

Stephen Harper's Canada: The legacy of tyrants

By [Michael Harris](#) | Jun 29, 2014 1:01 pm



The year 2015 will be a Rubicon election for Canada. That is the year that Canadians will have to choose between a national security state run by an autocratic cheerleader of the oil industry, and any semblance of a healthy, inclusive democracy — provided, of course, the opposition parties present that option.

It's a matter of serious debate whether the Harper government's work can be undone, or whether he has created a new normal in the country's public life.

Stephen Harper will have been prime minister for almost 10 years, with three electoral victories under his belt, assuming he stays to face the people yet one more time. Only once has he won a majority, in the May 2011 general election. [Just as when his nude portrait caused a minor sensation](#) — the reclining emperor attended by minions bearing his Tim's — after 2011, Canadians finally got to see Stephen Harper in the political buff.

It was revealing. Unlike his minority governments, where a murder of political crows flapped overhead waiting for the fatal misstep, after 2011 there was no vote Harper could not win, no cabal in the Opposition ranks that could topple him.

A portion of the press became, if not Lyndon Johnson's geese, then amiable stenographers. The public

became less skeptical about a hidden agenda and, until recently, his own caucus became more submissive than in the first two “Harper” governments. The real Stephen Harper could finally stand up, unbound and all but unopposed.

When he did, there was more than a little of the tyrant on display. Which is not to use that word the way historians do to describe figures like the Roman despot Caligula. Caligula made his horse a senator; Harper merely handed an ambassadorship to the head of his RCMP security detail. No, I use the word “tyrant” the way the Greeks originally did — a simple descriptor of a style of governance that is essentially undemocratic or authoritarian, a claim I argue that the record indelibly and irrefutably bears out.

The new prime minister ushered in his majority government with a performance that both confirmed and contradicted some of his earlier pronouncements. It was true, as he once predicted, that the country was becoming unrecognizable through fundamental changes pushed through in his majority. Many of them had to do with the effective deconstruction of Canada’s democratic institutions. It was untrue — outrageously so — that he would be the prime minister of all Canadians, as he claimed after his election in 2011.

As the country quickly discovered, Harper was the Great Divider, pitting one group of citizens against another, a tactic singled out and criticized by former prime minister Joe Clark. He was the champion of a voracious corporate sector, the practitioner of bully-boy diplomacy, and the generous patron of the police and security establishment.

This was announced in ways both big and small. A month after winning his majority, the Harper government blocked adding asbestos to the Rotterdam Convention’s list of hazardous chemicals. That way, Canada would not have to issue health warnings about asbestos exported from this country.

Who but a corporate cheerleader would agree to the export of a known carcinogen? Adding to the bizarre denial of health concerns in order to advance a warped economic agenda (and a political one in Quebec) was the fact that at the same time as Ottawa was permitting the sale of asbestos abroad, it was being removed from buildings in Canada — including the prime minister’s residence. Eventually, Harper backed down.

Who but a champion of the military and the publicly-funded industry that feeds off it would undertake the most expensive procurement in Canadian history without knowing the price of the equipment he was buying?

In the wake of that absurdity, Harper added another. Anyone who tried to establish the true cost of new stealth aircraft was accused of political mischief, of merely trying to create a sense of “sticker shock.” The legendary Conservative concern for the wise use of taxpayers’ money was nowhere in sight.

And who could waste nearly a billion dollars — four times the amount of public money allegedly siphoned off in the Ad Sponsorship scandal under the Chretien Liberals — for the G-8 and G-20 summits but a man obsessed with security? As former UN ambassador Paul Heinebecker put it to me, “I have been around a lot of summits. I’ve never been to any that came within \$900,000,000 of Canada’s G-8, G-20.”

In addition to that abusive, security-ridden event — which featured mass arrests and the kettling of people like cattle — Harper has doubled the allocation of public funds for his personal security since 2006. It now costs Canadians more than \$20 million annually for his RCMP security detail. This was the same man who publicly denounced Reform leader Preston Manning for having a \$35,000 supplement to his leader’s salary to buy decent suits and occasionally bring his wife Sandra along on his endless fundraising trips.

Nothing is more bogus than the claim that this prime minister represents every Canadian. Stephen Harper's enemies list includes: environmentalists, union leaders, independent scientists, journalists, First Nations peoples, independent NGO's and opposition MPs. As the ever expanding playlist of Harper's greatest hits affirms, the price for publicly opposing this government is personal, heavy and immediate — the way it is in most authoritarian states. David Suzuki will soon enter the Guinness Book of Records as the most audited environmentalist on Earth.

In democratic societies, dissent is usually the hallmark, not the least desirable trait. To disagree should not mean being vilified. Richard Colvin, the foreign affairs officer who drew attention to the detainee scandal in Afghanistan out of concern Canada was potentially abetting torture, put it to me this way: "It was dirty to slag me personally. Peter MacKay did that aggressively. I knew there would be a big fight and they would try to destroy me."

In the absence of the built-in restraints of a minority government, fear was suddenly in the air and official belligerence was frequently aimed at individuals. The sense of heavy-handed unilateralism bespoke a government hostile to dissenting views, despite Harper's oft-quoted declaration from his opposition days that a government that stifles dissent has lost the moral authority to govern. By that measure, Stephen Harper is no longer fit to govern Canada.

More than one public person I have approached for an interview about the Harper government has weighed the consequences, and though opposed to what was happening in the country, declined to speak out. In one case, the subject thought the government would remove the charitable status of groups with which he had long been associated as a journalist.

Though another had an incredible story to tell, the subject felt he would be prosecuted for violating the Official Secrets Act or have his pension clawed back.

And on one fine spring day, a subject who had come to my Ottawa apartment for an interview informed me that he had been followed. Before the interview began, he asked if he could remove the battery from my cellphone. For all he knew, he said, I worked for CSIS and was using my phone to transmit our conversation to my clandestine bosses. That meeting showed me the temper of the times.

From the early days of the Harper majority, there was a blitzkrieg of new and amended laws and regulations passed under the guise of "streamlining" the process of governance. What they really did was give free rein to corporations while changing the mandates of federal departments to accommodate untrammled energy development. After years of promising to do so, Stephen Harper has still not regulated the energy sector. The tilt towards the extractive industries is almost comical. The Department of Fisheries and Oceans has ceded the protection of marine species at risk along pipeline routes to the well-known aquatic experts at the National Energy Board.

A legislative bulldozer has been ploughing through the country's affairs. Once in power, he used his majority to force through agenda items with only cursory parliamentary scrutiny — political tactics Harper himself passionately decried while in Opposition.

It cleared the path for swift and unrestrained resource development with minimal regard for the environment, public health, or First Nations constitutional rights — or at least it did until the Supreme Court entered the picture with landmark decisions favouring the natives.

The shock of omnibus legislation like Bills C-38 and C-45, in which scores of unrelated laws were

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palmed off as budget implementation, was “like surgery without the anesthetic,” as Green Party Leader Elizabeth May put it. Senator Wilfred Moore found hidden in one of the budget implementation bills a change that would allow the government to borrow money without parliament’s approval. Effectively, the Opposition was put out of commission. The country is being governed by executive order, not by Parliament. Stephen Harper made himself into a kind of Canadian president.

In the headiness of the Harper majority, changes to the social envelope, from employment insurance and health to immigration and culture, were often arbitrary, unmandated and shockingly whimsical. When the prime minister announced from Davos Switzerland that his government would be reducing the Old Age Supplement, he was not only breaking an election promise — he was doing it without the slightest evidence that such a move was wise or necessary.

It was a stunning initiative, given that the Conservative election platform of 2006 had specifically called for “budget accountability” as the answer to the disgrace of Ad Sponsorship. To that end, the Accountability Act created the position of the Parliamentary Budget Office. The first head of that office, Kevin Page, was aghast at how the prime minister, despite his pledge of accountability as a campaigning politician, changed pension provisions. “When Stephen Harper changed the OAS in Davos, it blew us away. The announcement was made without a white paper and without analysis.”

In the case of the Harper government’s omnibus justice bill, C-10, many things, including mandatory minimum sentences, were enacted into law without regard for opposition amendments, provincial dissent or the criticisms of professionals involved in the justice system.

“I have been told by some judges that they hate this approach,” Toronto lawyer Eddie Greenspan told me. “Harper has given us a bumper-sticker mentality when it comes to justice. I can tell you this: Twenty years from now we will have to dismantle all the harsh and cynical stuff that he has done. I am not predicting this will happen — it is a sure thing.”

Greenspan proved to be right — but it didn’t take twenty years. In April, 2014, the Supreme Court ruled in a 7-0 judgement against a provision of the government’s Truth in Sentencing Act that limited judges’ discretion to give credit to an inmate for time served before sentencing. The court knew that more people are in remand, awaiting trial, than are in prison. Judges needed discretionary powers in credit for time served to deal with that fundamental injustice.

The Court had earlier struck down the Harper government’s plan to close free injection sites for heroin addicts, and then rejected the prime minister’s choice for the Supreme Court, Marc Nadon. Even though Harper himself had appointed two-thirds of the members of the Court, they have had to constantly remind him that the Charter of Rights and Freedoms, not the PMO, is the highest authority in the land.

A former Harper cabinet minister told me that the prime minister despises the charter almost as much as he does the man who gave it to the country, Pierre Trudeau.

Making the government’s so-called “law and order” agenda more difficult to understand is the fact that it was enacted at a time when crime rates in Canada were going *down*. It was ideology (and perhaps a dash of sheer megalomania) seizing an opportunity to assert itself, rather than public policy responding to reality.

Adding to the irony, the very country that provided the model for Harper’s draconian justice measures, the United States, was moving away from mandatory minimums because their main effect was to fill that country’s prisons with non-violent offenders who then became violent ones. In many states, their department of corrections has simply thrown open the prison doors before sentences have been completed because the cost of incarceration is so prohibitive.

“Mandatory minimum sentences have no rational basis,” criminal lawyer Clayton Ruby told me. “One of the reasons Harper put them forward is that he hates judges and doesn’t trust them. So he takes their discretionary power away from them and hands more power to the prosecutors. Now a prosecutor can make a deal with an accused, waiving a minimum sentence in return for a guilty plea. The real decisions will now not be made in open court, but behind closed doors.”

In addition to other sections of the Truth in Sentencing Act, the Supreme Court will soon be hearing a constitutional challenge to mandatory minimums for gun possession. Many more challenges are in the works. In Harper’s Canada, more is decided in the courts than in Parliament as this prime minister constantly angles for more power. Much of that power is of the dark variety, including Harper’s decision to widen surveillance on all Canadians who publicly protest.

Some have argued that bundling legislation into an indigestible lump to get it passed with little scrutiny is unsavoury, but is ultimately the kind of political chicanery that all parties engage in to advance their agenda. That argument is palpably false. The Conservatives came to power on the promise of transparency and accountability, not reproducing the peccadilloes and worst practices of their predecessors, albeit with more guile. Just because the Liberals once did it doesn’t legitimize the Harper government vastly expanding the practice — which is exactly what it has done.

While it’s true that all parties occupy the political gutter from time to time, the prime minister’s proclivity to trump the facts by personal fiat — to argue that black is white because he says so — is new. He has plunged the country into a deep fog of half truths and self-interested fabrications.

It has also thrust Canadian public life into crisis. How can a democracy function if the electorate is kept in the dark about what government is really doing on its behalf? As Noam Chomsky observed, “Propaganda is to a democracy what the bludgeon is to the totalitarian state.”

Inarguably, all governments spin their message. But no government of Canada has ever resorted to systematic propaganda to the extent of the Harper Conservatives — and spent hundreds of millions of taxpayers dollars doing it.

The ad campaigns are needed because the governments facts are so frequently disingenuous. It was the prime minister who boasted during the 2011 general election that Canada had a “contract” to buy 65 F-35 stealth fighter jets from Lockheed Martin for \$16 billion, insisting that the price was guaranteed. He publicly wondered why the F-35 should even be a campaign issue.

Turns out that, for starters, there was no contract and the price quoted by the prime minister was demonstrably false. Independent auditors at KPMG confirmed that when they later set the estimated cost to the public at \$46 billion. The deceit was staggering — especially since the Harper government had been given more accurate numbers from DND and chose to suppress them.

Despite earlier roastings on the true costs of the F-35s from both the Parliamentary Budget Office and the auditor-general, then-associate Defence minister Julian Fantino claimed that the F-35 program was “progressing well”. In fact, it was years behind schedule and billions of dollars over budget.

Even after the Government Accounting Office in the United States mused that the F-35 may be “unaffordable” for the U.S. military, the Harper government slogged on with this sole-source disaster in the making, actually claiming that the KPMG audit vindicated its bogus numbers.

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Trying to manufacture the facts rather than acknowledging them has become a government-wide phenomenon. It was the prime minister's then-environment minister Peter Kent who claimed that the Alberta oilsands were environmentally friendly, at the same time as his department was warning him that Canada lacked "credible evidence" to support that claim.

Kent proceeded to proclaim it at the Durban Climate Summit anyway. His bureaucrats were also telling the minister that the Harper government's regulatory shortcomings had cast doubt on the integrity of the environmental assessment of new projects. That was important because it left industry players ill-prepared to defend themselves from the exclusionary policies of foreign governments concerned about dirty energy.

Stephen Harper's reply? Detractors were putting out misinformation about the development. Tar sands oil was no dirtier than other forms of heavy oil. True, but irrelevant. As always, it pays to parse the PM's words. The EU was not comparing Alberta bitumen to other heavy oils, but to conventional oil. Tawdry sophistry from the PM notwithstanding, the EU Directive on Fuel Quality found Alberta's bitumen 22 per cent dirtier than light, sweet crude. Harper's answer was to lobby the facts away.

This scion of the oilpatch even claimed that the companies involved were doing a better job of controlling emissions as the project developed. The Pembina Institute told a different story. Alberta was set to exceed its emission targets for 2020 by a staggering 36 million megatons. That was because whatever small gains were realized by better extraction practices were quickly eclipsed by massively increased production.

Creating your own facts by simply asserting them is a bad thing for any democracy. But there is a darker side to the Harper government's zeal to control the message: a hobbling or outright destruction of independent sources of information and informed dissent. Time and time again, the prime minister has been an information-buster, preferring policy-based facts to fact-based policy. He has assiduously swept away the platform for dissent whenever he is opposed if he had the means of doing it.

In the early days of his first prime ministership, Harper did away with the Law Reform Commission and the office of science advisor to the prime minister. But after winning a majority, the federal government made all-out war on agents of independent information that might produce compelling facts that would collide with government policy:

- The long-form census, which had always been a solid platform for fact-based public policy, was abolished.
- The world-renowned, federally-operated freshwater research facility known as the Experimental Lakes Area in northwestern Ontario was shuttered by Ottawa. Although it reopened under new operators, Ottawa has washed its hands of freshwater research.
- The National Roundtable on the Economy and the Environment was disbanded because, as John Baird explained at the time, the government didn't like the advice it was giving.
- Federal scientists were muzzled from speaking to the press, which led to a 70-per-cent drop in stories on climate change, as well as breathing room for the ludicrously christened "ethical oil" of the tar sands development.
- Publishing restraints were put on scientific papers involving government contributors, and government scientists were even supplied with "minders" when they attended a scientific conference in Montreal.

"The reason for the muzzling is clear: control the message," said Jeff Hutchings, an internationally acclaimed fish biologist from Dalhousie University. "This is like an Inquisition — 'Who did you speak to, what did you say?' This reeks of an atmosphere of suppression."

Nor was Hutchings the only one who was worried about where the so-called Harper communications strategy was heading. Long-time clerk of the House of Commons and former Harper privacy commissioner Robert Marleau talked about a Dark Ages of information-sharing under the Harper majority: “It is no longer a trickle of information coming down from the top. It’s shut off. In 2006, it was at first a fog over information in Ottawa, a fog over communications. Now there is a fear over information release, and a black hole over communication. A foggy night in Newfoundland has turned into a dark night in Nunavut.”

The normal protection against tyrannical impulses in a free society is a diligent political opposition and a skeptical press. Stephen Harper has worked assiduously to undermine both with chilling success.

The prime minister rarely gives press conferences. When he does, it is the PMO that controls the number of questions and to a certain extent the people who get to ask them. Access to cabinet ministers has been virtually cut off. Public servants have been silenced, so opposition members have a hard time getting information. Cabinet meetings are conducted in secret, partly to discourage reporters from buttonholing ministers after the meetings, but also to conceal how rarely Harper actually convenes the full cabinet.

The prime minister often talks about his preference for getting his message out to Canadians without the filter of a free press. The reality is quite different. Stephen Harper prefers marketing and advertising to *any* form of communication that involves questions or objective information. The filter belongs to him.

Remarkably, many in the press and the political opposition have praised this smothering of information and communication as “disciplined messaging”. Clayton Ruby made a different case to me: “Harper seems credible until you confront him. He hates evidence and when you confront him with it, he falls apart and his positions often become positively silly. Harper wants a world in which independent voices don’t exist.”

The strongest proof for that conclusion is to be found in how the Harper government has deeply wounded Canada’s parliamentary democracy. As the only prime minister to have ever been found in contempt of Parliament in the British Commonwealth, Stephen Harper continues to thwart parliamentary traditions. Perhaps he was encouraged by the fact that Canadians didn’t seem to care. They rewarded him with a majority government after it was found that he had violated the rights of parliamentary committees to documents dealing with the Afghani detainee issue, and the cost of government policy initiatives like new prisons.

Joe Clark was right: Stephen Harper has always had an agenda — just not the majority to allow him to pursue it without political consequences. He is not the incrementalist that others have argued, but a radical autocrat who has taken his policies and tactics from the far right of the Republican Party in the United States.

It is no accident that Canadian politics has been infected with Republican tactics, from vicious attack ads to the stealthy and illegal use of robocalls to undermine democracy. It is no mystery that Canadians have seen their pensions diminished, have lost mail delivery, veterans offices and libraries, and after 2017, face cuts in support of medicare. Society is not Harper’s client — corporations and business elites are. In the interest of those groups, he has even used the country’s security establishment to spy on Canadians for the high crime of opposing his policies.

Harper once advised people to not listen to what a politician says, but to watch what he does. Beyond the clouds of spin and public relations thrown up by his government’s communications machine sits a truth very different from the image of ‘strong and stable government’.

The lasting impact of Stephen Harper’s time in public life will be a diminished Parliament, toxic

politics, and a compromised electoral system that will make every citizen smaller ...the legacy of tyrants.

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