



THE HARPER RECORD

Edited by Teresa Healy



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Introduction

Teresa Healy

THE “NEW” CONSERVATIVE government of Stephen Harper is well into its third year, one of the longest minority governments in Canadian history. A broad accounting of the government’s record is clearly needed. The months since the previous election have slipped by quickly and, as the government engaged in reshaping both the form and substance of Canadian political life, many of these changes were undersold in the media and underplayed in public discussion.

The Harper government tried to avoid public scrutiny. This government will indeed go down in history, not only as a highly centralized administration run out of the Prime Minister’s Office, but as an activist government that did everything in its power to avoid public debate about its activities. Meanwhile, the Harper government was engaged in consultation with the Canadian corporate élite, as well as corporate and political officials from the United States and, to a lesser extent, Mexico. These are the consultations that identified the government’s key priorities, and these are the fora through which the government measured its progress.

After the election of the Conservative party to a minority government in 2006, it was expected that the Harper government would quickly show its radical conservative colours. Indeed it did so, but, since the previous government was already extremely *laissez-faire*, Harper often

appeared to be travelling along the same neoliberal path he had helped to clear as leader of the opposition. Harper's strategic pragmatism continued to lead him to compromise on conservative policies only with the aim of building a coalition which could ensure a majority government (*Patten*). The most alarming development under Harper's leadership, however, was the deafeningly quiet weakening of democracy.

Redefining centre-periphery relations

Since the Conservatives came to power, the country has experienced a prolonged crisis in the manufacturing sector, together with an overheated expansion of the tar sands in Alberta and a boom in mining and minerals production. The result has not been simply a relocation of economic activity to Western Canada. Indeed, by abandoning manufacturing, the Harper government has overseen serious structural changes in the economy. On the horizon is the prospect of a very difficult period of economic downturn. Since Harper became Prime Minister, the government has done nothing to respond to the thousands of jobs lost in manufacturing (*Stanford*). Instead, it worked to increase the state's role in expanding the private sphere and to reduce the state's capacity to intervene in defence of communities. In this respect, the dramatic Conservative tax-cutting policy represents a continuation of the Liberal agenda (*Jackson and Weir*).

On immigration questions, the Harper government has created a harmful "us-them" dynamic. He is on record as linking the refugee determination system with a threat to national security. The government fails to grasp the most significant demographic changes in Canada and has weakened Canada's international commitment to fight racism in Canada. Furthermore, the government has reneged on its commitment to assess and recognize international credentials, creating instead a poorly funded "referral office" for newcomers (*Flecker*). Meanwhile, the program which brings racialized workers to Canada only as temporary workers is booming. Under the Conservatives, the redesigned Temporary Foreign Worker Program gives employers almost absolute discretion in determining the living and working conditions of migrant workers. There is virtually no mechanism which would enforce labour

rights in the program, despite the number of workers affected under its rapid expansion. This dynamic has created what some consider a highly privatized immigration system (*Encalada, Del Carmen Fuchs and Paz*).

The tar sands development has had devastating results for indigenous communities downstream from the Athabasca tar sands, yet the Conservative government has done everything it can to expand the production of bitumen (*Kalman*). It has done so through changing the regulatory regime covering oil and gas pipeline production, for example. Regulatory reform is a wide-ranging policy direction which not only deregulates economic sectors. It also is meant to impose a new layer of regulations on workers, with specific impacts on racialized communities, including energy, construction, and transportation workers.¹

Because the oil is extracted from the sand using vast amounts of water, as well as natural gas, it is a highly costly industry as far as the environment is concerned. As one observer remarked on the rapid depletion of natural gas resources, “it is like using caviar to make fish-sticks.”² Canada’s needs a legislative framework to protect freshwater resources, but the Conservatives have responded with a patchwork of funding proposals and privatization strategies (*Barlow and Karunanathan*).

The Harper government has been able to fashion an agenda which appears to take into account the aspirations of Quebec by giving all provinces the same powers (*Cameron*). Harper’s commitment to the rights of provinces has not fared well in Newfoundland and Labrador, however (*Payne*). Also of significance to the Atlantic provinces was the Conservatives’ failure to follow through on their own commitment to a national Pharmacare program. They have, moreover, undermined the future ability of the federal government to establish such a program by creating an unnecessary legislative conflict between the provinces and federal government (*White and McBane*). This neoliberal strategy conveniently confirms the weakening of the federal role in social policy (*Cameron*). In less than three years, the Harper government has systematically cancelled or wound-down almost all federal commitments for shared programs with the provinces (*Mackenzie*).

Building consensus among the executives

Under the Harper government, there has been virtually no distinction between international and domestic issues. All of the government's main issues have been established as priorities by consensus of North American business, military and government executives. Shortly after the Conservatives came to power, for example, the Prime Minister's National Security Advisor, William Elliot, participated in the planning of a highly secretive gathering of military, government, and corporate leaders from across North America.³ The North American Forum (NAF) documents state the goal of the annual meeting was not to make public pronouncements:

Rather, the outputs of the NAF will be ideas and approaches that are quietly explored and privately conveyed to policymakers, or are individually pursued by participants, at their own initiative and in their own name.⁴

As Thomas d'Aquino, long-time President of the Canadian Council of Chief Executives, is reported to have said at the meeting, the assembled leaders would need to engage in "aggressive incrementalism" and "evolution by stealth" to see their ambitious plan for North American integration realized.

Perhaps it is only one of a score of such meetings that have happened since Harper came to power, but the influence of the North American Forum indicates how corporate forces have successfully shaped political consensus around their interests. Under Harper, Canada is working over-time to create strategic alliances on trade, investment *and* security that exclude popular participation and democratic alternatives.⁵

As an official policy framework, these priorities have been outlined in the Security and Prosperity Partnership of North America (SPP), which was first established while Paul Martin's Liberals were in power. Under Harper, the "leaders" of North America introduced a formal structure for receiving policy direction from the CEOs of 30 of the largest companies in North America, thereby institutionalizing the historically privileged relationship between business and government. The

North American Competitiveness Council (NACC) has a formal place in the SPP process, while the legislatures do not.⁶

The SPP is a framework for dealing with “security” and “prosperity” issues as defined by the executive-level of governments in consultation with corporate executives. One of their main goals from the outset has been to see how much cooperation could be achieved without changing a single law. The SPP was meant to avoid further “bruising battles” like the ones they faced during the NAFTA debate. There are currently three key groups of issues dealt with under the SPP: 1) border issues (cross-border policing and emergency management); 2) regulatory reform as defined by private industry; and 3) energy issues (securing U.S. energy supply, developing new resources in the North, and working to privatize Mexico’s public energy resources).⁷

While the North American Competitiveness Council (NACC) focused on three key issues in the short term, the NACC was designed to build consensus for a more ambitious plan for the ongoing restructuring of North America. These include calls to build a common security perimeter; agree to a unified border action plan, including a North American pass with biometric identifiers; expand customs facilities; establish a common tariff; develop a common energy strategy and a regional alternative to Kyoto; revisit NAFTA to include excluded sectors; develop a common regulatory plan; expand the Temporary Foreign Worker program; increase foreign investment in Mexico’s energy sector; and convene an annual North American summit of leaders.

Now, almost three years later, these initiatives are well under way. As well, efforts are being made to secure the supply chain or, in other words, to permit the seamless movement of goods throughout North America by imposing more security on workers and in the production process. Full labour mobility and efforts to create a North American investment fund are less advanced.⁸

Weakening democracy

As the creation of the NACC indicates, Harper does have a “new” agenda. He has endeavoured to legitimize his authoritarian mode of leadership by waging a battle against “dithering” and broad consultation. The

Harper government's first act was to cancel the child care agreements that had been negotiated with the provinces. Instead of respecting the process by which a Canada-wide child care program had been established, he abandoned all consultation and coherent policy-making for a taxable monthly allowance and transfers to private businesses and groups for child care infrastructure — an initiative doomed to failure (*Ballantyne*). Harper furthermore undermined all attempts to develop a rational child benefits system in favour of returning to an incoherent child tax benefit which helps the poorest families the least (*Battle*).

In a bizarre twist of logic, the government argued that it was no longer necessary to fund advocacy work for women's equality, even though by all measures women's economic inequality persists. Conservative government policies reinforced this inequality in policies such as income-splitting which direct tax benefits directly to higher-earning men. Nor was it necessary, the Conservatives decided, for the Status of Women Canada to include the word "equality" in its mandate, since the word already exists in the Charter (*Ad Hoc Coalition on Women's Equality and Human Rights*).

The government's disdain for democratic politics was also evident in its opposition to the public sector and collective rights. Harper maintained a clear commitment to usher the private sector into areas previously reserved for government and the public economy. As a result, the government's commitment to privatization is evident in big policy moves such as the setting-up of PPP Canada Inc. This is the institution which is intended to compel municipalities to choose public-private partnerships (P-3s) when beginning infrastructure projects (*Sanger and Crawley*). The government's privatization agenda also meant turning public resources over to the private sector in a myriad of ways, including program reviews; contracting-out; selling public assets; leasing-back institutions from the private sector; private financing of public projects; creating markets for public services; and permitting the private delivery of health care without enforcing the Canada Health Act (*Sanger and Crawley, West*).

The impatience with which the Harper minority government treated democratic opposition became quickly evident. As the government tried to liberalize markets in grains, the Wheat Board CEO was fired

and the government worked to prevent Board members from speaking out in support of the marketing board. Board members were replaced through dubious election practices. Harper tried to remove barley from the Wheat Board's jurisdiction and, although stopped by a court order, has vowed to try again, in all likelihood through Orders-in-Council which evade the need for Parliamentary approval (*Forsey, Campbell*).

The government overrode court decisions in order to avoid environmental assessments of the tar sands development (*Frampton and Redlin*). It severely weakened the access-to-information system (*Hennessy*). It renege on Canada's international obligations on climate change issues (*Sanger*), and it was clearly frustrated with court decisions impeding its plans to allow grains to trade on the free market (*Forsey, Campbell*). Harper announced a trade deal with Colombia before the Parliamentary committee studying the matter had reported (*Katz*). The government made significant changes to immigration policy and gave arbitrary powers to the Immigration minister without debate by bundling it in the 2008 Budget implementation bill (*Flecker*). Harper cancelled the Court Challenges Program which funded equality-seeking groups, such as disability activists, to bring legal interventions of national importance into the courts. The program was internationally recognized for its role in helping define the meaning of the Canadian Charter (*Rae*).

The government cut the position of national science advisor and appointed Preston Manning to advise the government on scientific issues (*Sanger and Crawley*). The government faced serious opposition because on many occasions it objected to scientific opinion when it suited its purposes. The government continuously rejected all scientific evidence defending the harm-reduction benefits of the Vancouver safe injection site, for example (*Moore and Donohue*), and proposed untested policy options on underground carbon capture (*Frampton and Redlin*), as well as second generation biofuel technologies (*Mooney*). Perhaps most shocking was its disregard for the scientific evidence concerning climate change and its confused and contradictory policies on the environment (*Sanger and Saul*). This included a focus on pollutants and moved Canada away from international norms on the reduction of absolute levels of greenhouse gas emissions.

The Conservative “tough-on-crime” approach was similarly directed to a problem which social science research indicates is not growing. Instead of community-based correction programs, the federal government moved toward a more punitive and individualistic approach. For example, the new “anti-drug” strategy was shifted to the Justice Department away from Health Canada (*Moore and Donohue*). A similar perspective was elaborated as the Harper government continued to reject the literature on the social determinants of health. Instead, it focused on individual responsibility for health outcomes and took money away from programs supporting community-based responses to ill-health. (*Edwards*).

When the Canadian Nuclear Safety Commission ordered the shutdown of a nuclear reactor in Ontario, the president was fired and the reactor remained operational (*Moll*). The case is a good example of what the government did on regulations more generally. Under the Security and Prosperity Partnership, the Harper government moved from the “precautionary principle” to an industry-led model of regulation focusing on “risk-management,” with implications for food as well as drug safety. In pharmaceuticals, the Conservatives were in the process of changing the way in which regulations apply to drug-testing. The net result is meant to bring drugs to market more quickly, shift testing responsibilities to the pharmaceutical companies, reduce the role of government in ensuring drug safety, and enshrine secrecy and commercial confidentiality in legislation (*White and McBane*).

Canada-U.S. relations

As Prime Minister, Stephen Harper took very dangerous positions on Canada-U.S. relations. Very soon after taking office, the government gave in to U.S. demands on softwood lumber and signed a poor deal for Canada with the United States. Even as NAFTA tribunals, U.S. trade courts and the WTO did not accept the Bush administration’s contention that Canada was subsidizing softwood lumber production (*Caron*), the Harper government undermined the position of Canadian producers and negated all court decisions which had been decided in Canada’s favour since the latest round in the softwood lumber conflict began in

2001 (*Campbell*). Similarly, the Conservative position at the WTO has acted only grudgingly in favour of Canadian producers on the issue of supply-management. In fact, Harper's attack on the Wheat Board and the Grain Commission has severely undermined Canada's own defence of marketing boards in international negotiations.

Moreover, Harper has on more than one occasion campaigned in the United States in favour of Bush's trade deal with Colombia and the further extension of the U.S. security perimeter in the Americas (*Katz*). On intellectual property rights, Canada under the Conservatives bowed to U.S. pressure to increase patent protection for pharmaceuticals, thus further restricting the provision of cheaper generic drugs to the Canadian population (*Campbell, White and McBane*). The government appointed an industry panel to seek recommendations for new legislation in telecommunications, and the panel recommended increases in foreign ownership (*Watkins, Moll and Regan Shade*).

In some respects, this Conservative government acted not so much like a minority government, but more like a war-time "union government" demanding loyalty from the opposition in times of national crisis. Since September 11, 2001, both Liberal and Conservative governments have been unwavering in their adherence to the U.S.-led "war against terror," but it was the Conservatives who restructured Canadian border and security forces to mirror the U.S. Department of Homeland Security. These security forces were given access to the police records of Canadian citizens. In these police records is information which has not been tested by the courts, yet accusations and tossed-out charges are being used against travellers, with serious repercussions.

In 2006, the government was compelled to call an inquiry to find out whether the detention of Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin in Syria or Egypt resulted, directly or indirectly, from actions of Canadian officials during 2001 to 2004. The report of the Iacobucci Commission was originally meant to be submitted the week before the 2008 election was called, but was delayed until the week after the election.⁹ Both the Liberals who were in power during the events in question and the Conservatives, who are in favour of the anti-terrorist agenda, were thus spared public scrutiny on these issues during the election campaign.

The Conservatives did not only continue with the Liberal anti-terrorist legislation, but they also expanded it. For example, they instituted the No-Fly list which identifies “suspicious” people without charging them or relying on convictions. With no hearing or independent review, the lists are then used to curtail mobility rights. They further rob people of their privacy and security as persons on the lists are shared with other governments and airlines (*Campbell*). Canada’s security agencies have intensified their activities since the Conservatives came to power. A shocking example is to be found in the continued use of “security certificates” and secret trials. Although the Supreme Court of Canada found Canada’s secret trials process to be unconstitutional, the Conservatives’ subsequent tinkering with the legislation continued to undermine Canadians’ fundamental democratic rights. One aspect of the security certificate legislation ensures that the accused may not see the evidence for the case against them. They are permitted to know the allegations only (*Behrens*).

Unlike that period of history in which Canada granted asylum to 50,000 U.S. war resisters during the Viet Nam war, the Conservatives have begun deporting U.S. soldiers who refuse to fight in Iraq (*Harden*). Meanwhile, in Afghanistan, Harper increased the “interoperability” and cooperation of the Canadian armed forces with those of the U.S. and virtually gave up on peacekeeping (*Warnock, Staples*). Under the Conservatives, Canada is the only developed democracy to leave one of its citizens and a child soldier to face an illegal military commission in Guantanamo (*Foster*). Under Harper, the increase in military spending in support of the war in Afghanistan did not enhance international security, but remade Canadian conservatism in the image of the United States (*Staples*).

Under Harper, Canada reneged on previous commitments to developing countries in multilateral trade negotiations and pursued an aggressive bilateral trade policy, especially in the Americas (*Sreenivasan*). The previous Liberal government was also very committed to the liberalization of trade, finance and investment across borders, but in maintaining its commitment to neoliberal internationalism and multilateral institutions, it promoted neoliberalism at the WTO within a set of norms acceptable to élites in the global South. The Harper government

has been anything but diplomatic on the international stage and, in line with the Bush administration, pushed unreasonable demands for market-access in industrial products and for the rapid liberalization of services. This strategy was echoed in the UN Climate Change negotiations in Bali, where Canada almost derailed consensus by pushing developing countries to reduce emissions at the same rate as developed countries (*Sanger and Saul*). Canada weakened the international human rights framework, most notably by voting against the UN Declaration on the Rights of Indigenous peoples (*Foster*).

Conclusion

In the 32 months that the Conservative minority government was in power between 2006 and 2008, the people of Canada faced significant challenges because of the substance of what the Harper government achieved and because of the anti-democratic way in which he went about it. What becomes clear from the Harper Record is that the Conservatives are as committed to a market-driven world economy as the Liberals were, but that Harper is not committed to national democratic or multilateral institutions in the same way. For Harper, the only international relationship that matters is the one between Canada and the United States. He does not criticize the Bush administration for its ineptitude in living up to its own conservative commitments. Nor does Harper shine a bright light on a tattered U.S. hegemony. Rather, he reflects to the world an enhanced image of conservative unity in North America and a resolute commitment to market forces that is undeterred by the noisy democratic rabble. Indeed, his calling of the election so close in advance of the U.S. election might well be timed to offer support to the Republicans as they go about trying to elect a McCain administration. It certainly does Harper no harm to be running a campaign while Barak Obama is not the president of the United States.

Civil society organizations must become quite the opposite of what Harper has offered up as the model of leadership in a “turbulent” time. In these times we need a strategic sense of how to affirm a broad and diverse range of possibilities. It is through openness and not closure that our own deeply felt convictions that another world is possible can be ar-

ticated. It is this collective capacity we must seek to strengthen as we face the political power of CEOs as embodied in ruling parties, whether in the majority or minority. Indeed, before the next government takes shape, we will need to remember what happened during the last and reassert what it is we are prepared to commit to from now on.