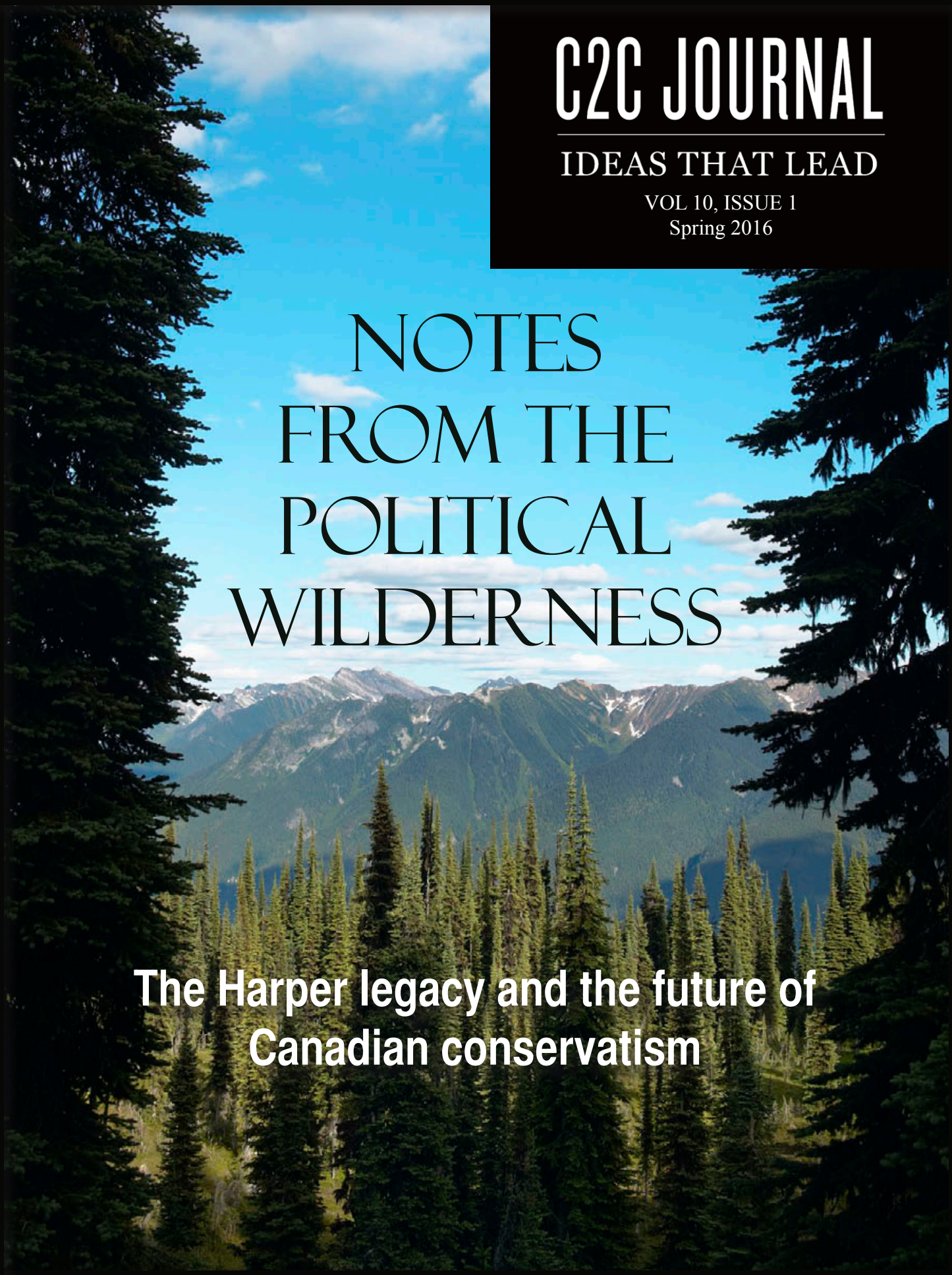

C2C JOURNAL
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# NOTES FROM THE POLITICAL WILDERNESS

## The Harper legacy and the future of Canadian conservatism

# Notes from the political wilderness

Here's a story that illustrates how far the fortunes of Canadian conservatives have fallen. In late January, interim Conservative Party of Canada Leader Rona Ambrose was guest speaker at an Edmonton breakfast gathering of local conservatives. The event was held at a major hotel near downtown, and management had promised the organizers, who were expecting a big crowd, the main ballroom. As it turned out, however, the hotel was also hosting the Fourth Annual Treaty 6 Educators Conference, and it needed the ballroom for its keynote speaker that morning, University of Winnipeg academic and CBC darling Wab Kinew. The Leader of Her Majesty's Loyal Opposition got bumped to a nondescript hall at the back of the hotel that barely accommodated the 150 faithful who turned out for her. The microphone failed once and the scrambled eggs were watery.

To be fair, Kinew was performing for an even bigger crowd, and the hotel probably gets less business from conservatives than it does from modern-day aboriginal nomads who migrate from conference to conference just as their ancestors pursued the buffalo. Whatever the Ambrose audience paid for their congealed eggs, it's a safe bet the hotel got more from the Treaty Six Educators, courtesy of federal taxpayers. This is just the ways things are in 2016, when conservatives just about everywhere in Canada have been exiled to the political wilderness and every progressive politician currently in power opens public meetings by tugging their forelocks and acknowledging "we're on First Nations land".

Canadian conservatives are understandably frustrated by this turn of events and angry that some the good work their governments in Ottawa and elsewhere did over the last decade or so is being undone by the new leftist regimes that rule the land. But even the most partisan among them must admit, if they're true democrats, that the voters are always right, even when they go crazy and elect socialists in Alberta and a drama teacher as prime minister.

Besides, opposition can be cathartic. Power tends not only to corrupt, but also to breed complacency, attract opportunists, and concentrate in the hands of a few who grow ever more certain that their way is the only way. Periodic exile to the political wilderness is good for politicians and parties. It forces them to reflect on their errors, change their leaders, and develop new policy ideas. The parasites who attach themselves to power fall off, leaving the idealists free to renew and rebuild their movement. Best of all, they stop fighting with each other and focus on their common enemies.

So it is with the conservative movement in Canada today. Liberated from the burdens of power but still within sight of it, it seems surprisingly cheerful about its circumstances and optimistic about its future. As Nigel Hannaford writes in a four-year preview of the electoral calendar for this edition of *C2C Journal*, Conservative parties are expected to hold and gain power in Saskatchewan and Manitoba this year. The centre-right Liberal government in British Columbia, presiding over one of the country's few growing economies, should ride it to re-election next year. Surely Ontario's tottering Liberal dynasty will finally give way to a rejuvenated Progressive Conservative party in 2018, and it's hard to imagine the fiscally prudent Couillard government in Quebec succumbing to the leftist Parti Quebecois that year as long as the sovereignty movement remains in limbo.

This all looks like conservative momentum heading into 2019, when the right will try to retake power in Ottawa and Alberta, its strongest bastions until last year's missteps and upsets. At the federal level, the immediate focus will be on replacing Stephen Harper as leader. In these pages, Mathieu Dumont looks at a dozen potential contenders and ponders the characteristics the party will be looking for in a new messiah. In Alberta the divided right is trying to get its act together, likely in the form of a new conservative party, just as the federal Tories did over a decade ago.

This edition of *C2C* is roughly split between stories examining Harper's legacy and ruminations on the future of Canadian conservatism. The former includes a comprehensive overview by George Koch and Martin Grün, a look at Harper's impact on the criminal justice system by Rory Leishman, a retrospective on his foreign policy by Candice Malcolm, and D'Arcy Jenish's assessment of Harper's efforts to maintain harmony in our oft-fractious federation.

Rounding out our future-focused pieces are Mark Cameron's thoughts on conservatives, conservation and climate change, Jeff Hodgson's provocative prescription for a very new conservative approach to deficits and debt, and Mark Milke's robust critique of Canadian "post-nationalism" as articulated, if you can call it that, by Prime Minister Justin Trudeau.

We received several more stories and essays in response to our call for submissions on this theme. It is a measure of how much soul-searching and rethinking is going on within the movement. Although we couldn't fit them all in this edition of *C2C*, watch for them to be published on our website, c2cjournal.ca, in the weeks ahead.

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# Canada's first post-Laurentian Prime Minister

***by George Koch and Martin Grün***

A conceit of ruling elites throughout history has been that their worldview represents the natural order, a spontaneous consensus, the sensible way. Any other view is radical, dangerous, irrational or heretical. Stephen Harper's advancement of an alternative to a Canadian worldview that dominated the nation's political life and political economy since before its founding is the central fact of his prime ministership. As Canada's 22nd prime minister, Harper demonstrated another, fundamentally different, way to govern our country: it was intellectually grounded, politically sound, conservative yet broadly representative, and distinctly Western. Far more than his policies and initiatives – most of which are subject to dilution or reversal – the idea of another way is Harper's legacy.

The "Laurentian Thesis" has fallen into obscurity, yet for decades it was the dominant school of Canadian history, advanced by such luminaries as Donald Creighton and H.A. Innis. Stripped of its apologists' rhetorical garments, the Laurentian Thesis held that Canada was founded to advance the political and commercial interests of the old Upper and Lower Canada, a society clinging to the shores of the St. Lawrence River. The gigantic western lands annexed soon after Confederation would furnish cheap natural resources and hungry markets for eastern products. Their addition was a business deal; their political status would be that of colony. This view was neatly embodied in a period cartoon of a dairy cow straddling Canada – feeding on the verdant grassland of the West and being milked in Quebec and Ontario. Canada would be run by, of and for the centre and the nation's progress would be choreographed by the elites descended from the two former colonies.

For decades, the Laurentian Thesis was seen by most historians and political scientists as not only the way things were, but the way things should be. In opposition, a succession of Western politicians devoted their careers to securing the rights and improving the status of their region or province. After Saskatchewan's Frederick Haultain, the first Territorial premier, most of them were Alberta premiers; John Brownlee, Ernest Manning, and Peter Lougheed. Reform Party founder Preston Manning was the only one who did not fight from the subordinate ground of provincial leadership, but he was unable to become prime minister. Through it all, the Laurentian Thesis endured in fact if not in name. Recently the idea was revived as the Laurentian Consensus in *The Big Shift* by Darryl Bricker and John Ibbitson. Their book, written in the wake of Harper's 2011 majority election triumph, posits a largely demographic-driven shift of power from central to western Canada.

The story of the young Harper's move West, conversion to conservatism, and determination to fight for his adopted homeland, has been amply told. As with thousands before him, physical and intellectual detachment from the Laurentian environment divorced him from its political and ideological assumptions. Harper's experiences in a new, dynamic region triggered a stark realization – that the central Canadian establishment's received wisdom was wrong. The Laurentian Thesis, though smothering, is conceptually weak, perhaps

because it is so manifestly self-serving.

In retrospect, Harper could easily have become premier of Alberta. He might have been a great one. But he would have been just another in a line of provincial politicians who, however successful, were ultimately stymied. Harper's genius – and good fortune – was choosing to fight on the national stage after transforming his regionally based yearnings into a coherent national program at three levels: policy (or ideology), party organization, and governing style. It was truly another way – and also the first comprehensive and winning alternative to the Laurentian Thesis.

> "Harper's policies and priorities would be far removed from what Jean Chretien charmingly called the 'usual operation.'"

Harper laid the Progressive Conservative Party's remnants to rest and built the new Conservative Party of Canada firmly upon conservative principles. He tempered the radicalism of its Reform and Alliance party predecessors, to appeal to a cross-section of Canadians large enough to form a governing coalition. It was still significantly to the right of the decayed, unstable and frequently losing Red Toryism of Stanfield, Clark, Campbell, Mulroney et al. If the next Conservative leader refrains from tearing down what Harper built, his legacy of party-building provides the platform as well as the animating ideas for regaining political power.

Intimate familiarity with central Canada coupled with a changed political perspective gave Harper the MP, opposition leader and prime minister no reason to seek affirmation from the Laurentian elite, let alone ingratiate himself to them, as previous Conservative leaders and uncounted Western MPs had done. Instead, his West-imbued, small-government conservatism put him in collision with the Laurentian Consensus. His government's policies and priorities would be far removed from what Jean Chretien charmingly called "the usual operation". That provoked his political opponents, the media, academia, the judiciary and bureaucracy – the entire Laurentian host.

Heightening the partisan rancor was the Liberal Party's conflation of its beliefs and political self-interest with Canadian values. This had become standard practise under Lester Pearson, was greatly advanced in the assembling of what Mark Steyn later dubbed the Trudeaupian State, and would erupt in Paul Martin's accusations in the 2004 and 2005-6 elections that a Harper government would "destroy Canada". If you see the Liberal Party as synonymous with Canada, and see modern Canada as a government-dominated, comprehensively regulated version of the Laurentian Thesis, then the defeat of your party would, indeed, "destroy Canada".

In office, Harper clashed with those who think Canada's history began when Lester Pearson won the Nobel Peace Prize in 1957. After last fall's Liberal election victory, nowhere in official Ottawa was the jubilation as exuberant as in the Pearson Building, home of Canada's diplomatic corps. Ottawa's foreign affairs apparat, quite simply, held Harper in contempt for having a different worldview. Yet the "traditional", i.e., Pearson-Trudeau, view of Canada's place in the world is anything but ideologically neutral. This was evident throughout the Cold War and currently in the Arabist proclivities of our Foreign Service – which at least once served the Harper PMO with a map of the Middle East that omitted Israel.

Harper was proved right a number of times. His view of Vladimir Putin as a geopolitical menace was considered radical when he alone held it; today it is mainstream opinion. The satisfaction may prove transient, yet what could make Harper's views more durable is their deeper rootedness in Canadian history and tradition than those of his opponents. This was most evident in his promotion of Canada's military traditions, which resonated broadly with the public, and his organic view of the country and its geography, particularly the North. Deservedly, Harper will be forever associated with the discovery of the Franklin Expedition's lost ships.

Harper's opponents routinely employed the hammer of "expert opinion". This nearly always coincided with the views of the Laurentian elite – indeed, the "experts" were typically part of that elite. This habit was obvious in areas such as criminal justice and the environment. Harper and his ministers presented logical and defensible positions. These were often backed by research and science that departed from the approved consensus, which generally meant they would be ignored or disputed by the news media.

On criminal justice, Harper advanced the view that criminals needed to be punished, victims needed to be acknowledged and protected, law-abiding Canadians should not be harassed, and self-defence was legitimate. Within the broad story of the Harper government's criminal justice reforms, one example is telling. This was upending the previous Liberal policies of denying visas to foreign priests and nuns for fear they might overstay them, while spending tax dollars fighting to get Canadians convicted of serious crimes in the U.S. transferred to Canada – where they stood to walk free. There was indeed "another way": treating murdering felons as bad, gentle clerics as good.

On the environment, the Harper government initially thought general agreement could be found that pollution was more harmful than carbon dioxide and government's limited resources should be directed to areas of actual harm. This view was shared by some reputable environmentalists, notably Bjorn Lomborg. But the position gained little traction against the spectre of climate catastrophe. The fallback position, that we needed to "fight climate change", but without destroying Canadians' livelihoods, proved resilient and enabled Harper to rag the puck on climate change, avoiding a ruinous cap-and-trade scheme that in Europe had consumed tens of billions of dollars before disintegrating in failure and corruption. Here, as in many areas, Harper's legacy is largely the prevention, or at least postponement, of destructive, ideologically driven policies reflecting the preferences of the Laurentian Consensus.


Harper's way on immigration was closest to that of the elites, accepting that immigration is good and the number of new arrivals should remain high. There were important shifts in execution, however: Jason Kenney's cultivation of some immigrant communities' fundamental conservatism, prioritizing Canada's economic needs, and a rational rather than activist-driven approach to refugees. These policies' low-key nature may increase their survivability.

In federal-provincial relations, Harper differed markedly from his Liberal predecessors who, not content with mere federal mediocrity, routinely interfered in provincial jurisdiction. He eschewed First Ministers' conferences, which typically descend into recrimination, a list of expensive demands and the Prime Minister taking the heat for "failing" to capitulate to them. Harper's hands-off approach didn't prevent premiers like Danny Williams and Kathleen Wynne from pounding the federal punching bag. But his approach of allowing provinces to run their affairs reflected the way a *federal* state should operate and was appreciated by many provinces. It should be a model for his successors.

Earlier prime ministers believed Quebec nationalism could be co-opted. In Brian Mulroney's case the results were injurious to Canada – particularly the West – and disastrous for the PC party. Harper saw Quebec's separatists – hiding behind euphemisms like "sovereigntists" or "nationalists" – for what they were, and knew appeasement is the wrong way to deal with those whose singular goal is to form an ethnic state. In Harper, Quebec's separatists realized they weren't dealing with a pushover. He ably did business with the rest, making concessions to Quebec on the "fiscal balance", provincial control of social programs and various symbolic areas. Quebec had been Canada's central political obsession for nearly half a century. Under Harper, it fell off the front pages for years at a time. His demonstration that a businesslike yet magnanimous posture toward Quebec works is an example for future prime ministers.

On fiscal policy, Harper's push to lower the tax burden on individuals and corporations arose from principle – that the earnings of individuals and enterprises belong to them, not the government. This self-evident concept is considered radical by the entire host of the Trudeaupian State. They commonly bemoan any reduction in the ratio of confiscation as "tax expenditure". Harper's cut to the GST, for example, was panned because it is an "efficient", "fairer" tax. Harper took a view closer to that of Milton Friedman, namely "no tax is a good tax". Canada's lower federal tax burden, along with the balanced budget, are happy – if highly fragile – legacies.

Harper leaves a mixed legacy in the frequently cited area of "vision". His disdain for grand schemes was welcome relief from Trudeau and Mulroney's constitutional imbroglios and Paul Martin throwing billions at solutions "for a generation". With the unfortunate but politically irresistible exceptions of auto industry bailouts and expanded regional development agencies, Harper mostly tried to get government out of the way. He ignored cries for federal loan guarantees for the massive Mackenzie Valley gas pipeline, for example. Had he buckled, expensive Arctic natural gas would now be competing amidst North America's massive gas bubble and Canadian taxpayers would be holding the bag. Still, it wasn't prescience that actually stalled the pipeline, but a decade of regulatory negligence if not sabotage. Harper took this lesson to heart and set about simplifying the regulatory process.

Lowering regulatory hurdles was admirable, and avoiding the proposed "National Energy Strategy" talk-a-thon was sound. But the forces arrayed against Alberta and Saskatchewan getting their oil and gas to tidewater are formidable and continue to strengthen. Harper's government recognized this and said as much, insulting the "no brainer" in the White House and calling out "radical environmentalists". But it avoided double-barrelled federal intervention. The voices pining for a mile-wide "national strategic energy corridor", immune to environmental reviews, regulatory stalling or the hysterics of provincial premiers, resting perhaps on the Peace, Order and Good Government clause of the constitution, were ignored. Now that would have been a legacy – but might also have triggered violent opposition. Either way, Harper's minimalist approach proved insufficient to the task.

Results were mixed on national infrastructure in general. Canadians were mercifully spared paying for several expensive hockey arenas. The Harper government championed the Gordie Howe Bridge in Windsor, but it remains mired in political wrangling and the inevitable worries about the (non) scarce habitat of (non) endangered species. The all-weather extension of the Dempster Highway to Tuktoyaktuk is an achievement that might pay off someday and in the meantime is very nice for its handful of users. Meanwhile, a landmark project like twinning the entire B.C. mountains portion of the TransCanada Highway, a critical economic lifeline for Alberta and a scene of frequent fatalities, was all but ignored. The Harper team's general aversion to pork-barrelling was sound, but it seemed to be applied more assiduously in the west than the east to avoid charges of homerism.

When Harper chose to attack directly, he could achieve notable success. He kept his promises to dismantle the federal long gun registry and end the Canadian Wheat Board monopoly. Both issues met the full checklist of ideological,

partisan, regional and good-government objectives – plus were powerful symbols of the Trudeaupian State and Laurentian Thesis. Closing the gun registry ended a wasteful diversion of law enforcement resources that mainly harassed law-abiding individuals. The Wheat Board's reform crowned a 30-year battle that had included grubby instances of farmers being hauled to prison for selling the product of their labour. Eradicating rather than merely scaling back these organizations makes it much more difficult and costly for a Liberal or NDP successor to reinstate them. More important, it demonstrates to the next Conservative prime minister that it's both possible and politically profitable to demolish an entrenched bureaucracy.

Stephen Harper's most important legacy is not a policy or a law, however, but an act, seemingly obvious yet little remarked-upon: demonstrating that a prime minister drawn from the West can succeed without qualification. In this, Harper moved far beyond R.B. Bennett, who is universally considered a failure; John Diefenbaker, whose career arc went from meteoric success to the suspicion that he was slightly deranged; and Joe Clark, a comprehensive failure on every level: ideological, partisan, organizational, parliamentary and governing. Harper took the wreckage left over from Clark, buried it and began anew. He proved not only that a conservative westerner could become prime minister, but that he could begin as opposition leader, govern successfully with a minority while gaining popularity sufficient to win a majority.

Harper is, quite simply, a political giant, and one hopes his record will end the Conservative Party's historical practise of turning to a Westerner only every 30 or so years. His individual policies can be undone by the ideologically opposed or the merely careless. But Harper's distinct political philosophy, his reorganization of the Conservative Party and his successful electoral and governing formulas are a blueprint for his successors and gifts for the ages.

*George Koch and Martin Grün are Calgary writers.*

# The Harper crusades

***by Candice Malcolm***

In late 2014, I gave a speech at a conference in New York City about the positive impact of the fiscal reforms undertaken by the Chretien government in the 1990s. Following my talk there was plenty of flattering chatter about Canada as a global leader of advanced industrial countries. One delegate, who leads a prominent American think tank, approached me to proclaim his admiration for Canada's then Prime Minister. "Stephen Harper is the strongest champion of freedom on the world stage. Unequivocally." he firmly told me. "He leads with Churchillian clarity, whether it's on Israel's right to exist, Putin's aggression, or the Islamic threat, he's incredibly on point. We could only dream of having a leader like that here in the U.S."

While principled conservatives in Canada didn't always agree with Harper's occasionally erratic foreign policy – our schizophrenic relationship with China being a major point of contention – when it came to the largest threat of our time, the menace of Islamic terrorism, Harper was consistent and strong. He led not only Canada but also the world in defining how a modern state must respond to the multi-headed threat of Islamic terrorism.

As Paul Bunner and Michael Taube wrote of Harper

in these pages in late 2014, as "a little-travelled man who showed scant interest in foreign policy during his early political career, Harper cut an unlikely figure as future global statesman." And yet, foreign policy and national security developed into Harper's strongest file as Prime Minister. He became a confident and influential statesman and left Canada stronger and safer than it was under previous administrations. Harper's approach involved three key components – the revival of hard power, taking a principled approach to foreign policy, and identifying the role of both state and non-state actors in global terrorism. Each led to significant achievements that profoundly changed Canada's foreign policy.

## The revival of hard power

Canada's historic foreign policy could rightly be defined as the promotion of soft power; seeking to influence the world through international institutions, multilateral agreements, and abiding by the veil of consensus at the United Nations. Harper rejected the idea that Canada would sit on the sidelines and play the role of "helpful fixer" in world affairs. Instead he unabashedly promoted and supported Canada's military, notably by committing to an outsized role in the bloody Kandahar theatre of war in Afghanistan.

When the primary threat of Islamist terror shifted from the Taliban and Al Qaeda in Afghanistan to the Islamic State in Syria and Iraq, Harper eagerly committed Canada to the U.S.-led coalition formed to stop IS. The contribution included 69 special forces members to train Kurdish soldiers, 600 Air Force personnel, six CF-18 fighter jets, two surveillance planes, and one re-fueling tanker. Though a small contingent compared to our allies, it was a relatively big effort for Canada's small military, and a clear message of support for offensive action against the latest violent mutation of Islamofacism.

Harper made numerous trips to Afghanistan during the war, routinely gave major speeches during Remembrance Day ceremonies and at First and Second World War commemorative events, and invariably tied his annual trips to the North to the military's role in defending Canada's Arctic sovereignty. Although his government was sometimes tin-eared and parsimonious in dealing with veterans, Harper did more to celebrate and restore national pride in "our brave men and women in uniform" than any prime minister in living memory.

The flip side of Harper's focus on hard power and military nationalism was his refusal to simply "go along to get along" with international actors and actions. This independent streak manifested early when the Conservatives withdrew from the Kyoto Protocol – a multilateral climate agreement signed by the Chrétien Liberals without any plans to meet its draconian targets. Harper refused to handcuff Canada's economy while other nations with far worse environmental records and regulatory regimes were exempted from the deal.

Harper was also an unrestrained critic of the U.N. and the practice of "democratic leaders sit[ting] side by side with despots and dictators." Many members of Canada's professional diplomatic corps were appalled by such unsubtle rhetoric and were almost gleeful when foreign affairs minister Lawrence Cannon's refusal to wine and dine U.N. diplomats cost Canada a temporary seat on the security council.

## Undiplomatic diplomacy

There were few grey areas in Harper's foreign policy; the distinctions between Canada's friends and enemies were clearly defined. Instead of playing the traditional "neutral broker" in the Middle East, the Conservatives provided unequivocal support for Israel in its unending conflict with regional enemies like Hamas, Hezbollah and Iran. The position was not particularly popular at home or abroad (except in Israel, where Harper was and still is widely admired), but it was based on a principled stand against bigotry and anti-Semitism.

Just as un-nuanced was Harper's response to Russian aggression in Eastern Europe. While many other national leaders seemed timid and uncertain about how to respond to President Vladimir Putin following the takeover of Crimea and invasion of Eastern Ukraine, Harper effectively "shirt-fronted" Putin at an international summit when he told him, to his face, to "get out of Ukraine".

Perhaps most importantly, Harper did not mince words about the threat of radical Islam. He categorically condemned terrorism, rejecting any and all attempts to rationalize, excuse, or divorce it from its primary contemporary source. While others (including U.S. President Barack Obama) cowered from the charge of "Islamophobia", Harper relentlessly named Islamic terrorism as the biggest threat to national and international security.

As the frequency and severity of Islamic terrorist actions increased, so did Harper's condemnations. As late as 2011, however, his critics were still insisting he was overstating the threat. But within a year, western intelligence revealed that upwards of 200 Canadians were known to be fighting overseas alongside al-Qaeda, the Islamic State, and other Islamic terror groups. It also became clear that the threat of domestic jihadism was growing, which was confirmed by the two deadly attacks against Canadian Armed Forces members in Quebec and Ontario in October 2014.

The contrast with Harper's domestic political opponents could not have been more striking. In response to the 2013 Boston Marathon bombings by two radicalized Islamists that killed three and wounded more than 200, then-rookie Liberal leader Justin Trudeau suggested the attackers were victims of "social exclusion". This was a "root cause" of radicalism and terrorism, said Trudeau.

## Why Harper went after Iran

In Harper's view, the real "root cause" of terrorism is a deadly mix of ideology, theology, murderous intent, and capacity. Recognizing the complexities of asymmetrical warfare and the various efforts to subvert our borders and undermine our national security, Harper saw that many violent terror networks are funded by hostile governments. Financing is the lifeblood of any terror organization and cutting the funding will curb its activities. Thus a major accomplishment of the Harper administration was recognizing Iran as a state sponsor of terrorism and taking steps to limit its ability to finance terror networks.

In 2012, the Harper government declared that the Islamic Republic of Iran sheltered and materially supported violent non-state actors that engage in terrorism. In fact, Iran's Islamic Revolutionary Guards Corps, known as the Qods Force, was instrumental in creating, training, and supplying weapons to Hezbollah – the Lebanon-based Shiite organization that is among the most powerful terrorist groups in the world. The government of Canada listed Iran's Qods Force as a terrorist entity under the Criminal Code because of its association with other recognized terrorist groups including the Taliban, Hezbollah, Hamas, Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command. The Iranian group is also active in the ongoing Syrian civil war, assisting the Assad regime in committing atrocities against the Syrian people, and thereby contributing to the legions of refugees now besieging Western Europe.

Alongside this official designation for Iran, the Harper government withdrew its embassy staff from Tehran, expelled Iran's diplomatic staff, and closed Iran's embassy in Ottawa. At the time, foreign affairs minister John Baird was quoted as saying, "Canada views the government of Iran as the most significant threat to global peace and security in the world today."

Canada went further by amending the State Immunity Act and in adopting the Justice for the Victims of Terrorism Act, both of which allowed the families and victims of terrorism to take legal action and seek damages from the perpetrators of terrorism and those who support them, including the government of Iran. This effectively eliminated the legal distinction between terrorist groups and the states that bankroll them, extinguishing the sovereign immunity protection typically granted to governments.

To assist victims in identifying and locating Iran's state assets, the government released a list of known Iranian state-owned property in Canada. In 2014, an Ontario judge ordered the seizure of more than $7 million in bank accounts and property belonging to Iran. The historic ruling validated the Harper government's legal changes. Currently over 90 Canadian victims of terrorism have launched claims in Ontario's Superior Court seeking compensation from Iran for its role in training, arming, and financing Islamic terror networks.

Even as both the U.S. and the U.N. were cozying up to Iran to try to reach a nuclear agreement, Canada stepped out on its own and took a bold and principled position against the world's largest funder and enabler of Islamic terrorism. Harper took responsible and powerful steps to curb Iran's ability to finance terrorism, and to prevent Iran from using Canada as grounds for supplying resources to terror networks. His actions represented significant global leadership, and his efforts were applauded by security and counter-terrorism experts around the world.

## Don't worry, be sunny, 'Canada's back'

The Liberal Party and its leader campaigned on promises

to change Canadian foreign policy back to a more traditional pacifist, consensus-seeking, and flexible approach. And Trudeau has indeed proclaimed that "Canada's back" several times since winning the election. But so far, undoing the Harper doctrine is proving easier said than done. On his first day in office, Trudeau called Obama to inform him that Canada was withdrawing its CF-18 jets from Iraq and Syria. The jets are still there. Trudeau also reversed course on climate change, bringing an entourage of over 300 to the Paris climate conference and signing Canada up for an ambitious new emissions reduction plan. But it is by no means clear how the Liberals will meet the targets they agreed to.

Trudeau's new Foreign Affairs Minister, Stephane Dion, quickly fell in line with the Obama administration and announced that Canada would begin lifting sanctions and restoring relations with Iran. He also promised a return to Canada's role of "honest broker" in the Middle East. The Harper era was "a drift period for Canada," said Dion in a recent speech where he dismissed Harper's foreign policy as "not the Canadian way." The lines could have been written – and probably were – by the Foreign Affairs bureaucrats in Ottawa who cheered lustily when their new prime minister first paid them a visit.

Winston Churchill once said that if you had enemies, it meant that you stood up for something. Harper certainly had his adversaries, but that is because he governed with a belief that Canada can and should be a moral leader in the Western world. At the 2011 Conservative Party convention in Ottawa, just weeks after securing his first and only majority government, Harper alluded to this point in a triumphant speech by saying his government would, "take strong, principled positions in our dealings with other nations, whether popular or not."

Many older Canadians identify Canada's role in the world with the vision set out by Lester Pearson and his commitment to peacekeeping. Younger Canadians, however, saw in the Harper era a glimpse of what Canada might look like as a real global power, where we take action, distinguish right from wrong, bravely call out tyranny, celebrate liberty and the rule of law, and become an anchor of peace and stability in an increasingly chaotic and dysfunctional world.

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# How the Court Party outlived Harper

***by Rory Leishman***

During its ten-year reign Stephen Harper's Conservative government managed to eliminate the long-gun registry, abolish the Court Challenges Program, expand freedom of expression and pass an array of legislation cracking down on prostitution, pornography, drug trafficking and violent crime. The Conservatives accumulated and expended a lot of political capital in pursuing these substantive changes to the Canadian justice system. But there is considerable doubt about how many of them will survive the Trudeau Liberal government and an activist judiciary.

On gun control, at least, neither the Liberals nor the courts have shown any disposition to revive the long-gun registry introduced by the Chretien government in the 1990s. Instead, the Trudeau administration will apparently start delivering on a promise to "to get handguns and assault weapons off our streets" by reviving a regulation

eliminated by the Conservatives in last year's Common Sense Firearms Licensing Act that required the licensed owner of a handgun to obtain an additional permit to transport his gun to and from a firing range or a gunsmith. It's not much, and there may be more to come on gun control.

As for the Court Challenges Program, it was created by the Liberal government of former prime minister Pierre Trudeau in 1978 to finance interest group litigation for the purpose of defining and expanding the provisions of the Charter of Rights and Freedoms. The program was abolished by the Mulroney Conservatives in 1992, revived by the Chretien Liberals in 1994, and abolished again by the Harper Conservatives in 2006. Now, with the backing of the Canadian Bar Association, Prime Minister Justin Trudeau has directed his Justice Minister Judy Wilson-Raybould to revive the program yet again.

One of the Harper justice reforms that most gladdened the hearts of conservatives was the repeal of Section 13 of the Canadian Human Rights Act. While intended to prohibit the promotion of hate against minorities, it had been used repeatedly by a small coterie of human rights activists to harass and prosecute media outlets and others who expressed critical opinions about Islamic fundamentalism and gay marriage, among other controversial issues. Perhaps to minimize the blowback against the government, the repeal was executed by a Tory backbencher's private members' bill. Regardless, it was a significant win for free expression.

Long before he became prime minister Stephen Harper was a reliable exponent of the classical separation of legislative and judicial powers. He came out of the Calgary School of conservative academics who championed parliamentary supremacy in response to liberal judicial activism as practiced by courts and interest groups – which they dubbed the Court Party – in the post-Charter era. As Leader of the Opposition in 2003, he denounced the *Halpern* ruling by the Ontario Court of Appeal that arbitrarily read same-sex marriage into the Constitution. Speaking in the House of Commons, Harper said: "I would point out that an amendment to the Constitution by the courts is not a power of the courts under our Constitution. Something the House will have to address at some point in time is where its powers begin and where those of the courts end."

As prime minister, Harper attempted to appoint judges who subscribed to the traditional principles of judicial restraint. Mr. Justice Marshall Rothstein, Harper's first choice for the Supreme Court of Canada, seemed to fit the bill. In an unprecedented public hearing on the appointment by an all-party committee of Parliament, Rothstein testified: "[Judges] should apply the law. They shouldn't depart from the law. They shouldn't be inventing their own laws."

Asked about the role of judges in changing the law to bring social policies into conformity with evolving conceptions of morality, Rothstein said: "It seems to me that the social agenda is the agenda for Parliament. Where Parliament wants to advance the law in social terms, that's their job – that's your job."

On occasion, Rothstein stood by these convictions. In a joint dissent last year in *Saskatchewan Federation of Labour v. Saskatchewan*, he and Mr. Justice Richard Wagner, another Harper appointee, repudiated the majority ruling which held that the ban on strikes by essential services workers in the Saskatchewan's Public Service Essential Services Act violates the right to strike implied by the guarantee of freedom of association in section 2(d) of the Charter.

Rothstein and Wagner stated: "This Court has long recognized that it is the role of legislators and not judges to balance competing tensions in making policy decisions, particularly in the area of socio-economic policy.... It is not the role of this Court to transform all policy choices it deems worthy into constitutional imperatives."

That was well said. Yet just one week later, Rothstein and Wagner joined in the unanimous opinion of the Supreme Court in *Carter v. Canada*, which struck down the ban on physician-assisted suicide in the Criminal Code. With this ruling, the Court not only shattered its own 1993 precedent in Rodriguez, but also flouted the repeated and express will of Parliament against legalized euthanasia.

Altogether, six of the nine judges who supported last year's Carter ruling were Harper appointees. Likewise, five Harper appointees backed the ground-breaking judgment written by Chief Justice Beverley McLachlin in *Canada v. Bedford*, 2013, which struck down restrictions on prostitution in the Criminal Code. This same five also backed McLachlin's startling 2014 judgement in *Tsilhqot'in* that created vague, new, property entitlements for aboriginals that could have dramatic consequences for Canadian resource development.

Should Harper be faulted for appointing judges who turned out not to be reliable practitioners of judicial restraint? Maybe, but the future performance of judicial appointees is notoriously unpredictable. Even former U.S. President Ronald Reagan did not foresee that one of his appointees, Sandra Day O'Connor, would become an ardent judicial activist on the Supreme Court of the United States.

Besides, whenever Harper tried to assert the separation of legislative and judicial powers, he usually endured a public flogging from the opposition, the media, and the legal community. That was evident during the uproar which

ensued after the executive counsel for the Supreme Court disclosed that McLachlin had asked to talk with Harper about "a potential issue" regarding the eligibility of Mr. Justice Marc Nadon to serve on the Court. Citing advice from the Justice Ministry, Harper refused to take the call and said publicly that it would be improper for a prime minister to talk to the chief justice about an issue that could – as it eventually did – come before her court (which ruled Nadon ineligible).

Harper was widely denounced inside and outside the legal profession for allegedly violating the separation of powers by joining in a public airing of the issue. A group of past presidents of the Canadian Bar Association accused him of threatening the independence of the courts by "claiming that the Chief Justice of Canada attempted an inappropriate conversation with him". Trudeau charged him with making "unfair and personal accusations against the chief justice".

Although Trudeau is now in power and may lean towards liberal-leaning judicial activists in his future court appointments, including the replacement of McLachlin as chief justice upon her mandatory retirement two years hence, some of Harper's appointments may yet exert conservative influence on Canadian jurisprudence. These include legal scholars such as Mr. Justice Russell Brown, his last appointee to the Supreme Court, and Justices David M. Brown, Grant Huscroft and Bradley Miller of the Ontario Court of Appeal. These judges were all public exponents of judicial restraint prior to their appointments, who may resist judicial usurpation of legislative power.

If they do, however, it could take the form of minority dissents in cases where court majorities overturn anti-crime legislation initiated by the Harper Conservatives. Last year, in *R. v. Nur*, the Supreme Court struck down the mandatory minimum sentences for possession of a loaded, prohibited firearm in the Tackling Violent Crime Act of 2008. McLachlin contended in her reasons for judgment that the minimum term of five years for repeat offenders violates the ban on cruel and unusual punishment in section 12 of the Charter and "goes far beyond what is necessary in order to protect the public, to express moral condemnation of the offenders, and to discourage others from engaging in such conduct."

The Tougher Penalties for Child Predators Act, which the Harper Conservatives passed through Parliament last year, also includes an array of mandatory minimum prison sentences such as 14 years for publishing child pornography or sexually assaulting a child. These and other Conservative mandatory minimum sentencing laws are expected to face Charter challenges in the future, unless the Trudeau Liberals repeal them first. During debate on the Child Predators Act, then-Liberal justice critic Sean Casey averred: "Mandatory minimum sentences do not deter crime." If the Justin Trudeau Liberals genuinely believe that, they might consider getting rid of the mandatory minimum sentence of 25 years for first-degree murder which the Pierre Trudeau Liberals introduced in 1976.

> "Should Harper be faulted for appointing judges who turned out not to be reliable practitioners of judicial restraint? Maybe, but the future performance of judicial appointees is notoriously unpredictable."

The definitive history of the Harper crime and justice legacy has yet to be written. Some will argue that it was a profoundly conservative and sincere effort to "make our streets and communities safer", as was said in every criminal justice reform announcement the Tories ever made. Others will contend it was primitive law-making and cynical pandering to the conservative base. Both will have to admit, however, that the difference between the Harper Conservative and Trudeau Liberal legal agendas was as different as night and day. Instead of demonizing and incarcerating pimps, prostitutes, drug traffickers, gangsters and terrorists, the new government is committed to legalizing marijuana, multiplying so-called safe injection sites for illegal drugs, softening anti-terrorist laws, and legislating in accord with the Supreme Court's direction on legalized prostitution and doctor-assisted suicide.

And it's a safe bet the historians will agree on one other thing: Liberal criminal justice reforms will get a smoother ride in Canadian courts than Harper's ever did.

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# So much for the Peaceable Kingdom

*by D'Arcy Jenish*

Mackenzie King could have been referring to Canada's regular eruptions of regional tensions and conflicts when he famously said the country has "too much geography". Inevitably in such a large and diverse federation there are cultural clashes and competing interests, and conflicts routinely arise over cultural, economic or political differences. One of the biggest challenges facing any national government and prime minister is how they manage Canada's inherent regionalism.

Canada's founders included a very good yardstick in the Constitution by which we can measure their performance. It is found in that simple, but elegant phrase from the British North America Act – peace, order and good government. Every prime minister has a duty and an obligation to keep the peace and maintain order within the federation. It is the very essence of good government. By this measure, Pierre Trudeau and Brian Mulroney failed miserably. Stephen Harper, on the other hand, succeeded admirably.

It's true that by the time Harper was defeated, a significant chunk of the electorate was either: (a) tired of him: (b) mad at him or: (c) detested him. But the same was true for Trudeau and Mulroney. Trudeau was reviled in the West and in most of Quebec when he left office in early 1984. Mulroney's public approval rating had fallen below 20 percent before he resigned in the spring of 1993. But here's the difference between Harper and the other two. Many Canadians were ticked off with Harper, but they weren't mad at each other. By the time Trudeau and Mulroney exited,

Canadians were mad at each other due to their blunders on regionally sensitive issues.

Trudeau first stood up to and later tried to appease the French nationalist movement in Quebec. The province soon elected its first separatist government. Later he mismanaged relations with western Canada as badly as any prime minister since Sir John A. Macdonald, whose missteps caused armed uprisings in 1869-70 and again in 1885. The annexation of the West to the newborn Dominion of Canada was at the root of Macdonald's trouble. Energy price fixing was the issue for Trudeau.

Oil prices rose sharply through the 1970s due to the machinations of the OPEC cartel. This was great news for producers in Alberta and to a lesser extent Saskatchewan, but bad news for consumers in Central and Eastern Canada. The Trudeau Liberals appeased eastern consumers at the expense of western producers with the 1980 National Energy Program. It fixed Canadian prices below world prices and set off a political firestorm in the west.

The Alberta government was so upset it temporarily cut oil production, which inspired the famous bumper sticker "Let the Eastern bastards freeze in the dark". A small but noisy western separatist movement was launched. In short, the Trudeau government had provoked a rebellion rather than keeping the peace – hardly the measure of good government.

## From bad (Trudeau) to worse (Mulroney)

Mulroney blundered just as badly. Elected by a coalition of Trudeau-despising Quebecers and Westerners, he betrayed the latter by dithering on his promise to dismantle the NEP and then rigging a big military aerospace contract so it went to Montreal instead of Winnipeg. His Quebec-West coalition soon imploded, leading to the creation of the Reform Party.

Mulroney poured fuel on the regional fire with his 1987 Meech Lake constitutional accord. The deal was meant to fix another Trudeau mess, the failure to get Quebec's signature on the 1982 national agreement to patriate the Constitution and expand it to include the Charter of Rights and Freedoms. Meech didn't satisfy the constitutional demands of a wide range of interest groups and ultimately floundered on regional rejection in Newfoundland and Manitoba.

The failure cost Mulroney a good part of his Quebec caucus who decamped to form the separatist Bloc Quebecois. It also left Quebecers mad at Manitobans and Newfoundlanders, Canadians mad at Quebecers, and everybody mad at Mulroney. Nonetheless he tried again with the Charlottetown Accord – an even bigger package of constitutional sops – only to have it soundly defeated in a national referendum. That set the stage for the decimation of the Progressive Conservative party in the 1993 federal election, and the razor-close 1995 sovereignty referendum in Quebec that nearly broke up the country.

When viewed against the regional upheavals and convulsions of the Trudeau and Mulroney eras, the genius of Stephen Harper becomes apparent. He served his political apprenticeship in the shadow of these events and learned from them. Harper kept the peace and, upon his exit, peace prevailed within the federation.

## Peace through Harper

This was no accident. Harper had several opportunities to get things wrong and exacerbate regional divisions. During her short time as premier of Alberta, Allison Redford was at loggerheads with Premier Christy Clark in British Columbia over the Northern Gateway pipeline project. Harper might well have intervened in favor of his home province, but imagine the blowback that would have caused in B.C. Instead, he let the ladies fight it out.

Harper also acted astutely when dealing with two big foreign corporate takeovers – often a flashpoint for federal-provincial disharmony. First his government stood aside – likely against his better judgement – to allow a Chinese state-owned company to buy Calgary-based energy giant Nexen Inc. in a $15.1-billion deal. A year later it did precisely the opposite, nixing a $40 billion bid by BHP Billiton, the Australian-based global mining conglomerate, for Potash Corp. of Saskatchewan. The contradictions raised a lot of questions: Wouldn't this scare off international investors? What was the government's foreign investment policy? The policy was: keep the peace. By approving the CNOOC-Nexen deal, Harper avoided riling the Alberta government and business community. And by rejecting the BHP-Potash deal he kept Saskatchewan content.

Harper handled Quebec with equal dexterity. True, Quebecers didn't like his tough-on-crime bills and thought he was a philistine on cultural policy. And they wanted more action on climate change. But here's what really counts: he did nothing to arouse the sovereigntists. In fact the threat of separatism steadily declined on his watch. He did it not by showering the province with money (although there was some of that), but mostly by being consistently respectful of provincial jurisdiction and autonomy, and through symbolic gestures like the 2006 motion recognizing Quebec as a

nation within a united Canada. In return, Quebecers awarded him a handful of Conservative seats in each of the 2006, 2008, 2011 and 2015 elections.

Every prime minister has scraps with premiers and Harper certainly had his share – notably with Danny Williams of Newfoundland and Labrador, Kathleen Wynne of Ontario, and, in last year's election campaign, Rachel Notley of Alberta. But these conflicts were trifling compared to Pierre Trudeau's epic battles with Peter Lougheed or Brian Mulroney's ferocious fight with Clyde Wells over the Meech Lake Accord.

Harper held but one first ministers' summit in his ten years in office and was roundly criticized for it. But if he learned anything from Mssrs. Trudeau and Mulroney, who regularly convened such gatherings, it was that they typically do more to strain national unity than strengthen it. Even worse, they tended to elevate the status of the premiers at the prime minister's expense. In his view, it was better to leave them in their fiefdoms than let them share the national stage. Their complaints and demands made less news that way.

## Another Trudeau, another east-west divide

In his determined effort to be everything that Stephen Harper was not, Prime Minister Justin Trudeau convened a first ministers' meeting as one of his first priorities. It went pretty well. Recognizing that Trudeau was still enjoying a post-election honeymoon, the premiers were on their best behaviour. He in turn was fulsome in his commitment to satisfy all their wants and needs.

But already there are signs of division. Trudeau's election promise to borrow billions to spend on infrastructure projects has raised expectations in legislatures and city councils across the country to dangerous heights. Not all can or will be satisfied with the handouts they get. Moreover there is a serious, growing, and possibly irreconcilable disconnect on values and policies between Trudeau and his eastern Liberal base and the western resource-producing provinces.

The former want aggressive action to reduce carbon emissions in the name of fighting climate change. The latter, already reeling from the effects of the global oil price collapse, desperately need pipelines to gain access to new markets and better prices. What they're getting from Trudeau instead are comments dismissing the economic importance of resources, a new set of National Energy Board regulations that will make pipeline approvals even more difficult, a west coast oil tanker ban that effectively kills the NEB-approved Northern Gateway pipeline, and a promise to the United Nations envirocrats and movie stars at the December Paris Climate summit that Canada will do its part to meet international emission targets – targets so high they are not achievable in Canada without shuttering much of its energy and resource industries.

Where Harper used his first major international economic speech to proclaim Canada an aspiring "energy superpower", Trudeau pointedly told the global glitterati gathered at the Davos World Economic Forum in January that his Canada will instead be known for its "resourcefulness". More recently, he declared that he intended to be a "referee" in the great debate over pipeline expansion, not a "cheerleader" like Harper.

This is pride that goes before a fall. The pipeline issue has already resurrected memories of the NEP. It has the potential to ignite a west-east regional war, and the mayor of Montreal, former Liberal MP and cabinet minister Denis Coderre, fired the first shot when he held a press conference in late January with 81 Montreal area mayors to oppose the Energy East pipeline.

The man who now occupies the Prime Minister's Office would be wise to emulate rather mock his predecessor. Harper managed relations between the regions deftly and with uncommon wisdom. He kept the peace and maintained order and met the measure by which the Fathers of Confederation defined good government.

And by this measure so too shall Justin Trudeau one day be judged.

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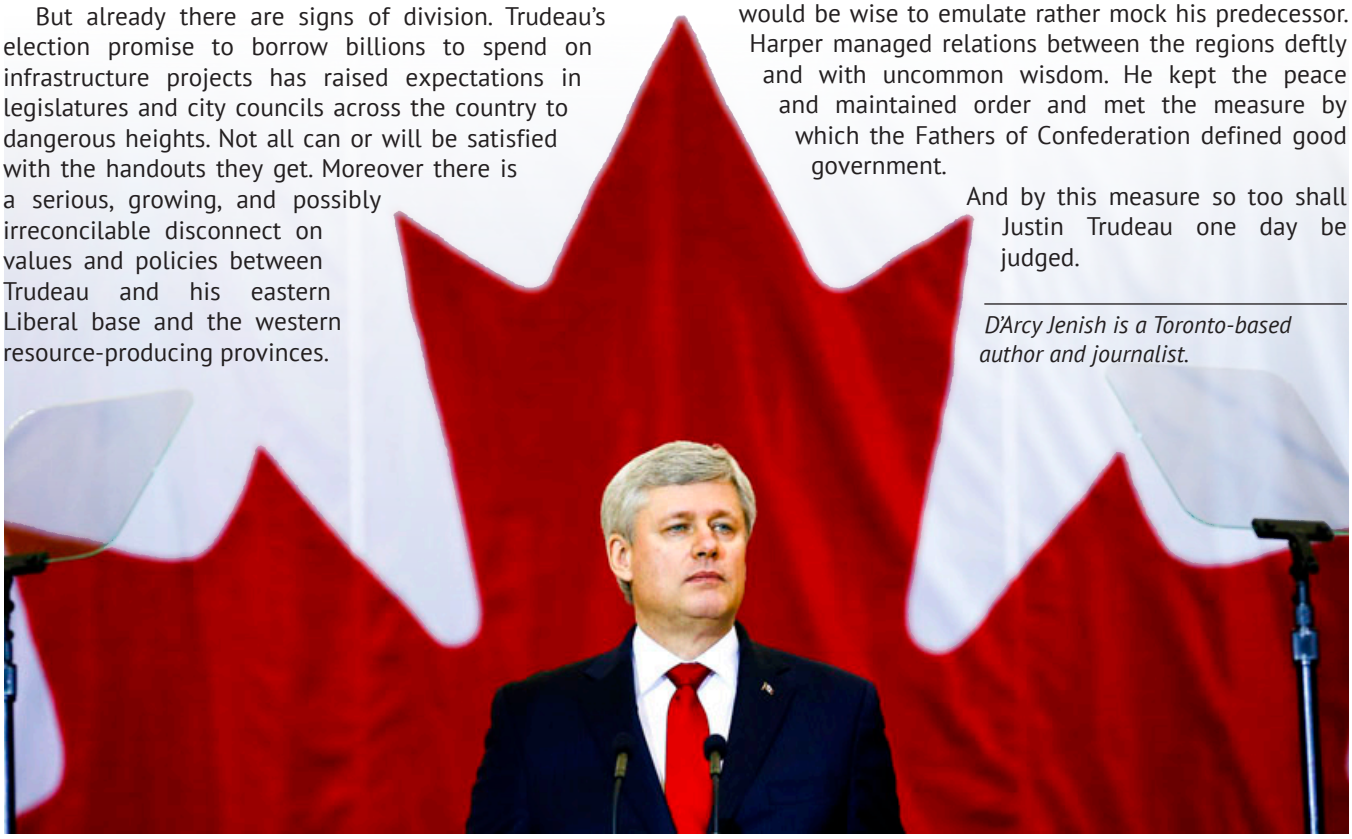


# CANADA's next Conservative leader

*by Mathieu Dumont and Paul Bunner*

The Conservative Party of Canada will choose a new leader to replace Stephen Harper on May 27, 2017. No candidates have formally announced they are running yet, but several have signalled their interest in the job, and others are presumed to be quietly mulling their prospects. Across the country, party members are considering the possibilities and wondering what kind of leader would best serve their cause. Man or woman, easterner or westerner, younger or older, party insider or outsider: all these factors and more will influence the choice an estimated 100,000 Conservatives or more will make 15 months hence.

Many of them will be watching the Republican primaries in the United States for clues about the future of conservative leadership. That field includes moderate centrist brokers, right wing ideologues, and at least one populist demagogue. Although the GOP is a very different party, operating in a very different political environment, and using a very different leader selection process, already parallels are being drawn between the characteristics and positioning of actual and potential candidates south and north of the border. In the Canadian conservative context though, the main considerations boil down to three strictly homegrown questions:

Which of the candidates will have the widest appeal to party members on policy and personality?

Who will be best able to hold together the national conservative coalition of the western Reform-Alliance and eastern Progressive Conservative factions?

Who will be best able to compete with Liberal Prime Minister Justin Trudeau and whoever leads the NDP in the next federal election?

Some prominent conservatives are starting to offer some answers to these questions. Jenni Byrne was CPC campaign manager in the 2015 election. Though widely blamed within the party for the defeat, she was also deputy national campaign director on the three previous winning Conservative campaigns and a major contributor to the party's successes and the government's achievements during the Harper era. "The Conservative party remains strong despite being in a transition period," says Byrne. "Fundraising remains strong, [there is] a large and active membership and a talented caucus. The party and the new leadership need to focus on core conservative principles that appeal to voters – lower taxes, a strong military and efficient, smaller government. Based on the first three months of what we have seen with the Liberal government, Canadians will be looking for a common sense alternative."

Shortly after last October's election, former Progressive Conservative Prime Minister Brian Mulroney made a public plea for conservative unity but also offered some advice that seemed to suggest the need for a new, moderate leader who would build a bigger blue tent. "This is a time to heal old wounds, not to settle old scores," he said in a speech to Toronto's Albany Club. "There should be no ideological impediments to our welcome, no narrowness of view or vindictiveness of spirit as we review, renew and rebuild." Quoting Sir John A. Macdonald, Mulroney added: "Our aim should be to enlarge the bounds of our party so

as to embrace every person desirous of being counted as a progressive Conservative."

So far, there is no shortage of possible contenders seeking to become the next Macdonald, Mulroney or Harper. Those openly testing the waters include former Harper ministers and October survivors Maxime Bernier, Lisa Raitt, Tony Clement, and Kellie Leitch. MP Michael Chong, another survivor and independent-minded democratic reformer, has also struck a probable pose. Celebrity entrepreneur Kevin O'Leary has indicated strong interest, and excited some enthusiasm among party members with blunt criticisms of both the Trudeau Liberal and Alberta NDP governments. Two of the most likely suspects, Jason Kenney and Peter MacKay, are still firmly on the sidelines, while Saskatchewan premier Brad Wall is stoutly resisting attempts to draft him into the race. Rounding out the possibilities are a couple of dark horses, young Calgary MP Michelle Rempel, and another outsider, Dr. Daniel Lindsay of Winnipeg.

Any preview of the Conservative leadership contest would be incomplete without contemplating interim party leader Rona Ambrose, for she is setting a performance standard and tone candidates will have to match or surpass. Chosen for interim leader by the combined Conservative parliamentary caucus, she has not disappointed her colleagues. If anything, her generally solid performances in Question Period, positive media relations and reviews, and energetic work rallying the Tory troops from coast to coast have exceeded expectations.

While accepting the role of interim leader nominally ruled her out as a contender for the permanent position, one can imagine her succumbing to a "draft Rona" movement and quitting the interim leadership some months before the leadership vote, especially if no one else has emerged as an unbeatable frontrunner. If there's a knock on Ambrose, it's that she's another Albertan, which might not sit well with eastern Conservatives who think it's their turn. But if anyone from the west can overcome that, it might be a 46-year-old bilingual woman from Edmonton (not Calgary) who is a reliable fiscal conservative and social moderate with even better hair than Justin Trudeau.

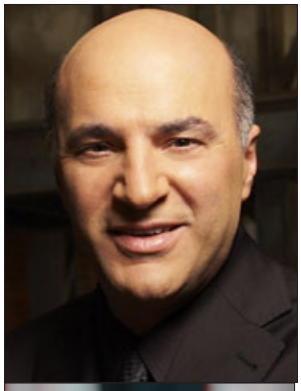
Maxime Bernier, affectionately dubbed Mad Max by his legions of libertarian fans who recall his ministerial indiscretions with a pulchritudinous biker moll with more amusement than opprobrium, will likely carry Quebec's fleur de lis in the leadership race. Still just 53 and as fit, handsome and charming as ever, he will get a long look not just from libertarians but also from conservatives in English Canada who think the party needs to maintain a strong foothold in Quebec to be competitive nationally. The "king of the Beauce", who routinely racks up pluralities in his riding comparable to rural Alberta Conservative MPs, has been courting party members from coast to coast for years, quickening their pulses with advocacy for free markets, less red tape, more oil pipelines, an end to supply management, and criticism of equalization – all things they never expected to hear from a Quebec politician.

To some, the emphasis on "progressive" in Mulroney's Albany Club speech sounded like a tacit endorsement of Peter MacKay, whose conservative tent would be bigger than most, if not entirely blue. The 50-year-old former senior Harper minister bailed from the government to "spend more time with his family" before last year's election, and is thus untainted by its result. A hypothetical leadership poll in January put him at the front the pack with 25 percent support. Intra-party snickering about MacKay launching a leadership campaign from his "Atlantic base" (where the Conservatives hold no seats) may have been put to rest by his recent move to Toronto where he joined the giant American multinational law firm Baker & McKenzie as a partner. MacKay has some baggage from his tenure as Harper's defence minister, but if the party decides the path to victory is in the middle of the road, he would be a strong contender.

On the other hand, if the party wants to stay in the far right lane, it might give the keys to Jason Kenney, 47. Much admired by social conservatives and just about anybody who has heard his lengthy, thoughtful, entertaining and almost entirely ad-libbed speeches, Kenney's devotees think he would make an outstanding prime minister and will go to the wall for him if he decides to run. As the party and government's primary instrument for ethnic outreach for a decade, he has a turnkey national support base. But it's a tough call for him: another Calgarian and right-hand man to Harper, he wears more of last year's loss than others. And although he is a relentlessly cheerful "happy warrior" in politics, Kenney would face unusually harsh personal scrutiny about his strong Catholic faith and (lack of) marital status. Recognizing that his upward mobility in Ottawa may be limited, some people involved in efforts to unite Alberta's divided provincial conservatives in a new party see him as a potential premier.

If there's an equivalent in the Conservative field to the

Marco Rubio-Jeb Bush-Chris Christie trio of middle-of-the-road-with-upside-potential candidates in the Republican race, it is the Ontarians Lisa Raitt, Tony Clement and Kelly Leitch. Fiscal conservatives and social moderates all, their performance as ministers in the Harper government were all safe, competent, and mostly unadventurous.



Clement, 55, has the deepest roots of the three in the Canadian conservative movement, going back to his time as a minister in the Ontario PC government of Mike Harris, and his involvement in the national unite-the-right movement that formed the modern Conservative party. He ran in its first and only leadership race, finishing third with 9.4 percent of the vote. Clement endeared himself to many conservatives as President of the Treasury Board, where he launched a sustained effort to roll back some of the employment perks in the federal civil service.

Raitt, 47, is a former labour, transport and natural resources minister under Harper. If she runs, she will likely position as a less partisan if not post-partisan candidate. She has been prominent and effective in opposition without appearing harsh or vengeful. Graciousness is a rare commodity in politicians and she may own the franchise in the Conservative race.

Leitch, 45, has been an off-the-charts smart super-achiever her whole life. A pediatric surgeon and professor with an MBA, she contrasts very well with Justin Trudeau's thin resume. Born and raised in Fort McMurray and a protégé of the late Jim Flaherty, Leitch is tough and ambitious and has been laying the groundwork for a leadership bid for years. Though unmarried and childless, as a woman she may not face the same degree of personal scrutiny as Kenney.

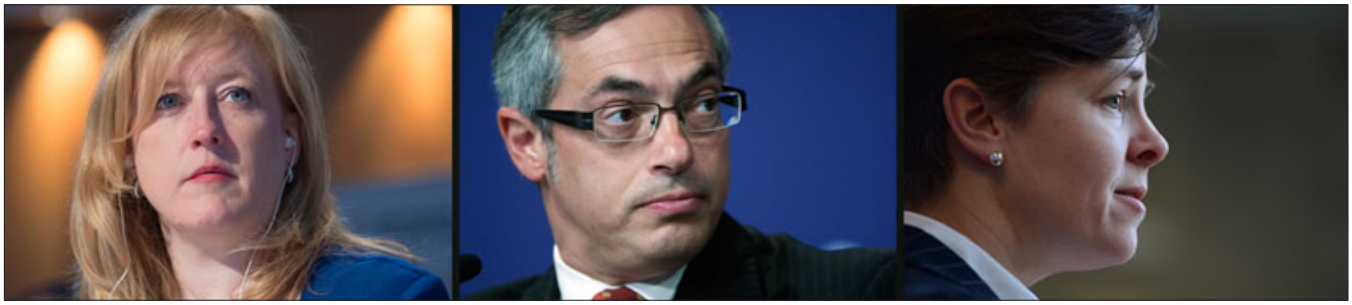
Also from Ontario is Michael Chong, 44. Think of him as an insider candidate who is also an outsider. He got punted from Harper's cabinet early on for refusing to support the motion recognizing Quebec as a nation within Canada. As a back bencher, he doggedly pushed his Reform Act uphill against the PMO for 19 months before it finally became law. His aim was to provide slightly more democratic freedom for MPs at the expense of the leader. Given how badly the leader-focused strategy did in last year's election campaign, and how frustrated some local Conservative campaigns were over the tight control of the war room, Chong may appeal to party members who think the leader has too much power, and who appreciate an independent-minded MP who has the courage of his convictions, however quixotic they may be.

A true outsider is Kevin O'Leary, 61. He has no history in the Conservative party but his well-honed free market, less government television schtick triggers the flow of right wing endorphins in many members. Instantly compared to Donald Trump when he first mused about running for the leadership, O'Leary must be watching Trump's enduring strength in the primaries and beginning to think that there is something to all the speculation that voters are so fed up with the status quo they'll give any and all political outliers a hard look. It has worked for former Toronto Mayor Rob Ford, U.K. Labour leader Jeremy Corbyn, and maybe even for Democratic presidential nomination seeker Bernie Sanders.

Conservative party officials are likely praying for O'Leary to run, not necessarily because they want him as leader, but because he'll sell a lot of memberships, attract a lot of media attention to the party, and, best of all, take up all the Toronto populist outsider space that might have been otherwise occupied by Ford's menacing brother Doug.

More outsiders may enter the race. Among them is Winnipeg radiologist and president of the Manitoba College of Physicians and Surgeons Dan Lindsay. A civilian veteran of the Afghanistan war who served five tours in Kandahar hospital, he has been mulling a leadership bid for several months. A bright, articulate 60-year-old bachelor with a pony tail and a penchant for competitive sharpshooting, Lindsay would add colour to the race. He has a short history in the party but has been testing the waters by meeting with Conservatives across the country.

There are persistent rumours in Calgary that MP Michelle Rempel might give the campaign a whirl. She's a 35-year-old blonde bundle of unbridled ambition with a fearless and effective social media presence. Alas for her, the stock of potential Conservative leaders from Calgary is trading lower



than stink bids for devalued Alberta oil assets.

That just leaves Saskatchewan Premier Brad Wall, whose adamant denials of interest must be taken at face value, at least until he safely wins another majority in this spring's provincial election. Or until he learns to speak French. Or both.

No doubt there other insiders and outsiders who are wondering if they should spend the next 15 months going to Conservative gatherings, giving speeches and interviews, raising money and begging for support. The challenge is not only to beat the other leadership contenders, but then try to take out Trudeau. It's a tall order, and it says something positive about the future of the Conservative party that there are so many people apparently willing to take on the challenge.

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# Conservatives, conservation, and climate change

***by Mark Cameron***

In recent years, especially in debates over climate change, the environment has become increasingly identified as a liberal or left wing cause, while conservatism has been associated with unrestricted support for economic development, regardless of environmental consequences. This is not a natural or inevitable association. Conservatism and the conservation movement have a great deal in common historically. Obviously, the very words "conservative" and "conservation" share a common etymology in the Latin conservare, meaning to keep, to guard, or to preserve. But many on both right and left would question whether conservatives and the conservation movement are seeking to conserve the same things – political conservatives are champions of the political and economic status quo, including a system of free market capitalism that sees the environment simply as a stock of resources for economic transformation, while conservationists seek to radically upend the free market system in order to preserve the natural environment that is challenged by capitalism and technology. These at least are the stereotypes that both sides have of each other.

But looked at from another angle, conservatives and conservationists have much in common. Both seek to preserve a common heritage and pass it on intact to future generations. For political conservatives, the emphasis is on the social elements of that heritage, the shared history,

traditions, and morals that have shaped our society and which conservatives believe will best preserve a decent and humane society. Environmentalists emphasize our natural heritage, clean water and air, the diversity of ecosystems, which have enabled human societies to grow and flourish and which will threaten the quality of human life if they are lost or diminished. But both are seeking to protect important elements of our common inheritance to preserve them intact for the future. As the British philosopher Roger Scruton has written, "Conservation and conservatism are two aspects of a single long-term policy, which is that of husbanding resources and ensuring their renewal."

> "Conservatives and conservationists both seek to protect important elements of our common inheritance to preserve them for the future."

For many conservatives, belief in the conservation of our natural environment is ultimately rooted in religious faith. The Judeo-Christian tradition sees the world as the product of a divine Creator, and humanity as having a duty of stewardship over that creation. While some on the right ridicule environmentalists for taking a new age or mystical approach to the natural world, it is the Psalms that proclaim that "the earth is the Lord's and everything in it," and it was Saint Francis of Assisi who praised the Lord through Brother Sun, Sister Moon, and Mother Earth.

Another element unifying conservatism and conservationism is a deep attachment to the land or place. Conservatives and conservationists alike are deeply attached to particular landscapes and to the lifestyles attached to them. Politically conservative and environmentally conservationist instincts are often closely entwined in those who are deeply attached to the land, like farmers, hunters, and anglers. And the conservative and conservationist instinct often combines in the desire to preserve natural spaces. In the United States, for instance, Republican President Teddy Roosevelt, a lifelong hunter and sportsman, achieved one of his greatest legacies in the preservation of some 230 million acres of public land, including five national parks and 18 national monuments. And the reform minded Roosevelt was far from the only Republican environmentalist – it was under Richard Nixon that the U.S. Environmental Protection Agency was founded, while George H.W. Bush signed on to the international conventions on biodiversity and climate change. In Canada, Banff National Park was established under Sir John A. Macdonald, while Brian Mulroney was honoured as Canada's greenest Prime Minister for his environmental legacy, including an acid rain treaty with the U.S. and the creation of eight national parks.

If there is a distinction between conservative and environmentalist views on preserving lands and places, it is that the environmentalist may be tempted to see habitats and ecosystems as merely part and parcel of our universal heritage as a planet, which should be preserved as a common endowment for all people (and indeed all species), while conservatives believe deeply in the value of private property, and hold that respecting private property rights is the best way to preserve natural spaces and protect our environment. But in this, the conservative instinct is on solid ground. As any comparison of privately owned versus rented housing will attest, people tend to care for what is theirs and take more efforts to preserve it than what they are merely renting or borrowing from others. As the saying goes, nobody ever washed a rented car.

Free market economists, building on the economic analysis of property rights, have proposed solutions to the problem of environmental damages being inflicted on others. The two main approaches are those of Arthur Pigou and Ronald Coase. Pigou argued that where the economic activities of people or

firms inadvertently impose damage on others (so called externalities, such as air or water pollution), the others should be compensated by means of taxes or fees imposed on the polluter. Coase held that negative externalities are often best dealt with not by taxation, but by proper assignment or reassignment of property rights to allow affected parties to negotiate a satisfactory solution. Environmental economics has built on these two sometimes competing, sometimes complementary approaches to dealing with the problem of externalities, but both at their heart rely on markets and property rights to solve environmental problems, and both are effectively conservative responses to environmental challenges (especially in comparison to the alternative of state mandated regulation of economic activity).

So conservatism has an ethic of conservation deep in its historic roots – its belief in seeking to preserve and pass on our common heritage to future generations, the doctrine of stewardship of a divinely created order that animates many religious conservatives, attachment to the land and place which has given rise to a whole economic and political doctrine based on property rights, and markets which can be used to develop practical economic solutions to environmental problems.

Why then, especially when it comes to the greatest environmental challenge of our era, the question of climate change, is there so much resistance by conservatives? We see this resistance both in the form of many conservatives denying that there is a problem – questioning the science that indicates human activity in the form of greenhouse gas emissions is having an impact on global climate – and more broadly in resisting taking policy actions that will reduce emissions.

> “The answers to climate change won’t come from suffocating international bureaucracy, or from anti-growth polemics.”

There is no question that political conservatives tend to be more skeptical of the scientific consensus on climate change than those on the left. This isn’t because conservatives are any less scientifically literate than liberals or leftists, but perhaps because they tend to be naturally suspicious of those who are promoting this scientific consensus most vocally in the public square – not the generally apolitical climate scientists working on the periodic Intergovernmental Panel on Climate Change reports – but environmental activists who seem to oppose all economic growth, left of centre politicians like Al Gore, and reflexively leftist Hollywood celebrities. It is easy for conservatives to dislike or dismiss the message when those are the messengers.

But scientifically grounded conservatives who have dispassionately considered the evidence more often than not end up finding that on this issue the scientific consensus is correct. Jerry Taylor, the former research director of the libertarian Cato Institute (now with his own organization, the Niskanen Center), and Ronald Bailey, science editor of Reason magazine, come to mind. Perhaps most impressively, Berkeley physicist and energy expert Richard Muller, who had been a public skeptic of mainstream climate science claims (including helping to debunk the notorious “hockey stick” graph), took it upon himself to put together his own research team of a dozen scientists and re-analyse all of the IPCC data (and more data sources previously unanalysed) and concluded, despite their initial inclinations, that the mainstream view was correct: greenhouse gas emissions have caused warming, and human activity is the main cause.

But if the political left may have been quicker to embrace the scientific case for climate change, they have often been wrong about their proposed solutions. The answers to climate change won’t come from suffocating international bureaucracy, or from anti-growth polemics from the likes of Naomi Klein, David Suzuki, or Bill McKibben.

The challenge for conservatives is not to resist climate science because of the bad policy solutions proposed by the left, but to draw on the resources in its own tradition to come up with more effective answers. In the face of efforts to regulate the global economy by insisting on severely restricting or banning fossil fuels and imposing global economic redistribution, conservatives should insist on solutions that build on market forces and property rights, whether Pigou-inspired carbon taxes (which conservatives should insist be used to reduce other taxes) or Coase-inspired emissions trading. While I am convinced that revenue neutral carbon taxes are the best solution currently available, there is also a conservative property-rights based case for emissions trading – but both of these solutions (or a combination of the two) are to be preferred to efforts to ban certain kinds of energy production or building a global superstate to manage our economies.

Conservatives have deep reasons within their own tradition to be concerned about the environment and climate change, and free market economists have developed many of the best policy solutions to deal with these challenges. But if conservatives don’t live up to their own conservationist ethic and won’t act on climate change, then unfortunately we can expect far worse policy solutions that do not respect property rights or markets to be adopted. So let’s hope the conservative movement remembers its own heritage and philosophy and works towards finding the right kind of solutions for the problem of climate change.

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# Justin Trudeau's Big Idea: Ideas (and history) don't matter

*by Mark Milke*

Odd as it may sound, one of the more pernicious ideas to arise in the post-Cold War world is the notion that ideas themselves do not matter. From identity politics – your ethnicity, skin colour and gender matter more than the content of your brain – to the popular academic theories that assume people are more influenced by "structures" than by their own character or lack thereof, ideas have been downgraded as responsible for much of anything.

A useful example of this errant and contradictory claim – the notion ideas don't matter is itself an idea – arrived late last year courtesy of Prime Minister Justin Trudeau. In a December profile on Canada's newest prime minister, the *New York Times Magazine* recounts Trudeau II's thoughts on the country he now leads: "There is no core identity, no mainstream in Canada," he said. "There are shared values — openness, respect, compassion, willingness to work hard, to be there for each other, to search for equality and justice. Those qualities are what make us the first post-national state."

## The philosopher princeling

Trudeau's latter musings—openness, respect, compassion, hard work, equality and justice—can be categorized as standard fare progressive political rhetoric. Such bromides flow from liberal tongues much the way a conservative might refer to a "rising tide lifting all boats" or how a hard-left orator will defend "public" health care and "public education" (though they actually mean "government-delivered, by-only-government-unions", but I digress).

In other words, the language is expected, banal and boring. In addition, Trudeau's enunciation of what it means to be Canadian contains the usual whiff of progressive hubris about moral one-upmanship: "Mirror, mirror on the wall, who is the most compassionate of them all?" Problem: Except that progressive thought, with its fundamental belief men and women are perfectible through ever-more government organization, has done at least as much injury to the human species through over-the-top intervention in the last century (eugenics, anti-free enterprise policy which injured prosperity and created poverty) as the occasional good that came from mundane and commendable impulses to thwart other, seemingly intractable problems that could indeed be partly ameliorated through limited government interventions.

This not very self-aware conceit aside, Trudeau's December comment should also be picked through for another reason: The prime minister's claim Canada has no "mainstream" was quickly contradicted – by himself – when he listed our "shared values." That's another way of saying that we all have something in common, that there is a dominant view, i.e., a "mainstream."

There are two other problems with the Prime Minister's Manhattan musings: For one, the prime minister is wrong on the history, no "core identity" and all that; second, Trudeau II is most disconcerting when he is dangerously unaware of the minimum unity necessary for any country to survive as a functioning entity lest it crack up into a broken, dysfunctional set of competing tribal clans.

First, the historical error: Canada does have an identity and one would think Trudeau, himself the biological product of French and English coupling, would be aware of it. Canada, as with other nations, is a fusion of battles and ideas and political compromises, mostly, though not exclusively, between the English and the French.

In general historical terms, one can reference pre-1759 history of French Canada or the decisive victory of the English over the French on the Plains of Abraham in that year. Then there is the inflow of United Empire Loyalists at, and after, the American Revolution; the 1840 Act of Union that united the colonies of Upper and Lower Canada into the Province

of Canada; 1867 and Confederation; or even the 1982 Constitution – courtesy of the first Prime Minister Trudeau and willing premiers of the day, and which recognized the English and French dominance of British North America and enshrined both languages into the constitution.

## Canada's founding British ideals

Now ponder the ideas that bound Canada together – which were chiefly born in Westminster and environs. As an example, the members of the Constitutional Association of Quebec, formed in 1834, and which historian Michel Ducharme categorizes as "one of the modern pillars of the defence of liberty" in its day, were fully versed in their British-inspired rights: "Freedom for our persons, opinions, property and industry…are the common rights of British Subjects", asserted that early Quebec association.

Following on such an understanding, early Canadian statesmen conceived of Canada's core identity in much the same way. William Lawrence, speaking the House of Assembly in pre-Confederation debates in March 1867, remarked that. "We are a free people, prosperous beyond doubt, advancing cautiously in wealth, under the protection of our good old flag….Under the British Constitution we have far more freedom than any other country on the face of the earth."

Or consider a former Liberal prime minister, then opposition leader, Wilfrid Laurier, in an 1894 speech. In it, he attacked the Conservative government of the day and its protectionist policies. In so doing, Laurier referenced a list of freedoms which he thought were self-evident and which the Tory government should not injure. The list is a recitation of the essential, classic freedoms that any self-respecting classic liberal would hold dear and which came from across the Atlantic Ocean: "The good Saxon word, freedom; freedom in every sense of the term, freedom of speech, freedom of action, freedom in religious life and civil life and last but not least, freedom in commercial life."

All of the foregoing bears witness to a constant core Canadian identity – one that valued freedom based on classic British understandings and interpretations of liberalism, and which in fact triumphed over other approaches. It was preferred to the non-liberal, mercantilist, and top-down clerical, nobility and monarchical reality evident in France before 1789 (a sorry state not much improved by the ensuing revolution which ripped up the social fabric of France instead of reforming it, as Edmund Burke observed).

It was that classic liberal approach, today often called small-c conservative, that served as the dominant Canadian approach to its institutions – reform not revolution – and to daily life; freedom to associate, speak, create, and to be entrepreneurial; favouring home and hearth over the incessant politics of European coffee houses and wild-eyed continental fanaticisms.

One can mention all such historical developments which informed and fused modern Canada, any and all of which embarrass the Trudeau II notion that Canada has no core identity, a statement of profound historical ignorance.

## A "post-national state" fantasy

This is where the most egregious part of Prime Minister Trudeau's thinking on Canadian nationhood emerges and should be attacked: that Canada lacks a core identity today and thus is the "first post-national state."

We should hope not and because there are only two types of nation-states that exist. Neither version is Trudeau's emptied-of-content, idea-free, post-modern state fantasy. Instead, nation-states exist and are unified based on either civic nationalism or ethnic nationalism.

The first variety, civic nationalism, is what most people in western democracies like the United States, Canada, United Kingdom and France recognize: Almost anyone once admitted to our countries and regardless of race, creed or colour, and providing they are not a criminal or terrorist, can become a citizen.

The other type of nation-state is based in ethnicity, or sometimes creed. So Japan rarely allows anyone who is not ethnically Japanese to become a Japanese citizen. That's ethnic nationalism. Another variety of this is where religion and state are intertwined. One would have to be a Muslim, for example, to become a citizen of Saudi Arabia.

Most Westerners and certainly most

Canadians disdain ethnic and religious nationalism; we see it as too limiting for the type of nation in which we wish to live.

But the reason we see such nationalism as constricted and discriminatory is for precisely the opposite reason of what Trudeau assumes: That Canada has been emptied of all content, of all ideas and is now a free-for-all potpourri of cultures and ideas, none superior to any other.

Actually, the reason countries like the United States, France, Great Britain and Canada "work" is not because we are based on a narrow tribal ethnic identity, nor because we live in a relativistic vacuum (despite the efforts of some politicians, philosophers and tribalists to take us there), but because all these nations either at the beginning, or early in their development, cottoned on to the notion of a grand idea.

Americans arguably arrived there first: Their 1776 Declaration of Independence enjoins all Americans to think of themselves as possessing a right to "life, liberty and the pursuit of happiness." Those are ideas, not ethnicities, skin colours or religious categories.

That America, as with any nation composed of human beings, often fell short of its own ideals and founding idea, does not take away from the fact that the American Republic was founded upon an idea: Freedom as a birthright. That idea is what eventually allowed that nation-state to expand citizenship to blacks, women, and immigrants (albeit the latter are still required to arrive legally, as they are in any nation-state).

Likewise, after 1789, however imperfectly the French Revolution brought it off, the French idea for the nation-state is that all are meant to adhere to, respect and protect liberty, fraternity and equality.

The United Kingdom and Canada also valued ideas: They are of the sort enunciated by Laurier and others: classical liberal freedoms, assumed responsibilities in tandem, and constitutional government, as the foundation for our nation states.

As with the United States, that not all races or creeds were initially admitted into Great Britain or Canada, or permitted to become citizens, does not change the fact that ideals and ideas were and are the basis for our political self-organization. That is wholly unlike the ethnic basis that founded much of Europe, still is the case today in Japan, and is applied religiously in much of the Arab and Muslim world.

That attachment to an idea, and a sensibly grounded one at that, is at the heart of our core identity as Canadians. It is something modern, progressives such as Trudeau forget, or deliberately omit, at their – and our – peril.

It is precisely because most Western countries do not ground their citizenship and systems of government on ethnicity or religious adherence that care must be taken to preserve the founding civic ideals and ideas – be they French, American or British-Canadian.

Put differently, the fundamental unity in nation-states such as Canada result not from an absence of belief, the absence of unifying ideas, from a void inside our heads. If that were true, there would exist no agreement on constitutional and political organizational fundamentals such as freedom of expression, religion, association, and property, or one-person, one-vote elections, or the necessity for rule of law, or the American separation of powers, or the British-Canadian model of accountable government.

Absent such fundamental unity, absent such agreement on those basics, the nation-state that is Canada, or France, or America, would be akin to an atomic explosion, spreading destruction outward.

And the atomic analogy is apt. Akin to what occurs when the nucleus of an atom splits into two, when nations suffer an internal severe crisis of belief in what should constitute a core unity for who they are and the basis for their institutions, a nation-state splits apart and the result is anarchical dysfunction at best, or civil war at worst: See France in 1789, Spain in the 1930s, Yugoslavia in the 1990s and the American Civil War in the 19th century where disagreement on the basics from the South – no state shall secede and men are indeed equal – was an example of a disagreement over the fundamentals of the nation-state.

## Canada's actual identity

The last federal government made some effort to remind Canadians of their core identity. It rewrote the national citizenship guide to emphasize the links to our founding British and French ideals and tried to circumscribe new tribalism of the sort that has arisen in the post- Cold War world. It also made symbolic gestures like reattaching the word Royal to the Canadian Air Force and Navy, and wallpapering government offices with

portraits of the Queen.

The new government's response, in both actions (removing the Queen's portrait in Stephane Dion's Foreign Affairs office) and now words (Trudeau's empty notion that ideas count for nothing) is a significant hint that progressive opponents of history and the pragmatic classical liberal ideas handed down from Great Britain seem determined to detach Canada's future from its past. This is factually wrong, ill-advised and a menace to social cohesion.

This is not an argument for extreme nationalism. These are assertions of remembering and reasserting Canada's historical core identity. That would serve to both reinforce civil society and the functional need for a basic unity. Of note, arguments over this matter may soon replace size-and-role-of-government as the deepest philosophical divide between conservatives and progressives.

Canada has a core identity. While it is often taken for granted, overlooked, ignored, and wrongly blamed for this or that historical ill, it is based on ideas and institutions. It was developed, nourished and tended by classic British liberals in Canada who, one should point out, put modern content-free "liberals" to shame. This is especially evident when modern progressives, with no actual connection to useful historic liberalism, dangerously claim Canada is an idea-free "post-national state".

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# Canada's progressive now, but for how long?

***by Nigel Hannaford***

Last November's defeat of the Progressive Conservative government in Newfoundland and Labrador left Canada without a single government sporting the Conservative brand. It closed out a tough year for Toryism that began with a PC loss in New Brunswick the previous fall, continued with the stunning PC defeat in Alberta, and crescendoed with the fall of the federal Conservative government, once described by Michael Ignatieff as "the most determined and ruthless ... political machine we've seen in Canada for a long time." By comparison, Premier Paul Davis's trouncing by Newfoundland's Liberals was a mopping up operation, finishing off the wounded on the national political battlefield.

For progressives, it was sunny days. Disunited and out of power in Ottawa for a decade and governing in only a few provincial outposts, they feared Canada had become an unregenerate right wing wasteland. Then suddenly the country was theirs again, and a thousand flowers might bloom.

Understandable as such satisfaction might be, the thoughtful progressive should still rest uneasily, for their victory is not complete.

In British Columbia, Liberal Premier Christie Clark is no progressive. She governs as a centrist Tory, leading a party formed from the wreckage of the once-dominant Social Credit party. She is a Liberal, in the way that some prime ministers have been Catholics, a member of the club but not accepting of its inconvenient nostrums.

In Saskatchewan, Brad Wall heads a provincial government that is conservative in all but name.

In Quebec, the governing Liberals under Philippe Couillard are federalist and fiscally cautious.

And even in Newfoundland, what are we to make of Liberal Premier Dwight Ball's Harperian pledges to lower the provincial harmonised sales tax and "put money back in the pockets" of the citizens of Newfoundland and Labrador?

Conservative is as conservative does.

Moreover, although a complete exorcizing of a party name from the electoral map is unusual, it is not unprecedented. Brand-name Toryism has been wiped out in Canada at least four times since Confederation. But that's politics: holding the reins today, under the horses' hooves tomorrow, then back in the saddle: Rather like today's progressives, in fact.

When and where might a conservative revival occur?

## Elections 2016

First up is Saskatchewan's election April 4. Brad Wall's re-election seems a safe bet. He is broadly popular and on his watch, largely because of his benign influence on the province's oil patch, the province has flourished.

However, he cannot take victory for granted. Wall has been premier for almost as long as Stephen Harper was prime minister. This is dangerous territory for incumbents, when voters start to favour change for change's sake. And the oil price crash has tarnished his economic halo. Wall must therefore articulate his rationale for a third term. Happily for him, he has horror proof-points to the west and east. The 'don't-do-what-Alberta-did' card especially is a trump. Expect him to play it. With this strong hand, Wall should hold the conservative line in Saskatchewan.

The first incumbent progressive government to fall may be in Manitoba, on April 19. Polls suggest NDP Premier Greg Selinger is in deep trouble, and may well lose his job to PC leader Brian Pallister. A recent Mainstreet poll put the Tories at 52 percent, with Selinger's NDP, and the Liberals under rookie leader Rana Bokhari, at 20 percent each.

Mainstreet's findings are plausible: The NDP has held power for 16 years, in itself an invitation to change. It has also languished in the polls for much of Selinger's tenure, especially since a 2013 increase to the provincial sales tax. Sinking support has prompted party infighting - Selinger barely survived a leadership review last year – and some high-profile cabinet members have abandoned ship.

Meanwhile, the Trudeau afterglow has done little for the province's Liberals. A poll surge several weeks ago has not been sustained.

The NDP won't go down without a fight. It will draw on national party resources and public sector unions, and is very good at getting out the vote. But a thirty-point deficit will be hard to overcome, so Manitoba bids fair to host Canada's first conservative comeback.

Yukon must have an election no later than October 17. It will be fought against the backdrop of a struggling resource sector as well as Liberal momentum stemming from the 2015 federal election, when former Grit MP Larry Bagnell reclaimed the seat from the Conservatives, winning by a huge margin. But the territorial party has no history of winning and holds just one of 19 seats in the legislature.

The NDP (six seats) is the real competition for the

incumbent Yukon party government, but as in all the surrounding polities, it is hindered by the performance of the Alberta NDP, which is widely perceived to have exacerbated that province's economic difficulties. This contrasts serendipitously with the conservative positioning of Premier Darrell Pasloski as the architect of a balanced budget and champion for the territory's beleaguered resource development industry.

Thus Yukon looks like another hold for conservatism in 2016.

## Elections 2017

British Columbians will troop to the polls in May, 2017 and pass judgment on Liberal-conservative Premier Clark's record. B.C. has weathered Canada's recent economic difficulties better than most and could soon be the country's only "have" province. Clark is a proven campaigner who snatched victory from defeat three years ago when the NDP, then riding high in the polls, seemed poised to govern.

Then and now, Clark has straddled pipeline controversies better than any Canadian politician caught between the rock of economically essential resource development and the hard place of green-aboriginal obstructionism. Behind the shield of her brilliantly ambiguous five-point approval list for pipelines, she has generally come down against bad (Alberta oil) pipelines and for good (B.C. gas) pipelines.

In her government's recent Throne Speech Clark added insult to injury of Alberta by suggesting its economic travails were entirely self-inflicted and in stark contrast to B.C.'s expert stewardship. It was a poor time for Alberta *schadenfreude* however: Only a few days before, Shell Canada, whose LNG pipeline to Kitimat was the only B.C. gas export project that had all its environmental approvals in place, had announced that market considerations required a nine-month deferral of its go/no-go decision. With the future of LNG as a strong contributor to B.C.'s economic strength increasingly uncertain, Clark was now in the same boat as Alberta's Rachel Notley – both premiers need a pipeline to generate economic growth and political capital. Neither has one.

In the person of new NDP leader John Horgan, Clark faces an opponent with similar oratorical gifts. And lately, following a string of bad process stories that together portray a sense of Liberal entitlement, she is not feeling the love. In December, only Ontario Premier Kathleen Wynne and Manitoba's Selinger had lower approval ratings.

But it's B.C. The election's over a year away. Anything could happen. As evidenced by the Throne Speech, Clark's Liberals are positioning centre-right. It's not very conservative to oppose resource development in any province but one's own, but it has worked for Clark so far and could do so again in 2017, in which case conservatives will say it was better than the alternative and claim her as their own.

2017 will also witness a raft of big city elections across Canada, including Calgary, Edmonton, Montreal and Quebec City. Strictly speaking, there is no party involvement in municipal elections, but as often as not they pit progressives against conservatives. Calgary mayor Naheed Nenshi and his Edmonton counterpart Don Iveson are considered among the former. Iveson is probably a shoe-in for a second term unless a challenger can hang him with a string of civic infrastructure projects that have gone badly awry. Mayor Nenshi may have headed off a conservative challenge with his spirited attack on Montreal mayor Denis Coderre in defence of the Energy East pipeline.

Coderre, a former Liberal cabinet from the Chretien era, has done himself no harm in Montreal by attacking a pipeline. But neither has Quebec City mayor Regis Labeaume, by supporting one. Labeaume often willingly shared the stage with Stephen Harper when the former PM visited his city. Enormously popular, he takes the view that "all organizations that want to build infrastructure for transporting energy should be able to". He also wondered how Quebecers would feel if other provinces blocked Hydro-Québec from building an electrical transmission line: "I would feel exactly like the people in the West do now."

In these cities, at least, the status quo is likely to prevail, maintaining progressive dominance in Canadian municipal governance.

## Elections 2018

In just over two years, four Liberal provincial governments - Ontario, Quebec, New Brunswick and Nova Scotia – will be judged by the voters. The Ontario election, set for June, will likely focus on the governing Liberals' seemingly indefensible fiscal performance, soaring energy prices, nagging scandals and

OPP investigations, and the performance of Premier Wynne. Momentum is with the new Conservative opposition leader Patrick Brown, whose party just handily won a by-election, albeit in a safe Tory seat. The Ontario Grits, like their cousins in Ottawa, are praying the swooning Loonie will stimulate manufacturing exports, investment and jobs. Unfortunately, much of Ontario's traditional manufacturing base has long since decamped to jurisdictions with lower operating costs, and what's left of it depends greatly on the health of the western energy sector.

Brown, like Manitoba's Pallister and Alberta's Wildrose Party leader Brian Jean, is a former Harper MP, and a formidable campaigner. His leadership race was an impressive display of retail politics, signing up 40,000 new members and reinvigorating the party.

It is too early to speculate what effect the federal Liberal government might have on the fortunes of the provincial Liberals. Wynne's cheerleading for Justin Trudeau's 2015 campaign could be well-rewarded. Of course, the reverse is also true: if Trudeau flounders, it could backfire.

By 2018 the Liberals will have been in power for 15 years. They probably would have lost the 2014 election but for a disastrous Conservative campaign and performance by its then-Leader Tim Hudak. The provincial NDP is mired in third place, seemingly for eternity. The prospects for a significant economic turnaround putting air in the Liberals' sails are slim. The election's a long way off but it's not too early to start practicing the phrase, 'Conservative Premier Patrick Brown'.

Quebec votes October 1, 2018. Given the province's singular preoccupation with matters of language and culture, its politics do not divide neatly along progressive-conservative lines. The separatist Parti Quebecois certainly layers a left-wing, high-tax, statist agenda onto its nationalism. The governing centre-right Liberals tend to be more fiscally prudent, although Quebec taxes remain among Canada's highest on their watch – and are rising.

The fates of both parties could be heavily influenced by the actions of the federal Liberals. Any perceived encroachment by the Trudeau government on provincial jurisdiction, for example, would likely benefit the PQ. The nationalists could also make hay over the 150th anniversary of Confederation next year, casting it as symbolic of Canadian conquest and oppression. The Energy East pipeline remains a delicate file for the government, and the simmering issue of "reasonable accommodation" of ethnic and religious minorities could boil over with the arrival of thousands of Syrian refugees.

If the Liberals have an advantage beyond incumbency, it is in Premier Couillard's generally calm and competent leadership, which contrasts strikingly with PQ leader Pierre-Karl Peladeau's mercurial public performances. Liberal re-election seems probable, but it would not appreciably tip the scales toward progressivism or conservatism. As ever, however, it could have much to say about national unity.

The Liberal government of New Brunswick faces the voters in September, 2018. Like Nova Scotia, where a Liberal regime is also due for an election that year, New Brunswick is beset with an aging population and stagnating economy. Both provinces are trying to squeeze more revenue out of a shrinking tax base. Both remain dependent on federal transfers that come from a dwindling number of economically robust provinces. In these bleak circumstances, the words progressive and conservative have little political

meaning. No matter who is in power, there is little room for policy variance.

Thus there is more fluidity within Atlantic voter, party and politician behaviours. The parties wander backwards and forwards over policy lines that would more sharply define and divide them elsewhere. And individuals move within them: Cumberland-Colchester MP Bill Casey, elected in 2015 as a Liberal, sat previously in Ottawa as a Progressive Conservative, a Conservative and an Independent. Liberal minister Scott Brison was elected in 2006 as a Conservative.

In Nova Scotia, in 2013, current Premier Stephen McNeill - the 'progressive' Liberal – campaigned on a 'conservative' issue, balancing the budget. Meanwhile New Brunswick Liberal premier Brian Gallant is now both against fracking – progressive – and in favour of pipelines – conservative. Both preach austerity.

A large-C Conservative comeback in both provinces is conceivable, for all the difference it will make. Some of their issues can be pitched from the left, such as the proposition that energy policies that ban fracking hurt the poor. In all likelihood however, a 2018 conservative comeback will be much more about organization, than policy. They have two years, and it is not more time than they need.

## Elections 2019

In just over three years Albertans will judge their first NDP government. A split conservative vote handed power to Rachel Notley's NDP last year. Although they took office with much public appreciation for ending the 44-year-old Progressive Conservative dynasty, the NDP has struggled in recent months. A recent poll pegged the combined support of the Wildrose and PC parties at over 60 percent and the NDP under 30 percent.

Much of the new government's fall from grace has to do with the global oil supply glut, price crash and market access challenges, but there is a growing sense that the NDP is worsening the energy recession with tax increases and new environmental regulations. A clumsy attempt to regulate farm workers blew up what little support the government enjoyed in rural areas and Notley offended the province's deep parochial streak by referring to Alberta as "Confederation's embarrassing cousin".

Nevertheless, the outcome in 2019 will depend entirely Alberta's right standing together. A number of initiatives are underway aimed at creating a new, united conservative party, but there is institutional resistance and lingering bitterness in both camps. At a recent conservative unity discussion in the southern Alberta foothills town of Cochrane, members of both parties hurled insults at each other until Morgan Nagel, a young local councillor who works for the Manning Centre in Calgary, called a straw vote asking whether they would be willing to abandon their existing parties for a new conservative party. Everyone voted in favour. Similar meetings have produced similar results elsewhere in the province. It seems the death of conservatism in Alberta has been greatly exaggerated, and the desire to unite the right to oust the NDP in 2019 is gathering momentum.

> "If Canadians are still in the mood for government borrowing and spending in 2019, conservatives may have to resign themselves to another four years in the political wilderness."

The other election in 2019 that could substantively end progressive dominance in the current political cycle will be in Ottawa. But after the hair-raising ride of last year's campaign, where all three parties were in majority territory at least once, only a fool would bet on the outcome today.

The Trudeau government, like the Notley NDP, looks like it will be governing through a rough economic patch for the forseeable future. It campaigned on promises to run deficits and invest in infrastructure and will undoubtedly do both. With luck, perhaps a lot of it, this pump-priming will see Canada through a downturn and the recovery will arrive just in time for the next writ.

In these circumstances conservatives may be inclined to stick to the austerity themes of the late 20th century that won them power and kept them there until recently. But some will see lessons in the electoral successes of big-borrowing, big-spending progressive parties, and this dichotomy could be a defining issue in the federal party's impending leadership campaign.

By 2019 Canadians will probably be less susceptible to the personal charms that carried Trudeau to power. But if they are still in the mood for government borrowing and spending, and the conservatives' traditional emphasis on fiscal prudence has not been diffused in a broader policy frame, the latter may have to resign themselves to another four years in the political wilderness.

The current progressive near-monopoly of Canadian government means that whatever happens to the economy, to employment, deficit, growth, pipelines, manufacturing, infrastructure, climate change adjustments, national security, euthanasia and national unity, they now own it. They own it, ready or not, from coast to coast and for good or ill. And the judgment of Canadians upon them starts this April.

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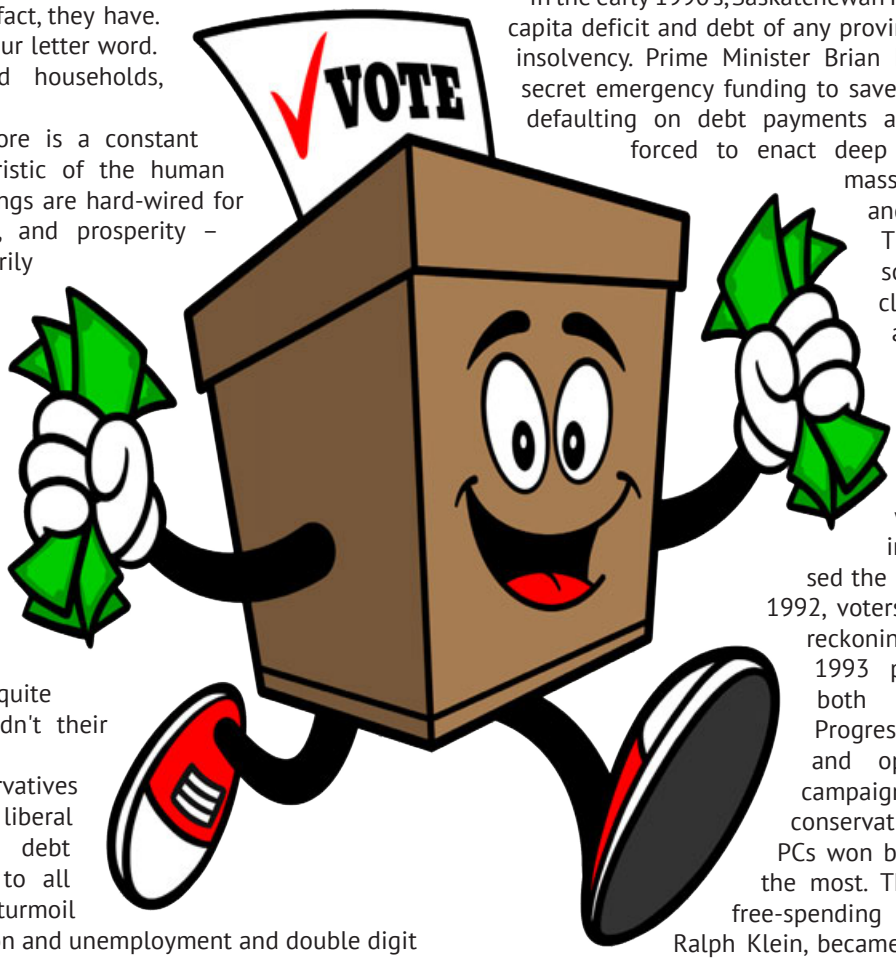
# Give the people what they want

***by Jeff Hodgson***

"Canadians' household debt climbs to highest in G7 in world-beating borrowing spree!!!!!" read the recent headline in the *Financial Post*. Okay, there actually weren't five exclamation marks, but a lot of conservative readers probably read them in. What's wrong with Canadians today?, they wonder. Have they completely forgotten the frugal lessons of the Dirty Thirties? Well yes, in fact, they have. Debt is no longer a four letter word. In governments and households, spending is trending.

The desire for more is a constant and primal characteristic of the human condition. Human beings are hard-wired for ambition, acquisition, and prosperity – though not necessarily in that order – and this is reflected more than ever in the post-industrial, consumer-driven society we're living in. Mortgages, car loans and multiple credit cards are the financial fabric of everyday life. Most people think this way of life isn't too bad…perhaps even quite good! So why shouldn't their politics reflect this?




Many older conservatives grew up watching liberal governments build debt mountains that led to all kinds of economic turmoil including high inflation and unemployment and double digit interest rates. They saw the conservative political resurgence of the late 20th century was built on the principles (if not always the practice) of fiscal rectitude. Younger libertarians signed on hoping conservative austerity would mean smaller government.

I hate to break it to both groups, but their transitory electoral success was a political aberration. The preponderance of historical evidence shows that most Canadians, in most circumstances, will vote for political parties that offer them the most. They will continue to vote for these political parties whether their promises are affordable or not. Eventually, when lenders slam the door, most Canadians will reluctantly vote for fiscally conservative measures or have austerity forced upon them by reluctant politicians. The measures will ultimately…painfully…prove effective, the problem will be corrected, and then the spending and borrowing will resume. It's like a miniature Tytler Cycle played out again and again across the country. What follows are a few prominent examples.

*"It was a crisis for us in 1993."*
~ Roy Romanow, former Premier of Saskatchewan

In the early 1990's, Saskatchewan had the highest per-capita deficit and debt of any province and was facing insolvency. Prime Minister Brian Mulroney provided secret emergency funding to save the province from defaulting on debt payments and Romanow was forced to enact deep cuts. There were massive cuts to schools and municipalities. The birthplace of socialized medicine closed 52 hospitals and sent rural communities into a tailspin. There was no other choice.

In neighbouring Alberta, when the provincial debt passed the $20 billion mark in 1992, voters knew the day of reckoning was nigh. In the 1993 provincial election both the incumbent Progressive Conservatives and opposition Liberals campaigned on fiscally conservative platforms. The PCs won by promising to cut the most. Their leader, former free-spending Calgary mayor Ralph Klein, became the most zealous convert to fiscal conservatism in Canadian history. His "Klein Revolution" not only slashed government spending deep and wide, it also cut taxes. Within a few years these actions had not only eliminated the deficit, but also the entire provincial debt.

Between 1985 and 1995 Ontario's debt quadrupled to almost $130 billion. At its peak, the provincial government was spending over 16 percent of its revenue paying debt interest alone. (For a point of reference, last year the European Union went to great lengths to ensure Greece had a 15 percent ceiling on debt servicing costs because anything above that was viewed by the International Monetary Fund as potentially catastrophic.) After witnessing what had happened in Alberta and Saskatchewan, Ontario

voters resigned themselves to a fiscal course correction.

> *"We had numerous policy conferences and that document is the culmination of what we heard and what we believed to be the fix for what was ailing the province."*
> ~ Leslie Noble, Ontario PC campaign manager in 1995

The document was the "Common Sense Revolution" that functioned as a platform for Mike Harris and the Progressive Conservative Party of Ontario. It was righteously conservative and advocated balanced budgets and smaller government. The PCs won a majority mandate in 1995 and immediately set about butchering a whole herd of sacred government cows, including a wildly oversubscribed welfare system.

> *"We told him you are still a Liberal, but you have to be a small "c" conservative to be a nice good Liberal."*
> ~ Scott Clark, federal associate deputy finance minister on his discussion with Paul Martin in regards to Canada's 1995 budget.

After a series of credit downgrades, Canada was named "an honorary member of the Third World" by the *Wall Street Journal* in 1995. The debt-to-GDP ratio was over 100 percent and Ottawa was having trouble selling its increasingly junky bonds. Everybody knew something had to be done. Thus a centre-left government was forced to drastically slash public spending. By 1997 the budget was balanced and the national debt was on the decline.

These are the stories fiscal conservatives point to as examples of hard lessons learned in the name of good governance. Budgets got balanced and deficits got eliminated, but what was the political aftermath?

**Saskatchewan**: Roy Romanow balanced the budget, but it hurt. Saskatchewan's economic performance between 1990-2007 was among the worst in the country. The province only began to prosper with an uptick in the commodity cycle. The NDP paid the price for administering all the unpleasant fiscal medicine and Brad Wall's Saskatchewan Party took over. Wall, heading into his third election this April, will be campaigning with massive deficits, ballooning debt and not a balanced budget in sight. He is currently miles ahead in the polls and expected to win in a landslide.

**Alberta**: Ralph Klein famously appeared at the Calgary Stampede in 2005 with a sign announcing the elimination of Alberta's debt that read, "Paid in Full". Payback for Ralph was a palace coup and replacement by successors who turned their backs on balanced budgets, ratcheted up spending, and ran enormous deficits. They should have at least thanked him for creating all that fiscal room for vote-buying.

**Ontario**: Mike Harris won two terms, but he too went from deficit-slaying hero to tight-fisted zero over the course of his premiership. His Tory successors couldn't figure out whether they wanted to be slash-and-burners or tax-and-spenders. The Liberals promised to open the vault and they've been in power ever since, proudly presiding over a doubling of the provincial debt.

**Canada**: The Chretien-Martin Liberals implemented deep cuts, slayed the deficit and won a couple more elections at the expense of the divided right. But Canadians again soon hungered for tax cuts and increased spending. (They also noticed that Liberal spending was not headed their way, but to bureaucratic boondoggles like the gun registry and to Liberal-connected Quebec advertising agencies.) Voters elected Stephen Harper's Conservative Party in 2006, largely on a promise to cut the GST. The Tories were denied a majority until 2011, when they were rewarded for racking up record deficits to pay for stimulus spending in the name of defeating the Great Recession. Four years later the Conservatives tried to run on a balanced budget. So did Thomas Mulcair's NDP. Both were soundly rejected in favour of Justin Trudeau's Liberal promise of big deficits and lots of new spending.

> "The evidence shows that most Canadians, in most circumstances, will vote for political parties that offer them the most."

Of course many factors influence election wins and losses as well as policy decisions and outcomes, but the point in recounting this recent Canadian political history is to illustrate the limitations of fiscal conservatism as the core of any political brand or strategy. A party can keep it in its noble list of principles if it likes, but its application in campaign platforms and government budgets should be strictly situational. If conservatives want to win, and provide the best government possible government for a polity that generally prefers their votes bought with other people's money, here are three rules for guaranteed political success.

## Cut less, spend more

Campaigning on taking money away from people or most programs is a recipe for failure. When it comes to public spending, never promise anything less than spending increases at the rate of inflation plus population growth. Widespread spending cuts, or even mere freezes, will inevitably be reframed by your opponents as an attack on the public good. This puts fiscal conservatives forever on the defense and forsakes the votes of everyone who works in or is directly or indirectly dependent on government.

Milton Friedman's "starve the beast" strategy needs to be modified. History has shown that the beast (government) can't be starved, but it can be put on a diet. Instead of railing about government obesity, highlight the virtues of fiscal fitness. Just cutting government spending by 15 minutes a day can make the body politic healthier and happier.

## Let budgets not balance themselves

If deficits are inevitable they may as well be directed toward conservative purposes. Tax cuts fit the bill, as conservatives of all stripes believe keeping more earned wealth encourages independence, hard work, and


individualism. Perhaps arresting Canada's demographic decline with more generous baby bonus cheques would be advisable. The late Harper government made some moves in both these directions. Had it doubled down on them in the 2015 campaign platform, they might still be in power. Government money would also be well spent adapting and expanding British Prime Minister David Cameron's Big Society platform. Ditto for new war ships and fighter jets. And every one percent cut in the GST is surely worth at least its weight in popular vote share.

There are plenty of conservative-minded policies or projects to spend money on, but the exact items are only important in that they effectively conservatize deficit spending. Better to run deficits for tax cuts now rather than wait for future left-wing governments to run deficits for dubious green schemes or Soviet-styled day-care programs.

## Don't demonize debt, wallow in it

Centre-right politicians need to stop thinking about paying down debt and focus instead on building it up. Run those deficits right up to the brink of a credit downgrade and then back off just enough to allow some leverage for transitory crises like recession or natural disaster. By using up total debt capacity and having it function effectively as a debt ceiling, the cyclical nature of fiscal conservatism as an emergency measure will be broken. Future centre-left politicians will be hampered in the implementation of their own wish-lists and if they decide to raise taxes or cut spending on things they don't like, they'll have to answer to the voters. This removes tug-of-war debt debates from the realm of transient legislators and sets limits using the cold hard math of free-market bond raters.

## The pay off

Fiscal conservatives need to get over their obsession with balanced budgets, eliminating deficits and paying down debt. Without fail, over many decades, at every level of government, Canadians have sold their votes to the highest bidders. They only ever embrace fiscal conservatism temporarily, to be jettisoned as quickly as possible when a crisis passes. Preaching and practicing fiscal restraint for its own sake is pointless when you know your opponent is going to defeat you by calling you a tight-fisted meanie and promising caviar in very pot. And then spending every nickel of budget surplus or borrowing room you created.

Conservatives of all stripes need to stop functioning as the parsimonious scolds of the political world and build a more ambitious and salable 21st century fiscal conservatism. They can do this by offering voters lower taxes, targeted spending increases and a promise not to cut anything. They need to allow deficits to grow into debts and then govern permanently on the razor's edge of solvency. Should an election be lost, incoming progressive governments will be left with empty cupboards, little opportunity to expand the state, and bleak re-election prospects. Just ask Alberta NDP Premier Rachel Notley.

This isn't a new idea. The left has been campaigning and governing this way since forever, with the right perennially positioned as grumpy old janitor – the guys periodically brought in to clean up fiscal messes. If conservatives want to govern more often, for longer periods, so they can achieve more of their objectives, they should learn to love debt.

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