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Editors' Note

Public Policy & Governance Review

Spring: New Issue, New Ideas

Spring is here and, as has become tradition, so too is the second and final issue of the PPGR for the academic year. It has been an eventful year, full of debt crises and revolutions abroad, federal and provincial budgets and the much-anticipated Drummond Report, and a new political movement in Occupy Wall Street that brought the issue of inequality into mainstream conversation. It has been an exciting year for public policy, and it has been a privilege to showcase the fresh thinking of emerging policy leaders from around the country.

This issue features an interview with Professor David Zussman, whose distinguished career in public policy has taken him in and out of government during economic conditions similar and dissimilar to the present. We also take on issues of sovereignty with an analysis of recent developments in Libya, as well as recommendations for Aboriginal self-government here in Canada. Other papers discuss the role of social media in elections, the orientation of newly elected MPPs in Ontario, and Land Use Agreements in the British Columbia treaty process.

It has been an honour to produce the third volume of the PPGR, and to be part of its trajectory as the Review continues to grow in the future. This yearlong process of attracting submissions, peer review, curation, and editing would not have been possible without the hard work, care, and judiciousness of our Editorial Board. Thank you all.

We would also like to give a special thanks to our advisor, Professor Ian Clark, who has guided us through the entire process, and whose wisdom and support we truly appreciate.

Finally, we are thrilled to welcome the incoming Editors of the Public Policy and Governance Review for 2012-2013: Max Greenwald and Adina Serbanescu. We leave the Review in their talented hands, and look forward to reading their work in the coming year.

Sincerely,

Phil Donelson & Margaret Cappa,
Editors-in-Chief
Public Policy and Governance Review
www.ppgreview.ca

Rebuilding Libya: The Importance of Bridging Formal and Information Structures of Power

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University of Toronto

Ryan Nichols is an active contributor to current events both within Canada and internationally. Ryan has recently completed a Master of Public Policy from the University of Toronto. He also holds degrees in International Relations and Philosophy from the University of Western Ontario where he graduated top of his class.

Ryan has served in all three levels of government in Canada, including the Department of National Defence, and the Ontario Ministry of Citizenship and Immigration. He continues to maintain a strong interest in inter-jurisdictional affairs, particularly related to issues of security and defence policy.

The capture of Muammar Gaddafi on the 20 October, 2011 marked the symbolic end of the Libyan Civil War. In one of its swiftest calls to action, the international community came to the defence of the people of Benghazi from state-led violence. While the international community's involvement in the reconstruction of Libya is of great importance, it is beyond the scope of this paper. This paper is concerned with the ability of Libyan leaders, most notably the National Transitional Council (NTC), to unify the Libyan people around common aspirations of nation-building. Despite initial revolutionary fervour following the end of the war, the NTC now faces critical security and governance challenges in its efforts to transition Libya from a rigid authoritarian state to a transparent, participative framework. With tribal leaders and armed factions beset by rivalries and deep-seated jealousies, building national consensus for Libya's democratic transition will be a difficult undertaking. Therefore, it is the purpose of this paper to advise the NTC on the challenges to national unity it faces from social tensions in the Libyan population, as well as to provide policy recommendations to ensure that such tensions do not derail the nation-building process over the course of the following year in the lead-up to democratic elections.

Introduction

The capture of Muammar Gaddafi on the 20 October, 2011 marked the symbolic end of the Libyan Civil War. In one of its swiftest calls to action, the international community came to the defence of the people of Benghazi from state-led violence.¹ After 272 days, an estimated 8,000 aerial sorties and 30,000 deaths, Libyan revolutionaries, along with NATO support, have fought and won a future free of Gaddafi (Laub, 2011). People took to the streets with triumphant jubilation not just in Libya, but around the world. "But now," notes American national security correspondent Yochi Dreazen, "its leading powers – the United States, France, Britain, and Germany – will be expected to do most of the heavy

¹ United Nations (UN) Resolution 1973 was adopted by the UN Security Council on 17 March, 2011 after only two weeks of deliberation. Forming the legal basis for military intervention in the Libyan Civil War, aerial sorties began enforcing the no-fly zone and destroying pro-Gaddafi targets beginning on 19 March. See (UN News Centre, 2011) for more detail.

lifting and pick up much of the tab for reconstruction” (Dreazen, 2011).

While the international community’s involvement in the reconstruction of Libya is of great importance, it is beyond the scope of this paper. This paper is concerned with the ability of Libyan leaders, most notably the National Transitional Council (NTC), to unify the Libyan people around common aspirations of nation-building. Despite initial revolutionary fervour following the end of the war, the NTC now faces critical security and governance challenges in its efforts to transition Libya from a rigid authoritarian state to a transparent, participative framework (Kasm, 2011). With tribal leaders and armed factions beset by rivalries and deep-seated jealousies, building national consensus for Libya’s democratic transition will be a difficult undertaking. Therefore, it is the purpose of this paper to advise the NTC on the challenges to national unity it faces from social tensions in the Libyan population, as well as to provide policy recommendations to ensure that such tensions do not derail the nation-building process over the course of the following year in the lead-up to democratic elections.

Background

A bifurcation has existed in Libyan politics between formal and informal structures of power dating back to the Gaddafi regime. Formally, the Popular Congress and the People’s Committee within Gaddafi’s Revolutionary Authority constituted the legislative and executive institutions of the Jamahiriya [state of the masses] and were empowered to make and act upon a wide range of decisions (Vanderwalle, 2011, 119). Informally, however, a complex network of tribal patronage subverted the formal power of the Jamahiriya. Even Gaddafi, through the expression of his own political philosophy in his Green Book, noted that “theoretically, this [the Jamahiriya] is genuinely democratic. But realistically, the stronger part in society is the one that rules” (Vanderwalle, 2011, 119). While the Jamahiriya has been replaced by the NTC, informal social networks still hold a great deal of power within the country.

In this sense, it must be understood that there are two processes underway in Libya simultaneously: a process of state-building, aiming at the development of a democratic

system of government, characterized by greater transparency and accountability; and a process of nation-building, which may threaten the integrity of existing informal structures of power. In so doing, this may cause internal instability that could threaten the NTC's ability to foster a strong and united Libya.

Focussing exclusively on formal processes of state-building, then, does not reveal equally important challenges the NTC faces in nation-building. As noted by Ali Ahmida, scholar of North African Studies, "the failure to account for social structures from ignorance of local dynamics, which look either 'chaotic' or 'traditional', can be highly dangerous to formal structures of authority" (Ahmida, 2000, 143). Prior to offering policy recommendations, then, the NTC must clearly understand the importance of existing social tensions and informal power structures in order to build a nation that reflects, and can survive the political will of the Libyan people.

Tribalism

Since gaining independence from Italy in 1951, Libya has been marred by inter-tribal tensions.² The administrative system adopted left autonomy to the provinces which were largely established according to tribal divisions. In the south were the Toubou, the west the Tuaregs and the north and east of the country was largely in the control of the Arabs and Arab-Berbers (See Appendix A).³ Each province had its own administration, customs, and even militia forces (Baldinetti, 2010, 144). Evidently, it quickly became clear that the feeling of a new-found national unity was meaningless to the majority of the population, except those Tripolitanian political forces administering formal, state-led institutions.

Importantly, however, religion was used by Libya's monarchy to overcome regionalisms and build a national identity. As a common religious value, Libyans of virtually all tribes

² By "tribe" this paper refers to a social grouping that is larger than the family, but somehow not the same as a nation. It is tied together by complex bonds of kin and duty. It represents a sharing of *asabiya* (solidarity) which, although often based on a common descent, can be shared by people not related by blood, but by long and close contact as members of a group. See (Obeidi, 2008, 108) for more detail.

³ In reality, Libya has over 140 tribes of various sizes. While the interplay of all Libyan tribes is beyond the scope of this paper, a general understanding of tribal tensions will suffice. See (Godfrey, 2011) for more detail.

supported the Maliki tradition of Islam which emphasizes al-maslaha al-mursalah, or the social benefit of a common public interest (Kasm, 2011). Moreover, post-independence Libyan nationalism also drew its stock of heroes, martyrs, and legends from its anti-colonial resistance (Ahmida, 2000, 107). Despite recurrent tribal tensions, religion and anti-colonial sentiments provided common ground for the monarchy to build a sense of unity within the Libyan population.

Likewise, since the coup of 1969, Gaddafi continued to consider Islam and anti-colonial struggles as the key constituent factors of national identity. In contrast with the monarchy, however, Gaddafi attempted to use the formal powers of the Jamahiriya to force the tribes to support the Revolutionary Authority. Although tribalism was officially abolished when Gaddafi came to power, one of the pillars of Gaddafi's regime was his ability to control Libya's tribes. Gaddafi maintained his "centralized grip on power through a system of entrenched patronage and shifting tribal alliances" (Kasm, 2011). Gaddafi played on ethnic divisions in an attempt to co-opt or forge shifting alliances with powerful representatives of rival ethnic groups in order to garner support for state-led initiatives. Largely, this was accomplished through the disproportionate allocation of oil revenues. Until the downturn of oil revenues in the mid-to-late 1980's, the country's hydrocarbon income was primarily distributed to keep a large array of tribal coalitions loyal to the Jamahiriya (Vanderwalle, 2006, 167). This "Machiavellian game of constant duplicity" (Kasm, 2011) served to disarm internal threats from informal tribal structures of power.

With oil revenues declining in the early 1990's, Gaddafi found it increasingly costly to bribe tribal leaders to obtain support from informal structures of power. Therefore, in 1994, Gaddafi established the People's Social Leadership Committees (PSLCs) in an attempt to integrate informal power structures within the Revolutionary Authority. Consisting of like-minded tribal leaders, heads of families and other local persons, PSLCs were tasked with maintaining social stability, as well as distributing state subsidies and issuing legal documents within their locality (St. John, 2011, 75). Gaddafi acknowledged that "society has a number of social structures central to its vitality; they are the family, the tribe and the nation, all of which are non-political in nature" (Obeidi, 2008, 116).

In this way, Gaddafi attempted to offer a part of the state's formal power to informal social groups across the country in order to consolidate his own power as the national sovereign.

PSLCs are also important insofar as they created "ingroups" of Gaddafi supporters. Any person who obtained a licence for the distribution of subsidies, security or legal services, or any other number social and political activities controlled by PSLCs, their success was tied to the Gaddafi regime. Therefore, with the collapse of the Gaddafi regime, the NTC must be aware that there are a number of well-organized, informal networks of disenchanted Libyans who have lost all success at the hands of the revolution. In this sense, the former "ingroup" of PSLC supporters under the Gaddafi regime have now become the "outgroup" under the NTC. If the NTC is to successfully build support for the purpose of nation-building, it must ensure that these groups are not marginalized by the state.

More generally, this policy of tribal division has also left a legacy of entrenched disillusionment within the Libyan population's conception of national identity. Based on 2008 data collected from surveys distributed by Amal Obeidi, Professor of Political Science at the University of Garyounis-Benghazi,⁴ 63% of respondents saw their greatest attachment to their tribe, 12% to the state, and 25% to other, including family, city or province.⁵ In this sense, although attachment to the state has likely increased since the 2011 revolution, the NTC must acknowledge that without the ability to foster the support of a critical mass of the Libyan population, there is the strong potential for people to withdraw their support of the nation-state in favour of historical lines of tribal patronage.

Institutional Challenges

Like tribalism, the attempt to control Libyan civil society through state institutions has created a profound distrust of formal structures of power. Along with the creation of the

⁴ All data was collected through a scientific survey of 1,000 participants distributed randomly across the country.

All data is statistically significant at the 5% level (Obeidi, 2008, 115).

⁵ Interestingly, there were no statistically significant difference in responses from people living in urban or rural areas, nor was there a difference between sexes (Obeidi, 2008, 125).

institutional bodies of the Popular Congress and People's Committee, Gaddafi also established the Unions of Professional Association. Similar to trade unions within the Soviet Union, these bodies would delineate people's belonging, both professionally and functionally, into categories (Obeidi, 2008, 144). People received their pay, subsidies and social standing based on their affiliation with a particular union or professional association. All citizens above the age of eighteen had to belong to unions or professional associations registered within the state's National Trade Union's Federation (United Nations Refugee Agency, 2010). In this sense, power was stacked within the formal institution of the National Trade Union Federation. Formal recognition by the state of that person's social standing was determined by which particular trade union or professional association with which they belonged.

Informally, however, people often scoffed at participating in such formal institutions. While all citizens above the age of eighteen belonged to a particular trade union or professional association, participation in such groups remained low. In fact, even when participation was made formally compulsory in 1994, many people did not attend meetings regularly. In data collected by Professor Obeidi on trade union and professional association meeting participation from 1994 to 2007, she found that those people belonging to professional associations, such as medical or legal professions, 6% of people attended regularly, 40% from time to time, and 54% never attended meetings. Likewise, among those belonging to trade unions, most notably agriculture and heavy industries, 10% attended regularly, 61% from time to time, and 28% never attended (Obeidi, 2008, 145).

For the NTC, such apathy for participation in formal institutions must be avoided to foster a national effort in the rebuilding of Libya. Like tribalism, the NTC must find a way to garner the support of civil society, particularly existing powerful organizations such as trade unions and professional associations. Otherwise, social disillusionments have the potential to spill over into conflicts organized around existing power structures, most notably the tribe or like-minded professional associations. In this sense, the NTC must look to failures of the Gaddafi regime to foster social cohesion and build a national identity to ensure the same mistakes are not repeated.

Policy Recommendations

For the democratic transition in Libya to be successful, the transformation of government requires a different breed of leadership, one that does not rely on classic notions of power from the Gaddafi regime (Sanders, 1998, 30). At the core of the leader-follower relation is a sense of psychological connection in terms of shared social and psychological memberships, where leaders are those group members who are seen to best embody “shared goals, values, beliefs, and aspirations” (Reynolds, 2011, 176). Leadership goes beyond management. As noted by John Kotter, Professor of Business Administration at Harvard University, leadership is the development of vision and strategies; “the alignment of relevant people behind those strategies; and the empowerment of individuals (groups and societies) to make the vision happen despite obstacles” (Adei, 2004, 17).

The Libyan people have not simply fought for the change of leadership. They, with the assistance of the international community, have demanded wholesale change of the country’s formal structures of power. This transformational spirit and focus toward the future affords the NTC with a ripe opportunity for success. But this window is narrow. As has been shown, if the NTC cannot unify informal structures of power around the rebuilding of formal state-led institutions, the aspirations of the revolution may be in jeopardy. The NTC must have a clear vision and strategy that informal structures of power within the country can buy into for the democratic transition to be successful.

This section aims to outline three key policy recommendations for the NTC that are essential to achieving the support of the Libyan people. These include: ensuring security; the inclusion of informal groups within state institutions; and the provision of material prosperity. While each recommendation is important, they require proper sequencing to be most effective. As noted by prominent Afghan politician Ashraf Ghani, “sequencing is the critical link between idealism and pragmatism” (Ghani, 2008, 201). From conception to implementation, state-building is a time-consuming activity that requires the cooperation of a number of actors. Rushing to decisions before proper preconditions are in place can lead to unintended consequences that can undermine the entire transformation. Therefore, it is advised that the NTC seek to build each recommendation

upon the one before it.

Security

Despite the end of the civil war, Libya is not yet secured. As recently as December 12th, 2011, three people were killed in a gun battle near the international airport in Tripoli. The violence was between a brigade calling itself “Libya’s National Army” and former rebels who control the airport. It is widely believed that these attacks were protests by pro-Gaddafi supporters against the NTC’s first conference on national reconciliation (Jackson, 2011).

Such attacks signify to the NTC the importance of gaining a monopoly over the means of force in the country. Reconstruction efforts will come to a quick halt if Libya descends back into chaos. The victorious rebels could incite new bloodshed by conducting widespread reprisals against former regime officials, while those tribesmen loyal to Gaddafi may regroup to wage a guerrilla war against the new government (Jackson, 2011).

Of course, such outcomes are hypothetical. Nevertheless, the point is important. Put simply, Tripoli is filled with impatient men holding guns. This creates fear, and also carries with it non-state force that undermines the legitimacy of the NTC. If the NTC cannot secure the country within the coming months, to the average Libyan, their security is no better than under Gaddafi or during the civil war. As such, to secure their own well-being, families may turn their loyalties inward against the NTC, toward those who can best ensure their safety. In the case of Libya, this is likely to be the tribe.

Here important lessons can be drawn from the war in Afghanistan. In a survey conducted by the Asia Foundation in 2011, 56% of Afghan respondents indicated they fear for their own safety on a daily basis because of instability in the country. The majority of respondents, 57%, also indicated that they are fearful to vote in national elections because of the possibility of reprisal attacks from the Taliban (Tolentino, 2011). Afghans also indicated that without insurance of their security by Afghan security forces, they may have to “support the Taliban to ensure their own safety” (Tolentino, 2011). This highlights

the connection between security and support for democratic transformation. Without the proper insurance of security, many Afghans are forced to turn against the state to find security in their day-to-day living.

Similarly in Libya, albeit under different circumstances, such insecurities in people's day-to-day life may undermine popular support for the democratic transition. As a first condition to the democratic transition then, the NTC must establish a monopoly over the means of force to build legitimacy and trust in formal, state-led institutions. Recent efforts by the NTC regarding security have been a positive first step. In public announcements, the NTC has given armed groups in Tripoli until 31 December, 2011 to disarm or face persecution (Jackson, 2011). Interestingly, this is largely a plea by the NTC for the people of Libya to allow them the legitimate use of force. With Libyan security forces in disarray at the moment, public calls for the people to willingly legitimate the NTC's control over national security forces is the only policy lever available to them at the moment.

Recognizing this, the NTC must do more with their limited means to ensure security. While working toward the establishment of well-trained security forces is important, within the one year timeframe with which this paper is concerned, it is unrealistic to expect such developments. Therefore, the NTC must seek to dispel potential sources of conflict before they erupt. Drawing on the case of Iraq, the dissolution of the Royal Guard created a well-organized opposition group to the democratic transformative process.

The same mistakes cannot be repeated in Libya. Even with limited resources, the issuance of a guarantee by the NTC to former Gaddafi security forces that they will not face persecution is imperative. The reason is two-fold. Firstly, it is likely to pre-empt potential sources of violence by dispelling Gaddafi supporters' fear of the NTC, thus mending the cleavage in Libyan society between revolutionaries and the old guard. Secondly, not allowing the old guard positions in the new security institutions would deprive the country of much-needed expertise in the rebuilding of Libya's security forces.⁶

⁶ Of course, there are a multitude of security concerns the NTC must address which are beyond the scope of this paper.

Therefore, as an initial priority, the NTC must obtain the legitimate monopoly over the means of force.

The Inclusion of Informal Groups

While the international community's involvement in the Libyan civil war may be born out of the protection of civilians, the conflict has much deeper meaning. It is true that resistance fighters were called to arms to protect their fellow brothers and sisters from Gaddafi's oppression, hence the sequencing importance of security. The conflict, however, was much more than a defence against tyranny. It was a revolution that sought the overthrow of the Gaddafi regime. As such, a critical mass of Libya's informal groups, individual citizens and tribes are awaiting democratic change that gives power back to the people. In this sense, the inclusion of informal groups into formal structures of power should be the second most important item on the NTC's agenda.

Libya's transition to democracy is a difficult process, with a number of important policy priorities that are beyond the scope of this paper. Over the course of the next year, however, the NTC can seek to enhance mutually supportive linkages between formal and informal structures of power that demonstrate its commitment to democracy. Aside from the issuance of a draft constitution which outlines basic provisions of a democratic system of government,⁷ the NTC can draw on locally-recognized sources of legitimacy to enhance its own. Although politically shrewd, such initiatives can quickly solidify the legitimacy of the NTC and subsequent democratically-elected governments.

Firstly, the NTC must further its constitutional commitment of upholding Islamic jurisprudence as the "principal source of legislation" (National Transitional Council, 2008, Article I). As aforementioned, historically, Islamic faith has served as a unifying force for different informal groups within Libya. By identifying Islam as the principle source of legitimate authority within the new regime, the NTC can pull together informal networks around commonly agreed upon national values and traditions. In this sense, the NTC

⁷ Libyan Constitutional Declaration, Article IV, "The State shall seek to establish a political democratic regime... in the view of achieving peaceful and democratic circulation of power" (National Transitional Council, 2011).

must continue to speak to and reinforce those common values, no matter how few they may be, that speak in a unified voice to the entire population.

Secondly, the NTC can utilize low-cost technological advancements such as social media to instill a sense of democratic confidence in the people. During the Arab Spring, the free flow of information through the use of social media reshaped the political landscape and contributed to an unprecedented opening to sharpen public accountability. Creatively rebuilding Libya's infrastructure by leveraging information and communication technology may be the most effective method of building linkages between informal networks and formal institutions once rule of law is established. Here, social media could play a pivotal role in enhancing civil engagement; keeping Libyans informed of significant government decisions, and serving as a transparency mechanism that allows Libyan civil society to remain involved in the democratic transition (Kasm, 2011).

Material Prosperity

Once security is established, and people feel included in the democratic process, it is imperative that the NTC offer the Libyan people real signs of material prosperity. Despite the importance of fostering a sense of security and inclusiveness, people will eventually demand advances in their own wealth in order to give their support to the new regime. Prior to the war, Libyans enjoyed the fourth-highest standard of living in Africa. While on one hand a blessing, it is also a curse for the NTC. Tribal leaders have lost their patronage wealth that was tied to Gaddafi, while many shop-keepers and professionals that supported the revolution must now rebuild their personal assets. In this sense, both supports and opposition forces will quickly grow impatient with the NTC if their material situation does not improve (Chossudovsky, 2011).

The challenge for the NTC is that expectations are high. In reference to the transformation of public leadership, Newt Gingrich once said, "when you deal with really large-scale change, there is a biological principle that is often overlooked. It is the principle that lions cannot afford to hunt chipmunks because even if they catch them, they starve to death" (Gingrich, 2007, 27). That is to say, given the extreme sacrifices made

during the civil war, many Libyans expect large improvements in their standard of living to validate their revolutionary support.

Realistically, however, this is not possible. Hydrocarbon processing expert Robert Thinnies expects that it could take up to thirty-six months to recover to the pre-conflict level of oil production at 1.6 billion barrels per day (bpd). At present, Libya is producing approximately 400,000 bpd, or roughly one quarter of its pre-war output (Thinnies, 2010). The point is that the NTC lacks sustainable revenue to finance large-scale projects at the moment, even with the short-term influx of foreign aid and the liquidation of Gaddafi's financial assets.

Over the next year, the NTC will have to be creative in the ways that it gives back to the Libyan people. Given revenue constraints, these are likely to be "small bite-sized pieces so people can get a taste of it [material improvement]" (Sanders, 1998, 45). Importantly, the NTC has already demonstrated a commitment toward this end. Once revolutionary fighters began their final push into Tripoli, they provided a US\$20 credit to cell phone plans nationwide (Carrey, 2011). Similar initiatives related to utility services could help to restore people's confidence in the government's commitment to enhancing people's standard of living.

The NTC will of course, have to do more. While Libya's most important economic resource has the potential to serve as a catalyst for economic growth, over the course of the next year oil production will be limited. As such, the NTC must work to secure future oil revenue for the population. Through its constitutional commitment to "provide an appropriate standard of living for all citizens" (National Transition Council, 2011, Article VIII), the NTC must clearly outline a fair, and transparent process for the diversion of oil revenue into the finance of public goods. By establishing a sovereign-wealth fund of a pre-determined percentage of Libya's oil revenue, similar to Norway's "Oil Fund,"⁸ the NTC can demonstrate its commitment to funding public goods across the country once oil

⁸ Officially referred to as the Norway Pension Fund, the Norwegian Government has committed to placing surplus oil revenue in sovereign wealth funds for investment in future public goods. See (Norwegian Ministry of Finance, 2009) for more details.

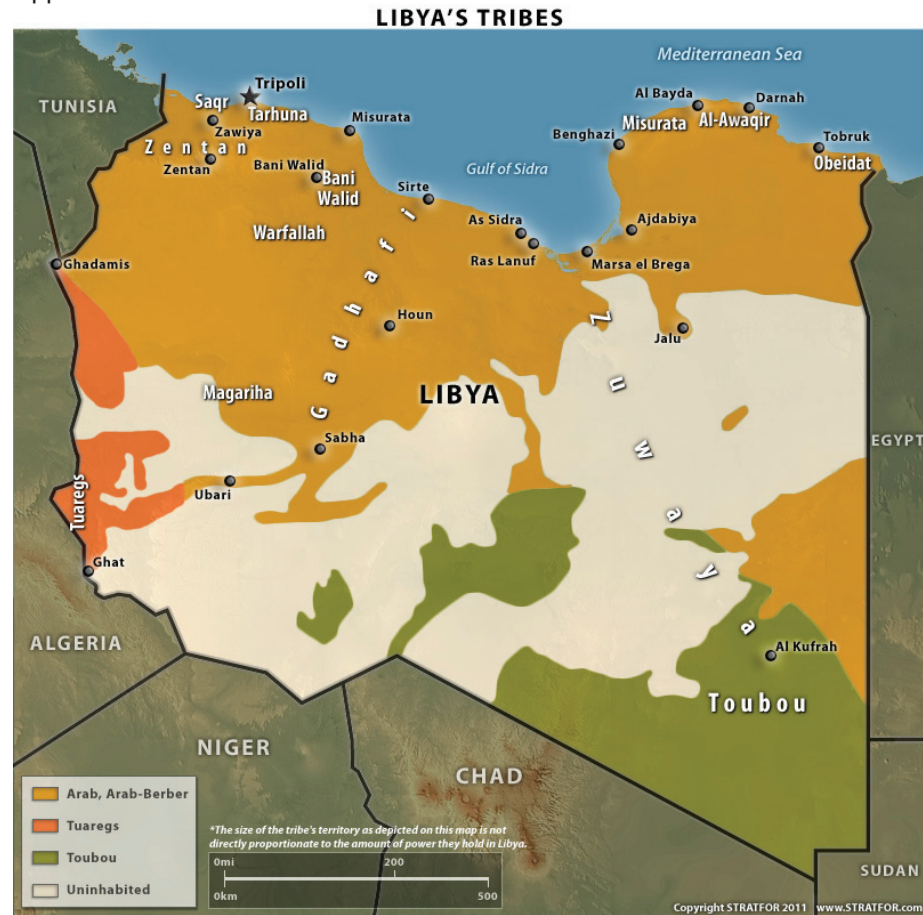
production resumes to its productive capacity. These funds can then be allocated to local participatory networks on the basis of bids for public projects. In this way, the NTC can mitigate fears from informal structures of power, such as tribes, that they will no longer receive funding from the state. Likewise, it will help to maintain the confidence of the Libyan population as a whole that the revolution remains controlled by the people, for the people.

Conclusion

The late French politician Francois Mitterrand once likened political leadership to the act of riding a tiger; “despite outward impressions of control, leaders spend much of their time trying to hang on to the tiger” (Westlake, 2000, xiii). While the NTC faces a number of challenges, this paper has drawn the NTC’s attention to the importance of nation-building. While issues of state formation are important, the NTC must also seek to build trust and accountability with informal structures of power, particularly tribes, to be successful. This first involves offering genuine security to all Libyans, even those previously supportive of the Gaddafi regime. Secondly, it involves building linkages between formal and informal structures of power. Finally, the NTC must work to mitigate fears of declining wealth by reinforcing its commitment to material prosperity. While the NTC must look forward in its transition toward democracy, it must also look to lessons in the informal networks of Libya’s past to determine how best to hold on to the tiger.

Appendices

Appendix A



Source: STRATFOR, "Special Report: Libya's Tribal Dynamics", February, 25, 2011.

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Sovereignty and Intervention

Public Policy & Governance Review

Aboriginal Self-Government in Nunavut

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Aboriginal self-determination is seen as one way for Aboriginal people to assert their collective identity and improve their socio-economic and cultural status. Devolution to Nunavut illustrates many of the contemporary challenges of self-government. Canada's concerns over Nunavut's administrative capacity and their desire to retain control over natural resources and assert Canadian Arctic sovereignty have made the federal government hesitant to engage in devolution negotiations. Yet such concerns should be balanced with the inherent right to self-government, which is recognized in the Constitution Act, 1982. The cases of the Yukon and Greenland are useful in considering policy options for future devolution negotiations.

Introduction

While there is incredible diversity between First Nations, Métis, and Inuit communities in Canada, Aboriginal socio-economic indicators are much lower than for other Canadians. Aboriginal self-determination is increasingly viewed as a way for Aboriginal people to assert their collective identity and improve their socio-economic and cultural status. Because Nunavut has an Inuit majority, it is considered one of Canada's most advanced examples of Aboriginal internal sovereignty. The territorial government is seeking increased responsibility through devolution, which involves the transfer of jurisdiction from a sovereign central government to a sub-national local authority. Devolution negotiations are a complex and lengthy process. The conditions for the success of devolution agreements can include the level of administrative capacity, community cohesion, effective political institutions, financial constraints, and the extent to which centralized authorities are willing to cede authority (Natcher and Davis 2007, 272). If managed effectively, devolution of control over land and resource management may be the way for Nunavut to realize financial autonomy thereby enabling it to improve the quality of life for Nunavummiut. Devolution is also in Canada's best interest, as it solidifies Canadian

Arctic sovereignty claims. The devolution process, however, has been stalled by federal concerns over Nunavut's capacity to assume such responsibility. Examples of devolution in Greenland and the Yukon can provide valuable lessons going forward. The federal government, the Government of Nunavut, and Nunavut Tunngavik Inc. (NTI), the local Inuit authority, each have roles and responsibilities in ensuring the success of devolution.

Internal Sovereignty

Traditionally, sovereignty refers to the formal independence of a state and the powers and responsibilities that are vested in state authority (Macklem 2001, 109). State sovereignty includes, but is not limited to, the monopoly over the legitimate use of force, effective control over territory, economic independence, a common collective identity, and a basic responsibility to provide civilian security. While states are the primary international actors, sovereignty is not necessarily exclusive to states. Canadian federalism has allowed multiple sovereign entities to govern the same territory with separate jurisdictional authorities (Macklem 2001, 110). Furthermore, rather than being based on a single collective identity, Canadian sovereignty includes multiple ethno-cultural groups, some of whom have chosen to assert their right to self-determination within Canada. This more inclusive vision of sovereignty can include Aboriginal groups who are seeking internal sovereignty (Macklem 2001, 124). Historically, Canadian sovereignty depends on maintaining the relationship between Canada's indigenous people and the Crown through treaties of peace and friendship (Macklem 2001, 122). Nunavut's self-determination is a contemporary example that Aboriginal and Canadian sovereignty do not have to be mutually exclusive, and can in fact be complementary.

Aboriginal Self-Government within Canada

The history of Aboriginal people in Canada is both tumultuous and troubled. European colonial powers never acknowledged the political organization and historic land use of Aboriginal Canadians, and therefore ignored any pre-existing Aboriginal sovereignty (Macklem 2001, 121). It was not until 1973 when the Calder case formally recognized pre-existing Aboriginal titles to land that the Canadian government committed to settle all pending land claims (Légaré 2008, 344). The legitimacy of self-determination was

further entrenched when the Constitution Act, 1982 recognized all existing treaty rights as well as the inherent Aboriginal right of self-government (Macklem 2001, 101). Finally, in 2010 Canada issued a statement of support for the United Nations Declaration on the Rights of Indigenous Peoples, which recognizes the indigenous right to self-determination and to their traditional land, territories, and resources (UN 2008). Today, Aboriginal self-government is viewed as a way to right these past wrongs and for Aboriginal people to improve their socio-economic and cultural conditions (Henderson 2007, 15).

Nunavut is an Example of Aboriginal Self-government

Nunavut is a public territorial government, but because 85% of its population is Inuit, Nunavut can be considered an example of Aboriginal self-government in Canada (Henderson 2007, 66). Nunavut is the manifestation of Inuit desires for political autonomy that were first articulated in the 1970s. Nunavut was not included under a previous treaty, which created the opportunity for the Inuit majority to lay their historical claim to their traditional territory (Légaré 2008, 343). After years of negotiation, the Inuit majority asserted self-determination for the first time by approving a referendum to carve their own political entity out of the existing Northwest Territories (NWT) (Légaré 2008, 346). In 1993 the Nunavut Land Claims Agreement (NLCA) was signed by the Government of Canada, the Government of Nunavut, and Tungavik Federation of Nunavut (TFN), the legal Inuit representative (White 2009, 59). The NCLA gained its legitimacy through the public referendum and is constitutionally protected under section 35 of the Constitution Act, 1982 (White 2009, 59).

While the principal motivation for the creation of Nunavut was the preservation and revival of Inuit culture, its future is precariously balanced on a complex array economic and social challenges (Légaré 2008, 336). The NCLA stipulates federal transfers in the amount of \$1.1 billion over 14 years to assist in the territory's political transition and to stimulate economic development (Henderson 2007, 67). While these transfers are vital to the creation of a new territorial governance structure, true autonomy requires a stable source of revenue that can emancipate the province from its overwhelming dependence on federal transfers (Cameron and Campbell 2009, 211). Given this dependence,

scholars remain sceptical of Nunavut's ability to meet its stated goals of healthy communities, unity, self-reliance, and continuing learning by 2020 as set out in the Bathurst Mandate (Légaré 2008, 350). Some Nunavummiut have already expressed their disappointment with the Aboriginal self-government experiment and feel that they enjoyed better services as part of the NWT (Légaré 2008, 350).

Nunavut's Financial Challenges

Moving forward, Nunavut's finances will undoubtedly be the territory's biggest challenge. The Nunavummiut Government is in a particularly tenuous financial position due to its limited revenue and overwhelming budget commitments. Nunavut's extensive taxing authority is compromised by a relatively small tax base, and a relatively small private sector. Furthermore, unlike the provinces, Canadian territories lack ownership of their lands and natural resources (Loukacheva 2009, 103). The federal government retains ownership of 82% of Nunavut's lands and resulting resource revenues, while the Nunavut Tunngavik Inc. (NTI), which replaced the TFN as the Inuit's legal voice, gained control over the remaining 18% through the NCLA (Légaré 2008, 348). The territorial government is completely excluded from resource management, forcing Iqaluit to rely on federal transfers for 90% of its revenue (White 2009, 69).

Geographical remoteness, healthcare costs and energy prices have caused Nunavut's expenditures to increase an average of 6.5% annually, while the federal transfer formula restricts the increase of transfers to only 3.5% per year (Légaré 2008, 350). As of 2005, Nunavut had accumulated \$141 million in debt to compensate for their revenue shortages, bringing the territory dangerously close to the federally imposed debt ceiling of \$200 million (White 2009, 69). The solution to Nunavut's financial problems lies in the devolution of control over lands and natural resources to the territorial government, as this will provide an independent and stable revenue stream and contribute to economic autonomy (Cameron and Campbell 2009, 205).

Devolution: Benefits for Nunavut

There are four primary aspects of a devolution agreement: jurisdictional transfer of province-like authorities, transfer of the federal Northern Affairs Program; a resource revenue agreement, and a fiscal benefit (Government of Nunavut 2010). Devolution represents a huge opportunity for Nunavummiut. First, devolution would position the Government of Nunavut as the primary beneficiary of resource developments like oil, gas, gold, precious stones, and metals (Loukacheva 2009, 98). Pending a Canadian decision to export water, Nunavut could also benefit economically from its water endowments (Cameron and Campbell 2009, 204).

Second, the Government of Nunavut would control the pace and scope of resource development, as well as the terms for community involvement, thereby ensuring the benefit to local communities of resource development projects (Henderson 2007, 9). Third, a devolution agreement would create regulatory and legal certainty surrounding land-use, which would likely increase investment in resource development (Cameron and Campbell 2009, 208).

Fourth, the heightened demand for skilled labour due to increased resource development may bring training initiatives and industry employment programs, which would increase capacity (CARC 2006, 12). Finally, and most importantly, resource revenues and private sector development will reduce Nunavut's dependency on federal transfers and help Nunavut to achieve economic and political self-sufficiency (Cameron and Campbell 2009, 200).

Devolution: Benefits for Canada

Canada would also benefit from a successful devolution agreement. First, land and resource management is often more efficient when administered by local rather than centralized authorities (Natcher and Davis 2007, 271). Therefore, the financial burden on the federal government and on southern tax payers would be reduced if Nunavut was able to generate sufficient revenue to meet its budgetary obligations. Second, strengthening Nunavut's internal sovereignty is a way for Canada to solidify its own Arctic

sovereignty. As Arctic ice continues to melt, the Northwest Passage and increasingly accessible resources deposits will present significant economic opportunities both for Canada and for Nunavut. These opportunities could be jeopardized by American and European assertions that the Northwest Passage is an international waterway and doubts regarding Canada's ability to assert sovereignty in the North (Loukacheva 2009, 87). Canada has responded by pointing to the NCLA and historical Inuit occupation to support their territorial claims in the Arctic (Cameron and Campbell 2009, 213). Yet in devolution discussions with Nunavut, Canada has asserted that Nunavut's territorial claim ends at the shoreline and that these same waterways belong to the Government of Canada (Irlbacher-Fox and Mills 2007, 9). Canada's international negotiating position would actually be strengthened by recognizing the legitimacy of Nunavut's territorial jurisdiction over their internal waters (Cameron and Campbell 2009, 213).

The question of subsea resources is especially controversial due to Canada's changing stance on the ownership of Arctic waterways. The Government of Nunavut and NTI have begrudgingly accepted a distinction between on-land and off-shore resources for the first round of devolution discussions with the hope that the federal government will eventually relinquish control over both types of resources (Cameron and Campbell 2009, 214). Many believe that Inuit historical occupation and use of both the land and the sea ice legitimizes Nunavut's claim to internal waterways as well as off-shore resources (Loukacheva 2009, 99).

The Current Status of Devolution

The federal government has explicitly identified devolution as a vital pillar of their Northern Strategy, but despite commitments of successive Canadian governments, little progress has been made. Devolution negotiations will involve three key players: the Government of Nunavut and the Government of Canada will represent their respective constituencies, and NTI will represent Inuit Nunavummiut. The Conservative government appointed Paul Mayer as the Senior Ministerial Representative to assess the feasibility of devolution (Cameron and Campbell 2009, 216). Much to the chagrin of Nunavut Premier Paul Okalik, Mayer's report discouraged the federal government from continuing with

devolution negotiations due to Nunavut's critical lack of administrative and technical capacity (Cameron and Campbell 2009, 216). Currently, both the Government of Nunavut and NTI have secured a mandate to negotiate and appointed chief negotiators (Government of Nunavut 2010). The Government of Canada has yet to take either of these crucial steps, and they have cited Nunavut's capacity issues as the reason for their reluctance (White 2009, 68).

Nunavut's Capacity Challenges

While Premier Okalik has criticized the federal government for using Nunavut's lack of capacity to stall negotiations, the territory's capacity shortfalls cannot be denied (White 2009, 68). High staff vacancies, high staff turnover, lack of staff housing in isolated communities, a high cost of living, and low levels of technical expertise among Nunavummiut have severely limited the territory's ability to meet its staffing requirements (White 2009, 71). The Government of Nunavut is also constrained by the added cultural expectations of Inuit Nunavummiut, which include language requirements, adequate Inuit representation in the public service, and cultural sensitivity according to Inuit Qaujimajatuqangit, which encompasses traditional Inuit knowledge (White 2009, 58). In addition to being a logistical barrier, Nunavut's capacity concerns may also undermine the autonomy of Aboriginal self-government. Inuit traditional knowledge of the land is extensive; however, the success of devolution also depends on technical, legal, and bureaucratic expertise (Natcher and Davis 2007, 273).

In many Aboriginal communities, these skills are lacking, which restricts the feasibility of Aboriginal recruitment and may force Aboriginal governments to rely on non-Aboriginal expertise (Natcher and Davis 2007, 273). First, the reliance on non-Aboriginal technical experts may jeopardize capacity building initiatives, thereby continuing the cycle of bureaucratic dependence (Natcher and Davis 2007, 273). Second, non-Aboriginal technical experts are often carried over from the previous centralized resource management regime, and lack the cultural sensitivity and knowledge that makes Aboriginal self-government so desirable. Despite their best intentions, non-Aboriginal management of Aboriginal governance structures can undermine Aboriginal autonomy.

Self-rule in Greenland

Another example of an Aboriginal self-determination is self-rule in Greenland. Greenland and Nunavut share many common features such as geographic isolation, lack of physical infrastructure, large resource deposits, a majority Inuit population, low socio-economic indicators, and reliance on a public rather than a private economy (OECD 2002, 191). The people of Nunavut and Greenland have both asserted some measure of self-determination as a way to improve their socio-economic condition and their cultural status (BBC 2009). In 2009, Greenlanders voted in favour of self-rule, which allowed Greenland to assume responsibility over all their internal matters including land and resource management (BBC 2009). Greenland depends on the federal government transfers for 50% of its revenue, which is a much lower percentage than all three Canadian territories and more importantly, it is a lower percentage than before Greenland won its autonomy (OECD 2002, 193).

Greenland has complete discretion over the funds it receives from Copenhagen, which further supports self-determination and political capacity within the territory (OECD 2002, 192). Local control, however, is not without its risks. These so called “block grants” can adversely affect local resource rich economies similar to the “Dutch disease”, as transfers artificially increase wages and price levels in relation to economic productivity, thereby undermining the competitiveness of investments in non-resource industries (OECD 2002, 192). When discussing devolution and federal transfers from Ottawa to the Northern territories, the “Dutch disease” must be a consideration.

The Yukon Case

Another example of devolution closer to home is the Yukon. In 2003, the Yukon became the first Canadian territory to successfully assume control of province-like responsibilities, including control over all territorial land and natural resource (Cameron and Campbell 2009, 202). While devolution is an important achievement, the effectiveness of the Yukon devolution agreement is contested. There were high hopes amongst the First Nations in the Yukon that local administration would be more appropriate and responsive to Aboriginal concerns, but the Yukon’s legislation and processes largely mirrored those

of the federal government (Natcher and Davis 2007, 276). Critiques of the devolution process also accuse the Yukon of selling out on the issue of net fiscal benefit, which is the portion of the territorial resource revenue that is exempted from the federal transfer formula (Cameron and Campbell 2009, 203).

Under the current agreement, the Yukon is entitled to keep the first \$3 million in resource revenue, and any excess revenue is offset at a rate of 100%, meaning that for every excess dollar of revenue, the Yukon's federal transfer is reduced by 1 dollar (Cameron and Campbell 2009, 203). Furthermore, the devolution agreement did not reduce the Yukon dependency on federal transfers as expected (Cameron and Campbell 2009, 204). It did, however, make the Yukon the sole decision maker in terms of the pace and requirements of resource development (Cameron and Campbell 2009, 204). In addition, while the net fiscal benefit formula was highly criticized, the Yukon has yet to exceed the \$3 million resource revenue cap, so federal transfers have not yet been affected.

Policy Options

Devolution will be an exceptionally complex process, as it will involve the negotiation of federal, territorial, and Aboriginal interests, which may be in competition. The examples of Greenland and the Yukon, as well as Nunavut's existing experience with devolution provides some valuable lessons on how each actor can contribute to a successful devolution agreement. Recommendations for each actor can be separated between actions that should be taken prior to devolution, during the negotiation process, and during the implementation phase.

Prior to Devolution

Prior to devolution negotiations, the federal government should adjust their Northern Strategy to acknowledge the mutual dependency between Canadian Arctic sovereignty and Nunavut's self-government (CARC 2006, 9). The government should also clarify their position on ownership over the internal waterways in Nunavut, which will have implications for ownership of off-shore resources. If Canada declines to recognize Nunavut's claim over these waterways, this could undermine Canada's international

claims to sovereignty in those waters (CARC 2006, 9). The NTI has also recommended that the federal government involve remote Nunavummiut communities in Resolute Bay, Grise Fiord, and Arctic Bay to strengthen Canadian Arctic sovereignty (Loukacheva 2009, 96).

Finally, the federal government should seek a mandate to negotiate devolution from cabinet and appoint a chief negotiator as a precursor to negotiations.

To create the conditions for successful devolution negotiations, Nunavut must address their capacity issues. The territorial government should build on Mayer's recommendation to develop a comprehensive human resources strategy to address both immediate staff vacancies and build long term technical expertise (Cameron and Campbell 2009, 216). Likely, such a strategy will involve partnerships between territorial authorities and federal, Aboriginal, and private actors. The Yukon devolution process can provide important lessons for the devolution negotiating team. Shortcomings of the Yukon devolution process highlight the need for clear objectives and terms for negotiations, a comprehensive scoping exercise, and adequate resourcing and technical expertise for negotiation parties prior to discussions (Cameron and Campbell 2009, 204).

During Negotiations

The negotiating teams will have to balance competing priorities of the three parties involved. To address Nunavut's capacity issues, Mayer recommends an incremental devolution process to be coupled with capacity building initiatives. A staged process has partly been implemented through the differentiation of on-shore and off-shore resources, as the first round of negotiations will address on-land resources only (Cameron and Campbell 2009, 216). The negotiating team should also ensure that the devolution agreement includes adequate financial and technical resources for creating new land management bodies and regulatory regimes, capacity building mechanisms to support a territorial human resource strategy, and a revenue sharing structure that is balanced and fair for all beneficiaries (Cameron and Campbell 2009, 216).

Another key issue will be determining an appropriate net fiscal benefit arrangement, which will determine Nunavut's entitlement to federal transfers. In order for Nunavummiut to support a devolution agreement, negotiators must avoid the situation that occurred in the Yukon where residents felt they got the short end of the fiscal benefit stick. The NTI may be able to provide an Inuit perspective to ensure that the majority of Nunavummiut are satisfied with the net fiscal benefit arrangement.

Implementation

If the negotiating parties successfully reach a devolution agreement, the Government of Nunavut will have no easy task in implementation. The immediate economic impact and the royalty structure of resource development will no doubt be at the top of the list. The territorial administration will have to balance the desire for low royalty rates to encourage investment in a jurisdiction with an already high cost of doing business, and the revenues from higher royalty rates that have not discouraged investment in other jurisdictions (CARC 2006, 11). Many believe that if energy prices remain high, the demand for northern hydrocarbons will spur development despite high royalty rates (Irlbacher-Fox and Mills 2007, 11). Some experts recommend that Nunavut implement a tax and royalty regime like the Yukon's, which accounts for resource prices (Irlbacher-Fox and Mills 2007, 12).

Another possibility is for Nunavut to maintain a relatively lenient royalty regime and use other revenue recovery mechanisms (Irlbacher-Fox and Mills 2007, 12). Other jurisdictions have introduced Non-renewable Permanent Funds (NPFs), or Heritage Funds, to ensure that future generations can benefit from the development of non-renewable resources (Irlbacher-Fox and Mills 2007, 14). Such funds can be used to convert exhaustible resource capital into other more enduring types of capital through social, human, or physical investments, and they can also protect economies against the boom and bust nature of a resource economy (Irlbacher-Fox and Mills 2007, 16).

While NPFs collect revenue from all non-renewable resource development projects, Impact Benefit Agreements (IBAs) are negotiated between local communities and

individual companies for specific projects. IBAs require individual companies to adhere to various standards or engage in community projects in such areas as environmental, social, cultural, financial, business development, or employment and training (Irlbacher-Fox and Mills 2007, 17). IBAs could be one way for the territorial government to engage industry in capacity building initiatives and increase employment amongst Nunavummiut. Resource extraction depends on clear and stable regulatory regimes.

The current investment climate in Nunavut is affected by regulatory uncertainty and bureaucratic inefficiency, meaning that an effective transition strategy is vital to the continuation of business development (Mayer 2007, 41). This is not to say that industry concerns should supersede those of the territorial government, only to say that if devolution discourages investment, Nunavut's economic self-sufficiency may be compromised. The federal and territorial land management authorities must work together to ensure a smooth transition to reduce any disruptions to current investments and resource development projects (CARC 2006, 12).

Finally, to mitigate the risk of the disappointment in the Yukon where the Aboriginal governance structure essentially mirrored the centralized structure, the territorial government and the NTI must work together to consider the Inuit perspective and to ensure adequate accountability in land management (Natcher and Davis 2007, 273). These mechanisms could include community consultation and participation, a role for NTI in land and resource management, IBAs, and capacity building initiatives.

Conclusion

Canadian sovereignty allows for multiple sovereign authorities and has depended on multicultural identities, both of which have allowed Aboriginal Canadians to assert self-determination. As a majority Inuit jurisdiction, Nunavut can be seen as an example of Aboriginal self-government, and the territory is seeking to expand its sovereign authority through devolution of jurisdiction over land and natural resources. Canada can also benefit from devolution, as a strong and independent Nunavut could help secure Canadian Arctic sovereignty as well as contribute to Canada's economy. The experiences

Nunavut, the Yukon, Greenland provide some valuable lessons for the pending devolution negotiations. Throughout the devolution process, the federal government, the territorial authority and the NTI all have vital roles and responsibilities in developing and implementing a successful devolution agreement. If successfully implemented, devolution may be the key to Nunavut's economic and political autonomy, which will improve the socio-economic and cultural status of Inuit Nunavummiut.

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An Argument for Land Use Agreements in the British Columbia Treaty Process

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This paper argues that land-use agreements should be a complementary adjunct to the British Columbia treaty process. It makes this argument by explaining the context of aboriginal sovereignty in British Columbia from British colonial settlement to modern case law. It locates the risks and challenges to successfully negotiating aboriginal title in a lack of public service capacity within First Nations as well as the political sensitivity around economic development and resource extraction. From these considerations, it moves on to recommend that the existing treaty process in British Columbia be expanded to include land-use agreements. This paper then proceeds to examine - and reject - the current model of treaty negotiation in British Columbia. It grounds the argument for land-use agreements by emphasizing their role in advancing the economic interests of First Nations as well as serving as positive auxiliaries to furthering the permanent treaty process. It suggests an implementation strategy that catalyzes the existing British Columbia Treaty Commission. It concludes with practical 'first steps' the Province can take to initiate this process.

Background

Two issues frame this argument – economic development and aboriginal sovereignty. At the moment, it appears that economic development is largely driving the government to secure land-use agreements. The growing global population is creating strong demand for energy. Over the next two decades this demand for energy is estimated to increase by roughly 35% (Emerson, 48, 2011). Most of this demand is expected to come from energy-hungry economies in the Pacific Rim, such as Japan – which has no domestic source of petroleum – and developing markets such as China and India. This regional problem is compounded by a current deficit in pipeline infrastructure to deliver oil to these markets (Ibid). At the same time, energy demands along the American west coast is also expected to rise as they gradually run-down their own stock of oil.

Canada is advantageously positioned to supply these markets. After Saudi Arabia, the Athabasca oil sands in northern Alberta are the second-largest known oil reserves in the world. Transit times between Canadian ports and Asia are two days shorter than

embarking from American ports (Ibid). At the moment, roughly half of Canada's GDP is supported by exports; amongst the Group of Eight (G8), it is the most export-reliant country. A significant chunk – 70.2% - of Canadian exports go to the American market (Foreign Affairs and International Trade, 2011). In light of America's recently weak economic performance, it has become a policy mantra that Canada needs to diversify its export markets (Georges and Mérette, 2010).

A second consideration is the constitutional obligation of government to consult and accommodate First Nations if it intends to make a decision that could affect their interests and title. This is mandated by the Constitution Act, 1982 Section 35. Unlike other Canadian jurisdictions, British Columbia has had until recently a substantively light history of securing treaties with First Nations. There was an initial flurry of treaty-signing under British Columbia's first colonial governor, Sir James Douglas, who negotiated fourteen land agreements with aboriginal communities on and around Victoria. Douglas and his successors, however, did not maintain this treaty process (Stokes, 118, 2000). After British Columbia joined the Canadian Confederation in 1871, the Province maintained that aboriginal title to their territories had been extinguished with the establishment of British colonies on Vancouver Island and the mainland. Subsequently, the only government relevant with regards to First Nations was the Dominion government – under British Columbia's terms of union, the Dominion agreed to assume all responsibility for status Indians. By 1924, the Dominion had finished drawing the boundaries of all British Columbia's Indian reserves (Stokes, 119, 2000).

This history reminds us that policy-making is in many ways an interrogative process. Policy-makers must identify the normative values that not only identify a problem but also inform their choice of policy instruments (Pal, 2001). This exercise is often controversial because of perceived subjectivities and ideological disagreements. In the case of aboriginal sovereignty, however, the law of the land has coordinated a constellation of values to frame proper responses to problem identification and resolution. Section 35 of the Constitution Act, 1982 pledges that:

35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.
- (2) In this Act, “Aboriginal Peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.
- (3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.
- (4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons. Subsequent Court law has clarified understanding of this provision.

In *R. v. Sparrow* (1982), the Supreme Court affirmed the continued existence of aboriginal rights. Importantly, it also imposed a fiduciary duty upon the federal government to act with restraint when interfering with these rights. *R. v. Van Der Peet* (1996) subsequently defined aboriginal rights as “A practice, custom or tradition, to be recognized as an aboriginal right need not be distinct, meaning “unique”, to the aboriginal culture in question. The aboriginal claimants must simply demonstrate that the custom or tradition is a defining characteristic of their culture” (S.C.C. 1996).

In 1997, the Supreme Court definitively ruled in *Delgamuukw v. British Columbia* that aboriginal title in British Columbia had never been extinguished, putting to rest the long-standing legal theory that British settlement had supplanted it. The Court noted: A provincial law of general application cannot extinguish aboriginal rights. First, a law of general application cannot, by definition, meet the standard “of clear and plain intention” needed to extinguish aboriginal rights without being ultra vires the province. Second, s. 91(24) [Constitution Act, 1867] protects a core of federal jurisdiction even from provincial laws of general application through the operation of the doctrine of interjurisdictional immunity. That core has been described as matters touching on “Indianness” or the “core of Indianness”. (S.C.C. 1997)

In 2004, the Supreme Court defined the obligation of government to consult and accommodate aboriginal interests in land use in *Haida Nation v. British Columbia (Minister of Forests)*. Grounding their ruling in the ‘honour of the crown’, the court ruled that the Crown has a “duty to consult with Aboriginal peoples and accommodate their interests” even if title is unproven (S.C.C 2004).

Cumulative case law thus spells out clear and normative understandings for government interaction with aboriginal sovereignty. Since 2005, the government of British Columbia has interpreted this legal obligation as a suitable instrument for advancing its policy of reconciliation with the province's aboriginal peoples (British Columbia, 4, 2010). In 2010 the province updated its procedures manual for consulting and accommodating aboriginal interests to emphasize four goals consistent with reconciliation. The province aims to use this process to realize the following:

1. Respect for aboriginal and treaty rights: the Province wishes to ensure that the claimed or proven aboriginal rights (including title) and the treaty rights of its First Nations citizens are respected. Through the process of consultation, the Province is seeking a better understanding of aboriginal and treaty rights, and how its decision-making processes may be influenced by them.
2. Improved relationship between the Province and First Nations. Through the process of consultation, the Province is seeking to improve its relationships with First Nations.
3. Predictable and transparent process. The Province wishes to engage First Nations in a predictable and transparent way.
4. Reconciliation of rights and interests. The province wishes to reconcile the respective Aboriginal interest of First Nation communities and government's other objectives. (British Columbia, 7, 2010).

Until 2011, the Province preferred to resolve aboriginal title through negotiating permanent treaties with First Nations. This approach, however, was time-consuming and expensive and resulted in only three treaties. In November 2011 Premier Clark announced that province would shift its negotiating priority from securing permanent treaties to signing land-use agreements with First Nations. Ms. Clark explained the policy-change by referencing the persistent poverty that afflicts many aboriginal communities: "Lots of first nations are fed up with waiting for economic development. And frankly so am I... We have to find other ways of getting there sooner." (Hunter, 4 November 2011). The Province is now determined to secure ten land-use agreements by 2015 (Hunter and Bailey, 5 November 2011).

Risks and Challenges

There are sizable risks and challenges inherent to negotiating land-use agreements with First Nations. At the moment, the topic of natural resource management is highly

sensitive for many communities as they grapple how to properly respond to proposed developments. Quite a few First Nations worry that the type of development proposed – mineral extraction and pipelines, for example – are environmentally dangerous and inimical to the survival of their culture. This debate is currently gripping the Gitksan First Nation, which recently signed an agreement with Enbridge allowing the Northern Gateway Pipeline to cross their traditional territory in exchange for equity in the project (CBC News, 6 Dec. 2011, Web).

Another challenge is that many aboriginal leaders worry that an exclusive preference for land-use agreements would cause the Province to ignore First Nations that are not immediately attractive for investment. Chief Douglas White of the Snuneymuxw First Nation told the Globe and Mail, “This is not a pathway for unleashing the potential of this province...There may be scenarios where the stars line up and a proponent’s project lines up with a first nation’s interests. But for the most part, the uncertainty and conflict will remain” (Hunter, 4 November 2011).

The greatest challenge, however, is the current lack of public service capacity within First Nations. As Neil J. Sterrit notes, “For first nations, with limited resources and administrative capacity, the challenges [of negotiation] can be overwhelming.” (6 January 2012, Vancouver Sun). The British Columbia First Nations Public Service Development Secretariat reports that First Nations public services experience great difficulty in attracting and retaining qualified workers (British Columbia F.N.P.S.D.S., 6-9, 2010). The National Centre for First Nations Governance also enumerated the following challenges causing, or arising, from insufficient capacity:

- Conflict between the vision of communities and government programs and policies
- Inadequate resourcing
- High turnover and burnout of public servants
- Poor compensation and lack of job security
- Significant diversity in size of First Nations communities leading to a broad range of needs and challenges between communities
- Low success rates in formal education
- Lack of relevant formal education opportunities (N.C.F.N.G., 54, 2009).

These public service deficits can ultimately result in a crisis in legitimacy. The National Centre for First Nations Governance expressed this concern by emphasizing that: The current nature of most First Nations communities makes transparency and fairness a difficult challenge. In some cases, policies and procedures are just not in place. In others, the existing policies and procedures just don't meet the needs of the community. (N.C.F.G., 28, 2009).

A combination of all of the listed risks has resulted in such a crisis for the Gitksan First Nation. Lacking a fully bodied public service, the First Nation's treaty auxiliary – the Gitksan Treaty Society – not only negotiated an agreement with Enbridge but also signed it. It is the latter action that is generating controversy, with some alleging that the Society over-stepped its boundaries, while others claiming it was a natural extension of its mandate (Sterrit, 6 January 2011). Similar problems should be expected in other First Nations, as their under-resourced public services grapple to craft an appropriate response under increased pressures to permit development.

Recommendations

The treaty process is necessary to achieve meaningful reconciliation with British Columbia's aboriginal peoples. By the same token, reconciliation must also deliver opportunities to aboriginals to fully participate in the general prosperity of the province. To date the treaty process has not delivered this outcome. The Province's new preference for negotiating land-use agreements is therefore understandable and appropriate. However, in the interest of fairness and equity, the Province should commit itself to negotiating with every First Nation in British Columbia. The British Columbia Treaty Commission is already on hand to facilitate and expedite this process through the experience and bridges it has built with its aboriginal partners.

Importantly, this approach should not be construed and implemented as a replacement to the treaty process. In light of established case law, such an approach would not only fail judicial review but would also violate the spirit of natural justice itself. Rather, land-use agreements should be structured into the existing treaty process as ladders towards the final goal of securing permanent treaties.

Other Options

Pursuant to *Haida v. British Columbia (Minister of Forests)*, the province is obliged to consult and, if possible, accommodate, aboriginal interests vested in land use. This requirement results in only two realistic options for the Province: negotiating permanent treaties with First Nations or temporary land-use agreements. The former option was until recently the preferred strategy of the provincial government. Under the Campbell Government, treaty negotiations were a strategic policy aim for the Province. During its ten years in office, three treaties were formally ratified and seven Agreements in Principle were drafted – the final stage before treaty ratification (British Columbia Treaty Commission, 2011). The advantage behind this strategy is creating permanent and reliable frameworks that economically, socially, and politically enables First Nations to succeed. At the same time it creates stable land use rules, giving capital the confidence to invest. As the British Columbia Treaty Commission explains, “Achieving certainty is the primary goal of the BC treaty process. Certainty in a treaty means ownership and the rights, responsibilities and authorities of all parties are clear and predictable. The process for reviewing and amending the treaty must also be fair and predictable” (British Columbia Treaty Commission, Website, 2011).

The disadvantage behind this system, however, is that it has so far proved to be time-consuming and expensive. Since 1993, when the treaty-process was resumed in British Columbia, only three treaties have been secured. Negotiations with the remaining 108 First Nation bands are ongoing. To date, \$533 million has been spent on the entire treaty process (British Columbia Commissioner of Treaties Annual Report, 28, 2011). The high cost and delay in negotiations is explained by the convergence of two factors. Firstly, the sheer number of negotiating partners and the inherent complexity of negotiating necessarily make this a slow process. Secondly, the treaty process is fundamentally colored by the proposed permanency of treaties themselves - despite the presence of amending formulas, both sides are understandably cautious to do their due diligence so as to not be unpleasantly surprised by possible consequences from a finalized treaty. In a rather unusual move, the Chief Commissioner of the British Columbia Treaty Commission, Sophie Pierre, used her most recent Annual Report (2011) to criticize the

slow pace of negotiations. She wrote:

The lack of urgency in treaty negotiations, for which all parties must accept some of the responsibility, remains a concern of the Treaty Commission. Direction is urgently required from the highest level — the Prime Minister, Premier and First Nations Summit Task Group — to shake the status quo. (British Columbia Treaty Commission, 1, 2011).

Thus far the principals have yet to publically recommit to the 1992 British Columbia Treaty Commission Agreement as urged by the Chief Commissioner (British Columbia Treaty Commission, 1, 2011).

Accordingly, given the slow pace of negotiations, its high cost, and increased global interest in British Columbia's economic potential, it is appropriate for the Province to temporarily emphasize land-use agreements over the treaty process as an expedient method to establish certainty for capital. It is only by assuring certainty that capital can create economic opportunities for First Nations and British Columbians. It is important to emphasize that this approach does not imply a rejection of the treaty-process but rather serves to complement it in delivering positive outcomes.

Rationale

Pursuing land use agreements are not necessarily prejudicial to the ultimate goal of securing treaties with British Columbia's First Nations. In fact, land-use agreements can usefully prep the treaty process by serving as a temporary living laboratory. Since these agreements are time-stamped with an expiration date, negotiating pressure on both partners to secure the most advantageous deal for themselves is lightened. Partners can also use the lifetime of a land-use agreement to assess the viability of its conditions. Should these conditions prove acceptable to both partners, they can subsequently become common touchstones upon which a permanent treaty is built upon. At the same time, land use agreements create certainty for capital. Speaking on behalf of the British Columbia Business Council, Jerry Lampert stressed the importance of certainty for the investment community:

No treaty issue has been as important to the Business Council since the beginning of the treaty process as certainty. In our view, the very purpose of the treaty process is to achieve certainty for British Columbia and all its citizens in terms of the effect of aboriginal rights and title on lands and resources. (British Columbia Treaty Commission, 18, 2004).

Land-use agreements can condition economic development to accommodate First Nation concerns. Land-use agreements to date have included environmental protection, cultural recognition, and economic inclusion for First Nations. In the most recently signed land-use agreement – the Atlin Taku Land Use Plan – the Taku Province and the Taku River Tlingit First Nation specified the core vision of the agreement. The Atlin Taku Land Use Plan describes itself as a:

- A framework for culturally and ecologically sustainable management grounded in ecosystem based management practices including principles, goals, and objectives for critical habitat and ecosystem management; and
- Designated resource management zones, defining the scope of acceptable activities, including:
 - Areas for protection from major industrial development due to their cultural, ecological, wildlife, or fisheries values; and,
 - Areas available for ecologically sustainable and culturally appropriate development. (Atlin Taku Land Use Plan, 2, 2011).

To manage the Atlin Taku Land Use Plan, it was necessary for the Province to also negotiate a Strategic Engagement Agreement. This was necessary as the Atlin Taku Land Use Plan was exclusively focused on delineating acceptable and unacceptable land use practices. Operational features, such as allocation of wildlife resources, private property interests, resource revenue sharing were specifically not addressed in the Land Use Plan (Atlin Taku Land Use Plan, 3, 2011).

The resulting Strategic Engagement Agreement with the Taku River Tlingit First Nation – Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement – was designed to address the management of the terms of the Atlin Taku Land Use Plan. It was set-up to create a collaborative framework between the Province

and the First Nation for implementing the Land Use Plan. Additionally, the Strategic Engagement Agreement commits the Province to protecting 800,000 ha. of land as a natural reserve, funding economic opportunities for the Taku River Tlingit, as well as entrenching resource revenue sharing. In exchange, the Taku River Tlingit First Nation agreed to not oppose the economic development of 3 million ha. of land expected to prove rich in mineral resources (Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement, 2011). Both the Province and the Taku River Tlingit further agreed to joint decision-making procedures over managing the resources of the outlined territory (Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement, 11, 2011). Importantly, land-use agreements typically do not take as long as treaties to negotiate and implement. Furthermore, land-use agreements satisfy the Province's obligations as outlined in several court rulings, but especially *Haida v. British Columbia (Minister of Forests)*.

It is also important to stress the economic benefits that could accrue from a comprehensive system of land-use agreements with First Nations. For example, it is projected that the Northern Gateway Pipeline by itself would create 5,500 person-years of direct, on-site employment and 57,200 person-years of indirect employment. In British Columbia alone this would generate a labour income figure of approximately \$2.5 billion while the rest of country would earn \$5.5 billion. Over a thirty-year span, this pipeline would add \$270 billion to the national gross domestic product. Finally, governments at all levels could expect to raise \$85 million in tax revenue from the pipeline and its associated activities alone. (Emerson, 50, 2010). Such activities would naturally involve First Nations because of the need to negotiate land-usage consent from them. Land-use agreements are therefore expedient instruments through which to secure solid and reliable employment for aboriginal communities and begin to raise their standard of living to the provincial average.

Implementation

The Province should pursue land-use agreements on systemic basis. To facilitate this, the British Columbia Treaty Commission should be catalyzed in crafting and implementing

these agreements through using their treaty process. The British Columbia Treaty Commission has structured the treaty process into six stages, from introductory talks all the way to treaty ratification. Stages one to three could be used for fact-seeking and negotiating a land-use agreement with First Nations. Phase Four of the process – negotiation of an agreement in principle – is the most apt level for land-use agreements to be implemented. The rationale behind this implementation strategy is that it harvests the substantive work already accomplished by the British Columbia Treaty Commission and First Nations in identifying their respective key concerns over natural resource ownership and management. Furthermore, land-use agreements could serve as valuable vehicles in which to test the logistics of negotiated agreements in principle between First Nations, the Province, and the government of Canada before moving into the treaty ratification stages.

Implementing land-use agreements into the existing treaty process would not require renegotiating the 1992 British Columbia Treaty Commission Agreement amongst the principals. Sufficient latitude is given in the wording of the text that it could be easily imported into the treaty process. However, it is essential to note that requiring First Nations to accept a land-use agreement before securing a treaty is untenable. No obligation could be imposed unless every party to the talks gave individual consent. Accordingly, the Province and the government of Canada must instruct their agents to push for this option but realize that they cannot force it.

Finally, it may prove necessary from a practical point of view to divide land-use agreements into two packages. The first package would be solely concerned with defining the boundaries of the land in question and acceptable environmental practices. After securing common agreement, the Province and First Nation can then move on to the business of negotiating an operational model to manage the land-use agreement.

Next Steps

Accordingly, the Province should confer with the government of Canada to win their support for this option. If the government of Canada declines to support the importation

of land-use agreements into the treaty process the Province should continue to push for it in their talks with First Nations. At the same time, the Province must recognize that this is a fraught time for securing land-use agreements. Concerns over resource extraction and pipelines from Alberta to the West Coast have heavily politicized this issue in many aboriginal communities. Handling this topic will require sensitivity, transparency, and accountability to give it legitimacy.

Thus far the Province has made significant steps in this direction. 'Open houses' have been held on aboriginal reserves to discuss the details and significance of land-use agreements their leadership negotiated with the Province. This tactic, however, has been showed wanting in several cases. Indicative of this insufficiency is the dissent amongst the Gitksan First Nation over the Northern Gateway Pipeline agreement their band signed with Enbridge. The legitimacy of this agreement has been strongly challenged, in that it did not follow traditional protocols to secure support (CBC News, 6 Dec. 2011, Web). This example is instructive for the Province in securing land-use agreements with First Nations. Accordingly, the Province should identify the appropriate protocols used by its First Nation partner and shape its implementation strategy accordingly.

In many cases, First Nations lack public services resources to effectively participate in negotiations. The Province has already suggested that the federal government should forward funds to First Nations to build-up their capacity to negotiate with the Province (Hunter and Bailey, 5 November 2011). If the federal government is unwilling or forwards insufficient monies, the Province should make-up the difference.

Finally, this process requires strong signals of political support from the Province's leadership. The Premier and the Ministers of Aboriginal Relations and Reconciliation; Energy and Mines; Forests, Lands, and Natural Resources; and Jobs, Tourism, Tourism and Innovation should be actively involved.

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Ways but not a Will: Addressing Nitrate Contamination on Prince Edward Island

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As the only Canadian province entirely dependent on groundwater, and the province with the largest percentage of land under agricultural cultivation, nitrate contamination of drinking water is a critically important issue for Prince Edward Island. Although there are clear links between nitrate contamination and human, environmental, and aquatic health, the province has taken minimal action on the issue. This article explores the current hindrances to progressive and effective public policy, and suggestions for how the province can move forward.

Introduction

Prince Edward Island is the only province in Canada that is entirely dependent on groundwater; it also has the largest percentage of land under agricultural cultivation. This combination of conditions has meant that Islanders are at an elevated risk for nitrate contamination in their drinking water from agricultural runoff. In addition, nitrate contamination threatens not only human health, but environmental and aquatic ecosystems—threatening the entire province's wellbeing. This article explores the potential impacts of nitrate contamination, the current legislation in place to address issues of water quality and quantity, potential hindrances to effective public policy, and how the province can move forward. These explorations engender the conclusion that change on the issue of nitrate contamination will be difficult to bring about, but is imperative. Change can be achieved through subsidies, primary and secondary educational reform, and a shift, through government support and regulation, to all-organic agriculture; with all-organic agriculture, the Island could effectively re-brand its farm products as unique within the market – while protecting the lives of all Islanders, the environment, and aquaculture ecosystems against the threats of nitrate contamination.

The Hazards of Nitrate Contamination

Nitrate contamination is an issue with potentially serious consequences for the health of humans, wildlife, and fisheries, shellfish, and aquaculture. As it has been stated: “Nitrates in drinking water can be a health hazard when present at relatively high concentrations (over 10 ppm). At much lower concentrations, nitrate interacts with other pollutants such as trace mixtures of pesticides to produce health impacts,” (Novaczek, 2008). This combination has been found in rural wells and surface waters on Prince Edward Island. Therefore, it is important to examine the specific hazards of such contamination.

Research has shown that mixtures of nitrates and other pollutants contribute to: immune, endocrine, and nervous systems conditions (Guillete and Edwards, 2005); various cancers (Pearce and McLean, 2005); childhood diabetes (Kostraba et al., 1992); thyroid dysfunction (Eskiocak et al., 2005); attention deficit disorder (Porter et al., 1999); and birth defects and reproductive problems (Manassaram et al., 2007). In addition, these impacts are most seriously evidenced in children, the elderly, and those with pre-existing immune, endocrine, and/or nervous system conditions. Beyond human health, it is also important to consider wildlife health and the impact of nitrates on fisheries and aquaculture. It is important to note that, while 10 ppm is considered dangerous to human health, a concentration of only 2.9 ppm is considered hazardous to wildlife health. Humans also have the capacity to drill deeper wells in order to reach less contaminated water, while wildlife are entirely dependent on surface water, which is more likely to be contaminated, and at higher concentrations. In addition, it is important to consider the impact on fisheries and aquaculture – Prince Edward Island’s third largest industry. Nitrate pollution can have both direct and indirect impacts on marine ecosystems; it has the potential to further collapse the lobster, scallop, and herring fisheries in the Northumberland Strait (GTA Consultants, 2006).

Current Regulations and Legislation

As the only province that relies entirely on groundwater, Prince Edward Island uses both individual wells and municipal supply systems. There is no provincial water conservation plan in place, but it is important to note the legislation that does impact water quality

and quantity in the province. The central pieces of water legislation are the Water and Sewerage Act (2003), Environmental Protection Act (1988), Water Wells Act (2004), and the PEI Fisheries Act (2009), while the Farm Practices Act (1998), Right to Farm and the Pesticide Control Act (2009), and the Planning Act (2009) also impact water quality issues. There are also groundwater and surface water monitoring programs in place, including: the Pesticide Research and Monitoring Program, PEI Groundwater Pesticide Monitoring, Public Water Data, Stream Flow Monitoring, Monitoring the Groundwater Table on PEI, Canada/Prince Edward Island Water Quality Agreement, Bacterial Sampling for Environment Canada, PEI Estuary Survey, Targeted Monitoring, Other Water Quality Monitoring Activities (The Living Water Policy Project).

In particular, the Drinking Water Strategy, put in place in 2001, “uses a multibarrier approach to protecting drinking water, focusing on source protection, system design, and operation for municipalities,” (The Living Water Policy Project). All municipalities in the province require the disinfection of drinking water, testing for 50 contaminants, including nitrates, but it is not mandatory that they report these to municipal residents, and more than seventy per cent of provincial land falls outside municipalities. Since 2004, well-field protection plans have been mandatory for homeowners who live within municipal borders, but there is no provincial equivalent for unincorporated areas (The Living Water Policy Project). No legislation is in place to ensure water quality of private wells or mitigate nitrate contamination.

It is also important to note that no water monitoring programs for drinking water or water resources exist, at either the territorial or provincial levels, for the First Nations communities on Prince Edward Island (The Living Water Policy Project). As the First Nations communities are located on Federal Reserve land, they are under Federal jurisdiction; they are not protected by any provincial legislation on water quality. As it has been summarized: “First Nations rights to water are not yet explicitly and legally acknowledged in any provincial or federal legislation. The 1987 Federal Water Policy (Environment Canada, 1987) acknowledges Native interests in water but this has not generally been reflected in provincial allocation decisions,” (The Living Water Policy

Project).

Hindrances to Effective Public Policy

Despite the clear scientific data on the impact of nitrate groundwater contamination, there are a number of factors unique to Prince Edward Island that hinder the public policy process from implementing an effective strategy for protecting Island water sources. Therefore, these factors are explored to understand how cultural, socio-economic, and political structures can impinge on the ability of governments, or of citizens, to enact change. It is only through fully understanding these hindrances, that they – and the issue of nitrate contamination – can be effectively addressed and overcome; without examining the conditions that shape the policy process on Prince Edward Island, the failure or success of governments to meet challenges cannot be understood – or learned from.

Cognitive Dissonance: Cultural-Industrial Disparity

Arguably more than any other province in Canada, the culture of Prince Edward Island is shaped by its traditional way of life – and chief amongst this traditionalism is an adherence to the image of the family farm. This adherence, though, has come to be marked by cognitive dissonance, a dissonance that must be addressed and overcome if Islanders are to effectively address the health and environmental threats of nitrate contamination, but first it must be understood. First summarized by David Milne in 1982, PEI's political culture can be understood as “the myth of the garden.” At the core of this myth, he argues, is Islanders' view of themselves as “an independent agricultural people protected from the world in an unspoiled pastoral setting,” (Milne, 1982). This image colours not only Islanders' self-image, but how potential changes to the “Island way of life” are understood, evaluated, and considered. Yet, change to the Island way of life has been continuous since the Second World War.

The agriculture industry of Prince Edward Island has undergone a drastic transformation and decline over the past eighty years. In 1931, 1.2 million of the Island's 1.4 million acres (McClellan, 1982) were cultivated on 12,865 farms (Statistics Canada, 2006), and the farm population of 55,478 accounted for sixty-three percent of Islanders (Department

of the Provincial Treasury, 2010). By 2006, the number of acres under cultivation had declined nearly fifty-percent, to 619,885, and the number of farms had dropped to 1,700, with a population of 5,295 – only 3.9 percent of the provincial total (Department of the Provincial Treasury, 2010). The family farm has been replaced with commercial farming operations; the self-sustaining, varied 100-acre farm has been replaced with mono-crop operations, namely potatoes. With transformation from family farms to commercialized operations, came subsequent changes in how crops were planted, grown, and harvested. The changes in equipment and practices brought about by increased farm sizes brought with them increased environmental impacts. More land-intensive equipment is now employed on the majority of operations in order to keep up with their growing farm sizes (Bukowski, 1996). As growing practices have intensified, and farmers have switched from mixed crops to mono-crops, namely potatoes, under machine-based operations, the sediment runoff into Island waterways has dramatically increased.

Along with more intensive mechanical operations, there has been a dramatic increase in the use of nitrate rich fertilizers. Used particularly on agricultural land in potato rotation (Benison et al., 2006), nitrates seep into, and move through, the soil during summer months when applications “exceed the absorptive capacity of the crop. Its impact is doubled by the land-intensive practices of potato farming which rob soil of its natural richness. As Novaczek has summarized: “In winter, nitrate may be mobilized from organic matter in soils. Recent research indicates that the common practice of fall ploughing greatly exacerbates the liberation of nitrate from soil organic matter. This practice therefore robs the soil of nutrients that would otherwise be available for growing crops the falling season, pollutes groundwater and increases demand for chemical fertilizers,” (Novaczek, 2008). As the soil is robbed of its nutrients during the fall ploughing season, most commercial farms now apply nitrate rich fertilizers at the beginning of the growing season, before the potato plants begin to grow; if rains are heavy before nutrients are absorbed by the plants, up to eighty per cent of the nitrogen can be leached into the soil, and subsequently the groundwater sources. Additionally, as fertilizers are re-applied throughout the growing season, what plants do not absorb can be moved into ground and surface water sources (Novaczek, 2008).

Yet, despite these both physically and nutrient intensive practices, Islanders continue to view themselves, primarily, as family farmers – as farmers whose practices are in harmony, rather than in constant threat to, the Island’s natural environment. If this cognitive dissonance remains, between the self-image and reality of the province’s largest industry, it unlikely environmental groups or governments will find significant support for changing agricultural practices to mitigate environmental impacts; if there is little cognizant recognition of how practices have already changed, few will recognize the need to return to practices they still view themselves as employing.

An Economic Paradox

As agriculture holds an unparalleled place in the Island’s culture, but has been in rapid decline since the Second World War, there is a strong sentiment amongst the provincial population that the industry should be protected from further financial burdens. Therefore, despite the fact that agriculture is the biggest contributor to nitrate contamination, political leaders are reticent to be seen as financial impinging on the industry. This is further complicated by two economic conditions that largely define Prince Edward Island: the economic hegemony of McCain Food Limited and the province’s financial dependency on Ottawa.

Beyond their individual financial difficulties, the majority of Island farmers have come to be economically dependent on McCain Food Limited, and their demands for potato production; in an increasingly risky and unstable global, many producers have found relative stability in selling their crops directly to McCain’s. This, though, enables McCain’s to have significant influence over the agricultural industry on Prince Edward Island. Processing accounts for approximately sixty percent of the PEI potato crop each year, and this done almost exclusively by McCain’s, although Cavendish Farms does buy some amount of potatoes for processing. In addition to process, McCain’s and Cavendish purchase potatoes to package and ship whole to markets throughout North American and overseas. Although land ownership laws prevent McCain’s from directly owning more than 3,000 acres from land, they effectively own tens of thousands of more acres as “family” owned farms sell directly, and only, to McCain’s (Department of Agriculture).

As potatoes continuously account for a greater percentage of acres under cultivation, the scope of McCain's influence, and the vulnerability of farmers, continue to rise.

One example of this hegemonic influence – and its adverse impact on Island groundwater – is the overwhelming shift to Russet Burbank potatoes amongst farmers, in response to pressure from McCain's. In the 1990s, using industrial studies on aesthetic preferences of French-fries, which have shown a strong preference for long, thin fries, McCain began to demand that its suppliers grow Russet Burbank potatoes, over other varieties, in order to produce such fries. Russet Burbank potatoes, though, have a longer growing season than other varieties commonly grown on the Island. This longer growing season has shortened the time for a ground-cover to grow after potatoes are harvested in the fall – leaving more land exposed in the Fall and Spring, increasing sediment runoff and increasing nitrate levels in Island waterways. In addition, larger potatoes require greater nutrient levels, adding pressure for farmers to increase their use of nitrate-rich fertilizers on their fields; compounding the nitrate contamination levels that resulted from a change in crops (McDonald, 2000). In addition to having significant sway over the practices of Island farmers, McCain's hegemony extends to having significant economic leverage and lobbying power with the government; agriculture is the province's largest industry, and McCain's is the biggest player. Therefore, governments are limited in their ability, or their willingness, to challenge the wishes of McCain's when addressing the environmental impacts of potato production.

Beyond the influence of McCain's on the agricultural industry's finances, Island governments are limited by a second economic factor: their own dependency on Ottawa. As a "have-not" province, Prince Edward Island is heavily dependent on transfer payments. Currently, forty-four per cent of the provincial budget is directly funded by Ottawa. With such dependency, Prince Edward Island is not, economically, in a place to easily absorb the cost of mitigating the financial hardship of farmers in transitioning to more environmentally sustainable practices. Yet, despite the short-term economic hardships of Prince Edward Island, and its dependency on Ottawa, the current provincial budget paints a grim future if the issue of nitrate contamination is not addressed. As

discussed above, nitrate contamination is linked to a significant number of human, and environmental, health issues; currently, more than a third of the provincial budget – \$476 of \$1,360 million – goes directly to Health PEI (Department of the Provincial Treasury). If health complications continue to rise from the impact of nitrates in the Island’s drinking water, the portion of the provincial budget that must be spent on health expenditures can be expected to rise significantly. Therefore, due to the economic hegemony of McCain’s and its financial limitations, Prince Edward Island remains locked within a financial paradox.

Political Complications

Cognitive dissonance and reticence to financially burden already struggling farmers is compounded by the politics of Prince Edward Island. As discussed above, agriculture lies at the core of the Island’s culture, so too does it lie at the centre of its political culture. But in political sphere, as opposed to the wider Island population, this special place of agricultural – and the reticence to burden farmers, even when the environment and human health are at stake – has been bolstered by two historical trends. Although one, the over-representation of rural areas, changed in the mid-1990s, the other, the over-representation of farmers in the Legislative Assembly, remains a key feature of the provincial political sphere. In addition, the lack of political will to act on nitrate contamination can be understood by examining the absence of third parties and the fact that agriculture falls under both federal and provincial jurisdictions. Finally, the issue is political complicated by the fact that its falls under a significant number of provincial ministries. All of these factors have all been at play in the Island’s history of ineffectual commissions on land use issues, and its currently struggle to address the issue of nitrate contamination.

Historically, agricultural interests and rural identity were bolstered in provincial politics by the Legislative Assembly’s antiquated electoral-system that distributed ridings by county, rather than by population (Elections PEI). This ensured the manifestation of agricultural identity and interests in provincial politics, despite the socio-economic transformation of the industry and the province’s rural areas. The legacy of rural over-representation

remains in provincial politics, despite the redrawing of ridings based on population in 1996 under a Supreme Court mandate (Shott, 2011). In addition, despite the decline in the number of farmers on Prince Edward Island, a similar decline in the number of farmers in the Legislative Assembly has not occurred. In 2007, eight of the twenty-seven members of the Assembly were farmers, a much higher percentage than the 3.9 per cent of the total provincial population. As it has been noted about the representation of farmers in Canadian legislatures, “their decrease in proportion over the past number of years has been less than the decrease in the number of farmers in the population. ‘Provinces with heavy reliance on agriculture retain a strong critical mass of farmers in the legislature,’” (Docherty, 2010). Therefore, for a large number of MLAs, the protection of agriculture interests is not just a political issue, but a personal one as well, bolstering the industry’s place in provincial politics.

In addition, the dominance of agricultural interests, and the subsequent reticence to progressively act on environmental or health issues has been bolstered by the absence of third parties; they have never gained a foothold in Prince Edward Island. In the history of its Legislative Assembly, only two members have been elected from outside the Liberal and Progressive Conservative (PC) parties. Therefore, an infusion of new ideas, in this case on to agriculture, and its environmental and health implications, from third parties has not occurred in Island politics; PEI has remained limited by the ideas of its two dominant parties. This continued dominance of the Liberals and PCs is a result of the traditional nature of the Island’s culture; historically, it has been considered heresy to renounce one’s inherited political allegiance (MacKinnon, 2010).

In addition to these cultural aspects of the Island’s political sphere, the issue of nitrate contamination is further complicated in its public policy process by the fact that while groundwater is a provincial and municipal issue, responsibility for agriculture falls at both the federal and provincial levels. The impact of nitrate contamination is spread across multiple ministries at the provincial, as discussed below, but multi-level governance further complicates its main source. As it has been summarized by Wayne Easter, Federal Opposition Critic for Agriculture: “No level of government actually takes

responsibility [for agriculture]. One sluffs it off, one blames the other and the other blames the other and so, that's part of the reason – there is nobody in charge of the kitchen here,” (Easter, 2010). On an issue politically risky for provincial governments to address, multi-level governance allows them to shift significant portions of the blame to the federal government. With mixed responsibility in the public policy process, though, does not come the ability of either to truly hold the other accountable for agricultural practices and their environmental impacts; blame is passed back and forth, while the problem continues to grow. Without effective accountability measures for agricultural practices in place it can be expected that the blame passing will continue.

The ability to shift blame under mixed responsibility also occurs at the provincial level. The issue of water quality itself is divided under three ministries: Environment, Energy, and Forestry; Communities, Cultural Affairs, and Labour, which administers funding for water and sewer infrastructure; and Fisheries, Aquaculture, and Rural Development. Yet, as discussed above, the ability to act on issues of water quality is often mitigated by the priority given to The Ministry of Agriculture. In addition, it is the Ministry of Health and Wellness that deals with the human health impacts of groundwater contamination. Therefore, the issue itself is spread thin across ministries, defusing accountability for the issue, but also hindering the ability to enact effective public policy on the issue of nitrate contamination.

Commissions and Other Jurisdictions: Potential, but Failure, to Learn

It is important to note a historical trend in the Island's political sphere: the mismatch between innovative commissions the lack of political will to act on groundwater contamination. For all of the aforementioned reasons, the lack of political will is clearly evidenced by the history of land use planning commission on Prince Edward Islands. As a submission to the latest report on the issue summarized:

Over the past 40 years the public purse has paid for a series of commissions and deliberative processes to consider land use practices and more recently, forest policy and watershed management. Many excellent recommendations have been made, but only a few of these have been fully enacted ... This trend of using public commissions and consultations to forestall action has led to

considerable cynicisms and apathy on the part of stakeholders ... Clearly, there is much to be done that has already been clearly outlined in previous studies. The answers have been obvious for decades, but the political will to act has faltered," (Novaczek, 2008).

Yet the commissions have consistently sought to infuse Prince Edward Island with practical and critically important recommendations for change.

In particular, the 2008 Commission on Nitrates attempted to bring about important changes to how the problem of groundwater contamination can be addressed. It made recommendations on improving public education on protecting water quality, reducing nutrient loading from sewage treatment systems, supporting watershed-based water management planning, reducing nitrate contamination from cosmetic use of fertilizers, amending land-holding legislation, protecting and restoring wetlands which trap nutrients, matching nutrients with crop needs to reduce nitrogen levels, and identifying high nitrate areas (Commission on Nitrates in Groundwater, 2008).

Its recommendations tackled many of the key problems. The 43 recommendations included: developing a public education campaign, create a provincial-wide watershed planning initiative, institute a province-wide policy to eliminate cosmetic pesticides, restore natural wetlands, reduce the amount of commercial fertilizers applied to potato crops, increase the length of crop rotations – including a mandatory three-year rotation, facilitate collaboration between the departments of agriculture and the environment to development a nutrient management program, develop financial incentives to help farmers transition to more sustainable practices, prohibit fertilizer application before plants are able to fully absorb nutrients, and financially support organic farms.

Additionally, it recommended that the province identify high-nitrate areas and immediately put in place watershed management plans, jointly developed by the departments of agriculture and environment, containing five six key steps:

1. reduction in fertilizer inputs,
2. management of soil organic matter,
3. increased tree cover,
4. reduction in land under potato production,

5. strict controls over all subdivision development, and
6. the encouragement of wetland restoration (Commission on Nitrates in Groundwater, 2008).

In 2011, only one of these recommendations has been adopted. On 1 April 2010, the province implemented a partial ban on pesticides for commercial pesticide use on residential and commercial lawns, including parks, playgrounds, sports fields, speciality turf, or driveways, walkways or patios. Yet the legislation only banned substances include 2,4-D and mandated that the application of 2,4-D is still legal for commercial golf courses (Department of Energy, Environment, and Forestry). When addressing the other recommendations, Premier Robert Ghiz has urged Islanders to “be patient,” stating that a solution to the problem will likely twenty-five years (CBC, 2008). He has promised that the rest of the recommendations will be limited, noting that “there’s going to be some recommendations ... that won’t be as popular as others, but at the end of the day you have to take the politics out of it and say we have to make sure that this is a problem that is addressed,” but politics has arguably continued to mitigate further government action on the recommendations (CBC, 2008). Therefore, commissions have shown the ability to learn from other jurisdictions, but governments continue to be entrenched in – and limited by – the Island’s unique conditions.

As submissions to the Commission on Nitrates in Groundwater, and the Commission itself, showed: there is much to be learned from other jurisdictions – but it is the lack of political will that has held Prince Edward Island back. Lessons could be drawn from the Great Lakes and European watersheds (Muscutt et al., 1993); research from as close as New Brunswick could be used to replace chemical fertilizers with spring clover plough-down (Nass et al.); and the Island could look to its “local, pre-industrial farm practices, to the cultural values of the Island’s Aboriginal people, and to current organic agricultural practices” for inspiration (Novaczek, 2008).

Conclusion: Looking to the Future

Although the hindrances to change on Prince Edward Island is strong, a culture of resistance exists, and past commissions have failed to be effective, there are still

avenues through which change could be brought about. Chief amongst these is a province-wide, mandated change to organic agricultural practices. If fully supported in this change by government subsidies, farmers could successfully make this transition – particularly if it was coupled with a new, effective marketing strategy that could be engendered by an all-organic Island. In a complex, global market, Prince Edward Island has the opportunity to make itself distinct, to stand out, instead of struggling to function within dominant global practices.

Additionally, this mandated change could be bolstered and more effectively brought about through increased educational resources in agriculture – through the establishment of a partner branch of the Nova Scotia Agricultural College at the University of Prince Edward Island, and through primary and secondary educational resources in organic agriculture and its health benefits. By mandating the change, but fully subsidizing and supporting farmers throughout the transition, Island governments could mitigate future nitrate contamination – saving the human, wildlife, and aquaculture populations from detrimental health impacts of contaminated groundwater sources. Prince Edward Island is the only province entirely dependent on groundwater, but it has the opportunity to become the national – and possibly a global – leader on organic agricultural practices, which would foster healthy citizens and communities.

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Party-driven and Citizen-driven Campaigning: The Use of Social Media in the 2008 Canadian and American National Election Campaigns

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Political election campaigns have been significantly transformed by the rising use of online social networking tools and new information and communication technologies. Dr. Andrea Römmele argues that this new interactive relationship has empowered citizens across the world, and led to a shift in campaign power from party-driven to citizen-driven campaign techniques. This paper builds on the work of Dr. Rommele to get a better understanding of the role of citizen-driven campaigning during both the 2008 Federal election in Canada and the 2008 Presidential Election in the United States. Using original statistical analyses, this paper answers two questions: 1. How many citizens receive campaign material through these new ICT's? And what social-determinants predict which type of campaign activity?

I. The Rise of Professionalized Campaigning: Web 2.0¹

Within the past four years, political election campaigns in North America have been significantly transformed by the rising use of online social networking tools and new information and communication technologies. Joe Trippi, long-time campaign consultant for the United States Democrat Party, argues that "the tools changed between 2004 and 2008" (Miller 2008). While the use of online blogs and email lists during Howard Dean's 2003/4 primary campaign set the stage for Internet campaigning, the Obama campaign in 2008 took Web 2.0 election campaigning to "new and dizzying heights" (Rommele 2010, 3). During his election campaign alone, Presidential candidate Barack Obama acquired over 1.5 million friends on the popular social networking website Facebook (Small 2008). At the same time, more than half of the adult population in the United States of America accessed campaign information online, communicated with others about politics through online forums, and received campaign information via social networking, text and instant messaging (Smith 2008). The use of interactive online tools during Obama's campaign

1 Statistical data collected and analyzed with the assistance of T. Rudmik & Associates.

“changed the way politicians organize supporters, advertise to voters, defend against attacks and communicate with constituents” (Miller 2008).

Many scholars use terms such as “Americanization” or “professionalization” to describe the particular changes in election campaigns that have taken place over the last two decades and under Web 2.0 (Römmele 2010). A key characteristic of this professionalized campaign era includes the decline of political communication via the party headquarters and the rise in the role of the media. Due to declining party attachment, election campaigns have become permanent features of party organizations, more crucial to candidate success and more professionally organized. As parties begin to function more as commercial entities, it has become harder for them to maintain their grassroots support base. Therefore, information and communication technologies, including social networking, emails and online blogging, have become critical tools for the organization and mobilization of supporters (Miller 2008).

What distinguishes this era of professionalized campaigning from periods in the past is not only the use of information and communication technologies, but also the way in which these tools are used by citizens as means of participation. Social networking websites, blogging, online video sharing and social bookmarking sites allow users to interact with others and collaborate in the creation of site content (Small 2008). In “Citizen Leaders and Party Laggards? Social Media in the 2009 German Federal Election Campaign”, Andrea Römmele argues that Web 2.0 “has the potential to empower citizen-driven campaigning and to challenge or even reshift the campaign power map from party headquarters to citizens” (2010, 2). She also posits that this new interactive relationship could strengthen the already weakened relationship between political parties and citizens. In order to explore this relationship further, Römmele develops a dyadic typology of campaign types that differentiates between the two main actors driving campaign activities: political parties and citizens. Citizen-driven campaigning involves participatory citizens who take the initiative to engage in the political campaign themselves, “producing a new more self-directing, spontaneous, and socially embedded (rather than institutionally/organizationally driven) layer of political action during a campaign”

(Römmele 2010, 2). On the other hand, party-driven campaigning is executed by political party organizations, and includes the dissemination of campaign information via booklets, canvassing or online party websites. Both party and citizen-driven campaigning can be performed offline and online, but what separates the two is the political actor (Römmele 2010).

The aim of this paper is to get an understanding of the role of citizen-driven campaigning during both the 2008 Federal election in Canada and the 2008 Presidential Election in the United States. Drawing upon the work by Andrea Römmele on the 2009 German Federal election campaign, this paper will answer two important questions: How many citizens actually receive campaign material through social networking and how many actively post campaign material on these platforms? And what social determinants predict citizen-driven campaign activity?

II. Typology of Campaign Activity

The two dimensions of campaigning can be further explained using the following cross-table:

Table A

	Offline	Online
Party-Driven	Campaign Material (brochures, leaflets, flyers, as well as SMS etc)	Party and candidate web sites
Citizen-Driven	Conversations with friends, family, at work, etc.	Actively posting information material on the campaign in social media

Source: Römmele 2010

Party-Driven Campaigning

Although party attachment is declining, political parties in North America still rely on the physical contributions of supporters to help manage a successful campaign. This traditional party-driven campaigning relies heavily on party members and can involve political discussion between its members, canvassing, and the distribution of party

information (through brochures, leaflets and flyers etc.). Political actors can also take this traditional form of campaigning online, using ICTs and social media to advertise to a larger base of citizens over the Internet. Party-driven online campaign activities can include the development of party websites, the posting of online campaign material and announcements and general top-down news disseminated from party headquarters (Römmele 2010).

Citizen-Driven Campaigning

On the other hand, citizen-driven campaigning involves a variety of actors, including both citizens and non-party actors, such as interest groups and non-government organizations. Offline citizen-driven campaigning frequently involves the interference of non-party actors in the process of election campaigns, including the public endorsement of a party, financial support and indirect selection of candidates (Römmele 2010). More recently, online tools have provided new, easier opportunities for these non-party actors to become involved in politics and the political campaign. Unorganized voters are now able to engage in the political debate unlike any time before, and mobilize in support of certain candidates (Römmele 2010).

III. Social Media use in the United States and Canada

According to the 2011 Pew Research Center's Internet and American Life Project survey, 65% of all adult Internet users in the United States use a social networking site such as MySpace, Facebook or LinkedIn. This is a dramatic increase from the 8% of Americans - or 5% of all adult Internet users in the country - that said they used similar sites in February of 2005. According to the same results, women and young adults under the age of thirty are the most common users of social networking sites in the United States. However, in the past two years, the use of social networking sites by 50 to 64 year-old Internet users has doubled, from 25% in April 2009 to 51% in May 2011 (Madden and Zickuhr 2011).

Internet usage in Canada has increased in all age categories since 2000. The adoption of social media has been just as rapid and widespread in Canada as in the United States. In

2007, 34% of Canadians aged 16 to 34 contributed content on the Internet by blogging, participating in discussion and posting photos. In 2009, a reported 86% of Canadian Internet users within the same age group also had a profile on a social network. This is comparable to similar results in the United States where 75% of adult Internet users aged 18 to 24 also had a social network profile in 2008. In both countries, an equal proportion of men and women use the Internet. However, in both countries, women are more likely than men to use the Internet for personal communication purposes (Dewing 2010).

The difference between the two countries lies in the level in which political parties have utilized social networking and online tools to both mobilize and contact supporters. While Canadian political parties have been able to create dynamic and integrated websites for citizens, the use of citizen engagement tools by political parties lags far behind that of their American counterparts. The use of Facebook, online blogs and email lists by Canadian political parties was very minimal in 2008 as compared to its usage by the Democrat and Republican Party candidates in the United States (Small 2008). Some scholars argue that these differences may be a condition of each country's political system. Since the United States operates under a presidential system with a candidate-centered focus, parties tend to rely more heavily on the personalization of their candidates and the creation of a strong 'online identity'. As well, the United States has a vastly different regulatory regime and media environment than Canada (Small 2008).

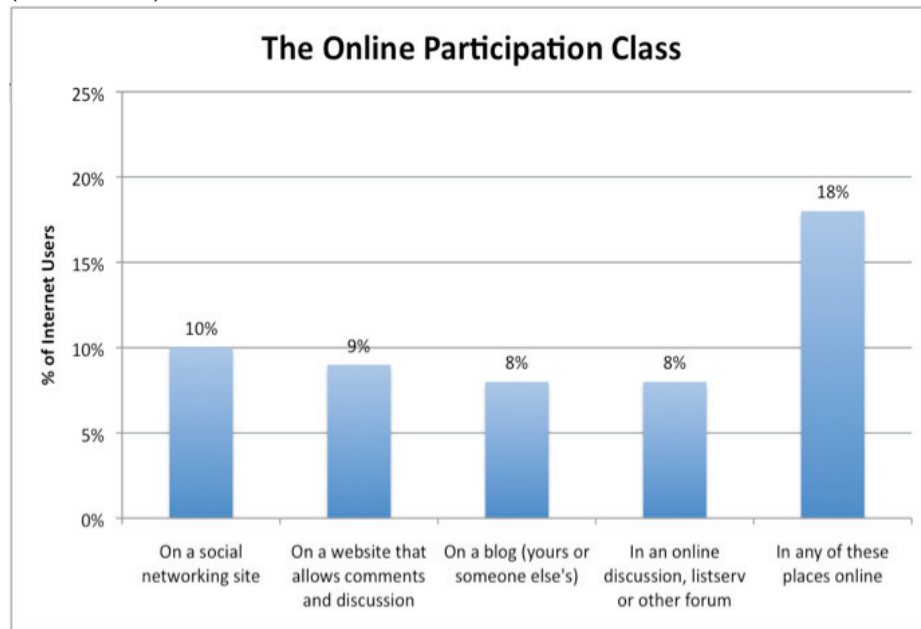
IV. Social Media in the 2008 United States Presidential Election: Results

In order to answer the first question, this paper will begin by looking at the number of citizens in the United States who participate in party-driven campaigning versus citizen-driven campaigning. According to the American National Election Study Post-election Survey in 2008, only 4% of those surveyed said they were actively engaged in offline party-driven campaign work.² However, according to the Pew Internet and American Life Project Post-election Survey, 34% of American online political users received party-issued campaign material online, including candidate speeches and announcements

² "Did you do any {other} work for one of the parties or candidates?"

(Smith 2008).³

In comparison, citizen-driven campaigning took place on a lower, but still quite significant, level during the 2008 Presidential Election Campaign. During the campaign, nearly one in five Internet users engaged in online citizen campaigning, posting their thoughts, comments or questions about the campaign on a website, blog, social networking site or other online forum (Smith 2008). Some 38% of Internet users went online in order to communicate and connect with others about politics using the Internet, while a full 60% of Internet users went online for news about the campaign (Smith 2008). During the 2008 election campaign, American voters took a more active role in the political process by contributing their own thoughts and comments to the online campaign debate, as can be seen in the following graph. This 'online participatory class' was composed largely of young adults, with 30% of those posting political content online under the age of 25 (Smith 2008).



Pew Internet & American life Project Post-Election Survey. November-December 2008. Margin of error is +/-3% based on Internet users (n=1,591).

³ "In the past several months, have you [watched video online of candidate speeches or announcements], or not? In the past several months?"

But how do those individuals engaged in citizen-driven campaigning differ from those who participate in party-driven campaigning? What social determinants predict citizen-driven campaign activity? Using a classification and regression tree analysis, we clearly see that age is the key predictor for campaign activity of any kind in the United States, be it party-driven or citizen-driven. Individuals between the ages of 18 and 30 recorded being involved in an average of 1.38 online citizen-driven campaign activities, including the signing of online petitions, posting of political commentary and the use of social networking sites to discuss election information with friends. Compare this to those individuals between the ages of 47 and 70, who were involved in an average of 0.51 online citizen-driven campaign activities. What is interesting is that the average number of online party-driven campaign activities between the same age groups follows a similar pattern, with the younger cohort participating in an average of 2.0 online party-driven activities versus the older cohort's average of 1.03. Unfortunately, consistent and comparable data on offline party-driven campaigning is not available in the United States.

Although younger individuals are more likely to be involved in a greater number of online party-driven and citizen-driven activities, a different result can be seen when looking at the percentage of individuals involved in each type of campaign. Some 22.6% of those involved in at least one online party-driven campaign activity were between the ages of 45 and 54. While, in contrast, only 8.2% of individuals engaged in the same activity were under the age of 24. The percentage of online citizen-driven campaigning via social networks, such as Facebook and MySpace, shows a very different story. Almost 25% of individuals who reported being engaged in at least one political activity on social network sites were under the age of 24. While only 9.4% of individuals aged 45 and 54 were involved.

Other determinants of citizen-driven campaigning include level of education, income, gender and party identification. While gender does not seem to have an overall influence on the likelihood of citizen-driven campaigning during the 2008 election campaign, it is clear that males over the age of 54 are more heavily involved in political activities than females of the same age. The employment status of an individual also has an

influence on the nature of campaign involvement. Interestingly enough, whether or not a respondent was employed on a full-time or part-time basis was a strong determinant of citizen-driven campaigning in the 2008 election. While 51.7% of respondents employed full-time participated in a citizen-driven campaign activity in 2008, only 16.3% of those employed part-time did the same.

Party identification also has an interesting influence on the levels of citizen-driven campaigning during the 2008 Presidential Election campaign. During the campaign, Obama voters took a leading role in engaging in online political activism, including posting their thoughts online to donating money via the party website. Individuals who identified themselves as Democrats were also more likely than Republicans to be engaged in both types of campaign activities in 2008. However, supporters of Republican candidate John McCain were also more likely than supporters of Barack Obama to be regular Internet users. This contrasting statistic may be a result of the demographic and educational position of those individuals who identify themselves as members of the Republican Party.

V. Social Media in the 2008 Canadian Federal Election: Results

Unfortunately, data on the usage of social media during the 2008 Canadian federal election campaign is not as robust or exhaustive as that in the United States. Only one question in the 2008 Canadian National Election Study asked respondents about their use of social networking sites during the political campaign. Therefore, it is difficult for this paper to acquire an idea of the type of people who engage in which campaign activity and what social characteristics are most important in influencing this participation. Using statistical cross-tabulations and significance testing, this paper will attempt to make an accurate assessment.

According to the 2008 Canadian Election Study, most Canadian citizens obtained the majority of information about the 2008 federal election via the television. What is surprising is that 20% of respondents in this particular survey also acquired the majority of their information via newspapers, while only 7.5% used the Internet. As well, over 65%

of respondents paid little to no attention at all to news about the federal election on the Internet (See Chart below).

Table C: Main Sources of Election News, 2008

	2008 Canadian Federal Election
Television	56.8%
Radio	8.5%
Newspapers	20.0%
Internet	7.5%
Family	2.1%
Friends	1.7%

Source: Canadian National Election Study, Post-Election Survey, 2008. n = 3689, frequencies based on unweighted data.

Although the use of the Internet by respondents in the Canadian election study was quite low, over half of individuals surveyed did participate in some form of offline citizen-driven campaigning in 2008. Over 30% also engaged in online citizen-driven campaigning through participation in online blogs. However, party-driven campaigning was still more popular during the 2008 Canadian federal election campaign, with 66% of respondents receiving party-driven campaign information by phone or mail.

There is evidence that social media did play an important role in the 2008 Canadian election despite the lack of consistent survey data. During the 2008 Federal Election, the VoterPair website was created, along with an accompanying Facebook page, that allowed Canadians to swap votes with other people in a riding where their votes could make a bigger difference. According to this website, about 2,800 voters swapped their votes in 2008. More parliamentarians have also taken notice, and have begun to create both Facebook and Twitter accounts that are used on a regular basis to communicate with citizens.

Hopefully in the future some data on the use of social media platforms during the 2011 Canadian federal election will be collected, and a more thorough comparison with the United States will be possible.

VI. Conclusion

The aim of this paper is to give a brief overview of the role of Web 2.0 technologies in the current professionalized election campaigns of North America. It is also to answer the question, “Has the steady increase in the use of social networking tools during election campaigns weakened the relationship between the political parties and the citizen?” The findings of this paper can be summarized as follows:

- Offline party-driven campaigning is considerably low with only 4% of the American population. Although online party-driven campaigning remains strong with 34%. Older, well-educated citizens are most likely to participate in both offline and online party-driven campaign activities.
- Age is the strongest social determinant of both citizen-driven and party-driven campaign activity in the United States. Younger citizens participate in the greatest average number of citizen and party-driven activities, particularly those activities that are on the Internet and involve social media.
- Those individuals in the United States who identify most strongly with the Democratic Party are more likely to be engaged in online citizen-driven activities than those who identify as Republicans.
- Party-driven campaigning was more popular than both online and offline citizen-driven campaigning during the 2008 Canadian federal election.
- Canadian citizens acquire the majority of information and news about election campaigns via the television and newspapers. The Internet is the fourth highest source for election news among Canadian adults.

Using this background information, similar conclusions can be made about the United States and Canada that have been previously made about Germany (Römmele 2010). It is likely that in all three countries, citizen-driven participation will rise in the next few years while party-driven campaign activities will decline. Therefore, it is important that parties organize citizens in a way that increases citizen support and participation in party-oriented activities. As is shown, the rising popularity of online party-driven campaign activities is a good indicator of how parties can accomplish such a task. Increasing the participatory nature of party websites, be it through the introduction of blogs, interactive forums or twitter, could help to strengthen the relationship between parties and citizens and move citizen-driven and party-driven campaigning closer together.

The conclusions of this study are limited by the modern nature of social media tools. This is clearly evident in the Canadian National Election Study, where social media has yet to be integrated as a topic into any surveys related to election campaigns. This modern trend also poses problems when trying to predict future trends. Although the popularity of particular social networking sites may change, the use of ICTs and the Internet as an important tool of political communication will not be changing any time soon. Therefore, it is time for parties, governments and particularly statistical consultancies and survey corporations, to consider the effects that these new tools are having on modern election campaigns.

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E Pluribus Unum:

Municipal Amalgamation and the City of Toronto

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The experience of municipal amalgamation in Toronto remains one of the most discussed and observed political and governance phenomena of our times. Response to Premier Mike Harris' plan to amalgamate seven administrations – six cities and one region – under the umbrella of the current City of Toronto has been as diverse as the city itself. Proponents argue that size brings clout, and opponents respond that size brings chaos. Regardless of one's position on the issue, it is impossible to deny that the landscape of the Toronto region changed remarkably in 1998. This paper will seek to shed some light on this change. It will begin by outlining the context in which amalgamation was implemented, including the tense relationship between the Common Sense Revolution and Citizens for Local Democracy. Following this, the current state of the city will be explored against the objectives of the Harris government, focusing on finances and politics in particular. Finally, a series of policy recommendations will be offered that can be used to improve current post-amalgamation realities.

The experience of municipal amalgamation in Toronto remains one of the most discussed and observed political phenomena of our time. The process of politically and institutionally unifying six city governments and one regional government under the aegis of a single entity has been long and arduous. Response to the amalgamation plan proposed and implemented by Progressive Conservative Premier Mike Harris' government in 1997 and 1998 has been as diverse as the city itself. Proponents of the scheme point to the reduction in the size of government and the elimination of redundancies across the six boroughs, frequently focusing in the largess of the new City of Toronto and the political clout that comes from size since "unity brings strength" (James, 2009a). The other side of the debate has been equally vocal. Former City Manager Shirley Hoy pointed to the size of the new "Megacity", noting publically that the size of the project disconnects the city from the citizenry (Grant, 2007). Pre-amalgamation mayors John Sewell and Michael Prue refer to Toronto amalgamation as "a real body blow to the city" and "a disaster", pointing to the cost of the restructuring to both municipal finances and the democratic bonds between citizens and city council (James, 2009a).

Regardless of one's position in the debate, certain facts remain irrefutable. The entire institutional and political landscape of Ontario changed dramatically on 1 January 1998, when the rule of the six boroughs and the Municipality of Metropolitan Toronto ended and the new City of Toronto was incorporated (Boudreau, Keil, and Young, 2009, 74). Under this scheme, seven previously independent but coordinated municipal administrations were combined into one administration with a single city council and one mayor. This was completed under the auspices of a few broad objectives, including cost saving, increased accountability to voters, and the elimination of governance and service duplications across the delivery network (Kushner and Siegel, 2003, 1035).

Despite lingering feelings on both sides of the debate, the incorporation of the City of Toronto as an amalgamated government is a factual reality and one that is unlikely to change in the foreseeable future. Given this reality, the amalgamation story in Toronto is an ongoing experiment in municipal governance and political restructuring. This paper will seek to shed some light on this experiment. It will begin by briefly outlining the context within which Toronto amalgamation was proposed, deliberated, and implemented, including the tense political environment of the Common Sense Revolution and Citizens for Local Democracy. Following this, the present state of the new City of Toronto will be evaluated against the stated objectives of the Harris government, with particular emphasis on the financial impact of the restructuring and the political aftermath of amalgamation. For the most part, these findings suggest that amalgamation has been costly and divisive. Finally, the paper will conclude by offering a series of policy recommendations that can be put to use as the amalgamation project continues.

The Context of Amalgamation: Common Sense and Common Cents

Prior to the incorporation of the new City of Toronto, the six boroughs of Toronto, Etobicoke, York, North York, East York, and Scarborough functioned as independent municipalities. Since 1953, the thirteen municipalities in the region comprised the upper-tier Municipality of Metropolitan Toronto, known colloquially as Metro Toronto. It was the first urban federated municipality in Canada, and quickly became a model to be replicated elsewhere (Feldman, 1995, 203). This structure was reconfigured in 1966 to transform

the thirteen discreet boroughs into six larger units (Bourne, 2001, 32). By the mid-1990s, Metro Toronto covered an area of 632 square kilometres and nearly 2.4 million residents (Bourne, 2001, 30). It oversaw a budget of \$3.9 billion and employed about 30 000 people in areas as diverse as transit operations, emergency services, and a permanent bureaucracy (Feldman, 1995, 203). The Metropolitan Council consisted of 34 members, including the six borough mayors, directly elected councillors, and a Chairperson. The bureaucracy consisted of 14 departments and 12 agencies, boards, and commissions, which were administered by the Chairperson in their additional role as Chief Executive Officer (Reddy, 2001, 70-71).

Though many reasons have been postulated over the years to explain the rise of Metro as a model of municipal governance, the issues of resources and coordination are the most persuasive. The individual six boroughs lacked the fiscal capacity to raise enough capital to finance the post-war boom in population and prosperity, such as constructing new sewage and transportation capacity. The size of Metro as an economic actor made efficient leveraging possible (Sancton, 2005, 321). As a regional actor, Metro could use this fiscal capacity to coordinate planned and efficient growth across the entire jurisdiction.

The boroughs operated as independent governments within a loose federation. Prior to amalgamation, many municipal services were already being funded and administered at the Metro level. The division of competencies under the Metro model followed the principal of subsidiary now popular in much of the federalism literature. In essence, the Metro government would administer services common to the entire region, while individual municipal councils retained control over other competencies that could be more effectively administered at the local level (Reddy, 2001, 70). Under this framework, Metro oversaw such macro-level services as corporate licensing, sewage, traffic control, police services, and public transit. Welfare and aspects of social assistance were cost-shared by the provincial government and Metro. The individual municipalities oversaw more local matters, including building regulations, elections, road maintenance, fire protection, and the municipal portion of low-income housing (Feldman, 1995, 222-224). The Metro model

of regional governance allowed for both efficiency through coordination and effectiveness through local connections to constituent communities.

The Metro structure began to suffer some substantial stresses near the end of the experiment with two-tier metropolitan government. The area was undergoing major transformations but the governance model proved unable to keep up. Population growth patterns began to influence the proceedings of Metro Council, as the more conservatively minded suburban boroughs grew at a faster rate than Toronto. This became apparent as the councillors from the outer cities became increasingly reluctant to pay for the required infrastructure upgrades in the downtown core (Sancton, 2005, 321). The same sort of population dynamic developed in relation to the “905” region of suburban communities encircling Metro Toronto.

The 905 areas grew at an average of four percent from 1971 onward, while Toronto had reached a plateau of population growth (Canadian Urban Institute, 1992, cited in Horak, 1998, 14). By 1991, the population of the suburban 905 communities had reached virtual parity with that of Metro Toronto, and economic activity was spreading outward rather than inward to capitalize on lower taxes and a more business-friendly environment (Friskin et al., 1997, quoted in Horak, 1998, 14). Financial troubles began to plague the system as more and more municipal competences were increasingly being financed by provincial or federal government grants, such that 44 percent of Metro revenue and 23 percent of the City of Toronto’s budget came from these funding programs (Horak, 1998, 14). As creatures of Queen’s Park, the municipalities became progressively more worried about this trend, since their very operation was becoming dependent upon the whims of another order of government. Moreover, operating social services and Metro’s other competences became increasingly expensive as needs in the expanding outer regions deviated from those of the downtown core (Bourne, 2001, 36). Given all of these pressures on Metro Toronto, the system was clearly in need of reform.

The provincial election in 1995 was a watershed moment in the history of municipal affairs in Ontario. Mike Harris and his Progressive Conservatives handily trounced the

left-wing government under Bob Rae that had reigned since 1990, winning 82 out of the possible 103 seats in the Ontario Legislature compared to the 30 for the opposition Liberals and only 7 for the sitting New Democratic Party (Elections Ontario, 2003). This overwhelming majority government gave Mike Harris the platform from which he could launch his Common Sense Revolution. During the election campaign, Harris focused his policy planks around two primary promises: cutting provincial income tax rates by 30 percent, and balancing the provincial budget (Clarkson, 2002, 113). In order to accomplish this, Harris would need to slash \$6 billion from the total provincial budget of \$56 billion (Boudreau, Keil, and Young, 2009, 71).

While the Common Sense Revolution reached every corner of the province, including education and health care, the policies of downloading and amalgamation were particularly potent to municipal issues. Both of these policies were meant to reduce the size of government (Kushner and Siegel, 2003, 1035). The competences of the municipal and provincial orders of government were reshuffled under Harris' downloading scheme. Administration and funding of education was made an exclusively provincial domain. In exchange, many services previously provided by the province were pushed down to the municipal level such that they were either shared or given exclusively to the lower tier. These included welfare, public transit, emergency services, and social housing (Schwartz, 2001, 14-18). The precise details of these funding arrangements are beyond the scope of this paper, but the end result was that municipalities became responsible for funding and administering a number of very expensive services that had hitherto been the domain of the provincial government. All told, the provincial government downloaded about 20 percent of its spending to the municipalities (Clarkson, 2002, 113).

Amalgamation involved the fundamental restructuring of the municipal governance network in Ontario. On 17 December 1996, Queen's Park announced its intention to disband the Metro government and that of the six municipalities in favour of one municipal government for the old Metro Toronto by way of Bill 103, the City of Toronto Act (Boudreau, 1999, 772). This legislation was a blatant use of the provincial government's total and absolute dominance over municipalities. The legislation seemed to come out

of nowhere and lacked any public consultation in the lead-up to First Reading (Horak, 1998, 16). Al Leach, Minister of Municipal Affairs and Housing, told the public that the amalgamation scheme would “save money, remove barriers to growth and investment, and help create jobs” (quoted in Boudreau, 1999, 772). Though the Harris government advanced no public rationale for the plan, a study prepared by KPMG and commissioned by Queen’s Park showed that amalgamation would result in an annual economy of \$82 to \$112 million, plus annual savings from increased efficiencies in the order of \$148 to \$252 million by 2000 (Schwartz, 2001, 1).

Bill 103 faced mixed public reviews from the beginning. Some groups came out in favour of Toronto amalgamation, including the Board of Trade, Metro Council, and some of the major Toronto daily newspapers (Boudreau, Keil, and Young, 2009, 73). For the most part, public sentiment was squarely against the scheme. A number of different community groups sprang out of the anti-amalgamation camp, varying in size and influence. The single most popular of these was Citizens for Local Democracy (C4LD), organized by urban activist and former Toronto mayor John Sewell (Horak, 1998, 15). Framing the amalgamation scheme as a threat to local democracy and illegitimate due to insufficient public consultation, C4LD quickly became the main outlet for citizen discontent. Weekly Monday night meetings were held with thousands of attendees, which culminated in a William Lyon Mackenzie-inspired march along Yonge Street on 15 February 1997 (Boudreau, Keil, and Young, 2009, 74-75). Despite the efforts of C4LD, referenda held across the region, and even a legal challenge, Bill 103 was proclaimed into law on 21 April 1997 after an attempted filibuster in the legislature by the Liberals. Shortly thereafter, the Fewer Municipal Politicians Act formally scrapped the previous governments and replaced the 107 councillors across Metro with the 44-member Toronto City Council (Clarkson, 2002, 116). The new City of Toronto was incorporated on 1 January 1998, along with a series of transition institutions that remained until the end of the month.

Though the legal incorporation of the City of Toronto may have formally eliminated Metro Toronto and its constituent boroughs, the simple act of provincial legislation was only the

beginning. The process of amalgamation began immediately under the guidance of the Transition Team and the recently elected Mayor Mel Lastman. Indeed, that continues today, nearly one-and-a-half decades later. The next section of this paper will evaluate the process and results of amalgamation, using financial and social indicators as barometers of success.

Financial Impact of Amalgamation on Toronto

The process of amalgamation has been a long and arduous task with many ripple effects that continue to be felt today. This is especially true when one looks at the public accounts of the City of Toronto and the changes therein since amalgamation.

During the amalgamation debate, Premier Mike Harris publically extolled the virtues of amalgamation as a cost-saving tool. He went on record saying that the new City of Toronto would save \$645 million in the immediate short-term after amalgamation and \$300 million annually thereafter, compared to the total expenditures of Metro Council and the six municipal governments (Schwartz, 2009, 483). The KPMG report commissioned by the province projected much more conservative estimates of \$82-\$112 million in annual cost savings and \$148-\$252 million in annual efficiency savings by 2000 (Schwartz, 2001, 1). The same report estimated that the total cost of amalgamation would be \$220 million.

In actual fact, the entire process of amalgamation impacted a relatively minimal share of existing city spending. The services and programs requiring amalgamation comprised only 27 percent of Toronto city expenditure, or \$1.5 billion. The rest of the city's spending went to programs that had already been amalgamated under Metro and simply transferred from Metro Council to Toronto City Council when the incorporation took effect (City of Toronto, 2000, 19). Due to this fact, it is difficult to account for the total financial impact of amalgamation. This is particularly difficult since the City of Toronto has largely ceased reporting on the impact of amalgamation in the same detail it did up to 2000. The figures presented below are a best attempt at separating the effect of amalgamation on city expenditure from price effect increases and the accounting issues surrounding cross-

jurisdiction comparisons.

Amalgamation seems to be costing the taxpayer a lot more money than the pre-amalgamation institutions. The most accurate way of evaluating total expenditure from pre-amalgamation to today is to pool the total spending of the original six boroughs plus Metro and compare it to that of the present City of Toronto. These figures can be appropriately compared since the current City of Toronto is the de facto legal and financial successor to the disbanded institutions. Pre-amalgamation, the total expenditure across the seven jurisdictions was \$3.546 billion in 1990, \$4.704 in 1995, and \$4.595 in 1997, the final year before amalgamation. The average growth in the operating budget from 1990 to 1997 was 1.5 percent, including three straight years of negative growth between 1994 and 1996. The operating cost of the city government ballooned in 1998 relative to the combined budget in 1997. During the first year of amalgamation, costs grew by 18 percent to \$5.600, the largest recorded single-year increase on record. More recently, expenditure for 2007 totalled \$7.800 (all data in 1997 base year dollars, taken from Table 1 in Schwartz, 2009, 485). By comparison, the operating cost estimated in the recently adopted budget for 2011 is \$9.381 billion (City of Toronto, 2011, 8). Unadjusted for inflation, the total operating cost for the new City of Toronto has increased by nearly 70 percent since amalgamation relative to total expenditure across the former Metro. This figure is especially powerful in the context of the Provincial-Municipal Fiscal Review, which uploaded many competencies back to the provincial government starting in 2008. Though the full effect of the Review will only be felt in 2018, the initial uploads to date seem to have had virtually no impact upon city expenditure.

The actual one-time transition cost of amalgamation is reported at \$275 million as of 2009 (Schwartz, 2009, 483). This price is only \$55 million above the projected cost of \$220 million estimated by KPMG in their pre-amalgamation report. The gap of \$55 million is fairly minimal when compared to the total cost of the project and the \$9.786 billion operating budget for the City in 2009 (City of Toronto, 2009, 1). The biggest single proportion of the total cost comes from integrating existing business systems, such as switching to new communications and financial tools. The true cost of this aspect of

amalgamation is unknown, since many departments deferred this task in the early years of the new city and instead opted to include it as part of regular capital improvement costs amortized over time (City of Toronto, 2000, 20-24). Moreover, the one-time costs may prove to be more prolonged than expected due to debt servicing costs. Taking on debt from the provincial government and debenture offerings financed fully \$195 million of the amalgamation costs (City of Toronto, 2000, 20-24). Though much of the provincial funding was either interest-free or very low interest over a long period, the increased costs of borrowing may prove to be more dangerous than expected upon amalgamation. The issue of debt servicing is not unique to the one-time costs of amalgamation, and thus will be discussed in further detail below.

The very nature of the amalgamation scheme implemented by the Harris government suggests that the labour changes should be fairly stark. The objective was to reduce the size of government and the duplications arising from seven governments operating in tandem. The 52 departments, 206 divisions, and 106 elected politicians that existed prior to amalgamation have been reduced to six departments, 37 divisions, and 45 politicians. In the words of one senior bureaucrat, “we have gone from six fire departments and six fire chiefs to one” (McInnis, 2000).

Contrary to logical assumptions, the data suggest that the City of Toronto now employs more workers than when the new city was formed. The total number of city employees was 45 860 in 1998, the year of incorporation. A decade later, the city employed 50 601 across all departments (Schwartz, 2009, 485). The city currently employs 50 000 people, which is a net increase of 4 140 employees since amalgamation. The City of Toronto budget for 2011 shows that approximately 48 percent of all expenditure is going toward salaries and benefits for the aforementioned 50 000 employees (City of Toronto, 2011, 8). Though the number of employees may have increased over time, the issue is complicated by the nature of the positions lost and gained since amalgamation. The new city experienced a reduction of 1 753 full-time equivalent positions, amounting to a nine percent decrease in staff positions from 1998 to 2000. Nearly 60 percent of these reductions were in executive management, going from 1 837 positions across the former

jurisdictions to 1 204 in the new City of Toronto (City of Toronto, 2000, 20-24). The high salaries of the executive management and management positions made for significant savings through staffing reductions, which accounted for the majority of the reported \$301 million in structural economies resulting from amalgamation (McInnis, 2000). Even with these staffing changes, salaries and benefits still account for nearly half of all City of Toronto expenditure. This is due in part to the nature of the services taken on by the city due to provincial downloading. The Toronto Transit Commission (TTC), Toronto Police Services, and Fire Services alone account for \$2.3 billion in spending, fully 53 percent of the total salaries and benefits budget (City of Toronto, 2011, 8).

In addition to changes in staffing arrangements, the new City of Toronto has also had to harmonize wages across the government. Prior to amalgamation, civil servants and other staff across the delivery network earned different salaries for doing similar work. As a general rule, wages were harmonized to the highest equivalent rate elsewhere in the old Metro. Using this measurement, most departments used the rates paid by the old City of Toronto (Schwartz, 2009, 487). The amalgamation of wages began with non-unionized workers and management, since these rates of pay were unbound by the myriad of collective bargaining agreements governing salaries and benefits across the old Metro. This effort went hand-in-hand with the management-level restructuring efforts, since older workers could be offered retirement packages under the old system and their positions would simply be eliminated upon retirement.

The effort to standardize unionized wages was much more difficult. Upon incorporation, the City of Toronto inherited 56 collective bargaining agreements with the patchwork of unions of varying sizes and strengths (Schwartz, 2001, 4). By 2000, the unionized labour environment had been simplified to incorporate only two locals of the Canadian Union of Public Employees (CUPE), the Toronto Firefighters' Association, and six collective bargaining agreements (City of Toronto, 2000, 20-38). These modifications to the unionized labour structure governing the City of Toronto have made a significant difference to the overall simplicity of administering the region, since there are now fewer unions with which the amalgamated government must negotiate and therefore fewer

actors at the table when agreements expire. This has been particularly useful over the past year, as the post-amalgamation agreements covering Toronto Fire Services, Toronto Policy Services, and the Toronto Transit Commission expired in late 2010 and early 2011 (City of Toronto, 2011, 8).

While the amalgamation of the labour unions has produced a number of efficiencies, it has also made Toronto unsustainably reliant upon a very small number of bargaining units. The experience of the two waste removal and transit strikes since amalgamation have left a very bitter taste in residents' mouths as they remember the impact of mounds of rotting garbage and gridlock in the streets as a result of labour disputes. With so few unions, the entire transit network across the city comes to a halt if one unit walks about. The same can be said about waste collection. Remembering the impact of the aforementioned transit strikes, the province of Ontario declared the TTC an essential service on March 30, 2011, making future strikes and walkouts illegal (Howlett, 2011). Queen's Park achieved this through an act of parliament, since municipalities are constitutional creatures of provincial governments. Channelling the attitude of transit workers, union leader Bob Kinnear responded to the legislation by saying "if they think they are going to push us into a corner, I assure you, I promise you, that we will come out swinging in defence of our members" (Howlett, 2011). The tense atmosphere between labour and the drastically reduced number of unions has created a potentially dangerous situation in the new City of Toronto.

The combination of amalgamation and downloading has been very harmful to city finances, as indicated by ballooning budgets since the Harris government implemented both policies. The services downloaded to the city have all but cancelled out any possible savings from amalgamation. These included, but were not limited to, the costly operations of public transit, welfare, and some social services. The Liberal government elected in 2003 under Dalton McGuinty has committed to help ease the fiscal burden on the City of Toronto. The Provincial-Municipal Fiscal and Service Delivery Review completed in 2008 was meant to ease the plight of the city by uploading some of the services transferred down by the Harris government. This move is in line with much of the current

public finance literature, which suggests that broad-based taxes are more effective than municipal property taxes at funding social services (Schwartz, 2001, 5-6). Under the terms of the Fiscal Review, Ontario Works, the Ontario Drug Benefit, and the Ontario Disability Support Program are to be fully uploaded to the provincial government by 2018. This is expected to ease municipal finances by approximately \$400 million in Ontario Works benefits alone by the full implementation of the changes (Government of Ontario, 2008). This could not come soon enough, since 70 percent of the Toronto budget in 2011 will be spent on services that were once financed and administered by the province. The TTC is conspicuously absent from the Fiscal Review, despite the fact that it is second only to Toronto Police Services in the total share of the budget (City of Toronto, 2011, 3).

The renewed and reconfigured City of Toronto Act passed in 2006 was meant to further ease the plight of city finances by creating a number of new revenue-raising tools for the city, including provisions for taxes on vehicle registration, land transfers, alcohol sales, and cigarettes. Using figures from 2006, the taxes on land transfers and vehicle registration were expected to raise approximately \$350 million (City of Toronto, 2006, 6-32). Even with these new tools, 38 percent of the total budget for 2011 was raised through property taxes, which has a lower revenue-generating capacity than value-added taxes. Provincial grants and subsidies account for the second-highest proportion of the budget (City of Toronto, 2011, 3).

Debt is the inevitable consequence of increased municipal spending combined with the weak revenue stream from property taxes. This is especially true in the capital accounts, which include the costs of maintaining and purchasing TTC vehicles. The city budget in 2007 saw the biggest single shift in debt accumulation since amalgamation, which increased the city's total debt burden to \$3 billion by 2011 (CBC, 2007). Servicing this debt now accounts for \$273.33 million annually, or nearly five percent of total municipal expenditure (City of Toronto, 2011a, 5 and City of Toronto, 2011b, 12). The increased debt ratio associated with amalgamation shows a disturbing trend in the municipal accounts, by way of the aforementioned borrowing to cover one-time amalgamation costs and growing capital borrowing since 2007. The city has developed a structural deficit,

meaning that the post-amalgamation City of Toronto is borrowing to fund consumption rather than investment. Downloading is the primary cause of this structural deficit, since the bulk of the borrowed funds are going to finance capital works for the TTC (CBC, 2007).

The city's credit rating has remained strong despite increased borrowing. Toronto's debt ratio may be increasing, but it remains relatively low compared to other cities. Moody's reports that debt comprises 41 percent of operating revenue in Toronto but 98 percent in Montreal (Spears, 2010). The growing costs of servicing municipal debt and the growing structural deficit should be the real concern, since debt servicing charges have the potential to overtake other budgetary priorities in the near future. This was the case with Canadian national accounts in the late 1980s and early 1990s.

Social Impact of Amalgamation on Toronto

Elections represent the collective expression of a polity's needs, wants, and ills. They are the most direct form of popular expression we have, and as such can be used as barometers to track public opinion. This is true of all elections, be they federal, provincial, or municipal. To this end, looking at some of the recent municipal elections in Toronto will paint a picture of the social impact of amalgamation. Many observers feel that there was a political motive behind amalgamating Metro and the six boroughs into one municipal government. The geographical construct of the new City of Toronto as articulated in Bill 103 is such that the suburban regions of Etobicoke, York, North York, East York, and Scarborough together hold more seats on City Council than the old Toronto (Boudreau, 1999, 777). Politically, the five suburban boroughs tended to be more conservative than downtown Toronto (Horak, 1998, 17). Combining the two facts together, it becomes clear that a conservative majority in the suburbs becomes the dominant player over a more left-leaning downtown minority (Sancton, 2003, 6). By forming the new City of Toronto, the liberal opinions of the downtown core would be "tempered" by the conservatism of the suburban periphery (Horak, 1998, 17). Though Harris never articulated this publically, the results of the municipal elections in 1997 and 2010 show that this core-periphery relationship is certainly a factual reality.

The first election for the post-amalgamation City of Toronto and the new position of Mayor was held in late 1997. The two front-runner candidates in this election represented two polar opposite views of urban governance. Barbara Hall was the sitting Mayor of Toronto, and was unabashedly left-of-centre. She was the embodiment of modern urbanism in Toronto, showing a profound concern for the homeless and marginalized while offering complex solutions to social problems (Boudreau, Keil, and Young, 2009, 55). Her views and priorities as mayor grew out of her experience as an anti-poverty lawyer and community organizer (Boudreau, 1999, 776). Hall was also a vocal opponent to amalgamation and a key public figure in C4LD. Mel Lastman was the anti-thesis of Barbara Hall. As the long-time Mayor of North York, Lastman had presided over the stunning economic and population growth of his city. His business background made him promise to freeze property taxes for the foreseeable future (Boudreau, 1999, 776). He unashamedly represented the conservatism of the suburbs with a flamboyant charm that made him hard to ignore.

Figure 1 shows the results of that election broken down by geographical area. After a hard-fought election, Mel Lastman beat Barbara Hall by a slightly over 40 000 votes (City of Toronto, 1997). The map shows that the suburban periphery of the new City of Toronto voted overwhelmingly for Lastman, and the downtown core cast their lot behind left-winger Barbara Hall. Only the southern portions of Etobicoke and Scarborough deviate from this trend. The results for City Council break down in roughly the same way, with less than a quarter of the Council elected in 1997 showing left-wing tendencies and support (Boudreau, 1999, 775). His re-election in 2000 showed much the same result (City of Toronto, 2000). These elections were crucial to the development of the city, as they represented a unquestioning endorsement of Mel Lastman's view of municipal government over that of Barbara Hall. It also meant that Lastman's tax-centred agenda would dominate the early years of restructuring post-amalgamation and post-downloading. At their core, the 1997 and 2000 elections show a vote split along the old pre-amalgamation urban-suburban lines that works to cancel out the progressive centre in favour of the conservative outer ring.

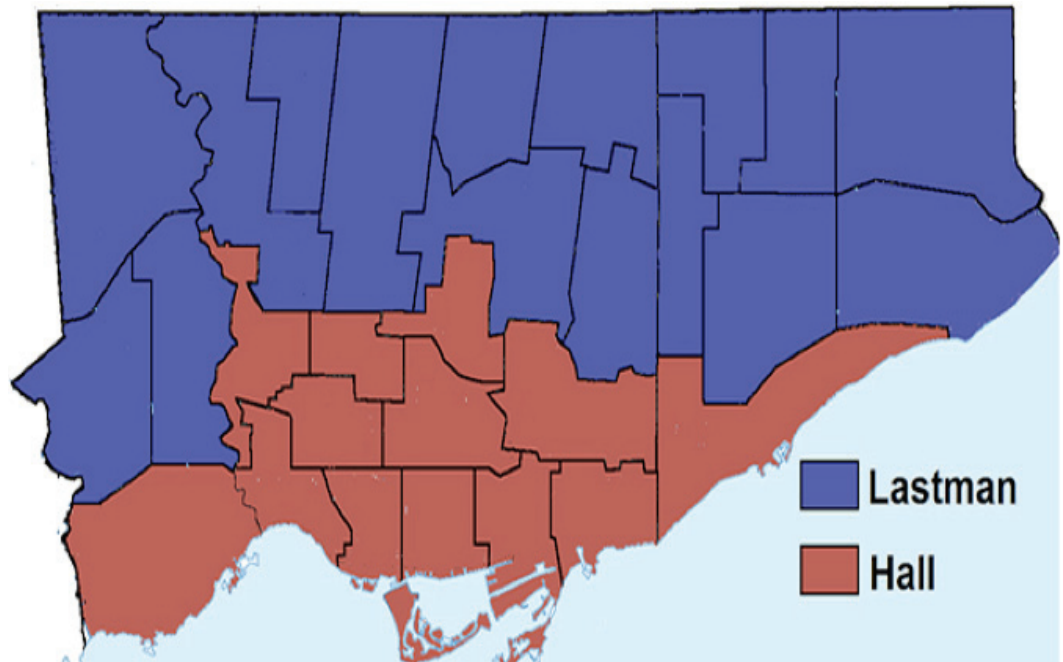


Figure 1, showing the results of the 1977 municipal election by mayor candidate. Source: Flack 2010.

The 2010 municipal election showed that the urban-suburban split is very much alive and well over a decade after amalgamation. The frontrunner candidates were ideological likenesses of Barbara Hall and Mel Lastman. George Smitherman represented the left-wing side of the campaign, focusing much of his platform on the environment, social spending, and working with the marginalized elements of Toronto. He even had a direct connection to Barbara Hall, having served as her chief of staff during her time as mayor and run her 1997 campaign (James, 2009b). Rob Ford, on the hand, was unabashedly holding the right-wing standard. Like Mel Lastman, Ford made a career in municipal politics in the suburban regions of the new city. His famous “stop the gravy train” campaign echoed the populist anti-tax rhetoric of Mel Lastman, promising to scrap a number of social programs and rescind many of the new taxes articulated in the City of Toronto Act (Kohler, 2010).

As can be expected, the election results followed the urban-suburban, pre- and post-amalgamation divide. Figure 2 shows these results laid over a map of Toronto. In the

end, Rob Ford beat George Smitherman by ten percent. Ford carried all of the wards in the four old boroughs of Etobicoke, York, North York, and Scarborough. Unsurprisingly, Smitherman won in every ward in the old City of Toronto, the left-leaning core of the current city. East York was the only region showing any real split between the Smitherman and Ford camps, with the former winning all but three wards (CBC, 2011). This election shows a further consolidation of the 1997 results, since both Etobicoke and Scarborough fell squarely into the Ford's camp without the split along north-south lines seen in the 1997 election. The results of the 2010 election show that the urban-suburban split along pre- and post-amalgamation lines is alive and well in the new City of Toronto. Seeing this trend, municipal commentators have taken to referring to amalgamation as "Harris' gift that keeps on giving" (Toronto Life, 2010).

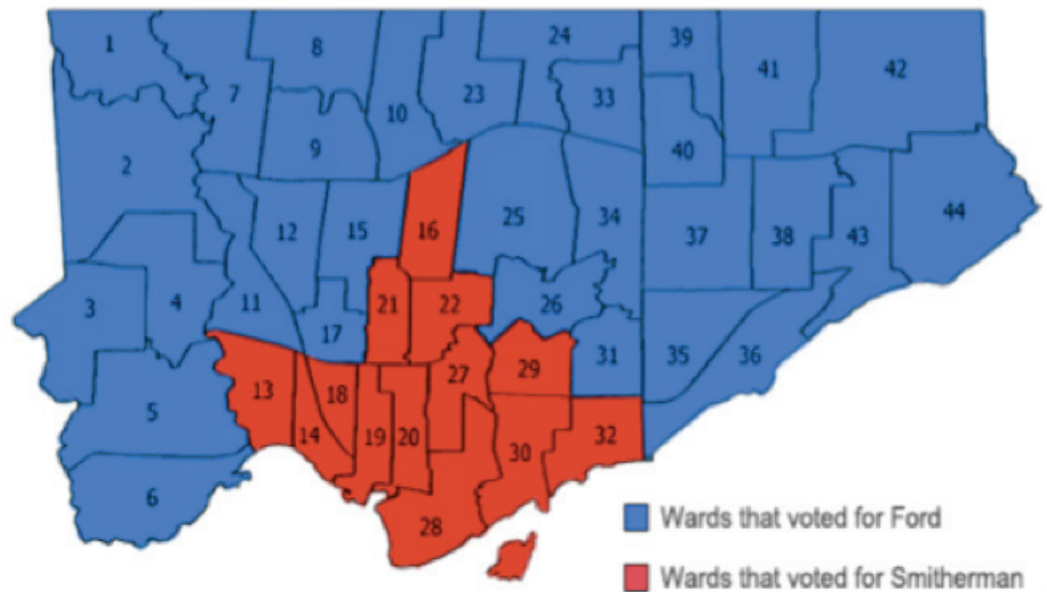


Figure 2, showing the results of the 2010 mayoral election by ward.
Source: CBC, 2011

No discussion of electoral politics in Toronto would be complete without mentioning David Miller, the only left-wing mayor since amalgamation. His electoral victory over conservative candidate John Tory in 2003 seems to contradict the urban-suburban divide that dominated previous elections. Figure 3 demonstrates that the pattern emerged in

the 2003 election as well, though with a different result. David Miller based much of his campaign on his opposition to expanding the Billy Bishop Airport, known colloquially as the Toronto Island Airport (Keil and Boudreau, 2005, 18). This issue galvanized the downtown core and much of the waterfront, which would be most affected by increased air traffic. Even with this strategic advantage, Miller won by a small margin of less than 40 000 votes (City of Toronto, 2003). This same margin swung the race the other way in 1997. Miller’s subsequent re-election in 2007 by 144 037 votes over Jane Pitfield is largely accredited to the latter’s weakness as a candidate (City of Toronto, 2006).

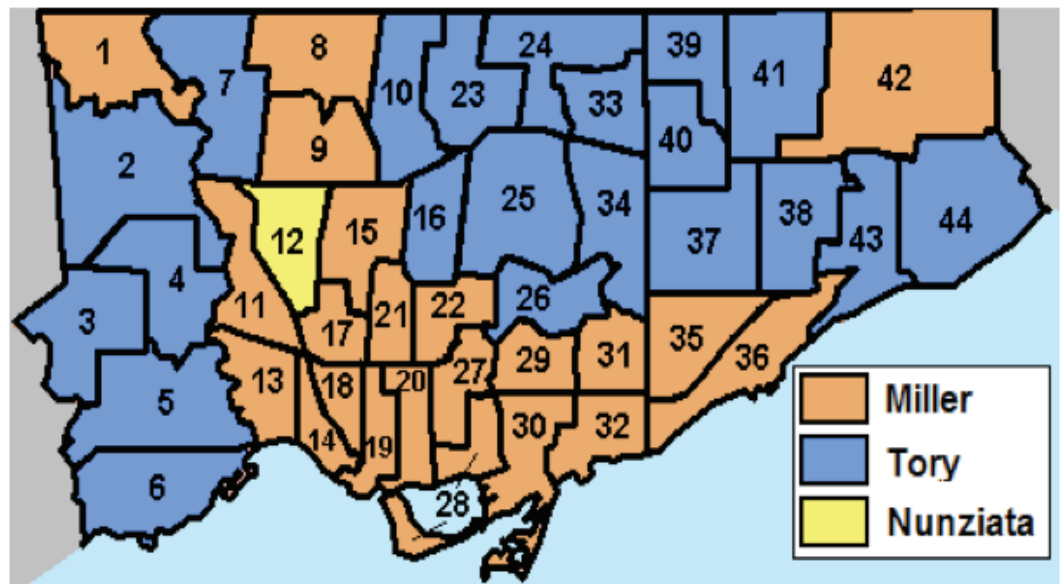


Figure 3, showing the results of the 2003 mayoral election by ward.
Source: Toronto Life, 2010

Recommendations

The evidence shows that amalgamation and downloading have both had an impact upon the finances and social structure of the new City of Toronto. Policy may have a role to play in mitigating and perhaps repairing the financial and social costs of the Harris government’s restructuring programs. The following policy recommendations seek to do just that.

1) Tax reform is urgently needed to support the operations of the City of Toronto

Using property taxes as the primary revenue source makes some sense, given that traditional municipal duties include “local” expenditures such as emergency services and the administration of city government. Funding becomes an issue only in the context of the many more recent additions to the municipal range of responsibilities. Mike Harris’ downloading scheme changed the nature of municipal service provision without modifying restrictions on Toronto’s abilities to raise funds, thus adding expenditures without supporting them through new revenue sources. Simultaneously, provincial regulations prohibiting deficits on operating budgets have forced Toronto to stretch financial resources to fund day-to-day consumption and consequently borrow heavily to fund necessary capital expenses (Slack and Bird, 8). The City of Toronto must be given additional powers to tax, including potentially introducing value-added and income taxes.

2) Follow-through with the Fiscal Review

The Fiscal Review and changes therein could potentially ease the burden on the City of Toronto by uploading many of the costly services pushed down by Mike Harris. The present upload timeline shows that the program will be completed by 2018, seven years from the present (Government of Ontario, 2008). The electoral calendar in both Toronto and Ontario can potentially derail the entire uploading process. At least two provincial elections and one municipal election will be held between 2011 and 2018. Each of these elections can potentially help or hinder the implementation timeline. This is especially true of the provincial elections, since the Progressive Conservatives could potentially form a government under Harris protégée Tim Hudak. Uploading will only help if it is completed, and both orders of government must commit to seeing it through to end. As a constitutional creature of the provincial government, Toronto must do everything it can to hold the provincial government to its commitments.

3) Do something about the TTC

The 2011 city budget allocated 16.3 percent of total expenditure to the TTC, which is the largest single category identified in that budget (City of Toronto, 2011b, 6). The Fiscal Review ignored the TTC as a potential candidate for uploading. This indicates that the

TTC is likely to remain a municipal concern for the foreseeable future. Recognizing the importance of the TTC to economic prosperity in Toronto, it should be supported by grants from both the provincial and federal governments. Paul Martin's New Deal for Cities in 2004 was a step in the right direction, promising a share of the Goods and Services Tax (GST) and revenue raised through gasoline sales directly to cities across Canada (Horak, 2008, 27-32). This plan was interrupted by the change in government in 2006. The present Conservative government in Ottawa seems to have no special interest in public transit, and consequently change does not seem to be on the horizon for the TTC. Despite the current situation in Ottawa and the present attitude from Queen's Park, the two higher orders of government must be brought into the fold if the TTC is to grow to accommodate current and future transit needs.

4) Treat amalgamation as an asset rather than a liability, with built-in flexibility

Amalgamation is a factual reality. Though Winnipeg and some other amalgamated cities in Canada may have demerged since incorporation, there is little sign that Toronto will face similar reconfigurations any time soon (Sancton, 2005, 323). Rather than turning attention to unreasonable dreams of special standing for Toronto under the constitution or even provincial status, lobbying efforts must be turned toward leveraging the size and power of Toronto as a competitive advantage (Clarkson, 2002, 120). In the words of a senior civil servant, Toronto must "seize the opportunities that amalgamation presents" (McInnis, 2000).

Toronto should use the size of its government to cobble together a rich and equitable society. Transit is especially useful in this regard. By taking advantage of the size and power of the Toronto government, coordination is possible that can make a drastic improvement in the everyday lives of many Torontonians. Rather than cutting transit expenditure, the city should leverage its coordinating powers and plan for a large and impressive transit network that can move people from every corner of the city quickly and cheaply. This would also go a long way towards healing the urban-suburban divide, by spreading equality of access to transit across the entire city and not just the downtown core.

With such a large municipal power base, and a diverse population living in Toronto, a certain element of flexibility must be built into the system to allow for some regional differences (Bourne, 2001, 43). The needs of Jane and Finch are very different from those of Leaside, yet both find themselves under the same municipal government. Flexibility would allow City Council to cater to both sets of sets, and many others, by allowing for regional differences in service provisions.

Conclusion

Amalgamation has fundamentally altered many aspects of life in Toronto. The essential fabric governing the Toronto region was turned on its head on 1 January 1998, when the boroughs of Toronto, Etobicoke, Scarborough, York, East York, and North York were amalgamated with the Municipality of Metropolitan Toronto to form the newly incorporated City of Toronto. The system that emerged out of this process is dramatically different from the Metro model that had governed the boroughs since the 1950s.

Financially, amalgamation and downloading have been very expensive for the new City of Toronto. The one-time costs of amalgamation and increased labour expenditure have been a drain on city resources. Harris' downloading scheme has forced the city to finance and administer many services once supported by Queen's Park, including social services and the TTC, which have pushed the city into a structural deficit and potentially into a downward "death spiral" of debt. Socially, the new City of Toronto remains fundamentally fractured along urban-suburban lines. Every election since amalgamation shows this split in the social fabric of the city. This section will offer some policy recommendation that can alleviate the negative financial and social impacts of amalgamation and downloading.

Post-1998 Toronto faces many distinct challenges, many of which have arisen as a direct consequence of the amalgamation and downloading policies pursued by the Harris government. The financial situation in the city requires that Toronto be given new revenue-generating tools, such as value-added or income taxes, and that the provisions of the Fiscal Review be fully implemented regardless of who is in power. Even with these issues resolved, the funding and administrative structure of the TTC must be re-evaluated

to encourage more provincial and federal assistance in the style of Paul Martin's New Deal for Cities. Improvements in this regard would also help to heal the urban-suburban divide that has plagued Toronto since amalgamation. These challenges and many others require attention if Toronto is to live up to its full potential as a truly world-class city.

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At a Disadvantage?

An Analysis of the Orientation for Newly Elected MPPs in Ontario's By-Elections

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Aviva hails from Toronto, where she has worked at three ministries in the Ontario Public Service. For the past year, she has been working at the City of Toronto in the Tower Renewal Office. Aviva is passionate about political affairs and public service, particularly on the municipal and provincial levels. In addition, she always finds time for her side loves of walking tours and residential real estate.

An orientation to any new job is a crucial part of learning the ropes. Whether or not this new job is a clerical one or a Member of Provincial Parliament is irrelevant; orientating an individual to any new profession is an essential aspect of their future performance. This paper analyzes how the orientation for MPPs elected in by-elections affects their work at Queen's Park. I argue that MPPs elected in by-elections are at a disadvantage compared to their counterparts elected in general elections. Arriving at Queen's Park in the midst of all the action and often lacking in political astuteness, MPPs elected in by-elections are unable to navigate the provincial legislature adequately. Whereas Members elected in general elections undergo comprehensive group training sessions, Members elected in by-elections have less formal guidance upon arriving to Queen's Park and are thrown into the mix haphazardly. This paper uncovers the true orientation (or lack thereof) provided for MPPs elected in by-elections and concludes that it is insufficient.

Introduction

By-elections are a curious case of democracy. Their sheer existence gives us a glimpse into the public's views on the issues of the day, a so-called "mini-referendum." While many are interested in the campaigning of by-elections and their incessant media coverage, a subject few have studied is the socialization of these new members to their role, in the midst of an existing legislative session. A Member gives up their seat at Queen's Park, a by-election is called, and, quicker than you can say "writ," a new Member is sworn in. The process is short, but not always sweet. New members elected in by-elections are faced with the struggle of orienting themselves to a place it can take years to figure out.

While working at Queen's Park for ten months (from September 2009 to June 2010) as part of the Ontario Legislature Internship Programme (OLIP), a total of four new Members

of Provincial Parliament (MPPs) were sworn-in after having won their respective by-elections. One couldn't help but delve deeper into the topic of by-elections, as they seem to pop up ever so often. As of April 2010, a total of twenty members currently sitting at the Ontario Legislature were elected in by-elections, though two of them were previously elected in general elections (Greg Sorbara and Bob Chiarelli). As there are 107 seats at Queen's Park, nearly one in five members were elected in by-elections; 18.7% of MPPs, to be exact. This is a substantial number and one that should not be overlooked. Considering the vast number of currently sitting Members elected in by-elections, this paper examines the MPPs' experiences upon arriving at Queen's Park. The Legislative Assembly, through the Office of the Clerk, provides a thorough orientation for all new members elected in general elections, but does not do the same when the new member is elected in a by-election. Why is this so? And is it even the responsibility of the legislature to provide such an orientation? Since little to no research has been done on this topic, this paper relies heavily on interviews with MPPs elected in by-elections, conducted from January to April 2010.

Purpose of the Study

As mentioned earlier, new Members elected in general elections participate in an in-depth orientation run through the Office of the Clerk of the Legislative Assembly. Their colleagues elected in by-elections do not undergo such formal training; this study was undertaken with the intent of uncovering the discrepancies in orientation upon winning a provincial election, whether it is a by-election or general election.

The training for new MPPs elected in general elections consists of two separate events – a full day orientation seminar, and a half-day procedural orientation. After the most recent general election on October 10, 2007, the orientation seminar was held on November 8, 2007, and the procedural orientation on November 27, 2007. The first day of the first session of the 39th Parliament began on November 28, 2007; all new Members were therefore, in theory, fully prepared for their new roles as MPPs.

To comprehend what Members elected in by-elections miss out on, we must specify exactly what goes on during these two orientation sessions. During the orientation

seminar after general elections, new Members receive a binder stuffed with the contact information of anyone they could ever want to contact, from setting up a BlackBerry to getting a haircut at Queen's Park. Should the Members decide to simply file away the binder with the rest of the paperwork they receive, they will still have sufficiently materials. As you will see, the seminar day makes sufficient use of this binder and all its sections.

In the morning, new members hear sequentially from the Speaker of the Legislative Assembly, the Clerk, the Deputy Clerk, the Executive Director of Administrative Services, the Sergeant-at-Arms (who provides MPPs with his own binder), the Executive Director of the Legislative Library, and the Integrity Commissioner. After these meetings, new members go on an extensive tour of Queen's Park, which includes the Library, Gift Shop, Room 195 (for Swearing-in), Media Studio, Nurse, Hairdressing Services, Security, Cafeteria, and Dining Room. Following a lunch hosted by the Clerk, the new Members hear from returning MPPs – one from each party, where they learn helpful tips from their veteran colleagues. Afterwards is a presentation by members of the Press Gallery, where individuals from Sun Media, the Globe and Mail, CBC Radio, CHCH TV, and the Toronto Star meet with the new Members. The orientation ends with the opportunity for new MPPs to visit two committee rooms. In Committee Room 1 are representatives from Payroll, Finance, Human Resources, and Purchasing. In Committee Room 2 are employees of the Legislative Library, Security and Precinct Properties, Interns, Legislative Information Systems, and Legislative Services. The day ends with a reception (of course), hosted by the Lieutenant Governor of Ontario.

The orientation does not end there. A two-hour procedural orientation is available for members closer to the date when the house returns. The following topics are discussed: Election of the Speaker, Throne Speech, Chamber Protocol (a re-enactment), Filing and Notice Requirements, Private Members' Public Business, House Documents, and Standing Orders. Finally, the new MPPs are exposed to "A Day in the House," where they learn about Members' Statements, Reports by Committees, Introduction of Bills, Motions, Statements by the Ministry & Responses, Deferred Votes, Oral Questions, Petitions, and

Orders of the Day.

It would seem obvious to anyone that this two-part orientation is not only in-depth but also critical to the performance of an MPP. The Clerk's Executive Assistant (EA), who has been working at the legislature for fifteen years, has tweaked this two-part training to perfection. The question still remaining is - how do members elected in by-elections function without these orientations? This is where the interviews come into play.

Interview Methodology

All eighteen members elected for the first time in by-elections were contacted with interview requests for this paper. Not all were interested or responsive to my efforts, though the majority was willing to be interviewed. In sum, a total of thirteen MPPs were interviewed. In order of by-election date, they are: Bruce Crozier, David Caplan, Ted McMeeKin, Norm Miller, Michael Prue, Andrea Horwath, Bas Balkissoon, Christine Elliott, Peter Tabuns, Cheri DiNovo, Joyce Savoline, Rick Johnson, and Eric Hoskins.

As little research has been done on the topic of socialization and orientation to legislative life after winning a by-election, this paper relies heavily on discussions with Members. All MPPs interviewed were asked if they received any formal orientation after winning their by-election, what the most difficult part of the adjustment was, anything they wish they had known prior to arriving at Queen's Park, who has been the most helpful orienting them to the legislature, what has surprised them most since arriving, if new members have it easier being elected in general elections or by-elections, and if they wished they had received an orientation to Queen's Park while they were still candidates.

Interview Results

Of the Members interviewed, only two confessed to having an orientation – Rick Johnson, the Liberal Member for Haliburton-Kawartha Lakes-Brock, and Eric Hoskins, the Liberal Member for St Paul's. Both were elected in 2009. However, both had suggestions on methods to ameliorate this orientation. The remaining Members admitted that they had no orientation upon winning their by-election. Norm Miller, the Progressive Conservative

(PC) Member for Parry Sound-Muskoka elected in 2001, was surprised at how little orientation he received, admitting that he “just assumed that there’d be more formal training” (Miller 2010).

Bas Balkissoon, the Liberal Member for Scarborough-Rouge River elected in 2005, even rhetorically asked “Would an orientation have made it easier? Yes” (Balkissoon 2010). Like many of her colleagues, Cheri DiNovo, elected in 2006 as the New Democratic Member for Parkdale-High Park, also did not have an orientation, nor did she have any sort of political background. And PC Member Christine Elliott, who won her husband’s seat (Jim Flaherty, the Federal Finance Minister) in 2006 in the riding of Whitby-Oshawa, declared that she had no orientation from either her caucus or the Legislative Assembly.

On top of entering in the middle of a legislative session, many of the MPPs interviewed faced additional challenges. Andrea Horwath, the New Democratic Party (NDP) leader and Member for Hamilton Centre elected in 2004, brought official party status to the New Democrats by winning her by-election. This allowed her party to develop an infrastructure that was non-existent prior to her victory. Although her win was undoubtedly helpful to the NDP, the major shifts taking place within the party were all the more disruptive for Horwath. After being elected in 2000 as the Liberal Member for Ancaster-Dundas-Flamborough-Westdale, Ted McMeekin was without an office for six weeks. He floated from one office to another, borrowing space in his colleagues’ offices. Perhaps the Legislative Assembly could have accommodated this neophyte MPP a bit better. After Balkissoon was elected, the party assigned him a staffer to help him adjust to his new role as an MPP, but the staffer’s knowledge of the tasks of a Member was severely lacking. In Balkissoon’s words, “if there was an orientation, probably I would have had a better idea, instead of depending on somebody who I thought had knowledge but it turned out that they didn’t” (Balkissoon 2010). In his case, the party was at fault for failing to provide its newest Member with adequate assistance. Bruce Crozier, the Liberal MPP for Essex elected in 1993, and Michael Prue, the NDP Member for Beaches-East York elected in 2001, both had a question in Question Period on their first day!

When asked about the most difficult adjustment to Queen's Park after winning their by-election, the answers were strikingly similar. Many MPPs stressed the difficulty of learning about what actually goes on at the Legislature, as opposed to activities outside Queen's Park. Hoskins himself said, "The constituency side of being an MPP is the least complicated. The bigger challenge was the Queen's Park component...the Legislative side of being an MPP is probably the area where the most learning has to occur" (Hoskins 2010). Balkissoon similarly stated that the hardest adjustment is finding your way around, and understanding who does what and who to turn to with regards to logistics, such as setting up your office environment. The orientation seminar for new members elected in general elections would undoubtedly have assisted him in this regard. Peter Tabuns, the NDP MPP elected in 2006 to represent Toronto-Danforth also shared the view that the most difficult part of his new job after winning the by-election was "figuring out how things were done in the legislature...the technical matters around moving bills and motions and reports forward, it took a while to catch on" (Tabuns 2010). Though many aspects of any new position are learned on-the-job, the procedural orientation's re-enactment of "A Day in the House" could have assisted Tabuns. DiNovo and Horwath echoed this view, stressing the complicated process of working at the legislature, learning about the rules, procedures, and bills.

While discussing with the MPPs the orientation available to new members elected in general elections, it was shocking to find out how many were either unaware that it even existed, or felt it was unfair they never received such training. The main reason Prue was aware this orientation existed was because he has spoken at it twice. Crozier did not even know there was a formal orientation for new Members after general elections, and Elliott said that being elected in a by-election is a drawback, "because you don't have that general orientation that I think they have for new members elected after a general election" (Elliott 2010). Elliott also faced misconceptions about her knowledge of legislative procedures, as because her husband was an MPP for ten years, people expected her to know more about the rules than she actually did. With regards to Flaherty, Elliott said "I saw him occasionally in Question Period, but I didn't sit in on caucus meetings. I didn't know the rules of the legislature, so I felt as much of neophyte

as anyone else when I first started here” (Elliott 2010). Though she may have had some background on the norms in place at Queen’s Park, she certainly was ill prepared for her position.

Similarly, Balkissoon assumed that he would receive an orientation, but when he did not, guessed that either everybody just sort-of forgot or thought he should simply find his own way around. Miller’s approach was trial and error, “It was just sort of – ask around, and figure out how other people do things, and then try to figure it out on your own without much guidance at all... You do what you think makes sense whether it’s hiring staff or the way you handle things, but I think it would have made sense to have at least some suggestions of ways of doing things or possible ways of doing things” (Miller 2010). We can assume that had Miller undergone an orientation, he would have taken advantage of the suggestions provided by the employees of the Legislative Assembly and more experienced colleagues.

The majority of Members interviewed said other MPPs and partisan staff persons were the most helpful in terms of orienting them to Queen’s Park after winning their by-election. No members actually sought out the Clerk’s office or library staff after being elected, but instead relied on individuals in their party. As they were elected in close succession, Hoskins and Johnson both referred to each other as supportive; Hoskins went so far as to refer to Johnson as “an older brother or big buddy or mentor sitting right beside me who could shovel all this useful information my way” (Hoskins 2010). Miller relied heavily on a staffer who had worked at Queen’s Park for a long time and knew all the rules in the book. He also touched on the importance of help from individual Members, who assisted him with issues that might not even cross one’s mind, such as sending out Christmas cards. Johnson’s staffer was also very thorough, even pointing out where the bathrooms were located. Tabuns drew on the knowledge of his predecessor’s staff.

While Crozier didn’t have a formal “sit-down-at-a-desk” orientation, he relied on an individual in the whip’s office, who even helped him locate an apartment in Toronto. Balkissoon, Prue, Horwath and DiNovo similarly cited their respective whip’s offices

as supportive, and McMeekin mentioned a cabinet minister as one of his teachers. Elliott utilized her husband's experience as an MPP when she had questions, as well as members of her caucus. David Caplan, the Liberal Member elected in 1997 for Don Valley East, also drew on his familial background to political life after winning his by-election, relying on his mother, Hon. Elinor Caplan, a former MPP and MP, as a resource. Many of the members interviewed had been involved in politics prior to running for provincial office, which served as an asset to their future performance. Hoskins worked as a policy advisor to a federal politician, Horwath, Tabuns, and Balkissoon were municipal councillors, Prue and Crozier were mayors, Caplan was a school trustee, and McMeekin worked as an EA to an MPP. Because of this, their knowledge of not only provincial politics but also legislative norms was significant upon winning their by-elections. Prior to being election, Johnson was a musician, Miller a small business owner, DiNovo a United Church Minister, and Elliott a lawyer. During the interviews, it was clear that the members who lacked a background politics suffered, but often, so did those with municipal experience.

When Elliott arrived at Queen's Park, she remembered the bells began ringing, signalling the Members to enter the Chamber. As she had no idea what the bells actually meant, she ignored them, and "completely missed the first round of Private Member's Business" (Elliott 2010). Due to this negative experience, Elliot stressed in her interview the importance of being aware that new Members elected in by-elections don't have a general orientation. Horwath, however, admitted that she was unfamiliar with a great deal of legislative procedure such as standing orders and how a bill moves through the house, even though she had been a councillor. DiNovo admitted that the lack of any kind of structural introduction to the house was the most difficult. Miller recalled that a fellow PC member even gave him an orientation manual that he personally made about how to navigate life at Queen's Park. He also suggested that it would likely be easier to pick up the idiosyncrasies of Queen's Park if one had experience in municipal government. Conceivably, Miller would not have had to rely on a manual from a colleague had he received the formal orientation from the Legislature.

In sum, the issues facing new MPPs elected in by-elections affected them all, regardless of party colour or time of by-election.

Recommendations from the MPPs

When asked about their experiences adapting to life at Queen's Park after winning their by-elections, many Members provided suggestions and remarks for future Members to ease their transition. Hoskins brought up the concept of an Idiots Guide to "Your First day as an MPP," an idea that may seem straightforward but could potentially prevent Members from, for example, missing Private Member's Business. DiNovo stressed the importance of hiring staff that understands the legislative process. Similar to Balkissoon's experience with a staffer lacking any legislative know-how, DiNovo realized the hard way that bringing staff from the campaign to Queen's Park is not necessarily beneficial, as they are often unsuited to legislative work. Members rely on their staff a great deal, so it makes sense to hire employees that are aware of the particulars of working at a legislature.

Johnson suggested developing a CD-ROM video to teach viewers about the job of an MPP. This way, candidates and newly elected Members would have a better and more detailed understanding of an MPP's duties, including the substantial time commitment. Likewise, Crozier said that were he to sit down with a candidate and tell them about life as a Member, he would declare it as "virtually a seven-day-a-week job...you're going to be away from your family a great deal" (Crozier 2010).

Balkissoon wondered why he was not included in the orientation for new members after the general election: "maybe somebody thought since I was here two years I knew everything, well no – it's a big place to learn in two years" (Balkissoon 2010). Horwath also asked if she could participate in the regular orientation after the general election in 2007, but was refused entry. The concept of giving MPPs elected in by-elections the option to participate in the orientation after a general election, even after they have sat as Members, is both a positive and unique proposal.

A final suggestion was one that arguably has the most merit. Elliott suggested creating a buddy system, a proposal many other Members agreed with, to pair up veteran members with the new ones. In her words, the new MPP would “work with another more experienced Member and have someone that you can go to to ask questions that you may feel you should know about and you feel a little bit reluctant to ask, but there might be one consistent person that you can go to” (Elliott 2010). Upon arriving at Queen’s Park, Caplan approached a more senior member of his caucus and asked him to mentor him, as there is no formal twinning system at the Legislature. He said that when by-elections occur, “one of the things that I chat with them [new Members] about is, I share with them my experience – this is what I did and I found it very helpful. I would recommend with you that you find someone who you trust, think you can work with and ask them if they would do that for you as well” (Caplan 2010). Some Members listen to his tip on finding a buddy, others do not. This buddy partnership would be extremely helpful for MPPs elected in a by-election, arriving at Queen’s Park in the middle of a legislative session. The buddy system would undoubtedly benefit both Members, especially the rookie MPP who may have nobody to turn to with seemingly uncomplicated questions.

Conclusions

Though the newest Members interviewed elected to Queen’s Park (Hoskins and Johnson) had orientations, the remaining MPPs admitted to no orientation whatsoever. “Baptism by fire” was the term Horwath used to describe her entrance into provincial legislative life (Horwath 2010). The majority of Members had an additional step to overcome, whether it was being put on the spot for a question on their first day, jumping from office to office, or being assigned a staffer with minimal legislative knowledge. What is most interesting from the perspective of an intern, however, is that the thorough orientation for new Members elected in general elections includes a session on the Ontario Legislative Internship Programme, of which this author is an alumnus. Members elected in by-elections, therefore, are not exposed to the workings of the program, and hence may not be inclined to apply for an intern. Additionally, when the interns arrive at Queen’s Park in September, they undergo several formal training sessions with the

Officers of the Legislature, Clerks, Librarians, and more. Seemingly, the interns are treated better upon arrival to Queen's Park than the new MPPs elected in by-elections!

Overall, the consensus drawn from the interviews with MPPs elected in by-elections is that they are poorly prepared to begin their new role as provincial politicians. Most turned to partisan colleagues, including MPPs, Ministers, the whips office, or political staff. Few were fortunate to have former MPPs in the family, to whom they turned. None utilized staff at the Legislative Assembly to the same degree as, for example, the interns, who often called the library for legislative assistance. The main concern among Members was familiarizing themselves with legislative procedures, including the passage of bills and workings of the House. However, such simple tasks as setting up an office or sending out Christmas cards were also challenges faced by the MPPs.

Though new MPPs elected in by-elections may receive the same binders as their colleagues elected in general elections, it is unlikely they spend as much time perusing the materials. This is probably because the Members elected in general elections go over the content of the binders during their orientation sessions. They are exposed first-hand to the individuals in the contact list. Perhaps the legislature could provide the Members with a video of "a day in the house," displaying a typical day in the legislature. It is different to read about today's business and actually see it. Or, perhaps, if a new Member is elected from September to June, the OLIP interns could provide them with a session on the House, as we are bursting with procedural and practical knowledge.

All of the suggestions proposed by Members were brought forward to the Clerk's office and greeted with genuine interest. The Clerk's EA will also be speaking to the three caucus representatives responsible for training new Members, more clearly defining which aspects of the orientation the legislature and the party absorb. The Clerk's office also plans to incorporate new Members elected in by-elections into the orientation after general elections, if the Members wish. As well, the development of a new department at Carleton brought up by Manning could help ease the transition for neophyte politicians. Perhaps, as is the intent of this study, new Members elected in by-elections will no longer

continue to fall through the cracks, with their caucuses and clerk's offices now well aware of their respective shortfalls.

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In Conversation

Public Policy & Governance Review

An Interview with David Zussman

David Zussman has had a long and distinguished career both in and out of the public service in Canada. He is the current Jarislowsky Chair in Public Sector Management at the University of Ottawa, and has worked in the offices of Rt. Hon. Jean Chrétien, the Privy Council Office, and for organizations such as the Public Policy Forum and EKOS Research. Prior to the most recent federal budget, the Public Policy and Governance Review sat down with Professor Zussman to discuss the lessons he has learned throughout his career in public policy, and policy challenges in the current era of fiscal constraint.

Could you start off by talking about your career, and, in your different roles, where you felt you could affect change the most. Did it depend on the role or the people who were there in the situation?

For students in public policy reading this interview, I think one of the interesting things about my background is that my first degree is in computer science and math, and my doctorate is in psychology, so I'm not typical by way of entry into the world of public policy.

After my doctorate at McGill, I started my career at Statistics Canada, taking advantage of my statistics background by doing a series of large-scale studies. In those days, there were huge data sets, and not a lot of experience in the federal government with manipulating data, which I had done as part of my graduate work. So it was a very satisfactory two-year stint for me. But increasingly, I became interested in the policies that gave way to the outcomes I was measuring in surveys.

So I looked for and found a job at the Treasury Board Secretariat, again finding myself in a rather different environment. Whereas I had previously been working in the world

of statisticians, I was now working in the world of economists with people like Mel Cappe, and it hammered true to me one very important point: public policy truly is interdisciplinary. And those who do it best practice interdisciplinary work either by being themselves an expert in social sciences, or more typically, forming a team of people who have all these various skillsets. Over the years it has been hammered home to me how unbelievably crucial this is. On specific terms, this means understanding the history and context of public policy (politics), economics, and sociology—the impact that policies are going to have on people, and how that is going to play out. If you don't do your due diligence at the outset, you will pay for it afterwards, as we've seen in many instances in Canada and elsewhere—bad public policy that would have been predictable if people had thought through the issues more fully.

Later in my career, I went and taught at the University of Victoria School of Public Administration for three years, which was a great experience. I learned a lot about provincial governments, and spent a lot of time in the Premier's office. Then I moved back to Ottawa, getting a job in the Privy Council Office in the Communications Secretariat. I did a lot of work around communicating public policy—a very valuable lesson—and analyzing data, but this time analyzing public opinion data for Cabinet and Cabinet Committee. This was another good experience because it brought me face to face with politicians on a weekly basis, which gave me an important appreciation of where policy and politics overlap. You've got so many people teaching [at the School of Public Policy and Governance] now who know all about that.

Being captured by this interesting world of politics and its interface with public service, I then joined Jean Chrétien's staff as a policy advisor when he was Minister of Energy, Mines, and Resources (now Natural Resources), and that was a wonderful experience because he wasn't the least bit interested in my political skills—which were non-

“... public policy truly is interdisciplinary. And those who do it best practice interdisciplinary work either by being themselves an expert in social sciences, or more typically, forming a team of people who have all these various skillsets.”

existent—but he always has relied heavily on his staff and the public service. So I learned from a person who had a strong model: that the public service and political leadership would work closely hand in hand. That was pretty much how he operated as Minister, and as Prime Minister.

I then went to the University of Ottawa, realizing I was never really interested in full-time work on the hill, and I subsequently became Dean of the business school. After that, I headed up the Public Policy Forum for seven years in Ottawa. During that period of time, I was responsible for his [Chrétien's] policy work in his 1990 leadership campaign, and headed up his transition in 1993, 1997, and 2000. After the PPF, I joined EKOS Research where I was President and COO of a national polling firm, and I accepted an offer to become the Jarislowsky Chair in Public Sector Management. So I can't keep a job, as you can see, but it's all been anchored around public policy, and I actually don't think my jobs have been all that different—just that the emphasis that one places on the work changes whether it's a for-profit or non-profit, inside the system or outside. It's been a fun career for a psychologist.

We'd be interested to hear more about the communications aspect of your work, and the interface of politics and public policy. What are the lessons you took from that work?

There are a number of things that I think differentiate people who are successful in public policy and those who are not. First of all, at the lowest level, you have to communicate your ideas well—verbally and in writing. I've never met a successful policy person who was not good at both. Everyone, of course, has different skills and styles. But notwithstanding that, your job as a policy person is to convince others that your idea is a good one, based on solid research, analysis, and assumptions about what the impact is going to be—because clearly in most cases you cannot predict it with any degree of certainty. Part of the certainty element of this conversation is being able to communicate with some confidence that you actually have an answer.

The other element is to have strong analytical skills of one kind or another—it could be

legal, historical, econometric, etc.—to be able to say on the basis of evidence, not just gut feeling, that this is the way to go. So that’s the right answer.

The next part is persuasion. Convincing the political people that this is in the best interest of the country, and also politically; that it will garner support for their party and point of view, and will resonate with voters.

Public servants, who are non-partisan, and don’t get this second part of the conversation are not going to be successful policy people. This doesn’t make them partisans—and I have this problem in trying to convince my own students of this point. They are not taking sides, but they have to recognize that ultimately for decision-makers there must be some political payoff. It may be in the long-term, with pain in the short-term for long-term gain. But even the pain part must be seen to, in one way or another, enhance the political fortunes of the party in power; they can argue that they’re making some tough decisions in the interest of Canada, that may look difficult today but in the long-run is good for Canadians, and therefore, they argue, “we hope that you’ll continue to support our government”—that’s the argument.

I’ve seen too many public servants who resist this conversation, and characterize it as partisan. My impression typically is that they have a real problem career-wise, at the senior levels, if they don’t understand this particular point. Ultimately it’s the politicians who decide. They are accountable to parliament and taxpayers for their actions, and that’s where the accountability, and therefore responsibility, resides. It’s not in the hands of well-meaning public servants or analysts who think they have the right answer; they are accountable to no one, other than their bosses for the way in which they spend their time.

I think there was a period of time in the 1970s when the policy people ran way too fast ahead of the politicians, and the government approved all sorts of bad ideas because it wasn’t attentive enough or policies weren’t being vetted enough. There were a number of things done in the 1970s and 80s to change the process to make the politicians own

the policies more apparently. Trudeau introduced something in the late 60s where the Minister had to present the policies in Cabinet, not the public servants. Previous to that, the Minister would just introduce a public servant who would present the issue and not be responsible for fully understanding the issue. Minister's never took ownership, never took time to learn the policy, but ultimately, though, they were accountable. So today, Minister's must present in Cabinet—not public servants.

You have likely experienced times in your career where you have had to speak truth to power. How do you deal with difficult situations like that, and what advice would you give young policy people who are starting their career?

First, I think public servants, generally speaking, don't appreciate one important principle that is at play everyday in their lives. There is something at the federal level called the Public Service Employment Act, which did away with patronage; it's a merit-based system, and it protects the public servants against reprisals from politicians. No other place of employment operates like this—and why is that? We do that to protect the public servant so that they can speak honestly in the context of their work environment. So there is a legal issue here that provides assurances and encouragement for public servants to speak truth to power. It's a difficult game, and anyone in a senior position has had to say difficult things, knowing full well that the people they are giving advice to are not looking forward to hearing it. It's no different, frankly, than telling an employee that they are underperforming and there will be a consequence, or telling a family member the truth about something.

Everyday in our lives we are confronted with speaking truth to power, and some people do that more easily than others. In government, in my view, it's an obligation; we fought hard for your rights to have this job. Now I'm not naive enough to think that you won't be punished sometimes from an uncaring or unappreciative Minister who didn't want to hear that news. I remember years ago on the Energy portfolio working with one of the Associate Deputy Ministers who went on about the assumptions underlying the econometric model which made presumptions about what the cost of a barrel of oil would be. He went on and on about worst-case scenarios, and eventually they got so tired of hearing his naysaying, that he was moved to another job. He always spoke truth to

power, and found other jobs and retired happily, but he never compromised his principles, which were that policy advisors need to tell the truth.

Nothing is worse for a Minister than being told something that is not true. Good Ministers want the truth. The Ministers that I've worked for want to hear the truth. Now, how you tell the truth is a whole complexity, which is a challenging one, and you have to gage in the conversation where you are going to be truthful. But it's no different than any other responsibility you have as a professional. Nothing could be worse than working for a year on a project and having the Minister ask you what you think, and you don't tell the truth because you think they don't want to hear it. Actions like that are not useful and you've undermined the whole system. That is a very important element.

Now I know in Ottawa these days this is very hard to do; this is a government who doesn't like being told they are wrong. But there is no other choice.

The other thing is that most good clerks and Deputy Ministers either in fact, or notionally, have a letter of resignation in their top drawer. You've got to be able to say to yourself everyday that if this person is not going to listen to me, I should go do something else. That has happened on a number of occasions. If it's not honest, then what are you doing it for? You may pay for it in the short term, or forever, frankly, but I think a balance with good people will be recognized as being a valuable thing. I think I have actually been rewarded over the years for doing that.

The Chrétien years are famous for tackling the deficit, and there some parallels to what we are experiencing now at the federal and provincial levels. Could you reflect on the differences and similarities between then and now, and the lessons from the past that can be applied today?

Things were different in a big way. Leading up to the Liberals being elected in 1993, Michael Wilson, as Minister of Finance, had talked a lot about the deficit and debt; in 1992 or so, the IMF came out with a very important paper that declared Canada to be on the road to bankruptcy. So by the time the Chrétien government arrives, the public

has heard that the country is in trouble. That is not the case today. Canadians are totally ignorant of our financial situation; we are running up debt in record numbers and seem to have an insatiable appetite for spending money and not pay any taxes. So this government has got, in some ways, a more complicated environment than we had.

The second difference was that, Chrétien being Chrétien, he did a couple things I think were smart. He created a Cabinet committee that was headed up, not by Paul Martin like everyone thinks it was, but by Marcel Massé, who had been a recently elected Member of Parliament and new Cabinet Minister, and was a former public servant as a Deputy Minister. He had left for a number of reasons, particularly his total frustration with the Mulroney government as a DM. So he entered politics and was appointed head of this Cabinet Committee, because he knew everything about the spending of government and knew all the people there.

The other important point, unlike present times, is that the process that Massé kick-started (and I was Assistant Secretary of Cabinet then) was implemented by the public service. David Dodge, as Deputy Minister of Finance, had done his fiscal framework, and he with other Deputies and the Prime Minister's Office decided where the cuts would go. In the end, Massé presented to Cabinet a series of cuts that were going to be coming, which would add up to the number they were looking for. Where the dollars come from was left to the public service. The DM would be given a number that they had to find, in line with a number of principles, and would come back with cuts that sometimes equaled up to 40 percent (Industry Canada, for example). Massé drove this process where the Ministers were very engaged in the conversation.

This is different from today, because there is little public acceptance for the need for deficit reduction, and I think that is why this government appears to be waffling a bit.

The other element was that Massé initiated very extensive consultation with labour. The unions knew what we were doing and there was no secret about the coming cuts. If the program was cut, so too were the jobs. But we also allowed public servants who wanted

to stay, to swap their jobs with people who wanted to leave (if their programs were not affected, and they had similar skills). In the end, there were zero articles post-budget saying the unions were resisting this. They understood the need for it, we had gone over the numbers with them, and we had given them very generous buy-out packages. All of this could be going on right now, but since the unions are upset in Ottawa, I assume they haven't been consulted.

The other thing that was lucky for us was that the American economy started doing very well, and Ottawa's high tech community (Nortel) was rocketing along and there were so many jobs in Ottawa. I don't think the government will be as lucky this time around.

This government has chosen a different model; it's more about dollars than it is about doing things differently or better. They have engaged Deloitte to help them, who have done a good job as far as I can see (I am on their external advisory committee). What we don't know, of course, is if they have taken any of the advice they got.

What are your thoughts on the state of federalism and intergovernmental relations in Canada? Would you support something like an independent, arms-length agency to deal with Equalization and other fiscal transfers?

Well, it saddens me when people say that we have to de-politicize things, because these issues are inherently political. We have no longer places for conversation or dialogue that doesn't eventually disintegrate into name-calling. So this might be one elaborate way of getting some work done.

What we are really missing is a place for conversation—that's a failure of our governments. So you could establish an agency, or you could do it the old fashioned way of getting the Premiers and Prime Minister together and having a conversation. We haven't had a First Minister's meeting in years, and the current PM is clearly not interested in this because he sees it as a political risk—and it is. But this is a federation after all, and the only way for it to work is for both of the parts to coordinate and have a conversation, and disagree, and come to some resolution. We have done it before, and

frankly if we don't start doing it again we will end up with something much worse than just a dysfunctional federation – we might end up without a country.

This is a great fear for a federation. There's got to be some glue that keeps it going, and we have forgotten how to do that. Even though Trudeau, or Mulroney, didn't have good relations with the provinces, they met and debated and disagreed, but even then, things were accomplished. In my view, the last Health Accord was a failure—simply a transfer of money to the provinces without any conversation. And as a consequence ten years later, we haven't really made a whole lot of progress on improving our system—it's just more expensive now than it used to be.

So I think there is a more fundamental reform needed, and that is really getting a conversation going. Choose your issue, we could all benefit from more conversation.

On that note, if you could pick the biggest policy challenge facing Canada, what would it be?

I think in the long term, to my mind, national unity is still the biggest issue. We don't talk about it at all, and so I worry about the various parts flying off. Living in Ontario, we never sense that because everyone thinks it's the centre of the country—and it's really not anymore. BC, Alberta, and Quebec are all on their own in many ways. Since Chrétien there has been very little conversation about holding this all together and what that means. It's not just bilingualism, although that is important. It's about appealing to individual citizens about a national interest, as well as provincial and local interests.

In the medium term, it's our skills agenda; that has to do with education generally. It still remains a huge challenge; we're only half serious about it. Don Drummond addresses many of the issues in his report, which I think is first class—but there is more to do.

In the short term, though, it's health care. This is going to be a huge policy failure if we don't do something, because only for thirty years have we known that the next five begin the highest cost health demand timeframe that we've ever had. We have known that it's

coming and have done virtually nothing to prepare for it because we want to keep the health care costs low and don't want to increase taxes. We are bumping up against huge budgetary restrictions, and the Premier knows this. The Drummond Report showed 70 percent of the budget will go to health care in the not-too-distant future, so everything else will be crowded out. We have made a lot of changes, but they really just play at the margins. There are some profound questions to answer, and many people have answers. We aren't lacking analysis, but we are lacking conversation and courage.

Part of this comes down to the role of taxes. There is a perception that came from the Reagan and Thatcher years that we are wasting our money paying taxes, and that is just not true. Of course there are inefficiencies to manage and reform in government, and one should always do that, but taxes go to making life in this country of high quality. We have to continue to do that. To pretend that we can do it by paying less, as the current Mayor here does, is just incomprehensible. Perhaps the more urgent conversation needed is around the role of taxes, but that comes with looking at health care.