligible voters (Elections British Columbia 2021; Statistics Canada 2018). There were three parties with elected members at the time of the election call: the British Columbia New Democratic Party, the Liberal Party of British Columbia and the Green Party of British Columbia (Zussman 2020).

An election was not scheduled but was rather a consequence of the previous election in 2017—the closest in the province's history (the difference in the results of the two leading parties was 0.08 per cent) (McElroy 2017). The premier's decision to call a snap election stemmed from the difficulty associated with governing in a minority government under a confidence-and-supply agreement with the Green Party (Zussman 2020). However, opposition parties criticized the decision as opportunistic, stating that the incumbent premier called the election solely to win a majority government (Zussman 2020). In line with this criticism, it must be said that there were no clear problems with governance, seeing as the incumbent government had the support of the British Columbia Green Party in the assembly (McElroy 2017).

Just two days following the provincial election in British Columbia, Saskatchewanians headed to the polls for a general election. Unlike the two previous elections covered in this case study, Saskatchewan's 2020 general election was scheduled under the province's fixed-date election law (Solomon 2020). The incumbent government under Premier Scott Moe had been in power for the set governing period of four years, meaning that an election had to take place no later than 26 October 2020.

According to the latest census data, Saskatchewan has a population of 1,098,352 people, including 841,807 eligible voters (Elections Saskatchewan 2020; Statistics Canada 2018). There were only two political parties with seats in the Legislative Assembly when it was dissolved: the Saskatchewan Party, which had been in power since 2007, and the Saskatchewan New Democratic Party.

The last Canadian province to hold a general election during the Covid-19 pandemic period under study was Newfoundland and Labrador. The province is home to roughly 519,716 people according to the 2016 census (Statistics Canada 2018). The provincial House of Assembly was made up of members from three political parties before the election: the Liberal Party of Newfoundland and Labrador, the Progressive Conservative Party of Newfoundland and Labrador, and the Newfoundland and Labrador New Democratic Party (Mullin and Moore 2021).

Newfoundland and Labrador was not scheduled to hold an election until 10 October 2023. However, under the province's fixed-date election law, an election must take place no later than one year after an unelected premier assumes office (Mullin and Moore 2021). The incumbent Premier, Andrew Furey, took over the role on 19 August 2020 following former Premier Dwight Ball's resignation. As such, an election had to be held before 19 August 2021. On 15 January 2021, the incumbent Premier requested the dissolution of the House of Assembly, and the writs of election were issued (Mullin and Moore 2021). The decision to call the election was heavily criticized by opposition parties, first because of the ongoing pandemic, and second because of the winter conditions, which would hinder the work of election and postal staff (Mullin and Moore 2021).

2.3. Campaign period

In New Brunswick, the writs of election were issued on 17 August 2020, officially launching a 28-day campaign before the 14 September 2020 election day. In the early days of the campaign, several issues surfaced regarding the potential need to delay the vote. The provincial EMB, Elections New Brunswick, was faced with unprecedented questions regarding who, if anyone, had the power to delay the election in the event of growing Covid-19 cases (Poitras 2020). The premier claimed this responsibility under the Emergency Measures Act (EMA), citing that he had the ability to delay an election in the event that Covid-19 cases rose to dangerous levels (Poitras 2020). Following the premier's remarks, the chief electoral officer (CEO) said that the Elections Act was not subject to the EMA and that nothing could stop or delay an election from happening once the writs were issued (Poitras 2020). This ambiguity regarding the power to delay a general election was the key administrative question related to the pandemic election in the province.

Ultimately, the impact of Covid-19 in the province did not warrant a change in the date of the election. Nonetheless, the uncertainty about authority raises concerns regarding what would have been done if it had come to the point where the election had to be delayed or cancelled. As it stands, it appears that the New Brunswick Elections Act does not have any measures in place in the event that an election needs to be delayed or cancelled. Therefore, it remains unknown what provisions would have been taken in the event of a serious spike in Covid-19 cases.

Other questions arose regarding the appropriate modes of campaigning during a pandemic. There were a variety of directives from party leaders regarding which campaigning methods were acceptable considering the public health crisis (Brown and Van Horne 2020; Poitras 2020). In the early days of the campaign, the incumbent premier warned all candidates to avoid in-person and door-to-door campaigning (Poitras 2020). Candidates were therefore limited in how they could campaign, making it difficult for them to reach citizens and solicit votes.

The inability of candidates and parties to conduct get-out-the-vote campaigns led Elections New Brunswick to worry about the potential negative effects on voter turnout. In an attempt to increase turnout and mitigate the spread of Covid-19, the EMB launched a large-scale marketing campaign to 'flatten the election curve' (Elections New Brunswick 2021a). This multimedia programme aimed to increase voter turnout by encouraging citizens to cast a ballot on one of many advance polling days or order a postal ballot package (Elections New Brunswick 2021a). In its official election report, Elections New Brunswick deemed the media campaign to have been successful and noted that, based on turnout levels, New Brunswick voters had 'heard' its overall intended message (Elections New Brunswick 2021a).

British Columbia's 33-day election campaign officially launched on 21 September 2020, the same week that the then-record 7-day rolling average of new Covid-19 cases was broken (British Columbia Centre for Disease Control 2021). The campaign was unlike any previous

in the province, with in-person campaigning, large political gatherings and door-to-door canvassing prohibited due to the health crisis (Elections British Columbia 2021). These restrictions were cited as a significant challenge and disadvantage for new candidates, especially those who had yet to make themselves known in their constituencies (Elections British Columbia 2021). Candidates and parties instead adapted to the situation and focused their efforts on social media, television and phone campaigning. With these adaptations to the unique campaign environment, British Columbia was able to maintain a stable Covid-19 case count and limit the spread of the virus due to the election (Elections British Columbia 2021).

While the campaign period was unlike any other, there were no significant issues related to Covid-19 throughout the 33-day election sprint. It must be said, however, that the decision to call an election amid rising Covid-19 cases became a focal point of opposition critics. As such, while the pandemic did not cause any significant issues during the campaign, it was the subject of a large part of the rhetoric surrounding the election (Elections British Columbia 2021). Many accusations were made against the incumbent premier, most stating that he was taking advantage of favourable polling to launch an election and gain seats throughout the province (Elections British Columbia 2021).

In Saskatchewan, the writs of election were officially issued on 29 September 2020 for a general election on 26 October. In the early days of the campaign, the province was reporting only a handful of Covid-19 cases per day: the 7-day rolling average on the day of the campaign announcement was 11 cases (Johns Hopkins University & Medicine 2021). Despite the ongoing pandemic, Elections Saskatchewan did not issue any directives to candidates regarding campaigning, and candidates carried on with usual activities such as door-to-door canvassing and political gatherings (Taylor 2020). This proved problematic, as cases started to steadily increase over the campaign period. Up from the 7 new cases announced at the beginning of the campaign (29 September 2021), the province reported 54 new cases on election day (Johns Hopkins University & Medicine 2021).

The Newfoundland and Labrador election was initially set for 13 February 2021. In the early days of the campaign, the provincial EMB, Elections Newfoundland and Labrador (Elections NL), issued several directives to prevent the spread of Covid-19. This included an interdiction on door-to-door campaigning and large political rallies. Other than the challenge the pandemic posed to the electoral process, Covid-19 did not appear to be a hot-topic issue for the campaign. Most of the debate was focused on the economy, jobs and the growing provincial debt (Mullin and Moore 2021).

However, Covid-19 quickly became the single most important issue as the campaign progressed. On 8 February 2021 the first confirmed cases of community-transmitted coronavirus during the campaign period were announced in the province. At the beginning of the campaign (15 January 2021), the seven-day rolling average for new cases in the province was zero (Johns Hopkins University & Medicine 2021). On 11 February 2021, two days before the scheduled election day, the province reported 100 new cases of Covid-19 (Johns Hopkins University & Medicine 2021). This was the largest recorded outbreak in the province since the beginning of the pandemic. With only two days left before election day, the chief electoral officer utilized their emergency powers to cancel all in-person voting and delay the election until 25 March 2021 (Smellie 2021). According to the election legislation, delaying the election was within the authority of the CEO. More precisely, section 10(1) states the role of the CEO in adapting the Elections Act:

Where during the course of an election it appears to the Chief Electoral Officer that, by reason of a mistake, miscalculation, emergency or unusual or unforeseen circumstance, a provision of this Part does not accord with the exigencies of the situation, the Chief Electoral Officer may, by particular or general instructions, extend the time for doing an act, increase the number of election officers or polling stations or otherwise adapt a provision of this Part to the execution of its intent, to the extent that he or she considers necessary. (Elections Newfoundland and Labrador 2021: 2)

It is through this section of the act that the CEO is granted the power to adapt provisions to the act during an election, which is what happened throughout the 2021 election.

2.4. Election day

New Brunswick's election was not without its problems. Although most issues on election day were not directly related to the pandemic, some problems did occur due to the special context and health measures. One issue was related to voting in long-term care facilities. Because of public health measures, it was impossible for election staff to set up mobile ballot boxes in long-term care facilities (Elections New Brunswick 2021a). As a result, in-country postal voting forms were handed out to give all caregivers and patients the opportunity to vote. The incorporation of this new postal ballot form was seamless, and turnout appeared not to be affected by Elections New Brunswick's inability to set up long-term care mobile ballot boxes (Elections New Brunswick 2021a).

Additionally, the overwhelming and record-breaking use of special voting arrangements alleviated traffic at polling stations on election day. A total of 64,999 electors voted by special (mail-in) ballot, and 131,603 voted in advance polls (Elections New Brunswick 2021a). In comparison, 45,899 electors voted by postal ballots and 86,970 through early voting in the previous election (Elections New Brunswick 2021a). This represents an increase in participation of 19,100 voters (up 41.6 per cent) for postal ballots and 44,633 voters (up 51.3 per cent) for early voting (Elections New Brunswick 2021a).

In British Columbia, since the pandemic was ongoing and the fixed-date election rule mandated an election in 2021, the provincial EMB, Elections British Columbia (Elections BC), had already begun preparing for a pandemic election. These preparations included close inter-agency collaboration between the EMB and the Office of the Provincial Health Officer (Elections British Columbia 2021). The close collaboration between Elections BC and public health authorities enabled polling locations to fall under modified public health measures, which allowed a greater number of people to be in polling stations at the same time. This was possible because social distancing, masking and sanitizing measures could be better monitored and enforced inside polling stations, in an effort to reduce the line-ups outside polling stations while also limiting the spread of Covid-19 (Elections British Columbia 2021).

Election day differed significantly from previous provincial elections. In usual circumstances, an overwhelming majority of British Columbians vote in person. In 2017, for instance, 90 per cent of voters opted for in-person voting (Elections British Columbia 2021). Due to the pandemic, Elections BC expected this share to be reduced greatly, with estimates indicating that as many as 800,000 voters would use postal ballots (Elections British Columbia 2021). The shift from in-person to mail-in voting was perhaps the most important challenge for Elections BC. To prepare for this increased demand and to rise to the challenge, Elections BC made several changes to its voting processes and policies. First, the EMB modified the requirement for postal ballots, allowing all electors to choose this means of voting (Elections British Columbia 2021). Moreover, it put in place an extensive phone voting system for long-term care facilities and Indigenous communities under self-isolation measures. This phone voting process had previously been piloted in the 2017 provincial election as part of a project seeking to make voting more accessible to individuals with vision loss or permanent impairment that would prevent them from voting in person or by postal ballot (Elections British Columbia 2021). Elections BC therefore already had pre-existing phone voting policies that were amended to adapt to the pandemic situation. Lastly, the EMB added one advance voting day-for a total of seven-to limit traffic at polling locations (Elections British Columbia 2021).

The various measures put in place by Elections BC paid off. The push for special voting arrangements was successful, with only 28.8 per cent of electors voting on election day (down from 60.8 per cent in 2017) (Elections British Columbia 2021). Some 724,279 postal ballot packages were requested, with a total of 604,111 returned, for a return rate of 83.4 per cent (Elections British Columbia 2021). This represents a 6,300 per cent increase in demand for postal voting from the previous election. There was also a significant uptick in the number of people voting by phone, with an increase of 226 per cent from the previous election (Elections British Columbia 2021). While the push for special voting arrangements worked, it is important to point out that the overall voter turnout was down. In fact, it was the lowest provincial election turnout in 20 years. Only 53.9 per cent of registered voters cast their ballot (Elections British Columbia 2021).

The fixed-date nature of the Saskatchewan election enabled the EMB to prepare for an election well in advance. In May 2020 Saskatchewan's CEO sent a memo to the premier which outlined several legislative changes that should be made to facilitate the holding of an election during a public health crisis (Elections Saskatchewan 2020). The most significant of these changes was amending the Elections Act to provide greater powers to the CEO. The amendments allowed the CEO to issue emergency-related orders under section 7 of the Act. Before the campaign and throughout the election period, the CEO issued 13 section 7 orders. These orders varied from modifying mail-in voting requirements to adding advance polling days (Elections Saskatchewan 2020).

One of the few issues that arose was regarding a First Nations² community which had declared a community lockdown to prevent the spread of Covid-19. The CEO had to make arrangements for voting by mail for that community (Elections Saskatchewan 2020). However, due to the last-minute nature of the arrangements, some First Nations electors could not provide the necessary identification documents to certify their postal ballot. As a response, Elections Saskatchewan reduced the identification criteria and declared that ballots from that community would be acceptable with only the voter's name on the ballot (Elections Saskatchewan 2020).

Additionally, there was increased demand for postal ballots and advance voting due to the pandemic and a strong marketing campaign from the EMB. Only 45 per cent of voters opted to vote in person on election day, compared with 73.4 per cent in 2016 (Elections Saskatchewan 2020). This decrease in election day voting was made up by record-breaking turnout on advance polling days (up 66 per cent from the previous election). There were also a larger number of mail-in votes, since the eligibility criteria were expanded to include all eligible voters (Elections Saskatchewan 2020). Overall turnout was down slightly, however, from 57.8 per cent to 52.8 per cent (Elections Saskatchewan 2020).

With its election delayed and in-person voting fully cancelled, the province of Newfoundland and Labrador turned to a mail-in-only format. This was the first election in Canada to be held fully through postal ballots (Bill 2021). This switch from in-person to mail-in voting only was significant, especially since the EMB was not prepared to handle such a large number of postal ballots (Bill 2021). The timeline to request a postal ballot was constantly being re-evaluated (see Figure 1 for the election timeline). Initially, electors had until 2 February 2021 to request postal ballots (CBC News 2021b). However, following a surge in Covid-19 cases, in-person voting was cancelled across the province, and the deadline to request a postal ballot was extended until 19 February 2021 (CBC News 2021a). All postal ballots were to be received by the EMB by 1 March 2021 (Smellie 2021). This deadline was later changed to 5 March 2021, and again the final deadline for receipt of postal ballots was changed to 25 March 2021 (Smellie 2021). Many critics complained about these last-minute deadline changes and the negative impact they could have on voter participation (Bill 2021). In the end, their worries were warranted, as turnout was estimated to be 48.2 per cent according to the official results (Bill 2021).

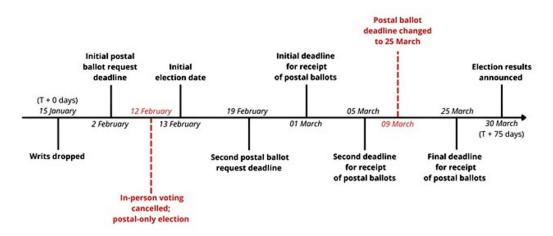


Figure 1. Timeline of Newfoundland and Labrador 2021 general election

2.5. Post-election and results

The results were reported in New Brunswick in accordance with the provisions of the Elections Act; reporting was carried out in the same manner as in previous elections and was not affected by the Covid-19 pandemic. The deadlines to report the results (four days after the election) were met, and no significant issues arose. The votes were tabulated using tabulation machines, and the tabulated results were reported using either modem-connection or manual input via phone calls to returning offices.

In British Columbia the post-election procedures were the same as in previous elections. However, due to the major shift from in-person to alternative voting methods, the vote count needed to be managed differently. As per Elections BC procedures, all ballots that are not cast in person must be counted during the final count, which takes place 13 days following election day (Elections British Columbia 2021). The period between election day and the start of the final count is used to prepare for the counting of ballots. This time is used to transport ballots to the counting offices, to ensure that individuals who cast a postal ballot did not cast an in-person ballot as well and to certify the legitimacy of every postal ballot before it is counted. Due to the high number of mail-in ballots cast, this preparation period was significantly busier than in previous elections. Elections BC was prepared to extend the 13-day preparation period to accommodate staff and ensure a proper electoral process, but the extension proved unnecessary, as the EMB was successful in transporting and certifying all postal ballots before the deadline. The final count was completed within the prescribed period, and results were reported with no issues (Elections British Columbia 2021). Elections BC was able to overcome the challenges of the pandemic situation and provide a smooth post-election experience.

The vote tabulation period in Saskatchewan was conducted in accordance with existing electoral procedures. No issues arose during the preliminary, second or final counts. Results were announced within the expected time frames (Elections Saskatchewan 2020).

Newfoundland and Labrador's post-election procedure was far from normal. The lastminute changes to the voting methods not only affected turnout: they also significantly hampered Elections NL's effort to count the ballots and announce the results. There were several delays, and it was not clear when the results would be announced. In the end, announcement came on 27 March 2021, 72 days after the writs of election were issued (Elections Newfoundland and Labrador 2021).

2.6. Lessons learned

The case studies examined above highlight four important lessons for election administration: (a) the powers of EMBs and CEOs must be clearly defined within the appropriate legislation; (b) planning is crucial for elections; (c) communication is key in delivering a smooth contest; and (d) elections can be held under strict emergency public health measures. This next section will explore in greater depth each of these lessons learned.

First, the case of New Brunswick offers an important lesson in uncertainty. The lack of clarity surrounding the roles and powers of the CEO and the EMB led to contradictory statements from the incumbent premier. While this confusion surrounding emergency powers would have been serious if the election had needed to be postponed, this did not occur, and the election was held relatively smoothly. The province was the first to experience a pandemic election in Canada, and the provincial EMB rose to the challenge and delivered a safe, seamless and on-time election. With that being said, in January 2021 the chief electoral officer of New Brunswick officially submitted a report on post-election recommendations for legislative change. One recommendation stands out as a lesson learned for future pandemic or emergency elections. The CEO suggested that the 'Elections Act be amended to provide the Chief Electoral Officer with the authority to adapt the provisions of the Act to the execution of its intent and to protect public safety in the event of a declared state of emergency, including a public health emergency' (Elections New Brunswick 2021b: 6). The CEO more specifically discussed the need for greater discretionary authority for Elections New Brunswick when it comes to modifying voting procedures and existing rules. Such powers would have allowed for better management of the voting process in long-term care facilities as well as a more efficient postal voting process. The CEO explained that greater discretionary powers would have allowed them to create a vote-by-phone option for longterm care facilities as well as add extra advance voting days (Elections New Brunswick 2021b). Overall, this highlights the importance of eliminating legislative uncertainty and making the executive powers of the CEO as clear as possible.

Second, the 2020 British Columbia general election demonstrates the importance of planning and preparations when it comes to electoral processes. By analysing the electoral environment, anticipating the changing needs of voters and reacting swiftly to public health advice, Elections BC was able to hold a successful pandemic election. While voter turnout was down, this can be partially explained by Elections BC's change in focus from motivating turnout to promoting safe voting. The Saskatchewan general election further demonstrates the importance of planning and delegating. As reported by the CEO in the post-election report, greater planning would have made for swifter reactions when it came to resolving issues, which would also have helped maintain voter turnout (Elections Saskatchewan 2020). These two cases showcase the importance of planning and elaborating contingencies when it comes to election administration.

Third, the 2021 Newfoundland and Labrador general election is a prime example of the fragility of the electoral process and the importance of communication. As these case studies demonstrate, planning is a key part of holding successful elections. At first, Elections NL was not concerned with the pandemic, since new cases of Covid-19 were almost non-existent, and there was no community spread of the virus. However, as the election campaign progressed, a new variant appeared in the province and cases skyrocketed (Smellie 2021). The failure of the EMB to consider the threat of Covid-19 and create and communicate contingency plans in the event of rapid spread led to serious disruptions in the electoral process. The shift from in-person to postal ballots only and the multiple changes to the deadlines caused confusion and most likely impacted the turnout (Bill 2021). Unlike the case of New Brunswick, where questions of authority to delay or amend the election were the key subject of debate, these procedures were clear in the law in Newfoundland and Labrador.

However, the major issue was planning and foresight for the eventual use of these powers if required, and for the whole of government to communicate with electors effectively and single-mindedly where the authority to make these changes to an election lay. In the end, the lack of clear and concise communication led to significant disruptions in the electoral process.

Lastly, these four case studies show that elections can be held even in the most complex of situations. While problems arose during each of these elections, the EMBs met the pandemic situation and did what was asked of them: to hold elections. In meeting their objectives, the EMBs demonstrated that elections *can* be held even during public health emergencies. By implementing the necessary changes and learning from their mistakes, EMBs can be sufficiently prepared for future elections under pandemic conditions.

2.7. Summary

To summarize, Table 1 presents the basic details and Covid-19 information for each provincial election held between March 2020 and March 2021.

	New Brunswick ³	British Columbia ⁴	Saskatchewan ⁵	Newfoundland and Labrador ⁶
Campaign start date	17 August 2020	21 September 2020	29 September 2020	15 January 2021
Election date	14 September 2020	24 October 2020	26 October 2020	25 March 2021 (initially scheduled for 13 February 2021)
Regularly scheduled election (or minority fall)?	Minority government (first elected on 24 September 2018) called early election	Minority government (first elected on 9 May 2017) called early election	Regularly scheduled	New unelected premier requires election within a year. An election legally had to be held before 19 August 2021
Voting means available	Mail-in, advance polls, in-person election day polls	Mail-in, telephone voting, advance polls, in-person election day polls	Mail-in, advance polls, in-person election day polls	Mail-in, advance polls, in-person election day polls (ultimately cancelled)
Covid-19 rates in the 7 days leading up to the election ⁷	1 new case on election day (7-day rolling average: 0)	295 new cases on election day (7-day rolling average: 238)	54 new cases on election day (7-day rolling average: 55)	Campaign period was marked a by large wave (initial general election day saw a 7-day rolling average of 39 new cases); actual (rescheduled) election day had o new cases (7-day rolling average of o as well)
Turnout rate	66.14%	53.9%	52.86%	48.2%

Table 1. Provincial elections between March 2020 and March 2021

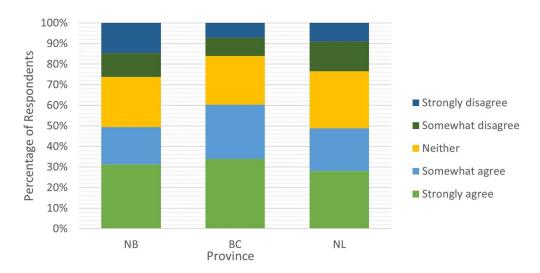
3. Public attitudes towards Covid-19 and elections in Canada

To gauge public opinion surrounding the holding of elections during the Covid-19 pandemic, we can use data that C-Dem gathered in two-wave surveys for each of the provincial elections, with the first wave of data collection coming in the last two weeks of the campaign and the second wave beginning right after the election. These surveys were conducted online with samples from various survey firms using the Qualtrics platform. The New Brunswick survey had 1,082 valid responses before the election, with 698 taking the second-wave survey (65 per cent return to sample) (Everitt, Stephenson and Harell 2020). The British Columbia survey had 1,505 and 1,290 valid responses, respectively (86 per cent return to sample) (Pickup, Stephenson and Harell 2020). In Saskatchewan the opinions of

1,003 people were gathered before election day, and 685 people provided post-election data as well (68 per cent return to sample) (Berdahl, Stephenson and Harell 2020). Finally, in Newfoundland and Labrador C-Dem gathered data from 854 people in the two weeks prior to the initial planned election day, and 505 of those people returned to provide more data in the second wave (59 per cent return to sample) (Bittner et al. 2021). All of the analyses below are weighted for demographic representativeness.

3.1. Opinions on calling an election

Three of the four provincial elections held between March 2020 and March 2021 were not regularly scheduled; instead, they were called by minority governments or precipitated by a change in leader. Therefore, for these three provinces, the survey gauged respondents' opinions on choosing to hold an election during the pandemic. Figure 2 demonstrates that in all three provinces between about 50 per cent and 60 per cent of respondents agreed or strongly agreed that the government should not have called a provincial election during the pandemic. The rate is highest in British Columbia, which, as the largest province studied here, also, unsurprisingly, had the highest case counts on and around election day.





3.2. Voter turnout

Did the pandemic influence whether respondents were willing to vote? In general, overall turnout was lower in the elections studied here than in the previous provincial elections (though in New Brunswick this dip was minor). When respondents in three of the provinces (British Columbia, Newfoundland and Labrador, and Saskatchewan) were asked about their decision to turn out to vote or not, those who said some version of 'no'⁸ were asked to provide a reason why they chose not to vote. Among those who responded that they chose not to vote, between 9 per cent (Saskatchewan) and 20 per cent (Newfoundland and Labrador) reported that their reason for not voting was because they were 'concerned about exposure to Covid-19'. In total, this percentage only accounts for 10–23 individual respondents to the survey. However, it is illuminating that Covid-19 was not the predominant reason for not voting. Ultimately, according to self-reports, Covid-19 did not overwhelmingly keep voters away from the polls.

3.3. Voting methods

For those who did choose to vote, did the Covid-19 pandemic affect their chosen method of voting? There is some suggestion that safety concerns regarding in-person voting might have pushed voters to alternative voting mechanisms, such as mail-in or telephone voting, or to advance polls, where there might have been perceived to be fewer people. Furthermore, EMB campaigns (as mentioned earlier) encouraged electors to take advantage of alternative methods to reduce congestion at the polls on election day.

Figure 3 draws summary data from voters in the campaign wave survey, asking those who were certain or likely to vote how they planned to vote (or had already voted for those who chose to vote early), and from the post-election survey, asking those who did vote what method they used. Due to the panel nature of the survey, we can compare how respondents planned to vote with their actual method of voting, which is reported in Table 2.

First, we notice that, for the New Brunswick provincial election, the responses of how voters planned to cast their ballot and their responses about how they actually cast their ballot look quite similar, with about 37 per cent of respondents choosing to vote in person on election day, 45 per cent voting in an advance poll and 17 per cent voting at a returning office. Furthermore, in Table 2 we note that there is little individual shift between planned and actual methods of voting. Three quarters of voters reported after the election that they had voted via the method they had originally intended to use.

In British Columbia and Saskatchewan, there was a similar high percentage of voters who chose to vote via the method they had originally intended to use, with about 79 per cent and 76 per cent of respondents, respectively, reporting they had voted via the method they had planned to use. In both cases, the most notable shifts occurred due to an increase in advance voting among those who had planned to vote on election day.

Finally, in Newfoundland and Labrador there is a noticeable yet unsurprising shift from planned in-person voting to mail-in voting, since the province switched to an all-mail election two days before election day. Respondents' voting plans had to be changed on the spot, with mail-in voting the only option available if they had not yet voted in an advance poll or at a returning office. Among respondents, approximately 70 per cent of mail-in voters had not planned to vote that way, contributing to the small percentage of respondents (39 per cent) who reported after the election that they had voted via the method they had reported planning to use in the campaign period.

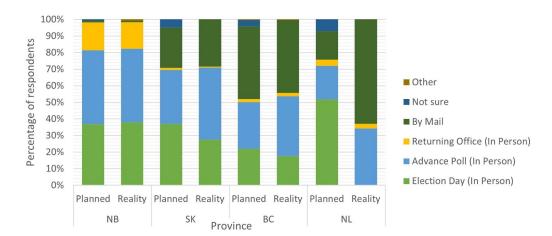


Figure 3. Methods of voting: planned and actual (self-reported)

Note: Questions: pre-election—includes the responses of those who, in a previous question, stated they were 'certain to vote' or 'likely to vote' (excludes those 'unlikely to vote'). Question asked: 'What voting method do you plan to use to vote in the current election?' If, in the previous question, the respondent had answered, 'I already voted', they were asked, 'How did you vote?'

Post-election—includes only respondents who self-reported that they had voted: 'There are many options for people wanting to vote in an election. How did you vote?'

Actual method of voting 🧔 (vertical)	Planned method of voting							
New Brunswick (74% voted as planned)	Election day	Advance poll	Returning office	By mail	Not sure		Total	
Election day	170	35	8	3	12		228	
Advance poll	38	215	17	1	15		286	
Returning office	7	23	78	1	2		111	
By mail	0	0	0	12	1		13	
Other	0	1	2	0	0		3	
Total	215	274	105	17	30		641	
Saskatchewan (76% voted as planned)	Election day	Advance poll	Returning office	By mail	Not sure		Total	
Election day	114	19	1	9	5		148	
Advance poll	67	160	0	4	12		243	
Returning office	1	1	2	0	1		5	
By mail	7	5	0	146	2		160	
Total	189	185	3	159	20		556	
British Columbia (79% voted as planned)	Election day	Advance poll	Returning office	By mail	Not sure	Other	Total	
Election day	109	33	1	29	5	1	178	
Advance poll	51	257	13	29	10	1	361	
Returning office	5	3	9	5	1	0	23	
By mail	17	12	1	465	4	0	499	
Other	2	1	0	3	0	1	7	
Total	184	306	24	531	20	3	1,068	
Newfoundland and Labrador (39% voted as planned)	Election day	Advance poll	Returning office	By mail	Not sure		Total	
Advance poll	40	71	7	7	3		128	
Returning office	2	1	9	2	0		14	
By mail	121	21	4	63	18		227	
Total	163	93	20	72	21		369	

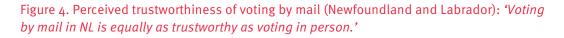
Table 2. Planned voting method versus actual voting method (self-reported)

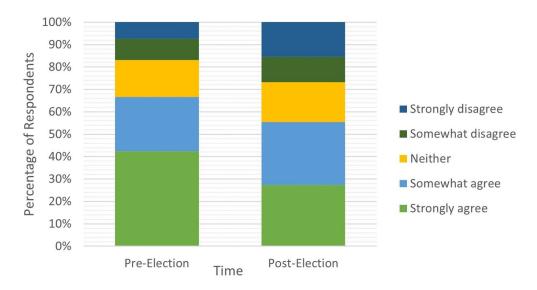
Note: Raw figures (not weighted) from panel data (before and after election day). See Figure 3 for details about the wording of the question. Each cell indicates the raw number of respondents for each method of planned voting (horizontal) who actually voted via that method (vertical), from panel data before and after election day.

Considering these shifts to mail-in voting, it is worth considering how Canadians perceived this alternative voting method. Due to the rhetoric regarding the safety of mail-in voting in the United States surrounding its 2020 presidential election, gauging trust in mail-in voting is important for understanding voters' attitudes towards electoral administration.

In two provincial elections, respondents were asked about the trustworthiness of voting by mail. In British Columbia, this question was asked on a 0-10 scale during the campaign period, where 0 was the least trustworthy and 10 the most trustworthy, with the mean response a 7.48.⁹ There was an overall high level of trust in mail-in voting in British Columbia, where a sizable campaign encouraged voters to take advantage of this method.

In Newfoundland and Labrador, the question of mail-in voting was asked on a Likert scale both during the campaign period and after the election (Figure 4). There was a notable 10 percentage point decline in agreement with the statement that 'voting by mail in NL is equally as trustworthy as voting in person' from before election day to after the election. This decline occurred, however, after the election was shifted to mail-in voting only due to a Covid-19 outbreak in the province. Respondents might have been influenced by the greater volume of postal ballots and the EMB's perceived inability to manage an emergency all-mailin election (except, of course, for those who had previously voted in advance in person).





3.4. Comfort and safety

The surveys also gauged voters' comfort voting in person and the public health measures they encountered at the polls (where applicable). In the campaign period survey, respondents were asked, 'Regardless of how you plan to vote, how comfortable are you with the idea of voting in person during the coronavirus (Covid-19) pandemic?' The highest rate of respondents who reported they were somewhat or very comfortable with voting in person was in New Brunswick, at over 85 per cent (Figure 5). This is understandable given the relatively low number of cases in the province during the election. For both Saskatchewan and

Newfoundland and Labrador, the rates were closer to about 75 per cent. The province with the highest rate of respondents who claimed they were not comfortable voting in person was British Columbia, which was the province with the highest rates of infection during the electoral period (of the four provinces studied here). Only about 67 per cent of respondents were somewhat or very comfortable voting in person in that province.

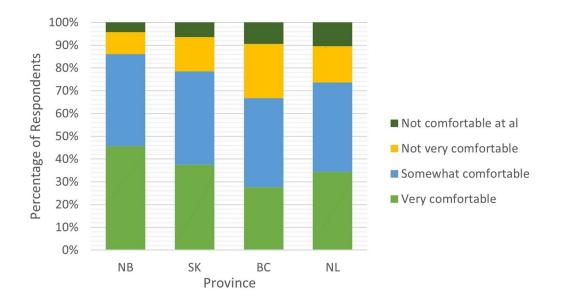


Figure 5. Comfort voting in person: '*Regardless of how you plan to vote, how comfortable are you with the idea of voting in person during the coronavirus (Covid-19) pandemic?*'

During the post-election survey, another question regarding in-person voting was asked: 'How safe did you feel voting in person?' Here we see that, in all four provinces, the percentage of respondents who felt somewhat or very safe voting in person was above 90 per cent (Figure 6). In the case of New Brunswick and Saskatchewan, the rate was about 99 per cent. The lowest rate was in Newfoundland and Labrador; however, it is also important to note that, because so few voters in Newfoundland and Labrador actually voted in person, the number of respondents was quite low; fewer than 10 respondents reported that they felt not very safe or not safe at all.

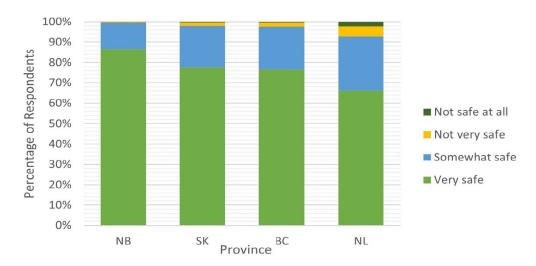


Figure 6. Feeling of safety voting in person: 'How safe did you feel voting in person?'

Respondents were also asked about their perceptions of whether their electoral management body had taken appropriate precautions to ensure a safe voting environment (Figure 7). In New Brunswick this question prompted a simple 'yes' or 'no' response. Ninety-five per cent of respondents said 'yes'.

In the subsequent three provincial elections, respondents were asked this question with response options on a Likert scale. The responses were similar in Saskatchewan and British Columbia, with about 85 per cent and 81 per cent, respectively, somewhat or strongly agreeing that appropriate precautions were taken.

The responses were noticeably different for Newfoundland and Labrador, where the EMB was tasked with an emergency shift to mail-in voting. The lower percentage of respondents who agreed the EMB took appropriate precautions (only about half of respondents) may reflect the uncertainty surrounding this shift only two days before election day. It should be noted that electors in Newfoundland and Labrador were not familiar with mail-in voting, as it had not been a common voting method in past elections. In fact, only 300 people voted by mail in the 2019 election (Elections Newfoundland and Labrador 2021). The sudden switch to a mail-in-only election was therefore a step into completely new territory for most voters.

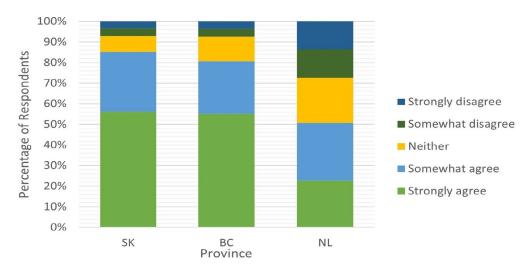


Figure 7. Precautions taken by the electoral management body: '[The provincial EMB] took appropriate precautions to ensure a safe voting environment.'

Finally, survey data in all four provinces can gauge compliance with public health regulations related to masking and hand sanitizing (Figure 8). These questions were asked of voters who responded that they voted in person in advance, at a returning office, or in person on election day. Once again, Newfoundland and Labrador had a small number of in-person voters and therefore a smaller number of respondents for this question. In general, compliance with these public health guidelines was high. Around 90 per cent or more of all respondents in all four provinces reported wearing a mask. Slightly lower percentages of people responded that they had been asked to sanitize their hands, but this does not preclude them doing so anyway (without being specifically asked to).

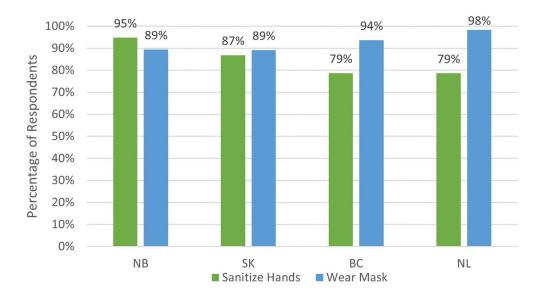


Figure 8. Being asked to sanitize hands and/or wear a mask at the polls

Asked of those who responded they voted via 'advance voting', 'general voting' or 'voting in the district electoral office' for how they voted. The questions were worded as follows: 'Were you asked to sanitize your hands before you voted?' and 'Did you wear a mask or face covering when you went to vote?' Respondents who were unsure were marked as missing.

4. Discussion and conclusion

What can be learned from these four provinces' experiences holding an election during the Covid-19 pandemic in Canada? We suggest that five lessons may be of use for policymakers, practitioners and academics.

First, we find that the public was largely not in favour of their respective provincial governments *calling an election during the Covid-19 pandemic* (with the exception of Saskatchewan, where the question was not asked since the election was regularly scheduled). However, we also note that the incumbent governments were not severely punished for this choice. While it was a minor issue during the campaigns, the four incumbent governments were ultimately re-elected, with more seats than they had going into the election during a pandemic was unpopular, it was not so unpopular that it affected that government's electoral success.¹⁰ In the thick of the pandemic, it is possible that an incumbent boost or 'rally round the flag' effect contributed to the incumbents' success (e.g. Baekgaard et al. 2020; Merkley et al. 2020; Schraff 2020).

Second, in all four cases, there was a *surge in mail-in and other alternative voting methods*. In one case (Newfoundland and Labrador), this shift was mandated when a Covid-19 outbreak occurred in the province. With a surge in alternative voting methods, there could be concerns about voters' comfort with alternative measures, and also about whether it would take longer to count the ballots. A question of voters' comfort with mail-in voting was asked only in Newfoundland and Labrador, where the surge of emergency postal balloting dampened trust, perhaps since the EMB was managing a greater volume of postal ballots than expected. Before the shift to all postal ballots occurred, however, more than 70 per cent of voters stated they perceived mail-in voting to be equally as trustworthy as voting in person.

Therefore, we may suggest that any drop in trust was due to the emergency nature of mail-in voting rather than concerns about the process itself under normal conditions.

Third, in three provinces this surge in mail-in voting and other Covid-related issues caused delays in the announcement of election results. Delays varied by province. In New Brunswick the election results were known on election night (McPhail 2020; Bissett 2020). There were some delays, however, in Saskatchewan and British Columbia, with an uptick in postal balloting in both provinces. In the case of Saskatchewan, postal ballots were not counted until two days after the election. The final results, which included all special ballots counted, were not known until 7 November (12 days later) (Elections Saskatchewan 2020). In British Columbia counting concluded on 8 November (15 days later), and results were finalized for all electoral districts by 16 November (Elections British Columbia 2021). Note that, in this election, some ridings did swing to other parties between election night and the final count (Little 2020). However, it is also important to note that, in the cases of both Saskatchewan and British Columbia, there was little doubt about who would form the government, with each of the leading parties winning a majority government (Little 2020; Taylor 2020). In Newfoundland and Labrador, on the other hand, the vote count took considerably longer due to the delays caused by the shift to mail-in voting. However, the 27 March preliminary results did show a majority government for the incumbent Liberal Party, which remained when the results were confirmed on 30 March (Elections Newfoundland and Labrador 2021).

Fourth, we find that the four provincial *EMBs did generally demonstrate a capacity to deliver safe and trusted elections during the pandemic.* These case studies present a promising picture of provinces' ability to deliver a widely trusted and smooth election despite unprecedented pandemic conditions. Public opinion demonstrates that over 90 per cent of respondents in all four provinces reported feeling somewhat or very safe voting in person (albeit the number of in-person voters, and therefore respondents, in Newfoundland and Labrador was low due to a shift to all-mail ballots). Additionally, in both British Columbia and Saskatchewan, over 80 per cent of respondents reported that they somewhat or strongly agreed that their provincial EMB 'took appropriate precautions to ensure a safe voting environment' (this question was not asked for New Brunswick). The clear outlier in public perceptions of safety and trust concerning election administration is Newfoundland and Labrador, where the situation necessitated emergency changes to the voting procedures and timelines. Therefore, we conclude that emergency situations, often beyond the control of the EMB, can have a negative effect on voters' trust and willingness to go to the polls.

This relates to our final lesson learned: we note that there is a need for *clear policies around who has the authority to delay or change election procedures* due to health concerns, and who has the ability to effectively communicate these policies when they need to be used. As evidenced in the case of New Brunswick, there was serious confusion regarding who had the authority to delay the election or change the modes of voting. These issues of authority need to be sorted out in advance and be made clear within election law. However, even where these polices are clear, effective communication is also required to ensure that the public understands and can trust decisions made by the competent authority. This is where the case of Newfoundland and Labrador fell short despite having a clear policy in place granting authority regarding emergency measures to the EMB. As politicians weighed in on the issue, there remained public confusion regarding who would make a decision to delay the vote, and when. This highlights the need for effective communication between and from major stakeholders.

In conclusion, these four case studies present an interesting look at how four Canadian provinces managed elections during the Covid-19 pandemic. It furthermore shows how the public responded to these conditions. Drawing on these experiences, we can suggest a

number of lessons for policymakers, practitioners and academics, for future Canadian elections and for elections around the world.

Endnotes

- 1. This case study was prepared in collaboration with the Consortium on Electoral Democracy (C-Dem).
- 'First Nations is a term used to describe Indigenous peoples in Canada who are not Métis or Inuit. First Nations people are original inhabitants of the land that is now Canada, and were the first to encounter sustained European contact, settlement and trade.' (Gadacz 2019).
- 3. New Brunswick provincial election data was taken from Elections New Brunswick (2021a).
- 4. British Columbia provincial election data was taken from Elections British Columbia (2021).
- 5. Saskatchewan provincial election data was taken from Elections Saskatchewan (2020).
- 6. Due to the lack of EMB reports, data for the Newfoundland and Labrador general provincial election comes from Mullin (2021).
- 7. Covid-19 data are taken from Johns Hopkins University & Medicine (2021).
- 8. 'No', 'I usually vote but didn't this time', or 'I thought about voting but didn't'.
- 9. Respondents were asked to respond to the following statement: 'Voting by mail in B.C. is equally as trustworthy as voting in person.'
- It is worth noting that, at the time of writing, a fifth Canadian province has held an election (Nova Scotia, 17 August 2021). In this case, the incumbent Liberal government lost power to a newly elected Progressive Conservative majority government (Gorman 2021).

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About International IDEA

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mission to advance democracy worldwide, as a universal human aspiration and enabler of sustainable development. We do this by supporting the building, strengthening and safeguarding of democratic political institutions and processes at all levels. Our vision is a world in which democratic processes, actors and institutions are inclusive and accountable and deliver sustainable development to all.

What we do

In our work we focus on three main impact areas: electoral processes; constitution-building processes; and political participation and representation. The themes of gender and inclusion, conflict sensitivity and sustainable development are mainstreamed across all our areas of work.

International IDEA provides analyses of global and regional democratic trends; produces comparative knowledge on democratic practices; offers technical assistance and capacitybuilding on reform to actors engaged in democratic processes; and convenes dialogue on issues relevant to the public debate on democracy and democracy building.

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Our headquarters are located in Stockholm, and we have regional and country offices in Africa, Asia and the Pacific, Europe, and Latin America and the Caribbean. International IDEA is a Permanent Observer to the United Nations and is accredited to European Union institutions.

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