24th Annual MISC Conference
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About the McGill Institute for the Study of Canada

Established in 1994 thanks to an innovative agreement between the Bronfman family and McGill University, the McGill Institute for the Study of Canada (MISC) runs an academic program at McGill University, supports an active research environment, and organizes a variety of large-scale, public events on matters of interest to Canadians, including MISC's annual conferences, which attract significant attention from policy-makers, media, and the general public. While the Institute itself is non-partisan, MISC is no stranger to debate and controversy.
Conference Summary

From 21-22 March 2019, the McGill Institute for the Study of Canada (MISC) held its annual conference on the theme of federalism and how recent political ‘shifts’ have impacted federalism, intergovernmentalism and public policy in Canada. Given the upcoming elections in Alberta and federally, and past elections in Québec, British Columbia and Ontario, how will policy be changed in crucial policy areas? In total, the conference held nine panels which discussed these topics, as well as panels focused on trade, energy policy, environmental protection, immigration and Indigenous affairs. The conference went beyond these topics to focus on how public opinion and media shape these debates and Canadian federalism. A unique addition to the conference was simultaneous interpretation, making the event accessible to both English and French speakers.

This report provides a summary of some of the discussions and debates held over the two days of the conference at McGill University. For more resources, including videos and photos, please visit MISC’s website.
Provincial Politics

Graham Fox, President and CEO of IRPP, moderated the first panel discussing the provinces and their role in federation. As Fox noted, the provinces are a major player in developing policy within Canada – Stephen Harper could not reduce healthcare wait times without provincial cooperation, nor can Prime Minister Justin Trudeau develop policy without understanding its intergovernmental perspective. In concluding, Fox argued that Canada is currently in an “era of managing interdependence” – an idea echoed throughout the panel.

Jean-François Daoust began the panel with remarks on Québec in 2018 and the desired “negotiations” within the federation. These negotiations are particularly important, Daoust argued, in the ‘omnipresent’ issues of immigration and laïcité [secularism, particularly of the state] in intergovernmental relations between Ottawa and Québec City. As Daoust argued, much of Canadian policy development remains up to concessions and coalitions – both intra- and inter-provincially.

Peter Graefe echoed similar sentiments of melancholy towards federalism from the experience of Ontario, which is “not present nor productive” in current discussions surrounding education and health care at the first minister level. As all of the panelists mentioned, political conventions have successfully led Canada through one-hundred and fifty years of Westminster politics. Today, however, these conventions are increasingly at risk through the Notwithstanding Clause and premiers who are willing to use their jurisdiction to the maximum extent possible. As was clearly articulated, these governance reforms move much more quickly than in the past, which runs the risk of further inhibiting intergovernmental relations.

Professors Richard Johnston and Melanee Thomas reiterated these concerns from a non-‘Laurentian Elite’ perspective. Johnston referred to BC as “the only sane province” despite its current minority government and its narrow margin in maintaining the legislature’s confidence. Despite this precarity, political debates in BC have narrowed to become bound by social liberalism and 3-way races in federal elections. This contrasts heavily with Thomas’ experience in Alberta, which despite being the most urban province, also has the highest number of Conservative partisans. Importantly, however, is how prairie populism has defined Albertan politics; defining the corrupt elite against an as-of-yet undefined people (unlike in Europe).
Looking towards the 2019 Albertan provincial election, there was a feeling across the panel that the result could be surprising, given that 30% of the population remains undecided in recent surveys. Amidst the frustrations over equalization and twinning the Trans-Mountain pipeline, Alberta feels abandoned, which is potentially problematic for the state of our federation.

Indigenous Reconciliation

Indigenous reconciliation is one of the most complex challenges the Canadian state faces today, particularly at the intersection of Indigeneity and gender. Professor Jennifer Adese addressed how Métis women face a double-burden in this instance, particularly in terms of recognition. This is further amplified in terms of receiving funding and being included in discussions on the future of Canada–Métis relations, which are currently male-dominated and rarely meaningfully include women. As Adese argued, in its current form, reconciliation with Métis does not really include women. This sentiment was also echoed by Sophie Pierre, who emphasized that distinctiveness is a crucial starting point for recognition, as well as reconciliation more broadly. In her view, this still has not been achieved due to the blanket identities which currently encompass Indigeneity within Canada. Pierre also critiqued the current acceptance of generalized Indigenous labels which chip away at individual nations’ identity, further challenging individual cultures and customs. For Pierre, Bill C-91 (An Act respecting Indigenous languages) represents a key opportunity to begin addressing this problem, by ensuring the distinctiveness of nations, while also beginning to fulfill the promise of reconciliation.

As mayor of Iqaluit, Madeline Redfern brought a slightly different perspective to the panel. Framing reconciliation as “difficult and requiring a lot of work” it also, in her view, requires an acknowledgement of the reality and needs of Indigenous communities within Canada today. Redfern also stressed the role of the media in educating and informing society – something which has not happened in covering acts of reconciliation between Canada and the Inuit in recent years.

All three of the panelists emphasized the hard work and determination necessary to move towards reconciliation. Moreover, it is clear that Canada still has much to do to fulfill this process.
Immigration and Refugees

Immigration is one of the few concurrent powers shared by provinces and the federal government (s.95, Constitution Act). Nevertheless, the federal government has overriding authority, which challenges the dynamic between the two orders. As moderator Leslie Seidle mentioned, it is only since the 1970s that provinces have really used these powers – the result being that by 2017, ½ of all economic immigrants to Canada were selected by the provinces. Prof. Robert Schertzer began his remarks by emphasizing the importance of the immigration system and its legitimacy – something which is coming under greater and greater scrutiny. Despite 67% of Canadians believing the current irregular migrant situation is a crisis, it is important to frame it within a global context – 40 000 asylum seekers is quite low over a two-year period. Furthermore, it has happened in Canada before. In 2001, for example, 41 000 refugee claimants arrived in Canada – in sum, our current situation is not unprecedented.

Debbie Douglas provided a different perspective, as the Executive Director of the Ontario Council of Agencies Serving Immigrants (OCASI). In beginning her remarks, Douglas pointed to the addition of respecting Indigenous treaties in the Citizenship Oath as being an important step forward for Canada, but also emphasized how there remains a massive erasure of colonization, slavery and of African-Canadians within the Citizenship guide.

Douglas also stressed provinces’ role in the immigration process – often for political reasons. One of the clearest examples of this was Ontario’s recent elimination of the Minister of Immigration in Premier Ford’s government. Despite Ontario only recently beginning to legislate on immigration (directly), this removal was a key setback for service providers seeking to discuss the over $120 million annually spent annually in Ontario on immigration and refugee programs. Combined with Immigration, Refugees and Citizenship Canada now ‘challenging’ providers on how they provide services to newcomers, Canadian federalism seems to be unsure of how to effectively cooperate between orders of government.

Both panelists recognized the current situation as a serious issue, however and worried about the growing anti-immigrant and anti-refugee rhetoric in Canada which is becoming more public. While the success of Syrian and Vietnamese refugee resettlement speaks positively about the ability of Canada to integrate refugees, the current irregular
migration is missing a key element – control – which may lead to further problems in the future and a rise in xenophobia.

**Trade / NAFTA**

Laura Dawson framed the debate over trade and NAFTA in her opening comments in terms of Canada’s challenge as being a small and diverse economy next to a behemoth of a neighbour. Moreover, one of the complexities in negotiating these agreements is the role of the provinces and who is perceived to be in control of the negotiation process.

The role of provinces was clear during the panel’s discussion on negotiating power. Jörg Broschek argued that during CETA negotiations, provinces played a major role in coming to a Canada-wide consensus. This led to the future success and the collaborative position of Canada as a single entity when it came to NAFTA 2.0 and the TPP agreements. Broschek attributed this to three main reasons: economic, bureaucratic/institutional and political. These motivations make it desirable for provinces to contribute to the negotiations, while also ensuring they represent their constituents’ interests. Similarly, Ari Van Assche framed the discussion in a global context by outlining the importance of goods to the economy, but also to consumers in foreign markets. Components for most goods are now made more cheaply and efficiently across the globe and later assembled in local facilities. This allows for new inputs and knowledge to be incorporated into the design of products and speaks to the benefit of experts being able to communicate beyond national borders in order to achieve these design gains. Van Assche further emphasized the role of provinces in their role regulating transportation and the environment. Without these cross-provincial agreements, there would not be nearly the same level of trade – regardless of the fact that technically the border remains a solely federal jurisdiction.

During the question and answer period, a question was posed about negotiating these new global trade agreements. For Dawson, the importance of internally managing negotiations is pivotal to their success, particularly in framing these agreements as being cooperative and jointly-prosperous. Without this positive frame of cooperation, these agreements will not achieve the success they profess to create for Canadians, nor the global market(s).
Premiers

Both former premiers, Christy Clark and Jean Charest, began their remarks by emphasizing the ‘fulfilling’ and ‘exciting’ nature of politics. Nevertheless, with such power comes a deep level of responsibility and intensity which requires a consistently dedicated amount of effort. As was mentioned by M. Charest, Canada is one of the most decentralized countries in the world and is run “day-to-day” by the provinces.

This comes into conflict when the federal government, which oscillates between being non-interventionist and continuously interventionist. As Ms. Clark mentioned, there is always competition between premiers and the prime minister, but it depends as to what level. The previous government “didn’t meet or intervene” with the provinces, while, in her view, the current government is “the most interventionist” in her time in politics. For Ms. Clark, there is a need for Ottawa to step back and act as a guardian of national interest, in order to achieve the sorts of policies Canadians desire, such as improvements to funding in healthcare. Moreover, economies are local, and the federal government needs municipal and provincial recommendations on programs such as public transit in order to best achieve the desired policy outcomes.

Similarly, M. Charest stressed the importance of premiers being ‘federalist’ and on the need for first ministers to work collaboratively, through intergovernmentalism. In responding to Ms. Clark’s remarks on the national interest, M. Charest also stressed how provinces, too, have a role in the national interest, as an equal partner in jurisdiction.

Ultimately, both agreed on the importance of provinces (and municipalities) in ensuring the continued strength of the federation. While the federal government has much power as a result of its spending powers, this ability requires local expertise in order to be effective.

Federalism and the New Media Environment

The sixth panel of the conference began with Graham Fraser, former Commissioner of Official Languages, outlining the tensions and timing which face the media in Canada today. Chris Waddell, professor of journalism at Carleton University, stressed the importance of journalists getting out of the office and talking to people on the ground, particularly amidst
the rise in opinion-based articles. Furthermore, the centralization of news organizations’ reporters in Parliament has lost the regional and local touch which covered local MPs in much greater detail. Waddell cited the current Canola crisis, which has received little coverage or attention in Ottawa despite its importance to the Prairie economies, as being emblematic of this problem.

Much of the panels clash came from how the media moves forward. While there was widespread agreement that the status-quo is unacceptable, there were major disagreements on the coverage and funding of media organizations. Ridgen argued that the mainstream media continues to suffer in their coverage, particularly when it comes to covering the Indigenous perspectives. Waddell echoed this by pointing to how only 9% of Canadians will pay for news online and the failure of a more general interest news form. Scoffield responded by arguing that general interest news still has a place, particularly in preventing “personal rabbit holes” and self-selection bias. Scoffield further mentioned the importance of legacy media’s incumbency and the credibility this holds – government funding, thus, shouldn’t be immediately seen to be a bad thing in protecting such organizations.

Alec Castonguay framed this discussion in terms of who will pay for the content. Surprisingly, only ~15% of Canadians are willing to pay for their news (across all mediums) – the vast majority continues to get their information for free. This is increasingly problematic as news audiences move to digital mediums. Furthermore, companies like Facebook and Netflix do not pay sales tax outside of Québec, with Prime Minister Trudeau calling any such calls to tax these providers as a “new tax” and one he would not be pursuing. The framing of online-only providers as being outside of the purview of the federal government in terms of taxation was seen across the panel as problematic – particularly due to the fact that other media sources are bound by much stricter regulation from the federal government.

Given the failure of Sun TV in Canada and the distinctiveness of Canadian media vis-à-vis their American compatriots, there seemed to be a smidge of optimism as organizations such as The Globe and Mail create bureaus in cities such as Thunder Bay, which have long been without dedicated reporters. While Waddell cited the success of The Athletic as a push towards deeper coverage of topics, there remains a real concern in how Murdoch has impacted and harmed democracy through his news organizations. In closing, it was clear amongst the panelists that the existing structures of news will not succeed long-term, but in what direction it is likely to go is unclear.
Natural Resources & The Environment

Part I
Policy is complex, as Professor Chris Ragan described in his opening remarks on the panel. It is technical and political, and there is often a disconnect between academics and practitioners. This perspective was echoed by Tracy Snoddon, who suggested that there has been a shift in dialogue in Canada towards misguided calls for action on topics such as equalization and taxation more broadly. As Snoddon argues, these do not change the price volatility or market access on which Canada is so dependent. For Jennifer Winter, the current debates on natural resource extraction go to a deeper, more normative level about our values – what should the world be and how do we get there? With increased polarization, Winter expressed skepticism in how to debate these values effectively.

Martin Papillon discussed the energy transition and the problems of authority with regards to natural resources and responding to climate change. Papillon argued that the legitimacy of many recent decisions has been called into question, often because they fail to address the authority and jurisdiction of Indigenous peoples. In failing to do so, Canada finds itself in a “complexity cubed” situation – one which challenges Canada’s global competitiveness while also taking for granted that only two political jurisdictions exist within our borders.

As the panel concluded, there was a clear consensus that while not everyone can be a winner when it comes to natural resources and energy projects, addressing those who do not win within these structures is necessary. While the judicial system is increasingly used as an arbitrator in these decisions, it adds time and complexity to these decisions.

Part II
The second portion of the panel focused on practitioners – those with experience on the ground, in Canada, when it comes to natural resource projects. Deborah Corber, the panel moderator, framed the Trans Mountain expansion pipeline (TMX) in terms of the previous and current consultation processes. Currently in the post-judicial review stage, TMX is emblematic of the greater problems of resource development projects in Canada.
As Rene Pelletier mentioned, these projects are clearly about balancing imperatives. However, the current framework is massively flawed as it does not recognize Indigenous nations as an order of government within Canada. For Pelletier, integrating Indigenous nations at the start is crucial to ensuring consent is achieved. This was echoed by Roxanna Benoit who pointed to how Enbridge now engages in lifecycle engagement with Indigenous nations from the beginning, due to the government’s lack of engagement mechanisms.

This perspective was reiterated by Velma McColl who argued that Canada’s competitive climate is in “such bad shape” currently, when it comes to these types of projects. Since governments have not acknowledged their duty to consult, companies (such as Enbridge) have had to develop work arounds, through impact benefits studies.

In conclusion, the panel agreed that the status-quo of resource development in Canada is unacceptable – for companies, Indigenous peoples and Canadians. Despite Canadians having relatively similar views on natural resources and the environment – that a balance is possible – there is little within the existing discourse which is not divisive or wedged into a certain perspective. For the panel, this divisiveness fails to develop the processes required to engage in adequate consultation – to everyone’s detriment.

**Canada’s Views of the Federation**

Is Canada pulling apart or together? Andrew Parkin and Keith Neuman asked this question in their latest public opinion survey on Canada, focusing on the ‘Confederation of Tomorrow.’ With a large scale (n=5732) set of respondents, stratified by jurisdiction and enumerated online and by telephone, the panel was able to gain a much deeper appreciation into the insights of Canadians. These insights covered the topics of identity, respect and fairness, and sovereignty and alienation – all of which had been discussed in other panels during the conference.

In terms of identity, the authors presented that 40% of Canadians identify primarily as Canadian, particularly those from Ontario, Manitoba and British Columbia. In contrast, 30% of Canadians identify equally between their province and Canada, while 20% – mostly Quebeckers and Newfoundlanders – identify primarily with their province. Given the longitudinal nature of the study, there is a small indication that the shift is increasing towards residents identifying with their province over Canada more broadly, with the exception,
surprisingly, of Québec. The panelists also presented on the importance of indigeneity, with 1/3 of self-identified Indigenous persons considering themselves Canadian, 1/3 Indigenous and 1/3 both. As with other Canadians, there is a correlation with age, with older people placing a greater role on identity. Finally, over time, we also see religiosity becoming less and less important, while gender and ‘race’ have become increasingly important in determining how people identify.

In terms of respect and fairness between provinces, the concept of region is no longer helpful according to the panelists – all 13 provinces and territories are now quite distinct. Alberta and Newfoundland/Labrador feel the least respected while Yukon and Ontario report feeling quite satisfied as to their place in the federation.

**Keynote & Closing Remarks**

Alain Noël, professor of political science at Université de Montréal, closed out another successful conference by analyzing the symptoms, diagnosis and potential solutions to the current issues which Canada faces. As Noël emphasized, Canada continues to have major socio-economic issues which demand further study – despite Canada’s overwhelmingly positive image globally.

One of the major issues Noël pointed out was in terms of the ‘politics of recognition.’ Both Québécois(e) and Indigenous peoples (among others) face major burdens as part of the Canadian federation – one which has and continues to challenge their place within it. For Québec in particular, the proposed (and rejected) constitutional amendments since 1982 have also led to “une fracture institutionalisée (institutionalized fracture)” and “un exil intérieur (internal exile)” according to Guy LaForest.

Similarly, despite Canada has been incredibly successful in reducing poverty since 2006, particularly among children, we remain stubbornly below countries like Sweden and Belgium in overall inequality. This disparity is especially apparent in the case of Indigenous peoples within Canada, who are often 10% more likely to be below the poverty line than other Canadians. Noël also underscored how the scale of social justice in Canada remains problematic, particularly with regards to social cohesion. While Québec has more social benefits in comparison to other provinces, the decline of social democrats globally makes the expansion of these benefits to other provinces unlikely, at least in the near term.
Despite the overwhelming negativity, there are still glimmers of positivity in the Canadian case. In a 2015 poll, both Anglophone and Francophone Canadians viewed relations between the groups as “warm.” Moreover, the federal government has “uncharacteristically high” revenue generating abilities, which could be harnessed in order to help target this inequality. As Prof. Béland echoed in his thanks to Prof. Noël, if you think you are perfect, you do not improve – an important message for Canada and Canadians as we move further into the 21st-century.
Key Take-Away Messages from the Conference

- There is as much which pulls Canadians together, as pulls them apart.

- Canada needs to do better when it comes to recognizing Indigenous claims and their role in our federation.

- While important, federalism is not at the top of mind for most Canadians.

- Age seems to play a role in how Canadians identify, with older Canadians viewing identity as being more important.

- The media is challenged in representing regional diversity due to budget cuts and the real-time demands of their audience. It nevertheless remains crucial to educating Canadians about these issues.

- Upcoming elections will challenge existing relationships within the federation – Carbon taxes, resource development and between first ministers.

- Canada’s natural resource development is at a crossroads; must the Courts always be the final arbiters of these projects or can governments create new structures which balance consultation and Canada’s economy?

- Much of federalism today relies on flexibility outside of the Constitution to create change.

- Inter-provincial trade is subject to major barriers, of which there is little desire to change.

- If you think you’re perfect, you don’t improve.
Conference Panels and Presentations

Thursday March 21, 2019

Opening Words /

Daniel Béland, McGill Institute for the Study of Canada

Panel 1 / Provincial Politics

Speakers: Jean-François Daoust, McGill University; Melanee Thomas, University of Calgary; Peter Graefe, McMaster University; Richard Johnston, University of British Columbia

Moderator: Graham Fox, IRPP

Panel 2 / Indigenous Reconciliation

Speakers: Sophie Pierre, Fondation Trudeau; Madeleine Redfern, Mayor of Iqaluit & Jennifer Adese, University of Toronto

Moderator: Janine Elizabeth Metallic, McGill University

Panel 3 / Immigration and Refugees

Speakers: Debbie Douglas, OCASI; Robert Schertzer, University of Toronto

Moderator: Leslie Seidle, IRPP

Panel 4 / Trade/NAFTA

Speakers: Ari Van Assche, HEC Montréal; Laura Dawson, Wilson Center; Jörg Broschek, Wilfrid Laurier University

Moderator: Lingling Zhang, McGill University

Panel 5 / Premiers

Speakers: Hon. Christy Clark; Hon. Jean Charest

Moderator: Antonia Maioni, McGill University
Friday March 22, 2019

Opening Words /

Ann Dadson, Co-Chair of MISC Board of Directors

Panel 6 / Federalism and the New Media Environment

Speakers: Chris Waddell, Carleton University; Melissa Ridgen, APTN; Heather Scoffield, Toronto Star; Alec Castonguay, L’actualité

Moderator: Graham Fraser, McGill University

Panel 7 / Natural Resources and the Environment (pt.1)

Sponsored by the Max Bell School of Public Policy

Speakers: Tracy Snoddon, Wilfrid Laurier University; Martin Papillon, Université de Montréal; Jennifer Winter, University of Calgary

Moderator: Chris Ragan

Panel 8 / Natural Resources and the Environment (pt. 2)

Sponsored by the Max Bell School of Public Policy

Speakers: Roxanna Benoit, Renée Pelletier & Velma McColl

Moderator: Deborah Corber

Panel 9 / Canada’s Views of the Federation

Partners: Mowat Center, Canada West Foundation, Environics Institute, Mulroney Institute of Government, the Chair of Research in Canada and Québec Studies (UQÀM)

Speakers: Keith Neuman & Andrew Parkin

Keynote /

Keynote Speaker: Alain Noël, Université de Montréal