

A MACDONALD-LAURIER INSTITUTE PUBLICATION

APRIL 2022

# A modern **Conservatism** for a modern **Canada**

An **MLI** collection of essays  
by Brian Lee Crowley





TRUE NORTH  
IN CANADIAN PUBLIC POLICY

## BOARD OF DIRECTORS

### CHAIR

**Vaughn MacLellan**  
DLA Piper (Canada) LLP, Toronto

### VICE-CHAIR

**Jacquelyn Thayer Scott**  
COO, Airesun Global Ltd;  
President Emerita, Cape Breton  
University, Sydney

### MANAGING DIRECTOR

**Brian Lee Crowley**, Ottawa

### SECRETARY

**Gerry Protti**  
Chairman,  
BlackSquare Inc, Calgary

### TREASURER

**Martin MacKinnon**  
Co-Founder and CEO, B4checkin,  
Halifax

### DIRECTORS

**Wayne Critchley**  
Senior Associate,  
Global Public Affairs, Ottawa

**Colleen Mahoney**  
Sole Principal,  
Committee Digest, Toronto

**Jayson Myers**  
CEO, Jayson Myers Public Affairs Inc.,  
Aberfoyle

**Dan Nowlan**  
Vice Chair, Investment Banking,  
National Bank Financial, Toronto

**Hon. Christian Paradis**  
Co-founder and Senior advisor,  
Global Development Solutions,  
Montréal

**Vijay Sappani**  
CEO, Ela Capital Inc, Toronto

**Veso Sobot**  
Former Director of Corporate Affairs,  
IPEX Group of Companies,  
Toronto

## ADVISORY COUNCIL

**John Beck**  
President and CEO,  
Aecon Enterprises Inc, Toronto

**Aurel Braun**,  
Professor of International Relations  
and Political Science, University of  
Toronto, Toronto

**Erin Chutter**  
Executive Chair, Global Energy  
Metals Corporation, Vancouver

**Navjeet (Bob) Dhillon**  
President and CEO,  
Mainstreet Equity Corp, Calgary

**Jim Dinning**  
Former Treasurer of Alberta, Calgary

**Richard Fadden**  
Former National Security Advisor to  
the Prime Minister, Ottawa

**Brian Flemming**  
International lawyer, writer, and  
policy advisor, Halifax

**Robert Fulford**  
Former Editor of *Saturday Night*  
magazine, columnist with the  
*National Post*, Ottawa

**Wayne Gudbranson**  
CEO, Branham Group Inc., Ottawa

**Calvin Helin**  
Aboriginal author and entrepreneur,  
Vancouver

**David Mulroney**  
Former Canadian Ambassador to  
China, Toronto

**Peter John Nicholson**  
Inaugural President, Council of  
Canadian Academies, Annapolis Royal

**Hon. Jim Peterson**  
Former federal cabinet minister,  
Counsel at Fasken Martineau, Toronto

**Barry Sookman**  
Senior Partner,  
McCarthy Tétrault, Toronto

### Rob Wildeboer

Executive Chairman, Martinrea  
International Inc, Vaughan

### Bryon Wilfert

Former Parliamentary Secretary to  
the Ministers of Finance and the  
Environment, Toronto

## RESEARCH ADVISORY BOARD

### Janet Aizenstat

Professor Emeritus of Politics,  
McMaster University

### Brian Ferguson

Professor, Health Care Economics,  
University of Guelph

### Jack Granatstein

Historian and former head of the  
Canadian War Museum

### Patrick James

Dornsife Dean's Professor,  
University of Southern California

### Rainer Knopff

Professor Emeritus of Politics,  
University of Calgary

### Larry Martin

Principal, Dr. Larry Martin and  
Associates and Partner, Agri-Food  
Management Excellence, Inc

### Alexander Moens

Professor and Chair of Political  
Science, Simon Fraser University,  
Greater Vancouver

### Christopher Sands

Senior Research Professor,  
Johns Hopkins University

### Elliot Tepper

Senior Fellow, Norman Paterson  
School of International Affairs,  
Carleton University

### William Watson

Associate Professor of Economics,  
McGill University

# Contents

Introduction .....	<b>4</b>
Why gratitude, not ideology, is the trademark of real conservatism .....	<b>7</b>
Country before ideology: Conservatives must take their responsibilities to Canadians seriously .....	<b>11</b>
A Jobs, Growth and Opportunity Agenda for the Conservatives .....	<b>14</b>
Cold War Mark II isn't coming. It's here. How will Conservatives respond? .....	<b>17</b>
Conservatives: You don't have to take leave of your senses to take climate change seriously .....	<b>20</b>
Reconciling a growth and opportunity agenda with an overdue welcoming of legitimate Indigenous power and self-determination .....	<b>23</b>
If Conservatives think Canada is irretrievably "progressive," Saskatchewan should make them think again .....	<b>26</b>
What Conservatives might learn from COVID and the failures of progressivism .....	<b>29</b>
The rule of law is a conservative issue, but it cannot apply only to the Party's political opponents .....	<b>33</b>
About the author .....	<b>36</b>

Cover photo credits: Erik Stolpmann

Copyright © 2022 Macdonald-Laurier Institute. May be reproduced freely for non-profit and educational purposes.

---

*The author of this document has worked independently and is solely responsible for the views presented here. The opinions are not necessarily those of the Macdonald-Laurier Institute, its Directors or Supporters.*

## Introduction

It is often said that free unsolicited advice is worth what you pay for it. That has never dissuaded those of us who toil in the think tank world from offering bushels of it; sometimes it has even proven valuable.

Public policy think tanks like the Macdonald-Laurier Institute are always on the lookout for ways to inject thoughtful policy ideas into the national conversation. Even though we are non-partisan, we recognize that the political parties are an important vehicle for policy ideas; moreover leadership campaigns are unique moments of intellectual ferment within Canada's political parties, a chance to get ideas widely discussed and, perhaps, adopted.

That is why I saw the Conservative leadership campaign now underway as a perfect moment to reflect on the public policy ideas that we have at MLI that might help shape the thinking of both the candidates for the Tory leadership as well as of actual and potential members of the Conservative Party. This document is the result. Inside you will find nine articles. Each of them is a four minute read. You can get through the whole thing in about half an hour.

The first article, "Why Conservatives are grateful for the society we have," was commissioned by the *National Post* a few years ago as the kickoff piece for a series they ran on the meaning of conservatism in Canada today. It points out that conservatism is not based on rigid ideology, but a sentiment of gratitude for the benefits that a well-functioning society like Canada confers on us every day.

Second is the piece I wrote to start the more recent series of op-eds that inspired this collection. In 2022, the *National Post* kindly accepted my idea for a series of pieces of advice to the aspiring Tory leaders. In it I laid out the case why the Conservatives have a moral and political duty under our constitutional system to offer an electable alternative to the government of the day. Indulging their boutique policy interests at the expense of that overriding objective is self-indulgent and deprives Canadians of real political choice.

Next in this *National Post* series was a piece laying out why jobs, opportunity and growth should be the bedrock of a Conservative economic policy in contrast to the left's preoccupation with redistribution. I call for a formal commitment by the Conservatives to double the size of Canada's economy within a few short years while also laying out a strategy to contain public spending without sacrificing public support.

Conservative parties internationally usually bring together a coalition of economic conservatives, national security conservatives and social conservatives. Thus, the fourth piece in the *National Post* series lays out a platform that would appeal to the national security conservatives in Canada who have been aware for years that Cold War Mark II isn't coming. It's here, but Canada isn't ready.

No party is going to get a respectful hearing these days if they don't take the environment and climate change seriously. Unfortunately, the Conservatives seem to have got it in their head that in order to take climate change seriously you have to endorse whatever extremist alarmism is fashionable on the left. This fifth piece in the *National Post* series makes the case for an adult policy on climate change that avoids alienating eco-minded voters but doesn't require people set their hair on fire over contentious "climate emergencies."

Reconciliation between Indigenous and non-Indigenous peoples in Canada is an issue that has seized the public imagination in Canada and is long overdue. Moreover, one of the Conservative's greatest image problems with Canadians is that they "don't care" about the poor, the weak and the vulnerable. The next piece in the *National Post* series thus made the case that the Tories could do well by doing good: "A pro-opportunity Conservative Party that embraced Indigenous Canada as a respected, necessary and welcome partner in unlocking prosperity would find a growing audience in the Indigenous world." And they would change how Canadians feel about the party to boot.

The final installment in my *National Post* series starts like this: "Many Conservatives moan about the challenges of being a conservative party in a left-wing country, as if the deck was stacked against them by the electorate's immutable 'progressive' beliefs. What if, however, Canada is a country with deeply held but non-ideological beliefs that are in many ways quite conservative but the Conservative Party constantly misjudges how to connect with those values? If this is correct, then Canada is not the problem. The Conservative Party is." And where should the party look for inspiration if they think this analysis has merit? The success of the Saskatchewan Party.

It seemed to me that two other pieces, not part of the series for the Post, might nonetheless be of value to Conservatives and political observers in thinking about the place of a genuine conservative philosophy in Canada.

The first “bonus” article was a long opinion piece published in the *Globe and Mail* on the publication of my last book, *Gardeners vs Designers: Understanding the Great Fault Line in Canadian Politics*. This article is in a way a continuation of the op-ed about the meaning of conservatism that leads off this collection. Using governments’ response to COVID as a leaping off place, it lays out some of the reasons why conservatives are skeptical of governments’ claims to be able to “manage” something as complex as society or the economy, why “following the science” isn’t necessarily a recipe for rationality, and why faith in people’s experience and common sense often turns out better than letting “experts” rule. Some will confuse this with “populism,” as if faith in people is somehow irrational. As you will find if you read this piece, or even better, the book, my argument is that excessive reliance on narrow “expertise” in the face of the complexity of society is in fact the irrational response.

Finally, the second bonus piece reminds Conservatives that the rule of law (much invoked but rarely understood in the context of the Freedom Convoy) is fundamentally a conservative value that touches the very core and essence of democracy. In my view, however, all the political parties in Canada, including the Conservatives, have damaged the rule of law by defending it only when its rigours might fall on their political opponents. The real test of your commitment to the rule of law is when you are ready, willing and able to apply it to your friends. Every Canadian political party fails this test.

Happy reading.

Brian Lee Crowley  
Managing Director, Macdonald-Laurier Institute  
Ottawa, April 2022



## Why gratitude, not ideology, is the trademark of real conservatism\*

**M**odern conservatism springs, not from a central idea or policy, but from an emotional disposition. Conservatives are first and foremost grateful for what we as a society have.

This gratitude arises from an awareness of where we have come from. Poverty, disease, ignorance and intolerance are humanity's default condition. Only a handful of societies have, slowly and painfully, evolved the institutions and behaviours that allow people to escape these ills on a broad front.

Canada is one of those nations. Our greatest endowment is thus neither our natural resources nor our people but a set of institutions and behaviours that includes the rule of law, judicial independence, robust property rights, respect of contracts, non-corrupt police and bureaucracy, a relatively stable regulatory and tax burden, non-violent resolution of disagreements, a strong work ethic and the certainty that elections actually choose governments, with the vanquished relinquishing power. Added to the civil freedoms of speech, religion, conscience and assembly, this makes an inheritance of order and freedom almost without peer in the world.

Conservatives do not think society is perfect; rather, imperfections signal that incremental adjustments that promise genuine improvements without endangering the gains of the past must continue.

This gratitude for our inheritance is in contrast to the left's obsession with our mistakes, our moral, environmental and racial failings, for example. The past is no source of inspiration but is composed of endless sins whose stain can be removed only by endless apologizing, the abandonment of tradition and the reconstruction of our institutions and behaviours in accordance with fashionable opinion.

A corollary of our gratitude is a deep skepticism of grand schemes of social reconstruction. Too often have revolutions not only failed to improve conditions for the many, but they have destroyed the progress that had already been made in growing the institutions that confer success.

Conservatives thus look with favour on the vast network of programs and private insurance that have grown up over the years to give most Canadians affordable access to prescription drugs but also agree that this must be supplemented by a scheme that extends coverage to the small minority not served by the current system. A universal “pharmacare” system that sweeps away approaches that work well for an untried government monopoly unnecessarily risks compromising benefits enjoyed by the majority in order to worship at the left’s altar of uniformity and bureaucratic control.

Moreover, conservatives understand that some of our greatest social challenges do not come from the failure of our institutions. In the case of Indigenous people, for example, the challenge is their long-standing exclusion from those institutions: opportunity, education, infrastructure, self-government and many other things the rest of us take for granted. Indigenous leaders are making a conservative case when they call for the yoke of Ottawa’s bureaucracy to be lifted, for their communities to be granted self-government and for them to be able to build their economies to generate enough wealth for Indigenous people to make their own choices.

*Conservatives understand that some of our greatest social challenges do not come from the failure of our institutions.*

Gratitude for what we have inherited from our forebears entails an obligation to resist those who, from ignorance or self-interest, would damage this patrimony. It is thus a conservative impulse that saw Canadians rise up in disgust against the corruption and the abuse of the rule of law that underpinned the SNC-Lavalin scandal. We are united in not wishing to import such behaviour and in rooting it out wherever it is to be found. That same impulse animated outrage at the attack on a rules-based society represented by asylum-seekers letting themselves into Canada by simply walking across the border at Quebec’s Roxham Road in defiance of the spirit of a fair and orderly immigration system.

Conservatives believe that the greatest achievement of 1867 was a parliament and government endowed with the power and authority to act in the interests of Canada and are thus repelled by politicians’ failure to stand up for this au-



thority, as when they offer a veto to provinces over infrastructure of national significance, such as pipelines, or refuse to use federal power to sweep away barriers to trade between Canadians.

On the vexed question of identity, conservatives hold that in a society of free people it is neither possible nor necessary for us all to agree with each other's choices of how to worship, conduct our sex lives or interpret our history.

In the conservative worldview, people are not first and foremost black or transgender or Chinese or Muslim or Irish or Indigenous. They are Canadians who enjoy the freedom to choose the identities that matter to them. We do not protect only state-approved opinions, behaviours and identities because we are not servants of the state, but the other way around.

Progressives, who see these disparate identities as foundational, are outraged by the resistance shown by ordinary Canadians when they are told by law that they must use someone else's choice of a pronoun or refrain from saying anything that might be construed as critical of Islam or must renounce their religious convictions to obtain government grants.

Conservatives say that all identities are private and must be accepted, just as others must not be forced to endorse them. When Justin Trudeau says he has spent his years in power years bringing Canadians together, what he really means is he has demanded that ordinary Canadians be forced to embrace ever smaller and more militant minorities who demand not acceptance but enthusiastic endorsement. It is not enough to say that sexual minorities are entitled to the same protections as all other Canadians. You must march in the Pride Parade or be labelled a bigot. Conservatives believe in a single public Canadians-of-All-Identities Pride Parade, followed by private side parties for those who want to celebrate particular identities.

Progressives want us to celebrate Canada because of social programs and multiculturalism, but they are wrong to see these as what makes Canada great.

When my ancestors, Laurence and Honora Crowley, set sail from Ireland in the 1820s for what was to become Canada, they didn't come for free visits to the doctor. They didn't wrestle a prosperous farm from a hostile wilderness for the quality of our public services. There weren't any. And yet Laurence and Honora and millions of others flocked to Canada. Why? Plenty of people move to Canada from countries with more generous social programs, but few Canadians move the other way.

Multiculturalism isn't the explanation. The USSR was hugely ethnically diverse but people had to be prevented from leaving at the point of a gun. Multiculturalism in Canada isn't the cause of our success, but a result. Diversity isn't our strength; our strengths attract diversity. People from all nations

come here because of the freedom, stability and opportunity Canada offers, not because people from all nations come here.

There is thus a Canadian mainstream after all, and it is the foundation on which repose the diverse identities of Canadians which so preoccupy progressives. That mainstream is deeply conservative. The fact that no political party has been able to articulate and defend it is the greatest reason for our divisive and fractured politics. This is a moment of great danger for Canada, but also great opportunity for those who know how to seize it.

*\*This piece originally appeared in the National Post on October 29, 2019 under the headline, "Why Conservatives are grateful for the society we have."*



## Country before ideology: Conservatives must take their responsibilities to Canadians seriously\*

It's not about you; it's about Canada: that's the message that should echo in the mind of every Tory as they vote for a new leader.

Too many Conservatives regard their party as a place to indulge their deeply held, perfectly legitimate, but boutique causes: climate-policy skepticism, lifting automatic gun restrictions, opposing abortion and so forth.

Moreover, party spokespeople focus on issues of narrow interest, like taxes, deficits and waste, unable to produce a coherent vision of the positive things government is for in a country that believes in the common good.

The Tories have thus made their party an electoral liability. Yet the Official Opposition's duty and responsibility is to offer a credible alternative to the government of the day. When Tories fail, they condemn Canadians to re-elect a government that few people actually want.

Over the past two elections, Canadians have made it clear that there is widespread unhappiness with Prime Minister Justin Trudeau's Liberals. Canadians wanted a change, but when they looked at the Conservatives, they found them wanting. The Tories thus saw important leads evaporate, even though both times they won the popular vote.

Trudeau is prime minister not because the Liberals are strong, but because the Tories are weak, clinging to policies that alienate critical voters rather than holding the government to account and unable to project a positive vision that rallies Canadians.

Yet our political system demands a credible alternative government. The Tories wrongly interpret this to mean that they must oppose the government on everything, even when as on, say, carbon taxes, they make themselves appear irresponsible on an issue a lot of people care about.

This cannot be fixed by the leader contradicting what the party wants, because then people don't know whom to believe. They worry they'll vote for what the leader says but get what the party wants.

For most voters, politics is an annoying, expensive, but unavoidable distraction. They also know politicians make promises that sound good in order to win votes. Unpredictable events like wars, pandemics and economic downturns often make politicians' intentions irrelevant to the problems they are actually called on to solve. Unsurprisingly, voters end up discounting what politicians say.

“ *Trudeau is prime minister not because the Liberals are strong, but because the Tories are weak.* ”

But voters are very good at sniffing out the character of both people and parties. What kind of people they are putting in office to make those unpredictable decisions is something voters can and do form strong feelings about.

In 2015, voters preferred the optimistic character of Justin Trudeau to the dour competence of Stephen Harper. But in the two subsequent elections, Canadians sought a leader and a party in whose character they could have more confidence.

Parliamentary democracy is supposed to give them that choice, so that when the time comes to throw the bastards out, there is a credible alternative to put in their place. This is what the Tories have signally failed to do through pursuing narrow causes that do not resonate with the suburban Canadians who decide elections.

Yet having a credible alternative to the government has never been more urgent. In my long career watching politics, I have never seen a government more ideologically rigid, more devoted to divisive policies or more prone to shaming Canadians for the country their ancestors built and defended, a country that millions have chosen as their new home and millions more aspire to move to.

It is on the Tories that we have a government that has allowed virtually all the symbols of Canadian sovereignty and nationhood to be denigrated, disparaged and neglected: the flag, Parliament, Canada Day, the military, the RCMP, the border, our alliances with other democracies in defence of our most important values. The Liberals have failed at basic tasks like keeping our citizens safe from foreign threats, while regarding the rule of law as an inconvenience to be circumvented, rather than a foundational principle.

Yes, Canadians should acknowledge their country's shortcomings, such as its treatment of Indigenous-Canadians and the vestiges of racism that still exist in our society. The Liberals, however, treat these failings as matters of divisive moralistic posturing, rather than leading us to unite proudly in a shared determination to make our great country even better.

The Tories do not need to become Liberals to win elections. On the contrary, the country is crying out for an alternative to the Grits, an alternative that doesn't make them nervous, but instead makes them feel confident; a government that thinks Canada is the finest country in the world, rather than a repository for all that is shameful and retrograde.

Remember, Conservatives, your choice is about more than what you want. You have an overriding political and constitutional responsibility to find the policies and leadership that give Canadians the confidence to vote out the current lot, if that is what they wish to do. An Opposition that fumbles that responsibility doesn't just fail itself. It fails Canada.

*\*This piece originally appeared in the National Post on February 29, 2022 under the headline, "Conservatives must put country before ideology to offer a credible alternative to the Liberals."*



## A Jobs, Growth and Opportunity Agenda for the Conservatives\*

**E**conomic and fiscal management, for example, are undoubted Tory strengths, but the party traditionally plays them poorly while ignoring the trust issues so many voters have with Conservative governments.

Voters worry that Conservatives will be indiscriminate, savaging spending that voters like and not just cutting waste. Tory fixation on debt-to-GDP ratios and the size of annual deficits, which are too abstract to mean much to voters, stokes this anxiety.

Voters also don't share Conservative suspicion of public sector workers, who are their friends and neighbours and whose jobs mean just as much to them as those of private sector workers. Remember the former Ontario Tory leader Tim Hudak who pledged to cut a seemingly arbitrary 100,000 public sector jobs and threw away an election he was well-positioned to win.

Polls, however, show the Tories are well liked as the party of growth, of opportunity, of sound management.

To lead with those strengths, the winning party leadership candidate should promise to double the size of the economy over the next 25 years. Sound ambitious? Only compared with the anemic growth performance of the past decade, the worst of any 10 years since the Depression. Since 2014, business investment, which drives real growth, has fallen a stunning 28 per cent.

Doubling the economy only requires us to grow one-half of 1 percent faster each year, an entirely feasible goal. And the party can put the accent on growth's widespread benefits: more jobs, higher incomes, lower taxes, less debt. Remember that Brian Mulroney won in 1984, not on the cry of "Cut, cut, cut," but "Jobs, jobs, jobs."

Boosting real growth to a modest 2.5 percent instead of Finance's projected feeble 1.8 percent would raise real incomes immediately, and year after year. By 2050 we'd be earning \$17,000 more per Canadian. Without any tax increases, government would have an extra \$270 billion to spend.

Responsible growth solves a lot of problems for Canadians and for whoever leads the Conservatives. Voters feel confident when they think their own position is secure, and young people and others who feel they are not participating in Canada's prosperity know that a strong demand for workers beats all the government programs you can invent.

Growth and jobs become the justification for such favoured Tory policies as deregulation, tax reform, supporting families and ensuring that those who are capable of working are given every incentive to do so. Who needs a guaranteed annual income when real work is available for all? Just keeping spending per capita steady while letting the economy grow means taxes and debt can both fall while preserving existing services.

“ *Responsible growth solves a lot of problems for Canadians and for whoever leads the Conservatives.* ”

Conservatives may wish to go further, however, especially given the rapid growth in government since 2015. Here they could learn from former Liberal finance minister Paul Martin. The idea of taking a page from the Martin playbook scandalizes some Conservatives, but they have it wrong. He stole from the conservative playbook; only unsuccessful generals disdain learning from their opponent's victories.

Martin, with the backing of then prime minister Jean Chrétien, oversaw the largest decline in the size of government of any Western democracy in the post-war era, and did so with strong public support. Any new Tory leader should especially note three things about Martin's record.

First, he didn't antagonize public opinion by slashing spending indiscriminately. Nobody supports wasteful spending, and everyone knows it exists. But Canadians equally think their government at its best works for Canadians and their interests.

Martin squared this circle by laying out in advance a series of clear tests to separate wasteful spending from spending genuinely in the public interest. Spending that failed the tests was cut, often entirely. Justified spending es-

caped, often unscathed. Cutting was not done to satisfy some bloodless ideological craving, but because it wasn't achieving what Canadians wanted from their government.

Second, Martin demonstrated that responsible public finances were good for economic growth. In the decade that followed his reforms Canada was an economic star, leading the league tables for growth among the G7. Nor was this accomplished at the expense of the poor and vulnerable. Those on low incomes saw their position improve, not deteriorate.

Third, everyone benefited from fiscal discipline. Annual surpluses went to new spending, tax relief and debt reduction.

A Tory leader who promised a similar reasoned but searching examination of public spending – perhaps under the arms-length leadership of a trusted senior non-political figure – and the equitable sharing of the fruits of fiscal discipline, would earn the trust of voters. One who sold this as part of a Jobs, Growth and Opportunity agenda would be a formidable competitor in the next federal election.

*\*This piece originally appeared in the National Post on March 3, 2022 under the headline, "Doubling the size of the economy within 25 years would be a winning goal for the Conservatives."*





## Cold War Mark II isn't coming. It's here. How will Conservatives respond?\*

Candidates for the Conservative leadership might do well to recall that Cold War I, between the USSR and the West, started in Ottawa. In September 1945, a whistleblower at the Russian Embassy, Igor Gouzenko, stole documents detailing Soviet espionage against the West. When the extent of Soviet perfidy was revealed, Canada enthusiastically joined other western democracies in creating the postwar collective security architecture, including NATO.

Revealingly, Gouzenko wandered Ottawa for a day desperately trying to get anyone to take an interest in his tale of betrayal and duplicity. Who would want to harm nice inoffensive Canadians? The answer then, as now, is power-hungry despots who despise our way of life.

Cold War II, between an aggressively imperialist China, a revanchist Russia and a naïve and credulous West, did not begin in Canada this time. Its tentacles, however, reach deeply into Canadian society, endangering our citizens, our economy and our interests. Russia's bloody invasion of Ukraine, like China's kidnapping of the Michael Kovrig and Michael Spavor, has shone a bright light on this conflict, creating an opening for Conservatives to become the party that keeps Canadians safe in a dangerous world.

Authoritarians learned long ago that people in the West will resist military threats to their domestic freedoms and democracy. The bullies have now shifted to working tirelessly to weaken the West's moral resolve. Misinformation and disinformation about us, delivered to our television, social media feeds and inbox by armies of Internet trolls, are thus today's front line in the struggle to defend freedom and democracy. Authoritarians use the social media megaphone to repeat that the West and democracy are vicious, corrupt

and indefensible; our adversaries stoke conflict within our societies and sap our will to defend our values and our way of life.

Russia spreads misinformation about Ukraine, for example. Russian-inspired online narratives about Ukraine's alleged Nazification (in a country governed by a democratically-elected Jewish president no less) and persecution of ethnic Russians then are repeated by trusting but naïve Canadians, usually accompanied by a "both sides are so nasty we shouldn't get involved" gloss.

Western military superiority over the world's authoritarians is meaningless if we lack the political resolve to use it, if we think there truly is no moral difference between free democracies and authoritarian despotisms.

Disinformation is clearly present in Canadian pipeline debates, as Russia seeks to hobble a competitor in supplying oil and gas to Western countries. Moscow has weaponized the resulting deep energy dependency in Europe. Foreign misinformation was clearly a factor in numerous other elections, referendum campaigns (think Brexit) and social movements (such as Green opposition to various industries or our very own trucker convoy) throughout the West in recent years. Foreign policy isn't "out there"; it is here and affecting our lives and social harmony every day.

*“Our adversaries stoke conflict within our societies and sap our will to defend our values and our way of life.”*

There are other ways in which our adversaries are using our own strengths against us. In the trade sphere, for example, we assume other countries sign trade deals in the same spirit of trade openness as we do. There can be no doubt, however, that China has used industrial espionage and trade agreements for the purpose of achieving industrial and economic domination over the West. The result has been deindustrialization of our societies.

In Canada's case we have aided and abetted our adversaries' ambitions by allowing them to launder and then invest money on an industrial scale and by being complaisant in the face of foreign efforts to coerce and intimidate Canadian citizens and residents seeking to alert Canadians to the dangers posed by China, Russia and other authoritarian regimes.

Conservatives have, then, lots of room to make themselves the unapologetic defenders of Canada's national interests. They can, for example, strengthen anti-money-laundering laws and enforcement, create a foreign agents regis-

try, appoint a national taskforce to identify ways to defend our democracy against foreign influence operations, ban Chinese telecom supplier Huawei from Canada's 5G telecom system, and reveal intelligence about the influence operations of both Russia and China on our soil. They can beef up the capacity of our intelligence and armed forces to combat cyber-security threats. Job One of any government is to defend its citizens from foreign threats, a task at which Ottawa has been failing miserably.

Speaking of the armed forces, Canada can strengthen the West's commitment to collective security and Canada's influence with its allies by honouring our own promise to spend 2 percent of GDP on defence within, say, 10 years. Then we could contribute more than hashtags when the next authoritarian threat emerges, whether in Ukraine, the Baltics, Taiwan, Korea or the Middle East.

And Conservatives can start treating our natural resources, not only as the national treasure they are, but as a buttress for the democratic world against economic pressure from Russia and China, given their efforts at dominating markets for energy in Europe and strategic minerals globally.

Finally, the Tories need a plan to ensure that legitimate free trade is not used as a cover for the deindustrialization of our economy and the transfer of thousands of jobs to China. It is not free trade when national governments use their country's companies as instruments of foreign and security policy. The Tories can be both hard-headed free traders and staunch defenders of Canada's national interests. The times require nothing less.

*\*This article originally appeared in the National Post on March 10, 2022 under the headline "Conservatives must unapologetically oppose authoritarian attacks on our democracy."*



## Conservatives: You don't have to take leave of your senses to take climate change seriously\*

It is always risky to hold up a dead white European as an example of anything good in our benighted age, but here goes: Aristotle holds the key to bringing debate on climate change and the environment within the Conservative Party into the 21st century.

Conservatives seem to be under the impression that extremist climate policy on the left must be met with climate skepticism on the right.

Aristotle, though, taught us that virtue isn't the opposite of vice; courage isn't the opposite of cowardice. Virtue is the mid-point, the golden mean, between two opposing vices. Courage is the mid-point between cowardice and foolhardiness.

So as Conservatives prepare to pass judgment on the candidates for the leadership of their party, they might ask themselves where the golden mean might be between the extreme overreach and economic destruction of the left's climate religion and a climate skepticism that defies a large body of expert opinion and alienates many voters who think climate change is real and expect their government to take it seriously.

An adult position on climate change would call out the left on its irresponsible claims that we can costlessly decarbonize the economy, wreak havoc on our energy industry and turn our backs on the issues of energy security, which have been so poignantly raised by Russia's invasion of Ukraine.

The scientific consensus they are so fond of invoking says the world, includ-

ing Canada, will be dependent on fossil fuels for decades to come. Demonizing fossil fuels and preventing Canada from developing its resources by obstructing pipelines and the like does nothing to combat climate change, but it does have a devastating effect on the Canadian economy and makes us and our democratic allies vulnerable to energy blackmail by some of the world's nastiest regimes.

German efforts to reduce their dependence on nuclear energy and coal, for example, have only made them dependent on French nuclear power and Russian oil and gas. US President Joe Biden revoked a permit to a Canadian energy pipeline, which harmed a democratic ally and forced him to go cap-in-hand to the likes of Saudi Arabia and Venezuela for oil, while failing to cut emissions. Domestically, we are obstructing the production of liquefied natural gas and thereby keeping global coal consumption and greenhouse gas emissions higher than they need to be.

“ *Climate change is real and poses a serious risk to the environment and Canadians' well-being.* ”

But that same adult position must acknowledge that climate change is real and poses a serious risk to the environment and Canadians' well-being. What we need is the fastest, least costly and most effective path toward cutting emissions and ensuring that Canadian energy is produced to the highest environmental standards, while displacing as much dictator oil and gas possible.

To make this deal work for Canadians, who have reason to fear the effects of climate change, the Tories must show they take climate change seriously. That means embracing a carbon tax — not necessarily the current one, but a serious form of carbon pricing that takes account of Canada's real circumstances of export dependence, extreme cold, great distances and small population, while supporting emission-reduction technologies, including via carbon capture, hydrogen extraction and nuclear power.

This will be hard for some Conservatives to swallow, but it must be done. Conservative parties from Britain, Germany and elsewhere have made this shift and have been rewarded electorally while doing the right thing environmentally.

Tories have always believed governments don't know enough to control and direct the economy and the best policy is one that gives producers and consumers incentives to do the right thing. A carbon tax does just that. It rewards

people for reducing carbon emissions but leaves it up to them to find the best way to do so.

A Conservative policy that deregulates the energy economy in return for a well-designed carbon tax would spur investment and growth while reducing emissions. And it would be consistent with conservative principles.

Internationally, Canada is in a strong position to do good by doing well. Bad actors like Russia and China have already weaponized energy and mineral production. Russia's war on Ukraine is largely financed by democratic countries buying President Vladimir Putin's oil and gas. China has achieved a worldwide stranglehold on strategic minerals, including those used in solar panels and battery technology, which has already been used to punish democracies that fall out of favour with President Xi Jinping.

Canada should encourage the world's democracies to privilege democratic sources of critical minerals and energy. In exchange for Canada's commitment to be a reliable supplier at market prices, our partner countries would agree both to eschew discounted energy and minerals from despotic regimes and to apply, where it doesn't already exist, a carbon tax that rewards efficiency and reduces consumption.

These measures could replace the left's vacuous finger-wagging with real GHG emissions reductions domestically and internationally, while playing to Canada's economic strengths. It would be a good look on the Tories.

*\*This article originally appeared in the National Post on March 23, 2022 under the headline "Conservatives can reject destructive left-wing policies and still take climate change seriously."*



## Reconciling a growth and opportunity agenda with an overdue welcoming of legitimate Indigenous power and self-determination\*

No one will be more aware than the candidates for the leadership of the party that the Conservatives have an image problem. It can be summed up in one word: mean. Too many Canadians think that the Tories are flint-hearted.

The British Conservatives faced a similar challenge. Facing an opposition known popularly as “the nasty party” helped give Tony Blair a record run as Labour prime minister.

But the British Tories recovered by defining a distinctive response to social challenges such as poverty, housing and social mobility. The political payoff has been tremendous, as the Tories articulate and act on smart ideas about how to use the power of markets and the state to improve the lot of the least well-off.

A Canadian Tory party wishing to burnish its compassion credentials might well want to start with the shocking conditions in which far too many Indigenous Canadians still live. Especially in the wake of the Truth and Reconciliation Commission, reconciliation with First Nations, Inuit and Métis people is now a major national preoccupation. Conservatives must be constructive contributors to that conversation.

Fortunately, this is easy to do. The left defines the issue as victimhood; its solution is apologies and increased transfers, digging ever-deeper the hole of dependency and despondency we have dug for Indigenous people. This approach sees our institutions – self-government, the rule of law, private prop-

erty, responsibility for self, entrepreneurship and risk-taking – as the problem. Those institutions failed Indigenous people and must be swept away to be replaced by the warm embrace of well-meaning government.

Conservatives, however, can offer a contrasting policy of opportunity and respect of legitimate Indigenous power that must now be accommodated in modern Canada. After all, victimhood focuses on the past, which cannot be changed, and disempowers the victims, who must go cap in hand to the authorities for restitution.

Those institutions that stand indicted by the left have not failed. Our failure was wrongly excluding Indigenous people from the benefits of those institutions in the first place, treating them as incompetents whose interests had to be protected by the well-meaning state that brought us residential schools and constant encroachment on Indigenous lands and rights. And as more and more Indigenous communities taste the benefits of autonomy and self-determination, they begin to look a lot like Tory voters.

*“Conservatives, however, can offer a contrasting policy of opportunity and respect of legitimate Indigenous power.”*

The bulk of Indigenous people live in rural areas, and many still hunt, own guns and see their future tied to the land, including through agriculture and the natural resource economy. They have seen first-hand the devastation wrought on their families and communities by distant and indifferent government. They hate taxes. They want regulatory barriers to their economic success torn down. They want to build their communities according to their own priorities.

Importantly, they don't want to be told by eco-colonialist governments, urban dwellers and international celebrities what jobs and opportunities Indigenous people will be “allowed” to develop. The rising generation of young Indigenous Canadians wants jobs and opportunity on the reserve as well as in the cities, and the natural resource frontier now runs through many of those communities, juxtaposing legitimate Indigenous power and real opportunity in a way not seen since the fur trade.

Reconciliation is now inseparable from natural resource development; natural resource companies and Indigenous Canadians are striking hundreds of deals worth billions of dollars. Many Indigenous communities for the first time are facing the challenge of managing prosperity, not poverty. That is rec-



conciliation in action.

No political party yet represents this newfound spirit in the Indigenous world. The Liberals, for example, ignore their constitutional duty to consult and accommodate Indigenous concerns by obstructing pipelines and tankers that enjoy widespread Indigenous support. Local Indigenous communities on the Coastal Gaslink route that needed federal government support to acquire a 20 percent stake in the project were turned down; they had to content themselves with 10 percent. The Liberals sided with unrepresentative, anti-development hereditary elders and ignored the elected band council and the clear majority of the Wet'suwet'en in that First Nation's efforts to participate in resource development on their territory.

Indigenous people in Canada are becoming an increasingly firm and clear voice in favour of the natural resource development the Tories see as key to Canada's future, just as they hold the power to obstruct that development. When local Indigenous groups support development, extreme environmental opposition has difficulty gaining traction. Indigenous people have more credibility on these issues than governments, regulators, companies or NGOs. Companies get that establishing and nurturing a positive relationship with Indigenous people helps get the job done, while failing to do so guarantees a pipeline full of headaches and opposition.

Indigenous communities, like other communities, have their vocal minorities opposed to development, and the expressions of their dissatisfaction are fodder to the media. But these vocal minorities are no more representative of Indigenous Canada than non-Indigenous protesters are of the country as a whole. Liberals and New Democrats victimize Indigenous communities anew when they treat these aggressive and vocal minorities as the mainstream of the Indigenous world.

We should welcome that growing spirit of enterprise and entrepreneurialism that seeks opportunity for Indigenous people, respect for their rights, and control over their own lives. These values are what Conservatives believe lie at the base of Canadians' great success in the world.

A pro-opportunity Conservative Party that embraced Indigenous Canada as a respected, necessary and welcome partner in unlocking prosperity would find a growing audience in the Indigenous world. And they'd have the foundation of that distinctive Tory narrative on social issues that Canadians seek.

*\*This article originally appeared in the National Post on March 31, 2022 under the headline, "Reconciliation with Indigenous people is inseparable from resource development."*



## If Conservatives think Canada is irretrievably “progressive,” Saskatchewan should make them think again\*

Many Conservatives moan about the challenges of being a conservative party in a left-wing country, as if the deck was stacked against them by the electorate’s immutable “progressive” beliefs. What if, however, Canada is a country with deeply held but non-ideological beliefs that are in many ways quite conservative but the Conservative Party constantly misjudges how to connect with those values? If this is correct, then Canada is not the problem. The Conservative Party is.

For an object lesson in how to let underlying conservative values shine through an overlay of long-time progressive government, look to Saskatchewan. Long a bastion of CCF and then NDP government, a place progressives elsewhere in Canada longingly admired from afar, Saskatchewan has decisively shed its NDP allegiance. It has transferred its affections instead to the Saskatchewan Party, a relatively populist amalgam of small-c conservative Tories and Liberals.

The CCF/NDP ruled Saskatchewan for roughly 46 of the 63 years between 1944 and 2007, punctuated by short interludes of government by the Liberals or the Tories when the electorate judged the NDP needed a time out. But voters always returned to their NDP home, including in the early days of the Saskatchewan Party. The new party was still young, brash and aggressively populist. Successive electoral defeats ground down the party’s sharp edges until, under leader Brad Wall, the party learned how to win the trust of voters while holding firm to conservative principles.

It wasn’t that Saskatchewan people weren’t in their heart of hearts conservative. It was that they worried that an ideologically-driven Saskatchewan Party would throw out the baby with the bathwater.

A major sticking point for Saskatchewan voters was the panoply of Crown corporations that had grown up under the NDP, running everything from telephones to auto insurance. The voters recoiled before the early Saskatchewan Party's determination to rid the province of these affronts to private enterprise.

Saskatchewan folks are more pragmatic. They were fine with conservative incremental adjustment but resistant to radical populist wholesale change. They preferred the known and comfortable to the unknown and theoretical. Brad Wall's genius was that he brought a whole different philosophy to presenting conservative-oriented change to Saskatchewan. He didn't start out with hard-line ideology that promised a sharp break with the past, trying to convince people to accept a leap in the dark.

As Dale Eisler, author of an important new book, *From Left to Right: Saskatchewan's Political and Economic Transformation*, argues, the conservative populism expressed by Wall spoke to feelings and values that resonated with the people of Saskatchewan, more Humboldt and Swift Current than Adam Smith and Milton Friedman.

“ *The conservative populism expressed by Wall spoke to feelings and values that resonated with the people of Saskatchewan* ”

He would often deliver his message in terms of “Saskatchewan values,” things like self-reliance, hard work, resilience, entrepreneurship, dedication and a sense of community. He understood that you appeal to people, not with partisan political rhetoric, but beliefs and attributes the majority of people share. He would always root his policy decisions in those values. In other words, he rose above identity politics to something that most people could agree was true about themselves. The fact that Wall was a skilled and eloquent communicator didn't hurt either.

The relatively non-ideological nature of the Saskatchewan Party's appeal dovetails with the non-ideological nature of the mainstream of Saskatchewan and, I would argue, Canadian voters. Most Canadians believe in hard work, family, friends, the community they live in, a private-sector-led economy open to international trade and a government that reflects their beliefs and desires, not one that imposes its beliefs on them.

But they are also practical in their outlook. What appeals to them is politicians who are not rigidly ideological, but able and willing to be pragmatic when necessary. Such pragmatism helps to earn the public's trust; that makes bigger change possible later as people gain confidence that change is driven by the practical successes of the reforms that went before. Less "Axe the Tax" and "Defund the CBC" and more "Incremental change that respects our history and beliefs."

As Dale Eisler said to me, the Saskatchewan Party's populism "is rooted in conservatism, but has emotional appeal to people who are not overly ideological. What's needed is a political leadership that rises above identity politics and talks to people in terms of shared beliefs that serve to unify, not divide, while pursuing conservative principles."

No formula confers permanent political success. But nearly 15 years into the Saskatchewan Party's reign, the party gets six out of 10 votes in the province and the NDP just lost another leader after a by-election loss in a normally safe seat. Saskatchewan shows that a progressive past is no bar to a conservative future, but also that understanding and caring about voters' values beats ideological purity any day.

*This article appeared originally in the National Post on April 13, 2022 under the headline "Saskatchewan Party populism the model to unseat Trudeau Liberals."*



## What Conservatives might learn from COVID and the failures of progressivism\*

To hear the tale told by our current political leaders, the COVID-19 pandemic perfectly illustrates and vindicates progressives' ambition to re-make our society – to turn away from fossil fuels, launch a green recovery, wrestle prejudice to the ground, possibly create a permanent guaranteed annual income or “fix” our access to drugs or daycare; in short, to “build back better.”

It is not so easy, however, to create a shining city on a hill. If anything, the pandemic and governments' response gives far more comfort to those who are skeptical and humble about what governments can actually achieve for us than it does to the adherents of the progressive creed.

The pandemic hasn't revealed an all-wise governing class whose superior knowledge entitles them to “fix” Canada. Rather, COVID-19 has underlined the limits of technocratic expertise, the ignorance of governments and the fragility of social solidarity founded on a passing crisis.

Has technocratic “expertise” saved us during the novel coronavirus outbreak? It is not anti-science to observe there were lots of experts peddling their expertise everywhere, but it soon became evident that equally credible experts were often offering diametrically opposed advice. Some experts' advice was followed in some places and it worked out well. Elsewhere different experts' advice was followed with less impressive results. Some countries did well at specific points of the outbreak, not so well at others.

Policy-makers were most emphatically not acquiescing in some widespread expert consensus. Mostly they listened to people who happened to be at hand and sounded plausible. In any event, their advice was sometimes correct, sometimes not, and sometimes simply neutral – neither helpful nor harmful.

The reality is we won't know for some time, if ever, what the "right" response would have been; there are likely to be many possible "expert-approved" responses that turn out to be defensible, each characterized by a unique mix of strengths and weaknesses. When the next pandemic strikes, COVID-19's "lessons" will be trotted out by the "experts" when the specific characteristics of COVID-19 may be more or less relevant. Our knowledge will again be partial and imperfect. Generals always fight the last war, because that's where their expertise lies.

COVID-19 didn't prove that powerful governments guided by dispassionate experts and science give us the "right" answers. Our own experts changed their minds repeatedly (think masks and home-testing kits), contradicted each other and adjusted course as new knowledge became available.

“ *The reality is we won't know for some time, if ever, what the "right" response would have been.* ”

That last point is key. The default condition of humanity isn't knowledge, but ignorance. No one, least of all government, has a godlike overview of all knowledge, even about something as clear and immediate as COVID-19. Yet the progressives' vaulting ambitions rest squarely on claims to be able to fix our ills through the application of expert knowledge administered by bureaucrats under the leadership of wise politicians. In fact, these knowledge claims are a complete fiction designed to make attractive a program of using political power to impose progressive designer prejudices on the rest of us.

Consider that the total stock of human knowledge is huge and growing at an accelerating rate. Or how many transformative knowledge breakthroughs happened not through design, but by accident, such as the discovery of penicillin, the telescope and steel-making. Finally, ponder how much of what we know is tacit, things we know how to do but struggle to explain to others in words. Comprehensive knowledge, on which progressives base their claim to govern, is a dangerous pipe dream, a mere pretense of knowledge.

Public health experts and epidemiologists and microbiologists cannot also be experts on the thousand other areas of expertise on which a robust response to a pandemic relies: how to make testing kits, manufacture vaccines, supply personal protective equipment, design tracking apps, run logistics chains or the thousand other things that are or may be needed.

No single laboratory, no matter how many experts they employed, was given

the job of isolating the virus, analysing it, discovering the best way to test for it, developing a vaccine, or testing all existing pharmaceutical products against the virus to see if any of them worked. Instead, resources intended to hasten the discovery of COVID-19-related knowledge were handed to many public and private labs around the world, who then produced a plethora of experimental solutions and relied on a steady stream of independent discoveries from other scientists. Researchers are in effect competing with each other to find the most effective medicines, vaccines or testing kits.

All of these things are necessary because of the partial state of our knowledge and because the much-vaunted expertise of those advising governments is impotent outside their extremely narrow area of knowledge – and is of limited use even there.

In every field, including pandemics, there is no single “right” answer as to what to do; instead there are competing answers and all of them are permanently subject to revision as we learn more about ourselves, society, the economy and the physical world. Different answers will suit different people better according to their character, circumstances and desires. Technical experts can give us a rather dated view about how to do what we want, but expertise has nothing to say about what we should want.

Yet progressives are always putting about the idea that if you knew what they knew, you would set aside your attachment to your petty desires and aims in life. Their superior knowledge licenses them to “fix” the economy, climate change, social programs, where and how we live, the distribution of jobs, incomes and status among arbitrary groups and more besides.

When we allow experts to impose their narrow understanding on the rest of us through political power, closing off the ceaseless experimentation that is the only real source of knowledge, we don’t become collectively smarter or better informed. We become collectively stupider because we are then only acting on the limited knowledge of people at the top, not the knowledge possessed by society as a whole, which is complex, widely distributed and unknowable in its entirety.

Thus the “patchwork” that so horrifies progressives, in which different people get different things in different combinations from competing suppliers, isn’t a poor second best, but demonstrably superior to public officials telling us what we are entitled to based on whatever fashionable expert opinion gives them a pretext to impose.

We have slowly and incrementally evolved a society that is the envy of the world. Canada is not a problem to be fixed, but a rich inheritance to be enjoyed and cautiously, incrementally adjusted to embrace new ideas and experiences. Our society is far more likely to be harmed than improved by a

handful of ignorant politicians and bureaucrats thinking they know more about Canada than the generations of Canadians who built the successful institutions and practices that each generation has handed off, enriched, to its successor.

What about the alleged social solidarity engendered by the COVID-19 crisis? Could it be used to resolve a host of other issues that seemed insoluble before?

Think about the experience of Britain after the end of the Second World War. Six years of rationing, shortages and helping each other out inspired the Labour Party to promise to run peacetime society along similar lines. Their slogan in the 1945 general election? “And now – win the peace.”

War and peace, however, are not the same thing. In the war, victory was all. When peace arrived, however, people mostly craved a return to normality, where they made their own decisions about what mattered to them. “Social solidarity” was soon seen as licence for bureaucrats to order people around in accordance with other people’s ideas, mostly the “experts” who were going to fix society’s problems.

If it only took a year or two for the “spirit of Dunkirk” to become an increasingly irksome rallying cry, the response to COVID-19 will prove even more evanescent. Progressives love the idea that everyone else will drop their stubborn attachment to their selfish priorities and sacrifice their narrow vision for the “common good.” But what they usually have in mind is that the rest of us should give up what we want and pursue what they want instead.

In the future, this will be the great fault line separating Canadians politically. On the one hand will be those who say politicians should harness experts to “fix” Canada according to principles that appeal to progressives. On the other hand will be those who say such claims to superior insight into Canada and Canadians are in fact simply thinly disguised power grabs to impose progressive prejudices on people who have other plans for how to live their best lives.

Politicians are in no position to second-guess either the institutions and behaviours that Canadians hold in great affection or the things that each of us have decided matter to us, our families and our communities. Canada was not imposed from the top down but built from the bottom up. It does not belong to the government. It belongs to Canadians.

*\*This article originally appeared in the Globe and Mail on September 18, 2020 under the headline “COVID-19 perfectly illustrates progressives’ ambition to remake our society.”*





## The rule of law is a conservative issue, but it cannot apply only to the Party's political opponents\*

One law for all or no law at all.

That is the stark choice we face in a democracy like Canada. Today the issue is raised by truckers' protests about COVID restrictions, but the identical issue was raised by Fairy Creek, Caledonia, the burning of churches on reserves, blockades of pipeline construction or of highways and railways, to pick just a few examples. The truckers tended to have the support of a lot of Conservatives and were opposed by a lot of Liberals and New Democrats. The reverse is true of a number of the other issues listed above. So far so good. This is the stuff of legitimate partisan division.

But unnoticed by many is the subtle interweaving of the political dimension and the rule of law. Politicians who had agreed with the protesters' aims find every pretext for inaction and to excuse the bad behaviour of (some of) the demonstrators. It may be regrettable to burn churches, they intone, but you can understand why it's being done. And somehow the burnings continue. Even when injunctions are obtained against protesters, police have sometimes failed to enforce them, knowing that if there is conflict the politicians will not have their backs.

But people who engage in the ordinary lawful pursuit of their own lives, who worshipped in those churches, or who invested billions in pipeline approval and construction, or who cut timber at Fairy Creek and had their personal safety endangered by spiked trees or the residents of downtown Ottawa who had the quiet enjoyment of their homes and properties and businesses disrupted are just as entitled to the protection of the law as the demonstrators exercising their right to protest. The government's response under the rule of law cannot be to pick and choose. They cannot wink at pipeline stoppages

and church burnings and then use the law to bludgeon the truckers' convoy. Nor can they do the reverse, as some Tories seem to believe.

Why not? Our Constitution says we are “founded on principles that recognize the supremacy of God and the rule of law.” The rule of law is supreme for a very good reason. Its supremacy flows from its neutrality; the essence of the rule of law is that the state doesn't take sides where enforcing the law is concerned. It shouldn't have discretion over whether one kind of lawbreaking is tolerated, whereas another is to be crushed. The law is the law, and the law must treat citizens and lawbreakers alike.

When the rule of law is supreme, political authorities cannot arrogate unto themselves the power to decide when and if to apply the law to protesters based on the politicians' affection for the cause being defended. If they succumb to this temptation, the law stops being a neutral instrument that protects everyone's right to engage in lawful activities, that commands everyone's obedience precisely because everyone is under the law, the rich, the powerful, the poor, the meek, the virtuous and the vicious.

“*The essence of the rule of law is that the state doesn't take sides where enforcing the law is concerned.*”

Instead the law becomes the subject of partisan contention, with parties vying to control the law so that they can comfort their friends and afflict their enemies. In fact, the very best test of a government's commitment to the rule of law is whether they are willing to apply it, not just to their enemies, but to their friends as well.

If they do not do so, their moral authority as guardians of the law is undermined. Justice wears a blindfold for a reason. A Liberal who supports or excuses lawlessness against perfectly legal pipelines and churches and foresters has little moral standing to call on the majesty of that same law to punish truckers fed up with COVID rules. The reverse is equally true for Tories who excuse lawlessness in downtown Ottawa but want the full force of the law brought to bear on highway and rail blockades.

We undermine the neutrality of the law at our peril. When the law is, and seen to be, neutral people obey the law because it is the law. When the law is used to promote or shield specific causes and interests, people only obey the law when it is convenient to do so. And they are sorely tempted to take the law into their own hands when the state cannot be trusted to protect everyone's

legal rights impartially. Vigilantism is a sign that public authorities have lost the trust of the people.

It is worth noting that successful and effective protest depends on and requires the rule of law. We don't want protests to stop. We are entitled to protest in a free society but we don't get to define unilaterally what form our protest may take. We want protesters' activities to take place within a framework of law that balances legitimate protest against the legitimate right of others to carry out their lawful activities.

The rule of law is not an instrument of authoritarianism but of freedom when it is applied without fear or favour. It is a measure of the corruption of the understanding of the rule of law in today's Canada that almost no one in the political parties seems capable of articulating that there is no contradiction between supporting demonstrators' demands and requiring that they respect the law.

If you want an example of how to do it right, the best example in recent memory of lawful, respectful, peaceful yet powerful protest that changed Canadian politics was the Idle No More movement. We can still do it right in this country. Just don't look to the political class to show the way.

*This article originally appeared in The Line on February 9, 2022 under the headline "We undermine the neutrality of the law at our peril."*

## About the author

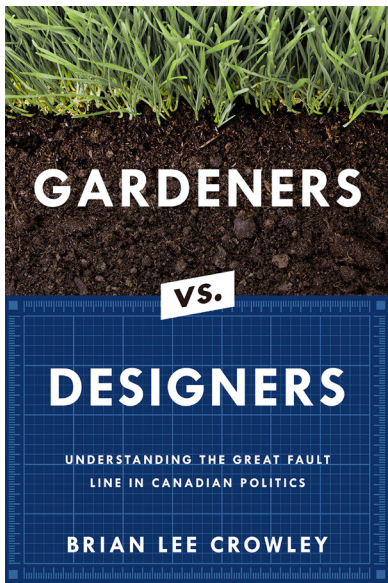


In March 2010, **Brian Lee Crowley** founded the Macdonald-Laurier Institute (MLI), a public policy think tank focused on Canadian national issues in the national capital, Ottawa.

Crowley has published six books, including in 2020 *Gardeners vs Designers: Understanding the great fault line in Canadian politics*, and in 2009, *Fearful Symmetry: The fall and rise of Canada's founding values*, both of which quickly found their way onto the Canadian best seller lists. He also co-authored MLI's first book, *The Canadian Century; Moving Out of America's Shadow*, which was awarded the prestigious international Sir Antony Fisher Prize for excellence in think tank publications. He is a three-time winner of this prize and institutes under his leadership have won it a total of six times.

In 1994 he founded the Atlantic Institute for Market Studies (AIMS); over the nearly 20 years he headed AIMS it became Canada's leading regional think tank. From 2006-08 Crowley was the Clifford Clark Visiting Economist with the Canadian federal Department of Finance. He has also headed the Atlantic Provinces Economic Council (APEC), taught politics, economics and philosophy at numerous universities in Canada, the US and Europe and has been a constitutional advisor to the governments of Nova Scotia and Manitoba. He has served as a diplomat for the EEC (now the EU) Commission, an aid administrator for the UN in Africa and an advisor to the Quebec government on parliamentary and electoral reform. He was a Salvatori Fellow at the Heritage Foundation in Washington DC and has spoken at conferences, workshops and other events on public policy and the freedom movement in every part of the globe.

Crowley is a frequent commentator on political and economic issues across all media and has been a columnist for numerous newspapers across Canada. He holds degrees from McGill and the London School of Economics, including a doctorate in political economy from the latter.



**Brian Lee Crowley**, one of Canada’s most original political thinkers, claims that we can divide political culture into two categories: **designers and gardeners**. He asserts that designers believe that they have sufficient knowledge to bring about precisely the end that they desire (or at least that they say that they desire, though their drive to power should never be underestimated) without any unintended consequences, whereas the gardeners are more modest and are content to work with what already exists, especially where whatever already exists has virtues or beauties.

This is not a call to inaction or passivity: gardeners have a profound influence on the gardens that they cultivate, but they do not fall prey to the delusion that they can create anything they like irrespective of the climate, soil, nature of the plants available. Crowley argues that we need fewer designers making top-down pronouncements, and more gardeners who are willing to work from the bottom up, cultivating instead of engineering.

### What people are saying about *Gardeners vs. Designers*:

“ This is a timely and important work – a must-read for those concerned about the welfare of the Canadian and human condition.

– Former federal Justice Minister Irwin Colter

“ A refreshingly provocative analysis of the increasingly ‘Progressive’ trend in Canadian politics which he sees as anything but ‘progressive’ ... A compelling delightful read that should command the attention of anyone concerned about the quality of our governance..

– Derek H. Burney, OC,  
former Canadian ambassador to Washington

“ Patience, humility, and gratitude: these are the virtues of the successful gardener. These are the qualities Brian Lee Crowley brings to his tender, philosophical defence of free societies against those who would demolish and rebuild them anew.

– David Frum, author, *Trumpocracy and Trumpocalypse*

“ ... his book should be read by all of our young people entering our colleges and universities who are often unaware of Canada’s real and outstanding achievements since 1867.

– Hon. Mr. Justice Marc Nadon

“ Brian Lee Crowley has drafted a passionate defense of individualism ... an entertaining sweep of public policy ... [that] is very lucid in its structure and the prose flowed beautifully, as always.

– John Ivison, National Political Columnist, *National Post*



To order your own copy of the book, scan or click the QR code.

*excellent*

“ Canada shall be the star towards which all men who love progress and freedom shall come.

- Sir Wilfrid Laurier

*high-quality*

*insightful*

CONSTRUCTIVE

*important*

*forward-thinking*

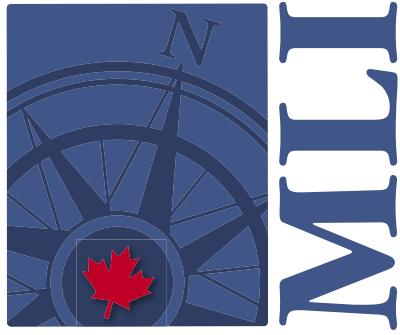
**Critically acclaimed, award-winning Institute**

The **Macdonald-Laurier Institute** focuses on the full range of issues that fall under Ottawa's jurisdiction.

WHERE YOU'VE SEEN US

- Winner of the Sir Antony Fisher International Memorial Award (2011)
- Templeton Freedom Award for Special Achievement by a Young Institute (2012)
- Prospect Magazine Award for Best North America Social Think Tank (2018)
- Short-listed for the Templeton Freedom Award (2017)
- Cited by five present and former Canadian Prime Ministers, as well as by David Cameron, then British Prime Minister.
- *Hill Times* says **Brian Lee Crowley** is one of the 100 most influential people in Ottawa.
- *Wall Street Journal*, *Economist*, *Foreign Policy*, *Globe and Mail*, *National Post* and many other leading publications have quoted the Institute's work.

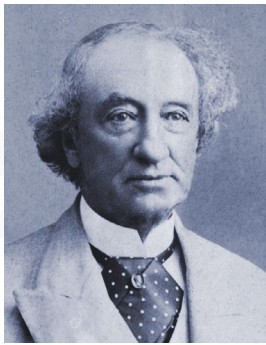




**TRUE NORTH  
IN CANADIAN PUBLIC POLICY**

## WHAT DO WE DO?

At **MLI**, we believe ideas matter. The Macdonald-Laurier Institute is the only non-partisan, independent public policy think tank in Ottawa focusing on the full range of issues that fall under the jurisdiction of the federal government. We are the leading platform for the best new policy thinking in the country. And our goal is to be an indispensable source of reasoned and timely thought leadership for policy-makers and opinion leaders, and thereby contribute to making Canada the best governed country in the world.



**SIR JOHN A.  
MACDONALD**



**SIR WILFRID  
LAURIER**

## WHAT IS IN A NAME?

The **Macdonald-Laurier Institute** exists to renew the splendid legacy of two towering figures in Canadian history:

**Sir John A. Macdonald**  
and **Sir Wilfrid Laurier**.

A Tory and a Grit, an English speaker and a French speaker, these two men represent the very best of Canada's fine political tradition. As prime minister, each championed the values that led to Canada assuming her place as one of the world's leading democracies. We will continue to vigorously uphold these values, the cornerstones of our nation.

## PROGRAM AREAS

The Institute undertakes an impressive program of thought leadership on public policy. Some of the issues we have tackled recently include:

- Building Canada's energy advantage;
- Achieving reconciliation with Indigenous peoples;
- Making Canada's justice system more fair and efficient;
- Defending Canada's innovators and creators;
- Controlling government debt at all levels;
- Advancing Canada's interests abroad;
- Regulating Canada's foreign investment; and
- Fixing Canadian health care.

*constructive* *important* *forward-thinking*  
*high-quality* *insightful*  
*active*

# Ideas change the world

## WHAT PEOPLE ARE SAYING ABOUT MLI

### The Right Honourable Paul Martin

I want to congratulate the **Macdonald-Laurier Institute** for 10 years of excellent service to Canada. The Institute's commitment to public policy innovation has put them on the cutting edge of many of the country's most pressing policy debates. The Institute works in a persistent and constructive way to present new and insightful ideas about how to best achieve Canada's potential and to produce a better and more just country. Canada is better for the forward-thinking, research-based perspectives that the **Macdonald-Laurier Institute** brings to our most critical issues.

### The Honourable Jody Wilson-Raybould

The **Macdonald-Laurier Institute** has been active in the field of Indigenous public policy, building a fine tradition of working with Indigenous organizations, promoting Indigenous thinkers and encouraging innovative, Indigenous-led solutions to the challenges of 21<sup>st</sup> century Canada. I congratulate **MLI** on its 10 productive and constructive years and look forward to continuing to learn more about the Institute's fine work in the field.

### The Honourable Irwin Cotler

May I congratulate **MLI** for a decade of exemplary leadership on national and international issues. Through high-quality research and analysis, **MLI** has made a significant contribution to Canadian public discourse and policy development. With the global resurgence of authoritarianism and illiberal populism, such work is as timely as it is important. I wish you continued success in the years to come.

### The Honourable Pierre Poilievre

The **Macdonald-Laurier Institute** has produced countless works of scholarship that solve today's problems with the wisdom of our political ancestors. If we listen to the **Institute's** advice, we can fulfill Laurier's dream of a country where freedom is its nationality.

M A C D O N A L D - L A U R I E R I N S T I T U T E



323 Chapel Street, Suite 300,  
Ottawa, Ontario K1N 7Z2  
613-482-8327 • [info@macdonaldlaurier.ca](mailto:info@macdonaldlaurier.ca)



@MLInstitute



[facebook.com/MacdonaldLaurierInstitute](https://facebook.com/MacdonaldLaurierInstitute)



[youtube.com/MLInstitute](https://youtube.com/MLInstitute)



[linkedin.com/company/macdonald-laurier-institute](https://linkedin.com/company/macdonald-laurier-institute)