

THE MAGAZINE OF THE MACDONALD-LAURIER INSTITUTE

INSIDE POLICY

DECEMBER 2021

Policy-maker of the year

FRANÇOIS LEGAULT

How the Québec Premier skated circles
around the feds, undermining the
Constitution and redefining minority rights

Also INSIDE:

Growing anger
in the West

CF-18 replacement
debacle

Guiding Indigenous
reconciliation

Russia's military
threat to Ukraine





INSIDE POLICY

THE MAGAZINE OF THE MACDONALD-LAURIER INSTITUTE

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Production designer: Renée Depocas

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ISSN 1929-9095 (print) 1929-9109 (online)

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From the editors

Welcome to MLI's Policy-Maker of the Year issue! In the past, we have included such Canadian luminaries as former foreign minister Chrystia Freeland, former justice minister Jody Wilson-Raybould, and former foreign minister John Baird, as well as more controversial choices like Chinese President Xi Jinping, whose influence over Canadian policy has definitely not been in the interest of Canadians.

This year, we have once again opted for a more unorthodox choice, with Quebec Premier François Legault, our first provincial premier, chosen as the top *federal* policy-maker. As **Dan Delmar** writes, Legault has had a big year in undermining federalism and the rights of linguistic and religious minorities, while being abetted by federal politicians. He has also been emulated by other provincial leaders, causing more unity headaches for Ottawa. Legault is skating circles around the Prime Minister and other federal party leaders.

As **Ken Coates** and **Heather Exner-Pinot** note, we also cannot ignore the growing anger in the West, which was recently highlighted in Alberta's equalization referendum. As we pursue new emissions reduction targets following COP26, we need to manage the impact of such targets on economies, prices and jobs – a point raised by **Jeff Kucharski**. Indigenous reconciliation must also be embraced, with **Coates** and **JP Gladu** providing 10 priorities to guide this effort. In addition, Coates shows how Indigenous peoples are holding Canada to account using Canadian legal standards.

The federal government is also dealing with a range of domestic issues. **Richard Shimooka** points to the 12-year debacle to replace the CF-18 fighter jets, **Daniel Sokol** highlights the dangers of increasing regulation on Big Tech platforms, which will likely only chill innovation and harm consumers, and **Coates** warns about the growing danger of polarization in our debates. Meanwhile, **Chris Dummitt** writes about the serious need for more diverse thinking in our universities.

Lastly, **Balkan Devlen** looks at the motivation and possible endgame behind Russia's military buildup on the border with Ukraine, **Alireza Nader** argues that Canada needs to support justice and closure for the family of PS752 victims, and **J. Michael Cole** offers his thoughts on who should replace Dominic Barton as Canada's ambassador to China.

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Indigenous peoples are still on a winning streak in the courts, but...

... it's the slow and painful path to reconciliation. Canada needs to stop fighting progress and step up.



Ken Coates

Bill Gallagher's *Resource Rulers: Fortune and Folly on Canada's Road to Resources* documents a remarkable Indigenous winning streak on resource rights. Published in 2012, Mr. Gallagher identified a substantially unbroken set of Indigenous legal victories that revealed a simple and vital truth: Indigenous efforts to hold Canadian governments accountable have enjoyed long-term success.

Many of the legal judgments on Indigenous challenges continue to shape Canada. The *Marshall* decision (1999) transformed Eastern Canadian fishing. The twin decisions on Indigenous consultation, *Haida* (2004) and *Taku* (2004), introduced the principles of "duty to consult and accommodate" and recast the manner in which

governments and corporations collaborated with Indigenous communities on resource projects. Even with such important legislation as Bill C-69, which extended regulatory oversight, the foundations of Indigenous economic empowerment rest with these court decisions.

The legal trajectory in favour of Indigenous peoples continues to improve. In June 2021, the BC Supreme Court issued a ruling on the claim of the Blueberry River First Nations relating to the role of the Government of British Columbia in authorizing development on their territories and the neglect of the province's responsibilities under Treaty 8. This area has attracted large-scale energy investments; the area is now criss-crossed with seismic lines and

bears the marks of a great deal of oil and gas development. The First Nations fought for compensation and secured a series of victories over the years, but the broad and region-wide impacts of development activities remained unaddressed.

The 2021 BC Supreme Court decision, potentially changing the conversation around developments in Canada, speaks to the cumulative effects of resource use in Canada. While individual projects in the area may have gone through appropriate regulatory processes, these assessments did not recognize the full and comprehensive impact of many years of resource and associated socio-cultural disruptions. The BC government, anxious to demonstrate their commitment to the *United Nations Dec-*

The Scales of Justice statue at BC Supreme Court in Vancouver; Blueberry River First Nations (Jason Payne, PNG; blueberryfn.com)

laration on the Rights of Indigenous Peoples (UNDRIP), quickly reached an interim agreement with the Blueberry First Nations.

The agreement provided substantial control over future natural resource development in the Treaty 8 territories and additional compensation. The deal provides substantial funding, \$35 million, to work on land restoration and an additional \$30 million to preserve and protect the Blueberry First Nations way of life. In addition, the First Nation and the province are engaged in negotiations to establish long-term financial, planning and business arrangements.

This growing pattern of legal success for Indigenous communities hold subtle lessons for the country.

As a result of the agreement, most of the resource projects in the region will continue, although 20 developments that may threaten Indigenous cultural sites and harvesting activities will be suspended pending a joint First Nations-government review. Comparable discussions with other Treaty 8 First Nations and a recasting of relationships around Treaty 8, Indigenous legal rights and UNDRIP are underway.

The Blueberry First Nations' decision and the subsequent major concessions by the British Columbia government may represent a new era in Canadian resource development. These legal judgments are, at best, catch-up enterprises, providing retroactive support for Indigenous communities that endured many years of disruption and environmental change. The Blueberry First Nations understand that resource development can and should continue and they are working with governments and companies to ensure that this happens. But this recent court decision remains a patch rather than

a solution to a vexing and extremely serious set of problems. Even the current settlements represent only a small step toward meeting the legitimate and pressing needs of the Blueberry First Nations and other Indigenous peoples in Canada.

Beyond direct impacts, this growing pattern of legal success for Indigenous communities holds subtle lessons for the country, though Canadians typically miss some important elements of the Indigenous recourse to the courts. First, the fact that Indigenous peoples use the Canadian legal systems shows an implicit confidence in the Canadian state. Claimants trust the

courts to deliver just and appropriate decisions, and they have collectively invested hundreds of millions of dollars in pressing their claims. Their confidence has been justified in a majority of the cases.

Significantly, Indigenous peoples are not seeking justice according to Indigenous traditions and legal concepts, much as they would prefer to do. Their claims are based, as they generally must be, on Canadian law and its colonial antecedents. Indigenous peoples are holding Canada to account according to Canadian standards, legislation, and principles. They are testing the law rather than replacing it and, to a substantial extent, demonstrating their respect for Canadian institutions and legal concepts.

If Gallagher's *Resource Rulers* documented an important and continuing Indigenous winning streak, a new book by Métis lawyer Bruce McIvor, *Standoff: Why Reconciliation Fails Indigenous People and How to Fix It*, describes what lies ahead. McIvor's vision is compelling but will be

disquieting to many. He describes a national effort at reconciliation that is tainted by the requirement that Indigenous peoples must fight, expensively, with the Canadian government to secure recognition of basic rights. This arrangement leaves Indigenous communities to carry the burdens of delayed justice and reconciliation. McIvor makes it clear that half-measures, including hard-won legal decisions, will not address legitimate Indigenous needs and that major reform of Canadian systems is required.

Canada has a simple choice going forward. Rethinking the fundamental requirements for reconciliation needs bold visions, multi-party consensus and full provincial and territorial engagement, plus obvious agreement from First Nations, Métis and Inuit. Without such actions, as McIvor clearly demonstrates, Indigenous peoples will fight to reshape the country through the courts all the while watching their children and family pay a brutal price for the delays and national inaction.

Indigenous rights should not have to be asserted by Indigenous communities in hundreds of court cases. They should, instead, be recognized uniformly as key building blocks for 21st century Canada and, finally, as a solid foundation for reconciliation and Indigenous empowerment. Even blatant non-Indigenous self-interest should point in this direction. The now decades-long Indigenous legal winning streak is going to continue, with steadily increasing costs and consequences for the country. Canada's options are to stay the course, and spend decades in court with Indigenous peoples, or to willingly and constructively engage with Indigenous peoples and governments to build a country shaped and defined in important ways by the recognition of Indigenous rights. ✪

Ken Coates is a distinguished fellow at MLI, and a professor at the University of Saskatchewan where he is Canada Research Chair in Regional Innovation. This article first appeared in the Hill Times.

The end goal for Indigenous reconciliation

Reconciliation must be embraced, not resisted.

Ten priorities can help guide this effort.

JP Gladu

Ken Coates

Canada's pursuit of Indigenous reconciliation is missing a key element: a clearly understood end goal. Even the recent throne speech described reconciliation as a "process," reinforcing the open-ended nature of this effort to change the relationships between Indigenous peoples and other Canadians.

Reconciliation defies easy characterization; it cannot be reduced to a strategy. The list of complex issues is daunting: recognizing treaty rights, re-establishing political autonomy, improving infrastructure, revitalizing Indigenous language and culture, overcoming entrenched social pathologies, and more.

So, a path to reconciliation requires guideposts. Here are 10 to consider:

- **Language revitalization:** Efforts to regenerate Indigenous language have been anemic; the linguistic crisis is desperate. A full commitment must be launched, if only to show goodwill and recognition of Indigenous priorities.

- **Co-production of policy:** Indigenous peoples should not have policy made for them or applied to them. They must be co-producers.

- **Reduce litigation:** Millions of dollars are spent each year on legal proceedings, with governments usually outspending Indigenous claimants. Change is needed to correct the confrontational culture that defines Indigenous affairs.

- **Infrastructure and service standards:** Conditions in many Indigenous communities are disgraceful, boil-water advisories being a visible example. Indigenous communities deserve infrastructure standards shared by all Canadians.

- **Equal opportunities:** Indigenous people have a right to comparable educational, training and career opportunities. The gap is unacceptable.

- **Land claims:** Much of Canada is not covered by treaties. These gaps limit opportunities and add tension to relationships. New accords will not resemble 19th- or 20th-century treaties, but respecting Indigenous rights of access and use on traditional lands is imperative.

- **Enable investment:** Indigenous peoples want to engage in major investments but often lack money to back their interests. Governments and private funders must ensure Indigenous peoples are resourced to participate as equity holders in the Canadian economy.

- **Procurement targets:** The federal government has a 5 percent target for procurement from Indigenous businesses. Major corporations are even further along. Governments must set – and sustain – procurement thresholds.

- **Justice reform:** The over-incarceration and mistreatment of Indigenous people is well-known. Major revisions, drawing on Indigenous systems of punishment and rehabilitation, are urgently required.

- **Land management:** Canada has taken steps toward co-managing natural resources. Initiatives like the Indigenous

Guardians program demonstrate potential for collaboration and improvement.

Canada must remedy the bad policies and paternalism of the past. Substantial work is required on education, self-government, health care delivery, Indigenous intellectual property rights, housing strategies, and more.

There is no easy way to undo the history of multi-generational trauma, but we must recognize key realities. Indigenous peoples are still here, despite multi-generational efforts to take their lands or assimilate them. Resilience remains a key element in Indigenous life. Indigenous achievements in business, governance, cultural expression, community renewal, and the reassertion of Indigenous women in national affairs have succeeded despite daunting barriers.

Reconciliation must be embraced, not resisted. It addresses the challenges of the past, but also sets a course that is good for all Canadians. Empowered Indigenous peoples will be strengthened, and Canada will benefit from the improvement, renewal and revitalization of Indigenous lives. The task is formidable; it will be neither inexpensive nor easy. But to realize social and economic justice, this must be Canada's highest priority. ❁

JP Gladu is a senior fellow at MLI, and an Indigenous business leader. Ken Coates is a distinguished fellow at MLI, and a professor at the University of Saskatchewan where he is Canada Research Chair in Regional Innovation. This article first appeared in the Hamilton Spectator.

What should we make of COP26 and its commitments?

The world is learning the hard way that the global economy still relies on fossil fuels. While the emissions they produce must eventually be reduced to net-zero, this process will take decades to accomplish.



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Jeff Kucharski

With the UN-sponsored Climate Change Conference (COP26) talks in Glasgow having concluded, it is important to review some of the agreements and implications that have resulted from this process and assess the impact on Canada's energy resources sector.

Putting the rhetoric in context

One can take seriously the undeniable threat posed by climate change while also asking whether some of the theatrics and hyperbole surrounding climate summits only serve to trivialize the process. The Glasgow conference began with the usual apocalyptic hyperbole, similar to previous COP summits.

British Prime Minister Boris John-

son opened the conference by saying the world is "strapped to a doomsday device." European Commission Vice President Frans Timmermans opined that "we are fighting for the survival of humanity." UN Secretary-General Antonio Guterres breathlessly proclaimed that the world is "still careening towards climate catastrophe." And Greta Thunberg provided her own brand of helpful insights by dropping the f-bomb and singing "You can shove your climate crisis up your arse," adding that "COP26 is so far just like the previous COPs and that has led us nowhere." Really?

It is important to note that the climate scientists that write the Intergovernmental Panel on Climate Change (IPCC) reports on which the talks rely do not use such hyperbolic rhetoric. According to the IPCC, its reports are supposed to focus

on a "solution-based approach," helping identify how high-level climate policy goals might be met without advocating any specific mitigation options.

Naturally, at climate summits, ambitions are set artificially high on purpose, supposedly so that even when results fall short the world is left better off than before. In November 2019, the UN set a very high bar stating that the world needed to cut greenhouse gas (GHG) emissions "by 7.6% every year for the next decade" in order to hold the global temperature increase to 1.5 degrees by 2100. The IPCC has said that at current levels of CO₂ emissions the globe's 1.5 degree "carbon budget" will be used up within 12 years. The IPCC has said that global temperatures can remain below 2 degrees during this century only under scenarios where CO₂ emissions reach net-zero around 2050.

What had been accomplished at COP26?

It has been estimated that the additional measures agreed to at COP26 will result in about a 7.5 percent reduction in carbon emissions by 2030. However, despite the 5.4 percent dip in emissions brought on by the COVID-19 pandemic in 2020, global emissions are set to rise by 4.9 percent in 2021.¹ Given that the world has already warmed by 1.1 degrees and with economies growing again after the pandemic, many scientists and informed observers acknowledge that we have already passed the point of being able to meet the 1.5-degree goal this century.

In Glasgow, the International Energy Agency (IEA) made the surprising announcement that global warming could be limited to 1.8 degrees Celsius above pre-industrial levels by 2100 if all the commitments made in Glasgow were completely fulfilled and on time. Given that no COP climate commitments have ever been completely fulfilled on time, that would appear wildly optimistic. In any case, if the IEA's analysis is correct, then fossil fuel production does not need to be shut down immediately and resources don't have to be left in the ground after all because no such commitments were made at COP26.

At Glasgow, 20 countries also agreed to end financing for fossil fuel projects abroad. While several countries had already agreed to end international financing for coal, this agreement applies to oil and gas projects. The UK, Canada, the US and several other countries signed on to the agreement, which promises to "end new direct public support for the international unabated fossil fuel energy sector by the end of 2022, except in limited and clearly defined circumstances that are consistent with a 1.5°C warming limit and the goals of the Paris Agreement." Judging by the

careful wording, this agreement does not seem to rule out providing government funding for projects like natural gas power plants utilizing carbon capture and storage (CCS) or financing liquefied natural gas (LNG) receiving terminals, all of which continue to be in high demand in Asia and will be required to help phase out coal and provide backup for an expansion of renewable electricity generation.

In Glasgow, 23 new countries signed on to a pledge to phase out coal power with major economies phasing out by the 2030s and the rest of the world by the 2040s. The countries also agreed to end all financing in new coal power generation domestically and internationally.

Climate promises again fall short of climate solutions

However, China, India and the US – which together account for over 70 percent of global (thermal) coal consumption – refused to sign on to the agreement. Both China and India rely heavily on coal power and the average age of their plants is only around 12 years, with 20-30 years of lifespan left in them. And US President Biden needs West Virginia Senator Joe Manchin, whose state is a major coal producer, onside to pass his legislative agenda. Coal currently accounts for 37 percent of the world's electricity yet China and other large emitters have not committed to stop increasing coal use domestically. Since coal-fired power remains integral to energy affordability and economic sustainability in India and China,

the prospects of coal-fired power plants being consigned to history anytime soon are considerably low.

It seems unfair for rich Western countries to expect energy-poor developing countries like India to remove coal from their energy mix while millions of their people still live without access to electricity or fuel for their stoves. In India, the pandemic diminished the ability of many people to pay for fuels and made it very difficult to travel to liquid fuel refilling stations during the lockdown. Yet India was criticized. Rather than criticize India for not signing on to net-zero emissions by 2050, rich countries should applaud India for making a commitment to 2070, given

If the IEA's analysis is correct, then fossil fuel production does not need to be shut down immediately.

how far India needs to go to catch up with the developed West.

If other countries are serious in wanting India or other developing countries to align with the 2050 target, it's unlikely that New Delhi would turn down the billions or even trillions of dollars in transfers needed to achieve that goal. In the meantime, India will likely continue to expand renewables, but will also expand reliance on coal power. It is easy to criticize India, but the reality is that coal is a cheap and reliable fuel source, both of which are critical to India's continued economic development.

Canada's COP26 commitments

In his national statement at COP26, Prime Minister Trudeau announced that Canada will "cap oil and gas sector emissions today and ensure they decrease tomorrow at a pace and scale needed to reach net-zero by 2050." This appears to build on earlier commitments he made on the campaign

¹ Figures from the Global Carbon Project and BBC. See: <https://www.bbc.com/news/science-environment-59148520>.

trail and at the Leader's Summit on Climate in April, where he announced Canada will enhance its emissions reduction target under the Paris Agreement to 40-45 percent below 2005 levels by 2030.

The oil and gas sector, which accounts for about 26 percent of Canada's total GHG emissions, had already agreed to cut emissions and several major producers have signed on to an initiative to achieve net-zero emissions by 2050. The Alberta government has already agreed to a 100-megatonne cap on emissions from the oil sands. The Prime Minister's COP26 announcement raises questions about how much further the federal government will go in reducing caps on emissions, how the five-year emissions targets would be issued and

achievable. Strict emissions requirements already in place will only impact gas-fired power plants with lower efficiencies. The prime minister also announced upwards of \$1 billion in aid for developing countries to help transition them from coal-based to low-emissions electricity. This is a positive move which should be applauded.

In terms of energy exports, Canada's prospects for exporting its energy resources don't seem to be significantly impeded by the commitments made in Glasgow so far. Given that the federal government is still proceeding to complete the TMX pipeline (which it owns), Canada remains on track to increase oil exports offshore. The prime minister also announced that Canada is "working toward" ending exports of

a report that is supposed to reflect policy options for governments to consider. In fact, what many countries legitimately argue is that their energy systems will still require fossil fuels for some period of years while they shift to alternative sources. It seems that some people in the IPCC may be listening to environmental advocacy groups that promote a kind of ideological purity test that blesses only certain "zero-carbon" sources for use in the transition. Fossil fuels with CCS and nuclear power are "dirty" under this rubric, even though they are low carbon. However, the reality is that a wide range of low-carbon sources will need to be employed to meet the aggressive targets that have been agreed to in the COP process.

It is fair to ask why emissions caps are needed at all when Canada already has a price on carbon which will be ratcheted up over time.

enforced, and whether the cap would apply to the whole oil and gas sector or whether it would target specific companies or extraction practices.

It is fair to ask why emissions caps are needed at all when Canada already has a price on carbon which will be ratcheted up over time (from \$40 per tonne today to \$170 per tonne by 2030). While the announcement may not have a significant negative economic impact beyond what has already been announced and agreed to, the question remains whether expanding oil sands production while staying under the cap is still a possibility.

Canada also announced a commitment toward achieving net-zero emissions in its electricity grid by 2035. Given that 60 percent of Canada's power generation is hydro, and all coal-fired power plants are slated to be either decommissioned or retrofitted with CCS technology, this should be

thermal coal by no later than 2030. This statement is somewhat ambiguous but, in any case, the ban will have little impact on Canada's balance of trade because the vast majority of Canada's coal exports are metallurgical coal used in steel-making, and this is not directly affected by the ban.

Climate puritanism vs climate realism

It was reported on October 21, that Saudi Arabia, Australia and Japan were among some countries attempting to make changes to the IPCC Working Group III draft report that is to be published next March, according to leaked documents. Apparently, they objected to the following statement in the draft report: "the focus of decarbonization efforts in the energy systems sector needs to be on rapidly shifting to zero-carbon sources and actively phasing out fossil fuels."

Of course, these countries are being criticized for daring to suggest changes to

Despite the lofty ambitions and rhetoric surrounding climate summits, the hard work begins where climate commitments meet the reality of economics and local politics back in home countries. As such, trade-offs will have to be made in order to manage the impact on economies, prices and jobs while also being fiscally responsible. The consequences of not doing so risk social and political pushback and ultimately public support for the transition itself. The consequences are also seen in energy markets today, reflected in fuel shortages and rising prices in many countries.

The world is learning the hard way that the global economy still relies on fossil fuels. While the emissions they produce must eventually be reduced to net-zero, this process will take decades to accomplish. ❁

Jeff Kucharski is a senior fellow at MLI, and an adjunct professor at Royal Roads University

Canada's Big Tech temptation

Regulations that restrict integration of digital platforms and affect their ability to control their data will not capture the diverse ways in which Big Tech platforms compete and innovate.

Daniel Sokol

As tech platforms have ascended in recent years, so too have calls for stronger antitrust laws and regulation to protect consumers from ostensibly unlawful or unfair business practices. Indeed, the “Big Tech” sector – comprising such companies as Google, Amazon, Facebook, Apple, and Microsoft – has begun to face a significant populist backlash.

Digital markets raise interesting questions for competition policy. Issues such as economies of scale, ecosystems, “self-preferencing” (in which a firm favours its own offerings over those of a competitor), privacy, network effects, and control over data are deservedly getting more attention than they used to.

Critics are specifically advocating broad, sweeping regulations to largely replace the current model of enforcement that tends to hinge on careful analysis of the competitive effects of specific business practices.

But much of this push for regulation seems to be based on the presumption that “big is bad.” Advocates of this idea suggest that competition authorities should be less concerned about a platform’s economic objectives and place greater emphasis on its perceived political goals.

This populist impulse in antitrust is anything but new. History is replete with examples of antitrust authorities pursuing an “anti-big” agenda. Now, take the United States and Europe, both of which have recently introduced legislative proposals that seek to regulate the behaviour of these digital platforms – or even break these companies apart.

The new regulations seek to impose



(iStock images)

broad prohibitions on self-preferencing while permitting competitors to have greater access to the data that is controlled and used by digital platforms. History, again, however, counsels that such measures may very likely have the unintended consequence of harming consumers through higher prices, lower quality,

reduced product offerings, and a chilling effect on innovation.

Nevertheless, both the current and former competition commissioners in Canada have taken a growing interest in the state of competition law in the country. For instance, some pundits have suggested that the competition-policy framework should be overhauled completely in order to promote much more aggressive enforcement against Big Tech companies.

Such radical action would be counterproductive. Canada’s competition-law framework is already capable of adequately discouraging anticompetitive initiatives by digital platforms.

The *Competition Act* – Canada’s statute to protect against business practices that hurt consumers – is sufficiently flexible to deal with anticompetitive conduct. If self-preferencing and restrictions on access to data are truly exclusionary and have anticompetitive effects, then such behaviour will be captured under Section 79 of the act — the prohibition against abuse of dominance. Under this provision, firms that are dominant in a market are prohibited from engaging in anticompetitive practices that could substantially prevent or lessen competition.

The proposed laws in the United States and Europe may cause more harm than good. The term “self-preferencing” can refer to a wide variety of conduct. In retail, for instance, self-preferencing has been a common practice for generations. It is generally efficient and is certainly beneficial for consumers. Or consider self-preferencing in e-commerce, by which a platform focuses on making its own product better for consum-

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Coming to terms with our politics of judgment

Robust debate, not silencing those with whom we disagree, must be a shared, respected and celebrated goal.



Ken Coates

We live in angry, intolerant times. The ideological battles of yesteryear seem downright quaint compared to the swirling mess that currently passes for public debate. Politeness and passion have been replaced with intransigence and condemnation from all across the ideological and cultural spectrum.

Nuanced political debates are reduced to black and white standoffs, with combatants on all sides eager to jump on even the

slightest deviation from perceived wisdom. Anti-vaxxers critique defenders of vaccines as though they are unrepentant fascists trying to control all lives. Extreme environmentalists treat those holding more moderate views like they are uncaring planet killers.

As prominent a figure as David Suzuki can cross the Rubicon of rhetoric to warn of pipeline bombings before offering a delayed and mild walk-back of his disagreeable ideas. However, the outright dismissal of environmentalists' positions is just as one-sided and narrow-minded,

blinding those who rebuff extreme views to the insights and learning that can be drawn from thoughtful and committed activists.

And so it goes. Groups try to suppress speakers perceived to be pro-Israel, as though finding any value in that remarkable society is cause for condemnation. Politicians remove statues of historical figures – John A. Macdonald in Canada, Thomas Jefferson in the United States – with remarkable lack of historical subtlety or understanding. Edgerton Ryerson, one of Canada's most effective educational

reformers, is condemned with venom but little historical balance.

To critics of the modern university, these once venerable institutions of knowledge and provocation have become indoctrination factories, an absurd charge that ignores the ideological diversity and openness of most classes and the diverse contributions of scholars. Yet those with fixed ideas and unwavering minds try to silence commentary and debate, as though holding views that deviate from “acceptable” opinions is an intellectual crime.

But, while there are many scary aspects to consider in this relentless oozing of prejudice and anti-intellectualism, we must also acknowledge some merits of the current mood.

The emergence of powerful voices – LGBTQ rights activists, radical envi-

What then is the nature of the challenge with our current political climate? The problem is neither the ideas nor the charged rhetoric, but simply the blatant determination to silence critics.

There is nothing wrong with criticizing the policies of John A. Macdonald, indeed the “new” ideas being advanced by activists have been well-known among historians for more than a generation. It is the deliberate and ahistorical assault on the first Prime Minister’s legacy, as opposed to his politics, that stands out. Likewise for discussions about residential schools, and the roles of Macdonald, Ryerson and others. Autobiographies by Indigenous leaders and seminal scholarly works by J.R. Miller, John Milloy and others outlined the main arguments decades ago. Only recently have selec-

ing the ideas of aggressive commentators simply retreat into in-group discussions and the anonymity of the Internet, strengthening antagonism but perverting open debate.

Challenging the status quo is essential to a strong and honest society. Contrarian thought is to be celebrated, not feared. But when people are cowed into silence and assailed simply for expressing different opinions, the nation’s political vitality is gutted. Finding fault with the “sacred cows” of history and politics is essential to intellectual and journalistic pursuit, and the essence of political change, but we have fallen into an era of intense nihilism that assails open thought. As a result, Canada’s foundations are attacked without alternate views being heard.

Working with those who hold conflicting views should not be polarizing; suppres-



The country is undoubtedly richer for having to confront and square a wider range of perspectives and ideas about its past, present and future.

ronmentalists, Canadian libertarians (an oxymoron until recently), Indigenous advocates of autonomy, western sovereigntists, and others – has broadened, sharpened and improved public debate. The country is undoubtedly richer for having to confront and square a wider range of perspectives and ideas about its past, present and future.

Forty or more years ago, women’s rights advocates, Quebec separatists, Indigenous leaders or gay activists seeking to disrupt the country’s political status quo were condemned for views seen as too radical, too dangerous. But most people would agree Canada is much the better today for having to deal with their ideas and confront their resolve. The same will be true as Canadians come to terms with ideas and values projected by current activists.

tively incomplete historical commentaries emerged as justification for destroying monuments, memorials, and memory.

A chill has descended over the academy, journalism, and public debate, a disdain for expertise or nuanced analysis. Think of the attacks on Jordan Peterson, or the derision of vaccination mandate opponents, climate change activists and anti-racism commentators. The fossil fuel industry, essential to Canada’s fiscal stability and social programs, endures relentless emotional condemnation that oversimplifies and distorts what is a complex scientific, economic and social issue.

Stifling contrarian opinions won’t stop people from holding them. If anything, it entrenches them. There is evidence that people who are shouted down for question-

ing ideas rather than discussing our differences simply punishes us all.

Life is more nuanced and politics more complicated than most people think. Reflex aggression toward contrarian views is dangerously anti-intellectual, even if founded on a sincere desire for social justice. More importantly, stifling debate and insisting on a single view of our world and history take the country further away from solutions and a tolerance that is needed to move forward.

Robust debate, not silencing those with whom we disagree, must be a shared, respected and celebrated goal. ✨

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Canadian universities: Only the woke need apply

Universities shouldn't be allowed to create systematically unfair and discriminatory institutions under the guise of "equity."

Chris Dummitt

Something is awry in the rarified world of academic hiring in Canada.

In 2021, a typical job advertisement for a professor in the social sciences in Canada still contains basic requirements – educational qualifications like a PhD and research and teaching excellence. But these longstanding prerequisites are now buried in a jumble of political statements, virtue signals, land acknowledgements, and thinly disguised ideological manifestoes demanding commitment to vague ideas of justice, progress and “equity, diversity and inclusion” (EDI). Universities are also increasingly asking job candidates to provide statements demonstrating their adherence to the notion of equity – and these statements are part of the criteria on which a candidate will be judged.

The positive take on these developments is that they will ensure marginalized groups are better represented in academia. And who could disagree with that? If there really are racist and discriminatory practices preventing certain types of people from being hired, then let's get rid of them.

If only it were so simple.

In reality, what these kinds of job advertisements and ideological litmus tests do is institutionalize specific political beliefs as job criteria.

This is a serious problem. Why? For example, an aspiring scholar could be profoundly committed to a world free of discrimination – but might also take issue with the concept of equity, or at least with how it

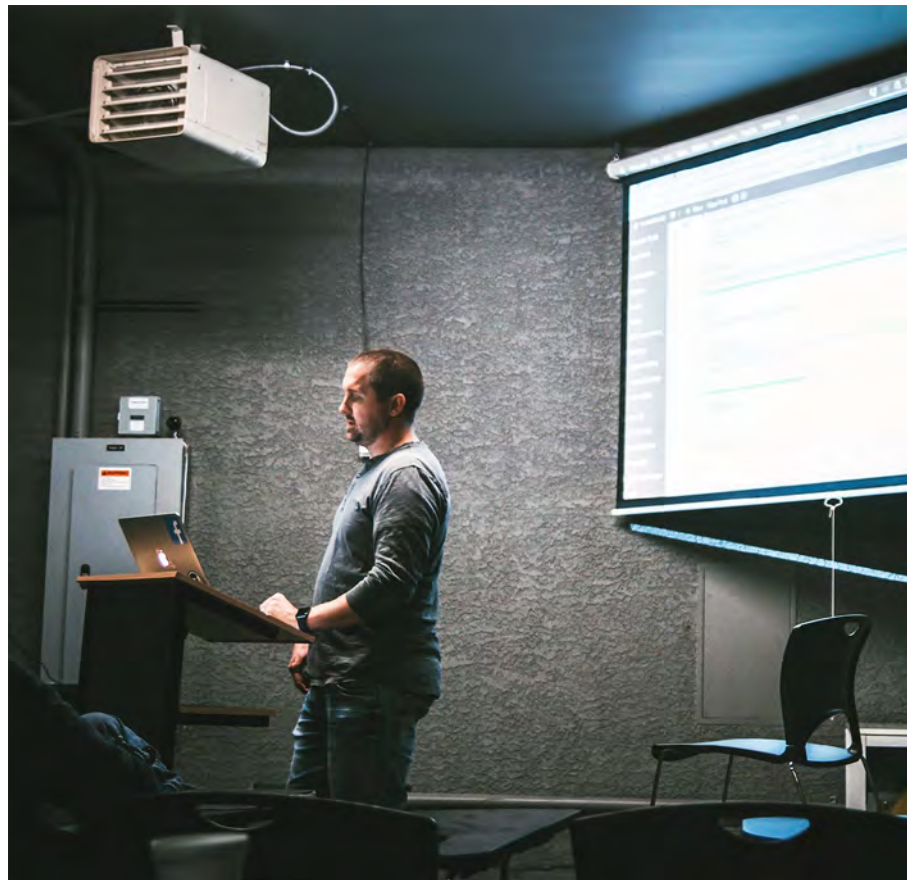
is often deemed to be determinative in any debate. Equity activists almost always assert that all statistical disparities must be caused by discrimination. Are women underrepresented in physics? Must be discrimination. Not enough Indigenous film scholars? That's discrimination too.

Yet an open-minded scholar should really treat a statistical disparity as an invitation to investigate. Statistical disparities certainly *might* be caused by discrimination. Or they might be caused by something else – or a number of factors together. In the contemporary Canadian university these

alternative explanations are being dismissed even before they have been investigated.

Unfortunately, the problem doesn't stop at EDI statements. Where once universities advertised for specialists in a certain discipline, nowadays many fields of study are ideologically restricted.

For example, Carleton University's School of Public Policy recently advertised for an “Assistant Professor of Public Policy and Inequality.” You might think they would want a scholar interested in determining the causes of inequality no matter what they might be. But Carleton called



neonbrand

for candidates “with research expertise in how inequalities experienced by underrepresented groups and Indigenous peoples are perpetuated by the state and society, and may be addressed by public policies.” The possibility that inequality might not be caused by the state appears to be discounted in advance.

Then there is the University of Toronto at Scarborough (UTS), which is seeking an Assistant Professor in Social Inequality and Social Justice. Competitive candidates will have “been informed by anti-racist, non-Eurocentric, and decolonial approaches.” Say goodbye to anyone adopting a traditional liberal approach that presumably runs afoul of the non-Eurocentric requirement. And in case these criteria weren’t narrow enough, UTS later explains that they

If “critical” isn’t enough, then you can always use “justice,” such as the University of Toronto at Mississauga, which seeks an “Assistant Professor of Environmental Justice.” They “especially welcome applications from critical and feminist scholars studying areas such as, but not limited to, political ecology, green criminology, settler colonialism, or the inequitable impact of climate change on vulnerable social groups, especially communities of colour and Indigenous communities.” Do you have a different perspective on environmental issues that doesn’t tick all of these highly ideological boxes? Then you’re not wanted. Free thinkers need not apply.

It is perfectly reasonable for universities to seek specialists in a specific field. A History Department might, for example,

servative” there were 17 left-leaning professors. As I know from writing on this topic before, many in the university world are entirely fine with this ratio.

But they shouldn’t be allowed to ignore the way that political discrimination is being written into the basic hiring practices at our public universities. The practices I’m describing here are the very definition of systemic discrimination: they insist on criteria that aren’t essential to the job (namely, ideological positions as opposed to credentials or experience), which function to exclude whole categories of potential candidates (those with non-woke political beliefs – or scholars who simply want to remain neutral and not pre-determine the outcome to legitimate research questions).

Professors have every right to their

*Professors have every right to their diverse political viewpoints.
Universities, though, need to be politically neutral.*

want “candidates whose research in these areas foregrounds anti-colonialism, structural racism, racial capitalism, and/or the legacies of white supremacy.” Once again, the possibility that inequality might be studied or remedied in ways outside these predetermined ideological goalposts does not seem to occur.

The word “critical” also shows up a lot in job ads. But it doesn’t refer to critical thinking. In this context, “critical” is a code word that signals a very specific and radical left-leaning view which asserts that the causes of most social problems can be found in the inherently oppressive nature of capitalism, settler colonialism and white supremacy. It wouldn’t be appropriate (for now at least) for a university to say “we only want applicants with certain political beliefs.” So instead they insert the word “critical” in order to achieve a similar effect.

want a specialist in African history. But it is entirely different to say, “we want a historian of Africa who only sees this history through a particular lens like settler-colonialism.” What would such a person do, for example, with the long history of the slave trade carried out by Africans? The answer is, if recent scholarship is anything to go by: probably ignore it, or explain it as somehow *still* a result of European colonialism. Universities should be looking for experts in general areas, not experts with only certain points of view. It’s like hiring an electrician who will only fix your wiring if it’s installed on the north side of your house and if the metal comes from a particular mine in Tanzania.

Universities in Canada are already largely political monocultures. A recent study showed that for every scholar in a Canadian university who identified as “con-

diverse political viewpoints. Universities, though, need to be politically neutral. There’s no place in job advertisements or requirements for tests of political belief.

At the very least, universities shouldn’t be allowed to create systematically unfair and discriminatory institutions under the guise of “equity.” If the irony isn’t enough to kill the practice on its own, governments should act to address it by sending clear signals that universities should remain politically neutral and completely purge all ideological tests from hiring procedures. It certainly isn’t appropriate to discriminate based on race or sex in hiring. The same message should be sent to eliminate political discrimination. ✿

Christopher Dummitt is a professor of Canadian history at Trent University and host of the Canadian history podcast 1867 & All That.

How François Legault made 2021 his Best Year Ever



© L'Unité Nacau via facebook.com/FrancoisLegaultPremierMinistre/ photos

This choice for federal Policy-Maker is unusual in that he is a provincial politician. Rarer still in the history of the Macdonald-Laurier Institute is a Policy-Maker of the Year so ambiguous about his allegiances.

Dan Delmar

Each year, the Macdonald-Laurier Institute looks back at who or what had the greatest impact on Canadian federal public policy over the past 12 months. That person or institution is named the Policy-Maker of the Year, and always graces the cover of the December issue of the institute's flagship magazine, Inside Policy. This year is no exception.

Policy-Makers of the Year have typically been Canadian leaders at the federal level, like former Justice Minister Jody Wilson-Raybould in 2017, but not always. MLI chose Chinese Communist Party General-Secretary Xi Jinping for 2019's edition, as a foreign leader who had a substantial impact on Canadian domestic policy.

This choice for *federal* Policy-Maker is unusual in that he is a provincial politician. Rarer still in the history of the

Macdonald-Laurier Institute is a Policy-Maker of the Year so ambiguous about his allegiances.

Is François Legault Canadian? He is, technically. He holds a Canadian passport. Politically, he has renounced sovereignism and rejected calls for a third referendum. But the Quebec premier has also steadfastly refused to identify himself as a federalist, and his government has chosen to disregard parts of Canada's Constitution in ways that betray fundamental Canadian

legal traditions on freedoms of expression.

Difficult as it may be to fathom, Canada in 2022 is a nation where a woman can be dismissed from her job as a school teacher simply because she chooses to wear a hijab.

Weeks before the holiday break, Grade 3 teacher Fatemeh Anvari of Chelsea Elementary School in western Quebec was shuffled out of her job and into an administrative “diversity” role. Comfortable with the result, Legault chastised the school board for hiring the teacher in the first place and compared the religious practice to wearing a Liberal Party t-shirt.

Ironically, the response from Liberals at both levels of government has been tepid, and less than liberal in spirit. Legault said he was even “glad” with Prime Minister Justin Trudeau’s longstanding detachment on the secularism debate.

ing a more mild, less confrontational brand of nationalism; a confusing stance vis-à-vis Canada didn’t help him make permanent inroads among committed federalists or sovereignists.

Legault was a “traitor,” charged his harshest critics in both political camps; but to whom?

Growing up modestly in the Anglo-majority *West Island* town of Ste-Anne-de-Bellevue, Legault’s underdog success story is inspiring, and will presumably be put to film someday. He would attend church, according to the *Montreal Gazette*, in the shadows of the exclusive Beaconsfield Golf Club; it would have been a special moment indeed when Legault would walk through the club’s gates for the first time as an accomplished entrepreneur. He went a few more times after that, too.

rious, calm demeanour not unlike that of former Premier Lucien Bouchard, himself an ex-Péquiste who renounced sovereignty after successfully courting both soft and hardline nationalists.

Revealing little of his personal views about Canadian federalism, what we do know of Legault’s perspective is that it is in development, a policy direction sometimes vaguely described as *autonomism*.

“No one imagines he will become a sovereignist again tomorrow,” wrote the *Journal de Montréal*’s Mathieu Bock-Côté, a controversial nationalist philosopher the premier has publicly admired, in 2019. “But he serves his country, Quebec, which he does not see as a simple province of Canada.”

While it is true to say that some of Legault’s closest friends and colleagues are federalists – including his wife Isabelle Brais – his views on cultural sovereignty as expressed through legislation that came to a head in 2021 definitively position him against federalism.

Quebec’s political landscape has been realigning rapidly and the CAQ has been an accelerant, which includes the marginalization of the PQ and its explicitly secessionist strand of Quebec’s nationalist movement.

“The (new) axis has blurred traditional alliances that existed between sovereignists and progressives on the left, and federalists and conservatives to the right,” wrote political scientists Éric Bélanger and Jean-François Godbout of McGill University and l’Université de Montréal respectively in a recent edition of *Le Devoir*. In Legault, “we see here the same message as in the 19th century, the époque when the *Bleus* sought to defend the French regime’s heritage, its Catholic faith, its institutions and its laws.”

Quebec’s political landscape has been realigning rapidly and the CAQ has been an accelerant.

What Does Legault Want?

Who is François Legault and what does he want with Canada? It is a question that has dogged the premier and former Parti Québécois minister since his return to politics as a non-sovereignist a decade ago.

His Coalition Avenir (Future Coalition) burst onto the scene amid corruption scandals surrounding Quebec’s establishment parties. Presented as a centre-right rainbow coalition of federalists, sovereignists and the noncommittal, traditionally described as soft nationalists, the founding *Caquistes* were an interesting, accomplished group of pro-business reformers. Many were former members of Mario Dumont’s conservative Action Démocratique du Québec.

The CAQ’s history could be split between two half-decades, the first featur-

He is an accountant by trade, a former auditor with Ernst & Young, but had an eye toward the future, and the aviation industry specifically, where he would land a marketing role with the defunct regional carrier Québecair. When it failed and was sold by the Quebec government in 1986, a group of former employees including pilots and executives like Legault came together to launch a new carrier; his crowning achievement in business.

“It was a kind of dream to be a member of the Beaconsfield Golf Club... Before Air Transat, I wasn’t rich,” he told the newspaper, which described his rise ‘From Milkman to Quebec Premier’ in 2018.

The CAQ’s Bleu Makeover

Legault is the most disciplined nationalist leader to emerge in some time, with a se-

A Milder PQ?

The CAQ’s pivot began with a visual rebranding in 2015; the rainbow-themed co-

alition was discarded in favour of a familiar all-blue fleur-de-lys motif.

By 2016, the CAQ was aggressively moving in on the PQ, hiring a prominent strategist to former Péquiste premier Pauline Marois; by the spring, the PQ had suffered another major setback with the resignation of leader Pierre Karl Péladeau. The sovereignist party continues to wither as expected and currently holds seven seats in the National Assembly.

Legault was not about to lose a third election in 2018 and the familiar PQ-Lite plan resonated; strong on the French language but not so radical; in favour of laïcité but not applied widely across the entire public sector; and, unlike the PQ, finally promising to close the door on a third sovereignty referendum.

“I’m calling on all sovereignists to be pragmatic,” went Legault’s well-timed appeal ahead of the 2018 vote.

The right-of-centre Liberals of premier Philippe Couillard had begun deep and controversial reforms to various parts of the public sector, most notably in health care; the sort of overdue restructuring, including the introduction of new public-private partnerships and a reduction of administrative structures, that previously hindered Legault’s efforts to win over hard-line nationalists who were supportive of a robust welfare state.

The gulf between the CAQ’s founding neo-conservative reformers and newer big government ex-sovereignists — two vastly different perceptions of how governments tax, spend and organize resources — has not yet revealed itself as a political liability.

Charter-Testing Policies

The ban on visible religious symbols worn by public servants in positions of authority, as defined by the Legault government, is the most controversial part of Legault’s legislative agenda. It was inspired by France’s 2004 ban of “conspicuous religious symbols” for primary and secondary students, and the



©/imlie Naeau via facebook.com/FrancoisLegaultPremierMinistre/photos

“I’m calling on all sovereignists to be pragmatic,” went Legault’s well-timed appeal ahead of the 2018 vote.

concept eventually found its way into a 2008 Quebec government secularism report by philosophers Gérard Bouchard and Charles Taylor (the latter would renounce his own work).

Legal reviews by previous governments concluded the banning of religious symbols would never survive constitutional challenges. The law is currently being reviewed by the Quebec Court of Appeal.

Public opinion polls, for whatever they are worth in the context of evaluating human rights issues, have suggested on the surface that Legault government policies on secularism and language are more popular, though they did not spring from

popular movements; there was certainly no noticeable outcry outside of the nationalist-dominated commentariat for a larger and more onerous language bureaucracy amid a pandemic.

Bill 96, the update to the 1977 French language legislation still referred to as Bill 101 that is expected to pass in the National Assembly any day, is an omnibus-style bill touching many areas of public life. The 100-page plan to “strengthen” the French language includes measures such as the classification of anglophone citizens as members of either “Historic” or ahistoric communities, with the former group retaining Charter-protected rights to essential government services in English and the latter, not.

The Legault government has, however, defined a grace period for immigrants seeking government services: Newcomers will have a six-month window with which to learn basic French before their English-language services may be denied.

“Anything that restricts the right to health care services in English,” wrote Sheila Kussner, founder of the cancer support non-profit Hope & Cope, in *The Gazette*, “is a clear danger to the health and well-being of those who require that service.”

Former Montreal Liberal MP Marlene Jennings told the Macdonald-Laurier Institute that in some ways, Legault is more radical than her former sovereignist opponents.

“He’s a radical nationalist. With Bill 96, he has demonstrated that he is prepared to upend our democracy and the pillars upon which it was founded, the separation of powers,” said the veteran federalist, and de facto head of the Bill 96 resistance movement as president of the Quebec Community Groups Network, the province’s anglophone advocacy umbrella organization.

simply extend the *nationhood* rhetoric to claim actual jurisdictional sovereignty on certain constitutional matters, presumably limited to those related to questions of cultural identity.

It is not only unusual for avowed federalists, Liberals especially, to entertain Charter-testing policies like the Bill 101 update, it is bewildering to Quebec federalists in particular for the Trudeau government to uphold certain unconstitutional-in-spirit principles of the law. Bill C-32, an amendment to the *Official Languages Act* that uncontroversially protects the rights

nation-provinces.

Saskatchewan premier Scott Moe tried to articulate his desire in November to push the prairie province toward nationhood: “We are talking about being a Saskatchewan cultural identity within the nation of Canada... being a nation within a nation.”

In Ontario, premier Doug Ford invoked the Notwithstanding Clause in June to curb third-party election spending. Jason Kenney’s October referendum polling Albertans on their views about equalization payments was widely seen as a pressure tactic against the federal government.

““*Legault’s ambiguity on national unity and brazenly ethnocentric policies seem to have even inspired regional populism crises.*”

Some parts of Bill 96 not only subject the Charter to extreme stress tests but risk setting embarrassing legal precedents across western liberal democracies should, for example, Quebec language inspectors begin conducting high-profile raids on noncompliant businesses, as prescribed.

Domino Effect

“Members of a federation shouldn’t need to agree on everything,” tweeted a self-identified *Bleu* advisor close to Legault, consistent with the autonomist-style, hands-off view fostered under the previous Harper government that saw Quebecers as members of a nation within Canada. The 2006 motion to that effect was non-binding and criticized as tokenistic but, a decade and a half later, it has newfound relevance, frequently-cited by the Legault government and even the provincial opposition Liberals to justify ever-expanding autonomist demands, including but not limited to disproportionate representation for Quebec in Parliament.

The premier’s political masterstroke on Quebec-Canada relations has been to

of francophones to work in French, also creates enforcement mechanisms inside the Office of the Commissioner of Official Languages and at Canada Industrial Relations Board, modelled after a language policing system in Quebec that even its strongest proponents admit failed to stem the tide of anglicization.

In this most influential year for Legault, another by-product of his bold nationalism has been the adoption by other premiers of similarly antagonistic positions toward Ottawa; what in Quebec might have been previously referred to as *péquisteries*, or expressions of performative militant sovereignism.

Legault’s ambiguity on national unity and brazenly ethnocentric policies seem to have even inspired regional populism crises, where provincial nationalists are joining the Quebec government in attempting to hastily redefine their place in the federation. A series of constitutional crises sparked by recent Legault legislation have set the stage for years of complex and likely unproductive multilateral negotiations between Canada and its most aggrieved

Kenney has been completely forthright about how Legault inspired his own regional nationalism.

“I’ve always said I think Alberta should emulate Quebec in the way that it has so effectively defended its interests,” Kenney said in May. “I may not agree with Quebec on every point of policy, but they fight for their province using every legal tool at their disposal. Rather than fighting Quebec over the exercise of its powers, I look to Quebec with a degree of admiration.”

Legault’s Best Day

The very best day of François Legault’s political career, or at least the point at which his political influence peaked, may have been September 19, 2021, the day before the federal election.

All major party leaders indicated throughout the campaign that they would not question Quebec’s newfound jurisdictional powers. Legault was keenly aware of his favourable position and began to overplay his hand, observed *Toronto Star* columnist Chantal Hébert, repeatedly weighing in

during the campaign, even expressing a specific preference for a Conservative minority government, later backtracking.

Quebecers didn't listen but polls suggested Legault paid no political price for his punditry; his approval ratings remained high into late 2021 and some projections even have the CAQ gaining seats in the fall provincial election.

In another twist of fate granting Legault even more leverage, the controversy over a jumbled leaders' debate question on the discriminatory nature of Bills 21 and 96 placed Quebec squarely at centre stage in the final days of the campaign. The virtual entirety of Quebec's political class rallied behind Legault. It had no impact on the election's

outcome but only further pulled the political centre of gravity toward Quebec.

da without triggering significant social tension, reopening old wounds between the two traditional cultural solitudes. Although in polls, support for the principles of secularism and state religious neutrality remain strong, those same polls mostly fail to measure the real-world consequences of the Legault government's self-styled cultural policies. On the rare occasions pollsters do measure this impact, for instance on the question of whether or not to dismiss a public employee wearing a religious symbol, majority support for the measures is lost.

Stubbornly moving forward only seemed to increase social tensions in France when it was done there. It could

Quebec's economy continues to perform well but there are signs of stress there too, as Legault's language, education and immigration policies have been denounced by leaders of Montreal's business community for potentially worsening an already-dire labour shortage.

It's not a question of whether or not the unconstitutional policies will do damage, but how much and who in Quebec City or Ottawa is concerned about brewing international embarrassments.

"He has opened the door to other provinces. If he can do it, why can't they?" asked Jennings, concerned for the future of inter-provincial relations in a nation of nations with contrasting interests. "What it looks



Legault's gains for hardline nationalists in particular have been remarkable but like all winning streaks, it will come to an end.

fuel a cultural liability that will haunt all Quebecers on the world stage; like *Pastagate* but potentially much, much darker.

At the very end of Legault's best year, cracks in his government's obscurantist, populist-leaning agenda are being exposed. His government benefited from an extended grace period through much of the pandemic, perhaps due to the young CAQ's lack of historical stewardship over dysfunctional systems. As an election year begins, the honeymoon may be over.

Storm Clouds

Opposition parties have begun pressing the government to call a public inquiry to shed light on the over 4000 deaths that occurred during the pandemic within Quebec's network of public long-term care facilities. Coroner and ombuds-person reports support the demand, pointing to at least one important error in judgment: the transfer of seniors in long-term hospital beds to the long-term care homes that were already ill-equipped to manage the virus.

like is our judiciary being neutered, unless the Supreme Court rules the Notwithstanding Clause cannot be used pre-emptively. That may be the only way the judiciary can play its full role and protect our democracy."

Especially in crisis, the steady-handed former CEO may be the consensus leader of the moment for this period of realignment in Quebec. But despite François Legault's solid leadership credentials, it's the cultural blind spot that may ultimately define his tenure. He may be lauded in nationalist circles for decades but not far beyond them; not among Quebecers, particularly of younger generations, proud of their multilingualism and belonging to a cosmopolitan G7 nation. For all of his accomplishments, what Legault will never be to Canadians is forgiven ✨

Dan Delmar is a Quebec-based political commentator, a former journalist and newspaper columnist, and the co-founder of TNKR Media, a public relations and content marketing firm.

How the rest of Canada should respond to the Alberta equalization referendum

Opposition to equalization is a symptom and not the root cause of Western anger.

Ken Coates
Heather Exner-Pirot

Quite predictably, central Canada has been quick to dismiss Alberta's referendum on equalization.

As Andrew Coyne wrote in the *Globe and Mail*, the referendum is viewed as a “stunt” in the rest of the country, and in his view it's best ignored. And Coyne can rest easy; equalization is constitutionally entrenched, technically intricate, and Quebec-friendly. It's not going anywhere and no one in Alberta should have expected a different result, despite over 60 percent of Albertans supporting its elimination.

But while one can debate the referendum tactic, it should be clear that opposition to equalization is a symptom and not the root cause of Western anger. This frustration is not just in Alberta. Saskatchewan is the new heartland of Canadian conservatism and a growing focal point for profound disappointment with federalism. Federal leaders can no longer ignore this.

The list of sensitive points is building: limited attention to the decline of the oil and gas industry, the complexities of pipeline politics, carbon taxes, the absence of a rural and small-town strategy, delays in building Internet capacity, national obsession with central Canada metropolitan priorities, the lack of Western representation in the federal cabinet (so much so that there are now more former “Canada AM” hosts than MPs from Alberta at the cabinet table) and much more.

Western frustration and alienation are neither new nor surprising, going all the way back to Louis Riel and the Métis resistance.

During times of Liberal rule, the West has had a tiny set of Liberal superministers – Lloyd Axworthy, Anne McLellan, Ralph Goodale, Jim Carr – whose primary job was to explain Ottawa to the Prairies and to deliver government investments.

Lingering and deepening Western frustration with Canada and the federal

growing and highly regarded metropolitan areas in Calgary and Edmonton, a steadily growing population, some of the country's best higher education institutions, an intense entrepreneurial spirit, and other crucial assets. The West does not seek charity or sympathy. It desires, instead, recognition as a central partner in national development.



Brushing off the equalization referendum will only fuel Western anger.

system is here to stay. Brushing off the equalization referendum will only fuel Western anger, entrenching the idea that Ottawa's political priorities do not include Western Canada.

The issues at hand are serious and urgent. The federal government's antipathy to Western Canadian oil and gas is well-documented. So, too, is Ontario and Quebec's disinterest in an industry that has contributed substantially to Canadian prosperity. Perhaps Michigan's efforts to block Enbridge's Line 5 will provide proof of the West's fundamental importance Canada.

The interests and needs of Western Canada require the same kind and intensity of concern that attends any number of vital topics. Federalism itself is potentially at stake.

But Western Canada is not a “problem.” The West has enormous resource potential, a vibrant agricultural economy, two fast

The reality of the West differs a great deal from the stereotypes. Far from being a laggard on climate change, the Western energy sector has made world-leading investments in lowering the environmental impact of oil and gas production.

The Western provinces have a great deal to do on the Indigenous front, but there have been creative initiatives with urban reserves, Indigenous equity funding, and First Nations social service delivery that could be models for other provinces.

There are also valuable initiatives underway on urban development, rural and small-town support, renewable energy projects, as well as major investments in nanotechnology, water management, infectious diseases, and more.

To put it simply, this is not your grandparents' Western Canada.

Continued on page 27

Another turn in the 12-year-long debacle to replace the CF-18

The F-35 has been recommended twice – and there is every reason to believe it will ultimately be selected again, almost 12 years after its initial selection.

Richard Shimooka

In recent weeks, it was revealed the Boeing Super Hornet has been eliminated from Canada's Future Fighter Capability project to replace the CF-18. It is the latest turn in a 12-year-long debacle that has involved four separate evaluations of options. And, with the Super Hornet's apparent removal from consideration, it seems to be leading right back to the original choice of selecting the F-35.

It is easy enough to say that procurement has been politicized, but this grossly simplifies the challenges with this file. It is a toxic mix of public apathy, deliberate misrepresentation, and poor policy-making.

Obtaining the maximum benefits for Canadian industry has been the primary driving force behind the government's decision-making, often surpassing the need to provide for Canada's security or its alliance commitments. That was the impetus behind joining the Joint Strike Fighter (JSF) program as far back as 1997 – it offered Canadian firms the opportunity to obtain highly lucrative subcontract work for all 2000 to 3000 F-35s produced globally over 20 years.

This was different from most large military procurement Canada, where the winning firm must reinvest the entire value of the contract back into Canada – so



Corporal Pierre Habib, 3 Wing Bagotville via flickr.com/photos/cfcombatcamera

approximately \$10 billion for 88 aircraft. The actual efficacy of this offset policy has come into question, however. A 2012 report commissioned by the federal government stated offsets were inefficient and ineffective at making Canadian industries competitive internationally. They perpetuated a boom-bust cycle as the reciprocal investment tends to end after a few years.

The only drawback of joining the JSF program was that its contracts were awarded by “best value” and were not guaranteed like offsets. This required a leap of faith by Canada. Yet, with the sixth-largest aerospace manufacturing base internationally, it was a fairly small one. Since 2006, Canada has already produced \$2.7 billion in contracts for the F-35, despite not having purchased a single aircraft.

When left to its devices, the bureaucratic policy process has recommended the selection of the F-35 twice – in 2010 and 2014. In both instances, they found the fighter to be the lowest-cost option, as well as meeting

Canada's requirements and offering the best industrial benefits. It is almost certain the current competition will recommend the same thing to government.

Just to make the process “fair,” the Liberal government designed the current competition to effectively cripple the F-35's bid – primarily by not counting the billions in contracts already accrued by Canada's participation in the JSF program. Even so, two manufacturers, Dassault and Airbus, declined to participate, citing that they could not meet Canada's requirements.

The only time the F-35 was not selected was in 2016. At the time, the Liberal government sought to extricate itself from an ill-conceived election promise to buy a more affordable option than the F-35, by pushing forward an even more ill-conceived policy. There was no lower-cost option, and cancelling the F-35 would be catastrophic for the Canadian firms already part of the JSF program.

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Putin wants to turn Ukraine into a vassal state

The West should aim to significantly increase the cost of invasion for Russia if we want to avoid war in Europe.

Balkan Devlen

Vladimir Putin is once again threatening to invade Ukraine. The risk is real, and Putin must be stopped before he plunges Europe into another war. Yet, as Russia amasses troops and equipment on the borders of Ukraine, the question in everyone's mind is: what are Putin's intentions? There are three broad, possible answers.

First, Putin may simply be posturing, much like the troop build-up back in April. In this scenario, he aims to intimidate Ukraine and the West but nothing more. The trouble with this view is two-fold. On one hand, as Michael Kofman has recently pointed out, there is a lot less public bravado about the troop movements compared to April, and the Kremlin's political discourse is also very different. If the purpose is putting on a big public show to intimidate Ukraine, it's rather a strange way to do so. On the other hand, there are only so many times you can bluff and not act before it loses its potency. The build-up in spring 2021 did not make Ukraine give in to the Kremlin's blackmail. In other words, this time it looks more likely that the Russians are getting ready for a large military contingency.

Second, Putin may be planning a large-scale invasion of Ukraine with the intention of capturing and annexing new territory, perhaps going as far west as Odessa. This would effectively spell the end of Ukraine as an independent country. However, neither the size of the military buildup (around 100,000 troops) nor the deployed military hardware point towards such a massive operation. Russia's policies towards its puppet administrations in Donbass also suggest the Kremlin has no interest in formally incorporating new territories into the Russian Federation. Indeed, it is hard to envision why the Kremlin would not first annex the occupied territories in Eastern Ukraine under the control of Russia-aligned groups before embarking on a massive invasion. In short, risking a major war at an enormous cost, and potentially a nuclear escalation to conquer territory with a population that will fiercely resist the occupiers, does not make any strategic sense.

Lastly, Putin may be planning a limited war that aims to create new realities on the ground. By demonstrating overwhelming force against Ukraine, he could potentially reveal NATO as a paper tiger



Top: Ukrainian President Volodymyr Zelenskyy; Viktor Medvedchuk with Russian President Vladimir Putin

(President office of Ukraine via commons.wikimedia.org; Russian Presidential Press and Information Office via commons.wikimedia.org)

(if the alliance protests loudly but does little else) and subjugate the political independence of Ukraine. If he decides to invade Ukraine in the next three months, I believe Putin hopes to achieve this permanent vassalization of Ukraine. That's a decision I think he hasn't make yet – and that's why it is imperative for the West to act now.

There are two main reasons why I think vassalization of Ukraine, and not territorial conquest, is his ultimate purpose.

First, it became clear in the last two years that Ukrainian President Zelensky will not be a clueless leader, dashing Kremlin's hopes it would be able to coerce and manipulate the inexperienced president. The anti-oligarch legislation Ukraine passed in June 2021, aimed to reduce the political and economic power of oligarchs, extinguished the last hopes of Putin. The most prominent target was Viktor Medvedchuk, the pro-Russian lawmaker widely seen as Putin's point man in Ukraine. It is rumored that Putin is the godfather of his daughter, and the Obama administration sanctioned him after the invasion of Crimea. He owned three TV stations that promoted a pro-Russia narrative, which were sanctioned by Zelensky with the support of the US and UK. He has been under house arrest since May 2021, with accusations of funneling funds to Russia-backed separatists in Donbass.

Former president Petro Poroshenko has also faced questions about his relationship with Medvedchuk and his own government's role in enabling Medvedchuk's activities. Prosecutors accused officials from Poroshenko's government of conspiring with Medvedchuk in helping him "buy coal from mines located in separatist-held areas as a way to finance the separatists." Poroshenko and his party denies the allegations, claiming they are politically motivated. Intra-oligarch rivalry can be opaque and politically motivated investigations are not unheard of in Ukraine. But it remains true that Medvedchuk's TV stations continued to promote pro-Russian narratives during Poroshenko's term and his other activities had continued unabated.

By moving against Medvedchuk, Zelensky has showed his determination to prevent Putin from undermining Ukraine from within, thus reducing the Kremlin's ability to manipulate Ukrainian politics. That leaves coercion as the only means for the Kremlin to stop Ukraine's integration

into Euro-Atlantic structures like NATO and the EU.

Second, Putin and his minions are increasingly blunt in their statements that what Russia wants is the permanent vassalization of Ukraine. Putin recently talked about the West not paying attention to Russia's so-called red lines, which include any cooperation between Ukraine and NATO or NATO member states – a point Putin freely admitted in his Valdai Club speech this September. In other words, Putin is no longer pretending to oppose only formal NATO membership

We should help Ukraine defend itself by providing advanced weapon systems and other military assistance.

for Ukraine, but any kind of relationship, including arms sales, training missions, etc. Fyodor Lukyanov, a prominent "Kremlin whisperer," openly calls for the "Finlandization" of Ukraine, in reference to the Soviet influence on Finland's foreign policy during the Cold War. In short, the Kremlin is open about its desire to turn Ukraine into a vassal of Russia and permanently crush the aspirations of the Ukrainian people to have a free, sovereign, democratic state.

Since Putin's options of undermining Ukraine from within is diminishing rapidly, he might be tempted to achieve his goals by brute force and force Ukraine and the West to capitulate to his demands – if he thinks he can get away with it. This is an extremely dangerous situation, not only for Ukraine but also for Europe more broadly. Such a "limited war" may not remain limited to Ukraine. It also poses a serious threat to NATO's cohesion and credibility if the West buckles under pressure to Putin's blackmail by abandoning Ukraine to Russian yoke.

What needs to be done? The West should follow a two-pronged strategy that aims to significantly increase the cost of invasion for Russia if we want to avoid war in Europe.

First, we should help Ukraine defend itself by providing advanced weapon systems and other military assistance such as intelligence, surveillance, and reconnaissance (ISR) capabilities to Ukraine. Ukrainians are not asking NATO troops to die for them. The least we can do is to provide a valuable partner the means to defend itself against an invader.

Second, we should make it crystal clear to the Kremlin that military action against Ukraine will result in immediate, extensive, and coordinated economic and diplomatic sanctions targeting Putin and his cronies. Those should include kicking Russia out of the SWIFT international payment system; declaring most Russian diplomats in Western countries as *persona non grata*; imposing travel bans on and seizing assets of Putin, his close associates, oligarchs, and their families; sanctioning all major Russian state-controlled companies, including Gazprom; and declaring that NATO will offer an accelerated Membership Action Plan to both Ukraine and Georgia.

Putin and his kleptocratic regime cannot stand the idea of a free, democratic, and independent Ukraine, charting its own way in international politics. It's incumbent on us to stand with Ukraine. ✱

Balkan Devlen is a senior fellow at MLI, where he leads the Transatlantic Program.

Canada must support justice and closure for the families of PS752 victims

The victims' families deserve justice, and the people of both Canada and Iran deserve the truth.

Alireza Nader

On January 8, 2020, the Islamic Republic of Iran shot down Ukrainian flight PS752, causing the death of 176 people, including 138 Canadian citizens, permanent residents, and others with close ties to Canada. While Tehran called the downing a mistake, a recent report from the Association of Families of Flight PS752 Victims identifies several key factors that point toward a conscious decision to shoot the plane out of the sky.

According to the Association's report, "[t]he intentional act of keeping Iranian airspace open, the technical capabilities of the Tor-M1 surface-to-air missile system and Iran's integrated air defence network in detecting hostile targets, the positioning of the Tor-M1 system near Tehran's international airport, the systematic concealment of the root cause of the crash, the destruction of existing evidence, and Iran's misleading reports, all indicate that the downing of Ukraine International Airlines flight 752 was deliberate."

Ottawa needs to apply significant political and economic pressure against the regime.

The report's findings are further evidence that Canada's policy of pure diplomatic engagement with Tehran, without employing any meaningful leverage, will continue to impede Ottawa's objective of obtaining justice for the victims' families. Rather, Ottawa needs to apply significant political and economic pressure against the regime to show Canada is serious about finding the whole truth and holding Tehran accountable. Such pressure would also facilitate Ottawa's investigation of the clerical regime's financial assets and its money laundering and political influence network in Canada.



Ukraine International Airlines Flight PS752 crashes in Shahedshahr, Iran, January 8, 2019; repatriation ceremony for the victims at Boryspil International Airport Kyiv, Ukraine.

(Mahdi Khanlari via farsnews.com/photo via commons.wikimedia.org; President office of Ukraine via commons.wikimedia.org)

Two other exhaustive reports on the downing of PS752 left the question of intentionality unanswered. Both reports, one by the Canadian government's senior adviser Ralph Goodale and the other by UN Special Rapporteur Agnes Callamard, condemn the Islamic Republic for its obfuscation and failure to cooperate with the international community's efforts to investigate the downing. Callamard also stated that the regime may have shot down the plane intentionally, although that theory, she believes, requires more investigation.


However, the PS752 Association's report provides information that the plane's downing was deliberate. For example, authorities in Tehran left Iranian airspace open during a time of ten-

system that shot down the aircraft had vast experience and expertise with short range missile systems including his service in Syria ... Given the experience of the operator, it is difficult to imagine that the operator could not distinguish between an alleged cruise missile and PS752."

The report also provides ample evidence that the highest levels of the Iranian government attempted to hide the intentional shootdown of PS752. These officials included former Foreign Minister Javad Zarif, a man often portrayed by Western media and pundits as a "moderate" member of the regime. Citing audio tapes of meetings between Zarif and other senior officials such as Secretary of the National Security Council Ali Shamkhani, which were obtained by the PS752

en to be false. A warm meeting between Trudeau and Zarif weeks after the PS752 downing, with both men smiling as they publicly shook hands, caused concern and angst among the victims' families and the Canadian-Iranian community. The PS752 report, however, should lay to rest the Trudeau government's engagement strategy.

Instead, the Canadian government should adopt the policies recommended by the PS752 Association. Ottawa should designate the IRGC, which was responsible for the downing, as a terrorist organization. Canada should also work with the International Civil Association Organization to launch a global investigation into the regime's conduct, including identifying senior officials responsible for the

 *Canada's policy of pure diplomatic engagement with Tehran ... will continue to impede Ottawa's objective of obtaining justice for the victims' families.*

sion between Iran and the United States, effectively using "civilian air travelers as human shield[s]." Washington's targeted killing of General Qasem Soleimani on January 3, 2020, and Tehran's retaliatory attack on the Al Asad US military base in Iraq, created an atmosphere of conflict that made Iranian airspace inherently unsafe. Yet regime officials allowed Iranian airspace to remain open, since closing the airspace may have tipped off US forces of imminent missile attacks.

In addition, the report counters the regime's claim that a TOR-1 missile defence operator confused a large civilian aircraft for a US cruise missile, thereby downing the airline by "mistake." The report states the "operator of the Tor-M1

Association, the report demonstrates that Zarif knew that Tehran shot down the plane intentionally and participated with other senior officials in attempts to cover up the truth.

According to the report, Zarif even "actively contributed to the baseless justification for the delay in the handover of the black boxes" to Ukrainian officials. In one recording, Zarif claims that the world will never know the truth behind the PS752 shootdown due to the interests of the Islamic Revolutionary Guard Corps (IRGC) – the regime's praetorians – in covering up the crime.

Prime Minister Justin Trudeau's belief that engaging Zarif and other Iranian officials would produce results has prov-

downing. Furthermore, Ottawa should impose Magnitsky human rights sanctions on senior Iranian officials responsible for the plane's downing.

The victims' families deserve justice, and the people of both Canada and Iran deserve the truth. In the words of Callamard, "the families of the victims and, indeed, Iranian society ... are left without the answers they deserve. They are left churning over and over again in their minds: how could this have happened?" It is time for Canada to help Canadian-Iranians and victims of the PS752 shootdown find closure. ❁

Alireza Nader is a senior fellow at the Foundation for Defense of Democracies.

Barton is out. Who will take over the China file?

Our next ambassador to China needs to be someone who will truly earn the right to “be remembered throughout history as one of Canada’s great diplomats.”

J. Michael Cole

Dominic Barton, Canada’s ambassador to the People’s Republic of China for the past two years, has announced he will step down at the end of this month. Despite Foreign Affairs Minister Mélanie Joly’s contention that he “will be remembered throughout history as one of Canada’s great diplomats,” Mr. Barton will instead serve as a footnote to a difficult period in Sino-Canadian relations, during which time Ottawa chose to put trade ahead of the values and principles that ostensibly define our country.

When Prime Minister Justin Trudeau appointed Mr. Barton to the post in Beijing after John McCallum called it quits, it was clear the new envoy would face extraordinary challenges. At the time, China had imposed sectoral trade sanctions on Canada, and bilateral ties were at an all-time low amid a dispute over the detention of Huawei CFO Meng Wanzhou and the retaliatory kidnapping of two Canadian nationals, Michael Kovrig and Michael Spavor.

This kind of diplomatic impasse – one made all the more challenging due to the fact that the other side was ruled by a Marxist-Leninist, ultra-personalistic authoritarian regime – would have been formidably daunting to the most seasoned of diplomats.

Unfortunately for Canada, Mr. Barton not only didn’t have any diplomatic experience, but he walked into the job with a pedigree, as the head of the China operations at global consulting firm McKinsey and Co., that raised many questions over potential



*With Mr. Barton
and McCallum
before him, the
results have been
less than stellar.*

conflicts of interest. Among McKinsey’s top clients are Chinese state-owned enterprises that work hand-in-hand with the Chinese Communist Party in expanding its authoritarian influence worldwide.

Ottawa’s decision, therefore, was terrible optics. It made it very easy for Trudeau’s critics to conclude that our fundamental differences with the CCP over human

rights, military expansionism, and emerging signs of genocide in Xinjiang, were of lesser importance than maintaining good relations with the regime and protecting trade. It looked as if the decision to appoint Mr. Barton hadn’t originated in the Prime Minister’s Office, but rather at the Canada China Business Council or the executive suite of some large multinational.

Perhaps by picking someone whose previous job as a top executive handling the China portfolio, Ottawa hoped this would provide the access needed to navigate Beijing in difficult times. Whatever the aim may have been, that strategy largely failed and the two Michaels languished in prison, their release only secured after the US struck a deal that led to Ms. Meng’s return to China (the extent to which Mr. Barton played a role in the negotiations surrounding their release is very much in contention). The sectoral sanctions, meanwhile, remain in place, and Beijing is as belligerent, anti-democratic, and destabilizing as ever before.

Of course, we cannot go back in time and see what would have happened if Ottawa had dispatched a more seasoned diplomat to Beijing, someone who would have spoken with more authority, and perhaps more forcefully, on matters of the greatest importance. Perhaps he or she would also have failed to sway a party that, under Xi Jinping, doesn’t seem to care about world opinion and that will not cede an inch to anyone; but at least Canada would not have undermined its claims to moral authority in the process, let alone give the impression that trade and appeasement were now the guiding lights of our foreign policy.

With Mr. Barton and McCallum before him, the results have been less than stellar. It is now time to try something else and to clearly state where we stand on matters of human rights and democracy. It is grand time we brought back diplomatic skill and dignity to the post of ambassador to one of the world's most important countries, one where the very future of global governance – democratic or authoritarian – is being defined.

We once again need someone who will unashamedly champion the values that define us, someone who will stand tall and who, along with likeminded allies who expect Canadian participation, will not hesitate to do what's right in the face of this undeniable assault on the world order. Above all, this means a diplomat who will not hesitate to give Ottawa his or her unfiltered assessment of what is going on in China and to challenge, where necessary, the wrong assumptions that for far too long have shaped Canada's approach to the country. In other words, our next ambassador to China needs to be someone who will truly earn the right to "be remembered throughout history as one of Canada's great diplomats." ❀

J. Michael Cole is a Taipei-based senior fellow at MLI. He is a former intelligence officer with the Canadian Security Intelligence Service. This article first appeared in *The Line*.

Big Tech temptation (Sokol)

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ers. Neither of these rises to conduct that on its own creates competition-law harm.

Some have suggested that vast amounts of data (a.k.a. "Big Data") that are held by large digital platforms could be treated as an essential facility – an asset to which third parties need access in order to offer their own product or service. This would likely hinder innovation, which, again, would ultimately harm consumers.

Simply put, Canada should not fol-

low in the footsteps of the US and Europe. Radical changes to the *Competition Act* are not required. Protecting consumers and the sector would be better achieved through incremental revisions to the competition-law framework that would promote and encourage pro-competitive behavior.

In that regard, the recent budgetary increase to the Competition Bureau – which offers additional resources to better enforce the law against abuse of dominance – should be welcomed. Increasing penalties for abuse of dominance, and perhaps allowing private rights of action for section 79 cases, also serve as useful alternatives in discouraging anti-competitive conduct.

Regulations that restrict integration of digital platforms and affect their ability to control their data will not capture the diverse ways in which Big Tech platforms compete and innovate. Rather than ushering in new safeguards, this approach will likely chill innovation and harm consumers. Canada should resist this temptation. ❀

Daniel Sokol is a professor of law at the US Gould School of Law. This article first appeared in the *National Review* and is based on his recent MLI report (co-authored with Anthony Niblett), titled *Up to the Task: Why Canadians Don't Need Sweeping Changes to Competition Policy to Handle Big Tech*.

Alberta (Coates, Exner-Pirot)

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Alberta is hurting – and the West is angry. The near total dismissal of the Liberal party by Western Canadians is simply the latest expression in regional disappointment. Equalization is the temporary focus for a simmering frustration with Canada.

The referendum is not an invitation to Canada to descend into the deep rabbit hole of equalization politics. Rather, it is a solid and defiant gesture of opposition to the national government and, even more powerfully, a poignant reminder that any version of federalism that ignores the West and leaves the region out of Canadian

nation-building is simply not in the national interest. ❀

Ken Coates is a distinguished fellow at MLI, and a professor at the University of Saskatchewan where he is Canada Research Chair in Regional Innovation.

Heather Exner-Pirot is a senior policy analyst and research coordinator at MLI's Indigenous Policy Program. This article first appeared in the *Toronto Star*.

CF-18 replacement (Shimooka)

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So the government invented an urgent "capability gap." They claimed Canada could not meet its NORAD and NATO defence commitments simultaneously, which required the immediate sole-source purchase of 18 Boeing Super Hornets. The policy fell apart when Boeing pursued trade sanctions against Bombardier's C-Series, which forced the government to reverse course and acquire surplus 30-year-old Australian Hornets for approximately \$500 million.

Ironically, the capability gap is worse now than at any time before. Due to severe pilot and maintainer shortages, the Royal Canadian Air Force can barely meet just one of its two major defence commitments. However, no action has been taken to address this issue.

In the end, there is every reason to believe the F-35 will ultimately be selected again, almost 12 years after the Conservative government announced its initial selection. Yet to describe this situation as politicized may be a misnomer. If it were, the Liberal government would have faced consequences for an utter disaster of a policy, which has wasted billions and damaged Canada's international standing. Instead, it has been able to skate by any consequences. One can only hope that finally acquiring new fighter aircraft may ameliorate some of the damage. Time will tell. ❀

Richard Shimooka is a senior fellow at MLI. This article first appeared in the *Vancouver Sun*.

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