THE MAGAZINE OF THE MACDONALD-LAURIER INSTITUTE

INSIDE POLICY

JUNE 2022

Russia's invasion of UKRAINE

What comes next?

Also INSIDE:

- Fixing Indigenous education
- Liberals use populism too
- Online regulation is coming
- Beware of government expansionism

MLI
TRUE NORTH IN CANADIAN PUBLIC POLICY

Inside Policy

The Magazine of the Macdonald-Laurier Institute

Published by the Macdonald-Laurier Institute

Brian Lee Crowley, Managing Director
Mike Therien, Deputy Managing Director, Editorial and Operations
David McDonough, Senior Editor

Cover photo: commons.wikimedia.org

Production designer: Renée Depocas

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

Inside Policy 323 Chapel Street, Suite 300, Ottawa, ON, Canada, K1N 7Z2 | Ph 613-482-8327

From the editors

With its brutal invasion of Ukraine, Vladimir Putin's regime has shown a flagrant disregard for international law and the sovereign statehood of its neighbours. Russia may have failed to topple the government in Kyiv, resulting in more limited military operations in eastern Ukraine. But it has certainly succeeded in waking NATO to the Kremlin's threat and uniting global democracies against them.

To lead our cover feature, **Balkan Devlen** looks at the need to continue supporting Ukraine against the Russian invaders. In addition, **Marcus Kolga** explores how we can best ensure a humiliating defeat for Russia in Ukraine and **Rob Huebert** turns to how Putin threatens other regions like the Arctic – an issue that should directly concern Arctic states like Canada.

Canada's decision to join allies and partners in pushing back against the Kremlin should be lauded. But more attention should be paid to our national security and defence closer to home. On that front, **Richard Shimooka** delves into the state of the Canadian military's search and rescue capabilities and **Charles Burton** examines how we can better share intelligence to combat the malign activities of authoritarian regimes.

While some fringe elements have accused the Trudeau government itself of being authoritarian, **Ken Coates** reminds us that we need to push back against such baseless hysteria, not least because it distracts us from the very real transformation now underway. As he notes, "Canada appears to be heading into a major remaking of the welfare state and rebirth of the activist state."

The Liberal's emphasis on government expansion can be seen in how the government has empowered the CRTC to be an online regular – an issue explored in more depth by **Peter Menzies**.

Aaron Wudrick also points to how the Liberal government has turned to populist policies as an integral part of how it governs. The danger can also be seen in how the government has approached the so-called "just transition" to clean and renewable energy. As **Heather Exner-Pirot** notes, this view underplays the vital role of oil and gas in the Canadian economy.

Lastly, **Coates** warns about the dangers of condemning historical figures like Egerton Ryerson and Sir John A. Macdonald, **Coates** and **JP Gladu** highlight the value of Indigenous resource management, and **Coates** questions the state of Indigenous education and reveals how it might be fixed.

.

Contents

4 **Condemning historical figures must not distract us from true reconciliation**
Ken Coates

7 **Indigenous resource management guarantees cultural survival**
JP Gladu and Ken Coates

9 **Indigenous education can and must be fixed**
Ken Coates

10 **Ukraine must be victorious, for all of our sakes**
Balkan Devlen

13 **Russia: A failing middle power with weapons of mass destruction**
Marcus Kolga

15 **Rethinking Arctic security following the Ukrainian-Russian war**
Rob Huebert

18 **Sovereignty in the Arctic and the struggles of the CC-295 Kingfisher**
Richard Shimooka

19 **Canada must boost its security apparatus against China and Russia**
Charles Burton

20 **What can we expect from an online regulator? Lessons from religion and pornography**
Peter Menzies

22 **No, Canada is not a dictatorship – but government expansion is underway**
Ken Coates

24 **Liberals are no slouches in the shrewd use of populist policies**
Aaron Wudrick

25 **Ottawa needs to be challenged for encouraging fantasy around oil and gas**
Heather Exner-Pirot

Condemning historical figures must not distract us from true reconciliation

The residential school concept was not foisted on an unwilling nation by its government. The blame properly rests with society at large.

Ken Coates

With the decision to rename itself Toronto Metropolitan University, the former Ryerson University – known briefly as "University X" – fumbled the opportunity to use public criticism of Egerton Ryerson as a learning opportunity, instead bowing to the passionate protests of activists who believe that condemning a handful of historical figures is one way to address generations of discrimination and paternalism.

Attacking the reputation of Ryerson, one of the most effective educational reformers in Canadian history, requires a narrow reading of his career. Regardless, he is now a dead letter in Canadian public life, and efforts to expunge his name from schools, monuments and other public facilities will no doubt continue apace.

> *The number one target in the country is now Canada's first prime minister, John A. Macdonald.*

The number one target in the country is now Canada's first prime minister, John A. Macdonald – like Ryerson, singled out for his role in Indigenous residential schools. Across the country, statues in Macdonald's honour have been removed or doused in red paint, and public bodies are having earnest discussions about removing his name from schools and other facilities.

There is nothing wrong with calling out or re-examining the public memory of historical figures for their actions. However, reading history reductively, losing sight of context, and misreading personal responsibility do not help us to understand the past.

Right now, for good reason, the country is focused on a specific policy – residential schools – with the belief that by removing the tributes to the architects of the school movement we can turn a page. This approach is seriously misguided.

Right: Statue of Sir John A Macdonald at Queen's Park, Toronto; left: the statue of Egerton Ryerson at (soon-to-be renamed) Ryerson University. (Photos: CityNews)

Residential school education was horrific, its multi-generational negative effects still not fully understood. A system purportedly designed to provide personal opportunity to Indigenous students was instead used to attack Indigenous cultures, undermine centuries-old languages, destroy Indigenous families, and assimilate Aboriginal peoples. Dealing with the long-term impact of the residential schools has rightly become a national priority.

We must, however, remember that the residential school concept was not foisted on an unwilling nation by its government. Virtually all non-Indigenous Canadians of that time, led by the Christian churches and supported by non-Indigenous advocates for Indigenous peoples, favoured residential schools. As late as the 1960s and 1970s, many non-Indigenous Canadians still defended the schools as clearly being a "good thing" and a sign of the benevolent state.

Most Canadians did not know – or did not want to know – what happened in the schools. They neither expected nor countenanced the violence and brutality, but encouraged teachers and principals to undermine Indigenous language and culture, believing this was in Indigenous people's best interests.

In today's efforts to assign accountability for wrongs of the past, the tendency to focus on individuals – whatever their roles in establishing the institutions – simply misses the point. It was racism and a nationwide sense of cultural superiority that backstopped all of Canada's aggressive actions against Indigenous peoples. If dismantling a statue or renaming a school (or university) serves some, it also deflects attention from where responsibility properly rests: with society at large.

Criticizing early promoters of residential schools misses the historical mark.

With Ryerson's name now removed from a campus, and Macdonald's image being assailed across Canada, where next? There are thousands of targets, including the political leaders, government and church officials, and public supporters who expanded the residential school system, including its rapid acceleration after the Second World War.

Let's consider two potential targets, modern-era political leaders who espoused simple ideas of potentially destructive impact on Indigenous peoples. They wanted to eliminate the *Indian Act* and Indian status, break up the reserves, abandon treaties, and integrate Indigenous peoples into the Canadian mainstream. Their stated goal sounded honourable to some – producing "real" equality among all Canadians – and there had been consultations, of a sort, with Indigenous groups.

The 1969 White Paper was one of the most aggressive Indigenous policy initiatives in Canadian history, designed to remove barriers between peoples and overcome decades of discrimination and state paternalism. The response from First Nations was ferocious. Indigenous leaders organized protests and demanded the federal government retract its policy. The government did so, to the dismay of many non-Indigenous Canadians who wanted to remove the "special status" afforded to Indigenous peoples. The contemporary Indigenous rights movement in Canada owes a great deal to the reaction to this ill-conceived and assimilationist strategy.

The prime minister was Pierre Elliott Trudeau. His minister of Indian and Northern Affairs was future prime minister Jean Chrétien. They were the architects of the White Paper of 1969. Trudeau believed "no society can be built on historical might-have-beens," and opposed Indigenous land claim negotiations, modern treaties, and the concept of historical redress.

Pierre Trudeau (left) and Jean Chrétien (right) at the Indian Red Paper Brief to government, 1970.
(Photo by Duncan Cameron / Library and Archives Canada / PA-193380)

The Trudeau government's much-touted "Just Society" had a blind spot when it came to Indigenous peoples. The government's preference for state intervention and the inherent paternalism of federal policy in the 1960s and 70s arguably accelerated the decline of Indigenous language and culture, fostering a culture of welfare dependency in Indigenous communities.

Would it be appropriate for critics of government policy to focus their anger on

Trudeau and Chrétien, leading to more monument destruction and renaming? Absolutely not; we can use our time and effort much better. Besides, when faced with sustained Indigenous anger, the Liberal government backed down. Unlike residential schools, which had major effects across generations, the White Paper brought to the surface the core ideas and values of the government of the day.

The past is a complicated place. It should not be reduced to memes and social-media messages. Historical leaders are people, with personal foibles, living in and reflecting their places and times. Democracies hold leaders accountable during their political lives. Historians and the public determine their legacy. Attitudes toward the leaders and their actions change over time, as the debate about John A. Macdonald demonstrates. But these discussions should be handled with caution.

The piecemeal and reactive redoing of historical nomenclature, however well meaning, produces distortions of history. This said, Canada is desperately overdue for a rethinking of the many people and events we memorialize.

Names and monuments should not be fixed for all time. New Zealand, now also known as Aotearoa, and Australia have both ventured down this road, with considerable achievement. New Zealanders are increasingly comfortable with both Maori names and cultural references in public affairs; Australia's newly elected prime minister, Anthony Albanese, was introduced on a stage where the Australian flag shared pride of place with the flags of Aboriginal Peoples and Torres Strait Islanders.

There is so much to recognize and celebrate in Indigenous cultures that Canada should get on with it. Indigenous peoples, cultures and knowledge need to be more prominently recognized across Canada. The same holds for women, minority groups,

Recognizing First Nations: City Council in Victoria, BC selected sxʷeŋxʷəŋ təŋəxʷ James Bay as the name for the new library branch in 2018. The Lekwungen name for the First Nations territory now known as James Bay is the result of consultation with the Songhees and Esquimalt Nations and had strong community support.

(Photo: Moinur Rahman via google.com/maps)

and events either poorly or inaccurately represented in our historical nomenclature. A cautious renaming process in Canada could actually produce the most thoughtful and comprehensive historical and cultural reuniting in the nation's history.

Reconciliation with Indigenous peoples requires thoughtful and engaged reflection. Changing the names of institutions and tearing down monuments might gratify some, but there is a better way. Toronto Metropolitan University will hardly provide a rallying cry for a nation seeking real healing with Indigenous peoples.

If Canada is to find common ground with First Nations, Métis and Inuit people, the country must reverse the lens, begin to view history from Indigenous perspectives and listen respectfully to elders and knowledge keepers.

This reckoning will take more than attacks on historical figures. The problem rests not with a few individuals but with the profound sense of racial superiority that animated public policy for generations, underpinning a suite of government initiatives that marginalized and overwhelmed Indigenous peoples. For all of our condemnation of historical decisions that are now seen as egregious and destructive, Canadians remain largely oblivious to the paternalism and discrimination toward Indigenous people that is part of our national reality.

Canada is, by international standards, a remarkably successful country, even if it is built significantly on the displacement and domination of First Nations, Métis, and Inuit peoples. They were sacrificed in the interests of the nation, with most non-Indigenous peoples truly believing that assimilation and cultural domination was the only legitimate path forward. This position, dangerously and tragically wrong, animated the government for a century and a half, to be replaced in our time by a more evolved but still paternalistic approach to Indigenous affairs.

This country needs to devote a great deal of effort to improving relationships with Indigenous communities. To Canada's collective good fortune, Indigenous peoples remain open to such discussions and to rebuilding Confederation, despite the painful destruction of the past.

We can do much more than try to eliminate historical guilt by changing a few names and sloshing paint on some statues. Instead, the country needs to listen closely to First Nations, Métis and Inuit peoples and build a policy agenda inspired by Indigenous priorities, a deep understanding of the multi-generational impacts of racism, and a real commitment to lasting reconciliation.

Ken Coates *is a Distinguished Fellow at MLI, and a Canada Research Chair at the University of Saskatchewan. This article first appeared in the* Toronto Star.

Indigenous resource management guarantees cultural survival

First Nations, Métis and Inuit people have a massive stake in the protection and enhancement of their natural surroundings.

JP Gladu and Ken Coates

Sometimes the smallest stories foreshadow the greatest transformations. Around a decade ago, the Saulteau First Nation, West Moberly First Nation, the University of British Columbia and the Yellowstone to Yukon Conservation Initiative created a partnership that sought to protect the Klinse-Za mountain caribou herd in central BC. The herd population was near total collapse, down to fewer than 40 animals, but has since rebounded to more than 110.

Caribou hold pride of place in many Indigenous cultures, providing a primary source of food and playing vital roles in community life. They are also a touchstone species – when threatened, a decline in their well-being is an early indicator of impending ecological collapse. Across North America, once-large caribou herds are currently at great risk. In some areas, the harvesting of caribou has been curtailed dramatically to protect the herds, and Indigenous peoples have been the first to be affected by these ecological changes.

In many regions, Indigenous food production from caribou has fallen precipitously. But that is only the start. Barred from hunting, fishing or trapping by other urgent conservation requirements, Indigenous people are increasingly losing out on crucial traditional learning opportunities and life-giving access to the land. When hunting is limited, young Indigenous people are not introduced to the harvesting practices that sustained their communities for thousands of years.

(Public domain/no attribution)

Indigenous peoples bear most of the burden of ecological deterioration; environmental restrictions can lead to cultural decline in a way that few, if any, non-Indigenous peoples appreciate. While forcing a commercial fisherman to cut back on operations can be devastating and non-Indigenous hunters can be profoundly upset by hunting restrictions, the consequences fall far short of the impact on First Nations, Inuit and Métis communities.

Losing access to land is similarly destructive. When separated from their lands, Indigenous peoples lose access to key parts of their culture, including their languages, traditional place names and family activities. Indigenous knowledge is also crucial in helping to address climate change; by separating communities from their lands, we are senselessly endangering a critical knowledge system.

In response, Indigenous peoples have stepped forward to take on a greater role in environmental management in Canada – the Klinse-Za caribou herd collaboration is one such example. Governments in Nunavut and northern Quebec have found ways to share information and authority over natural resource management. Modern treaties negotiated between governments and Indigenous communities in Yukon, the Northwest Territories and BC have transformed top-down environmental management regimes into co-management regimes with high-level Indigenous involvement (the treaties remain works in progress; merging Indigenous and Western scientific knowledge is an invaluable but difficult process).

Equally important is the growing number of Indigenous communities asserting their rights to manage their traditional territories. In the Yukon, for example, the Carcross-Tagish First Nation declared in March that any new developments on their territories must pass through their approval process. The Tk'emlúps te Secwépemc of British Columbia are implementing a resource law to guarantee their involvement in any development activities on their territory. And Mi'kmaq First Nations in Atlantic Canada are using their court-defined rights to assert their independence in managing their fisheries.

In Northern Ontario, a more complex scenario is unfolding. The Ministry of Northern Development, Mines, Natural Resources and Forestry is engaging in a significant transformation of fauna in the region, reducing the moose population by issuing more hunting tags for female moose and by moving caribou back into the area. These developments may, in the long run, be good for the environment and even for regional residents. But they are happening without extensive collaboration or endorsement by the region's First Nations. If government agencies wish to move forward in cooperation with Indigenous peoples and communities, they must do so throughout the process and transparently share their jurisdiction with First Nations.

The continuing struggle with salmon stocks, herring and other marine species on the West Coast highlights the intensity of these issues. Each year seems to bring more closings of fisheries and additional evidence of the inability of the western scientific tradition to sustain well-managed fishery populations. And so, First Nations have stepped forward.

The Gwa'sala-'Nakwaxda'xw First Nation on Vancouver Island recently declared control over fishing in their traditional waters. Their rejection of the Department of Fisheries and Oceans (DFO) was starkly expressed by former chief Paddy Walkus at a ceremony in March: "We need to take back the control, take back what was rightfully ours, because at no time did we give any kind of okay to anyone to do the management or caretaking of our resources, in particular the fisheries resource. We all know what has happened recently, the decimation of all species of fish in all of our waters … the harm that has happened through the mismanagement of DFO."

Comparable steps have been taken by First Nations eager to assert a greater role in the management of the forest industries. Indigenous assertiveness has grown apace. For the most part, resource developers understand the new realities. Mining and oil and gas companies active in Canada have embraced their obligations to involve Indigenous peoples in environmental management.

iStock

> *Indigenous involvement in ecological affairs must be embraced, not rejected.*

Indigenous involvement in ecological affairs must be embraced, not rejected. Indigenous engagement provides a valuable counterbalance to traditional ecological management by governments. First Nations, Métis and Inuit people have a massive stake in the protection and enhancement of their natural surroundings. Cultural survival requires it, but the assertion of Indigenous rights is also in the collective interests of the environment and all Canadians.

JP Gladu *is a Senior Fellow at MLI, and an Indigenous business leader.* **Ken Coates** *is a Distinguished Fellow at MLI, and a Canada Research Chair at the University of Saskatchewan.* *This article first appeared in the* Globe and Mail.

Indigenous education can and must be fixed

It is time to head in a dramatically different direction on education that empowers Indigenous peoples and their governments.

Ken Coates

Canadians have talked extensively about Indigenous education, with much of the recent conversation wrapped up in the condemnation of residential schools. But, despite loud and consistent protests by Indigenous leaders and others, the country has done precious little to address antiquated delivery processes, systemic failings and tragically disappointing outcomes.

It might seem odd to say this following a major increase in federal funding for Indigenous schools, and recent efforts by Indigenous Services Canada to search for additional ways to address the challenge of a crumbling education system. Clearly, the problems run much deeper than money.

The lack of Canadian reaction to the stunning May 2018 revelations in the Auditor General's report on Indigenous education tells us how far this issue has fallen off the national radar. The report made it clear the government has been consistently misrepresenting Indigenous graduation rates. Put simply, the government expresses Indigenous graduation rates as a percentage of those who started Grade 12, producing a shockingly low rate of 45 percent. But the actual number should be a percentage of those who start high school, a calculation that would produce a graduation rate of 25 percent.

Are we willing to accept that those First Nation youth who did not graduate are disposable youth who will slide deeper into poverty and despair, becoming yet another lost generation? The nation's silence, in this instance, speaks volumes. Canadians expect mediocre or worse outcomes from government spending on Indigenous matters, with the unsubtle but often-held view that poor returns are the norm with Indigenous programming.

> *Canadians expect mediocre or worse outcomes from government spending on Indigenous matters.*

But deeper examination reveals severe and profound problems that go beyond inadequate funding. Inadequate preparation of new on-reserve teachers is both a cause and effect of classroom dysfunction. The one bright light in Indigenous education, the specialized programs for Indigenous teachers offered by many universities, masks the personal challenges these professionals face in the classroom and the difficulties that universities have in providing high-level training for Indigenous students.

Foremost among the issues to be addressed are those associated with the student population. Many Indigenous children come to school in difficult circumstances. Their schools must provide a wide-range of services that are otherwise not available to the students. But the scale is dramatic. In most Canadian schools, the vast majority of students are functioning above, at or near grade level; only a small percentage (perhaps 20 percent) require either school-based services or extensive on-on-one intervention.

However, in many Indigenous schools, particularly in rural and remote communities – and there are notable and impressive exceptions – the pyramid is inverted. Only a small percentage of students are above, at or near their grade level. About the same percentage require additional support but have a reasonable chance of succeeding. But by far the largest number of Indigenous on-reserve students, sometimes three-quarters or more, require extensive support and direct intervention.

Resources are so tight in most Indigenous schools that they rarely have the funds they need and deserve for special education instructors, psychologists, social workers and psychiatrists. Indigenous educators and community leaders know and understand the situation. They have been struggling for years to get governments to care. They live with the inadequacy of current arrangements and make remarkable efforts in the face of daunting barriers to student success.

Put in the context of the economic marginalization of Indigenous communities and a rapidly changing national

Continued on page 26

Ukraine must be victorious, for all of our sakes

Doing the right thing is also doing the strategically smart thing when it comes to ensuring Ukrainian victory in this war.

(Photo: US Embassy Kyiv Ukraine via commons.wikimedia.

Balkan Devlen

It has been almost four months since Russia re-invaded Ukraine with the explicit aim of erasing Ukraine from the map as an independent country and Ukrainians as a people from our collective memory. Russian dictator – and now war criminal – Vladimir Putin failed thanks to the bravery and immense sacrifices of Ukrainians fighting for their hearth and home.

But all is not well, not yet. We – the global West – have to ensure that Russia is soundly defeated, politically and militarily. Despite the ultimate price being paid in blood by the Ukrainians, this war is not only about Ukraine. It is fundamentally about the future of the European, and by extension transatlantic, political and security order.

> *Despite the ultimate price being paid in blood by the Ukrainians, this war is not only about Ukraine.*

Canada had sacrificed much blood and treasure to uphold this rules-based order since the last major land war in Europe began 83 years ago by another dictator with delusions of grandeur. Canada and Canadians have benefited immensely from this order over the years, making the country secure and its people prosperous – and the defence of this order remains a core national interest for Canada. Thus, the stakes are high for Canada as well.

The imperative of Ukrainian victory also means we have to be clear-eyed about the challenges that lay ahead. I want to

The Presidential Office of Ukraine/ president.gov.ua

JBouchez via commons.wikimedia.org

Left: Destroyed Russian tank early in the war.

Ministry of Defence of Ukraine / armyinform.com.ua

Russian military vehicles marked with the V symbol bombed by Ukrainian military, March 2022.

Security Service of Ukraine via commons.wikimedia.org

highlight three key challenges that we need to pay close attention to in the weeks and months ahead.

First is the military challenge. Putin's blitzkrieg to Kyiv might have failed but Russia currently occupies about one-fifth of Ukrainian territory, razing cities, killing tens of thousands of civilians, and kidnapping and transporting hundreds of thousands to Russia. In this second phase of the war, where the focus is now on Donbas, the fighting is even more fierce and deadly. Ukraine is also facing higher levels of attrition both in terms of materiel and troops, as Russia operates with shorter supply lines, better artillery and air support, and over a much reduced front.

As such, Ukraine needs more weapons, especially heavy weapons, artillery, tanks, and air defence systems as well as more ammunition to stop and reverse the Russian offensive. It is therefore essential that the West not only maintain the current level of military and economic support to Ukraine but also dramatically scale them upwards. Ukraine can prevail but it needs the tools to do so.

Second is the political challenge. Western unity will be under strain in the coming months. There are already voices, particularly in Western Europe, that call on Ukraine to consider territorial concessions in return for a ceasefire or a negotiated settlement in which Russia gets to keep the territories it currently occupies.

> *Ukraine needs more weapons, especially heavy weapons, artillery, tanks, and air defence systems.*

Those voices will only grow louder as the war continues and the impact of Russia's war of aggression, from food supplies to energy to trade, start to be felt beyond Ukraine. Russia will surely try to exploit this potential rift.

But a ceasefire now means conquest pays. It enables Russia to regroup and recover to renew its offensive. The so-called territorial concessions are not just lines on a map. Bucha and Mariupol are the future for those who will live under Russian occupation. Russia demonstrated time and again that it cannot be trusted to follow the most basic principle of international law, *pacta sunt servanda* – agreements must be kept.

This is the siren song of appeasement and there is nothing but ruin lying in that direction. Ukrainians lived and are living through that hell every single day. Our Baltic and Polish allies understand this very well. So do the Americans and the British for now. It is crucial that the voices of appeasement will not prevail among the rest. We have to make sure that western support for Ukraine is firmly embedded and locked-in as part of our policy and legislation, just like Odysseus tying himself down to avoid being lured by the siren's song.

The human toll of the Russian invasion: Clockwise from top: refugees boarding a train for Warsaw; refugee children and babies in a basement in Kyiv; searching for survivors in the rubble; President Zelensky visiting Bucha; video still by the National News Agency of Ukraine reportedly showing Bucha civilians massacred by Russian soldiers.

(Pakkin Leung via commons.wikimedia.org; Mvs.gov.ua; алесь-усцінаў via commons.wikimedia.org; Oleksandr Ratushniak via commons.wikimedia.org; Ukrinform TV)

Last is the cognitive challenge. The western publics were indignant and outraged when the Russian re-invasion started in late February. Russia brazenly violated the values that democratic societies hold dear. The reaction was almost visceral. But now the so-called "Ukraine fatigue" is setting in among some populations. The public's attention on the war in Ukraine is waning as soaring energy prices and increasing living costs take centre stage. It is expected and understandable as people try to adjust to inflation rates that were not seen in 40 years in the West. But it also creates an important vulnerability; maintaining a broad public support for Ukraine is essential if the western governments are going to be in for the long-haul.

Russia is already exploiting the increasing anxiety about inflation, high energy prices, and food supplies. It is getting ready to engineer famine and food shortages in the Middle East and Africa in the fall. The Kremlin will make sure that Europe experiences an energy crisis in winter. Putin believes he can outlast sanctions because he thinks neither the public nor the governments in the West have the necessary will to see this through. He believes western governments will fold under the pressure of their worsening economies and decreasing public attention. We need to prove him wrong.

> *Make no mistake, this will be a long war and we need to shoulder some of the burden.*

Make no mistake, this will be a long war and we need to shoulder some of the burden, although it is nothing compared to the price the Ukrainians are paying now. But the cost of Russian victory for the West will be incomparably high. In other words, if we do not pay pennies today, we will pay hundreds of dollars in the future. It is of utmost importance that our publics understand this trade-off – and that this war will last not weeks but months and perhaps years. We have to be emotionally and intellectually ready for a long and brutal war. This cognitive adjustment will not be easy but it is essential if freedom, democracy, and decency are to prevail.

Supporting Ukraine is not charity. It's self-interest. For Canada and its allies, this is not about choosing between a moral imperative and a strategic necessity. Doing the right thing is also doing the strategically smart thing when it comes to ensuring Ukrainian victory in this war. Ukraine indeed must be victorious, for all of our sakes.

Balkan Devlen *is Senior Fellow at MLI, where he leads the Transatlantic Program.*

Russia: A failing middle power with weapons of mass destruction

If the western world seeks a return to post-Cold War stability, the only way to achieve that is in a world without Vladimir Putin in it.

(Presidential Executive Office of Russia/ Kremlin.ru via commons.wikimedia.org)

Marcus Kolga

Five months have passed since the start of Vladimir Putin's "three-day operation" to "de-Nazify" Ukraine's democratically elected government led by its remarkable Jewish president.

Millions of Ukrainians have been displaced and tens of thousands have been killed. There are widespread reports that Russian soldiers have engaged in sexual violence, including rape, sexual torture, and mutilation against women and children.

Ukrainian cities on the front lines of Putin's invasion have been bombed into rubble by Russian forces. So far, over 10,000 civilians have been discovered in mass graves, of which one-quarter were woman and children. Families seeking to escape the violence have been shot on streets or killed by Russian missiles as they tried to flee.

> *Diplomacy has failed to slow or deter Vladimir Putin's appetite for carnage in Ukraine.*

Diplomacy has failed to slow or deter Vladimir Putin's appetite for carnage in Ukraine.

This is because many in the democratic world still struggle to recognize the nature and objectives of Vladimir Putin and the kleptocrats that support his regime.

The Russian ruler's primary objective has always been to remain in power. He relies heavily on exploiting national nostalgia for Soviet-era superpower status through a combination of propaganda, intimidation, repression and foreign conflicts. For this to succeed, Putin requires Russians to perceive that they are constantly surrounded and threatened by enemies like NATO, Ukraine and all liberal democratic nations. Without distractions like the Russian invasions of Georgia in 2008, Ukraine in 2014 and its current war today, Russians may notice that their standard of living lags well behind their European neighbours and may begin to demand more freedom to overcome the domestic failures of the Putin regime.

Since coming to power 22 years ago, Vladimir Putin has failed to deliver any significant improvements for Russians

who live outside of the fenced-off oligarch enclaves in Moscow and St. Petersburg. According to the World Bank, 19 million Russians live under the poverty line. In 2015, one in 10 Russians had no access to basic sanitary facilities, and 5.5 percent had no access to drinking water.

Russian incomes, GDP and life expectancy have all sharply declined over the past decade. Analysts predict that by the end of this year, Russia's economy will be 7 percent smaller than it was in 2012. In 2019 Russia's auditor general reported that one-third of Russian hospitals have no running water, 40 percent of them have no central heating and 35 percent had no sewage systems. The failure to provide Russians with basic civilian infrastructure has not been caused by any western sanctions, NATO or Ukrainians; it is a direct result of government corruption and the kleptocrats who have robbed the Russian people of the past two decades.

The reconstitution of the Soviet Union is a key part of Putin's domestic propaganda narrative. However, instead of resurrecting the Soviet imperium with his war in Ukraine, Putin has only succeeded in dragging his country back into Brezhnev era isolation: the days before McDonalds, when store shelves were barren and citizens were terrorized into silence by the fear of repression. Indeed, Putin may well be resuscitating the Soviet Union, but only inside of Russia.

To deflect domestic attention away from the crumbling infrastructure and poverty, Vladimir Putin has gambled everything on a war against Ukraine. He's manipulated his people into believing it is an existential struggle against Nazism and a war of survival against NATO. So far domestically, this seems to be working. A survey conducted in May found that 66 percent of Russians supported the war against Ukraine.

Putin has hermetically sealed off his people from receiving information from the outside world, and the government has outlawed truth and facts about the war. Russian pro-democracy and human rights activist, Vladimir Kara-Murza, was arrested in April and could face years in prison for criticizing the war. He joins over 15,000 other Russians who have been arrested for protesting the Russian invasion. As in the totalitarian state in George Orwell's *1984*, in Putin's Russia: "war has become peace."

> *Putin has only succeeded in dragging his country back into Brezhnev era isolation.*

In the democratic world, Putin's gamble on Ukraine has backfired. Unity among NATO members has intensified despite efforts by the Kremlin to erode western support for Ukraine. Applications from Finland and Sweden to join NATO are devastating to Putin's efforts to break apart transatlantic cohesion.

Vladimir Putin is now exploiting the growing global food supply crisis by adding mass starvation to his arsenal of threats. His forces have bombed Ukrainian agricultural infrastructure and destroyed Ukrainian grain supplies, which much of the developing world relies upon to feed their people. Russian warships are actively blockading Ukrainian ports to prevent the shipment of grains to Africa, Southeast Asia and other nations around the world.

To stop and defeat Putin, we must maintain the course set by the community of democracies. We must not signal any weakness by watering down sanctions or reducing the flow of defensive weapons to Ukraine's defenders. Any concessions or deals with Putin will only embolden him and invite future conflict. The war in Ukraine must end with the defeat of Putin's forces and their complete expulsion from Ukrainian territory. And the de-Putinization of Russia must follow the expulsion of Russian forces.

If Putin is allowed to escape the war in Ukraine unscathed, he will remain in power for the next decade – and most likely longer. The cycle of violent conflict, which his regime has engaged in, will only continue and intensify. Other parts of Eastern Europe could be targeted and Putin's steep military mobilization in the Arctic could even pose a threat on Canada's own doorstep.

The democratic world must sustain, enforce and expand sanctions against Russia and any governments and entities that support its war-making capabilities. The United States and Canada have already signalled that they intend to pass legislation that will allow them to sell and repurpose billions in corrupt Russian oligarch assets seized by their governments. Passage of this legislation should be fast-tracked.

The western world must not allow itself to indulge in the naive belief that Vladimir Putin will negotiate in good faith or that he's interested in cooperation. He is not. Putin will not be moved by diplomacy – especially not the "quiet" kind. The only language Putin respects is one that is backed by overwhelming military strength.

If the western world seeks a return to post-Cold War stability, the only way to achieve that is in a world without Vladimir Putin in it.

Marcus Kolga *is a Senior Fellow at MLI and founder of DisinfoWatch.*

(Caporal Matthieu Racette, Valcartier Imaging Services/combat camera)

Rethinking Arctic security following the Ukrainian-Russian war

Russia's war in Ukraine has recast the entire Arctic security architecture. The new Arctic security threat environment (NASTE) must be understood as it evolves.

Rob Huebert

Russia's 2014 war of aggression against Ukraine – renewed in 2022 – is having worldwide ramifications, and the Arctic region is now experiencing fundamental changes to its overall security structures and infrastructure. Arctic institutions and organizations are being transformed because of Russia's actions. These changes will continue to reverberate across the entire international system for the foreseeable future. Canada will be particularly hard hit by many of these changes, requiring it to rethink its entire understanding of Arctic security.

Arctic Council

The across institutions, along with many of the norms and values that emerged in the period of Arctic exceptionalism, have all been significantly damaged. The Arctic Council, the premier international body, was put on "pause" to isolate and punish Russia without necessarily ending the organization. It is not clear under what terms it will be "unpaused" to allow Russia back in, if at all.

Furthermore, it is not at all clear that Russia would be willing to rejoin even if it was given the chance. The Kremlin invaded Georgia in 2008 to stop it from joining NATO, and Ukraine in 2014 to prevent Kyiv from joining NATO and the European Union. The full-scale invasion of Ukraine in 2022 has led Finland and Sweden to officially pursue membership in NATO – a development that Russia has threatened retaliation in response. Given that the current war has become increasingly characterized as a proxy war against NATO, it seems doubtful that Russia would now be willing to rejoin an organization in which it sits across from soon-to-be seven other NATO members.

> *Russia will need to find new revenue streams to support the war and itself.*

One of the core efforts of the Arctic Council and other international bodies has been to respond to the growing threat of climate change. The Arctic is one of the most sensitive issues to this global problem. But in the face of recent sanctions, Russia will need to find new revenue streams to support the war and itself. It will so by

increasing its production of its northern oil and gas to raise revenues. It will probably turn to China as one possible market in which it can expand.

At the same time, Europe will need to find alternatives to the Russian oil and gas supplies that they have now boycotted. Assuming that the Europeans do not reverse themselves, one possible alternative source could come from Norway, which could move to increase its northern offshore production. The net effects of these actions could see an overall increase and not decrease in the production of oil and gas in the Arctic, thereby damaging much of the effort to reduce the reliance on gas and oil.

Canada's core Arctic foreign policy has been to support a rules-based, circumpolar regional system with a specific focus on addressing climate change and empowering Indigenous peoples throughout the Arctic. All of these objectives are now severely undermined by Russia's actions. Canada will need to resent its policies that now must take place without Russian participation.

NATO

One of the paradoxical effects of Russia's wars against both Georgia (2008) and Ukraine (2014, 2022) is that they have now driven Sweden and Finland to seek membership in NATO. Assuming that the current Turkish "concerns" can be met, the addition of these two states will dramatically change the geography of the alliance. Their entry now means that the entire north of Europe would be in NATO, creating a continuous border with Russia from the high north to Ukraine. This will change how NATO must develop it deterrent policy to defend against other potential Russian aggression and will undoubtedly further harden Russian understanding of the alliance.

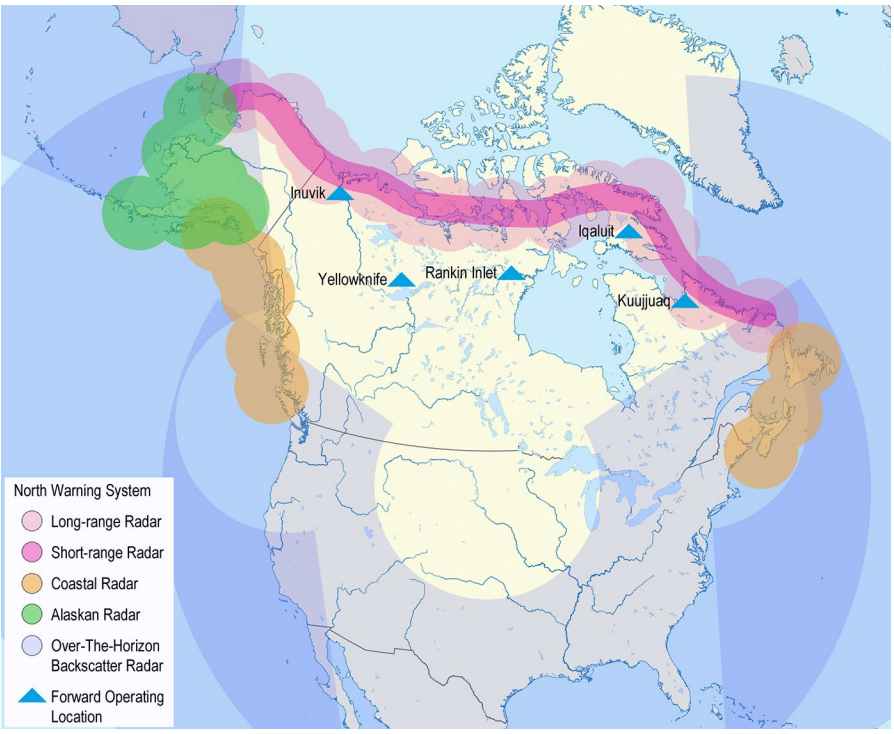
The United States has been pursuing much closer military relations with all northern Nordic countries – NATO and non-NATO – since the war first began in 2014. This has had the effect of creating an unofficial northern NATO tier that is focused on Arctic security. The Americans are now allowed by the Norwegian government to operate both their fighters, bombers and attack submarines from Norwegian bases. The Norwegians are modernizing and expanding their capabilities to support the Americans at locations such as Troms.

The United States also signed a series of agreements with Finland and Sweden to allow American fighters and bombers to operate from those countries' military airfields and with their respective air forces. In 2018, Norway established a security arrangement (NORDEFCO) to coordinate their security policies and operational capabilities with Sweden and Finland. They then extended its terms with a 2021 Statement of Intent. What is becoming quite clear is that the Americans have been able to integrate into this agreement, improving the capabilities of a shared aerospace domain awareness and response capability between all the countries involved.

After withdrawing their military aviation from Iceland in 2005, the US has returned and is now increasing its presence. Similarly, despite some political missteps on the part of the previous Trump administration, the American have also been improving military relations with Denmark with a focus on expanding the US base in Thule, Greenland. In short, Russia's invasion of Ukraine has only strengthened and deepened the military coordination among northern European states.

Top: NATO Secretary General Jens Stoltenberg receives official letters of application from Finland and Sweden to join NATO, May 18, 2022; HMCS Halifax (left) off the coast of Iceland as part *Exercise Dynamic Mongoose* as part of *Operation Reassurance*, June 19, 2022.

(NATO via flickr.com/photos/nato; NATO HQ MARCOM viaflickr.com/photos/nato_maritime_command)



The Canadian-American NORAD North Radar System as agreed by the two nations in 1987.

("*Challenge and Commitment - A Defence Policy for Canada*," page 57, published by the Department of National Defence of Canada via commons.wikimedia.org)

In 2011, owing to a perception that the Russian threat was decreasing, the Americans had stood down their second fleet. This was the fleet that had been designated to respond to naval threats in the North Atlantic. In 2018, however, the US announced the fleet was being re-established and it soon engaged in several high-profile deployments involving American aircraft carriers and the navies of the other Nordic NATO countries sailing past the Arctic circle.

NATO also began a renewed series of exercises and operations designed to respond to the growing Russian submarine threat starting in 2015. Named *Dynamic Mongoose*, these exercises take place in the Norwegian sea and adjacent areas and involve most of the navies of the northern branch of NATO.

Canada has been involved with some of the maritime exercises. It has sent troops and air assets to some of the larger exercises often hosted by Norway. Canada has no official policy to engage with its Northern NATO allies. However, Canada has been playing an important role in the Baltics, including by leading a NATO battlegroup with over 500 troops in Latvia and maintaining a frigate (currently *HMCS Halifax*) with the Standing NATO Maritime Group as a deterrent against possible Russian actions in the Baltic region.

NORAD

The United States began to realize the growing threat posed by the new Russian nuclear delivery systems and the hardening Russian political and military intent following the beginning of the Ukrainian War in 2014. The US initiated a re-examination of its nuclear weapon, deterrent policy and national security strategy in the late 2010s and early 2020s, followed by a series of Arctic strategies for each of their core services including the Coast Guard, Air Force, Navy and Army.

General Glen VanHerck, the commander of US Northern Command and the North American Aerospace Defence Command (NORAD), made it clear in official statements that the Americans have come to recognize the threat posed by the new Russian weapon systems. The US has been modernizing its capabilities under the concept of "integrated deterrence," though it is not yet completely clear what this will look like. But one of the critical points that flows from this new awareness is a need to modernize the surveillance and response capabilities of the NORAD alliance.

The US has already started looking to add significant investments to improve their capabilities in Alaska and working closely with the Danish government to modernize the capabilities in Thule, Greenland. Canada since 2017 has acknowledged the need to modernize NORAD but has been reluctant to dedicate the resources to do so. Canada's Minister of Defence Anita Anand has recently committed to spending $5 billion over six years to modernize NORAD. The government also finally entered into negotiations to acquire the F-35 as its fighter replacement. But, given the decades-long challenges of this procurement project, it seems prudent to wait until the deal has been signed before counting this as a win. However, Canada still shows no sign of joining NATO and the US on ballistic missile defence.

Conclusion

Russia's war in Ukraine has recast the entire Arctic security architecture. The established cooperative bodies have been badly shaken, and a new urgency has been given to the existing military alliance system. These changes are not cosmetic or temporary. There is new Arctic security threat environment (NASTE) and it is one that must be understood as it evolves.

Rob Huebert *is an Associate Professor of political science at the University of Calgary and Senior Fellow at MLI.*

(canada.ca/en/department-national-defence/services/procurement/fixed-wing-search-and-rescue-procurement-project.html)

Sovereignty in the Arctic and the struggles of the CC-295 Kingfisher

While some of the deficiencies of the CC-295 Kingfisher are fixable, the problems around weight, power and icing capabilities are very likely not.

Richard Shimooka

A few weeks ago, the Royal Canadian Air Force (RCAF) announced that its new search and rescue (SAR) aircraft, the CC-295 Kingfisher, will not reach Initial Operational Capability (IOC) until the 2025-2026 timeframe – a decade after it was selected in a competition. In truth, it is doubtful the aircraft will ever enter into service.

SAR is far from being a "sexy" military capability. However, it is one of the more publicly appreciated and crucial functions that the RCAF provides on a day-to-day basis. So it is with some irony that the Fixed-Wing Search and Rescue (FWSAR) aircraft replacement remains among the most disappointing procurement programs in Canada.

The program's failures are rooted in its origins over 20 years ago. Canada's primary SAR aircraft at the time was the venerable De Havilland Buffalo. Its range and speed were limited, so it was supplemented by the CC-130 Hercules to cover areas that the Buffalo could not reach. This was problematic: the Hercules was and is one of the most heavily used capabilities in the RCAF, and much more costly to operate. As a result, by the early 2000s, it was envisioned that the FWSAR program would lead to a single fleet replacement aircraft capable of covering all of Canada's SAR response needs.

> *In truth, it is doubtful the [CC-295 Kingfisher] aircraft will ever enter into service.*

At the time, the Department of National Defence could only find one aircraft that could meet its requirements, the Leonardo C-27J. The aircraft was fast enough and possessed the range, size and cockpit visibility to cover all of Canada's FWSAR needs. Another option would be to acquire additional Hercules, though these aircraft were seen as providing too much plane for the country's SAR needs. A third was the CASA (now Airbus) C-295. At the time, this aircraft was found to be ill suited – it was not particularly powerful, had insufficient speed and range to cover all of Canada's area of responsibility (AOR) in one crew day, lacked cockpit visibility essential for manoeuvring and posed difficulties for SAR technicians to move around inside when fully equipped with rescue gear. Because the C-295 was not able to meet a number of Mandatory Requirements, it was ruled out too.

The C-27J was to be sole source selected, and the government prepared an Advanced Contract Award Notice (ACAN) that gave potential competitors time to respond if they could meet the requirements. It was

Continued on page 26

Canada must boost its security apparatus against China and Russia

If Canadian agencies refuse to share intelligence assessments on the country's vulnerability to Russian and Chinese malign operations, the federal government must act.

Charles Burton

The federal government's decision to ban Chinese telecom giant Huawei from working on Canada's 5G network will certainly lead to economic retaliation from China, but we will not be coerced into reversing the decision. Ever since Russia launched its barbaric assault on Ukraine, Canada has shown a new determination to protect our sovereignty and national security from the malign schemes of Beijing and the Kremlin.

The Russian and Chinese regimes have always been incompatible with democracy, but Canadians' awareness of this has been sharpened by recent events. Vladimir Putin – angry and resentful over his humiliating Ukrainian miscalculation – is dangerously capable of lashing out at Canada and our NATO allies. He will undoubtedly strengthen his bond with China, sharing an anti-western agenda that emphasizes espionage, sabotage and even attacks on our critical infrastructure.

Canada is not adequately prepared, and has to get moving on some urgent matters.

Besides rapidly making up for decades of neglect of our Arctic defences, we must find ways to get Canadian oil and gas to Europe as expeditiously as possible. The new federal budget promised meaningful action to ensure Canada is not left beholden to China for critical minerals that our high-tech future depends on, but we need to do much more to protect our global supply chains.

Our vulnerability was revealed with Beijing's sanctions against canola seeds and meat during the Meng Wanzhou fiasco, and the unconscionable detention of Michael Kovrig and Michael Spavor. There is no basis for Canada to trust Russia or China, be it in trade, climate change cooperation, or in the UN. It is time for us to do a comprehensive reset of our foreign policy doctrine.

> *The Russian and Chinese regimes have always been incompatible with democracy.*

A major concern is whether the RCMP, the Canadian Security Intelligence Service (CSIS), the Department of National Defence and the Communications Security Establishment (CSE) routinely shroud their accountability to Canadians and Parliament.

We know these agencies gather a lot of information on Russian and Chinese malign activities, but when Parliament asks for a briefing to inform the development of legislation to protect public safety and national security, those agencies too often obfuscate, claiming their information is too sensitive to share with MPs or that disclosing it would reveal operational details that would help our enemies. Canada can learn much from Australia, Britain, the US and Scandinavian countries in terms of drawing the line between withholding information that threatens national security versus security agencies simply exaggerating classification protocols to evade accountability for their shortcomings.

For example, how badly does Canada need a foreign agents registry act, or something like the Australian *Foreign Influence Transparency Scheme Act*, as a national security measure? In today's environment, such protection is crucial for Canada, and CSIS should know which persons influential in Canada's policy process have received benefits from a foreign state that put them in a conflict of interest and threaten Canadian security and sovereignty. In 2010, then CSIS Director Richard Fadden made headlines by revealing that cabinet ministers in two provinces, and several municipal politicians, were influenced by a foreign government when making policy decisions. But evidently nothing was done about it at the time or since. Twelve years on, how many more policy-makers are under the influence of a foreign power today? How high does it go? If CSIS is doing its job, it has this data.

Consider Cameron Ortis, former director general of the RCMP's national intelligence unit, who was accused in 2019 of trying to share sensitive information with a foreign entity. What should we be learning from his arrest? Or the Winnipeg labs matter? Was there a failure to protect national security that should be addressed by Parliament? Then there's Quentin Huang. Charged in 2013 with trying to

Continued on page 27

What can we expect from an online regulator?

Lessons from religion and pornography

iStock

There's little doubt the CRTC will soon be asked by cable and satellite providers to recapture some "lost loot" once new legislation empowers it to do so.

Peter Menzies

The Canadian federal government is on the verge of further empowering the Canadian Radio-television and Telecommunications Commission (CRTC) as our regulator of Internet content, including as it pertains to streaming companies. To really appreciate the all-encompassing grasp of Canada's soon-to-be online regulator, look no further than its history managing religion and pornography.

It all goes back to the 1920s when Jehovah's Witnesses started using the unregulated airwaves to issue verbal smackdowns on Roman Catholic and Protestant churches. Not long after, Saskatoon station CHUC – owned by the Jehovah's Witnesses – allowed J.J. Maloney, Grand Wizard of the Ku Klux Klan, to make an on-air speech that was pretty much the end of Canada's era of free market radio. Religion on the airwaves became an official "matter of concern" and in 1932 the Canadian Radio Broadcasting Commission (CRBC) was formed.

The CRBC and its descendants, down to today's CRTC, refused for more than 60 years to license religious broadcasters, only buckling slightly in 1983 with nervous approval of a multi-faith cable channel. No single-faith licences were permitted until over a decade later, all because of the Jehovah's Witnesses' bad behaviour in the 1920s. Even now, regulations are still in place to make sure any faith-based broadcasters air alternative views.

In other words, if you want to tell the world that "Jesus loves ya buddy," you have to give a few hours a week to someone who says, in effect, "No, He doesn't."

It wasn't a blinding flash of light on the Road to Damascus that softened the CRTC's heart on this matter in the 1990s. Cable companies were keen on launching video-on-demand channels featuring adult programming (porn) and the CRTC wanted to license them. The product had proven popular on rogue satellite services and in video stores, and this was a way of helping those in Canada's regulatory system

join the party, cash in on the money shots and continue to meet the *Broadcasting Act*'s aspirations to provide "a wide range of programming that reflects Canadian attitudes, opinions, ideas, values, and artistic creativity."

That said, the CRTC leaders of the day discerned that it might be tricky to continue justifying their decades-long ban on faith values while giving two thumbs up to Debbie Does Dartmouth. So, after a tense debate that ended with the chair casting the decisive ballot, it became possible in 1993 to be licensed as a religious broadcaster; thanks, essentially, to porn, which became a pot of gold for cable companies.

Not long afterwards, porn went online and became a significant driver of demand for Internet service and the bandwidth needed to watch streamed content. Video stores died and as online options grew, cable video-on-demand revenues went into a decline that's recently averaged close to 8 percent a year. This means there's little doubt the CRTC will soon be asked by the nation's cable and satellite providers to recapture some of that lost loot once new legislation empowers it to do so.

The *Online Streaming Act* (Bill C-11) was studied by the House of Commons Heritage Committee and it is now in the Senate. It specifically targets regulation of online streaming companies with the goal of making sure they "contribute to the system," which means paying lots of money into funds that are distributed on a two-thirds English, one-third French basis for approved film and television productions. Given that Canada is a global leader in the creation, distribution and consumption of online sex, there's every reason to expect the industry will play a role in satisfying Canada's cultural needs and meeting the objectives of the *Broadcasting Act*.

Mindgeek is a private Canadian company headquartered in Luxembourg, with offices in Bucharest, Dublin, London, Los Angeles and Montreal. Its primary business is pornography and its most popular sites are Pornhub and YouPorn. It claims to be among the world's top five bandwidth consumption companies.

While Heritage Minister Pablo Rodriguez and others speak of US-based companies such as Netflix and Disney Plus as revenue sources needed to shape the Canadian aesthetic, homegrown Mindgeek is clearly within its scope. The final decision regarding who's in and who's out is to be made in a future CRTC hearing, but it's difficult to imagine Commissioners giving Pornhub and its many hours of user generated content an exemption.

Still to be decided, too, is how the CRTC will manage Canadian content (Cancon) and other obligations such as closed captioning and described video. (A brief digression: the Commission has on occasion granted relief to licensees having difficulty finding staff able to watch porn constantly – one can only imagine – while recording play by play commentary of what is taking place on screen for the benefit of the visually impaired.)

Canadian content, regardless of the genre, has always been of great importance to the regulator. This was widely reported a few years ago when some companies were called to task for not providing sufficiently robust levels of screen time for sexually-expressive and enthusiastic Canadian artists. While Cancon percentages are difficult to mandate in the infinite world of the Internet, it is likely that issue will be replaced by what Rodriguez and other advocates of C-11 refer to as "discoverability."

If all goes as planned by proponents of Bill C-11, the first couples, groups, threesomes or orgies that pop onto a Pornhub viewer's screen will be Canadians sharing their "stories" with other Canadians. Hinterland Who's Who and all that. If this isn't enough to keep fans of Pornhub – which according to Statista is more popular than either Instagram or Twitter in Canada – up at night, there is more potential legislation to regulate it underway.

The "*Protecting Young Persons from Exposure to Pornography Act* (Bill S-203)" is the work of Senator Julie Miville-Dechêne, a former Radio-Canada journalist. Her intent is to make "sexually explicit material" only accessible to people at least 18 years old. Among the concerns raised is the privacy issue triggered by demands for the use of facial-recognition software to confirm that the person accessing porn online is in fact the person registered to do so. Fines of up to $500,000 are contemplated for companies that don't comply.

Private Members bills don't have a great record of success. But, in the event that this one does succeed, there is provision in Bill S-203 for cabinet to designate an agency to oversee its application.

Rodriguez is already granting the CRTC authority over the Internet, giving it oversight on how newspapers get and spend money from "web giants" in the *Online News Act*, and laying the groundwork for the CRTC to be the regulator for his Online Harms legislation. As such, the CRTC would be a natural home for Senator Miville-Dechêne's legislation, too. They have, after all, been keeping an eye on this genre for decades.

All that new work means the CRTC will have to make significant increases in its number of employees. And they will discover even more regulatory challenges waiting in the wings – one of which might just take their organization full circle.

Because as it turns out, the Jehovah's Witnesses have among the world's most popular religious websites. Since it uses both audio and video, it will also be under CRTC supervision once Bill C-11 is passed. So many sites; so little time.

Peter Menzies *is a Senior Fellow at MLI, past vice-chair of the CRTC and a former newspaper publisher.*

No, Canada is not a dictatorship – but government expansion is underway

Baseless hysteria only distracts from the fact that a fundamental transformation is underway.

(flickr.com/photos/pmtrudeau)

Ken Coates

A common and disturbing idea has emerged and entrenched itself in our politics: that our political leaders, and particularly our most recent prime ministers, are "traitors," "criminals," or "dictators." Variations of these mantras were breathlessly repeated by those on the left when Stephen Harper was prime minister, as are they now being uttered by some conservatives as Prime Minister Justin Trudeau continues his third mandate.

To be clear: Trudeau and his predecessors are neither traitors nor dictators. But he and his government area remaking Canada in rapid order. Highly personal attacks on the prime minister diminish Canadian politics and largely miss the point about the current transformation in the federal government's role and power. Baseless hysteria only distracts from the fact that a fundamental, and entirely legal, transformation is underway.

This transformation is perhaps best embodied by Trudeau's stunning deal with Jagmeet Singh and the New Democratic Party. This arrangement gives him a broad runway and great political freedom, potentially for the next three years. The Liberals are now joined at the hip with a party that shares the prime minister's commitment to social policy expansion, desire for aggressive climate change action, and lack of concern about budget deficits.

> *Canada appears to be heading into a major remaking of the welfare state and rebirth of the activist state.*

To a degree not seen since the 1960s, Canada appears to be heading into a major remaking of the welfare state and rebirth of the activist state. The Trudeau government may have started with a national daycare program and transformational agreement with Indigenous groups on childcare and social services. But the Liberal-NDP partnership is now also launching a (limited) national dental care program and is working on a pharmacare initiative, supposedly for 2023. The April budget included major (and overdue) investments in Indigenous housing. The NDP supports the Liberal's dramatic policies on carbon capture and climate change, even encouraging more aggressive action.

Canada has had a test run of this kind of political collaboration. After a tight 2021 Yukon election, the Liberal provincial government reached a comparable agreement with the three-member New Democratic Party. As with the federal arrangement, the Yukon deal saw the Liberal government embrace NDP priorities – including a dental program and rent control – while shifting their policies to align with NDP preferences. A year into the agreement, the Yukon government has proceeded along a reasonable path, with the New Democratic Party pressing the

Liberals and with the government working carefully and with considerable autonomy within the agreement's parameters.

The stakes are much greater at the federal level. The Trudeau government ran up surprisingly high deficits before the pandemic, despite substantial economic growth, and then shifted to massive deficits during the pandemic while the prime minister unleashed his preference for government intervention. Rather than entering a period of slow program growth as the economy rebounds and holding the course on the budget, as Saskatchewan's government has recently done, the Trudeau government appears determined to accelerate its expansionary plans. The unexpected surge in tax revenues (including, ironically, a lovely pile of money from oil and gas revenue) did not provide for a moment any sense of fiscal discipline but rather became a justification for even more spending beyond our means. It is clear from Jagmeet Singh that the NDP expects nothing less and perhaps a fair bit more.

Yet these are not the acts of a traitor or a dictator. The Liberal-NDP supply and confidence agreement is compatible with Canadian parliamentary procedure and is no affront to democracy. In time, potentially as long as three years from now, Canadian electors will have the opportunity to pass judgment on the Liberal-NDP alliance. Until then, this agreement will define the shape of the federal government and likely transform the country, for better or worse.

Canadians need to think carefully about the path ahead. The Trudeau government has embraced large-scale budget deficits – to the point that the "mere" $50 billion deficit in the April 2022 budget was seen as a moderate course – and seems comfortable making an ongoing string of multi-billion announcements, with large downstream financial obligations. Wait until the federal, provincial, and territorial governments meet to discuss demands for more federal money for health care – let alone the obvious need for a reform of long-term seniors' care in Canada. It is likely that the expansion of government services is far from complete.

Remarkably, these major social policies have come forward with little public debate. Canadians have accepted these massive expenditures with little criticism or thought about the long-term economic consequences. They were foreshadowed in previous federal elections, but the fate of political promises, including by the Liberal Party after 2015, made Canadians more than a little cynical about such "commitments."

With Ontario's recent deal, the national childcare program is now fully operational. Precious few voices have been raised in opposition to this major expansion in the government's role. The working poor in Canada desperately needed help – and more than this program will cover. Many families, however, would have preferred to have the support needed to keep one parent (or other family members) at home full-time, which many argue is better for the children. But national acquiescence was near total. To argue against a multi-billion dollars national child care program, it seems, was considered antediluvian.

Canada came to a fork in the road in the first months of 2022 and the prime minister, more or less on his own, chose the path forward. Parliament has been largely marginalized, with little role in the management of the pandemic. The NDP opted for partnership and a small share of power – and an outsized claim of the credit for these expensive social programs. The Conservatives were divided by internal conflict and an odd affinity for the Freedom Convoy; their usual vigilance on government overreach appears to have slipped, although they did rise up in righteous indignation about the NDP-Liberal budget and its substantial deficit. And early indications are that the largest plurality of Canadians are comfortable, if not necessarily supportive, of the federal government's approach.

Proper social programs must be matched by government revenue to be sustainable. The Liberal-NDP alliance has adopted the predictable "tax the rich" mantra, though economists have made it clear that the cost of these initiatives will be borne largely by the middle class. As program spending rises, and government intervention grows, so will the tax burden.

Significantly, the government's commitment to spending money has not been matched by an equal devotion to building wealth, growing Canadian business, or increasing jobs. Indeed, its plans for the oil and gas industry will only have the opposite effect. Finance Minister Chrystia Freeland made small steps toward a growth plan, admitting that this had not been a government priority over the last seven years, yet has failed to acknowledge that the Liberal government's anti-growth measures, particularly on natural resource development, have slowed entrepreneurship, deflected investment, and limited sustainable economic growth.

Continued on page 27

The Liberal-NDP supply and confidence agreement is compatible with Canadian parliamentary procedure and is no affront to democracy.

Liberals are no slouches in the shrewd use of populist policies

If the Liberal government wants to get these complex issues right, it needs to slow down – and let Parliament do its job.

Aaron Wudrick

The ongoing Conservative leadership race has given fresh reason to fret over the perils of populist policy-making. Whether the topic is cryptocurrency or inflation, housing prices or climate change, it appears there's no shortage of simple solutions to complex policy problems. It's a legitimate critique, albeit one that applies to many political leadership races (and elections).

But while the Conservatives sit in opposition and wait up to three years for their next shot at power, the Liberal government is busy rushing through some troublingly simplistic populist policies of its own.

How else to describe the raft of half-baked Internet-regulation policies, all of which conveniently assign the role of political villain to a clutch of big technology companies?

Let's start with the government's proposed changes to the *Competition Act*, first alluded to vaguely in the spring federal budget, then finally spelled out last month in an omnibus budget bill – the very kind of hydra-headed legislation heavily criticized by Justin Trudeau when he sat in opposition.

He was right to be critical. Omnibus legislation impairs Parliament's ability to discharge its very important oversight function by rolling many unrelated changes to different pieces of legislation into a single bill, thereby depriving Parliament of the crucial opportunity to carefully examine each individual measure.

It's not even necessarily an adversarial process: In many cases, it can simply be a useful exercise in refining the language of a bill to ensure it's accurate, properly calibrated, and doesn't lead to any damaging unintended consequences. A government truly serious about getting complex policies right should welcome such opportunities.

Given what's being proposed, further scrutiny might clarify matters. The proposed changes to the *Competition Act* include everything from adding factors for consideration when determining whether a business is abusing its position, to permitting private actors to bring applications before the competition tribunal, to hiking maximum fines – up to a whopping three percent of a business's global revenues.

It's no secret that online giants such as Amazon and Shopify are the juiciest targets of these changes. The Act would strongly discourage global companies from doing business in a relatively small market such as Canada.

Then there's the government's troubling "solution" to the financial troubles of Canada's legacy news media. Bill C-18, the *Online News Act*, will force social media companies to pay news outlets for linking to their content.

The most superficial reading of the bill exposes its absurd logic: Forcing social media companies to pay to drive eyeballs to news outlets' websites makes as much sense as requiring taxi drivers to pay a restaurant for the privilege of delivering their customers. (This is an accurate analogy, notwithstanding its recent use by the admittedly self-interested Google.)

Do you suppose the government might be interested in making sure this legislation doesn't lead to a slew of harmful unintended consequences, from subsidizing outlets that peddle misinformation, to ruining search engines, to handing unprecedented power to the regulatory-agency overseer? Apparently not: On May 20, the government gave notice of time allocation for C-18, a procedural move that cut off debate of a bill that will put legacy media deep into their debt for shaking down big tech to subsidize their floundering business model.

Indeed, the awkward and untenable position in which C-18 puts recipient news outlets should be reason enough for a rethink. Why should anyone ever again trust the objectivity of a news organization's coverage of a government, when that same organization owes its continued survival to that government's favour?

These are just two examples of the Trudeau government's willingness to pursue populist policies, using a convenient political boogeyman as a pretext. Such an approach might very well be good politics, but it makes for bad policy. If the Liberal government wants to get these complex issues right, it needs to slow down – and let Parliament do its job.

Aaron Wudrick *is the Director of the Domestic Policy Program at MLI. This article originally appeared in* iPolitics.

Ottawa needs to be challenged for encouraging fantasy around oil and gas

We should focus on eliminating the emissions caused by burning hydrocarbons, and using them for clean energy and materials instead.

Heather Exner-Pirot

iStock

A fantasy has emerged in Canada called a "just transition." In this paradigm, the transition from dirty fossil fuels to clean, renewable energy in the form of solar panels and windmills will create a prosperous, low-carbon future with a thriving green economy. Taking action now will make our economy stronger and more competitive.

The catch is that workers and communities who depend on the oil and gas sector will be disadvantaged. The "just transition" ensures no one is left behind, with workers given the supports to succeed in other, more sustainable, fields.

So committed is the federal government to this version of reality, that it is planning to introduce legislation in its name, to codify its "people-centred just transition principles."

The first and most obvious challenge to this premise is that there isn't much of a transition yet. Global demand for oil and gas is as high as it has ever been. Whether you think this is good or bad, it is a fact. Years of underinvestment in production, now topped with sanctions on Russia, mean that prices for liquified natural gas (LNG) and refined products are at record levels. Energy experts think crude oil will soon hit US$180 a barrel or higher. Even if demand does eventually match up with supply, it still makes sense for the western world to maintain some production of its own, instead of relying on OPEC (Organization of the Petroleum Exporting Countries) and Russia. Canada, by far the world's biggest oil exporter that is a democracy, should be the last man standing.

It seems almost farcical to dedicate legislative effort and taxpayer dollars to training programs for unemployable oilpatch workers, or to help oil and gas regions become economically viable. Canada has never exported more crude and bitumen than it does now, buoyed by the recent completion of the Line 3 pipeline, the reversal of the Capline pipeline, and global markets taking whatever we could muster. But labour, especially experienced labour, is a constraining factor, and is hampering growth, even with wages at three times or more the Canadian average. The joke is they need to start retraining coders to become drillers.

Critics might concede that, yes, although there is a temporary reprieve in demand, in order to save the planet we need a transition, the sooner the better. The idea seems to be that we can, or should, stop using petroleum products, and any oil sands project or pipeline we build now is destined to become a stranded asset. This is the fantasy that "just transition" encourages. But it needs to be challenged.

The average Canadian thinks of petroleum use in terms of pumping gas into their vehicle, and therefore subscribes to the fallacy that when we all drive electric vehicles, the need for fossil fuels will disappear. But there are infinite uses for hydrocarbons. They are an incredibly flexible, available, and useful molecule, and even when we stop using them for combustion, demand for them for other uses – plastics, textiles, rubber, packaging, detergents, fertilizer – will continue to grow.

They are also essential in the production of solar panels, wind turbine blades, batteries and thermal insulation.

Likewise, oil sands bitumen components like asphaltenes and resins are used in many products that light crude cannot provide, and can be developed into advanced materials such as carbon fibre, which in turn could displace carbon-intensive steel.

The more immediate question, however, is if we will stop using hydrocarbons for fuel. Here, the pragmatist must concede that that problem with fossil fuels is not the fuel per se, but the emissions. It is going to be far cheaper and faster to invest hundreds of billions of dollars into carbon capture, than it will be to replace tens of trillions of dollars worth of fossil fuel infrastructure with brand new energy systems.

LNG can already be produced and burned with very low emissions, and blue hydrogen (derived from natural gas) does even better. Japan and other countries that are pragmatic in their energy deliberations are already preparing for that version of the future.

Fossil fuels have been demonized and so it has become popular to want to eliminate them, alongside Big Oil, as part of a just transition. That is not practical, in fact it's impossible. The smarter strategy – which Canada should be leading instead of sabotaging – is one that focuses relentlessly on eliminating the emissions caused by burning hydrocarbons, and using them for clean energy and materials instead.

Heather Exner-Pirot *is a Senior Fellow at MLI. This article first appeared in the* Calgary Herald.

Indigenous education (Coates)

Continued from page 9

workforce, the shortcomings of Indigenous education are even more significant. Schools that produce sub-par student outcomes and experience staggeringly high failure rates are hardly preparing young Indigenous peoples to be successful in the difficult economies of rural, remote and Northern communities. The system is, again with important exceptions, not doing enough to support Indigenous languages and cultural training.

Recognizing the failures of the current system, major steps must be taken, matched by a level of government funding that is adequate to meet enormous needs. Control must be passed to Indigenous governments, preferably through regional education authorities that have administrative economies of scale. Educational support might also begin at infancy, through community-supported and culture-based programming.

The classroom as we know it today should be abandoned, replaced by new systems designed and controlled by Indigenous authorities, perhaps like the Yukon's territory-wide First Nation School Board. Some would provide a combination of land-based and experiential learning activities supported by adaptive 21st century classroom systems that individualize learning processes.

To do these things well requires a reinvention of university teacher training to prepare teachers, Indigenous and non-Indigenous, for the new educational realities. The learning experiences have to be connected, realistically, to the jobs available in the region and to the social, cultural and productive needs of their communities. Education should focus on three objectives: allowing each student to reach their potential, preparing young people to support community aspirations and gently supporting each student until they believe that hope for a better future is a realistic goal.

Money alone will not solve the crisis facing Indigenous education playing out in hundreds of Indigenous communities across the country. A major reinvention of Indigenous schooling and workforce preparation is required, one controlled and shaped by Indigenous communities and aligned with contemporary social, cultural and economic realities. If the current arrangements continue, the result will be, at a minimum, another lost generation or two and the further decay in already toxic Indigenous circumstances across the country.

Enough procrastination. Enough ignoring the pleas and needs of Indigenous communities and students. Enough of our tolerance of a system that has created islands of misery surrounded by seas of non-Indigenous prosperity. It is time to head in a dramatically different direction that empowers Indigenous peoples and their governments and properly aligns local education with community aspirations for cultural survival and enhanced well-being.

Ken Coates *is a Distinguished Fellow at MLI, and a Canada Research Chair at the University of Saskatchewan.*

CC-295 Kingfisher (Shimooka)

Continued from page 18

likely that the C-27 would be selected. Yet, about a week before the ACAN, the entire purchase was scrapped due to circumstances that remain unclear today.

Progress on Buffalo replacement stalled until 2014. In that year, the Conservative government also unveiled the Defence Procurement Strategy (DPS), a series of reforms intended to improve outcomes after several controversies over the prior decade. Two areas were of particular relevance to FWSAR.

First, it was part of a broader effort to move away from sole-sourcing procurements and mandate competition in all but exceptional cases. Second, it was related to the Industrial and Technical Benefits (ITB) policy. Previously, meeting the offset requirements were a pass/fail. The DPS enabled ITBs to now play a role

in a platform's selection – it could be up to 25 percent of the assessment criteria. The percentage is misleading. If all other factors are equal, the 25 percent could be decisive in a selection. This occurred with FWSAR, which was one of the first major programs to utilize the new procurement system.

Under the mandate of creating competition, the requirements were loosened significantly, allowing the C-295 to compete and, thus, blunting the C-27J's advantages. The FWSAR aircraft no longer had to be able to reach all parts of Canada's AOR within one-crew day. Airbus also promised over 30 modifications that would allow the aircraft to meet the minimum requirements. These changes allowed the C-295's industrial benefits package to be a decisive factor in its selection, which was backed by the aviation conglomerate Airbus.

Since winning the competition, the C-295 has struggled to meet its promised performance. Modifications increased the aircraft's weight and it is now underpowered for its missions. In the event of an engine failure, such as during take-off or when flying through mountainous canyons, the aircraft might not have sufficient power to operate safely. This, along with a number of other major deficiencies, such as with its avionics, operation in icing, paradrop limitations and a problematic centre of gravity, severely impact the aircraft's ability to operate effectively, and even safely, in its given role.

Consequently, the recent announcement to push back the IOC to the 2025 timeframe is a clear punt by the current government to offload these problems until a later date. While some of the deficiencies are fixable (e.g., avionics), the problems around weight, power and icing capabilities are very likely not – as they are fundamental to the aircraft's design. There is a significant chance that Canada will need to scrap the entire $2.9 billion purchase and seek a different outcome.

The debacle has broader significance for Canadian defence procurement beyond SAR, especially with Canada potentially spending tens of billions of dollars in new programs to defend the Arctic. By artificially trying to create competition where one cannot effectively exist, and demanding as much domestic offsets as possible, this lays the foundation for future failures on much larger projects.

Richard Shimooka *is a Senior Fellow at MLI. This article first appeared in the* Hill Times.

China-Russia (Burton)

Continued from page 19

sell Canadian military secrets to China, the Canadian engineer went eight years without a trial before a judge finally dismissed the case, citing lack of progress. Why is it that, unlike our allies, Canada is incapable of holding a proper trial of someone accused of transferring our military technologies to a foreign state?

If the RCMP, CSIS and CSE refuse to share intelligence assessments on where Canada is vulnerable to Russian and Chinese malign operations, the federal government must take the required steps to defend our security. Too often, Canadian police and security agencies see their role as simply curating information that they can trade with the counterpart agencies. This danger is much more pronounced in Canada than among our allies, whose security agencies have much more effective legislative oversight.

The suffering of Ukraine is not just bad weather in international relations; it's the harbinger of geostrategic climate change led by China as well. Canada must cut the rhetoric and take action to face the new global realities.

Charles Burton *is a Senior Fellow at MLI, and non-resident Senior Fellow of the European Values Center for Security Policy in Prague. This article first appeared in the* Ottawa Citizen.

Big government (Coates)

Continued from page 23

Canadians should not be surprised. The main elements of this plan were in the Liberal platforms from the last three federal elections and the NDP has never hidden its desire for a greater government role in Canadian life. Citizens must, however, recognize that it is rare for subsequent governments to walk back from major programs, meaning that these short-term commitments will turn into multi-generational obligations that only add to the cost and reach of government services.

Yet the path forward is not yet fixed. Provinces and territories will push back on federal intrusion into their areas of responsibility – and on the substantial call on their budgets. But Canadians should not be too quick to make their dental appointments, plan their pharmaceutical purchases, or leap into a new home purchase. The Government of Canada has not been particularly adept at rolling out major state initiatives; the gun registry, the Phoenix pay system for federal employees, the constant fiascos of defence procurement, and the slow progress on Indigenous infrastructure improvements do not instill much confidence.

Canadians need to be fully alert to what the Trudeau government has undertaken. Major decisions remain about the scope, scale, and speed of the new programs, but pandemic era spending and the April 2022 budget have set the rocket ship in motion. This ride is not over. It is just beginning. Though the prime minister is certainly no dictator, one can only be impressed with the audacity of the over-reach and the expansion of the role of the state in Canadian public life. Canada is being remade in real-time and Canadian acquiescence has been near complete.

Ken Coates *is a Distinguished Fellow at MLI, and a Canada Research Chair in the Johnson Shoyama Graduate School of Public Policy at the University of Regina. This article first appeared in* The Hub.

constructive important forward-thinking excellent insightful high-quality 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 21st 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.

MACDONALD-LAURIER INSTITUTE

TRUE NORTH IN CANADIAN PUBLIC POLICY

323 Chapel Street, Suite 300,
Ottawa, Ontario K1N 7Z2
613-482-8327 • info@macdonaldlaurier.ca

@MLInstitute
facebook.com/MacdonaldLaurierInstitute
youtube.com/MLInstitute
linkedin.com/company/macdonald-laurier-institute