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MONITOR



VIEWS OF CANADA

"ACTIVE
HISTORY"

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STUART TREW

A shareholder nation

ON MARCH 30, the White House released details of how much Trump's economic advisors were worth when they joined the administration in January. Ivanka Trump and husband Jared Kushner, both close confidants of the president, resigned from their many business roles but still claim \$240 million in assets, much of it in the couple's real estate empire. Gary Cohn, Trump's chief economic advisor, disclosed earnings of \$40 million in dividends, interest, salary and bonuses on leaving Goldman Sachs. Half that money was in stock options, which he's in the process of divesting, according to The Associated Press, along with \$1 million in income from the Commercial Bank of China. Kellyanne Conway, Trump's campaign manager, earned \$800,000 from her consulting firm in 2016 and still holds stock in Pfizer, Kraft Heinz, Mondelez, Altria and Philip Morris. White House Press Secretary Sean Spicer favours stock in Coca-Cola and AT&T.

We'd known Team Trump was battling for the rich (with a wink to middle-American workers) since before the November election. But shortly after the March financial disclosure, as if the other shoe had suddenly dropped, the world saw a different Trump. The Steve Bannons in his roster—no slouch himself, Bannon disclosed assets of up to \$56 million and a \$1-5 million stake in data firm Cambridge Analytica—were, by most accounts, being forced outside the Oval Office, their race-baiting brand of economic nationalism useful, apparently, for winning elections only.

Under Cohn's influence, the president told the *Wall Street Journal* on April 12 that China was no longer a currency manipulator, back-peddling on an election promise. That same day Trump said NATO was "no longer obsolete," contradicting another campaign pledge to withdraw from the military alliance. Taking

a few pages from the Clinton campaign, Trump bombed Syria on April 7, sent an "armada" to threaten North Korea with nuclear war in mid-April, and resumed bullying Iran. Less than 100 days into what was supposed to be a transformative presidency, the Establishment is back.

It's tempting to try and find a #MeanwhileinCanada lesson from all of this, what with the sesquicentennial anniversary of Confederation, which was partly designed to chart a course distinct from the U.S., or at least check its expansion (Manifest Destiny) across North America. Surely the corporate shareholders' sway over our democracy—today, if not 150 years ago (see Pierre Beaudet on page 38)—is less important than it is in Washington. Clearly the priorities of our government's most trusted advisors are not so transparently self-serving as those counselling the U.S. administration.

Or are they? Both Trudeau and Trump are poised to announce major infrastructure spending to be selected, funded and managed in large part by the private sector. As John Geddes wrote in *Maclean's* in October, this is a long-standing proposal of McKinsey, the global consulting firm that lent Canada one of its global managing partners, Dominic Barton, to head Finance Minister Bill Morneau's "advisory council on economic growth." Michael Sabia of Caisse de dépôt et placement du Québec (a pension fund) "is also a vocal advocate of the concept," wrote Geddes, "and so is another prominent council member, former CEO of the Canada Pension Plan Investment Board Mark Wiseman, who jumped to the private sector earlier this year as a senior managing director of BlackRock Inc., the world's largest asset manager."

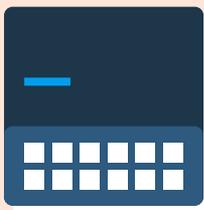
Unlike Trump's economic advisors, these people—the panel also includes a World Bank economist, CEOs of General Electric Canada and Cenovus, and a couple of investment advisors, among others—are not paid

to advise the Trudeau government, but some of them do stand to gain personally from future policy choices; in particular, decisions involving the new infrastructure bank (when it is eventually established). Meanwhile, as the CCPA has warned (see "New From the CCPA" on page 4), the government may end up paying double or triple what it normally would have cost for new roads, bridges, community centres, water treatment plants and other infrastructure projects were they to be financed publicly (and more accountably) through debt.

Like Trump, the Trudeau government swept to power on a wave of popular discontent with the previous guys. The prime minister himself has several times drawn attention to this and tends to highlight the similarities in his and Trump's economic priorities when addressing U.S. relations. Trudeau told *Bloomberg News* on April 21 that the rise in nationalism and populism in the west is a result of fears of job loss or lack of economic opportunity. He said "the policy toolboxes we choose to use [to address those fears] might vary a little bit. But we can always find common ground."

In fact, excluding trade policy—and the legalization of pot, another reform that will benefit at least a few insiders—the political toolboxes have been remarkably similar. They are heavily dependent on the private sector to spur growth in traditional infrastructure and "disruptive" technologies. And they shy away from substantial improvements to the social safety net (see our AFB section on page 6) that would on their own create many more jobs than what these shareholders are proposing, while softening the blow should the infrastructure bank prove a giant failure. If I were advising the government's investment strategy, I would say we need to diversify.

Feedback: monitor@policyalternatives.ca. **M**



Letters

Feminist organizing works

Kate McInturff's excellent article ("3.2 million people and you still can't see us," March-April 2017) reminded me of a signal event for me, as a young unformed feminist in 1954. I was a first-year student at the University of Alberta, Edmonton campus, and early one morning eagerly attended my first class, the survey of English literature. The students were a mix of males and females. I was 18. The very senior professor expanded for the hour on the nature of the course, I answered a pointed question on a reading of Chaucer, and the class came to its close.

But just before we were excused, the professor gruffly announced that all the female students in the class were to be removed to other sections of the same course. Other professors had space to take us, and no exceptions of any kind would be made. The professor, I discovered later, was known "not to teach first-year women." I objected, but he was adamant. The other English teachers accommodated us all and my academic life proceeded.

This event was obviously looked upon as an amusing

eccentricity on the part of a prestigious, very senior member of the arts faculty. The other teachers who admitted his "cast-offs" into their courses likely reacted each year with an eye roll and resigned chuckle. And the dean of arts? The administration? They would have known and colluded. Overt, officially condoned anti-woman discrimination was accepted.

My daughters have really no idea of the barriers placed before women in the past. Feminist organizing has raised the cause. Much still remains to be done, but good on you, Kate, for flying the flag with vigour.

Margery Cartwright,
Haliburton, Ont.

Sustainable starts with local

Donald Shaver's recommendations for "establishing a sustainable economy" (Perspectives, March-April 2017) focus on bureaucratic changes in how science dances with politics at national and international levels. In contrast, I believe the important thing is how scientists can become partners with local people in solving real problems.

Statistics at national and global levels lead to generalities, the fodder of high-level scientists and administrators. Even if they reveal trends for big areas, generalizations have to become prescriptions for water and land use—hill by valley, field by forest by lake. We don't have the depth of science to support local actions. Worse,

we don't have, or even show much inclination to develop, a partnership as equals with local residents who know and use the land. There are models for doing this. I'll just mention the ongoing work to encourage millions of bird-watchers to contribute to bird breeding and population data.

I am glad that Shaver sees the crucial importance of local actions, his example being the organizing of mayors of 60 or more huge cities into a group for exchanging ideas toward action on climate change. I'll comment, though, that such cities are still too big for useful generalized actions, which need neighbourhood-level information. I also agree with Shaver that "our future will be centered less on technology and industrial might and more on food and water." Food and water: real things in real places affected by real actions.

Bob Weeden, Salt Spring Island, B.C.

Putting carbon taxes to good use

Marc Lee poses a very important question in his "Critical guide to the Pan Canadian Framework on Clean Growth and Climate Change" (March-April 2017): Why are we not using the present tax on oil and gas to fund the greening of industry? The money is obviously currently part of general revenue and not specifically allocated. How much money is there to spend on greening industry is less clear.

B.C. has had a carbon tax for several years, but I

have yet to see a public accounting of where it is effectively spent. Will the proposed federal carbon tax be just another general revenue tax grab like most other taxes?

This brings me to the question of investor influence in the oil and gas industry. Big investors like banks and pension funds have a fair portion of their total investment in the industry and one can be certain that they want a reasonable return on that investment. How much influence do they have on government decision-making? Then there is the related supply industry that also relies heavily on the success of oil and gas. Finally, and importantly, are the jobs that are created. Public spending is the largest generator of industrial production and government knows this all too well.

The greening turnaround will not happen overnight, because all major industries, including the military, are heavily committed to the fossil fuel industry. Our climate is behind the eight-ball, so to speak, because we recognized too late that we are the enemy. As long as we remain in reactive rather than proactive mode, the warming climate could accelerate beyond recovery.

Bert Parke, Logan Lake, B.C.

Have something to say? Send us your thoughts, feedback and commentary to monitor@policyalternatives.ca.



New from the CCPA

Infrastructure bank should serve public interest

During the 2015 federal election, the Liberals promised to establish a federal infrastructure bank to provide low-cost financing to municipalities for new projects and overdue upgrades. However, we learned in the 2016 Fall Economic Statement that the bank would rely largely on private institutional finance rather than direct government spending to get projects built. The federal budget in March provided few new details of the government's plans in this respect.

A new study by **Toby Sanger**, CUPE economist and CCPA research associate, warns that relying on private investors in this way could double the cost of infrastructure projects in the long run, by adding \$150 billion or more in financing costs to the expected \$140 billion worth of investment. That's the equivalent of about \$4,000 per person in Canada and \$5 billion more per year (assuming an average 30-year asset life) than the projects would have cost using traditional debt-backed government financing. The higher costs will eat into public funding

that would otherwise be available for public services or additional public infrastructure investment in future years.

As Sanger explains, the move to private financing was likely driven by pressure from the private finance and capital industry (e.g., pension funds), which is seeking lucrative profits from public infrastructure investment, combined with the federal government's desire to keep borrowing costs off its books in the short term. "This may appear to be good politics, but it's terrible public policy," he says. "We could build almost twice as much infrastructure through the Canada Infrastructure Bank if it was financed at the lower rates available for direct public borrowing instead of using higher cost private finance."

Women and homelessness in Winnipeg

In 2016, community organizations in Winnipeg asked the CCPA's Manitoba office to co-ordinate a study on women's experiences of homelessness. The province was celebrating the 100th anniversary of women's right to vote, but many women continue to experience marginalization, particularly when it comes to housing and homelessness. The resulting report, **Finding Her Home**, renews calls for more public investment and co-ordination across government and community to end homelessness.

"Women's homelessness in Winnipeg is not well understood, in part because women experiencing homelessness are more likely to be hidden via overcrowded stays with acquaintances, friends or family, rather than stay in emergency shelters," says **Jenna Drabble** of the Canadian CED Network, who co-authored the report with **Sadie McInnes**, summer intern with the CCPA-MB. "We spoke to 30 women who'd experienced homelessness and many said they do not access the existing shelter system due to safety concerns. Indeed, there are few safe places for women experiencing homelessness to sleep at night."

The report recommends more government investment in rent-geared-to-income (RGI) social housing with built-in social supports, and additional efforts to end racism and discrimination in the housing sector by supporting tenant rights."

A call for renewal to post-secondary education

Over the past 15 years, revenue from student tuition has tripled, public student debt has ballooned (reaching \$28 billion by 2012) and working conditions for campus staff have deteriorated. A new CCPA paper by **Joel Harden** argues it's time for renewal in our post-secondary education sector to address decades of bad policy choices.

After a short history of post-secondary education

policy in Canada, from the supportive post-Second World War period through the cuts of the 1990s to today's reliance on student debt, Harden offers several proposals to expand access to high-quality, publicly funded post-secondary education without upfront costs. These proposals are backed by \$10.5 billion in new funding from the federal government, as outlined in the 2017 Alternative Federal Budget (see pages 6-10 for more on the AFB), and framed by two new public policy instruments: a post-secondary education renewal transfer (PSE-RT) and a Post-Secondary Education Act to be modelled on the Canada Health Act.

The report lists several priorities for renewal, including: \$428 million over three years to address the backlog in applicants to the Post-Secondary Support Program for First Nations, Inuit and Métis students; restoring post-secondary education funding to 1996 levels to account for deep cuts that year and enrolment and inflation growth since then; eliminating tuition fees for all students in all programs; improving non-tuition financial aid for students in need; increasing funding for research and scholarships; and investing in skilled apprenticeships and adult education.

Land ownership in Saskatchewan

The question of who should have the right to own farmland in Saskatchewan has been

controversial in recent years. The sale of \$128 million in farmland holdings to the Canada Pension Plan in 2014 caused enough concern that the government decided to prohibit such purchases by pension plans and large trusts. In **Who's Buying the Farm: Farmland Investment Patterns in Saskatchewan (2003–14)**, André Magnan of the University of Regina and Annette Desmarais, a former farmer now at the University of Manitoba, provide a more complete picture of farmland investment patterns in the province, the private and out-of-province investors doing the buying and the extent of their holdings. They find that investor ownership of farmland has grown dramatically since ownership restrictions were relaxed in 2003, with measureable impacts on the farmland market, notably the price of land, which may be making it more difficult for farmers to expand their operations.

More than a gig

They are young and highly educated, but many involved in the “sharing economy” in the Greater Toronto Area are selling themselves short. In a CCPA survey conducted by Environics and released in April, more than a third of respondents said “sharing” or “gig economy” hours are unpredictable, it’s hard to get enough work, they don’t make enough money and don’t get paid when they’re sick.

“In other words, the ‘sharing economy’ looks a



lot like traditional service sector jobs: precarious,” says Trish Hennessy, director of the CCPA’s Ontario office. “The only major difference is the business model they’re using to find work. They are turning to businesses that connect them with customers through online platforms, or apps, to provide a wide range of on-demand services—cleaning, rides home, meal prep, food delivery—using their own skills and their own assets.”

Of those surveyed who work app-based gigs to earn a living, 58% said it makes up more than half of their personal income, 55% said it’s the only way to make a living right now, and 53% said it’s something to do until they can find something better.

“There is a strong appetite for better protections in this sector,” says CCPA-Ontario Senior Economist Sheila Block. “78% of respondents see a need for more health and safety standards in this emerging line of work, 72% support regulations for the

businesses providing the platform for these service transactions, and 65% say there should be worker protections.”

Adding value to forest products

Between 2013 and 2016, more raw logs were shipped from B.C. than during any other four-year period in the province’s history, prompting two forest industry unions and three leading environmental groups to call for a ban on raw log exports from old-growth forests and bold government action to stimulate B.C.’s flagging forest sector. The call follows new research released earlier this year by the CCPA’s B.C. office that shows how exports of raw, unprocessed logs are surging. If these logs were processed in some of B.C.’s hardest-hit forestry communities, at least 3,600 new jobs could be generated.

The Public and Private Workers of Canada, along with Unifor, Canada’s

largest private sector union, the Ancient Forests Alliance, Sierra Club of B.C. and the Wilderness Committee, say the province should enact a bold three-point plan to curb exports and stimulate jobs: 1) place an immediate ban on all exports of raw logs from old-growth forests; 2) immediately impose progressively higher taxes on log exports from second-growth forests to encourage investment in domestic mills; and 3) introduce new policies to increase value-added forest manufacturing and jobs in rural and First Nations communities.

For more reports, commentary and infographics from the CCPA, visit www.policyalternatives.ca.

In the news

DAVID MACDONALD

The budget that could have been

Even in the worst of times, budgets are rarely hemmed in by “economic necessity.” They are reflections of the values of the party in power. One government might look at economic data predicting low growth for the next five years (the current reality) and choose to cut program spending. Another might pump some money into infrastructure projects, or enhance public services, to create good jobs and kickstart the economy, as the Liberals chose to do in Budget 2016.

Or you could do neither—hold the line on spending, postpone potentially controversial (but needed) reforms to Canada’s complicated system of tax expenditures (see the January-February 2017 issue of the *Monitor*), add a \$3-billion safety cushion to the deficit, then cross your fingers and hope oil and gas prices go up. And there, in a nutshell, is Budget 2017.

There was plenty of criticism that the March budget didn’t have an ambitious program to tackle the big issues of the day: climate change, income inequality, stagnant wages, high household debt and a rigged tax system. The government talked a good game on progress and helping a struggling middle class, but it held back in critical areas where added spending would make a big difference.

Every year, our Alternative Federal Budget (AFB) looks at the progressive choices a federal government could take, in more than 20 policy areas, if it were interested in lowering poverty,

reducing inequality, transitioning to a low-carbon economy, and closing the racially- and gender-based pay gap, among other priorities. We cost out every policy, and while the AFB has, in the past two years, recommended higher deficits than the federal government, these are more than made up for in job and income growth for the vast majority of Canadians.

Four examples from this year’s AFB help explain what might have been in Budget 2017 had the government chosen to apply itself more actively, yet cost-effectively, in the pursuit of what it calls inclusive growth.

Child care

The federal budget announced more details on long-term funding for child care. This isn’t new money (it was already allocated in last year’s budget), but it did build those expenditures into a “fiscal framework” for the next decade, and slowly ramped up spending from about \$540 million now to \$870 million by 2027-28.

This long-term commitment hasn’t existed since Paul Martin’s 2005 child care framework agreement, which was subsequently cancelled to pay for the Universal Child Care Benefit introduced by the former Conserva-

tive government. In fact, the Harper regime’s raiding of existing “fiscal framework” funds is a cautionary tale that just because you budget out a decade, as the Liberal government has done, does not mean the next government will go along with your plans.

The long-term funding commitment in Budget 2017, with the integrated provincial agreements that will flow from it, creates a foundation for future expansion. However, the announced spending levels will likely have a limited impact on long wait lists and high fees—arguably the two most important issues for child care in Canada.

To compare, the Alternative Federal Budget starts at the same \$500-million level as last year’s federal budget, but then ramps up to \$1.6 billion in 2018 and \$2.6 billion in 2019. Spending must rise in this way to ensure the ex-



Tackling tax havens

pansion of child care (there is a need for about 500,000 new spaces today). Even the Martin child care framework of 2005 maxed out at \$1.6 billion a year (in today's dollars), roughly twice the maximum proposed by the Trudeau government.

For added context, Quebec's capped fee system, where parent rates start at \$7 a day, costs the province roughly \$2 billion a year. Extending a similar plan to all children in Canada would cost roughly \$10 billion a year, which would be cost-shared with the provinces. Even if the feds kicked in \$5 billion a year, you can see how far we are from a large-scale affordable child care system.

Tax loopholes

The federal government spends more than \$100 billion a year on tax expenditures of various kinds. Many of them, like the 50% capital gains inclusion rate and the dividends gross-up, are essentially loopholes for the wealthy—tax breaks whose benefits are enjoyed by a very small number of high-income earners.

Many economists predicted the government would make a move toward tax fairness by closing some of these expensive loopholes in the budget. They were wrong. Instead, the Liberals cut a handful of inexpensive "boutique" tax credits, including one applied to monthly public transit passes that costs the government \$200 million a year. Though the AFB endorses reforms to Canada's messy and ineffective tax credit regime, these were small fish to fry.

The bigger fish include: the stock option deduction, which costs \$700 million a year; the already mentioned capital gains inclusion rate, which taxes gains from selling assets like stocks at 50% (income is taxed at 100%) and costs \$5 billion a year for individuals and another \$5 billion for corporations; pension income splitting (\$1.3 billion a year); and credits for meals and entertainment for corporate boxes, which costs the government \$200 million a year.

Even just cancelling the most egregious tax credit—the stock option deduction—would give the government the fiscal space to double its proposed child care funding (see above). This credit is claimed by only 64,000 out of 26 million tax filers, and 99% of the benefit goes to the richest income earners. I'm concerned that inertia against making the tax system fairer has now set in and we will never see these fish in the skillet.

Gender budgeting

The gender analysis in this year's budget was a first and, as analysis goes, it was surprisingly good. We've been assessing the differential impact of AFB measures on women and men for several years, as do many OECD countries. We're glad to see the approach finally adopted by the federal government. But there are wrinkles.

For example, this year's federal budget has extensive spending tables after each chapter—except the one on gender. It includes \$100 million in new funding over five years for domestic violence. In comparison, however, the AFB argues it will cost at least \$500 million annually to truly address the \$12-billion-per-year cost of domestic violence.

Status of Women Canada, the department responsible for gender analysis, has seen no change to its budget in 2017, despite the list of unanswered needs identified in the budget's gender analysis. The AFB, on the other hand, allocates \$100 million a year to increase the department's budget and start tackling that analysis. (See the article in this section by Kate McInturff for more on the gender analysis in Budget 2017.)



The one area where the Liberal government continues to move forward is in tackling tax havens. The Canada Revenue Agency got \$521 million in Budget 2017 for tax haven enforcement efforts. This is in addition to \$444 million earmarked in 2016. Almost \$2 billion in new revenue is expected to be recovered from these efforts over five years.

The government will require that tax facilitators and advisors disclose tax avoidance transactions to the CRA. This was one of the recommendations from the parliamentary finance committee hearings on the KPMG tax scam and will hopefully prevent such things as KPMG's Isle of Man scandal.

Budget 2017 also commits the government to strengthening corporate and beneficial ownership transparency. This would provide safeguards against money laundering, terrorist financing and tax evasion. It moves Canada closer to its commitment to adopt international standards.

[Finance Minister Bill] Morneau has also committed to collaborating with provinces and territories "to put in place a national strategy to strengthen the transparency of legal persons and legal arrangements and improve the availability of beneficial ownership information."

The government is to be commended for targeting wealthy individuals using tax havens; measures to date are paying off. But individual tax dodging comprises only a third of the tax haven problem. Most of that activity is blatantly illegal and easier to go after.

The bigger problem is Canadian multinationals shifting profits to subsidiaries in tax havens, which accounts for two-thirds of haven-related tax loss. Much of what corporations get away with is technically legal. Tackling this challenge requires changes to weak corporate tax laws. Canada could start to address this problem by requiring that corporations prove economic substance for any subsidiary in a tax haven to qualify as a separate corporate entity for tax purposes.

—Dennis Howlett, executive director of Canadians for Tax Fairness and contributor to the 2017 Alternative Federal Budget

Climate change

On climate, the budget takes a step in the right direction, with new spending on green infrastructure, clean technology, energy efficiency regulation and other measures. Unfortunately, the total funding on offer falls short of what we need to transition to a low-carbon economy.

Budget 2017 allocates just \$3.1 billion over five years for clean technology and other climate-specific initiatives, compared to \$1.4 billion annually in the AFB. More importantly, by spreading out the previously announced Low Carbon Economy Fund over five years instead of two, Budget 2017 actually cuts federal spending on climate measures in the first two years.

Budget 2017 promises \$8.4 billion over five years for green infrastructure, but that's not nearly enough to reduce our emissions and prepare the country for a changing climate. The AFB calls for \$11.9 billion annually for vital new infrastructure, like wastewater treatment facilities and public transit systems. Unlike the federal budget, the AFB ensures all those assets are publicly owned.

To be continued?

In general, Budget 2017 kicks spending and plans further down the road, to be dealt with perhaps in budget implementing legislation or future economic updates. TD Economics called it a "market-neutral" budget, unlikely to push the TSX much in either direction.

As a political strategy, it's pretty smart: with spending contained and near-term deficits likely overstated, the government is in a better position to throw some money around and look fiscally in better shape a year ahead of the next election, if not now. However, Budget 2017 is a poor response to our immediate needs to address inequality, poverty and climate change.

This was a missed opportunity to take billions of dollars out of unfair tax expenditures for the wealthy and apply that money to expanding public services, building affordable housing, transitioning to low-carbon economic growth, and strengthening Canada's overall social safety net.

KATE MCINTURFF

A step toward gender budgeting

Men and women are different. That shouldn't be news, but on March 22 it was.

That was the day the federal government released Canada's first budget to acknowledge the differences between men and women. Like the fact that women are twice as likely to work part time, do more hours of unpaid care work, are less likely to qualify for employment insurance and are more likely to be the victim of a violent crime.

For public spending to be effective we need policies and programs that respond to those differences. Otherwise we could just divide up the budget by 37 million Canadians and send everyone a cheque. Gender budgeting, on the other hand, gives us the opportunity to reduce the number of women experiencing violence and poverty. It can clear the way for women to have equal access to decent work and decent pay.

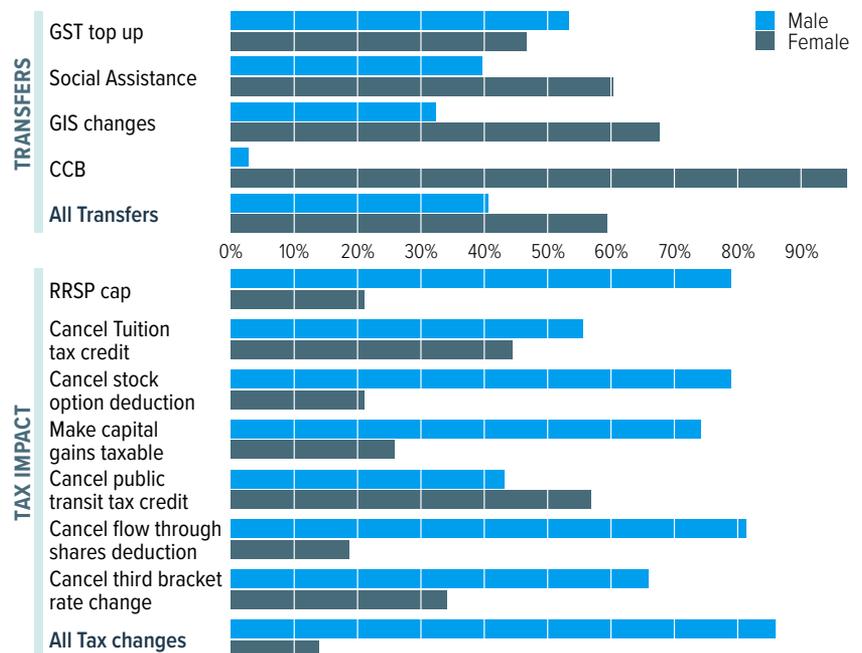
Narrowing the gender gap benefits everyone. Women make up 47% of the

Canadian labour force. Nearly one million women are working part time right now for involuntary reasons, including not being able to find child care. When more women work, they earn (and spend) more money, pay more taxes, and invest in their families and their communities. That means growth you can feel—growth that makes a difference in how we live our lives day to day.

Gender-based analysis of economic and tax policy—the kind we have been promoting in the Alternative Federal Budget for several years (see chart)—is not about catering to a special interest group (which women are not). It is about better, more effective policy. It is about a more productive economy. It is about realizing the promise of equality for half the population.

The government does a very good job in Budget 2017 of accounting for how measures in last year's budget reduced poverty among single mothers and senior women. For example, it

Gender distribution of Alternative Federal Budget tax and transfer measures



gives concrete breakdowns of how income transfers like the Canada Child Benefit affect women and men differently.

On this year's budget, there is some good news to be found. It's not groundbreaking or life-changing. But it's welcome.

The government will spend \$100.9 million over five years to establish a National Strategy to Address Gender-based Violence, for instance. However, that's about \$20 million a year. To address a problem the justice department says costs the economy \$12 billion a year, and which directly affected more than one million women in the past five years.

There is \$3.6 million over three years to establish an LGBTQ2 secretariat and support the work of the prime minister's special adviser on LGBTQ2 issues. And the government has budgeted \$40 million for women-led technology firms. This last item, while welcome, is worth more than the annual budget of Status of Women Canada—the department tasked with making sure all this gender-based analysis happens.

Finally, the government has assigned \$7 billion over 10 years to increase access to affordable child care. This is a huge issue for women and for our economy.

Research in Canada and across high-income countries proves that a lack of available and affordable child care is one of the biggest barriers to women's employment. Increased access to paid work is important for women and their families, and it is a significant driver of economic growth. When the International Monetary Fund came to town last year to evaluate Canada's economy, what did they want to talk about? Child care.

So far, so good. Here's the trickier part.

There are some very big investments in Budget 2017 for technology, science and all things "innovation" (the word and its variants are mentioned 368 times). The government points out that women comprise only 19% of those who have training and are currently working in so-called innovative sectors.

So, what measures would ensure women benefit from more than 19% of

the new investment? And what benchmarks will the government use to narrow the gap between men and women working in this high-paying and growing occupational sector? The budget provides few details.

In general, there are no specific benchmarks in Budget 2017 for lowering the wage gap, increasing women's employment or lowering rates of violence. The six economic sectors identified as the budget's priorities are all predominantly male. There are no parallel investments in predominantly female employment sectors.

Support for unpaid care work is delivered through a tax break. But many female caregivers don't have the time left to do enough paid work to raise their incomes to a level that would allow them to qualify. Further support to caregivers and new parents is delivered through the employment insurance program, which many women don't qualify for either, because they tend to work part time and do more unpaid caregiving work.

Perhaps most unfortunately, the department that is tasked with sup-

porting gender-based analysis across the entire federal government, Status of Women Canada, continues to be dramatically underfunded. Its budget represents 0.01% of federal program spending. That's the same amount as last year, and every year for the last decade. As one public servant put it, it's budget dust.

The government's commitment to do this analysis is something to celebrate. This year's budget takes an important first step toward better policies for everyone and better lives for women. But one sentence gives me more cause for optimism than anything else: "More than 60 Budget 2017 measures were identified as having differential gender impacts, but there remain many areas where data is not readily available."

That is the sound of Finance Canada asking questions it has never asked before. It's the sound of a government realizing how much more it needs to know before it can deliver real change for women in Canada.

THIS ARTICLE APPEARED IN THE OTTAWA CITIZEN ON MARCH 22.

NICK FALVO

Good housing policy needs good tax reform

The Trudeau government is teasing us with social policy. It wants to make our social welfare system more generous, until it doesn't. Housing is no exception. If this government is serious about ending homelessness, it should plow forward.

A strong federal government role in creating affordable housing is vital for several reasons. First, low-income households (especially those who rely on social assistance) can't afford the monthly rents of most housing on the private market. Second, high-growth areas in cities (especially new suburbs) can't rely on private developers to create the apartment units needed by workers, who in turn are needed by

those same communities, especially in the service sector.

Third, it's important that non-profit entities own and operate housing, as non-profit ownership keeps rent levels down over the long term and creates public assets in the process. Finally, when it comes to vulnerable subpopulations (including persons with mental health problems, persons living with HIV, and seniors), non-profit entities are effective at creating buildings that can foster community development.

From the 1960s until the late 1980s, Canada's federal government played a very active role in creating housing for low-income and middle-income households. Always in partner-



HIGH STAKES

- Over the past 25 years, the federal government has played an increasingly limited role in creating affordable housing, and Canada's current proportion of social housing units is far below the OECD average.
- Hundreds of thousands of low-income families are on waiting lists for subsidized housing. Some become homeless while they wait.
- Vulnerable subpopulations are at risk because they lack supportive housing.
- Indigenous people who are in core housing need or homeless are overrepresented compared to the rest of Canada.

CLEAR CHOICES

- Invest \$1 billion annually to preserve existing social housing units.
- Permanently increase funding for the Investment in Affordable Housing program by an additional \$1 billion annually.
- Provide \$1 billion annually for supportive housing, focusing on the most vulnerable sections of the population.
- Invest in on-reserve housing.

ship with the private sector, the government typically shared the costs of developing new housing units with the provinces and territories. Tenants were charged an amount they were deemed able to afford—typically 30% of their gross monthly income. As a result, as many as 25,000 new subsidized housing units were created across Canada each year over that 30-year period. Low-income households who sought subsidized housing often received it within months, and very few individuals were homeless compared to today.

In the early 1990s, the federal government stopped funding new social housing (except on-reserve housing). Although it got back into the housing game in 2001, Ottawa's role in creating new subsidized housing units remains much less pronounced today than in the 1970s and 1980s. Today, wait lists for subsidized housing are growing and thousands of Canadians spend each night in emergency shelters.

Housing made a comeback in the 2016 budget, although it was a modest one compared to the 1970s and 1980s. The Trudeau government announced \$1.3 billion in new federal funding for housing for 2016-17 and \$956 million for 2017-18. That's an average of just

over \$1 billion in new federal funding per year over a two-year period. For comparison, the 2017 Alternative Federal Budget called for \$3 billion in annual new funding. If that sounds ambitious to some, it would merely bring us back to the levels of housing creation we had in the early 1980s.

In the past several decades, Canada's economy—as well as its social welfare system—has gone through profound changes. Spending on social welfare by the federal government has decreased substantially since the 1980s. Likewise, since the mid-1990s, taxation in Canada has decreased substantially. All of these trends are reversible.

This year's federal budget included important new spending announcements, including \$11.2 billion over 11 years for housing and \$2.1 billion over 11 years for homelessness. But most of this new money won't start flowing until 2018-19. To ensure every Canadian has a home, we need more than just housing and homelessness dollars. We need a much stronger social welfare system. That means creating well-paying jobs, a national child care and early learning framework, improving income support for those without jobs and ad-

ressing poverty in First Nations communities.

And all of this must be adequately financed with appropriate levels of taxation. Indeed, public social spending Canada accounts for just 17% of Canada's GDP, well below the 22% average for OECD countries. Other countries have even ramped up their spending of late: between 1980 and 2016, public social spending as a percentage of GDP nearly doubled in Australia, Finland and Italy. Canada could easily do the same.

And that brings us to taxation. No major tax changes were announced in this year's federal budget, despite widespread agreement Canada's tax expenditures (loopholes) are overly complicated and disproportionately benefit higher-income earners. The 2015 Liberal election platform said reforms to Canada's tax expenditure system could generate up to \$3 billion in additional annual revenue. In backing away from this promise, if only for the time being, the government has missed a chance to bolster our social welfare system. The dithering is bad news for people without adequate housing. **M**



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Climate Emogencie



Responding to news this March that hundreds of miles of the Great Barrier Reef are now dead, “killed by overheated seawater,” as reported by the *New York Times*, Canadian Environment Minister Catherine McKenna tweeted a triple sad face.



Since at least 1970, the Earth has absorbed more energy

from the sun than it is emitting back into space—a consequence of rapidly increasing

anthropogenic greenhouse gas emissions. The oceans have acted as a sink for 93% of the additional heat. According to a 2016 report of the International Union for Conservation of Nature (IUCN), 13 of the warmest sea surface temperature years on record since 1880 (excluding 1997 and 1998) have occurred since 2000.

The main cause of global warming is—duh—the release and build-up of carbon dioxide, methane and other greenhouse gases in the atmosphere as a result of the burning of fossil fuels. According to CCPA economist Marc Lee, while Canada’s territorial emissions are more or less flat since 2000, extracted carbon—the amount of fossil fuel removed from Canada (exported) that ends up in the atmosphere—has grown 26% over the same period.



Lee pointed out in January that the Paris

Agreement is a “good deal” for Canada because it doesn’t count these emissions abroad from locally extracted carbon.



There is some good news in that coal-fired power station

construction decreased by 62% in 2016, according to CoalSwarm’s report *Boom and Bust 2017*. “As of January 2017 the amount of coal power capacity in pre-construction planning was 570 gigawatts (GW), compared to 1,090 GW in January 2016.”

And then there’s the Trump factor. The U.S. president told a crowd of Wisconsin factory workers in April that his preferred tool for getting rid of “wasteful destructive job killing regulations” was a sledgehammer. Though he may have been referring

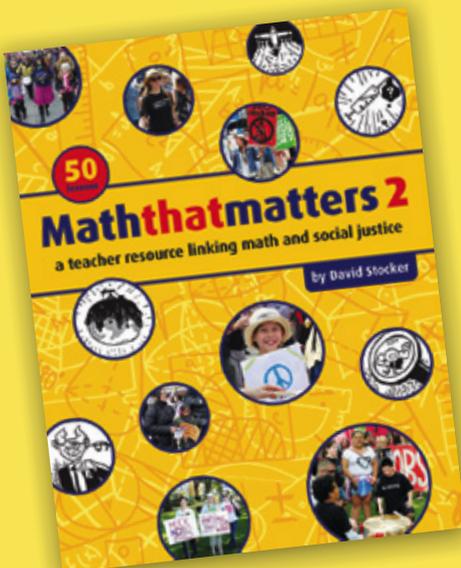
to Canadian dairy laws (it’s hard to tell), Trump signed an executive order on March 28 that begins to dismantle Obama-era restrictions on greenhouse gas emissions at coal-fired power plants.



On April 22, Earth Day, Natural Resources

Minister Jim Carr announced Canada would put off (for three years) new regulations on methane emissions from the oil and gas sector. “We have to keep a very close eye on what our American partners do because the economies are so interlinked,” he said.

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Behind the numbers

NICOLAS GRAHAM, SHANNON DAUB
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Greasing the wheels of power



The problem of corporate influence in politics and government is heating up in B.C. as we head toward the May election. 2017 kicked off with an explosive story in the *New York Times*, aptly titled “British Columbia: The Wild West of Canadian Political Cash.” The story drew widespread attention to the complete absence of limits in B.C. on political donations by wealthy corporations and individuals, including foreign donations and contributions from outside the province.

The international spotlight highlighted a problem of central concern to us at the Corporate Mapping Project, a major research initiative led by the University of Victoria, the CCPA and the Parkland Institute (featured in the March-April issue of the *Monitor*). In our latest study, we took a close look at political donations by the fossil fuel industry specifically. We also analyzed data from the B.C. lobbyist registry to find out what kind of access to government these donations help secure.

The results are, quite simply, jaw-dropping. And they raise important questions about how we want our democracy to function.

Big money

We tallied up all political donations by fossil fuel companies and industry organizations to the B.C. Liberal Party and the New Democratic Party of B.C.

(the two leading parties) between 2008 and 2015, which covers the last two election cycles and corresponds to the steady increase in natural gas production, which ramped up starting in 2008-09. Over this eight-year period, 48 fossil fuel companies and industry groups donated a whopping \$5.2 million. This accounts for just under 10% of all donations from corporations and business associations, and is just over half the total donated by real estate firms (the largest sectoral contributors).

As the table (page 14) shows, the top 10 donors contributed more than three-quarters of the \$5.2 million fossil fuel industry total. Among them there is a distinct geography of giving, with firms mostly headquartered in Calgary. Only two of the companies are headquartered in B.C. One company, Spectra, is headquartered outside of Canada. And Chevron Canada and Imperial Oil are foreign-controlled subsidiaries of U.S.-based parent companies. Five of the top donors—Encana, Canadian Natural Resources Ltd., Enbridge, Imperial Oil and Teck Resources—rank among the 10 most profitable Canadian fossil fuel corporations.

We also found substantial donations from oil and pipeline companies with only limited operations in B.C., but whose “adjacent interests” (i.e., the desire for oil from Alberta tar sands to reach B.C. “tidewater”) are presumed

to motivate giving. Notable contributions over this period (largely directed to the B.C. Liberals) came from Cenovus (\$85,425) and MEG Energy (\$65,510). Texas-based Kinder Morgan gave \$20,000 and Suncor \$60,420.

Of the \$5.2 million donated by the fossil fuel industry, 92% (\$4.8 million) went to the B.C. Liberals. Donations to the B.C. NDP increased in 2012 and 2013, with the party receiving 13% and 22% of the total share in those respective years as corporations hedged their bets in advance of the 2013 election. Donations to the B.C. Liberals spiked significantly in 2013 as well. In addition to a provincial election, this increase coincided with a major push by the government to develop an LNG export industry.

Political donations from the natural gas sector doubled in 2012-13 compared to 2008-09, which parallels increasing rates of natural gas production and the introduction of regulations and subsidies designed to support unconventional gas development in the province’s northeast. In 2014 and 2015, newly formed LNG operators made significant donations: Pacific Northwest LNG, Steelhead LNG, Prince Rupert Gas Transmission, and Woodfibre LNG contributed \$110,650 to the Liberals and \$15,500 to the NDP.

But political donations are only part of the story. These contributions dovetail with trends in lobbying and access to key political decision makers, where the numbers are equally alarming.

Unrivalled access

Information on lobbying became publicly available in B.C. starting in 2010 under a newly introduced Lobbyist Registration Act. The act requires lobbyists to register and report whenever they communicate or intend to communicate with a public office holder in a lobbying effort. Unfortunately, the act doesn’t distinguish between actual and intended lobbying, thus all figures referenced here include both.

We conducted an exhaustive search of the lobbyist registry and found 43 fossil fuel corporations and industry groups with registered lobbying efforts between 2010 and October 2016. The top 10 most active corporations and groups were responsible for most lob-

bying by the fossil fuel sector, reporting a combined total of 19,517 contacts with public office holders over the six-year period (see image). That's an average of 14 lobbying contacts per business day.

Not surprisingly, there is substantial overlap between political donations and lobbying, with seven of the top 10 political donors also ranking among the top 10 most active lobbyists. The high volume and frequency of lobbying reveals the pressure these corporations are able to put on public officials in a sustained effort to influence government policy. We also took a close look at who the most targeted officials and agencies are.

The premier and cabinet

Twenty-eight per cent of contacts by the top 10 lobbyists were with cabinet ministers—an unrivalled opportunity to shape public policy. Rich Coleman, minister of natural gas development, is the most targeted minister, with 733 contacts by the top 10 firms. This amounts to an average of three contacts per week for Coleman alone over the six-year period. Encana and Spectra did the most lobbying of Minister Coleman (not surprisingly, given they are major players in natural gas). The next most-contacted person is Premier Christy Clark (618 contacts), with Chevron Canada leading the way. Bill Bennett, minister of energy and mines, was contacted 437 times; Environment Minister Mary Polak (354 contacts) and Finance Minister Mike de Jong (330 contacts) were also among the most heavily targeted members of cabinet.

Ministries and agencies

Almost half (48%) of lobbying contacts were with ministerial staff, such as deputy ministers. The Ministry of Energy and Mines was the most heavily targeted (1,353 contacts), mostly by FortisBC, Encana and the Canadian Association of Petroleum Producers (CAPP). Next up was the Ministry of Natural Gas Development (1,045 contacts), with CAPP coming on especially strong. The Ministry of Environment, whose mandate ought to be less captured by industry than the so-called dirt ministries, was the third most contacted (1,026 contacts). The Oil and Gas Commission



(984 contacts), Office of the Premier (864 contacts), Ministry of Aboriginal Relations and Reconciliation (658 contacts) and Ministry of Finance (637 contacts) were also heavily lobbied.

Members of the Legislative Assembly

The remaining 24% of contacts were with MLAs. Spectra Energy and Teck Resources are particularly active; unlike others in the top 10, most of their total lobbying contacts are with MLAs. This focus on elected officials may reflect the nature of these firms' business operations, which are spread across large areas of the province.

Both NDP and Liberal MLAs are heavily targeted. This is especially the case with the past and current leaders of the B.C. NDP, Adrian Dix and John Horgan, who are among the top three most-contacted. The strategic targeting of these leaders of the official opposition is consistent with the "hedging" approach seen with the spike in political donations to the NDP in 2012 and 2013. (Indeed, most of the reported contacts with Dix occurred during that two-year period.)

The range of topics reported by the top 10 shows they seek to influence policy related to issues such as roy-

alty rates from fossil fuel extraction, land access, corporate taxation, consultation processes with First Nations, greenhouse gas emissions and LNG development, among others. We also found lobbying efforts aimed at influencing broad policy frameworks. For example, from October 2015 to August 2016, CAPP alone reported 201 lobbying contacts with government in relation to the B.C. Climate Leadership Plan (which turned out to be not much of a plan at all).

Other active lobbyists beyond the top 10 include Talisman Energy (515 contacts), Kinder Morgan Canada (462 contacts), Canadian Natural Resources Ltd. (399 contacts), Shell Canada (298 contacts), Imperial Oil (282 contacts), Penn West Petroleum (252 contacts), Husky Energy (215 contacts), Suncor (148 contacts) and Altagas (106 contacts). A number of newly formed LNG operators and industry advocacy groups are also highly active, such as Pacific Northwest LNG (417 contacts), the B.C. LNG Alliance (101 contacts), LNG Canada Development (89 contacts), Woodside Energy (74 contacts), Petronas (42 contacts) and Steelhead LNG (16 contacts).

The amount of lobbying by environmental organizations—among those

Top 10 fossil fuel industry donors to the BC Liberals and BC NDP, 2008–15

Company/Organization	BC Liberals (\$)	BC NDP (\$)	Total (\$)
Teck Resources	1,502,444	60,090	1,562,534
Encana	896,466	63,775	960,241
Spectra Energy	232,955	51,725	284,680
FortisBC	210,073	56,440	266,513
Canadian Natural Resources Ltd.	242,000	5,500	247,500
Enbridge	198,415	12,650	211,065
Chevron Canada	140,363	9,675	150,038
Pristine Power (Veresen)	137,475	0	137,475
Canadian Association of Petroleum Producers (CAPP)	101,950	10,375	112,325
Imperial Oil	111,790	0	111,790
Top 10 total donations	\$3,773,931	\$270,230	\$4,044,161

SOURCE: ELECTIONS BC'S FINANCIAL REPORTS AND POLITICAL CONTRIBUTIONS (FRPC) SYSTEM.

most likely to oppose increased fossil fuel development—pales in comparison. There are only eight such organizations with active lobbying efforts, reporting a total of 1,324 contacts over the same six-year period.

These findings paint a deeply troubling picture of the state of democracy in B.C. Everyday citizens, First Nations and public interest organizations can only dream about the kind of access powerful fossil fuel corporations and industry groups enjoy thanks to their deep pockets. The number of political contributions (and their amounts) coming from outside B.C. is alarming, and not something many other democracies allow.

In a province where the government has pursued fossil fuel development with remarkable single-mindedness, and at a time when the climate crisis requires urgent action, reforms are clearly needed. Whoever wins the provincial election this May, a first order of business should be to ban political donations by anyone other than individuals whose primary residence is in B.C., cap individual contributions at a modest level that prevents wealthy donors from having undue influence, and substantially tighten the province's Lobbyist Registration Act. **M**

SCOTT SINCLAIR AND STUART TREW | NATIONAL

Trade risks in takeover of seniors' care firm

The federal government has approved the sale of one of B.C.'s largest seniors' care home chains to a Beijing-based conglomerate with a murky ownership structure, to say the least. While the details of Investment Canada's ruling are still under wraps, a spokesperson for Innovation, Science and Economic Development Minister Navdeep Bains told the *Globe and Mail* "no issues were raised" by the takeover of Retirement Concepts, which owns 21 seniors residences across B.C., by Cedar Tree Investment, a holding company controlled by China's Anbang Insurance.

The minister's benign assessment contrasts sharply with the controversy attending recent Chinese acquisitions in the U.S. and Europe. Over the last year, regulatory concerns have led to the cancellation of more than 30 deals worth \$75 billion, according to the *Financial Times*, including Anbang's attempted \$1-billion acquisi-

tion of a landmark California hotel. Beyond these corporate intrigues—and an awkward November 7 "cash for access" meeting at which host Miaofei Pan "made the case to the prime minister to allow Chinese investment in seniors' care and real estate development"—Canada's controversial 2012 investment treaty with China clearly raises some important issues with respect to the takeover.

The first is how the Foreign Investment Promotion and Protection Agreement (FIPA) provides Cedar Tree, and its Anbang backers, an extrajudicial means to contest new regulations, such as those to protect vulnerable seniors, ensure quality of care or maintain adequate training and staffing levels in the fast-growing private retirement home industry. Another is how the web of investment protections in the FIPA and similar deals shifts the risk of such cross-border deals going

burst from foreign investors to Canadian taxpayers.

Canada's retirement and long-term care system is under-regulated in many provinces. An investigation by the CTV News show *W5* found at least 1,500 cases of staff-to-resident abuse in homes across Canada in 2013, a number the news program claimed to be low due to under-reporting. Retirement Concepts, B.C.'s biggest private provider, has faced complaints in the past, including of staffing shortages and the use of subcontracting to fire and then rehire employees at lower wages.

When shareholder profits become a priority for essential services, quality of care tends to decline. A 2016 study by Dr. Margaret McGregor of Vancouver comparing international experiences with long-term care found that for-profit facilities consistently provided poorer service. "There is this conflict of interest between the profit motive and actually spending money on things like staffing," she said. Unfortunately, the B.C. government has embraced the private sector rather than look to public or not-for-profit options for meeting increasing demand for seniors' care.

B.C. Finance Minister Mike de Jong told the *Globe and Mail* he's not worried about the sale of Retirement Concepts to a Chinese company, since no matter who owns the service they must follow provincial standards. But here's where the FIPA, signed by former prime minister Stephen Harper in 2012 and ratified in 2014, makes an already murky situation even murkier.

As the CCPA and other critics of the investment treaty have pointed out, if an established Chinese investor objects to stronger regulations (e.g., stricter training requirements, staffing levels or standards of care in retirement homes), the FIPA gives it the option to sue the Canadian government before unaccountable tribunals that are outside the Canadian legal system and courts. Such tribunals are not concerned with whether those regulations are consistent with Canadian law and norms, but only whether they were "necessary," applied in an "arbitrary" manner or violate some other aspect of the FIPA's broadly worded investor rights.

Deals like Anbang's takeover of Retirement Concepts add a whole other layer of profit maximization to the private health care sector. As McGregor and Dr. Lisa Ronald explained in a commentary in the *Toronto Star*, "the likely scenario is that Anbang will lease the properties back to Retirement Concepts, the previous private for-profit owner, who will continue to provide the services." Anbang's sole interest is in a stream of rising rents, in large part to finance its wildly popular high-yielding investment products.

You don't have to be a financial wizard to see that if the company faces liquidity problems, because it has overpaid for foreign acquisitions, for example, or Chinese regulators clamp down on risky insurance products, it must then squeeze its tenants, including Retirement Concepts. This deeply flawed sale-and-lease-back business model led, in 2011, to the bankruptcy and collapse of Southern Cross, Britain's largest care homes operator with more than 31,000 residents.

When the hard times inevitably hit, provincial regulators must step up standards and enforcement to prevent cost cutting on the backs of seniors. But if a FIPA tribunal were to find that new regulations undermined the value of the company's investment, Canadian taxpayers would be left holding the bag. For example, requirements to reinvest revenues in improved staffing, training, equipment or facilities could be construed as violating the foreign investor's right to freely transfer funds back to China or the FIPA's minimum standard of treatment obligation.

In another plausible scenario, future moves by the province to reverse

direction, toward more stable not-for-profit and public delivery of long-term care services, could be challenged by Anbang's Cedar Tree subsidiary as a form of expropriation or violation of the firm's right to "fair and equitable treatment" under FIPA. Again, the validity of such a claim and the amount of any compensation due will be determined not in Canadian courts but by a private investment tribunal. Canada is already the most sued developed country under similar rules in NAFTA.

Finally, legislation now (as the *Monitor* went to print) before the Senate to implement CETA, the Canada-EU free trade deal, would raise the threshold for reviewing all foreign investments (not just those by European investors) from \$600 million to \$1.5 billion. In future, a takeover like that of Retirement Concepts, which has been valued at \$1 billion, might escape scrutiny altogether. In that case, the government would not even have the right to put modest (and difficult to enforce) conditions on the new buyer, as Canada has attempted to do in this case.

In the eagerness to portray Canada as open for business and to lock in binding foreign investor rights, we must ask who is looking after the interests of vulnerable groups such as seniors, employees in the private health care sector, or indeed the Canadian taxpayer? A publicly financed, not-for-profit solution to the rising demand for long-term care is by far the better option. It would create high-quality care, decent-paying jobs and benefit from greater accountability.

Unfortunately, Canada's trade agreements from NAFTA onwards, including the FIPA with China and the soon-to-be-ratified CETA, present real barriers to achieving this. Anbang would be able to sue or threaten to sue Canada for decisions made by B.C. to improve its long-term care system. These extra-judicial rights are not available to domestic companies and certainly not to citizens.

There are a lot of issues with providers already—Canadian or otherwise—and we need better regulations to deal with their infractions. The rights Anbang and Cedar Tree have under the FIPA to frustrate public interest regulation and shift risk to Canadian taxpayers can only get in the way. **M**

A publicly financed, not-for-profit solution to the rising demand for long-term care is by far the better option.

WORKERS IN A DANGEROUS TIME

Remember us? We're the workers.

Today's news provides us with a constant stream of information about business affairs: profit gains and losses, mergers and takeovers, productivity rates, capital flight, stock market performance. All this activity takes place with nary a worker in sight. What happened to them? To us?

The answer is we're still here, doing all the work that keeps the economy humming. We decided at the Monitor it was time to pay closer attention to that overlooked but indispensable force of productive humanity: workers. And we're going to do it with help from Lynne Fernandez, the Errol Black Chair in Labour Issues at the CCPA's Manitoba office.

Lynne's new column, Work Life, will look at work in Canada in all its diversity and challenges—from labour legislation, migrant workers and women in the workplace (paid and otherwise) to technological change, the sharing economy and wider political struggles.

But enough from us. This is Lynne's space now. As always, send feedback to monitor@policyalternatives.ca.

EVERY YEAR ON April 28 a Day of Mourning is observed for workers killed or injured on the job. The Association of Workers' Compensation Boards of Canada recorded 852 workplace deaths in Canada in 2015. If we also consider the 232,629 claims that year for lost time due to a work-related injury or disease, it's clear that working can be a dangerous activity.

We tend to think that physically demanding jobs carry the greatest risk, but abuse and wilful neglect can lurk where you'd least expect it.

Consider the tragic story of Eric Donovan, a group-home worker in PEI who, according to a Workers Compensa-

sation Board (WCB) ruling in April, was bullied to death on the job. It is a stunning case, believed to be a first in Canada, showing just how much power a supervisor or employer can have over a worker's life.

Donovan had complained for years that his supervisor was mistreating him, and his wife, who bravely fought the WCB for three years, testified that he felt under stress all the time. His family doctor noted how often he "voiced how difficult the [work] relationship was, the sense of being bullied and the resultant stress, anxiety and panic attacks." The autopsy could find no physical reason for the heart attack that killed him in November 2013.

Such abuse is not new, though hopefully this ruling will begin to make it much more rare. But regardless of improvements in defining unacceptable work practices, too many employers will continue ignoring unsafe conditions until they are forced to make changes, as was the case in Winnipeg earlier this year.

The Amalgamated Transit Union's Local 1505 has long expressed concerns with the way bus drivers are treated by the public. They experience physical violence, are sworn at, spit on, have coffee thrown at them, and are sometimes threatened with weapons. ATU President John Callahan has been asking the City of Winnipeg for years to better protect bus operators and provide them with training on how to diffuse dangerous situations. He worried it was just a matter of time before something really serious happened.

Then in the early hours of February 14, at the end of his shift, Irvine Fraser was trying to remove a sleeping passenger from his bus. The passenger turned violent, a scuffle ensued and

he attacked the operator with a knife. Fraser died of his injuries shortly after.

This violent death has left bus operators shaken and scared, and they are quitting or retiring at a much higher rate than before the attack. They clearly do not believe the employer is taking the necessary measures to protect them on the job. The transit union continues pushing Winnipeg Transit to make meaningful changes.

Gut-wrenching as these two stories are, we need to multiply them by 800 or 900—whatever this year's tally is for workers killed on the job—to understand the enormity of so many lives being torn from their families.

On another front, we also need to consider the challenges coming from the rapidly growing "sharing economy."

Ride-share company Lyft is bragging about one of its drivers who worked through her labour pains to drop off one last customer before checking in to the hospital to give birth. Such dedication—what a trooper! Never mind that she or her baby might have needed emergency care, or that driving while in labour could have led to a serious accident.

Workers in the "sharing" economy find themselves in a murky Orwellian world; they are workers but not employees, operating in a retrograde Wild West, with no health and safety regulations or benefits. How do we prevent this unregulated frontier from spreading, and workplace accident numbers from growing?

Workers will face new challenges as they always have—by organizing and fighting back. Just ask Donovan's widow, or the members of ATU 1505. **M**

Views of Canada

CANADA HAS A RIGHT TO PARTY AT 150,
BUT WE WASTE THE SESQUICENTENNIAL MOMENT
BY FIXATING ON FEEL-GOOD MYTHS.



JON WEIER

THERE IS AN IMPORTANT difference between celebration and commemoration. In considering Canada 150, the government tagline for this year's sesquicentennial festivities, the contributors to this special issue of the *Monitor* argue too little of what we are seeing can, or is even intended to, lead the country to a fuller understanding of its history.

To truly commemorate—whether it is Canada's Confederation or any other moment—we need to address those things we find distasteful and disappointing, says Afua Cooper, as well as those things that make us proud. If you can't do that on your country's 150th birthday, she asks, when is the right time?

The new CBC television series, *Canada: The Story of Us*, is a case in point of how not to commemorate. The 10-hour drama-documentary “celebrates how we transformed differences into understanding and created a unique national identity,” according to the national broadcaster. Unfortunately, the program almost uncritically reaffirms an Anglocentric understanding of Canada and its values. Indigenous peoples are bit players, for example, supporting actors in the grand sweep of English Canadian history, while French Canadians (the show was not translated) are presented as untrustworthy and uncouth. These tropes were out of place in the 1960s. They are embarrassing today.

If we are intent on celebrating Canada at this important moment it must be done in a way that is both inclusive and critical. As Daisy Raphael points out (page 23), an emphasis on the white settler version of Canada permeated the Conservative government’s Road to 2017 as much as it does the Liberal’s Canada 150. Though there are some differences in tone and emphasis, both concepts paint a uniformly positive picture of Canada, its history and place in the world. Both Harper’s contention that Canada was never a colonial power and Trudeau’s sunny claims of Canadian openness and inclusivity mask an unwillingness to deal with historical and ongoing systems of oppression, differentiation and discrimination.

This issue is addressed in slightly different ways by Ian Mosby (page 43) and Tara Williamson (page 19). Williamson, an Indigenous artist and writer, problematizes the idea of reconciliation, which the government has attempted to tie to the Canada 150 festivities. For her and other Indigenous voices reconciliation is a way for settler Canada to move on; it is another request for Indigenous Canadians to compromise their demands for self-determination and respect, forget about their land and try again to fit in.

Mosby notes that Prime Minister Trudeau’s promise to implement the recommendations of the Truth and Reconciliation Commission has gone largely unfulfilled while Canada is only now considering implementing the UN Declaration on the

Rights of Indigenous Peoples. Indigenous survivors of Canada’s residential schools came forward and told their stories of abuse, dislocation and indifference, often at great personal cost, he writes. It’s up to settler Canada to do the hard work of reconciliation. Why not start in earnest during the sesquicentennial?

Indigenous Canadians are not the only ones who find themselves written out of Canada 150. Pierre Beaudet takes a long view of Quebec’s history since the British conquest (page 38), reminding us that for much of its existence the province was the economic and social plaything of English Canadian capitalists and French Quebec’s Catholic and conservative elites. Both groups, dominating Quebec at different times, had opposing ideas about what the distinct society should look like, yet they agreed the interests and desires of Quebecers were secondary. Though the national question is on the backburner for now, Beaudet suggests that with political elites increasingly challenged by social movements as neoliberal and undemocratic, Quebecers may soon try again to take political power in their own name.

Similarly, in her interview with editor Stuart Trew (page 25) Afua Cooper discusses the important but ignored place of Black Canadians in Canada’s history, both before and after Confederation. Most people are aware Canada was the terminus of the Underground Railway. Fewer know that Black refugees of the War of 1812, who settled in Nova Scotia, were encouraged by the government to return to their masters in the United States or remove themselves to Sierra Leone. In our celebration of the Canadian values of multiculturalism and diversity, says Cooper, we paper over the continuing racism faced by Canadians of colour today.

Finally, Clare Mian looks at Canada’s role in the creation of the State of Israel in 1948 (page 30), finding in the advice of Elizabeth MacCallum, Canada’s first female senior foreign policy advisor, the seeds of a more peaceful cohabitation in the region. Unfortunately, Mian writes, Canada’s image of itself as an even-handed and impartial international actor in that dispute is undermined by the actions

of government representatives who ignored expert advice and principals of fairness in supporting a partition plan that could not but result in the dislocation and disenfranchisement of the Palestinian people.

Some Canada 150 events have impressively combined community-building goals with critical reflection on the country’s past. The government should be commended for funding such projects. On March 4, for example, I was fortunate enough to attend a performance of the Toronto Symphony Orchestra entitled *Canada Mosaic*. It featured two original compositions inspired by Canada 150 and partially funded by the Canadian government.

Andrew Staniland’s *Reflections on “O Canada” After Truth and Reconciliation: Sesquie for Canada’s 150th* featured discordant variations on the national anthem inspired by his feelings of shame and sadness when he learned about the TRC’s final report. In the concert finale, Inuit artist Tanaya Tagaq, backed by the orchestra, performed Jean Martin’s *Qiksaaktuq*, an emotional and powerful vocal exploration of the five stages of grief, dedicated to the memory of missing and murdered Indigenous women and those who mourn for them.

Like these positive projects of commemoration, this special issue of the *Monitor* attempts to use the commemorative moment of Canada 150 to question today’s prevailing myths, be they of an Anglo-warrior nation leading through force and conviction (Harper’s view) or an open, multicultural, tolerant state where everyone is welcome and anyone can thrive (Trudeau’s view). It is inspired by the growing number of “active” historians in Canada who, by emphasizing the importance of the past to current events, hope to change things for the better in the here and now. **M**

JON WEIER IS A HISTORIAN RESEARCHING THE YMCA’S ACTIVITIES IN THE FIRST WORLD WAR AND A CO-CURATOR OF ACTIVEHISTORY.CA, WHICH CONNECTS THE WORK OF HISTORIANS WITH THE WIDER PUBLIC. THE MONITOR THANKS JON FOR CO-EDITING THIS VIEWS OF CANADA FEATURE AND WELCOMES YOUR FEEDBACK AT MONITOR@POLICYALTERNATIVES.CA.

TARA WILLIAMSON

Canada's vanishing point

The simultaneous denial and erasure of Indian personhood was fundamental to the birth of Canada.

The strategy is still there in calls for reconciliation.

THE TROPE of the vanishing Indian has been around since Europeans realized Indians existed. In the colonial imagination, then, we began to disappear at the exact moment we were first seen.

This myth, absorbed by wave after wave of settlers over the next 500 years, had clear, if one-sided, economic benefits. If there are no Indians on the land there can be no disputes over who it belongs to; any fiduciary duty the state has to Indigenous peoples disappears when the last of us are gone.

And if we have always been disappearing, according to myth, then Canadians needn't feel too guilty about contemporary forms of erasure: continued dispossession from our lands, suicide, murdered and missing women, etc. Our disappearance is a given. It has always been just a matter of time.

As Canada prepares to celebrate its 150th birthday, I am interested in understanding how current conversations, including those about reconciliation and multiculturalism, intersect with the myth of the vanishing Indian. And by deconstructing this myth, I hope to remind you we are still here.

How to make Indians disappear (then)

The international legal concept *terra nullius* ("nobody's land") and the Spanish "Doctrine of Discovery" (1493) ensured that Indigenous peoples around the world were erased as both people and nations for the purposes of European expansion. In order for colonizers to uphold their own rules of law it was necessary to declare the "New World" unoccupied and uninhabited.

In precisely this way, the legal foundation of Canada is built on the premise that Indians do not exist as people. The state has a strong interest in upholding this lie: its legitimacy—its very existence—depends on it.

Despite early stories of Indigenous peoples helping settlers survive their first few years, the colonial project continued under the logic of Manifest Destiny—a term normally associated with America's self-declared right to occupy all of North America, but whose motives and methods transcend borders. War, including biological warfare, slavery and bounties marked those early years of contact much more so than benign co-operation.

As Indigenous peoples succumbed to the techniques of Manifest Destiny, our numbers dwindling while the settler population grew, new methods of disappearance were developed.

Assimilation through education began as early as the 17th century by Jesuits and Récollets. When political institutions stabilized in the 19th century, a reinvigorated residential schools program became an impor-

tant and now well-documented part of a new legal system designed to eradicate Indians from the geographical and political landscape.

The 1857 Act to Encourage the Gradual Civilization of Indian Tribes enfranchised, i.e., removed Indian status from, any Indian who learned to speak, read and/or write English or French. The Indian Act of 1876 defined who was or was not an Indian, and cemented into Canadian law a reservation system loosely defined in the 1867 British North America Act as "Indians and land reserved for Indians."

Canada as a nation was therefore born out of a tenuous balancing act. On the one hand the new state denied Indian personhood; on the other its founding acts acknowledge our problematic (for Canada) existence. The preoccupation of the state—Canada's attempt to reconcile its original contradiction—then as now has been to try to erase us.

How to make Indians disappear (now)

Amendments to and enforcement of the Indian Act through the 19th and 20th centuries ensured a continuity of erasure of Indigenous peoples in the Canadian political and legal sphere. But the patriation of the Constitution in 1982 ushered in a new model of assimilation based on the discourse of liberal rights and a national policy of multiculturalism.

Indigenous leaders fought at the constitutional tables to protect and entrench Aboriginal rights to land and self-government as specific items in Section 35 of the Constitution. But their arguments fell on deaf ears, and their efforts were further frustrated by the attention being paid to Quebec's calls for sovereignty.

The patriation of the Constitution in 1982 ushered in a new model of assimilation based on the discourse of liberal rights and a national policy of multiculturalism.



Imagine: Indigenous peoples, who were here first, living under established systems of governance, were being told a colonial, settler government deserved recognition as a “distinct society.”

The disregard shown for Indigenous arguments was captured on film in Maurice Bulbulian’s *Dancing Around the Table, Part I & Part II*, which can be streamed on the National Film Board website. The constitutional stand-off ended nearly a decade later in the Manitoba legislature with Elijah Harper’s infamous, quiet “no” to the Meech Lake Accord.

In that moment, though Indigenous peoples became visible as players on a national political stage, they were cast as blameworthy for the failings of the new Canadian political project. In statements following the Meech Lake vote, former prime minister Brian Mulroney can be heard

echoing the sentiments of Manifest Destiny: the Indians are in the way of progress, they know not what they do.

Along with a revamped Constitution, 1982 also saw the arrival of a national policy of multiculturalism. On the surface, the policy was a celebration of diversity in Canada with the benefit of differentiating the government’s position on immigration and settlement from that espoused in the U.S. As one of the pillars of the modern Canadian identity, or at least a worthy goal toward which many believe the country should strive, multiculturalism can be a risky target for criticism. My efforts to do so here borrow heavily from Sunera Thobani in her book *Exalted Subjects: Studies in the Making of Race and Nation in Canada*.

One noticeable problem with multiculturalism is that it does not take into account the unique and important



“Bloodvein 3” (2008)

BY ANISHINABE ARTIST SCOTT BENESIINAABANDAN

place the *first peoples* of this land should occupy in the national discourse. For example, Canada affirmed its status as a bilingual country in the Charter and subsequent legislation, but the state simultaneously denied Indigenous demands for clarification of certain constitutional protections. Indigenous people were erased as original peoples worthy of recognition in the forming of the nation and relegated to a space of general

non-whiteness within the policy of multiculturalism.

Thobani goes even further by contending that multiculturalism is an intentional move to innocence allowing Canada to break from its racist, colonialist past and move forward in a way that celebrates cultural richness. Relegating non-white people to a space viewed primarily as cultural—in the superficial “foods, festivals, and fairs” model—depoliticizes the messages of those who still find themselves at the mercy of racist government policy. Multiculturalism, argues Thobani, replaced and diminished messages of anti-racism and silenced Indigenous peoples in their pursuit of political recognition.

The Sparrow test

As Indigenous peoples continued to practise our traditions in our territories, opportunities arose to test the limits of Section 35 in the Constitution. The first major case that made it to the Supreme Court of Canada was a fishing charge out of B.C. It did not set a good precedent.

The Supreme Court ruling established what is called the *Sparrow* test, a legal mechanism for assessing whether Aboriginal rights have been infringed and/or extinguished. The test asks four questions that are further broken down into criteria for assessment. I want to highlight the four main criteria that function to erase Indigenous rights and peoples from Canadian law.

First, the *Sparrow* test says that for a right to be considered an Aboriginal right it must be “integral to a distinctive culture.” That means the right being claimed, or practice asserted, must be more than merely “incidental” to being Indigenous. Not only is the standard vague, it is ultimately decided by a non-Indigenous judicial body empowered to tell Aboriginal peoples that the “rights” they are practising are *not Aboriginal enough*. Indeed, Aboriginal rights cases have failed at this stage for precisely that reason.

Second, Aboriginal rights-holders must prove historical continuity in the exercise of their rights: we must show that we have practised a tra-

dition, without interruption, since *before European contact*. Given the violent history of colonization and dispossession in Canada, this aspect of the test not only thwarts Indigenous revitalization efforts, it ensures that as colonization has erased us we must continue to be disappeared.

This logic is also inherent in the third problematic criterion of the *Sparrow* test, which says that if a right was extinguished prior to 1982 it cannot be revived under the Constitution. Remember that this test was developed and has been further modified in the face of *real, live Aboriginal peoples who are exercising their traditional practices*.

In effect, the courts are saying directly to Indigenous peoples: “If we told you that you couldn’t exercise your right before the Constitution, then never again will you be able to exercise that right. Just because you are actively existing as Indigenous peoples on your traditional territory does not mean we are obliged or inclined to recognize you in any way. *We do not see you.*”

Finally, we must attack the concept of justifiable infringement. Should an Aboriginal right or practice meet all the criteria of a recognizable and defensible right, it can still be infringed upon if the government can successfully argue it has valid, substantial, compelling legislative reasons. In *Delgamuukw v. British Columbia* (1997), the court found (emphasis added):

The development of agriculture, forestry, mining and hydroelectric power, the general economic development of the interior of British Columbia, protection of the environment or endangered species, and the building of infrastructure and the settlement of foreign populations to support those aims, are objectives consistent with this purpose.

In a case of justifiable infringement, Aboriginal rights are initially acknowledged but ultimately erased—because how can we exercise a right to fish, for example, when a hydro station is built on the river?

While patriots will flag progressive mechanisms intended to “recognize and affirm” Aboriginal rights, the ju-

In the Canadian imagination, Indigenous peoples are visible (exist) only in so far as they interact with settlers.

dicial system maintains the capacity to narrow and gut those rights of all meaning. Canada's current legal system is, in other words, not much different than the one which first looked Indigenous people in the eye and said "terra nullius."

Reconciliation

Fast forward to 2017 and we are now faced with a new discourse of reconciliation. Various Indigenous voices have pointed out the problem of even using the word.

Artist and professor David Garneau's position, expressed in his presentation to a symposium on reconciliation in Sault Ste. Marie, resonates with me: "This word choice imposes the fiction that equanimity is the status quo between Aboriginal people and Canada." Garneau asserts that reconciliation limits the conversation so that it focuses solely on the relationship between Settler Canada and Indigenous peoples, and is therefore necessarily confined to a post-contact narrative.

In the Canadian imagination, Indigenous peoples are visible (exist) only in so far as they interact with settlers. Not only does this go against the spirit of the Two Row Wampum Treaty of 1613—that we will occupy separate canoes, one path shall not interfere with the other—but it denies a separate, Indigenous identity. Garneau asserts the existence of "irreconcilable spaces of aboriginality" that have existed since time immemorial and do not rely on perspectives or relationships outside of themselves.

For reconciliation to be effective as conceived, on the other hand, a certain kind of Aboriginal subject is needed. We must be willing to reconcile, willing to hear apologies, willing to share our trauma with others, willing to heal and willing to forgive. I emphasize willingness because it exposes another point of erasure. What happens to the irreconcilable Indian? The one who is angry, resentful, outspoken and critical of the process?

An irreconcilable Indian cannot exist in a system of reconciliation. There is no space for her. She is either completely erased or she is condemned for not existing in the newest Aboriginal-friendly space created by her oppressors.

On the flip side, reconciliation also imagines and perpetuates a certain kind of settler-subject. The willing, reconciliatory settler is moved by the stories of trauma, wants to participate in healing, is interested in learning about and incorporating Indigenous cultural practices

into her life. It is only through these things that *we can all move on*.

The real goal of the settler-subject in reconciliation is to relegate colonization to the past—so that Canada can let go of the guilt it has been holding since contact.

Indeed, you can feel the collective uneasiness about twinning, even unintentionally, official reconciliation and a giant 150th birthday party. The City of Vancouver almost decided to boycott the latter, until someone decided to add a plus sign to Canada 150+, without which we reproduce the myth this was "no man's land" before Confederation.

And really, where do you even start to celebrate? Do you invite the kid you've been bullying for 150+ years, expecting a present and a pat on the back for being so thoughtful? When the kid arrives, do you pretend like nothing ever happened? Do you apologize?

And what do you expect in return? It's your birthday, after all—it's a party. It would be very unkind of your guest not to accept an apology and eat some cake. If you're going to be a spoilsport, maybe you just shouldn't have come.

Here to stay

From this Indigenous perspective, colonialism has always been and will always be about erasing *me*. The very foundation of this country relies on my non-existence. This erasure continues through literal killings (at alarming rates in the cases of suicide and murdered and missing Indigenous peoples), administratively through legislation and policy, or socially, in the pressure to assimilate into mainstream Canada.

Reconciliation is not a break from this situation but its continuation. It asks me to exist according to the Canadian agenda, and forces me to engage in an abusive, colonial relationship if I want to be acknowledged and seen.

If reconciliation were actually about making amends for the past it would involve actions that accounted for the *ongoing* legacy of colonization. We would be having conversations about land repatriation. We would talk about dismantling structural inequities. You would give us back our children.

And that would just be the start.

Reconciliation is not really about Indigenous peoples. It is something visited upon us as Canada tries to maintain a great myth the dispelling of which would unravel a nation: how can Canada continue to exist on the stolen land of Indigenous peoples while we are still here?

To date, the answer to this question has been based on erasure. Just make them go away. But to date, it has not worked.

To have a real conversation about reconciliation we need to rephrase the question slightly, to change the emphasis: How do you plan on continuing to exist on our stolen land, knowing that we have always been here and aren't going anywhere? **M**

DAISY RAPHAEL

Canada 150

Where harsh winds meet sunny ways

CANADA'S sesquicentennial celebration has been going on for five years now, commencing in 2012 under Stephen Harper, who highlighted historical milestones along the "Road to 2017." For the Conservative prime minister, the War of 1812, the Franklin Expedition, Confederation itself, and women's suffrage represented important landmarks along the path of national progress.

The War of 1812 marked the beginning of this journey, according to Harper, who portrayed it as "The Fight for Canada" — our own War of Independence, if you will. It didn't seem to matter that Upper and Lower Canada were British colonies at the time, or that Confederation came over five decades after that war ended, formalized through an act of the British parliament.

For many historians and political scientists, Harper's 1812 commemoration represented one part of a broader attempt to construct a national identity tied to whiteness, Britishness, the monarchy and the military. Critics pointed to the hanging of a portrait of the Queen in the Foreign Affairs building, the frequent links made between Canada and the Crown in the citizenship guide, *Discover Canada*, and the replacement of Bill Reid's "The Spirit of Haida Gwaii" with an image of Canada's Vimy Ridge memorial on the \$20 bill as evidence of this national project.

For those who imagine Canada as a liberal, multicultural, peaceful and diverse nation, this was not the country they wanted to celebrate, period, let alone during the sesquicentennial celebrations of 2017. In 2015, newly elected Prime Minister Justin Trudeau promptly called for a review of plans for Canada 150, announcing

four new themes: youth, the environment, reconciliation, and diversity and inclusion.

Yet, in the shift from Harper's "harsh winds" to Justin Trudeau's "sunny ways," the fundamental character of Canada 150 has not changed. The aim of the celebration is still to tell a story of Canada that "Old-Stock Canadians" (Harper's term) can feel good about, one that includes Indigenous peoples and people of colour as supporting characters at best, obscuring the ways these groups have been treated all too frequently as enemies of the state.

In any country this kind of feel-good story is a necessary component of citizenship, which is more than a legal concept, because the nation-state's legitimacy necessitates that citizens feel an emotional attachment, a sense of belonging, to a national community. In Canada's case, however, a feel-good narrative,

where Indigenous peoples and people of colour are folded into national stories, helps the nation-state distract from the fact it exists through a system of ongoing colonialism and racist dispossession.

In many ways, perhaps surprisingly to those who adhere to the "warrior nation" vision of Canada, Harper's 1812 commemoration conforms to the feel-good narrative. As a starting point for Canada 150, the 1812 commemoration represents an attempt to craft a new origin story grounded in diversity and collaboration.

"Let us always remember," said Harper, "that this country, Canada, exists only because of diverse peoples, English-speaking, French-speaking, Aboriginal, and others." The War of 1812 is significant, he added, because "French Canadians, English, Aboriginal peoples and many others, like freed slaves, took up arms together."

In fact, the war did see Haudenosaunee, Anishibaabe, Huron-Wendat, Shawnee and Abenaki warriors fight alongside the British. However, First Nations warriors fought in defence of their own land and sovereignty, which the British Crown explicitly recognized in the Royal Proclamation of 1763. As Indigenous scholars Kiera Ladner (Cree) and Adam Gaudry (Métis) point out, First Nations and Métis peoples are founders of a different vision based on a relationship of mutual respect. By narrating an origin story of Canada as the result of collaboration between English, French, Indigenous peoples, people of colour, and women, Harper obscured actual histories of colonization before and after 1812.

The Liberal version of Canada 150 has a lot in common with Harper's white, Anglophile and overtly militaristic "Road to 2017." Both exclude too much in their shallow appeals to inclusivity.

Indeed, the end of the war produced a dramatic shift in settler-Indigenous relationships. Just three decades after the Treaty of Ghent, the Bagot Commission recommended the creation of residential schools in 1847. Canada's Father of Confederation, John A. Macdonald, viewed Indigenous peoples as uncivilized and in need of control and assimilation. In 1876, the government passed the Indian Act creating the reserve system.

According to Harper, however, "Canada has no history of colonialism." His feel-good, "old-stock"-friendly narrative of co-operation versus colonization has potential legal and material ramifications. If, for example, Indigenous peoples are founders of the Canadian nation-state in its current form, what claim do they have to sovereignty? What claim do they have to land? Was this the prime minister's intention?

Adopting the language of diversity, Harper's 1812 commemoration subtly emphasized the role of freed Black slaves in a government-produced television spot. Richard Pierpoint, the subject of a Heritage Minute titled "The Fight For Canada," is the face of 1812's diversity. As the story goes, Pierpoint petitioned General Isaac Brock to form an all-Black militia to fight alongside the British, and Brock agreed. In fact, Brock initially denied the request. When he eventually conceded, the general put a white officer in charge of the Coloured Corps.

Black migrants to Canada, many of them entering as the "property" of white British loyalists after the American War of Independence, faced a great deal of discrimination in Upper Canada, where slavery was not officially abolished until 1833. Of course, the end of slavery in the British Empire did not mean the end of racism in Canada. As Canada's first prime minister, Macdonald enacted racist immigration policies with the aim of producing an Aryan nation.

For example, Macdonald was hesitant to employ Chinese migrants to construct the railroad, arguing, "we will have plenty of labour of our own kindred races without introducing this element of a mongrel race."

Canada 150 encourages settlers, also, to imagine themselves in the past by invoking themes of exploration and discovery.

Appeals to diversity in national narratives inevitably obscure these and other ways the Canadian state is founded on racist dispossession. We should be as critical of these appeals whether they emphasize unity and honour (Harper) or reconciliation and inclusion (Trudeau).

Critical feminist and anti-racist scholar Sara Ahmed argues the language of diversity and inclusion can work to legitimize institutions while obscuring the ways they perpetuate inequality. The current government's plans for Canada 150 fulfil this objective by writing a happy narrative of a racially and culturally diverse Canada at a time when real inequities in citizenship persist.

For example, though elected on the promise to welcome immigrants and refugees ("A Canadian is a Canadian is a Canadian," said Trudeau in one 2015 leaders' debate), the government has been revoking citizenship at a higher rate than the Conservatives.

Likewise, while Trudeau's emphasis on reconciliation in Canada 150 is a nod to the Canadian state's history of colonial violence, as Mi'kmaw lawyer and scholar Pamela Palmater points out, the federal government is spending millions on commemorating while continuing to underfund social and health services for First Nations. And the state continues to remove Indigenous children from their homes in greater numbers than it did during residential schools or at the height of the "sixties scoop."

Beyond merely ignoring ongoing colonialism, however, Canada 150 also participates in and perpetuates colonial myths by portraying Indigenous peoples according to kitschy stereotypes. Think of Prime Minister Trudeau's remark earlier this year that the Indigenous youth he's spoken to just want "a place to store their canoes and paddles so they can connect back out on the land." Commenting on the CBC News website, Erica Violet Lee (Nēhiyaw) and Hayden King (Anishinaabe) argue that a reliance on colonial stereotypes in Canada 150 tends to situate Indigenous peoples in the past instead of portraying them as political actors in the present.

Canada 150 encourages settlers, also, to imagine themselves in the past by invoking themes of exploration and discovery. For instance, the Canada C3 (Coast to Coast to Coast) "Expedition" allows Canadians to travel from Toronto to Victoria via the Northwest Passage, stopping at First Nations, Métis and Inuit communities along the way. With its emphasis on Canada's "vastness, beauty, and the enormity of opportunities ahead," C3 alludes to colonial myths of Canada as an empty land ready to conquer.

Canada 150 relies upon such colonial tropes, while promoting themes of diversity, inclusion and reconciliation, because it makes "old-stock" Canadians feel good. In that way, the Liberal version of Canada 150 has a lot in common with Harper's white, Anglophile and overtly militaristic "Road to 2017." Both exclude too much in their shallow appeals to inclusivity.

Ultimately, the emphasis on reconciliation in Canada 150 is insufficient without adequate truth-telling. In contrast, many Indigenous artists, scholars and activists, such as Christi Belcourt (Métis), are calling on Indigenous peoples and settlers alike to #Resist150, by telling true stories of colonialism and resistance. In unsettling settler colonialism, they are challenging Canadians to imagine a different past, present and future. **M**

Black lives matter — at settlement, Confederation and 150 years later

Afua Cooper is putting Black history into the Canadian imagination. It's about time.

“I AM STANDING in a place filled with monuments for the early explorers, pioneers, and heroic settlers. I cannot help but think that this memorialization is so one-sided, so monolithic, so homogenous. Europeans glorifying and idolizing themselves,” writes author, intellectual, poet and activist Afua Cooper in the preface to her 2006 book, *The Hanging of Angélique: The Untold Story of Canadian Slavery and the Burning of Old Montréal*. “Why is there no monument to the slaves? Those who had their lives, labour, and dreams stolen to build up a new colony and satisfy the greed of Whites?”

Cooper, currently the James R. Johnston Chair in Black Canadian Studies at Dalhousie University, has spent a long academic and artistic career posing tough questions about the absence of Black voices in Canadian history. Why, she asked the Royal Ontario Museum in 1989, did it ignore the advice of the city’s Black community by going ahead with an exhibit on Africa that perpetuated anti-Black racism? (The ROM apologized in 2016.) Why, she asked Conservative MP Peter MacKay in 2012, did the Harper government ignore the experience of Black Canadians who settled in Nova Scotia after the War of 1812 in its 200-year commemoration of the event?

Why, she asked Nova Scotia Premier Stephen McNeil and Halifax Mayor Michael Savage in November, were they “passing the buck” instead of trying to understand and address the root causes of gun violence among young Black men in the city? “We want these youth and future generations to have a chance to grow up and grow old. And I want to remind our politicians that Black



people vote, and Black Lives Matter!” Cooper said in an open letter published by CBC.

This last question deals with a live issue — racial inequality in cities across Canada — but one with deep roots in the historical experience of Black Canadians in this country. Roots that are frequently ignored in high-school and even university curricula. *Monitor* editor Stuart Trew spoke to Cooper at the end of March about the interdisciplinary minor in Black and African diaspora studies she launched last year at Dalhousie, her role in a scholarly panel looking at Lord Dalhousie’s history as it relates to slavery and race, and why Canada is more interested in a party for its 150th than what could be an exciting conversation about its historical legacy.

Tell us a bit about the new minor in Black and African studies.

We launched the minor in September 2016 and I created a new course — a core course for the minors — which is an introduction to African studies. I had 66 students, which was fantastic, and they all stayed until the end. It was a tremendous learning experience for both parties, for myself and for the students. I enjoyed teaching it. I enjoyed creating new knowledge. The challenge was, how do you create 400 years of content in terms of the Black presence in Canada. Because I do believe that less is more. I didn’t want to overwhelm students with all this information.

One of the things I had the students do — every single one of them — was get up for about two minutes and say why you were taking this course. Why are you interested in the minor or why are you interested in Black studies? What do you hope to gain from it? You could see people rolling their eyes. Nobody wants to do that! They just want to get their credit and go. But I had some really, really interesting results.

One girl said the course gave her a language to express herself and to comprehend what she was going through on campus. She’s a young Black girl, she came from the West Indies, she was an international student. And she said, “I didn’t know it was racism. I came from St. Kitts to study at Dalhousie and for two years it was as if I was wandering in the wilderness.” She said the course allowed her to name what was happening to her. She said, “I was at a point where I was going to pack up and go home,” and that was very, very profound.

The challenge was, how do you create 400 years of content in terms of the Black presence in Canada.

Another girl of South Asian origin said she took the course because while she was growing up in New Brunswick she was called a nigger. And she said, “I’m Indian, my parents are from India, but I have curly hair and I have dark skin and the response of people to me is that they think I’m Black.” She said she grew up with the epithet nigger “being hurled at me and I wanted to understand what it was about Black people that people find so offensive.” She has been niggerized her whole life even though she wasn’t African.

I would get these heartbreaking responses, but they were really enlightening. A young White male from Halifax (in his second year at Dalhousie) said he went to a local high school and at the cafeteria all the Black kids stayed together, all the White kids stayed together, and he said “I knew there was something off about that.” But the teachers wouldn’t talk about it. “No one would give us an understanding as to why that was happening in this day and age,” he said, and “I felt this course provided me with an answer I’ve been grappling for since my teenage years.”

The young man said the kids are segregated in the cafeteria: “I don’t know why, I suspect it has something to do with race.” He didn’t know the history of that race relationship. It wasn’t taught in high school. My course is probably the only course he’ll get in his entire university career that speaks to that. We are really operating at a deficit in terms of creating graduates and students and individuals who have cultural literacy, one result of which is empathy. This program attempts to create empathy for other people among the students. And also to say that yes, Black Lives Matter. Black people matter.

I counter anti-Black racism. It’s kind of everywhere—the idea that Black people have lesser value than other people. There is a global anti-Black racism, not just in Canada and the United States. You see it all over the world. The people who are being shot down in the streets in Brazil are so-called mulatto and Black people. A friend of mind just came from Peru. He’s a successful businessman from Toronto, a young Black man, and he went to Peru to source fabric for sweaters and hats and so on. A Peruvian contact welcomed him at the airport. And when they went to a nightclub on one of their days off, they wouldn’t

allow him in. They wouldn’t allow this Black man in. Because in Lima, Peru, the Black body is marginalized. His host said, “No, he’s not a local Peruvian, he’s from Canada.” The bouncer wouldn’t let him in, and my friend said it was so humiliating.

Europe is also a scary place to go to right now as a Black person. I was there in 2016. Nothing negative happened to me, but the rhetoric and the language that’s coming from certain national governments.... In Paris you see the African vendors selling these trinkets in a place called Château Rouge, and then you hear a shout and you see some people running. The cops are running them down, and people have to show their ID, and if you’re “illegal” you’re taken to jail. And I’m thinking, “Oh my god, these people are running in the streets and the police are running them down and my two daughters witnessed this. It was crazy.” And people go through this every day.

I think our protection was that we were speaking English. People say, “Oh, they’re not from Africa.” They think we’re Americans. And that offered us some kind of protection, because we are cast into the Anglophone world, which is seen to be a world of power at least. We’re not from Senegal or Gabon or Ghana. Otherwise we could fall victim to whatever those people are falling victim to. Anti-Black racism is global. And the minor [at Dalhousie] is part of humanizing Black people.

Hopefully this program in Black studies is still there for generations. It’s interdisciplinary. We’re drawing courses from across the faculty of arts and social sciences. One of the things we want to do, our major ambition, is to take some of our students to the African continent to study abroad. Maybe for two weeks on the *chemin des esclaves* (the slave route) in either Benin or Senegal, to give it an international dimension. We’re putting the proposal together now and aiming for 2019.

Distinct from the minor, you’re also chairing a research project looking into the legacy of George Ramsay (Lord Dalhousie) and the creation of the university almost 200 years ago.

That’s right. The lead researcher (Jalana Lewis) and I went to the U.K. in January where we did research in the National Archives in London, and the Scottish records in their archive, on Dalhousie’s time in Nova Scotia. We also did research at Library and Archives Canada in Ottawa and the Nova Scotia public archives to look at Dalhousie’s administration when he was governor of the province from 1816 to 1820, after which time he left Nova Scotia to take the role of governor general for British North America. But while he was in Nova Scotia, that was when Dalhousie University was established in 1818.

We’ve been conducting research on the man, on his administration and on the university itself—a history of the institution and of higher learning in Canada. It’s been pretty intense. I think the core documents with regard to Lord Dalhousie and the Black community are the letters that he sent to Lord Bathurst in England, who was secretary of state for the colonies, concerning the Black refugee community that had arrived in Nova Scotia at pre-

cisely the same time Lord Dalhousie had arrived in 1816.

The War of 1812 had ended. These Black refugees, as they were called, had fought for the British. When the war ended, the British evacuated 2,000 of them to Nova Scotia. I'm not talking about the loyalists—that was 40 years in the past—and so these refugees were British subjects. They came to Nova Scotia and were promised the usual: land and seed, protection and citizenship and so forth.

What happened was that after the war there was an economic slump. And you know what happens in those situations: people turn on the immigrants, who are taking "our" jobs, etc. And that's precisely what happened 200 years ago. Lord Dalhousie went on a campaign to get them out of the province. He even visited refugee settlements and said, "Look, I will write to your former masters in the south, I will say to them that you're very sorry that you left, and I'll give you a letter of recommendation, and you can go back to your master, he will forgive you, and you guys will continue on being slaves."

It's so preposterous what he did! And it didn't work. The refugees said, "No thank you." And he (Dalhousie) tried to get them to go to Sierra Leone, and convinced 95 of them to migrate to Trinidad. The long and short of it was that he wasn't successful in turfing them out, but at the same time he was successful in marginalizing them socially, politically and economically. That's one of the legacies of Lord Dalhousie. It's almost like ethnic cleansing: get them out.

When Dalhousie University was established, even though it had this grand objective of being ecumenical, being open to all—meaning all White males—Blacks, even if they were qualified, and First Nations communities were not welcome. Looking 200 years into the future, an imperative of this project is next year's bicentenary of the university. There will be, as you can imagine, celebration, commemoration and so on. But the president of Dalhousie, Richard Florizone, wanted to look at what it means to have 200 years of history in an institution of higher education.

What does it mean now that we have this consciousness of diversity and inclusion? How diverse or inclusive was Dalhousie University 200 years ago? It wasn't. It excluded, as did many other Canadian institutions of higher learning, people of colour, and other particular people in particular communities. We're writing a report with suggestions for outcomes, legacies. We're going to be giving public presentations, the first in May or June. The university should be commended because it didn't have to do this. They could have said it's going to be all cakes and balloons and we don't want to know about this stuff, about getting rid of Black people.

Do you think we're going to get any more than cakes and balloons during the Canada 150 year, from the federal point of view?

Well yes, if you look at some of the criteria for these (Canada 150) grants, I thought, "Well, I'd better not apply." I know people in Ontario who applied and had to change their project because they were told we're (the government) not really into the bad history stuff, so if you could slant your project, it's more about celebrating 150. Not about commemorating. That's fine, if that's what the government wants. But what do ordinary people want? What do certain communities want? I think people are free and have every right to construct a Canada 150 event that suits them.

If we can't talk about these issues at the commemorative moment, when can we? It almost delegitimizes our work. It's almost like what we do, or who we are, is invisible.

It seems like if you can't talk about your country's history on an anniversary like 150, when can you talk about it?

Absolutely. It was also like that during the War of 1812 commemoration. When that was happening, I was in Nova Scotia and I put in an application—it wasn't funded—that would look at the impact of the war on the Atlantic. And they weren't interested. They were more interested in the Black community in Upper Canada, like Richard Pierpoint and the Coloured Corps. I wrote a letter to Peter MacKay, who was in government at that time, since he's a Nova Scotian, and he ought to have known better. But when he made his speech about Black participation in the War of 1812, he just focused on Upper Canada and the Coloured Corps. It's as if he had no clue that the refugees of the War of 1812 came here to the Maritime provinces, and the struggles they went to establish themselves.

So you're right: if we can't talk about these issues at the commemorative moment, when can we? It almost makes the work illegitimate, or it delegitimizes our work. It's almost like what we do, or who we are, is invisible. When a government minister gets up there and praises Canada and says, "Isn't it wonderful that there was no slavery in Canada!" I'm thinking, maybe I'm just wrong! (laughs). Maybe all my research in the various archives across this country is just false information, fake news! I spend my entire life doing this and then someone gets up and in 30 seconds negates completely what I've been doing. I think, "Oh Afua, maybe you're the one with the problem" (laughs).

It's the government's thing, their agenda. I think it would be very useful to say, "Let's reflect on 150, but let's also celebrate." And let's also remember that Nova Scotia did not want to join Confederation. It's not the story that you hear. Joseph Howe, one of the reformer premiers, thought it was a bad idea. He thought Nova Scotia would be subservient, and that's exactly what happened. He didn't want Nova Scotia to be a part of New

England either. Nova Scotia was bought out by the Canadas, by Ontario and Quebec, but didn't think Confederation was a fantastic idea at all.

So let's reflect on these things, let's engage in discussion and pull out the old documents to look at what John A. Macdonald said and Joseph Howe and George Etienne Cartier, the people we call the Fathers of Confederation. And look at what we call civil society. What did journalists say? What were women's groups saying? What were the First Nations communities saying? What were the Black intellectuals saying? That to me is infinitely more exciting.

There were Black intellectuals in Ontario who had opinions and ideas about Confederation. By and large they thought it was good because they were aware of the expansionist march of the United States to the north, and they thought, "Nope, that's not good." Confederation offered more protection, because of course they were looking at the security and safety of Black people. And they felt both would be undermined by an American regime.

Macdonald was a hugely problematic figure—for First Nations communities, for Métis communities, for Black communities, even though he had a Black barber. Like Lord Dalhousie he didn't want Black people in the province. When we think of Macdonald's National Policy we mostly remember building a railway from coast to coast. And we know that it led to the two rebellions by Louis Riel and the decimation of First Nations communities on the prairies, the decimation of the buffalos because you're driving these rails across the country.

Another plank [of the National Policy] was immigration—to bring people in to populate the prairies. But Macdonald didn't want Black people, even though a few decades before 1867 you had the Underground Railroad, you had African-American runaways coming into Canada and officially more or less welcomed. But under the new Canada, Sir John A. did not think they were desirable immigrants at all. In fact, he said Black men were rapists and a threat to White womanhood.

If this is the moment we confederated, this is our first prime minister, this is his attitude toward the Black community, I think we would have such a rich discussion, but that's not what the government wants. Imagine me putting together a proposal like that: I want to investigate John A.'s relationship to the Black community at this moment when Confederation was happening. It would never be funded! (laughs).

Other than the Dalhousie project and your new undergraduate program, are you working on anything else right now?

I'm writing a book called *Slaves in Court*, and it's a fun book. I'm looking at enslaved Canadians who took their owners to court and sued for their freedom. Some of them lost. In fact, most of them lost. A few won. But these people, the audacity of taking your master to court and saying "wrongful ownership!" "He stole me! I was stolen!" (laughs).

You said recently that when we suppress these stories they have a tendency to come back and "bust things up." Could you give an example of what you mean by that?

Let's fast-forward to today and look at the Black Lives Matter movement, not in America but in Canada. I happened to see something on TV where this man was trying to convince this Black man in the Black Lives Matter movement that things weren't so bad in Canada. The poor man was saying, you know, "I live in Canada, I don't live in the United States—what you're saying is irrelevant." I couldn't believe there was someone trying to convince somebody that he wasn't really oppressed. Maybe a *little* oppressed, but not *too* much.

The Black Lives Matter movement is one example of not listening to, in this case, the Black community. The Idle No More movement is another. We need to listen to all people who are here in this land, to all Canadians. We can't let people say, "It's not so bad. You have to wait your turn. Maybe 20 more years down the line we can listen to you." Because things are going to bust up. People are going to block highways. People may get even more violent if you don't listen, or if you make invalid what they have to say, their concerns.

I think we could have a real bust up in this country if you look at the state of Blackness. Forty-two per cent of the kids in Toronto who are received by child services are Black kids. And we have massive incarceration rates of young Black men. The federal system went through the roof between 2014 and 2015, according to Howard Sapers (former Correctional Investigator of Canada), by over 100%.

That's a crisis for Canada, a crisis for the Black community. But it's silence from the federal government. Silence, silence, silence. If you look at the indices that go toward making a good life and health and well-being for the Black community, you see the seizure of children by child services, massive incarceration rates, high-school dropouts, underemployment and so on. Everything that is going to rob a community of its well-being is present in the Black community.

Of course you have Black Lives Matter and Black intellectuals calling people's attention to the issue. But there is no response from people in power, from people who can make a difference. So what can we do? What do we do? We take to the streets. We march. We protest.

As an individual, as a Canadian, as a member of the Black community, as an intellectual, as a scholar, I fight the good fight. And it is a good fight. And I bear the burden, but it is a righteous burden. First and foremost, for me it's about justice. And justice is good. **M**



JOHN ANDERSON

For Canada's 150th birthday, free the museums

The National Gallery of Canada:
Lots of standing room.

TIMOTHY NEESAM (FLICKR CREATIVE COMMONS)

TO CELEBRATE Canada's 150th anniversary this year, I suggest we move to free entry for all our national museums. Since most of them are in Ottawa, this could affect the national capital the most.

As my partner said when we moved to Ottawa many years ago, "Do most of the people of Canada know what they own here in wonderful museums?" The answer is that many, even in Ottawa and Gatineau, never get to visit the museums at all, or on a regular basis, because of the cost—and many outside of the National Capital Region are deterred for the same reason.

For many years now, both the United States and the United Kingdom have offered free entry to major national museums. What a wonderful occasion it can be to visit the museums on the Mall in Washington and walk into all the beauty: the treasures and science in the Smithsonian and in other museums.

The main goal of museums should not be to break even, but to increase public access to all our wonderful art, culture and objects, from paintings to airplanes.

The British experience from 2001 to 2010 showed that when free muse-

um visits were introduced, visits increased by more than 150%, from 7.2 million in 2000-01 to nearly 18 million in 2010-11. The 16 museums sponsored by the U.K. Department for Culture, Media and Sport showed a total increase in visits of 4.1% in one year—from 48.7 million in 2013-14 to 50.7 million in 2014-15.

If we opened up our museums, we could continue to charge for special shows and exhibits, but the regular collections would be free. We must move beyond national museums opening free one day a week, for only a few hours at the end of the day, or one day a year on July 1.

To take one example of how relatively minor ticket revenues are in Canada, the most popular museum, the Canadian Museum of History (formerly the Canadian Museum of Civilization), which administers two major museum sites (the second is the Canadian War Museum), had 1.690 million total visitors in 2015-16, of which only 762,000 (less than half) represented paid attendance. Of total revenues, only \$14 million came from operations (tickets and parking, boutiques and restaurants combined) while \$76.3 million came from the government.

There are other ways of making money for national museums when visitors are on the site. One of them, in both Washington and London, is to have great restaurants and cafés at different price levels inside the museums, places where people will go to lunch or dine in an exciting atmosphere. This is something our national museums could improve on dramatically.

Cutting attendance fees would provide a tremendous gain for the economy in Ottawa and other cities, such as Halifax and Winnipeg, which also have national museums. With more visitors coming to the museums, there will undoubtedly be more spending on everything from restaurants to hotels. If we can encourage Canadians and international visitors to see our museums, we can help boost both national and international tourism in a major way while opening up our publicly owned culture to more members of the public.

We could start by offering free entry this July for the whole month, then introducing completely free entry for 2018. Minister Mélanie Joly, I hope you are listening. **M**

CLARE MIAN

Canada and the birth of the Israel-Palestine conflict

Self-interest scuppered an early chance for equitable cohabitation in the Middle East. We can learn from the Canadian diplomat who saw it coming.

IN THE seemingly hopeless struggle that characterizes the modern Middle East, Canada played a significant role in the birth of its most intractable issue: the conflict between Arabs and Jews in Israel-Palestine.

This year marks the 70th anniversary of the 1947 United Nations Partition Plan that was to create a Jewish state and an Arab state in the British Mandate for Palestine. It is also the 50th anniversary of the 1967 Six-Day War in which Israel took over the Arab territories of Gaza and the West Bank—the areas that were to have been the Arab state.

Canada was more involved in these two events than is generally known. In 1947, the chair of the UN Special Committee on Palestine (UNSCOP) was a Canadian judge, Ivan Rand, appointed by the founding triumvirate of Canadian foreign policy: Prime Minister William Lyon Mackenzie King, Minister of External Affairs Louis St-Laurent and Deputy Minister Lester B. Pearson. Acting as key advisor for External Affairs was the first woman to rise above clerical ranks in the civil service, Elizabeth MacCallum.

The Canadian UN delegation played an important role in formulating the partition motion and in lobbying for its passage. Tragically, it failed to ensure the UN Security Council would monitor all of the motion's provisions beyond the simple drawing of boundaries. These provisions, designed to give the plan a fighting chance of success, included a two-year transition period and an economic union between the two politically and economically unequal states.

The full implications of this failure revealed themselves between Israel's

Declaration of Independence in May 1948 and the 1967 war, in which Israel took over the entire former mandate of Palestine. Canada, along with most western nations, failed to insist that Israel vacate the occupied territories. Canadian governments have been allowed to pursue a clearly contradictory foreign policy toward Israel/Palestine since then.

On the one hand, official policy condemns Israel's occupation of the territories, while on the other, official practice fosters a close alliance with Israel over shared commercial and military affairs, as well as democratic values. The Trudeau government has reinstated its contribution to the United Nations refugee program for Palestinian immigrants, a welcome correction that in no way threatens Canada's relations with Israel. But perhaps 2017 will bring a just re-examination of historic decisions that have made the plight of Palestinians one of the major human rights injustices of our era.

MacCallum was and still is one of the few experts on the Middle East to recognize the failure of Europe and North America to open their doors to Jewish immigration.

At the turn of the 20th century, the majority population of the Ottoman region of Palestine was Muslim, along with small Christian and Jewish minorities. Palestine, a small agricultural region, was ruled by the Ottoman governor in Damascus. Its economic status benefitted from being on a trade route from the Mediterranean world to the Far East and from being the site of the holy places of all three monotheistic religions: Christianity, Judaism and Islam. As the slow disintegration of the highly diverse Ottoman Empire was proceeding, Zionism was growing as a nationalist movement, claiming Palestine as the ancient homeland of the Jewish people to which they had an inextinguishable historic right.

After the First World War, the League of Nations, under the philosophical sway of U.S. President Woodrow Wilson's belief in the right of self-determination, set up the mandate system, ostensibly to ensure that the "great powers" would foster economic and political development in former colonies and prepare them for self-government. Among the provinces of the defeated Ottoman Empire (labelled Class A mandates because of their relative advancement), Britain was given responsibility for Palestine, Transjordan and Iraq, while France took Syria and Lebanon. The mandatory power had obligations to local governments, as well as to the Mandates Commission at the League of Nations. However, as the events of the interwar period were to show, the mandatory powers ruled with little regard for anything other than their national self-interest.

During the course of the war, Britain had made three significant and

contradictory undertakings regarding the Middle East. In 1915, a 10-letter correspondence between Sharif Hussein of Mecca, who held traditional tribal leadership over much of the Arab population of the Ottoman Empire, and Sir Henry McMahon, British High Commissioner to Egypt, concluded an Anglo-Arab agreement: in return for Arab support of the British war effort, Britain would grant the local Arab leadership an independent Arab state at war's end.

The boundaries of this state remained vague, however. Hussein purportedly understood them to include the entire Arabian peninsula, Palestine, Transjordan, Syria and Lebanon, and possibly Iraq. For his part, McMahon wanted to keep the boundary issue open till the end of the war. Hussein eventually relented, but he considered that McMahon's words constituted Britain's commitment to support the future creation of an independent Arab state.

While it is possible Britain envisioned a viable and friendly independent Arab state, the policy priority was to limit rival French influence in the region. Thus, the British and French governments quietly entered into a separate agreement (the Sykes-Picot Agreement of 1916) that pre-emptively carved up the provinces of the moribund Ottoman Empire into European "spheres of influence."

The third of Britain's self-interested diplomatic initiatives was the Balfour Declaration of November 1917, which stated (emphasis added):

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.

Lengthy diplomatic wrangling at the end of the war led to territorial resolutions in the Middle East that clearly favoured Britain and France. In the postwar regional disarray, Sharif Hussein was briefly able to establish an Arab state, with Palestine as the province of "southern Syria." It lasted, in vague territorial and political terms, from 1919 to 1922. But with the 1920 Treaty of Sèvres, the Sykes-Picot Agreement essentially became the blueprint for the League of Nations' mandate system, with France acquiring Lebanon and Syria, and Britain taking Transjordan, Iraq and Palestine.

Expressions of Arab outrage at British betrayal found no support. The Balfour Declaration was actually included in the preamble of the Palestine Mandate Agreement, thus enshrining in an international agreement the notion of Palestine as a "national home for Jewish people," without mention of a home for Palestinian Arabs but only "civil and religious rights of non-Jewish communities."

In addition to this unique preamble, Palestine's was the only mandatory agreement not to include the provision for the establishment of a constitution, parliamentary institutions and elections. While token attempts were sub-



MacCallum.

RICHARD HARRINGTON (NATIONAL FILM BOARD OF CANADA/
LIBRARY AND ARCHIVES CANADA)

sequently made to cobble together a parliamentary system, in reality a well-supported Jewish Agency for Palestine, and a succession of artificial Arab institutions (e.g., the Sharif of Jerusalem or the Arab Higher Committee), continued to represent the Arab population. There was never any provision for elections.

International politics shifted significantly with the end of the First World War. The United States replaced Britain and France as the leading western power. New nations, such as Austria, Hungary and Poland, emerged in Europe. Nationalist movements in colonial territories became a leading political current. The Communist Revolution, which had forced Russia out of the war in 1917, produced a new country ready to assert its pre-eminence in European and world affairs. And Canada gradually, and peacefully, forged its way to winning complete autonomy over its external relations.

Two little-known Canadians played key roles in the historic discussions that took place from the beginning of the British mandate in 1922 to the eventual UN Partition Plan for Palestine in 1947. One of them was Elizabeth MacCallum, the first woman to become a senior foreign policy advisor.

Long before the 1947 ban on women rising beyond clerical positions was officially lifted, MacCallum had gained the respect of senior staff in the Prime Minister's Office (PMO) as a result of her books and articles, and her work for the Foreign Policy Association in Washington. Born into a family of scholars and missionaries in Turkey, MacCallum had pursued graduate studies in Canada and the United States, becoming particularly expert on the League of Nations' mandate system.

Unlike her colleagues, MacCallum had personal experience of the Ottoman Empire and knowledge of the aspirations of its diverse population. Her memoranda and draft position papers were the raw material of policy-making as early as the 1920s. She was among the few to point out the Balfour Declaration, as worded, cleverly avoided explicitly endorsing a Jewish state in Palestine, which was and is still recognized to have been Britain's intention next to containing growing Arab nationalism.

In assuming control of Palestine, Britain made some attempts to limit Jewish immigration. Nonetheless, waves of Jewish settlers from Eastern Europe, the purchase of Arab lands, and the expansion of cities and industries in the region fuelled Arab anger at both the increasing political and economic inequality between the two communities and British failure to protect Arab rights. A general strike turned into the Arab Revolt of 1936–39, which was harshly put down by the British military. Traditional tribal leaders and high-profile members of a new professional class, who were suspected of fomenting an-

MacCallum's analysis of the White Paper provided the clearest exposition of the tragic consequences of Britain's contradictory policy in Palestine.

ti-British nationalist sentiment, were executed or exiled. It was a significant setback to the Palestinian Arabs' ability to form a cohesive political force in the ensuing conflict on the future of Palestine.

Realizing that increasing Jewish immigration had been a major cause of the revolt, Britain issued the 1939 White Paper, which placed stricter restrictions on Jewish settlement and land purchases. This, in turn, led to violent attacks on British installations by Zionist groups, as well as expressions of outrage by international Zionist organizations. While condemning the violence, Zionist leaders explained it was the result of uncontainable anger at Britain's refusal to come to the rescue of European Jews as the evidence piled up of mass atrocities being committed against them.

MacCallum's analysis of the White Paper provided the clearest exposi-

tion of the tragic consequences of Britain's contradictory policy in Palestine. She consistently pointed out that failure to address the demands of both groups in a just manner would result in protracted violence. She was also the only analyst explicitly to point out that all the great powers involved had economic and geo-strategic interests in this region.

Britain and France had longstanding investments in the Middle East and Asia and were increasing their activities in existing oil fields and in oil exploration; it was therefore vital to maintain safe land and water routes in the area. The emerging powers—the United States and the Soviet Union—were quickly developing their own interests in the region. MacCallum's briefing papers to her government were constant reminders that failure to address the political aspirations of the Arab populations not only contravened the accepted principle of self-determination, but would also lead to long-term economic and political costs.

The British government was facing relentless pressure from the United States, as well as international Zionist organizations, to reverse the policy of the White Paper and allow unrestricted Jewish immigration into Palestine. The outbreak of war did nothing to decrease this pressure. Britain maintained that to do this and to encourage an autonomous Jewish state in Palestine, absent Arab consultation and agreement, was to invite violence.

It was clear that Britain was no longer willing or able to manage its contradictory commitments in the region and was moving toward handing

Palestine/ Israel Timeline

July 1915
to **January 1916**
Hussein–McMahon
correspondence

November 1917
Balfour Declaration

November 1918
End of First World War in Europe.

January 1919
Beginning of Paris Peace
Conference.

1920-21
Kingdom of Greater Syria
declared by King Faysal, with
Palestine as a province.

Palestine over to international trusteeship. But British declarations remained vague about the timing and conditions of its physical withdrawal.

With the end of the Second World War, the future of the mandates was high on the agenda of the League of Nations' successor, the United Nations. Iraq had managed to gain independence from Britain in 1932. Syria, Lebanon and Transjordan (renamed Jordan), having taken significant steps toward self-government between the wars, joined the United Nations as independent members between 1945 and 1946. Palestine was the only remaining Class A league mandate.

It was on this most complex of international issues that Canada's fledgling Department of External Affairs broke its teeth. The isolationist Mackenzie King, holding the external affairs portfolio in the PMO, wanted to maintain strict neutrality in international affairs, but especially in those areas that might place Canada in the middle of an Anglo-American conflict. In September 1946, he relinquished the department to St-Laurent, with Pearson as undersecretary.

St-Laurent and Pearson convinced King that Canada, if asked, could not honourably turn down a role in resolving the Palestine issue. Canada was thus successfully pressured into sitting on the United Nations Special Committee on Palestine (UNSCOP). King insisted that neither St-Laurent nor Pearson should be Canada's representative, and that the Canadian government should not be bound by any positions eventually taken by whoever did take on the role.

Ivan Rand, a respected jurist and member of the Supreme Court of Canada, was ultimately chosen to represent Canada on what would become the last truly international attempt to resolve the Jewish-Muslim conflict in Palestine. Rand had a long and varied legal background, but he is best known as the author of the Rand Formula—the decision that determined that once a union was accredited to an employer, union fees could be levied on all employees. Rand, however, had no previous knowledge of the Middle East, so it fell to MacCallum to give him a “crash course” in the region's history.

With Canada's participation in UNSCOP decided, lengthy wrangling within the UN General Assembly produced 10 other members: Australia, Czechoslovakia, Gua-

temala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia. The committee was to visit Palestine and report by September 1947. Rand, as a Canadian and a jurist, was immediately thrust into the committee chairmanship.

The discovery, near the end of the Second World War, of Nazi concentration camps, and the plight of Jewish refugees throughout Europe, charged UNSCOP's mission with urgency. Attempts by Britain and the Arab states to keep the future governance of Palestine separate from the issue of resettling the Jewish refugees of Europe failed repeatedly.

President Harry Truman broke with his predecessor Franklin Delano Roosevelt's neutrality by declaring that the Balfour Declaration was a promise to Jews of a homeland in Palestine. For Truman, this priority trumped guarantees of protection to the Arabs in Palestine and was worth the risk of continued war. Arab leaders throughout North Africa and Asia condemned the new U.S. position as great power imperialism.

Given Britain's stated opposition to Jewish immigration, Canada found itself exactly in the middle of an Anglo-American dispute. While the Department of External Affairs unofficially favoured the U.S. position, its declarations, with input from MacCallum, attempted to find a just compromise on Jewish immigration and a future state (or states) in Palestine. Throughout the war, Canada had been strongly lobbied by Zionist organizations to take a position on the 1939 White Paper and the Balfour Declaration. The Zionist argument was that Canada's agreement to the mandates system and non-objection to the Balfour Declaration constituted a commitment to the creation of a Jewish state in Palestine.

The difficulty of the task confronting UNSCOP cannot be overstated. On top of the fraught Jewish-Arab and great power confrontations, this was to be the first test of UN viability. Furthermore, Canada's reputation as an advanced power that was friendly to both the U.S. and Britain, but also neutral and fair-minded, was at stake.

The “interested parties” to the dispute were invited to appoint liaison officers to UNSCOP. The British government and the Jewish Agency in Palestine did so; the Arab Higher Committee in Palestine did not. The latter declared that no nation or group of nations could decide

1921-22

League of Nations approves mandate system for former Arab Ottoman provinces (Palestine, Transjordan and Iraq to Britain; Syria and Lebanon to France).

1936-39

Arab Revolt against British in Palestine.

1939

British White Paper places limits on Jewish immigration to Palestine.

1945

End of Second World War.

1946

Britain submits the Palestine question to the United Nations; UN forms a Special Committee on Palestine (UNSCOP) with Canada as a member.



David Ben-Gurion reading the Declaration of Independence.

ISRAELI GOVERNMENT PRESS OFFICE.

the outcome of their homeland. This left only individual Arabs or the new Arab League of independent states to speak for Arab Palestinians.

Arab non-participation reflected, at least in part, the relative lack of resources and international support available to the Arab Higher Committee. The new Arab states of Syria, Jordan, Lebanon and Iraq were all battling internal political issues and had barely come out of the British and French stranglehold of their external affairs.

Canada's recommendation, championed by MacCallum, that the UN committee have independent expert advisors was rejected. However, Rand and the Canadian delegation were able to press another of MacCallum's ideas: that the only fair and prudent option was the expeditious establishment of an enforceable UN trusteeship system. She believed that 1947 provided a small but crucial window for this option, as both communities in Palestine realized that, with Britain's imminent withdrawal, the likelihood of bloodshed was extremely high.

MacCallum believed a resolution of the immigration issue was paramount, arguing Canada, and any country that could afford it, should

adopt a more open policy toward Jewish immigration. This would lessen pressure on Palestine to accept Jewish refugees. In this respect, she was and still is one of the few experts on the Middle East to recognize the failure of Europe and North America to open their doors to Jewish immigration, both during and immediately after the war.

It has been argued that support for Palestine as a Jewish home spared many western countries, where anti-Semitism was prevalent, from the responsibility of taking in large numbers of Jewish refugees. We still don't know which Canadian immigration official responded "None is too many" to the question of how many Jews should be allowed into Canada. But these words—the title of the celebrated 1983 book by Irving Abella and Harold Troper—have come to symbolize Canadian anti-Semitism.

UNSCOP visited Palestine in June and July of 1947, receiving the concentrated attention of Jewish Agency representatives David Horowitz and Abba Eban, as well as local businesses, agricultural co-operatives, trade unions, schools and cultural agencies. Rand and his colleagues were positively impressed. They were exposed to very little in Arab Palestine; they did not visit the rural part of the region, where most Arabs lived. It is not clear whether the committee investigated the amount of land that had been sold or transferred to Jewish owners, or the methods used to do so.

They certainly did not investigate the implementation of the 1939 White Paper. It is undeniable that the tra-

June-July 1947

UNSCOP, under chairmanship of Canadian Ivan Rand, visits Palestine.

November 1947

UN accepts UNSCOP majority recommendation on partition of Palestine; beginning of Muslim-Jewish hostilities in Palestine.

May 1948

David Ben-Gurion proclaims the State of Israel and becomes its first president.

1948-49

War between Israel and Arab states.

1949

Armistice; Israel extends its territory beyond the 1947 partition lines. Fourth Geneva Convention on International Law affirms that nations cannot move populations onto territories occupied in war.

ditional Arab elites, many of them absentee landlords, had profited from selling lands to Jewish owners, with no concern for what would happen to the peasants who had worked and lived there for generations. It must not be forgotten that since the Arab Revolt the educated Arab elite had been substantially reduced, and those that remained were not willing or able to contravene the official Arab boycott of UNSCOP. This boycott allowed the Zionist case to go unanswered.

Rand drew three main conclusions from his visit to Palestine: Britain's record as a mandate power was reprehensible; the Jewish community in Palestine had done exemplary work and deserved to have its own state; and the Arab community needed some protection, for an indeterminate amount of time, to develop economically and be able to govern a state in Palestine. Rand devoted much more effort to planning the boundaries and ethnic composition of the Jewish state than to planning the economic and political development of the Arab state.

As the committee deliberated, the following options emerged: partition into two independent states that would be as ethnically homogeneous as possible; a unitary state (one central government for both Arabs and Jews); a "bi-national state" (one central government with semi-autonomous Jewish and Arab regions); or a federation (one central government with several geographically determined and ethnically mixed regions). All options except for partition involved the complicated question of central versus regional powers, and the territorial and ethnic composition of each constituent part. All options depended on the formation of a credible UN trusteeship structure to implement and monitor the solution.

Regrettably, in the distrustful atmosphere of postwar political jockeying within the UN Security Council and General Assembly, an enforceable system of international trusteeship was a very long shot. In spite of the fact it appeared in all the proposed options, the idea never materialized. Rand, whose opinion held considerable sway over the committee, pronounced himself in favour of partition, or two independent states with a monetary and customs union, as he clearly appreciated the economic inferiority of a future Arab state.

The partition was to begin with two years of "sovereignty association" under international trusteeship and restricted Jewish immigration. Residents in each state

St-Laurent and Pearson convinced King that Canada, if asked, could not honourably turn down a role in resolving the Palestine issue.

would acquire citizenship of that state, with the option of applying for citizenship in the other state. The granting of independence would be contingent on the states adopting democratic institutions and signing a 10-year treaty of economic union. The size and ethnic composition of each state was crucial. Rand's plan included a third state: an international State of Jerusalem, which would include the holy places of Judaism, Islam and Christianity.

In the end this became UNSCOP's majority recommendation to the General Assembly. Though it is almost impossible to ascertain precise population figures, the decision gave 55% of Palestine to the Jewish population and 45% to the Arab population. At the time, Jews were estimated to make up 35% of the population and owned 7% of the land. In the Jewish state the population would be 55% Jewish and 45% Arab. The Arab state would be quite ethnically homogeneous, with only 1% of the population being Jewish.

There was a minority recommendation, put forward by India, Iran and Yugoslavia, that favoured a federal state. It was almost immediately clear that this recommendation would not receive any attention.

The General Assembly established an ad hoc committee to frame the majority recommendation into a resolution to be voted on. The Jewish Agency and international Zionist organizations set about lobbying UN national delegations to accept the plan. As they had made clear to Rand, they would have preferred to be given the entire

1967

Six-Day War; Israel extends its borders to territories allocated to Palestine at partition and begins to build settlements. Security Council Resolution 242 calls for the withdrawal of Israel from recently acquired lands, and for the return to pre-war boundaries (Canada supports this resolution to the present day).

1973

Yom Kippur War; limited withdrawal of Israel forces from Sinai (Egypt).

1973

Security Council Resolution 338 calls on all parties to implement Resolution 242.

1979

Security Council Resolution 446 declares that Israeli settlements in the occupied territories have no legal validity.

Canadian Policy on Israel/Palestine

On occupied territories and settlements

"Canada does not recognize permanent Israeli control over territories occupied in 1967 (the Golan Heights, the West Bank, East Jerusalem and the Gaza Strip). The Fourth Geneva Convention applies in the occupied territories and establishes Israel's obligations as an occupying power, in particular with respect to the humane treatment of the inhabitants of the occupied territories. As referred to in UN Security Council Resolutions 446 and 465, Israeli settlements in the occupied territories are a violation of the Fourth Geneva Convention. The settlements also constitute a serious obstacle to achieving a comprehensive, just and lasting peace. Canada believes that both Israel and the Palestinian Authority must fully respect international human rights and humanitarian law which is key to ensuring the protection of civilians, and can contribute to the creation of a climate conducive to achieving a just, lasting and comprehensive peace settlement."

*Global Affairs Canada website
(accessed March 2017)*

On Canada-Israel relations

"Our friendship is built first and foremost on shared values. Our peoples share a passionate belief in, and willingness to defend, the principles of freedom, democracy, human rights and the rule of law. From this friendship stems an increasingly dynamic partnership—not just in diplomacy and government, but in our business and cultural ties."

*Canada-Israel Joint Declaration of
Solidarity and Friendship (2015)*

On aid to Palestinian refugees

"Canada's international development assistance in the West Bank and Gaza works to aid the Palestinians in building the foundations of a viable, democratic Palestinian state that will support people to live in peace and security with Israel. As one of Canada's foreign policy objectives, this goal supports a comprehensive, just and lasting peace negotiated directly between the parties."

*Global Affairs Canada website
(accessed March 2017)*

province of Palestine, but at least this recommendation contained the essential words: "an independent Jewish state."

The Arabs immediately rejected the majority report. The Arab Higher Committee from Palestine and all the Arab states continued to hang their case on what they considered to be the incontrovertible Arab right of residence in their own land. Britain reiterated it would only implement a solution to which both sides agreed and remained vague on the precise date it would withdraw its political and military presence from the region.

UNSCOP's job done, Pearson took over where Rand had left off, confirming Canada's support for partition. He and Department of External Affairs officials believed a friendly Jewish state in that unstable but important region would be a long-term benefit.

Pearson listened to MacCallum's cautions, but he was not convinced. He went on to play a key role on the ad hoc committee that prepared the partition resolution for a vote. The Canadian delegation recommended establishing a management committee to oversee, with the British government, the two-year transition of the two "sovereign/associated" states into full independence, and creating a framework for continued governance of the international State of Jerusalem.

Pearson did raise the issue of enforceability in the face of gridlock in the last days of the British mandate; the two potential states opposed each other unconditionally, and Britain reiterated that it would not supervise an arrangement to which both were not agreed. The dire implications of passing a contentious resolution in this explosive situation do not seem to have been compelling enough for Canada and most European UN member nations to resist U.S. and Zionist pressure to resolve the Jewish question in Palestine.

The UN Trusteeship Council was barely more than a plan on paper. It would have taken the overwhelming influence of a great power to ensure a workable mechanism was put in place before a vote was taken. The only viable option to ensure the orderly implementation of the resolution would have been direct Security Council intervention, but hostility among its permanent members made this impossible. While nations such as Canada and Sweden scrambled to come up with an interim management plan, U.S. delegation and Zionist pressure remained constant. It was tragically evident that, in haste, the UN General Assembly was on the verge of voting for a catastrophically unenforceable resolution.

On November 29, 1947, the General Assembly voted on Resolution 181: 33 nations, including Canada and the United States, voted in favour; 13 nations, including all Arab member states voted against; 10 nations, including Britain, abstained. None of its provisions were ever implemented.

The passing of the partition resolution was a runaway train, and neither the UN, nor any other great power, could put on the brakes. Within hours of the vote, violence erupted in Palestine. Britain refused to provide access to any UN supervisory presence and did little to stop the violence. Instead, it announced its mandate would expire at midnight on May 14, 1948.

On May 15, 1948, David Ben Gurion, on behalf of the Jewish People's Council of Palestine, proclaimed the birth of the State of Israel (pictured). More than 750,000 Palestinian Arabs left or were forced to leave, with about 150,000 remaining within the new state. Those who left settled in towns, villages and refugee camps in the West Bank, Gaza, Syria, Lebanon and Jordan. Some were able to emigrate to other Arab or non-Arab countries. The legal and hu-

manitarian fallout from these decisions of 70 years ago continues to be at the heart of the Middle East tragedy.

The State of Israel went on to be recognized by the UN and most member states. The State of Palestine has yet to come into existence. As many predicted, MacCallum perhaps most eloquently, the region is now entering an eighth decade of unrelenting violence. Successive wars have enlarged the area originally assigned to Israel to include virtually all of Mandate Palestine.

The near certainty of violence was not a sufficient deterrent for those nations that had the power to defeat, or properly implement, the partition motion. Zionists seem to have believed Palestinian Arabs could be “transferred” to other Arab lands. It is difficult to conceive of how the new and floundering states of Lebanon, Syria, Jordan and Iraq could have been perceived as being up to this task.

The right of Palestinian Arabs to stay in their homeland as full citizens of their own state was then, and still is today, largely overlooked. Their right to return to lands occupied in wars, chiefly in 1948 and 1967, as agreed to by the UN in the Geneva Convention is similarly a dead letter.

It can only be hoped that the debate between the MacCallum viewpoint, which sought equality and justice for both sides in the Israel/Palestine conflict, and the Rand-Pearson viewpoint, which penned a fair solution but then settled for expeditious self-interest, can be revisited. This will require a gargantuan effort to objectively re-examine the events of 1947-48 with the benefit of archival records.

The Trudeau government’s recent announcement that it will restore its contribution to Palestinian refugees is encouraging, but it perpetuates the convenient notion that this is just a “refugee problem.” Our government could be more effective by standing by its official position on Israel/Palestine (see sidebar) and providing lead-

In the distrustful atmosphere of postwar political jockeying within the UN, an enforceable system of international trusteeship was a very long shot.

ership in the form of an international commitment to truth and reconciliation in the region.

But here, as with so many other issues, we are presented with a great enigma in the Trump administration. For the time being, while the U.S. president’s rhetoric has been inconsistent, the U.S. policy of continued financial and military aid to Israel (and exceedingly feeble disapproval of settlements) remains on course. International voices urge Israel to acknowledge the settlements are an “existential threat” to its own freedom and democratic aspirations, but these have yet to reach the Netanyahu government.

Meanwhile, others warn Gaza has become the largest internment camp in the world and that the humanitarian situation requires urgent attention. Ignoring both situations can only play into the hands of Islamic extremists. Despite the fraught events of the past 70 years, it would be entirely appropriate, in this 150th anniversary of Canada the nation, to remember and adopt the same realistic yet egalitarian principles that motivated MacCallum to seek what would be best for the nations of Palestine and Israel. **M**

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PIERRE BEAUDET

Confederation and class struggle

A history of resistance in Quebec from British conquest to the 2012 student strikes

AFTER A LONG period of colonial subjugation, the 18th century witnessed the establishment of independent states in the Americas. Latin American revolutions and the fight for independence in the United States eradicated colonial power while developing various more or less atrophied forms of the republican state. In the case of Canada, however, history took a different turn. Unique in the Americas, the colonial state and monarchy imposed by the British Empire on Canadian territories at the turn of the 18th century was not overthrown.

After conquering the lands inhabited by colonists of French ancestry in 1760, the British Empire withstood upheavals resulting from conflicts with the United States. It also faced internal resistance. The colonial economy, based on the plundering and exploitation of resources, was extremely profitable, while the Empire's administrative costs remained relatively low. A subordinate class of British colonists formed quite a powerful barrier against Francophone peasants and Aboriginal communities, who constituted a majority demographically but were powerless due to the dismantling of their national and governmental structures. Another factor working in the Empire's favour was the fact that Francophone clerical elites were won over to the colonial power by being given residual power over the people with respect to language, religion and the legal system. As Gilles Bourque explains (translated):

By overthrowing the external economic structure of the French colony, the change of regime disrupted the class structure of French Cana-

dian society. It caused the disintegration of the French Canadian bourgeois class and put in place a reactionary elite unsuited to capitalist development, the clerical aristocracy, whose economic resources were based on real property. This new situation would result in an imbalance that directly affected the French Canadian population, which consisted of a peasant class and an embryonic proletariat. It would lead to economic and intellectual stagnation, thereby increasing the hardships the population would in any case have suffered from the Conquest.

But the conquest gave rise to new contradictions, too. In the first half of the 19th century, a burgeoning local elite, both Francophone and Anglophone, began to develop. The reformist faction of this elite was particularly strong along the shores of the St. Lawrence. Beside it there existed a vast and increasingly landless peasantry and an urban multitude forced into the towns by rural misery. These social groups began to join forces around 1830.

Despite the best efforts and hopes of the Empire, the turmoil turned into a storm. A powerful popular coalition called for "responsible government," i.e., transfer of the spending power to the elected assembly where the *Patriote* party of Louis-Joseph Papineau, a representative of the French Canadian elite, held sway. The aims were quite moderate at first, but they took a more radical turn in the face of an inflexible Empire and its local supporters. The latter were comprised of wealthier English merchants who had taken control of the local economy, backed by a multitude organized into armed bands in urban centres,

including Montreal and Quebec City. The colonial authority also benefited from the unwavering support of the local Catholic hierarchy, which was extremely hostile to the *Patriotes'* aspirations.

After repeated attempts at negotiation, independentist and anti-imperialist sentiment took hold among a majority of the *Patriotes*. It should be noted that the movement forged links with some (minority) factions among British colonists in Upper Canada (beyond the Ottawa River), as well as Irish colonists, who were fleeing, in great numbers, the misery imposed on Ireland by the Empire. The *Patriotes* formed a coalition around a project aimed at ending privilege and discrimination (including against Aboriginals), abolishing the seigneurial system, the separation of Church and State, and, above all, the end of colonial power. Gatherings of several thousand people took place in Montreal and its northern and southern suburbs. The demands of the *Patriotes* became the centre of a genuine mass movement (see box).

Although it had deep roots and broad appeal, the rebellion in Lower Canada was defeated. Hopes it might be joined by republican movements in Upper Canada (around Toronto's popular mayor William Lyon Mackenzie) were not fulfilled. Moreover, in Lower Canada, the Empire, then at the height of its power, had undeniable military superiority.

On the *Patriotes'* side there were divisions. One part of the movement hoped to negotiate with the colonial power by minimizing its demands and relying on the support of reformist elements within the Empire. The radicals were ill prepared. The masses were ready to participate, but their



Battle of St. Eustache, a painting by Lord Charles Beauclerk (Dec. 14, 1837).

The appeal of the *Patriotes*

"We declare that the people of Lower Canada are absolved of any allegiance to Great Britain; Lower Canada must take the form of a republican government; that under a free government, all citizens shall have the same rights; the Aboriginals...shall enjoy the same rights as other citizens; any union between the Church and the State is declared abolished, and every person has

the right to freely practise the religion and belief that his conscience dictates; feudal or seigneurial tenure is abolished; imprisonment for debt is abolished; there shall be full and entire freedom of the press in all public matters and affairs; the French and English languages shall be used in all public matters."

— *Extract (translated) from the proclamation of independence, February 1838*

networks were poorly organized. Meanwhile, the leaders of the rebellion naively counted on support from the United States, whom they assumed would be attracted to an opportunity to weaken British power.

For the Empire there was no question of compromise. It was never going to negotiate the creation of an independent, republican state with a Francophone majority, since this would have broken up the colony and supplied an example that other peoples under British rule might try to emulate.

Divide and rule: the British North America Act

After eliminating the republican threat, the Empire made efforts to change the demographic situation by accelerating the arrival of English, Scottish and Irish colonists to Quebec. At the same time, the colonial power united Lower Canada and Upper Canada, which had an English-speaking majority, into a single colony. In doing so, Britain created a firewall against the aspirations of the Francophone masses.

After the harsh repression that was visited upon the St. Lawrence Valley, the popular classes were considerably weakened and the *Patriotes* increasingly divided. Meanwhile, the British Empire was consolidating its hold over vast territories in the west and dealing with various Aboriginal rebellions. After consulting widely, Britain, under pressure from English reformists (the Whigs), accepted the concept of "responsible government," provided colonial interests were safeguarded with respect to commercial and geopolitical matters. In this regard, Bourque writes (translated):

Caught between British imperialism and the formidable development of American capitalism, the colonial Canadian bourgeoisie, dominated by commercial and banking interests, was driven to the creation of a national state. It had to find a national market, and this involved not only the development of trade within the national space, but also the domestication and reproduction in situ of a work force that found the American factories very attractive.

These events set the stage for the British North America Act of 1867, from which Canada emerged as an independent state, but one strongly linked to the Empire. This new state was founded by the British colonial elite, which was in the process of becoming a capitalist bourgeoisie.

The “divide and rule” strategy fragmented the subjugated populations by co-opting one faction of the elites, even if it meant granting them subsidiary powers. This compromise was acceptable also because the new Canadian institutions (the Dominion) remained within the tradition of colonial and monarchical authoritarianism, where power is concentrated in the federal state. “All the major sources of tax income were handed over to Ottawa,” writes historian Alfred Dubuc (translated).

For those in Quebec who subscribed to this project, such as George-Étienne Cartier, the creation of Canada appeared to protect the Francophone elites by granting the new province autonomy in matters of language, the legal system (civil law) and religion. In reality, Confederation enshrined subjugation. As Stanley Bréhaut Ryerson explains:

The British monarchical configuration of the colonial dominion proclaimed a British (and Anglo-Canadian) ascendancy; the demographic pattern (since 1850) of an English-speaking majority and a permanent minority position for the French Canadians was reflected in limited linguistic-religious concessions to the latter as a “cultural minority” and denial of political recognition as a national entity; while the economic thrust of expansion through railway-building and manufactures, which the unitary state structure was to subserve, tied the society in its growth to the English and United States capitalist markets—with both of which English Canadians possessed the kindred connections that French Canadian business lacked. The “business democracy” of 1867 was weighted in favour of the Anglo-Canadian capitalist class that was its architect.

A state of exception

In all the years that followed, the mandate of the new state was to manage a permanent state of exception that gave the federal government exorbitant powers. This state did not hesitate to use violence against the population, as in the west against the Métis people (1869 and 1884). The Dominion of Canada, moreover, continued to back up the Empire in its military adventures abroad, as in the Boer War, and later the imperialist butchery of 1914-18. The First World War gave rise to powerful demonstrations that were suppressed by the army in the very heart of Montreal. In general, the state had no tolerance for unions and disrupted them by repression (as in Winnipeg in 1919).

Outside of Quebec this intolerance took on an anti-Francophone-minority character as communities lost their schools and independent cultural institutions. At the same time, and despite the “compromise” negotiated by the Francophone elites, the powers of the provinces atrophied. This hindered the process of nation-building. The dominant English Canadians were unable to develop a real Canadian identity. In Quebec, Francophones, despite the defeat of 1837-38, continued to harbour aspirations with regard to their identity that, while certainly altered by the clerical and bourgeois elite, stood in opposition to the Canadian state.

Meanwhile, capitalism, by developing unequally, gave impetus to regional bourgeoisies in Quebec and other peripheral regions of Canada. These businessmen attempted to expand their spheres of acquisition while trying to oppose not only the federal state but also the large monopolies that developed in Toronto and Montreal. The result, according to Bourque, was that “the Canadian state was divided, i.e., it allowed for the strengthening of multiple regional bases of acquisition that slowed the deepening and broadening of pan-Canadian capitalist acquisition” (translated).

The federal power, exerted through a subordinated political class, was eventually challenged in Quebec by a disparate alliance of nationalists, re-

formists and conservatives, spurred on by *Action libérale nationale*. The power of the Canadian and Quebec elites was still strong, particularly since the Catholic hierarchy hindered the development of social movements. Furthermore, a kind of neo-nationalism arose in the form of a retrograde and conservative ideology inspired by Catholic circles on the right. This group was not afraid to associate with movements taking inspiration from Franco and Mussolini.

All this culminated in the election of Maurice Duplessis and the *Union nationale* in 1936. His coming to power had multiple consequences. Immediately, Duplessis consolidated repressive power based on the clerical apparatus. By adopting a nationalist rhetoric, he blocked a possible intersection between national demands and social struggles. This was aided by the fact the political left, both in Canada and in Quebec, remained unresponsive on the national question. The creation of the Quebec identity became part and parcel of the defence of the reactionary values of “God-Family-Country.”

For the Canadian ruling classes this turn of affairs was a godsend. Despite squabbles between Ottawa and Quebec, the state apparatus contained Francophone demands within a reactionary frame. A provincial quasi-police state in Quebec ensured law and order to the benefit of a handful of English Canadian capitalists who dominated the economy. During this “great darkness,” the people of Quebec were mired in poverty, ignorance and dependence. Repression against social movements, especially the unions, was at the heart of the ideological system sustained by the powerful structure of the Church and reaching into all components of civil society. The development of capitalism in Canada pursued its course. Little by little, the Canadian state gained independence from a declining British Empire. An English Canadian bourgeoisie diversified its interests through industrialization and resource exploitation.

In large measure, Quebec was the poor sibling of this consolidation of capitalism. The clerical elite feared

the effects of a modernization that seemed intrinsically linked to industrialization and urbanization, since its social base remained rural and farm-based. In this context, the federal state focused its resources on the economic development of Ontario, which became the centre of heavy industry and, soon after, a powerful financial hub, relegating the Quebec economy to a subordinate position. According to Dorval Brunelle, this kind of development involved: “a twofold articulation between the U.S. economy and provincial resources on the one hand, and between U.S. policy and Canadian policy on the other. Federal policy guaranteed the expansion of a continental economy whose power brokers were in Washington” (translated).

New fractures, new struggles

After the Second World War, a period of accelerated acquisition for Canadian capitalism opened up in the wake of the new American empire, with its powerful economic, political, military and cultural resources. This development, and the Keynesian policies underlying it, involved adjustments in the method of public administration. With the rise of an industrial sector, Canada’s economic structure became more diversified. However, the class composition of the popular sectors was altered by proletarianization and urbanization. For the Canadian ruling class, reforms were necessary so that this new system of control would include the popular classes in the revival of acquisition, while preventing political losses to the left.

In Quebec, however, the situation got out of hand. First, the clerical-reactionary elite was destabilized. New bourgeois factions took their place in the development of government structures, allying themselves with rising elements among the lower bourgeoisie. This convergence created the new leadership of the so-called Quiet Revolution, which captured provincial power under the banner of the Liberal Party (1960). Soon the reformism of the *équipe du tonnerre* of Jean Lesage and René Lévesque revived nationalism on a new foundation, where demands were presented in the context of modernizing the state and popular empowerment.

Canadian elites believed it was necessary to defeat this new Quebec neo-nationalism. To this end, the Canadian government accelerated reforms. The political establishment was refreshed around the charismatic figure of Pierre Elliott Trudeau, who claimed to be preserving Canadian unity by giving new impetus to the policies of bilingualism, multiculturalism and the integration of Francophones into the federal government. In Quebec, social resistance rose to new heights on the back of bitter strikes by workers and students. In October 1970, Trudeau lost credibility by sending in the army on the pretext of an “apprehended insurrection.” Then, in the 1976 election, the Parti Québécois (PQ) took office.

Immediately, the PQ reassembled a broad class alliance. Its leadership came from a small, rising bourgeoisie, yet its base was populist, both in the urban centres and rural areas, where social concerns joined with the cause of national emancipation. Far from retrograde nation-



Maurice Duplessis in 1957

BILAN DU SIÈCLE (UNIVERSITY OF SHERBROOKE)

alism, people were resisting the evident consequences of subjugation by a bourgeois Canadian elite: systemic discrimination, overexploitation, underdevelopment of infrastructure, and a disdainful symbolic and cultural system wherein Francophones remained half-civilized in the view of Canadians.

At the start of the PQ government, reforms were adopted to respond to these popular aspirations. Meanwhile, the bourgeois sectors of Quebec did not join the coalition, despite encouragement from the PQ leadership, which wanted to make the Quebec state the lever for building a national capitalism. In fact, as Bourque framed it, the PQ wanted “to deepen the base of acquisition in Quebec without challenging imperialism and without dismantling Canadian space.” Despite this attempt to find a compromise, the project came up against fierce opposition outside Quebec. The federal government embarked upon a wide-ranging strategy to defeat the PQ, which it succeeded in doing in the 1980 referendum.

In reality, two processes came together in the federal government’s strategy. The clash with neo-nationalism was especially important due to the fact capitalism, both in Canada and around the world, was beginning a long decline. The ruling class initiated a thorough reorganization that involved the dilution of Keynesian policies. This necessitated bringing societies to heel, to make them accept, willingly or by force, the switch to neoliberalism. Squeezed by these pressures, and the reduction of its financial resources, the PQ government reneged on a large part of its social commitments. The PQ’s rhetoric also changed, as during the constitutional negotiations of 1982, but this in no way reduced the determination of the ruling classes to destroy the party.

The Canadian elite was convinced that controlling the entirety of its territory was indispensable to the power of the state and to Canadian capitalism as a whole. This conviction was shared by an imperial U.S. govern-



Protest against austerity in Montreal, April 2015.

EDUARDO FONSECA ARRAES

ment, which, despite the attempts of PQ leaders to present sovereignty as a “safe” project, remained solidly allied with the Canadian state. The 1982 negotiations, which took place without the participation of the PQ government, produced a new Constitution supported by Trudeau, but with little legitimacy in Quebec.

At the turn of the 1980s, the PQ lost its cohesion, allowing the Quebec Liberal Party to return to power. On the national question, this party, in concert with the new Conservative government in Ottawa, tried once and for all to defeat hopes for independence by proposing a new constitutional compromise: the Meech Lake Accord. The federal government hoped the defeat of the national movement would open the door to co-optation of the elites, especially the provincial bourgeoisie the PQ had courted without success.

While disposing of the national question, the federal strategy aimed to accelerate the dismantling of Keynesianism by downloading various social functions to provincial governments, thereby mollifying Quebec nationalism. This failed due to opposition from part of the Canadian political class (the Trudeau faction of the federal Liberal Party, as well as the NDP), which feared that decentralization of the federation would weaken the federal state. The federal Liberals returned to power in 1993, determined to oppose Quebec’s demands.

Final efforts toward sovereignty

In 1994, the constitutional impasse produced another PQ victory at the polls. A new coalition was formed that included Quebec’s unions. The response from the regional bourgeoisie was tepid. In the wake of major transformations, this group was interested mainly in becoming part of the North American market. Considering its weaknesses (compared to the wider Canadian and American bourgeoisie), it knew it needed the Quebec government, but not to the point of provoking a destabilizing rupture.

Meanwhile, the federal government and Canada’s ruling factions acted in the same way as they had in 1980—by ensuring, through threats, intimidation and manipulation, that the free choice of Quebecers could not be exercised. The PQ emerged from its 1995 defeat even more weakened than from the first referendum, enabling a conservative political operative named Lucien Bouchard to take control of the party. The PQ, said Bouchard, had to “be a good manager,” which meant administering the nostrum of neoliberalism. In 2003, the party’s populist base collapsed and the Quebec Liberal Party, led by ex-Conservative Jean Charest, returned to power.

At the federal level, the government intensified neoliberal policies during this time, including massive cuts to provincial transfers for health and education programs, and closer alignment with the United States in

the wake of the North American Free Trade Agreement (NAFTA). Meanwhile, the federal Liberal Party set in motion a gigantic campaign to neutralize nationalism through schemes involving corruption and manipulation.

At the turn of the new millennium, confrontations again shook up the elite consensus in Quebec. Hundreds of popular and union demonstrations took place after the return of the Liberals to the national assembly in Quebec City. A major student strike in 2005 enjoyed wide popular support. In 2012, more student action led to the largest citizen’s movement of the contemporary era. The Liberals were defeated in that fall’s election, but the PQ could only take a minority of seats in the national assembly. A new leftist party, Québec Solidaire, tripled its popular vote in that election and continues to grow. As always, the class struggle is bound up with political conflict, where aspirations for social emancipation are inextricably linked with those for national emancipation.

The situation today, however, is quite static. Since regaining power in 2014, the Quebec Liberal Party has returned to its authoritarian and neoliberal ways. But it has been forced to put water in its wine because of pressure from unions, who formed a broad public sector front in 2016 that does not appear to be backing down, even if it is having difficulty finding new paths of activism. The ecological movement has the most momentum, particularly in opposing pipeline projects endorsed by the Trudeau government (despite the Prime Minister’s promises to green the Canadian economy). There will be new and larger confrontations in 2017. For the moment, the national question is on the back burner, simmering. If history is our guide, we can expect it to boil again before too long. **M**

A VERSION OF THIS ARTICLE APPEARED IN *LES NOUVEAUX CAHIERS DU SOCIALISME* IN 2013. IT WAS TRANSLATED FOR THE MONITOR BY FRANK BAYERL.

IAN MOSBY

Canada 150 and the truth about reconciliation

IN ITS VERY first paragraph, the Truth and Reconciliation Commission of Canada's (TRC) 382-page executive summary provides one of the most concise and incisive condemnations of Canadian settler colonialism published to date:

For over a century, the central goals of Canada's Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as "cultural genocide."

While many pundits and politicians appeared taken aback by such blunt forthrightness, it is hard not to conclude, after reading any of the six volumes of the TRC's final report, or even just the executive summary, that Canada's residential school policy was indeed genocidal in both intent and practice. And while genocide scholars like Andrew Woolford and David MacDonald have made powerful cases that the residential school system meets the legal threshold for physical genocide under the 1948 United Nations Genocide Convention, I would suggest that even accepting the fact of cultural genocide on the part of Canada demands a fundamental rethinking of Canadian history, identity and contemporary politics.

It is something Canadians need to be talking about on the 150th anniversary of Confederation. What changes when we acknowledge that for most of a nation's history gov-

ernments of all political stripes actively engaged in a policy of cultural if not physical genocide? And how does this transform our mythologies, our self-perception, our histories and our understanding of what exactly it means to call oneself Canadian? The TRC's 94 Calls to Action provide perhaps the best roadmap for moving forward on these questions, so it is important to understand the context within which the TRC itself came into being.

The origins of the TRC tend to be widely misunderstood by Canadians. How many know that it was not an act of benevolence on the part of the Canadian government but the product of the largest class action lawsuit in the country's history? Similarly, how many Canadians know that the TRC was simply one part of a larger agreement between Canada, major Indigenous organizations like the Assembly of First Nations, and the Churches responsible for operating the schools—an agree-

The Calls to Action are a blueprint of what non-Indigenous people in Canada need to do, at minimum, to create a new relationship with Indigenous peoples.

ment that saw survivors of residential schools receiving nearly \$3 billion in compensation for their experiences, as well as a historic official apology delivered before the House of Commons by former prime minister Stephen Harper?

At the heart of the TRC's work was the collection of testimony from "survivors of residential schools, members of their families, and other individuals who wished to share their knowledge of the residential school system and its legacy." The commission held 238 days of local hearings in 77 communities across the country and collected an astonishing 6,750 statements, the vast majority from survivors. While hundreds of thousands of pages of archival documents were also examined and collected by the TRC, it's the words of the survivors that make its final report different from everything else that has been written about the schools up until now. It is those brave and powerful words, often spoken through unimaginable pain and tears, which make the final text of the TRC report so fundamentally important.

But the centrality of survivor testimony also highlights one of the major limitations the TRC faced from the outset. Unlike other truth and reconciliation commissions, such as the one established in South Africa after the end of apartheid, Canada's TRC had no capacity to compel witnesses, to force abusers to face their victims or to publicly name and prosecute those responsible for many of the abuses being uncovered. It was therefore fundamentally more about truth than reconciliation. Victims of residential schools bared their souls to the nation, often at great person-



al cost, in the hope that Canadians would listen and act.

It was assumed, in other words, that reconciliation would come afterwards. And this is why I think the TRC's Calls to Action, in particular, are so important. They are the blueprint of what non-Indigenous people in Canada need to do, at minimum, to create a new relationship with Indigenous peoples.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is referenced in many of the 94 Calls to Action and is considered an essential “framework for reconciliation in Canada” by the TRC. The 2007 declaration, which Canada only officially adopted last year but has yet to implement, calls for a somewhat radical but long-overdue resetting of the legal relationship between Indigenous peoples and the Canadian state in areas including language, culture, law, governance and, most importantly, land.

At the heart of UNDRIP is the frequently repeated requirement that governments and companies must gain the “free, prior and informed consent” of Indigenous peoples before they make any decisions impacting Indigenous communities, laws, lands and resources. For too long, settler governments have decided what is good for Indigenous peoples, with the crime of residential schools being one of the most egregious and tragic examples. Going forward, UNDRIP declares, Indigenous peoples will make all key decisions about what happens on their lands, to their children and to their communities.

Given the transformational possibilities of the TRC, it was extremely heartening that, during the 2015 federal election, two political parties (the NDP and the Liberals) promised to implement the Calls to Action as well as UNDRIP. When the TRC report was released in December that year, newly elected Prime

“The Scream” (2017)

BY CANADIAN-CREE ARTIST KENT MONKMAN

Minister Justin Trudeau reiterated these promises, telling the audience of mostly residential school survivors and their families:

And we will, in partnership with Indigenous communities, the provinces, territories, and other vital partners, fully implement the Calls to Action of the Truth and Reconciliation Commission, starting with the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Like many in attendance when the prime minister gave this speech, I was deeply moved. I wanted to believe he was really going to follow through with these lofty promises. Because though I believe that we, Canadians and settlers, can never truly make up for what was done in our name, doing nothing—which amounts to

maintaining a status quo built on the crime of genocide—makes us complicit in that crime. Our goal should therefore be to hold those in positions of power accountable and to demand the kind of concrete, substantive and transformational change outlined in the TRC's Calls to Action.

After all, 2016 marked the dubious 20th anniversary of the landmark five-volume Report on the Royal Commission on Aboriginal Peoples (RCAP). That five-year process, beginning in 1991, was also impressive in its scope, depth and ambition to make a real and lasting change. It too laid out a long-term plan, this one with 444 very specific recommendations for resetting the relationship between Indigenous and non-Indigenous peoples.

But then 10 years later the Assembly of First Nations found that no progress whatsoever had been made on the majority of the 66 most important RCAP recommendations, and there had been only partial progress on the rest. Looking at the list again today, a generation after it was drawn up, nothing has changed.

Which brings me back to the TRC. What role must settlers like myself play to ensure the opportunity for meaningful reconciliation doesn't pass us by, that the TRC report doesn't become the next RCAP?

Part of it is personal: we must try to implement the TRC's Calls to Action in our own lives. But just reading and using the TRC report in our work is probably the very least we can do. The harder work is political—and not in the partisan sense. I mean political insofar as our nation has yet to come to terms with genocide, let alone ongoing systemic discrimination against Indigenous peoples in Canada, which only structural changes at the political level will correct.

Today there are more Indigenous children in foster care than were ever in residential schools. Indigenous children on reserve continue to receive a fraction of the funding for education, health care and child welfare that is provided to all other Canadian children. Canadian prisons are disproportionately filled with Indigenous inmates to the extent that,

despite making up just 3% of the Canadian adult population, Indigenous people make up an astonishing 26% of all people in federal custody, according to a recent auditor general's report.

In recognition of these shameful realities of Canadian settler colonialism today, the first 42 of the 94 Calls to Action focus on addressing structural discrimination in the areas of child welfare, education, language and culture, health care and justice. But, with the exception of the launch of an inquiry into missing and murdered Indigenous women and girls (which is off to a rocky and inauspicious start), none of these recommendations have been implemented, and only a handful of the rest have seen any meaningful action.

In fact, the federal government has been actively fighting the implementation of Call to Action #3, which urges "all levels of government to fully implement Jordan's Principle." Named after Jordan River Anderson, a child who died in hospital at the age of five while the Manitoba and federal governments bickered over who should pick up his medical bills, the principle states the government of first contact should pay for treatment up front and seek reimbursement later.

In 2016, following years of effort by Cindy Blackstock and the First Na-

Just reading and using the TRC report in our work is probably the very least we can do. The harder work is political—and not in the partisan sense.

tions Child and Family Caring Society of Canada, the Canadian Human Rights Tribunal ordered the federal government to stop discriminating against Indigenous children. Not only has the tribunal released three compliance orders in the face of continued federal inaction on the ruling, but the Department of Justice has argued it need not comply, since the tribunal "does not have the statutory authority to enforce its own orders."

How seriously can we take the federal government's promises of reconciliation and implementing the Calls to Action when it continues to behave in this way?

Ultimately, meaningful reconciliation needs to be enacted more in deeds than in words, and needs to avoid being caught up in what Dene scholar Glen Coultard has described as the settler-colonial politics of recognition. As Coultard warns, in his 2014 book *Red Skin, White Masks*, the type of reconciliation usually promoted by governments in Canada is "temporally framed as the process of individually and collectively overcoming the harmful 'legacy' left in the wake of [past abuses] while leaving the present structure of colonial rule unscathed." It is a reconciliation that contains an acknowledgement of past wrongs—perhaps even an apology—but leaves the basic structures of settler colonial domination in place.

So, what does it mean that only a handful of the TRC's 94 Calls to Action have been implemented, and that the federal government has made it clear it has no interest in fully implementing UNDRIP, despite repeated promises to do so during and after the last federal election?

It means that, as of now, Canada's response to the Truth and Reconciliation Commission looks more like a new coat of paint on the old settler-colonial ship of state. This is not how a nation makes reparations for the unforgivable crime of genocide. Until we begin to take meaningful and concrete action in this direction, Canada doesn't have much to celebrate on its 150th anniversary. **M**



ERIKA SHAKER

McCollege credits, supersized!

MCDONALD'S HAS TRIED to forge a "special" relationship with schools, and the children who spend a lot of time in them, for years. And as the company's international reach (and menu) expanded, so too did its methods for doing outreach—directly and indirectly. Actually, they've proven admirably resilient, considering society's new healthy eating habits.

Following the release of Morgan Spurlock's appetite-killing documentary film *Supersize Me!*, McDonald's began recruiting the ultimate "gatekeepers"—moms—to act as "quality correspondents." It was a genius PR move. After all, would Mom let you eat something that's bad for you? More recently, McDonald's announced it was including a fitness tracker for children as a toy in its popular Happy Meals. (The product was, ironically, pulled a few days later when it was discovered to cause skin irritations.)

Direct school outreach can present trickier terrain, for obvious reasons. The prospect of Kindergarteners, en masse, learning to spell by practising on the McDonald's menu sets a lot of people's teeth on edge. As a result, McDonald's school-based initiatives tend to be about "strategic philanthropy" or anti-bullying, of the "we're promoting healthy living to kids!" variety, part of non-curric-

ulum communitiesque fundraising campaigns, or simply involve a school visit by Ronald himself.

The McDonald's *Go Active!* Fitness Challenge, which went national in 2005 in partnership with the Canadian Olympic Committee, was like a supersized version of the old, non-branded Participaction program. McDonald's logos featured prominently, and participating schools could win up to \$500 for spending on gym equipment. *Go Active!* was positive corporate PR, a fundraising opportunity and a relationship with schools (AKA kid-consumer-containers) wrapped into one disposable package.

With an older, more independent student-consumer market, however, things start looking very different.

McDonald's latest foray into the Canadian education arena takes the form of a provincewide partnership with Colleges Ontario. Here's the gist: with a bit of corporate training, any of the 12,000 Canadian managers at the ubiquitous fast-food chain can skip the first year of a two-year business or business administration diploma at any one of Ontario's 24 public colleges. This is all thanks to something called "prior career recognition," and it is "a hint of where we are going in the future of post-sec-

ondary education," according to the president and CEO of Colleges Ontario, Linda Franklin.

The arrangement takes two on-line training courses, a bit of reading, some workbook activities and that ever-important on-the-job experience and supersizes them into a year at college. The discussion (so far) has been stunningly silent on whether the second year's worth of credits will place the "prior career recognition" in a broader context; if, for example, students will be challenged to think critically about the business practices of their employer.

In spite of the Innovative!™ nature of this arrangement, Colleges Ontario doesn't appear to benefit as much from the deal as McDonald's, which now has a formal relationship with, and academic seal of approval from, every college in the province. After all, the plan requires colleges to forego a year's worth of tuition for every participant.

But the advocacy organization for Ontario colleges decided to turn that frown upside down: "We may actually gain students that way that we would never have gotten otherwise," Franklin told *The Canadian Press* last year. On the other hand, given the relatively small pool of potential future manager-students (even those from outside Ontario who could partici-

pate through distance learning), it is not clear the costs of the “partnership” are worth the potential losses.

Such are the contradictions of a user-fee-based higher education system, where institutions are stuck somewhere between the twin goals of educating students and making as much money as possible through tuition fees. As Nora Loreto wrote sarcastically (but spot-on) in *rabble.ca* last August:

What about Tim Hortons? There's a workplace that can teach you about deconstructing the Canadian Identity, the sociology of retirees who gather around warm drinks, all the possible permutations of nickels and dimes that can comprise the cost of a double-double, and the psychology of the man who purchases four Timbits every Thursday. It's all you need for a philosophy diploma.

Let's back up a bit. The Colleges Ontario partnership is by no means McDonald's first education venture. Hamburger University—yes, this is actually a thing—was founded in 1961, “in the basement of a McDonald's restaurant in Elk Grove Village, Illinois,” according to the company's website. It is now “the company's global center of excellence for McDonald's operations training and leadership development.” Current employees can have any one of the 21 courses from Hamburger University—all of them evaluated by the American Council on Education—put toward a bachelor of science degree program at Thomas Edison State University in New Jersey.

In 2008, the U.K. (Labour) government allowed McDonald's, along with a rail company and an airline, to award credits toward a high school diploma for workers who had completed on-the-job training programs. It was the first time commercial companies in the U.K. had been given the right to grant recognized educational credentials. While academic institutions were troubled by these McQualifications, the plan was soundly defended by the government.

“This is an important step toward ending the old divisions between

company training schemes and national qualifications, something that will benefit employees, employers and the country as a whole,” explained Britain's skills minister at the time, John Denham, smoothly conflating corporate training with education, and schemes with qualifications.

Eighteen months later, McDonald's launched a two-year foundation degree in managing business operations, a combination of “classroom work, e-learning, and workplace training.” Sounding somewhat Marxist, a senior vice-president maintained the company was challenging “snobbish” misconceptions about McDonald's staff, although nowhere in his spirited defence of the workers does the topic of adequate pay, job security or a living wage come up. The executive advocated a “revolving door” model where workers could train and work simultaneously. But again, education is absent from this vision.

More recently, in 2014, McDonald's launched a pilot partnership with the British Columbia Institute of Technology, which, according to the company, resulted in 120 managers choosing to pursue their business diplomas at BCIT. It is the template for McDonald's current provincewide arrangement with Colleges Ontario.

No one is denying that workplace and on-the-job training and skills acquisition is important, particularly for young people in this precarious post-recession era of slow growth and part-time jobs. Current workplace training levels in Canada are not remotely sufficient and tend to fall below those of our OECD counterparts. According to the Conference Board of Canada:

Employers make up a key part of Canada's skills development system, but their collective performance in providing training is underwhelming—a reality that contributes to skills challenges and prevents businesses from being more competitive and successful. Even as many sound the alarm about skills shortages and mismatches, not enough are taking steps to address the challenges. Shifting training responsibilities onto students and PSE

institutions will not solve their problems. Although many of the challenges they face in providing training are real, employers need to take more responsibility for the training that, ultimately, produces great benefits for them.

The arrangement between McDonald's and Colleges Ontario—and the language proponents use to describe it—neatly sidesteps the discussion of whether workplace training provided by corporations is being invested in and prioritized (it isn't). Or whether all people should have the opportunity to pursue post-secondary education if they choose (they should). Or if tuition fees are a barrier to many students (they are). Or if there's any irony in the contrast between the language of “opportunity” and the wages that McDonald's pays its employees (maybe just a little).

McDonald's has responded to the growing campaign for “\$15 and Fairness” by saying it trusts the provinces “to determine appropriate minimum wages across the country.” This suggests the corporation, committed as it is to “providing opportunities for people to learn life skills that will set them up for success,” would like to avoid paying the vast majority of its employees a living wage—so that they could pursue the opportunities they want, not just those prescribed by their place of work.

McColleges Ontario isn't about providing paid time off to attend school and study in a program of one's choosing. Rather, it substitutes “training someone to do certain tasks” for “education,” and “education” for “credentials.”

In the bigger picture, the program lets one of the largest and most recognizable players in the global economy use the public education system as a form of external validation, a shield to block repeated calls to pay workers a fair wage. Like the poorly conceived option to “supersize” your meal at McDonald's, corporate sponsorships in Canadian colleges should be taken off the curricular menu. **M**

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GARFIELD MAHOOD AND BRIAN ILER

“I foresee serious criminal liability problems.”

It's time to name and shame the corporate bosses responsible for tobacco-related diseases and deaths. And to legislate.

FOR OVER FIVE decades Canada's tobacco industry, operating with full knowledge that its products were addictive and deadly, caused or contributed to the deaths of over a million Canadians. This tragedy brought enormous suffering, tearing families apart and putting huge burdens on the health care system. Yet the recent deaths of influential tobacco executives elicited virtually no discussion in the media of the destructive roles they personally played in the development of the tobacco epidemic.

This blind eye turned on tobacco's crimes raises important questions for public health. Because after a half-century of research and “stop smoking” campaigns, tobacco industry products are still Canada's number 1 cause of preventable illness and death. If current trends continue, it is reasonable to estimate that tobacco products will cause the

premature deaths of at least another two million Canadians in this century. These deaths will occur unless governments and the health sector take extraordinary steps to address the epidemic.

Unlike influenza, polio and SARS, the cigarette epidemic is unique in that its roots lie in unparalleled unethical business conduct. So it is with good reason the provinces are now suing Canadian tobacco companies and their international parents to recover the health care costs caused by alleged industry fraud and negligence.

The lawsuits claim the industry lied over a five-decade period about the risk of lung cancer, addiction, “light” and “mild” cigarettes, second-hand smoke and marketing to children. Claims filed to date exceed \$120 billion. If the provinces' allegations are proven in court, the conduct involved would constitute the largest

and most destructive fraud in the history of Canadian business and public health.

The chances of success at trial are good. All of the provinces have passed legislation that enacts procedural reforms allowing mass or population tort lawsuits. Such statutes take away tobacco industry defences used extensively in the past to evade responsibility.

Last year, Quebec Superior Court Judge Brian Riordan, who examined the evidence of Canadian tobacco industry misbehaviour in the two-and-a-half-year-long Blais-Létourneau class action trial, condemned the defendants' actions and awarded the plaintiffs \$15 billion in damages. “These companies colluded among themselves in order to impede the public from learning of health-related information about smoking, a collusion that continued for many decades thereafter,” he wrote.

Judge Riordan concluded the industry's misconduct was “particularly reprehensible,” “beyond irresponsible,” and “intentionally negligent.” He said the tobacco manufacturers marketed their products with a “ruthless disregard for the health of their customers,” adding that the companies' actions were “egregious [and] so far outside the standards of acceptable behaviour that one could not be blamed for branding them as immoral.” Of course, the manufacturers have appealed.

Some in the media and government sympathize with their argument that the legality of tobacco products, the taxes they raise and the laws that regulate operations combine to give the industry legitimacy. However, a look at the tantamount-to-criminal disregard for life



and dishonesty at the very top of the industry should dispel this support and force us to attack this epidemic with the urgency we would other outbreaks of preventable diseases.

Executive behaviour escapes scrutiny

While there has been some discussion in the media about tobacco corporations and the related front organizations behind their alleged illegal behaviour, rarely is a spotlight directed at the executives, many now deceased, who were responsible for the corporate policies, marketing strategies and dishonest public pronouncements that fuelled the epidemic.

Tobacco bosses like the late Purdy Crawford, Senator William Kelly and Bob Bexon, and the former heads of the Canadian Tobacco Manufacturers' Council (CTMC), Rob Parker and Bill Neville, enjoyed wide social acceptance during their lifetimes and were treated extremely charitably in news coverage of their deaths. "Respected business leader Purdy Crawford dies," read one obituary in the *Globe and Mail*, which noted the "former Imasco CEO was a nurturing influence on Bay Street helping a generation of leaders ascend in the business world." Contrast this with a 1994 *New York Times* feature titled "How Do Tobacco Executives Live With Themselves?"

Crawford was CEO of the Canadian conglomerate Imasco from 1985 to 1995 and served as its chair until 1990. Imasco, which was controlled at the time by U.K.-based British American Tobacco (BAT), owned 100% of Imperial Tobacco, Canada's largest and most influential tobacco company. From industry documents leaked or obtained in litigation, it is clear that Crawford had "hands-on" involvement in running Imperial. In his book *Smoke-Screen: The Truth Behind the Tobacco Industry Cover-Up*, former *Times* journalist Philip Hilts says the documents show how Crawford's company schemed to hook first-time smokers, mostly child "starters":

The most complete set of papers has come from the Canadian sister companies of the U.S. giants Reynolds, Philip Morris, and Brown and Williamson.... Here there can be no doubt: it is not just that children will take up smoking, and the companies supply them with raw material inadvertently..., in the hundreds of pages of advertising documents from two companies, Imperial and RJR-Macdonald, the targeting has not been hidden. They specifically target children above all other groups.

In an address to BAT executives when he was chair of Imasco in 1989, Crawford said "Imperial Tobacco Ltd. has always focused its efforts on new smokers [almost entirely adolescent starters], believing that early impressions tend to stay with them throughout their lives." He explained his company "clearly dominates the young adult market today, and stands to prosper as these smokers age, and as it maintains its highly favourable youthful preference."

The predatory activity of the company that Crawford controlled was not limited to kids. Ignoring its tort law

duty to warn starters and existing users, Imperial denied its products were addictive and caused lung cancer, and that it manipulated nicotine levels in cigarettes—the focus of a major tobacco-related scandal in the United States in the 1990s. Despite industry denials, there is clear evidence this was also taking place in Canada. Crawford trumpeted the falsehood at an Imasco annual meeting when he said, "I am saying absolutely and unqualifiedly for the whole world that we do not engage in nicotine manipulation."

These "ruthless" management practices, in the words of Judge Riordan, did not stop Canadian institutions conferring prestigious honours on Crawford. Western University named him Ivey Business Leader of the Year in 2000. The Canada Pension Plan Investment Board later appointed him "ethics advisor." And inexplicably, as mentioned, the media coverage of Crawford's death in 2014 was virtually silent on the man's role in the tragic tobacco story.

The story is much the same for Senator Kelly, who served for several years as chair of Rothmans Inc. when it owned 60% of subsidiary Rothmans, Benson & Hedges Inc. (RBH). It was an astute recruitment. In Kelly, RBH and the tobacco industry had the ultimate insider in Parliament, someone well-positioned to warn manufacturers of legislative proposals, or to obstruct or neutralize tobacco-control initiatives from both within the Tory caucus and the Senate.

Kelly could not have been ignorant of the ugly behaviour of his company when his industry was the subject of massive lawsuits in the United States. He was part of the extensive public discussion on banning tobacco advertising in Canada, which resulted from revelations of predatory marketing by Canadian tobacco manufacturers. In annual meetings, Kelly shut down questions from shareholders about RBH flouting its duty to warn tobacco users about the full risks of lung cancer and addiction. He was not about to contradict the public position on these issues taken by his company or its parents.

As RBH and other tobacco manufacturers were becoming increasingly marginalized in the 1990s, Kelly worked to build a veneer of social responsibility by serving as a director of the Council on Drug Abuse. Not surprisingly, the CDA artfully sidestepped the country's largest cause of preventable drug addiction and mortality: the use of tobacco industry products. This would be comical if the tobacco drug problem was not so devastating. Kelly's presence on the CDA board, combined with his company's potential financial support, ensured the organization would not include tobacco addiction as one of its concerns.

Throughout all of this, no one in government sounded fraud or conflict-of-interest alarms over the contradiction between the behaviour of Kelly's industry and Parliament's (including the Senate) duty to protect the health of Canadians.

“Breathtaking candor and cynicism”

Robert Bexon, who died in a cycling accident in 2008, had a long history in marketing with Imperial Tobacco before becoming the company's president and CEO in 2000. In a searing 1985 analysis, Robert Proctor, a court-recognized expert in the history of the tobacco industry and witness in the Quebec trial, revealed that Bexon had authored “one of the most damning documents in the entire corpus of internal industry documents,” and that the executive could be “breathtaking” in his “candor and cynicism.”

For example, the CEO once confided, “If our product was not addictive we would not sell a cigarette next week.” Proctor described the man as “grimly realistic about the prospects for his industry, with the principal glimmer of hope being that smokers are addicted.” “Fortunately for the tobacco industry,” Bexon is quoted as saying, “not even two per cent of stop smoking attempts were successful at six months.” Yet, in the public arena, with corporate straight faces, the company Bexon headed, like the rest of his industry, professed to governments and the public that tobacco was not addictive.

The industry's lack of conscience was most conspicuously on display in public denials of any interest in the youth market—what Bexon referred to as “fledglings.” Proctor reported there are in fact “hundreds of [industry] documents” now in the public domain that prove “interest in selling cigarettes to kids.”

In one of those documents, Bexon introduced his company's strategy: “Initiate projects to insure [sic] the continued uptake of tobacco products by young Canadians.” In another “Strictly Confidential” creative brief, he said “Doing something about starting [smoking] is the most important priority for the long term.”

The problem, Bexon explained, is how to fight “declining rates of starting” among kids, “even more disconcertingly among young females (15-19).” Of additional concern to Bexon and Imperial was “How can we make smoking financially accessible to the young starter?” Incredulously, and



without his nose lengthening, Bexon would tell a Senate committee:

We have never targeted youth. I must put that out again.... We have never targeted underage smokers and I want that on the record.

Bexon was smart enough to have known there was ample research that showed one out of every two adolescents recruited by his company, and who became long-term users of its products, would die prematurely, often with dramatic decreases in life expectancy. Yet, in an almost perfect example of sociopathy, he planned to deceive and trap kids into addiction, without any noticeable pangs of conscience about it.

Bexon and others in the industry knew that they had to keep “the controversy” about addiction and other tobacco risks, second-hand smoke and targeting kids as a primary defence against legislation and litigation. Bexon admitted as much internally when he described himself as a “disinformationalist.”

Evidence of fraud “overwhelming”

When assessing the public health impacts of the spin-doctoring and deception practised by the late industry spokesmen Bill Neville and Rob Parker, former heads of the CTMC, we might gain useful perspective from, arguably, one of if not the most

significant civil fraud trials in global history. The lawsuit was brought under the Racketeer Influenced and Corrupt Organizations Act. U.S. Federal Judge Gladys Kessler ruled:

Put more colloquially, and less legalistically, over the course of more than 50 years, Defendants lied, misrepresented and deceived the American public, including smokers and the young people they avidly sought as “replacements smokers,” about the devastating health effects of smoking and environmental tobacco smoke. They suppressed research, they destroyed documents, they manipulated the use of nicotine so as to increase and perpetuate addiction, they distorted the truth about low tar and light cigarettes so as to discourage smokers from quitting, and they abused the legal system in order to achieve their goal...to make money with little, if any, regard for individual illness and suffering, soaring health costs, or the integrity of the legal system....

[T]he evidence of Defendants' fraud is so overwhelming that it easily meets the clear and convincing standard of proof.

With Judge Kessler's decision, the Tobacco Institute, the American equivalent of the CTMC, and the international parents or affiliates of Canadian subsidiaries were labelled racketeers. In fact, the Tobacco Institute was shut down as part of the settlement of litigation between U.S. states and the industry.

Why is Judge Kessler's 1,700-page judgment relevant in the Canadian context? Because the Canadian subsidiaries of American and British owners were engaged in much if not all of the wrongful behaviour of their international parents or sister corporations. As an insider from American tobacco giant Brown & Williamson explained:

Imperial Tobacco and the company I worked for are sister companies in the British-based BAT Group.... [W]e had a co-ordinated research program throughout the Group. We shared reports on nicotine technology, cigarette design and development, and

smoking and health issues. Internal documents confirm how BAT companies set joint strategies.

It is obvious that any subsidiaries operating here could not undermine the position of their parents. They were defendants in landmark U.S. lawsuits and were still clinging to the fiction that tobacco's risks had not been proven, along with other falsehoods condemned by Kessler.

We also know much about the wrongful behaviour of tobacco industry lobbyists Neville and Parker from documents obtained in discovery in Canadian and American litigation, especially from the historic Quebec lawsuit.

Neville, formerly one of the most powerful lobbyists in Ottawa, was hired by Canadian tobacco manufacturers to derail or weaken the Tobacco Products Control Act and the Non-Smokers' Health Act, two global precedent-setting tobacco-control bills being considered by Parliament in 1988. As one-time chief of staff to former prime minister Joe Clark, and head of Brian Mulroney's election transition team, Neville was influential. The tobacco manufacturers knew their man would have critical access to the prime minister and senior staff in the Mulroney government.

Neville, who was described in one 2013 obituary as a "consummate insider," was busy in his five years at the CTMC. Working behind the scenes, he lobbied to persuade the government not to close a loophole in the TPCA that allowed tobacco sponsorships, like Players Racing, to live on for more than another decade.

Arguably, tobacco sponsorships were more effective than the brand advertising that was clearly banned by the legislation. When Export 'A' backed skiing and Players sponsored auto racing it implied that cigarettes were compatible with fitness and health. And because of the dependencies they produced, the sponsorships Neville's lobbying protected created a valuable anti-legislation insurance policy for the manufacturers. Future attempts to shut down tobacco sponsorship would and did create a huge wall of resistance from tobacco-sponsored arts and sports groups dependent upon Big Tobacco funding.

Bert Liston, a powerful former assistant deputy minister with the federal department of health and welfare (now Health Canada), was known to be opposed to classifying tobacco use as an addiction. Capitalizing on Liston's anti-science position, Neville led the behind-the-scenes fight to kill the potentially precedent-setting addiction warning and other risk messages in Canada's first round of legislated warnings.

Neville argued the addiction warning "trivialized the serious drug problems faced by our society." He even threatened legal action if such a warning was required, claiming at one point that "any attempt to brand six million Canadians who choose to smoke as 'addicts' is insulting and irresponsible." Of course, there is little freedom to "choose" when many smokers suffer a serious pharmacological addiction.

Liston, a smoker, was known to be a block on tobacco control measures in the federal health department. "Whose side is he on?" wondered those pressing for

more explicit warnings. The answer came when Liston left Health Canada and became a consultant to the cigarette industry.

Under Neville's direction, the CTMC set up and funded fronts for the industry—organizations like the Smokers' Freedom Society, which disseminated industry pseudo-science and testified before government committees as if they were legitimate, independent voices from the community. Years later, Neville held fast to his wilful blindness and professed ignorance of scientific findings about tobacco risks. On the stand in the Quebec courtroom, he failed to distance himself from the contents of a letter to the minister of labour in 1988, which read in part:

I hope that you and your officials would be particularly cautious in using statements by the U.S. Surgeon General as authoritative evidence.... I think it is fair to suggest that the Surgeon General has long since ceased to be a source of reliable scientific commentary on tobacco-related issues.

Neville opposed the virtual consensus in the scientific community that second-hand tobacco smoke was a health risk for non-smokers and that tobacco is addictive. He even accused the U.S. surgeon general of being an outlier, a "zealot" taking "extreme positions" shared by no one but himself. Neville finally admitted under oath that he did not know the surgeon general's report was a "consensus" document endorsed internationally by hundreds of scientists.

Parker followed Neville as head of the CTMC, and like his predecessor he continued the role of risk denier and funder of other apologists for the industry. But when queried by parliamentarians or media, Parker dodged rather than denied the existence of research, with openings like "I am unaware of" or "know of no research that proves" whatever risk was being discussed. It was the classic spin doctor's defence.

Thirty years after the historic U.S. surgeon general's report established beyond any doubt that tobacco industry products cause lung cancer, Parker revealed either profound ignorance or evidence of sociopathy when he told a parliamentary committee, "I don't believe that there is an established scientific causal link" between his industry's products and cancer.

People like Crawford, Bexon, Kelly, Neville and Parker will profess to never understanding the scientific literature. As Upton Sinclair famously noted, it is difficult "to get a man to understand when his salary depends upon his not understanding it."

Criminal responsibility for "a rogue industry"

Given all that is known about these men, we should expect news articles of their passing to be less charitable about their professional lives than they have been. At least these accounts should include some evidence of deceit and destructiveness in the interests of tobacco industry merchants of death. Mark Twain said "Man is the only animal that blushes. Or needs to." The media needs

to make such miscreants blush before they pass into the great beyond.

To date, virtually all attempts to hold these companies and their executives to account have been based in civil or common law. Few if any efforts have been made to hold tobacco executives criminally responsible for their predatory activities.

One of Canada's leading experts in criminal responsibility prepared a legal opinion on the potential of charging tobacco executives with criminal negligence, an offence punishable by up to life imprisonment. He wrote that if it could be shown that tobacco manufacturers were aware of the risks of tobacco, had a duty to inform their customers of those risks but failed to perform that duty, and one or more of those customers were injured or died, a charge of criminal negligence could be made.

Judge Riordan's decision in the Blais-Létourneau class action trial showed that all three of these conditions were met. And with 37,000 tobacco-related deaths annually in Canada, there are surely enough victims to trigger criminal charges. Is it not now time for public prosecutors or private practice lawyers to step up and file criminal charges against the industry?

Unfortunately, many in the justice system, in government and the media believe that Big Tobacco is a legal industry, selling a legal product, just doing what other legal businesses do. To the contrary, legislators and regulators should argue that the tobacco industry is, as a *New York Times* editorial opined, "a rogue industry" that gives legitimate business a bad name. Tobacco should be marginalized.

Is there another industry in the Canadian marketplace that deceives its customers and causes 30% of all deaths from cancer and heart disease, and close to 90% of chronic obstructive lung disease mortality? Had the health hazards of tobacco been known to science when it first entered the market, governments would not have allowed the product to be given legal status. Government's failure to address the cigarette epidemic with urgently needed reforms, because tobacco is "legal," is essential-

ly saying society cannot correct its original mistake.

Beyond the "legal industry" defence against the ongoing provincial health care lawsuits, tobacco industry executives argue "governments are senior partners in the tobacco industry." Leave us alone, they say. Everything we did was "with government approval." They charge that it is hypocritical for the provinces to "sue a legal industry they oversee and license" and tax.

Whatever the failings of our legislators to address the tobacco epidemic—and they are legion—governments did not lie about addiction, risks and targeting kids. Nor does the collection of tobacco taxes prove government partnership in conspiracy and fraud.

Despite the enormity of the proven misbehaviour, a national poll found that less than 1% of Canadians are aware the provinces are suing the industry for alleged fraud. This is worrisome for those in public health who understand that the lack of knowledge of the industry's predatory pursuit of profit is a major hurdle in the way of tobacco-related reform.

Where to now?

Health Canada says 13% of Canadians still smoke, four million in all. These numbers are based on self-reported surveys and therefore almost certainly underestimate the problem, due to the negative public attitudes about the behaviour being measured. The people least likely to be reached by these surveys, such as the homeless and those with mental health challenges, are also much more likely to smoke. Encouraging these smokers to leave the tobacco market will not be easy.

The federal government said earlier this year it has adopted a goal of reducing tobacco product use to 5% by 2035. But the Ontario Tobacco Research Unit (OTRU) at the University of Toronto reported recently that "There has not been a statistically significant change in the prevalence of tobacco use in the overall population over the past five years." Even if Ontario implemented the full

slate of tobacco control measures recommended by World Health Organization experts, the OTRU report estimates smoking in Ontario "would only decrease to 12% by the year 2043"! And by what magical formula will Health Canada reduce the smoking rate among Inuit of Inuit Nunangat from 73%, where it is now, to 5% in one generation?

Health Canada must introduce the law reform needed to change the industry's behaviour. This could include forcing the industry to take steps to eliminate the child and adolescent tobacco market or face severe financial penalties. Governments and health interests must also implement harm reduction strategies and tell smokers the truth about the dramatically reduced risks of using non-combustion nicotine delivery products such as e-cigarettes.

After all, it is the tar produced by the burning of tobacco that causes most tobacco-related illness. Public Health England has claimed "best estimates show e-cigarettes are 95% less harmful to your health than normal [combustion] cigarettes." Even if that rate were 65%, it is clear the inclusion of harm reduction strategies in tobacco control policy has the potential to prevent tens of thousands of tobacco-caused deaths.

Health Canada's Bill S-5, the Tobacco and Vaping Products Act (now in the Senate), which will permit plain and standardized packaging reform, while essential, will merely produce more inadequate incremental change in the use of tobacco. The diseases caused by tobacco products will never be eradicated unless governments start to act as if they believe they have a real epidemic on their hands.

A key part of that process is a critical evaluation of the work of the captains of the Canadian tobacco industry. Understanding the origins of the tobacco epidemic will help open the door for implementation of the strong public policies needed. **M**

ASAD ISMI

Referendum opens door to authoritarian rule in Turkey

An economic slump is behind Erdoğan's power grab, but democracy and unity will be its first victims.

TURKISH PRESIDENT RECEP Tayyip Erdoğan claimed a narrow victory (51.3%) in April's referendum on constitutional reform amid charges of widespread electoral fraud by his opponents. The vote allows Erdoğan and his conservative, neoliberal and moderately Islamist Justice and Development Party (AKP) to vastly expand its power at the expense of the legislature and judiciary.

The 18 reforms proposed by the "yes" campaign will replace Turkey's parliamentary system with a powerful presidency. If they are carried out, whoever is elected president after the next election (almost certainly Erdoğan) will have the authority to issue decrees, dismiss the National Assembly, appoint ministers and judges, and sack civil servants. They will also be able to remain head of their own party while president, choose the party's legislators, and extend the presidential term limit until 2029. Erdoğan has ruled Turkey already for the last 15 years.

"This result is very bad for everyone in Turkey as it institutionalizes an authoritarian regime [and] concentrates power in the hands of a single person," said Feyzi Baban, a professor of global politics and Middle East specialist at Trent University in Peterborough, Ontario, shortly after the vote. Fuat Keyman, director of the Istanbul Policy Centre, likewise warned this "centralization of power is very risky for Turkish democracy and for the possibility of living together in a diverse society."

Still, Keyman told me, "the referendum result is not enough for Erdoğan to consolidate his power...and only increases polarization in Turkey, showing it to be an extremely divided society. Erdoğan is trying to push Tur-

key towards strong executive rule in the face of this division and this creates a legitimacy problem for him."

That problem extends to the voting process itself and the unfair advantages granted the "yes" campaign over the government's adversaries. The main opposition party in Turkey, the social democratic Republican People's Party (CHP), is calling for the vote results to be annulled, alleging extensive fraud in the conduct of the referendum. The pro-Kurdish People's Democratic Party (HDP, the third largest party in Turkey) wants a recount of two-thirds of the votes.

Both parties object especially to the Supreme Election Board's (YSK) last-minute decision to allow the counting of ballots that were not officially stamped once voting had already begun—a practice the YSK has not permitted in the past and was not allowed for expat Turks voting from abroad. The CHP and HDP claim 1.5 million unstamped ballots were ille-

gally counted (Erdoğan won by 1.38 million votes).

"Since the morning there has been a serious chaos all over Turkey," complained Erdal Aksünger, the CHP's deputy leader, on April 17, the day after the vote. "The YSK has declared that the board will deem voting papers without official seals as valid. In eastern and southeastern cities, the election observers from the 'No' groups were removed. There were many violations in terms of the form of the elections."

Mehmet Yuksel, the HDP's representative in Washington, D.C., told me "there has been a lot of open electoral fraud in Kurdish areas involving the YSK and without this fraud Erdoğan could not have won." (Twenty per cent of people in Turkey belong to the Kurdish ethnic group.) "In cities where the HDP has an absolute majority, the AKP has been declared the winner. This referendum result is going to destabilize Turkey.

"Erdoğan has polarized the country to get more votes and this is leading to its partition," said Yuksel. "This is the start of Erdoğan's dictatorship in Turkey and there is no way back."

The main international observer mission monitoring the referendum backed the opposition parties' complaints on the unfairness of the vote. A team from the Organization for Security and Co-operation in Europe (OSCE) stated on April 17 that the vote took place on "an unlevel playing field" and that the YSK's decision to allow unstamped ballot papers broke Turkish election law. The YSK "issued instructions late in the day that significantly changed the ballot validity criteria, undermining an important safeguard and contradicting the law."

Erdoğan.



The OSCE monitors added that “the two sides of the campaign did not have equal opportunities. The legal framework, which is focused on elections, remained inadequate for the holding of a genuinely democratic referendum and the fact that the referendum was held under a state of emergency imposed in the wake of last year’s failed coup infringed upon a fundamental freedom.”

The OSCE also pointed out that the opposition’s campaign had been “starved of coverage” by government media and subjected to violence from the police and Erdoğan supporters. The observer mission criticized Erdoğan’s extreme statements, saying “the campaign rhetoric was tarnished by a number of senior officials equating ‘No’ supporters with terrorist sympathisers.”

Erdoğan imposed the current state of emergency after the failed military coup against him in July 2016, which resulted in over 300 deaths. The president reacted by firing or suspending more than 100,000 civil servants, closing 150 media outlets, detaining more than 100 journalists, confiscating 800 businesses and jailing 45,000 people, including 5,000 supporters of the HDP, the main political target of official repression.

Erdoğan imprisoned Selahattin Demirtaş, the HDP’s co-leader, along with 11 other elected deputies of the National Assembly. Demirtaş would have been Erdoğan’s main rival in the referendum; his incarceration drastically undermined the opposition’s campaign. The HDP leader was accused of supporting the Kurdish Workers Party (PKK), a leftist guerrilla force fighting for autonomy for Kurds in Turkey and declared a terrorist group by the government. Erdoğan has also dismissed 80 HDP mayors since the state of emergency began.

Media coverage of the referendum in Turkey was almost completely monopolized by the AKP while the opposition suffered 143 attacks. A massive military campaign unleashed on Kurdish areas in the southeast by Erdoğan has killed hundreds of people and displaced 400,000, according to a recent United Nations report, mak-

ing voting difficult for a large number of Kurds.

“The leader of the ‘No’ campaign was in jail so how can the referendum be fair or democratic?” asked Yüksel, who added there are 103 cases registered against Demirtaş, now facing 500 years in prison. “This was not a referendum at all, just a rubber-stamping of Erdoğan’s move towards a dictatorship. When people opposed this move, Erdoğan committed electoral fraud and claimed victory. Now the repression will increase even more against the HDP and the war against the PKK will be intensified. This is how Erdoğan tries to win elections, by polarizing the population more and more.”

Erdoğan’s demonization tactics are not restricted to Turkey. During the referendum campaign he called the German and Dutch governments “Nazis” for not allowing his ministers to campaign for a ‘Yes’ vote among Turkish expats in Europe. This was despite the fact the European Union is the biggest market for Turkey’s exports—another sign, perhaps, that we will see the AKP put EU membership on the backburner, or forget about it altogether, as it consolidates its power internally.

Turkey has been inflaming the war against President Bashar al-Assad in Syria (its neighbour) by training, arming and sending Islamic fundamentalists into the conflict, then invading with its own army. Turkish police have not been able to stem (and are the frequent targets of) major attacks inside Turkey from ISIS fighters in Syria and Iraq. The now six-year-old war has also made Syrian Kurds stronger, providing another reason for Turkey to engage militarily (to prevent the formation of a Kurdish state on its border). Turkey is bogged down in a costly three-front war against the Kurds domestically, in Syria and in Iraq, where it bombs the PKK’s bases periodically.

Keyman traces Erdoğan’s need for greater power to Turkey’s economic crisis which is partly a result of the global slowdown. He explains that after 2015, the Turkish economy lost important markets in Egypt, Libya, and neighbouring Syria and Iraq

due to “proxy wars.” Turkey’s shooting down of a Russian jet in December has driven that country’s tourist visitors away, and ISIS and PKK attacks inside Turkey, along with the military coup attempt, cut tourism by 40% in 2016.

Tensions with EU countries have also negatively affected Turkey’s economic performance. GDP growth in Turkey in 2016 to the third quarter was negative 1.8%. The national currency, the Lira, is one of the worst performing emerging market currencies (against the U.S. dollar) in the world.

The credit agencies Standard & Poor’s and Moody’s have downgraded Turkey’s credit rating to junk status, making loans harder to get for things like construction projects, which fueled Turkey’s high growth rates before 2016. As the U.S. dollar strengthened, Turkish corporate debt has increased precipitously, threatening “financial disaster,” according to Cengiz Candar, distinguished visiting scholar at the Stockholm University Institute of Turkish Studies.

The Financial Times (U.K.) warned on January 10 that “Turkey appears closer to a full-blown currency crisis than at any point since the AKP took power in 2002.” In the last three months of 2016, the lira lost almost 20% of its value against the dollar, “as both global and domestic investors lose confidence in their country’s economic prospects.”

But others see a silver lining, if mainly for global finance. On April 18, the Fitch rating agency said the referendum result could “spur the government to get ahead with growth-boosting fiscal policies and undertake vital structural reforms,” according to *FT*.

“Turkey’s economic crisis is what is causing this drift from democracy, driving Erdoğan to increase his executive power so he can act quickly to push through the economic changes he wants,” says Keyman. “Of course, just because a decision can be made quickly does not mean that it is the right one. Rather than power concentration, it is power-sharing, deliberation and participatory democracy that are the keys to solving economic and political problems.” **M**



The good news page

Compiled by
Elaine Hughes

Lost and found

The Canadian crew of the Kenn Borek Air team, which in June 2016 flew from Calgary to Antarctica, braving blizzards and -60 degree temperatures to rescue two sick researchers at the U.S. Amundsen-Scott research station at the South Pole, has been awarded a Smithsonian National Air and Space Museum Trophy. A group of 28 Indian women in the village of Phangne in the western state of Maharashtra, denied education in their childhood, are attending a new *aajibaichi shala*, or school for grandmothers, a two-hour-a-day lesson in reading, writing and arithmetic. "They tell me that they don't want to go up to heaven as illiterates," says instructor Sheetal More. "They say, 'When I meet God, I should at least be able to sign my name.'" Two early Vincent Van Gogh paintings, suspected stolen by the mafia 14 years ago and valued at \$54 million apiece, have been returned to a museum in Amsterdam for display (behind very thick glass). Norway is the happiest country in the world, followed closely by Denmark, Iceland and

Switzerland, according to the 2017 United Nations World Happiness Report. The index considers levels of caring, freedom, generosity, honesty, health, income and good governance. Canada ranked seventh on the index. / CBC News / Guardian (U.K.) / Reuters / SBS (Australia)

Locals lead on climate

Trump may deny the phenomena is real, but Washington, D.C. is getting serious about climate change. The district has just signed one 20-year deal to get 35% of the government's electricity from a Pennsylvania wind farm and another to buy solar power from a company installing panels on roofs and parking lots around the city. Since 2014, more than 2,500 cities have submitted carbon emission reduction targets to the United Nations, many of them more ambitious than what national governments agreed to at the 2015 Paris climate conference. Austria, on the other hand, is creating a nationwide network of 1,300 charging stations for electric cars in co-operation with the country's 11 state-owned and private electricity suppliers. Sweden, though lagging behind Denmark, which can produce 140% of its daily power needs using wind power, hopes to have a fully renewable grid within 25 years. Here in Canada, the Beaver Lake Cree Nation, located in the heart of the Alberta tarsands, has installed what they hope to be the first of many community solar energy projects, this one at the Amisk Community

School. And on February 15, after a three-month campaign by *ULaval sans fossiles*, Laval University became the first school to commit to purge its endowment fund of fossil fuel-related companies, which currently make up 15% of investments, the equivalent of \$11-30 million. / Reuters / Greenpeace / McGill Tribune / pvbuzz



Nature bounces back

At the end of March, despite the existence of untapped deposits of gold and silver in the country, El Salvador's legislative assembly voted to ban all metals mining in response to widespread and long-standing public opposition. Following five years of drought in California, the winter's abundant rains have produced the biggest wildflower bloom in years at Anza-Borrego State Park. The sight is drawing enough people back to the park that it's causing traffic jams. Wildlife photographers have captured another unexpected natural guest in Queensland, proving the continued existence of the Night Parrot (pictured), long thought extinct in western Australia. In Vancouver, bowing to public pressure following the mysterious deaths in 2016 of two beluga whales, the park board voted to prohibit the capture and display of whales and dolphins at

the city's aquarium. Kenya, meanwhile, has decided to ban the manufacture and importation of plastic bags, 100 million of which are distributed by the nation's grocery stores each year. / Mining Watch Canada / Reuters / Guardian (U.K.) / Weather Network / One Green Planet

Waste not, frack not

The Supermarket Recovery Program, aided by a \$400,000 government grant for transportation, has helped more than 600 Quebec grocery stores donate unsold produce, meat and baked goods to local food banks, diverting up to eight million kilograms of food per year from landfills and reducing carbon emissions by 7,000 tonnes. A California judge will allow the state to list glyphosate, the active ingredient in Monsanto's weed killer Roundup, as a "chemical known to the state to cause cancer." Back to Australia, Victoria's legislative council has passed a bill to permanently ban fracking, which can pollute water supplies, to protect the "clean, green" reputation of the agricultural sector. The decision also extends a moratorium on conventional onshore gas exploration and development. Water protection efforts in Honduras under the AguaClara program, a partnership with Cornell University students, have provided safe drinking water to 65,000 people at low fees of between \$2 to \$5 a year. / Guardian (U.K.) / Ecowatch / Storify / YES Magazine / Reuters

DAVIS CARR

First person power

How the Internet popularized the memoir and smashed open a space for feminist writers

ALL WRITING IS political. Whether or not it is *about* politics doesn't matter. From historical novels to children's books, personal blogs to celebrity memoirs, writing exists in a political realm that shapes and is shaped by the way a product is created, where it is published, who buys it and how it is received. In this realm some people have power and others don't, some narratives are celebrated and others aren't. The politics of writing comes down to space: who gets to occupy it and who is left out.

Memoir and autobiography can be ways of claiming space, of demanding to be seen. In her 1976 article, "The Laugh of the Medusa," Hélène Cixous writes, "woman must write her self: must write about women and bring women to writing, from which they have been driven away as violently as from their bodies." Particularly when one's identity is oppressed in the real world, the very act of writing about that identity is a radical act: you literally write yourself into existence.

Women of colour, women with disabilities, Indigenous women, queer women and people outside the gender binary have been historically relegated to the fringes of the publishing industry. For these women, memoir is a particularly powerful tool to reshape the dominant narrative and claim space in the canon.

The Internet has changed the rules about who has access to the space of writing and, in turn, who will find an audience. From the early days of the LiveJournal blogging site to the current reign of Tumblr, first person testimonials are the lifeblood of online writing. Platforms like Twitter and Medium allow writers to connect directly with an audience. Self-disclosure has become mainstream, with

The Internet has changed the rules about who has access to the space of writing and, in turn, who will find an audience.

companies like Facebook, Instagram and Snapchat profiting from the human instinct to share—be it your feelings, your stories or what you ate for lunch.

Legacy media have been forced to adjust to the new world order. While publications like the *Guardian* and *New York Times* rely on editorials and opinion pieces, new media operations explicitly seek out underserved audiences. *The Establishment* differentiates itself by proudly declaring its commitment to "bolstering diverse voices, surfacing the stories of those most often erased, and stemming the tides of virulent misinformation with thoughtful, substantive, fact-based media." *GUTS*, a Canadian feminist magazine, supports itself through Patreon, a service that allows readers to pay monthly donations, not unlike the way public radio operates in the United States. These new media ventures have seen a gap in the market and are finding the fresh voices to fill it.

The first person narrative still does well online, drawing large numbers of eyeballs to Internet publications and websites like *Jezebel*, *Thought*

Catalog and *Rookie*, which specialize in the format. The *xoJane* series "It Happened To Me" is emblematic of the genre: "IT HAPPENED TO ME: My Father, Aunt and Uncle All Died Within a Four-Month Span," reads one title; "IT HAPPENED TO ME: I Farted in My Tattoo Artist's Face While Getting My First Tattoo," goes another.

This style of writing has been criticized for exploiting young women writers—and they are almost always women. There is a voracious appetite for these stories and a lot of competition. Authors go to extreme lengths to have their work published; editors are under increasing pressure to produce viral content. Among the ever-churning sea of content, however, a movement is afoot. The proliferation of such platforms, business models and stories creates the conditions for the next wave of feminism.

We live in a time of unprecedented access to other people's lives: you can follow an eating disorder survivor turned body positive blogger on Instagram; you can share an essay by a woman of colour about her experience as a computer scientist; you can listen to a podcast that exclusively interviews people who aren't white men. The ability to easily access these stories, to learn from others about their experiences and to grow, can foster a more intersectional perspective of politics.

The women's memoir, though not a new phenomenon, means something different in 2017 than it did in 2007 or 1997. The mid- to late-oughties have seen a rise in the publication of books by women that explicitly take up issues of feminism. This has a lot to do with the Internet and how it evolved over this period. I look

at several of these memoirs here to examine the trend within the context of the particular aspect of feminist discourse the authors are trying to work through and improve upon.

Each of these books highlights a unique perspective in the confessional/memoir/personal essay genre, and can be traced back to the contemporary feminist movement that prioritizes identity and lived experience. They represent a thin, very recent sliver of the vast history of women's writing, particularly memoir writing, but one that is shifting whose voices are heard, what perspectives are highlighted and whose thought is influential in society.

For me, *Bad Feminist* stands out as a juggernaut in the canon that weaves together memoir, first person narrative and cultural criticism. Among the books discussed here it was also the first to be published, in mid-2014. Roxane Gay's challenging title brought the conversation about feminism to the forefront. Even just seeing the word "feminist" everywhere helped hugely to normalize the discourse about it, especially online.

Like every good millennial feminist who spends a lot of time on the Internet, I follow Gay on Twitter. Her feed is a mix of live-tweeting television shows, insightful political and cultural commentary, and skewering trolls. Gay is just as lively in the media, where she challenges both interviewers and her audience to reconsider their notions.

"People think they know me, but they only know what I choose for them to know," Gay said in an interview with the *Pittsburgh City Paper*. While she shares some extremely personal details in *Bad Feminist*, including of a sexual assault, you get the sense they are only what the author considered essential, rhetorically, to achieving her goal.

Bad Feminist takes pop culture deadly seriously. From interrogating the white saviour complex at the heart of the 2011 film *The Help*, to her love of catchy pop music that she knows is misogynistic and problematic (think Robin Thicke's 2014 song "Blurred Lines"), Gay uses pop culture to explore wider social and political issues such as racism, sexism and rape.

Throughout she is honest, funny and sharp. And all the while unapologetic—about her antipathy to feminism, her tastes (Gay loves Scrabble, I don't), her intellect and her fortitude. By situating these essays in a wider cultural context, Gay explores the ways small bits of culture coalesce into broad social movements and collective ways of seeing the world, for both better and worse.

Halifax author Erin Wunker is also unapologetic if perhaps less ambiguous about her feminism, as the title of her new essay collection suggests. *Notes From a Feminist Killjoy* is a touching mix of memoir and cultural theory. An academic by vocation, Wunker deftly situates her personal experiences within the context of the thinkers she studies, both inside the canon and online. One of those sources, Sara Ahmed, inspired the title of the book with her concept of the feminist killjoy, and Wunker cites heavily from Ahmed's blog, *Feminist Killjoys: killing joy as a world making project*.



Roxane Gay at the TEDWomen 2015 conference in Monterey.

MARLA AUFMUTH/TED

True to form, the book begins with a methodology on intersectional feminism, which is the basis for Wunker's broader work. "I'm inserting myself into a long and varied tradition of women and other marginalized people working from a situated position of knowledge," she writes. The author proceeds to interrogate her choice of genre and style using the same critical lens she later focuses on rape culture, friendship and feminist mothering.

Wunker criticizes the inherent sexism in the notion that the "I" of situated knowledge is feminized, "and therefore narcissistic," challenging herself to embrace the first person instead. In fact, Wunker revels in her situated knowledge, explicitly locating herself in her political context, namely as a white, able-bodied, heterosexual, cisgendered woman. "I can only speak with authority for myself," she explains.

Notes From A Feminist Killjoy is written as a series of short sections, almost aphoristically. Wunker explains

Gay's Twitter feed is a mix of live-tweeting television shows, insightful political and cultural commentary, and skewering trolls.

that the book was written slowly, in fits and starts, small pieces at a time, in the months after her daughter was born. The result is a style that can be clunky at times, with awkward pacing. But this serves a greater purpose, as Wunker often writes *around* issues rather than *about* them.

In her powerful chapter on rape culture, for example, Wunker confronts the ways in which rape, and the spectre of rape, though often invisible, permeates our society. “Rape culture is shorthand for the reasons why women are taught to protect themselves from *being* raped, the consequence of which is that men are assumed to always already be potential rapists,” she writes.

In her halting style, Wunker shares the memory of a great aunt slapping her legs together because “good girls don’t sit with their legs open.” She describes being eight years old and followed home “by two boys from my class yelling at me about my breasts. I don’t yet wear a bra.” The anecdotes are brief but powerful. Wunker then mixes the personal and the political, bringing in other

Wunker criticizes the inherent sexism in the notion that the “I” of situated knowledge is feminized “and therefore narcissistic.”

voices like Audre Lorde and, as mentioned, the British-Australian scholar Ahmed, to contribute to a larger discourse about rape culture that is currently being articulated in feminist thought.

I loved this book. Wunker’s ability to put deeply intimate stories alongside critical analysis makes for an intellectually stimulating read that doesn’t feel like work. Once I settled into her aphoristic style, I was able

to enjoy how her thoughts flow into each other and develop into a new way of thinking about the world. Wunker doesn’t have all the answers, but she’s probing, grasping, fumbling toward something like an explanation—and it is a joy to be alongside her.

The concluding chapter in Lindy West’s 2016 memoir, *Shrill: Notes From A Loud Woman*, is titled “Abortion Is Normal, It’s Okay to Be Fat, and Women Don’t Have To Be Nice To You.” It’s a fitting summary of some of the major theses of the book, and a great example of how West mixes humour and politics in her writing.

Shrill is a fairly straightforward memoir detailing West’s experience of growing up in Seattle, her relationship with her body, and her career as a successful columnist and critic. Her essays tell a story of a shy girl who found her voice. I admire how she weaves personal stories—about her abortion, her father’s death, her relationship with her husband—into broader discussions of politics, feminism and identity.

Before reading *Shrill* I had no idea that West began her career as a theatre critic for Seattle’s *The Stranger*, or that she had such close ties to the comedy scenes of her home town and Los Angeles. I already knew about her “war” on rape jokes, but believed falsely that her popularity was growing *because* she was a feminist writer. West explains the opposite is true: she was a writer first and only became a *feminist* writer after digesting how people reacted to her. West was framed as a radical feminist because she had the audacity to call out misogyny and toxicity in her community.

Shrill’s subtitle, “Notes From A Loud Woman,” is both a declaration and an explanation. Like so many of the books I read for this essay, the concept of space is central here. But when a self-described fat woman writes about taking up space it has



Erin Wunker in January 2017.

SONAS PHOTOGRAPHY / RACHEL SPARLING



Lindy West

a different meaning to academic musings about disparity in publishing statistics. West's writing on existing in a world that disparages her body, that insists she is unhealthy, that actively discriminates against her, that tells her she is worth less than other people, is deeply compelling.

The chapter "You're So Brave for Wearing Clothes and Not Hating Yourself!" is an incredibly thoughtful and revealing description of West's experience as a fat woman and why it is so problematic and toxic: "As a woman, my body is scrutinized, policed, and treated as public commodity. As a fat woman, my body is also lampooned, openly reviled, and associated with moral and intellectual failure." West expresses the human toll that these toxic conceptions of health and body type take: "There was something about me that was *symbolically shameful*. It's not that men didn't like me; it's that they hated themselves for doing so. But why?"

As much as *Shrill* is about West's identity as a fat woman, it is also about her identity as a writer and of becoming confident in her own ideas, her own voice, and the dark consequences of that visibility.

West was hired as a writer before the Internet really became "a thing." She came up during the change from print to digital, and saw firsthand how mainstream publications reacted to developments like commenting, forums and social media.

When West talks about the abuse, harassment and trolling she has experienced as a fat woman writer on the Internet, she repeatedly frames it as workplace safety issue. Time and again, after showing the abusive comments to her colleagues and superiors, there came the

same dismissive answers: revenue, free speech, "it's just the Internet."

The thing is, the Internet is real. The trauma is real. "Online harassment is not virtual—it is physical," West writes. It takes a toll on one's mental and physical health, the stress of the continued onslaught of trauma manifesting in anxiety and depression. It's a theft of time and energy.

West spends as much time dealing with trolls and harassment as she does "writing new material, generating new ideas, pitching new stories, and promoting [herself] to new audiences." Dealing with trolls becomes part of the job, part of the cost of doing business. Except it's a problem only a specific slice of the population needs to deal with: people who already face huge barriers and prejudice. "What could I have accomplished by now if I had just been allowed to write?" West asks. "Who could I have been?"

I wish I lived in that world.

Jessica Valenti is a professional feminist writer and the co-founder of *Feministing*, one of the earliest and more important feminist blogs of the 2000s and 2010s. She is now a columnist for the *Guardian* (U.K.),

Online harassment takes a toll on one's mental and physical health.... It's a theft of time and energy.



where she also produces a podcast called “What Would a Feminist Do?” *Sex Object*, though not Valenti’s first book, is her first major piece of personal writing. In an interview with *New York Magazine’s The Cut*, she described her ambivalence about writing a memoir:

I feel like I did wait this long to write something like this, though, because, one, I hate the idea that women are only listened to when they’re talking about sex, and, two, I think as a culture we tend to view women’s experiences and women’s memoirs, especially when they’re about sex, as frivolous or unimportant. That really bothers me. I reject the idea that our experiences, and our sexual experiences, aren’t important.

If *Sex Object* succeeds at anything, it is in putting Valenti’s unique and personal experiences (yes, her sexual ones, too) into a larger social and political context. The title is not self-aggrandizing or vain. (“Being a sex object is not special,” she writes in the introduction. “This object status is what ties me to so many others.”) It refers to Valenti’s experiences of a woman who has been objectified over and over again, by different people and in many different ways

throughout her life, and the psychological toll this takes.

Sex Object is an exploration of what a lifetime in a sexist, misogynistic society does to women, “not just how we experience the world, but how we experience ourselves.” Introspective speculation is the heart of Valenti’s memoir; anecdotes alluded to at one point are expanded upon later. Throughout, Valenti’s mother and daughter serve as through-lines of intergenerational trauma and violence: “My grandmother’s rape is my mother’s molestation is me getting off relatively easy with abusive boyfriends and strangers fondling me on subways.”

One of the most striking parts of the memoir occurs when Valenti describes her experience with online harassment. A dozen pages of end-

The small horrors of Valenti’s life accumulated inside of me until I felt heavy and slow.

Jessica Valenti speaking at Roanoke College’s 8th Annual Women’s Forum. ROANOKE COLLEGE

notes are dedicated to a selection of abusive and harassing messages the author received between 2008 and 2015. These messages are horrible and discouraging, but hardly surprising to anyone who has suffered from the Internet menace known as trolls.

At times, reading *Sex Object* was exhausting. I found myself dreading returning to the book, feeling drained by the unrelenting slough of abuses both large and small. The small horrors of Valenti’s life accumulated inside of me until I felt heavy and slow. This was especially pronounced in the second section, where Valenti devotes each chapter to an individual man or relationship. By the end I kept forgetting which one was which.

These stories are only exhausting because they are so relatable. I recognized too many of my own experiences: the feeling of a man rubbing against you on a crowded bus, the process of learning how to protect yourself from cat-calling, and the first time I didn’t want to do it but didn’t say no.

This exhaustion is exactly the point Valenti is trying to make. She

writes, “maybe we are doing ourselves a disservice by working so hard to move past what sexism has done to us rather than observe it for a while.” By writing about her traumas big and small, and the toll they take on her mental health, Valenti shows the reader exactly what happens when you grow up in a society that hates women: women end up hating themselves.

Though I am glad I read it, I will likely not return to this book. The theory of objectification is one thing;

it’s quite another to see reflected in another person’s experiences your own small pieces of abuse and trauma, portioned out into bite sizes. But in this way, of the memoirs described here, Valenti’s is perhaps closest to describing the mechanics and broader ramifications of rape culture.

The emergence of the Internet and digital media as the dominant medium in which public discourse is shaped has had a profound effect on social, political and culture thought.

The world is changing. Feminism is changing.

The books described here reflect a new stage of thinking and explore issues in contemporary feminism in new and exciting ways. While they use different styles and approaches, at the centre of each book is the author’s lived experience and identity, which is itself a profoundly political—and clearly very popular—statement.

It says, we are here. We exist. It’s your turn to listen. **M**

REVIEW BY BEN POWLESS

Saskatchewan’s inconvenient oil boom

FAULT LINES: LIFE AND LANDSCAPE IN SASKATCHEWAN’S OIL ECONOMY

VALERIE ZINK AND EMILY EATON.

University of Manitoba Press (September 2016), \$27.95

SASKATCHEWAN’S OIL PATCH isn’t as infamous as the one in nextdoor Alberta. Nonetheless, it too dominates the landscapes, economy and culture of the “land of the living skies,” as detailed in this collection of gorgeous full-page photographs by Valerie Zink and incisive text by Emily Eaton.

Zink’s images deserve a review of their own. They manage a difficult task of capturing landscapes altered by industrial activity, showing off the intimacy of life in a trailer park, revealing the resilience and desperation of towns in disarray, of stores and homes abandoned while others are being constructed. You feel as if you’ve completed a tour of rural Saskatchewan in a few dozen frames.

The book opens with a note of caution: more than a lament for simpler times, the images and scenes portrayed attest to a changing and complex relationship between rural communities and oil companies. Regardless, it’s hard not to pine for days past while reading about communities forever altered by an oil economy that only came to the province in the 1940s.

It was during this time that Tommy Douglas’s leftist CCF party was pressured into letting foreign capital-funded oil firms into the province, with low royalties to compete with Alberta. However, Eaton notes, discussions about the possibility of nationalizing Saskatchewan’s oil (as would later happen with potash) pushed most companies toward neighbouring Alberta. They only just returned for the recent oil boom that lasted from the 1990s to 2013.

Today, the authors portray a province where rural communities are no longer dependent on agricultural boons, but live and die by the price of oil. We see a “motel” made of shipping containers strung together and fully occupied; rental rates higher than Toronto or Vancouver during construction season; towns nearly abandoned when oil prices drop or major construction projects finish.

Farmers, for their part, are inevitably intertwined in the oil economy. Many have come to depend on





oil leases (\$2,000 to \$3,500 per well) as a more reliable source of income than inconsistent gains from farming. Many also spend their free time in the employ of energy firms—as workers on rigs, servicing oil wells in a variety of ways, clearing snow in the winter or providing water.

This is not to suggest all is well in oil country. Individual farmers describe a range of disturbances to their farming practices: wells that break up their land, inconsiderate workers, garbage left behind. More serious are the health impacts they report, such as red eyes, coughing and sore throats, all related, they say, to leaking gases that health authorities refuse to investigate. Spills of saline wastewater are very common and exceedingly damaging to farmland.

Eaton notes that, as much as farmers may prefer to say no to oil companies on their land, they are bound by provincial laws to accept them. At best, a landowner may take an oil company to arbitration, a process which will always end with a company acquiring the legal right to enter the land.

Between this treatment as removable obstacles to development, and the lack of concern for health problems, farmers find themselves in a similar situation to many Indigenous communities. The irony is not lost on one landowner, who refers to himself as “the inconvenient landowner,” a play on Thomas King’s *The Inconvenient Indian*.

The lack of recourse for aggrieved landowners led to the formation of the Saskatchewan Surface Rights Organization, which argues oil leases are entirely one-sided; without any ability to say no, the landowners can’t bargain. Again, the similarity with Indigenous communities—who have long fought for the right to free, prior and informed consent under the UN Declaration on the Rights of Indigenous Peoples—is striking.

However, there is little room for dissent, even within the organization, due to a host of factors the authors carefully take note of. An identity based on hypermasculinity and rugged individualism combines with severe social costs for speaking out to preclude any organized stance against

oil companies. This goes for workers as well, most of whom aren’t unionized outside a few major industrial sites.

There is a sharp contrast here with the few First Nations communities in the area. Despite the threat of more severe repercussions—in this case from band administrations—the authors document several recent Indigenous protests and blockades in the province. While chiefs and council have signed deals with oil companies, and with many men employed in the field, it is predominately women in the community who are left to speak out against the impacts to their lands, in one case managing to stop seismic testing on ceremonial sundance grounds.

The book closes on one final inductive. The authors urge us all to consider how to bring about: “alternatives that can break the cycle of boom and bust and that are more environmentally and socially just. In so doing, we ought to defend people’s rights to livelihood, and their choices to stay in the communities that they call home and on the lands that they have stewarded for generations.”

We would all be wise to listen. **M**

TOM SANDBORN

Hell's history

The United Steelworkers' fight to prevent workplace deaths and injuries from the 1992 Westray mine disaster through 2016

"Some say the world will end in fire, some say in ice."

— Robert Frost, *Fire and Ice*

OR 26 MINERS deep in the notorious Westray mine, the end came in fire. On May 9, 1992, every man underground in that misbegotten Pictou County mine died as untreated coal dust and poorly ventilated methane gas ignited, driving a hellish fireball through the tunnels. The dust and gases had been allowed to accumulate in the depths of the mine by a management team far more interested in maximizing profit for shareholders and fulfilling promises made to political sponsors than in worker safety.

Safety regulators who were responsible for inspecting the mine failed to effectively identify and correct many defects to the recently opened mine's ventilation, coal dust suppression and methane detection technologies. Regulators failed to act when Westray management redirected tunneling operations from those specified in its provincial permit and took the excavation into a part of the coal seam that was even more unstable than the area covered by the permit.

The spark that set off the underground firestorm came from a piece of mining machinery that should have been shut down when methane concentrations became dangerous. That didn't happen because the methane-detecting gauge that should have stopped the machine had been disconnected as part of the mine management's drive to increase production.

You could say the lethal explosion was caused by a mix of dust and gas and an accidental ignition. Or, you

could say the 26 men who died underground at Westray were killed by a lethal mix of management incompetence, inadequate regulatory oversight, corporate greed and criminal negligence. Far too many Canadian workers still die every year from similar causes.

Nova Scotia Supreme Court Justice K. Peter Richard, who led an inquiry into the disaster, opted for the second version as he delivered a scathing report that called the process around opening and operating the mine "a predictable path to disaster." Justice Richard also wrote, "The Westray story is a complex mosaic of actions, omissions, mistakes, incompetence, apathy, cynicism, stupidity and neglect."

In the end, criminal charges laid against Curragh Resources, the company behind the debacle at Westray, and Gerald Phillips and Roger Parry, two local mine managers, were dropped, and no one was held accountable for the miners' deaths.

Twenty years later, across the country in the interior of British Columbia, two lumber mills exploded and burned, killing four workers and seriously injuring many more. In an eerie echo of the Westray deaths, the explosions at the Babine and Lakeland mills were blamed on fine dust (in the case of the mills, extra dry dust from pine-beetle-killed wood rather than coal dust) ignited by a spark.

Even more disturbingly, it is possible to argue that the B.C. mill fires were the result of similar dynamics to those that led to the Westray mine disaster, and eloquently denounced by the learned judge, whose report detailed failures by regulators and

mine management to properly insure the safety of Westray miners. At the B.C. mills that exploded, safety inspections failed to compel mill management to reduce the dangerous levels of dust that led to the lethal explosions and fires.

As *Our Times* magazine reported: "The investigating officer found the accident could have been prevented. 'Preventing a wood dust explosion involves removing one of the five components that need to be available for the explosion to occur: oxygen, containment, dust as fuel, dispersion of dust, and ignition. Oxygen is in the air but the other four components can be controlled.'"

That was the problem. Contrary to safety regulations, highly combustible wood dust had not been controlled. These tragic deaths are not isolated incidents.

Why did Canadian employers and government safety regulators not learn the lesson of the Westray deaths? Why, in fact, do close to 1,000 Canadian workers die every year at work or from work-related illness, a figure that has held relatively steady now for decades? Why has the reform legislation, finally adopted a decade after the Westray deaths, been so inadequately enforced?

Steelworkers and their allies in the union movement have been tireless in campaigning for reforms, first to push the Westray Act of 2004, and since to demand the law be properly enforced.

But all that effort failed to save the lives of the B.C. mill workers killed when the Babine and Lakeland mills exploded in 2012, or the lives of the tens of thousands of Canadian workers killed between the two events.

Between two fires

WorkSafeBC and a decision not to enforce existing regulations

In the immediate wake of the fiery deaths at Babine Forest Products, as workers at Lakeland Mills worried that their job site could be the next one to explode, Barry Nakahara, WorkSafeBC's prevention manager for the interior, apparently had different worries.

A WorkSafeBC internal document obtained by Stephen Hunt of the Steelworkers (after several frustrating freedom of information requests) suggests that even after the many dust-related fires that preceded it, and after the deaths and injuries at Burns Lake, Nakahara was still reluctant to enforce existing standards.

Nakahara's February 27, 2012 memo, "Wood Dust in Wood Product Manufacturing Facilities – Potent Fire and Explosion Hazards," admits that "wood dust is being considered as a potential factor in the explosion," and cites section 5.81 of his agency's occupational health and safety regulations, which state: "If combustible dust collects in a building or structure or on machinery or equipment, it must be safely removed before accumulation of the dust could cause a fire or explosion."

Still, Nakahara does not draw the obvious conclusion that enforcement of dust regulations had failed at Babine and should be pursued immediately and aggressively in B.C. mills. Instead, he cites worries about "push back" from industry "if enforcement strategy is pursued at this time."

Instead of enforcing section 5.81, which he dismisses as "performance based" (whatever that means), and noting that the regulation "has no current guideline," Nakahara's memo calls for creating a committee and gathering more information from mills during regular inspections on their policies for handling of dust. He seems to be arguing for no new enforcement of dust-level limits, despite existing regulations and the horrible cautionary example of the Babine Forest Products explosion.

This stirring call for business-as-usual and worry about annoying the industry came nearly two months before the explosion at Lakeland Mills. You have to wonder if Glenn Roche and Alan Harry Little would still be alive today if WorkSafeBC had taken a more active role in identifying and eliminating excess combustible dust at their mill immediately after the Babine disaster.

You also have to wonder why WorkSafeBC was so reluctant for the union to see this "industry push back" memo that the latter had to file two freedom of information applications to obtain it.

These are grim additions to a butcher's bill that records the results of class war in action. The death figures suggest that Anne Feeney's classic "War on the Workers" could serve as a theme song for industrial relations in Canada as well as in her native U.S.

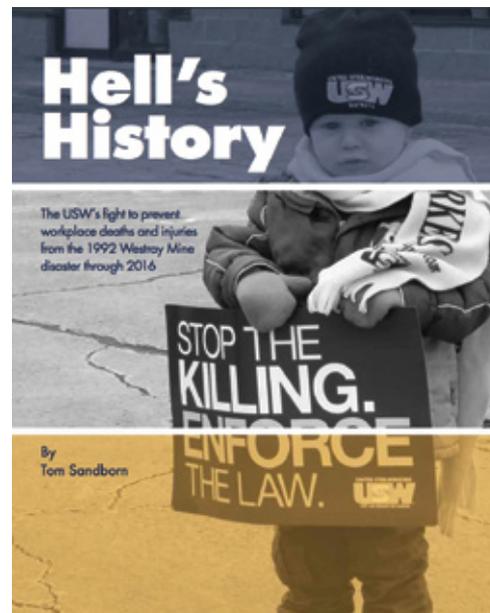
But not all the news is bad. Thanks to more than a decade of trade union and other progressive lobbying led by the United Steelworkers, the Westray Act is on the books and, if properly enforced, could give managers and directors some incentive to make sure their operations are not killing fields for workers.

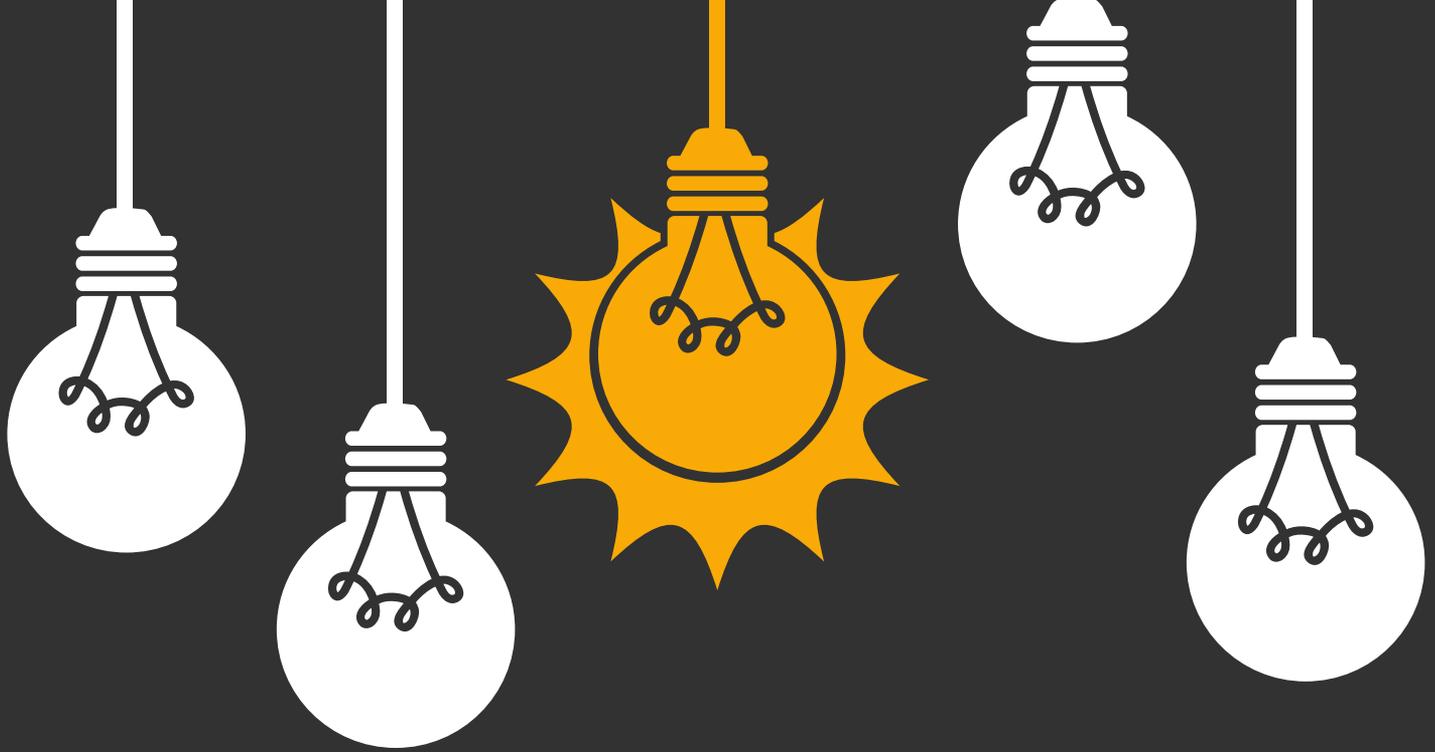
In the past few years (2013-16), the RCMP and Crown counsel across Canada have increased the number of cases being investigated for possible Westray Act charges, and in a few cases new charges have been laid.

In mid-2016, in a historic first, project manager Vadim Kazenelson became the first person sentenced to prison in Ontario under the Westray Act. Kazenelson was given 3½ years for his part in the deaths of four workers and injury to a fifth. The deaths occurred when a swing stage being operated high above Toronto streets by Metron Construction on Christmas Eve 2009 fell to the ground. Kazenelson is appealing his conviction and has been released on bail.

It is obscene that it has taken so long for the lessons of Westray to be applied, and it is discouraging that even now, we have so few charges and prosecutions to celebrate. We owe it to our honoured dead to do better. **M**

EXCERPTED FROM TOM SANDBORN'S BOOK, *HELL'S KITCHEN*, PUBLISHED BY THE UNITED STEELWORKERS IN 2016 AND AVAILABLE FOR FREE DOWNLOAD HERE: [HTTP://WWW.USW.CA/ACT/ACTIVISM/HEALTH-SAFETY-AND-ENVIRONMENT/RESOURCES/DOCUMENT/HELLS-HISTORY_WEB.PDF](http://www.usw.ca/act/activism/health-safety-and-environment/resources/document/hells-history_web.pdf)





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