

*The Electoral Divisions Amendment Act*¹

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I. INTRODUCTION

THE DISTRIBUTION OF ELECTORAL BOUNDARIES is an important issue directly related to the effectiveness of the parliamentary process in Canada. Much of the debate surrounding the recommendations of Manitoba's Electoral Boundary Commission focus upon ethical considerations. Yet, the findings of the Commission can be criticized for failing to reflect the primacy of population, as a consideration, in devising electoral boundaries. Unfortunately, this issue was scarcely considered by the media and the elected opposition. While it may be difficult to practically achieve equality of voting power with mathematical certainty, concerns regarding riding population bases should have been more carefully scrutinized.

II. HISTORICAL UNDERPINNINGS

ON 31 MARCH 1955, THE MANITOBA GOVERNMENT of D.L. Campbell established *The Electoral Divisions Act* to create an independent commission to make recommendations concerning electoral divisions. The Commission was the first of its kind in the country. It was comprised of Manitoba's Chief Justice, the President of the University of Manitoba and the Chief Electoral Officer of Manitoba. The Act required that any redistribution of boundaries be based upon the 1956 census of population taken by Statistics Canada, or upon a census held any tenth year thereafter. Redistribution analyses were also required to include estimates of the population of any Native reserves that were not part of the Statistics Canada census.²

There are a number of different reasons why Manitoba chose to establish an independent, non-partisan commission to recommend changes to existing

¹ Bill 201, *The Electoral Divisions Amendment Act*, 1st Sess., 37th Leg., Manitoba, 2000 (S.M. 1999, c. 1, amendment)[hereinafter *Electoral Divisions*].

² J. Friesen, "Mandate of the Manitoba Electoral Boundaries Divisions Commission," online: Manitoba Electoral Boundaries Commission <<http://www.boundaryredist.mb.ca>>.



electoral boundaries. One reason is found in the structure of the Canadian parliamentary process. Due to the single-member plurality system, a simple plurality of votes is required to win election at the constituency level. As a result, parties have often attempted to shape electoral boundaries to curb weaknesses and highlight strengths of traditional voting patterns in a given jurisdiction. This process, known as “gerrymandering,” attempts to secure a majority for a political party in districts where, if divided upon natural lines, the result would be otherwise. The establishment of an independent commission attempts to limit “gerrymandering” by ensuring the process of determining electoral boundaries is free from political control.

A second reason for the establishment of an independent commission relates to ideas surrounding the classical understanding to representation by population. If all citizens are equal, each citizen should have the right to vote. Following this logic, all votes should carry equal weight. Substantively, each vote should have identical influence in determining electoral outcomes. This view is often summed up by the notion of “one person—one vote, one vote—one value.” This notion is implemented in *The Electoral Divisions Act* by requiring that the Commission maintain relatively equal population levels within all of the constituencies.³

From a more practical perspective, the idea of establishing an independent commission to determine electoral boundaries in Manitoba appears to have been borrowed from the United Kingdom. In 1944, the *Redistribution of Seats Act* created independent electoral boundary commissions for England, Scotland, Wales and Northern Ireland. In addition to the establishment of independent, non-partisan commissions, *The Electoral Divisions Act* of Manitoba shares much in common with the U.K. legislation. Size, scope and accessibility of the areas are considered crucial factors in the determination of boundaries for both Manitoba and the U.K. commissions. Both pieces of legislation contain time restrictions, which prevent a commission from delaying the regular update and redistribution of electoral boundaries.

III. CONSIDERATIONS IN REDISTRIBUTION

IN 1998, THE ELECTORAL BOUNDARIES COMMISSION recommended further changes to the provincial electoral boundaries and names. The Commission was comprised of the Honourable Chief Justice of Manitoba, Richard Scott (chair), the President of the University of Manitoba, Dr. Eموke J.E. Szathmary, and the Chief Electoral Officer of Manitoba, Richard, D. Balasko. The Commission considered a number of factors during the process of redistribution. These factors

³ D. Johnson, “Canadian Electoral Boundaries and the Courts” (1994) 39 McGill L. J. 224 at 234.

included the community or diversity of interests of the population; means of communication; physical features; existing boundaries of rural municipalities; and special geographic conditions including the sparseness, density, and relative rate of growth of population in a region. By considering geography and these other factors, the Manitoba Electoral Boundaries Commission followed the line of thinking established by the *Redistribution of Seats Act*. Equality of voting power between ridings, meanwhile, was seen as only one factor for the commission to consider.⁴

The original United Kingdom legislation initially contained the restriction that single member districts should not deviate from each other in number by more than 25 percent. This restriction was soon dropped, however, and it was held that each riding should only be as near the electoral quota as practicable.⁵ The Manitoba Commission was also given the authority to vary electoral boundaries based on set quotients relative to the population. They were allowed to vary electoral division populations by 10 percent above or below the quotient for divisions south of the 53rd parallel and by 25 percent above or below for divisions north of the 53rd parallel.

IV. REFERENCE RE PROVINCIAL ELECTORAL BOUNDARIES (SASK.)

THE VARIABLES USED BY THOSE DETERMINING the process of redistribution have been hotly debated in other Canadian jurisdictions. In *Reference Re Provincial Electoral Boundaries (Sask.)*,⁶ the Supreme Court of Canada was asked to consider the constitutionality of a Canadian electoral distribution system. A focal point in this debate was equality of voting power. In this instance, the challenge centred upon the constitutionality of Saskatchewan's *Representation Act* (1989) and *The Electoral Boundaries Commission Act*.

The Act and the Commission quickly came under attack for a number of different reasons. First, the Act was criticized for allowing large variations of population between different ridings. Large variations allow a relatively smaller number of voters to elect a representative in certain ridings. For example, in the riding Saskatoon Sutherland University, it took only 3 843 votes to elect a representative. In Saskatoon Greystone, it took 6 284 votes to elect a representative. Critics argued that such a large variation devalues the votes held by citizens living in larger electorates.⁷

⁴ *Electoral Divisions*, *supra* note 1.

⁵ Friesen, *supra* note 2

⁶ *Reference Re Provincial Electoral Boundaries (Sask.)*, [1991] 2 S.C.R. 158 [hereinafter *Re Electoral Boundaries*].

⁷ *Supra* note 2 at 227.



Second, the distribution recommended by the Commission was seen by critics, such as intervener John Conway, as holding a rural representation bias.⁸ This argument was based upon the Commission recommending the establishment of 29 urban ridings with an average of 10 998 per riding, while 35 rural ridings would hold an average of only 9 637 voters. The result was that a rural vote would hold more weight when electing a representative. Mr. Conway asserted that this was an attempt by the ruling Conservative party to hold on to power by maximizing support among rural voters who had traditionally voted in their favour.⁹

Finally, it was suggested that the mandate of the Commission was fettered; enabling legislation forced the Commission to create a set number of rural and urban ridings. *The Electoral Boundaries Commission Act* required the Commission to create 29 urban and 35 rural ridings.¹⁰ This limited the Commission's scope of discretion when it was determining electoral boundaries redistribution.

Interveners, such as Conway and Equal Justice for All, further argued that the mandate of the Commission and its subsequent recommendations violated s. 3 of the *Charter of Rights and Freedoms*: "[e]very citizen of Canada has the right to vote in an election of members of the House of Commons or of a Legislative Assembly and to be qualified for membership therein."

This argument was based upon the belief that the new boundaries created an unfair distribution of power, with some citizens given more power than others in deciding the outcome of electoral battles at the constituency level. These degrees of voting power were determined by where a citizen lived, thereby undermining the principle of vote equality. Failing to adhere to the principle of vote equality was said to violate the concept of the right to vote, entrenched in s. 3 of the *Charter*.¹¹

In a split decision, the Supreme Court of Canada "upheld the constitutionality of the Saskatchewan Commission and its work."¹² For the majority, McLachlin J. wrote that s. 3 of the *Charter* did include a principle of equality of voting power. Yet, she clarified this principle should not be understood as the most important factor with respect to that rights. Instead, the right to vote is characterized by the principle of "effective representation." Along with the principle of vote equality, other factors create effective representation,

⁸ Friesen, *ibid.* at 228.

⁹ *Ibid.* at 226 – 27.

¹⁰ *Ibid.* at 228.

¹¹ *Ibid.* at 231.

¹² *Re Electoral Boundaries*, *supra* note 6.

including “geography, community history, community interests and minority representation.”¹³

In contrast, Cory J., writing for the minority, found that equality of voting power was the key factor when interpreting the right to vote found in s.3. The minority decision attacked the enabling legislation that required there be a set number of urban and rural ridings, effectively limiting the discretion of the Commission. As well, the minority believed that there should only be a 15 percent deviation in the population numbers between ridings rather than the 25 percent variance rule outlined in the legislation. The decision pointed to the work of earlier commissions in the province who had successfully used a 15 percent variance rule. A higher level of deviation would undermine voter equality all the more given the possibility that constituency parity could be more closely achieved.¹⁴

It is important to note voting equality is an issue in many democratic countries. For example, the United States has long considered equality of voting power a central concern in maintaining a truly democratic system. In *Baker v. Carr*¹⁵ the majority of the Court held that vote apportionment should be based upon the latest census figures.

The majority in *Reference Re Provincial Electoral Boundaries (Sask.)* largely ignored this view. Instead, many intervener criticisms were diluted by emphasizing the unique “geography, community history [and] community interests” of the province. For example, the special treatment given to the northern regions of the province was considered necessary to combat the transportation and communication disadvantages experienced by those living in the area. The 25 percent population variation found between Northern ridings and others was, therefore, acceptable given that “rural voters make greater demands on their elected representative, whether because of the absence of alternative resources to be found in urban centres or for other reasons.”¹⁶

The Court also relied upon an historical analysis to conclude that Canada has traditionally taken a different approach from the United States with regard to vote equality. The majority noted that Canada has taken a less radical and more pragmatic approach. This differs from the American insistence on conforming to a philosophical ideal. While vote equality was of prime importance in the speeches of America’s founding fathers, McLachlin J. found that Canada’s early political leaders raised no such concerns. The majority also pointed out that the framers of the *Charter*, in enacting s. 3 did not have the ultimate goal of

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ [1962] 369 U.S. 186.

¹⁶ Friesen, *supra* note 2.



vote parity. Sir John A. Macdonald, when introducing *An Act to Re-Adjust the Representation in the House of Commons*,¹⁷ summed up the Canadian perspective adopted by the Court:

[I]t will be found that ... while the principle of population was considered to a very great extent, other considerations were also held to have weight; so that different interests, classes and localities should be fairly represented, that the principle of number should not be the only one.

The Supreme Court majority highlighted the decision of *Dixon v. British Columbia (A.G.)*.¹⁸ In that case, the British Columbia Supreme Court ruled on the constitutionality of electoral boundary changes in the province. McLachlin, B.C.C.J., as she then was, found that citizens in the province do not have the right to complete mathematical equality in vote strength. Deviations are acceptable if other factors, such as population migrations, geographic features, the sufficiency of communication systems, and the concept of community interest are considered in assigning boundaries. The Court further held that deviations of 25 percent would be acceptable if these factors were used to determine electoral distribution.¹⁹

V. VOTER EQUALITY IN MANITOBA

THERE IS NO DOUBT THAT THE DECISIONS of the Supreme Court of Canada in *Reference Re Provincial Electoral Boundaries (Sask.)* and the B.C. Supreme Court in *Dixon v. British Columbia (A.G.)* played a significant role in determining the changes brought forward by the Manitoba Electoral Divisions Boundaries Commission. As mentioned earlier, Manitoba generally only allows deviation variations to a maximum of 10 percent. This is most likely an attempt by the Commission to be more responsive to the concerns brought forward in court cases in other jurisdictions. Comparatively, federal distribution law and that of the provinces of Newfoundland, Quebec, Ontario, Alberta, and British Columbia allow deviations of up to 25 percent. Only two provinces, New Brunswick and Prince Edward Island, have absolutely no restrictions on variances.²⁰

At the same time, voter numbers in a given constituency is only one factor the Commission considered. The Commission largely followed the decision of the Supreme Court in considering other factors like geography and community interest. The process adopted by the Commission stays in line with the decision

¹⁷ S.C. 1872, c.13.

¹⁸ (1989), 59 D.L.R. 4th 247 (B.C.S.C.).

¹⁹ Friesen, *supra* note 2.

²⁰ W. Neville, "Tories Slow to Learn Electoral Ways" *Winnipeg Free Press* ().

of de Weerd J. in *Friends of Democracy v. Northwest Territories (A.G.)*.²¹ He wrote that factors of geography, community history and interests, language differences, and difficulties in communication with remote communities, allow for some deviation from the principle of equality of voting power.

The decision of the Supreme Court, as followed by Manitoba's Boundaries Commission, has been criticized for deviating from the principle of vote equality.²² This important issue should have received more attention for a number of different reasons. First, the Supreme Court's holding that geography is to be given just as much weight as population, in determining electoral areas, is problematic. As noted, rural ridings often have smaller electorates than urban communities. Traditionally, this has been allowed to compensate residents of these areas for hardships suffered due to poor access to transportation and communication technology. Yet, this principle of over-representation grew out of an era that is difficult to imagine today. Most rural areas now have access to communication means that were not contemplated at the turn of the 20th century. With the development of fax machines, electronic mail, and other technologies, legislatures have a great degree of access to rural constituents regardless of geographic difficulties. The Saskatchewan Court of Appeal noted that "additional travel allowances, support staff, and up-to-date communication services"²³ could be used to bring rural constituents closer to their elected representatives without the need to sacrifice vote equality.

A second contentious justification for placing little emphasis upon equality of power was advanced by the Manitoba Electoral Boundary Commission. They frequently rely upon the term "community of interest" in creating electoral boundaries. According to the Commission, it is a tradition of the Canadian parliamentary system that elected representatives are to represent the particular interests of the members of their constituency. They argue it is often necessary, therefore, to deviate from the equality of voting power principle to better reflect the interest of a given community.

The term "community of interest," however, is difficult to define; language, gender, sexuality, race, religion, class, or any combination of identifiers can define communities. One individual may align herself with one community and not another, or belong to a variety of communities at the same time. This begs the question—what communities should receive special attention and representation, essentially being given higher vote value?

²¹ (1999), 171 D.L.R. (4th) 551; online: QL [1999] (NWT)) No. 28.

²² Friesen, *supra* note 19.

²³ *Ref re: Electoral Boundaries Commission Act (Sask.)*, ss. 14, 20 78 D.L. R. (4th) 449 at 480 (C.A.).



Critics argue that racial and ethnic groups continue to face discrimination and thus, should receive greater representation within elected assemblies.²⁴ Others feel that gender equality should be a priority.²⁵ While these are very important interests, the Supreme Court did not deal with them directly in *Reference Re Provincial Electoral Boundaries (Sask.)* For this reason, it may be argued that using communities of interest to deviate from the principle of equality is questionable at best.

It is difficult to state with any mathematical certainty how much one riding's population should deviate from another. For purely practical reasons, it is impossible to constantly update electoral boundaries to meet shifting population patterns. From a more theoretical perspective, it is also difficult to quantify the democratic principle, "one person—one vote". This is a moral claim that demands each vote be weighted equally. It is also difficult to establish how much deviation is appropriate, if any. In *Friends of Democracy v. Northwest Territories (A.G.)*, de Weerd J. held that over-representation of certain ridings could be justified under s. 3 of the *Charter*, if the relevant factors are taken into consideration. At the same time though, the court held that gross under-representation could not be tolerated under s. 3 where proposed variations are 25 percent above the average.²⁶ While the Northwest Territories Supreme Court provides some guidance on this issue, difficulties are highlighted by the differences in rules across Canada. This confirms that it is a difficult task to determine what constitutes an acceptable deviation from the principle that each vote should carry the same weight.

VI. MEDIA

BEFORE THE SASKATCHEWAN CASE WAS BROUGHT to the Supreme Court; the Court of Appeal recognized any deviation from the principle of equality should be limited as minimal as possible. Unfortunately, when reporting on *The Electoral Divisions Amendment Act* in Manitoba, the media largely ignored this important argument. In one of the few editorials written, Dr. Bryan Schwartz, Professor Faculty of Law, University of Manitoba, noted that some electoral districts, before the current changes, had 40 percent more voters than the average constituency. He also pointed out that 24 districts deviated by more than the 10 percent level set out by the Commission. For these reasons, he argued it was essential that the government implement the changes recommended by the Commission.

²⁴ Neville, *supra* note 20.

²⁵ *Ibid.*

²⁶ *Ibid.*

Media attention often focused upon the “ethnic-economic-ideological fault line”²⁷ that runs through Manitoban politics. It was pointed out that the boundary changes reflected the ruling Conservative Party’s hold on votes in predominantly wealthier, Anglo-Saxon or Mennonite parts of the province. It was also noted, however, that the official opposition, NDP Party, stood to gain the most from the proposed change in boundaries by cementing their hold on seats in poorer and more ethnically diverse sections of the province.

Other media coverage focused upon ethical considerations in relation to the slow passage of the recommendations into law by the Conservatives. Past Manitoba governments have immediately passed boundary changes recommended by the Commission. In this particular case, the provincial government delayed the passage of the bill. Then Premier, Gary Filmon, suggested that the changes were not being immediately passed into law due to time constraints inherent in the legislative process. “A lot of things are up to timing. We obviously have a legislative agenda, an agenda that we as a government want to deal with and involves certain things that we want to accomplish.”²⁸

Many critics in the media charge the Filmon Government was purposely delaying in recalling the House to pass the legislation because they wished to avoid questions from the opposition concerning a possible “vote-rigging” scandal and other hot issues. Liberal leader, Dr. Jon Gerrard, argued that the Premier was attempting to put his personal political interests ahead of the people of Manitoba’s interests in failing to implement the recommendations of the Commission. He stated, “[f]airness and Democracy demands that we have it (the upcoming election) on the new boundaries. There is no excuse.”²⁹ Meanwhile, NDP leader Gary Doer suggested that the Filmon Government was purposely delaying to gain another political advantage; “[h]e gets to know what map they’re going to use and prepare accordingly.”³⁰ It appears that most, if not all, editorials written at this time suggest the media had sided with opposition calls for the Filmon Government to pass the recommendations of the Commission as quickly as possible.

VII. LEGITIMACY OF COMMISSION PROCEEDINGS

UNLIKE OTHER PIECES OF LEGISLATION, *The Electoral Divisions Act* requires the Commission to file a report directly with the Lieutenant Governor and a further

²⁷ *Winnipeg Free Press*.

²⁸ D. Kuxhaus, “Elections Manitoba Set with Old or New Map” *Winnipeg Free Press* ().

²⁹ *Ibid.*

³⁰ *Ibid.*



copy with the President of the Council. The Report is then to be immediately tabled before the Legislative Assembly, if in session, and if not in session, within seven days of the opening of the next legislature.³¹

In this instance the Assembly was not sitting when the Commission recommended the new electoral boundaries. As a result, the Filmon Government was in the position of being forced to table the legislation when the Legislature was recalled. While the majority Conservative government would have been free to reject the proposed changes by the Commission, it would not have been politically expedient to do so given the fundamental independence of the Commission. The media and the opposition would have been quick to point out that no previous government had ever rejected the recommendations of the Commission. In light of that history, it would have been easy for pundits to conclude that the recommendations were rejected on the basis of corrupt politics rather than legitimate concerns.

In order to maintain the impartial nature of any electoral boundary determinations, the Commission undertakes public hearings. This prevents a government from influencing the process for its own political advantage. Sixty-one presentations were made by interested organizations and concerned citizens in public hearings held across the province. As well, the Commission received 140 written submissions for consideration before making the final recommendations. This was more than twice the number of submissions received by the previous public hearing, held in 1988.³²

The Commission accepted many of the submissions received from the public, carefully evaluated recommendations, and made changes accordingly. Of course, as in any process, the Commission was unable to implement all the requests submitted.

One stumbling block encountered by the Commission was that they were bound by *The Electoral Divisions Act* to stay within set numerical limits. In other instances, the Commission found that proposals contradicted each other. Finally, there were times when a proposal appeared to be of merit but could not be implemented due to impact on other constituencies.³³ Nowhere in the report was there mention of any public concern directly relating to equality of voting power.

In an effort to encourage public input before the release of the recommendations, the Commission made public a preliminary proposal of 57 provincial electoral divisions on 15 July 1998. Maps, detailing the proposed changes, were sent to all rural municipalities, local government districts, cities,

³¹ *Electoral Divisions*, *supra* note 1.

³² Manitoba, *Report of the 1998 Electoral Divisions Boundaries Commission* (Manitoba: Legislative Assembly Press, 1998) (Co-chairs: Ch. Justice R. Scott et al.) at 3.

³³ *Ibid.*

towns, villages, First Nation Communities, and Members of the Legislative Assembly. A further 700 maps were distributed to interested members of the public.³⁴

Some of the suggestions from the public dealt with the northern region of the province, where difficulties of effective participation and representation exist due to climate, transportation services and geographical features. To alleviate this burden, there were many requests made for an extra seat to be added to the area. This would allow constituents greater access to their elected representatives. In the end, the Commission was unable to recommend that an extra seat be added to the North; it would be difficult to justify based on the total population of the region. They, however, did accept the suggestion brought forth by many members of the public that the northern riding of Thompson remain the same size as set out in the 1988 boundaries.³⁵

The Commission also noted that there were suggestions from citizens in the rural southern part of Manitoba that ridings should reflect particular "communities of interest." The presenters emphasized the importance of maintaining numerous cultural and economic ties that bind rural communities together. Keeping this argument in mind, the Commission recommended that only four ridings be split up to better reflect the changing population patterns.³⁶ With respect to the city of Winnipeg, the Commission changed many of its original proposals to better reflect "communities of interest," as presented in submissions from members of the public. These alterations often included detailed changes, such as shifting a boundary one street over to better accommodate locally recognized communities. The Commission even made recommendations regarding the names of constituencies, maintaining the names of Fort Garry and St. James in recognition of their historical significance.

VIII. LIFE IN THE LEGISLATURE

A REVIEW OF HANSARD RECORDS SUGGESTS that members of the opposition generally supported the recommendations of the Commission, but they questioned the government's commitment of passing the necessary legislation to see the new boundaries in effect. On 7 April 1999, the Member for Inkster, Kevin Lamoureux, called upon the government to pass the boundary changes: "[government] members say hear, hear, and listening to the throne speech I did not hear any sort of a solid commitment that we will pass those boundaries prior to the next provincial election."³⁷

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*



The only criticism of the Commission was offered by the then Leader of the Opposition, Mr. Gary Doer. During the second reading of the proposed legislation on 19 April 1999, Mr. Doer argued that the Commission did not adequately canvass the opinion of members of First Nations communities, in rural and urban regions of the province. Mr. Doer also claimed the Commission did not give enough notice to rural citizens of the public hearings. He believed that greater notice should have been given to these rural constituents for many of the hearings took place during busy agricultural periods.³⁷

In general, however, the focus of the elected opposition's criticism, as with the media, was upon the ethical concerns relating to the government's refusal to immediately pass the recommendations. There are a number of possible explanations for this limited criticism. First, the Commission is seen as independent of political control and the opposition may have been criticized for attempting to manipulate the Commission for their own advantage. The opposition, therefore, may have felt uncomfortable criticizing the recommendations of the Commission and stuck to criticizing their opponents. Second, the opposition may have considered it politically expedient to villainize the government for its refusal to pass the recommendations of the Commission. Finally, ethical concerns are easier to fit into media "sound-bites" than long, theoretical explorations of voting equality. Despite the mild concerns raised by the opposition, the findings of the Commission received all-party support, in accord with past calls to pass the changes.

IX. THE ACT

ON 27 APRIL 1999, BILL 201 RECEIVED ROYAL ASSENT. The revised electoral areas came into effect at the call of a provincial election on 17 August 1999. *The Electoral Divisions Amendment Act* is a straightforward and clearly written piece of legislation, not complicated by legalese. There is neither a preamble nor any other introductory section governing how the statute should be interpreted. Instead, the Act simply states the name of the constituency and provides a brief description of the riding boundaries.

³⁷ K. Lamoureux, Hansard, Manitoba Legislative Assembly, Bill 2 Second Reading 4th—36th Vol 10 (1999).

³⁸ G. Doer, Hansard, Manitoba Legislative Assembly, Bill 2 Members' Statements, 5th—36th Vol. 11 (1999).

X. CONCLUSION

THE *ELECTORAL DIVISIONS AMENDMENT ACT* RAISES important issues regarding the effectiveness of Manitoba's parliamentary process. As previous provincial governments had immediately passed the recommendations of the Electoral Boundary Commission, the Filmon Government faced tremendous political pressure to implement the changes as recommended by the Commission. Yet, much of the debate surrounding the issue of area redistributions tended to focus upon ethical considerations regarding the speed of passage, rather than the mandate of the Commission itself. The concept of equality of voting power, while a central concern in Supreme Court decisions of Canada and the United States, received little attention from the media and the elected opposition within the province. Due to the importance of the principle of equality, it is unfortunate that the decision to deviate from this principle did not receive more scrutiny.

