



PAAC E-News

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[President's message](#)

The Liberal leadership contest revisited



by Elaine Flis
PAAC President

On February 22, we followed up a very successful January Liberal leadership convention post-mortem in Toronto with one in Ottawa. This time the panel lineup included **Don Boudria** from the Stéphane Dion campaign, **Senator David Smith** from the Michael Ignatieff campaign, **Mark Holland** from the Gerard Kennedy campaign and **Sheila Gervais** from the Bob Rae campaign. Moderating the event was **Don Newman**, known to us all from CBC Newsworld.



Above: Before the event, Senator David Smith provides some informal Senatorial insight. There (left to right) is Lisa Stilborn, Sr. VP at Temple Scott Associates; PAAC board member Pierre Leduc, also VP at Temple Scott, Susie Grygnol, Public Affairs manager with the Association of Consulting Engineers of Canada; Rick Morgan, Senior Strategic Counsel at Temple Scott, and Senator Smith. **Below:** At the Ottawa event, left to right: Sheila Gervais, Senator David Smith, Mark Holland, Don Newman, Don Boudria, myself and PAAC director Pierre Leduc.



Some of the comments went beyond or differed from the earlier Toronto panel, covered in detail last month. For example, Don Boudria, who joined the Dion campaign because he disagreed with then-conventional wisdom that Dion had no chance, also disagreed with what was said in Toronto about the impact of the debates and the Big Speeches. He thought they did have a big impact; it was Dion's performance in those events, said Boudria, that lifted him from dark horse candidate to top contender.

Senator David Smith pointed out that although media swipes at Michael Ignatieff stressed

his absenteeism from Canada over his career, "it took a very serious commitment" for Ignatieff to walk away from his senior position at Harvard to do what he did - and what he continues to do in Ottawa.

Standing in for the originally scheduled Navdeep Singh Bains was Mark Holland, the MP for Ajax-Pickering whom moderator Newman, who knows the Ottawa scene as few other journalists do, called a rising star in the Opposition. Holland had some insight into Kennedy the man: "When I was 20, I had a long, engaging conversation with him to the dismay of his handlers. He treated me the same then as he is treating me now as an MP."

Sheila Gervais reiterated comments she made in Toronto, about how a very few votes in a different direction could have easily led to different outcomes, and added this: Although much was reported about the percentage of votes delegates received, there was not much attention to popular support - which in Rae's case, was top-end.

After the presentation, during the question and answer session, some people wondered out loud: How is Stéphane Dion coming along with that 33 per cent threshold of female candidates he promised? Don Boudria assured us that the new leader remains very committed and determined to meet that goal - there's now a committee in every province and region to make sure it happens. Mark Holland added that the main hurdle to overcome is that there aren't enough women running, but the party, through its Women's Association and Young Liberal Association, is trying to encourage more women to throw their hats into the ring. Gervais suggested the system is still not welcoming enough - women candidates, having been persuaded to come and compete, can find themselves in a political lion's den.

*- With notes and photos from
Rose Swagemakers and Pierre Leduc*

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Call for PAAC Member Involvement

To ensure that PAAC remains on the cutting edge of new legislative and regulatory developments affecting the public affairs industry, we are calling on members from across the country to get involved in our efforts. All of our members will greatly benefit from a quick national update each month on what's affecting the Public Affairs industry at large, and new policy developments in particular.

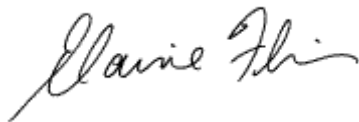
So we need member assistance. We are looking for people in all regions of the country who would be willing to get involved in PAAC's policy monitoring and response initiative, and who would be willing to provide us with a small update paragraph for the E-news each month. Are you willing to help? If so, please send us an email at info@publicaffairs.ca.

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Now, it's my pleasure to welcome our newest members:

- Daniel Brock - Fasken, Martineau Dumoulin LLP
- Ken Doyle - Polytechnics Canada
- Courtney Glen - Navigator, Ltd.
- Jeffrey Graham - Fasken, Martineau Dumoulin LLP
- Mike Henry - Grant McEwan College
- Francesca Iacurto - Genworth Financial
- Gabriel Mederos - Purolator Courier Ltd.
- Mary Meldrum - Freedom 55 Financial
- Von Palmer - Toronto Real Estate Board
- Robert Tremblay - Insurance Bureau of Canada

Welcome, everybody. Don't hesitate to contact me with input and ideas.



[Analysis](#)

Politics and judges - in and out of court

Most Canadians have something to say about justice. They cannot name the people on their provincial Judicial Advisory Committee, even in the unlikely event they are aware that appointees for a judgeship in this country must be vetted by such a committee. Ask them who Robert Nicholson is, and they might think he's that actor who played a crazy man in *The Shining* - you'd have to tell them no, you mean The Honourable Robert Douglas Nicholson, P.C., Q.C., M.P. , a.k.a the Minister of Justice. But citizens who read the papers know the name Matti Baranovski. He was murdered for spite at age 15, by a couple of louts whom the judge in the case later sentenced to two years.

Many citizens might also know the name Robbie McLennan. He was murdered at age 16 in a crime as bad as murder can get in your worst nightmares - Google his name for the details, then superimpose the face of your own son or daughter if you wish to be depressed - and a judge brought down the gavel on his killer to the tune of 18 months. Men charged in the Boxing Day, 2005 murder of Jane Creba, age 15, were out on bail at the time of the killing. Elsewhere, names like Dean Zimmerman, Jurgen Sheitz and a swarm of other criminals enjoy token sentences or conditional discharges for crimes that can stimulate the gag reflex of seasoned police officers. Nor are these sentences

aberrations; they are deeply rooted in, and completely in line with, the most learned interpretation of Canadian case law and sentencing guidelines, according to explanations that flow from judicial experts every time this subject hits the news. Little wonder many Canadians agree with the late Clarence Darrow, who said, "There is no such thing as justice - in or out of court."

So it was ironic when a public relations storm blew up last month over accusations that the Harper government is using its power to appoint members to Judicial Advisory Committees as a tool to stack the bench with judges who will be less forgiving toward criminals. The political posturing and media articles were intended to stimulate public disapproval of the government, but might well have had the opposite effect. Whether they did or not, though, this month, as context for those interested in the controversy, herewith some background about the selection of judges.

For the record: In Canada, the federal government appoints judges through a system of vetting by 12 volunteer, eight-member judicial advisory committees scattered throughout the provinces and territories. Most provinces get one. More populous Quebec and Ontario get two and three regional ones, respectively. The feds appoint three of the eight members on each committee, and one each is selected by provincial governments, law societies, the bar association, sitting judges and police agencies. It used to be only seven - there was no cop input under the Liberals. The Conservatives added that, and removed the voting power of the sitting judge on each committee. This past November, the 36 positions appointed by the federal justice minister came open, so that committee members named by the former Liberal government began to be replaced by appointees of the current Conservative government. It wasn't about appointing judges, only about appointing members of the committees that vet the candidates. Still, politicians and media with an agenda fell upon the list of appointees, and managed to come up with 16 out of the first 33 who, if asked under oath, would have to answer yes to the question, *are you now or have you ever been a Conservative?*

The fulminating finger of fury

It wasn't much, but it was enough for some. A Globe and Mail article announced that the government was "perverting the process with conservative ideology." Liberal deputy leader Michael Ignatieff rose furiously in the House to fulminate with pointing finger, accusing the government of trying to "dramatically increase the influence of right-wing ideology on the judiciary." Many people who know better acted as if the Harperites were appointing Judge Roy Bean to every court in the land. They were profiling, of course. The former Liberal government appointed judges with either small-L or large-L tendencies throughout its tenure. In 1994 they upped the number of direct government appointees on each judicial advisory committee from one to three, and none of the sort of people who are now in full outrage mode so much as twitched.

In those times it was blandly accepted that the government would name those in line for a judicial appointment, and if any didn't make the cut, replacement appointees with similar credentials would be sent along forthwith. The Gomery inquiry heard testimony that any lawyer in those days knew if you want to be a judge, say it out loud: I'm Liberal and I'm

proud. Given that, it's not much of a jump to infer that most lawyers wanting to move up would lean left, therefore so would most judges, the bar association, and most law societies, which meant that in pre-Conservative times, out of seven members per committee, six - the three put there by government, plus one each from the local law society, the bar association, and sitting judges, would very likely have at least a small-L liberal mindset. The one from the provincial government, maybe yes and maybe no. But now it's three members named by a law-'n-order Conservative government, supported by one from the cops - versus any remaining old-school people from the bar association and the law society, plus one sitting judge who can't even vote on the new judge. And that spells conservative attitudes creeping onto the bench on stealthy cat feet.

So yes, it's true; governments appoint people whom they respect for these important jobs, and anyone paying attention has known that since disco days. In fact, the judicial selection committees came into existence 20 years ago precisely because something had to be done to repair the image of judgeships as patronage appointments, even if it was only to remove the appointments to a greater distance, behind a layer of committee members that never included anyone from law enforcement until now. Of course, anyone actually on a committee will tell you they pick judges based on the candidate's legal experience, talent, education, knowledge of the law, and general incorruptibility. Yet those who have chosen this moment to become highly critical of the process - including the Supreme Court's Madam Chief Justice Beverley McLachlin and the Canadian Judicial Council, in a rare foray into political commentary through the media - say this government, more than past ones, is trying to pack-crowd the judiciary with people chosen for their politics. All of this begs the question: How does the Canadian system compare to judge selection elsewhere in the civilized world?

Are judges out of touch with the nation? Is the judiciary really an untouchable, non-accountable elite? An old boys' network that goes against the true principles of democracy? Canadians would be severely upbraided by any judge who heard them say such things, but they think them anyway, and they've got company. Those questions led to a British government shakeup of its judicial selection system in 2003. Interestingly, the Brits changed from a system in which judges in England and Wales were appointed by the Lord Chancellor to a system of appointments by a panel something like our committee system, which is also used in Scotland. Yet in England, the controversy about what sort of change would be best included lobbying in favour of making judges accountable through direct judicial elections, as in some U.S. states. There were lively arguments on both sides, and although elections were not implemented, they were discussed seriously.

They are discussed seriously in the U.S. too. Contrary to what some people seem to believe, it's not elected judges across the board down there. Federal judges are appointed by the president, but the Senate, an elected Senate in America, must approve the appointments, in stark contrast to the Canadian system. As for individual states, the situation varies. In some the judges are elected, either on a party ticket or in a nonpartisan election, simply running on a platform and their record. In others they are appointed by the governor, or the legislature, or by a commission similar to our method. Some states combine different methods - read the literature and you'll see there are

differing and often warring opinions as to which approach is best. You would expect such discussion in a western democracy, where people want their judges to be honest, focused on both law and justice, and not beholden to cheapjack politics. That's why the British had their shakeup, and why U.S. jurists have debated for years about which system does a better job keeping judges aware of their proper place.

Nervous laughter

Canada? Talk about electing judges in Canada and our lawyers, lawyer-judges, and lawyer-politicians back away with nervous laughter, citing threats to judicial independence and implying that any idea rooted in the U.S. smacks of redneckism. There is no real debate about a role for elected judges elsewhere in Canada either, not even in the output of news organizations which profess outrage when yet another criminal commits yet another murder after serving a succession of trivial sentences for identical crimes, or when yet another street thug leaves yet another in a string of bodies on the pavement while released on yet another in a series of bail awards. In most of these cases the decision of an unelected judge ensured quick release for a criminal who could just as readily have been locked up under existing law - indeed, sometimes a judge slams the bail barn-door shut only after an habitual criminal's further crimes gather unwelcome media attention.

The public blames judges in these cases, usually linking judges' decisions to a lack of sympathy for victims, even when it is carefully explained to them that the judge's decision was based on good case law and solid precedents. The cry goes up to somehow sever judicial appointments from politics seen as too 'soft.' Yet the reality is that laws can always be interpreted in different ways, and the interpretation comes down to a judge's attitudes. Judges decide cases which then become part of the case law, so they have tremendous power beyond the outcome of those cases - power that lies in interpreting statutes and in setting or reinforcing precedents, which other judges then take into account. So: Politicians create laws, judges interpret them and therefore decide how they will really work, which means anybody who thinks it's possible to fully separate politics from the judiciary is simply unclear on the concept. The trick, according to the most learned writing on the subject, is not to separate them but to balance them - let no politicians run amuck, establishing oppressive laws with the abettance of compliant judges, and let no judges arrogate the power of legislators by following an activist agenda to defeat the aims of those whom the public *did* elect. Which route governments take to achieve this balance depends upon whom they trust.

Trust the public with elections, and those elected judges have to worry about their looniest decisions coming back to bite them at election time. In U.S. states with judicial elections the voters like that, but many lawyers and judges do not. The reason: It makes judges subject to pressure based on the political fashions of the time, which might also be loony. Take the other route, put your trust in politically-built committees, and yes, you can indeed keep the usually ill-informed and often overly-emotional public from tainting the process - but you risk tainting it anyway by empowering activist judges who, protected from consequence, can seldom resist using their authority to twist laws into shapes the elected legislators never intended, and which the voting public never wanted. It's a long-

running argument.

The election approach faces criticism in the U.S. from those who believe most voters do not take the trouble to learn about the candidates in a judicial election. Judicial campaigns usually attract little attention, and the general public has little expertise to help them decide which candidate will make a better judge, say the critics. But America's alternative approach has its critics, too. American critics of their committee-based "merit" alternative argue that it's actually *more* of a system of political selection, since new judges are picked by the state governor. Typical of such arguments was a posted article from the *Florida Bar News*, in which A.J. Barranco, a Miami lawyer, wrote, "Merit selection concentrates political power in the hands of large law firms, political contributors to the governor and the media - all of whom have significant influence on a governor. Politics is not eliminated - it's concentrated. Merit retention is an elitist proposal which allows a small handful of lawyers to decide for our community who shall be our judges." Barranco also said something more transferable to our situation, yet which nobody dares to say in Canada: "It is premised upon the notion that the public is too ignorant and uninformed to be selecting judges. Does this make any sense? Why should the public be trusted with the responsibilities of picking the legislature, but not the judiciary?"

The criticism written south of the border is interesting, because while Canadians tend to focus on the perceived villainy of whichever political party they dislike, people like Barranco look at the system itself. For example, a committee deliberates and votes behind closed doors. That's secrecy, say the critics. That's independence, say the proponents. Yet can committees really pick candidates who are immune to being steered by popular politics, as elected judges are presumed to be? Think about it: An elected judge is subject to public judgment periodically, to keep that prestige job. Appointed judges must get the nod from committees which - at least if you accept views such as those of Michael Ignatieff - are politically influenced, and must therefore be subject to the same pressures. *But only once*. After that they're on the bench to stay.

Canadians have no say

Canadian lawyers and politicians might take comfort in noting that when it came time to update their system of selecting judges, the British chose a system like ours, not judicial elections. Yet in a 2005 survey by the American Bar Association, 56 per cent of respondents agreed with the statement, "Judges routinely overrule the will of the people, invent new rights and ignore traditional morality," and with the statement, "Court opinions should be in line with voters' values." Given the controversy surrounding certain high-profile criminal cases here, it's easy to imagine Canadians having similar views. But imagination is all we have, because nobody is asking Canadians such questions. The debate in this country is not among different ways to select judges, but whether it's good or bad that conservatives might begin to influence the process. Clearly, the Opposition believes it can score political points on this issue. But can they really, in a country where the voting public is regularly outraged by the decisions of appointed judges already in place?

Consider this: In all other areas of public policy, the big issue the last few years has been

Accountability. The A-word looms like a colossus over politics, government and, as PAAC members well know, over sweeping changes to rules governing GR. What would Canadian judges do if the A-word one day came knocking on *their* doors? And how much would any government really have to fear from the electorate if it made that happen? The unquiet ghosts of Matti Baranovski, Robbie McLennan, Jane Creba and a legion of others might just like to know.

-D.S.

Further reading

For those interested in more on the subject, here's a paper on the phenomenon of judicial activism and accountability, posted by The Fraser Institute. Here it is as a PDF file download, laid out in magazine format.

Here's an article from a U.S. judge about running a judicial election campaign, posted by the Canadian Association of Provincial Court Judges.

Here's another CAPCJ article criticizing the idea of judicial elections proposed by a private member's bill in Alberta.

[Guest article: The digital farmer](#)

Government's role in protecting the digital economy



by Sean Stephens

This article is from a speech originally delivered to the Institute of Public Administration of Canada

Canadians now require the Internet. A few prime ministers ago, most of us had never sent an email or read a PDF file. Today we must do these things every day, and the Internet is no longer just a luxury or a gadget, but a public utility.

I am part of the emerging group of Canadians who rely on info-tech for survival. If I could have an Ethernet port installed on the back of my neck, I would, because Canada is becoming the nation of information. I look at the signs; most of the individuals looking for jobs these days have a clear advantage if they are digitally prepared. The Internet increasingly is as necessary as electricity or water.

I spend my days refining, polishing and delivering mechanisms for moving information. I

am a Digital Farmer. And just like the taming of the wild west by the original settlers, today we digital farmers are taming the wild web with new models of business and interactivity at every level of human life - even government. My business, Treefrog, is committed to bringing more and more business to the Internet. In some cases, these businesses have no brick and mortar equivalent at all, and in other cases I work to replace or improve business by moving components of brick and mortar to the web to make them more efficient, more practical, more profitable. This movement is unidirectional. Canadians are not regressing to paper systems. We are becoming increasingly reliant on computers and the Internet for all of our information. Today is the future.

We digital farmers live or die by the availability of content on the Internet. I don't own a Yellow Pages, I can barely operate a fax machine, and I don't even know what a stamp costs these days. I don't have a television. And yet, I receive and reply to hundreds of people on a daily basis, and more importantly, make myself and others money using the Internet. Furthermore, I use the Internet for social interaction. I use it to shop. I use it to communicate. I use it to research. I use it to play. I use it to live.

To this end, the Internet is no longer a luxury for me, but an economic necessity and therefore, a right. Were the Internet to disappear tomorrow, I would be without a business, and without income. My staff would be jobless. Hundreds of Canadian businesses I maintain and manage on a daily basis would cease to exist or be hamstrung - and therefore would not be supporting the Canadian economy. This movement to the Internet, through innovation and education, is creating more jobs, improving the quality of life for Canadians, and boosting the economy daily. Fortunately, our educational institutions are churning out nerds faster than we can make pocket protectors. Canadians are well suited to being among, if not the world leaders in high-tech and info-tech, as we become more and more tied to the 'Net for many reasons:

- Work-from-home benefits;
- The need to overcome distance;
- Quality of education;
- Political stability;
- Access to technology;
- A diversely talented population.

The future of Canada is in the high-tech industry. "High-Tech" isn't just a lofty sector of the economy. It is the economy. We are here. Every business and person in Canada is going to be "high-tech," if the digital farmer has anything to say about it. From my position as an entrenched digital farmer, I offer you my plebian perspective on the future of IT and the role of government to leverage and protect the digital farmer and our blossoming high-tech economy.

The future of IT: Protecting the Digital Farmer

First off, government needs to play a role in protecting this high-tech success. Where the traditional role of government is maintaining our *physical* infrastructure, government must

now be engaged in protecting our *digital* infrastructure. Regulatory measures, guidelines, and laws need to be in place to protect the digital farmer and the Canadian reliance on the Internet. One consideration is *neutrality*.

The most important issue of the day is "net-neutrality." Today, the Internet connects people without discrimination. If I pay to connect to the 'Net, with the quality of service depending on the cost of connection, then I enjoy the right to communicate at that quality of service with anyone else on the network. A level playing field is ensured for everyone connected.

However, for those of you who missed the news recently, the current government, through Industry Minister Maxime Bernier (a.k.a the "Bell Minister"), is reluctant to ensure this neutrality because it wants to protect the competitive position of businesses which offer Internet access. This turning-a-blind-eye would allow the telecommunication giants to blackmail companies into paying them to have their pages load faster - their information thus made more accessible. That's discrimination.

This would instantly prevent some Canadian businesses from fulfilling their potential in high-tech, as it would create different classes on the Internet. Big budget websites would take over. Small businesses online would lose competitive advantage. Startups would be muscled out of the marketplace, and web usefulness in general would suffer. We the innovators, we the tomorrow of Canada, couldn't survive the stranglehold.

If you were required to pay extra to talk on the phone with one business compared with another, would that seem consistent with the spirit of democratic competition? The Internet is a seamless medium, and an artificial raising of prices for existing infrastructure would put us behind the economic pack of the world. A neutral web is one where we all have the same opportunities to innovate. In particular, if telecoms have the right to appropriate public property to conduct their business, then all Canadians should have an equal right to use the service running underneath their sidewalks.

Government has a responsibility to keep the Internet neutral to ensure that Canadians have the opportunity to remain competitive in the world marketplace. With apologies to the late Martin Luther King: I have a dream, that one day, business in Canada will not be judged by the quality of their Internet connection, but by the strength of their innovation. Rather than allow the Internet to be exploited for the profit of the few, government should engage in promoting and streamlining the digital highways to ensure that communication and information flows freely and quickly. Here's how:

- **Increased connectivity.** Get Canadians online at higher speeds for less cost as a way of promoting more innovation and becoming the leader of the Internet marketplace. Can you say fiber optics?
- **Standardization.** Set standards to allow information to be shared more seamlessly.
- **Protection.** Strengthen and enforce laws to punish spammers and their cackling virus-creating brethren.
- **Support for innovation.** Support programs which encourage collaboration and

innovation.

- **Education.** Help more people learn to use the web more effectively.

Business Continuity and Disaster Management

Beyond this, and equally important, government needs to play a much more aggressive role in protecting the digital infrastructure through business continuity and disaster management planning, to ensure continuity of communication services at every level of economic and government function, in any eventuality. We digital farmers need constant availability of the Internet. If Canada wants to keep the info-tech economy rolling, we need to *not* live in fear of the light bulbs flickering. When the electricity goes out the Internet goes down, and so do millions of hours of productivity. When a business can't get their email for five minutes, they panic. When the electricity goes out for two days, we digital farmers are looking to storm the castle brandishing pitchforks.

Good emergency planning is good for government, too. When the electricity goes out, so does government's ability to communicate effectively with citizens. When an ambulance can't be reached, when emergency services aren't available, faith in government collapses. So as part of the responsibility that includes maintaining roads and policing streets, government needs to be aggressively engaged in keeping the digital infrastructure in place and promoting and educating business to survive disaster, through disaster preparedness:

- Mandating proper security policies and practices;
- Education about disaster recovery plans;
- Mapping and evaluating the consequences to the economy.

Evolution of government and the need to engage

Protecting the neutrality and backbone of the Internet is protecting the Canadian economy. The power of Canada's high-tech private enterprise can ensure stable, long-term economic growth, in Canada generally and more specifically in Ontario, but only if we are supported by government. We need a more coherent vision of the future of information sharing and the protection of digital infrastructure. As my late grandmother said, "if you don't know where you are going, you are likely going to end up somewhere else."

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Chantal Hébert's *Blind Date* disappointing, but still good



Book Review by Stewart Kiff

French Kiss: Stephen Harper's *Blind Date* with Quebec
by Chantal Hébert, Published by Knopf Canada

This is a disappointing work by one of Canada's sharpest political pundits. It is not well organized. It rambles. It has little new information or research. And its title is somewhat misleading - it's for the most part just another tome on Quebec's place in Canada. *Still...*

Hébert has a considerable and loyal following (especially among my fellow PAAC members) who are hooked on her regular analysis in the *Toronto Star*, where she is the parliamentary affairs columnist. There, she is a very bright light in an increasingly dull and Pravda-like broadsheet.

Yet with this book, she has missed a great opportunity to fulfill the expectations of her loyal readers. This is not 250 pages of thoughtful and substantiated analysis. Instead, we get a book that comes across as a series of her columns just grouped together, with a sexed-up title that bears only passing relation to the content of the book.

Still, Chantal Hébert on a bad day is far more entertaining than other political authors like Hugh Segal or Graham Fraser on a great day. Even her ramblings are worth reading. Consequently I am recommending this book, with the caveat that she can do much better. In particular, Hébert's take on Québec federal politics is both nuanced and memorable.

She sets out to fill in the now standard narrative of how Stephen Harper, after being elected Leader of the new Canadian Conservative Party in 2004, took the road less traveled and deliberately began working to woo Francophone Quebec into the federal Conservative fold in a plan that would take more than two years to come to fruition.

Her approach is bemused but respectful. Respectful in that Harper is given real credit for seizing an opportunity by reaching out to Francophone Quebec in 2004. Bemused, because Hébert thinks it's like a blind date, and one that will end when the lights come on. She argues that once Quebec Francophones really get to know the Federal Conservative Party, they will reject it as entirely alien to their more social democratic and

collectivist point of view.

Well, perhaps that's expected from a Toronto *Star* writer. Less expected are Hébert's counter-intuitive ideas about how the Bloc Québécois has actually made a positive contribution to Canada through its engagement of the Federal government in the House of Commons. She argues that it is through the Bloc's constant engagement of the government that the Canadian Federation is forced to debate Quebec's independence movement, and make counter-moves.

Through this democratic engagement, Hébert argues, the federal government developed a better plan to deal with the aspirations of Quebecers for greater autonomy. Whether it was through confrontation like the Clarity Act, or through regular infusions of cash to fund the Quebec welfare state, she argues that much of the energy of the sovereigntist movement has been largely dissipated and Francophone Quebecers now feel a growing confidence in their linguistic and economic status in Canada. A clear sign of this progress is that we are now seeing a compelling three-way race in the Quebec provincial election, where the arrival of the conservative Action Démocratique du Québec (ADQ) has added a reforming dimension to formerly static contests between the entrenched Quebec Liberal Party and the Parti Québécois.

This is not a first rate Canadian political book at the same level as the recent *Right Side Up* by Paul Wells. Nor does it dish out great inside information as have recent tomes by Eddie Goldenberg and Allan Gotlieb. Regardless, this may be the best popular analysis of 2006 federal politics in Quebec in print, despite its shortcomings, and for that alone it is worth reading.

Recommended

[And a brief word about another book with political buzz...](#)

For an winning look at current British politics, consider *What's Left? How Liberals Lost Their Way*. In it, self-professed British leftist Nick Cohen launches a scathing and iconoclastic attack on the left from a left-wing perspective. This is catching a fair bit of word-of-mouth buzz, and excerpts from the book have been making the email rounds here in Toronto. It's a modern version of the journey undertaken by other formerly left-wing intellectuals such as Christopher Hitchens and David Horowitz as they asked hard questions about the movements that informed their youth. Definitely worth a look.

-S.K.

PAAC member Stewart Kiff is the President of Solstice Public Affairs. He welcomes your feedback and suggestions, and can be reached at stewart@solsticecanada.ca.

Science vs. politics in the Kyotosphere

by David Silburt

PAAC Web Editor

Raise your hands, all PAAC members with a formal science education. Okay, fine. Now raise your hands, all PAAC members with expert knowledge of political campaigns, the establishment of political platforms, and how to sell a political issue to the public. Okay, that's better. Very well, then: Let's lean into that aspect of the Kyoto protocol, global warming, David Suzuki and Al Gore's big Oscar win. The science will be overshadowed by the politics here, because it is everywhere else.

The science: In February, the United Nation's Intergovernmental Panel on Climate Change publicized a new report on the scientific basis for the theory that climate change is propelled by humans. They didn't reveal their data in full, only an 18-page Summary for Policymakers. Meanwhile, other scientists elsewhere countered that while global warming is happening, the idea that it has significant human causes remains unproven. The dissenters argue that the predictions of the latest IPCC report, based on notoriously shaky computer modeling, represent back-pedaling from previous IPCC computer predictions which were more dire, and reveal that, as methods become more accurate, the threat of climate change becomes less fearful. The dissenting scientists were ridiculed for biased interpretation of data. The UN summary, written for the most part by bureaucrats, was hailed in the media as final scientific proof. Meanwhile, the full stack of scientific reports which it summarizes remains under wraps until May, while the IPCC continues to issue public statements that global warming has unequivocal human causes, and waits as those statements solidify into dogma. They raise the ante while guarding their hole cards. Science or politics?

The scientists: The media made much of the fact that the American Enterprise Institute offered to pay scientists \$10,000 for dissenting articles to contribute to the discussion. Nothing at all was said about how the UN scientists were chosen for their assignments, or what they earned for their work, while other scientists encouraged to dissent were disparaged in advance for accepting money. Result: The content of any of those dissenting articles will not be discussed, only the payments. Science or a campaign technique?

The campaigners for the cause: Coming on like a rock star, former U.S. vice president Al Gore hit the stage in Toronto recently to breathless media adulation. Said one CTV on-site reporter: "We don't expect him to say anything new, but we expect him to be inspiring." Meanwhile, David Suzuki also gets a star's welcome everywhere he appears to speak on climate change. In his recent appearance at an elementary school in Calgary, he gave a speech to future voters who are at the moment in grade six. Of Stephen Harper, whose government recently turned green as a bow to the political *zeitgeist*, Suzuki said in published reports: "The only thing he cares about is getting re-elected with a majority government." All changes in the government approach to the

environment, Suzuki suggested, were rooted in cynicism. "I don't believe there is a green bone in Harper's body - he has never, ever indicated he cares about the environment." Suzuki has earned recognition as a scientist, but what were those comments all about? Or this one: "It's up to your Moms and Dads to ensure your futures and livelihoods are part of the agenda."

The supporters of the cause: At the 79th Annual Academy Awards, the Academy of Motion Picture Arts and Sciences named Al Gore's *An Inconvenient Truth* as best documentary, to widespread media agreement. This is not the first time we've seen connections among Hollywood, the media and politics. A few years back two items of fiction, one of them a movie and one a novel, made headlines on the environmental front. *The Day After Tomorrow*, a film which made no claim to be anything but fiction, was a 'What-If' disaster adventure in which climate change takes place not gradually, as scientists claim it will, but abruptly. The other fictional item, Michael Crichton's novel *State of Fear*, was based on Crichton's arguments - all carefully annotated by this most scientifically erudite and methodical man, the only author who footnotes his novels like scientific papers - that climate change theory is based on alarmism and uncertain science. *The Day After Tomorrow* was received in Hollywood and by the media as beneficial to the environmental debate despite being fiction, and indeed, many viewers came to believe, as a result of seeing it, that climatic disaster could happen virtually overnight. Crichton's *State of Fear* was denounced as a "NeoCon novel" by people anxious to point out to the reading public that the author is a novelist, not a bona fide scientist, and that his work is to be found in bookstores under 'fiction.' What do dueling fiction stories and Oscar support tell us of science? What do they tell us of politics?

The rhetoric: What do politicians who adore Gore call those who dispute the UN summary? They call them "climate change deniers," a term cunningly patterned after the term "Holocaust denier." It's the most shrewdly conceived emotionally loaded label since anti-abortion activists came up with 'abortuary' for abortion clinic. Rule One in hardball politics is to put a label on your opponent and make it stick. So what do *you* think is going on here - a scientific debate or a political campaign?

FYI, your web editor advocates all things green, because pollution is bad whether it changes the climate or not. Asthmatics choke to death on it every year. It sure looked like the vested interests of Big Oil were in command when GM ground up all their experimental electric cars and fed them to the hogs. This department believes the price of gasoline should be goosed upwards to chase people out of their oversized Sport Brutality Vehicles, which contribute to an insane world dependence on middle east oil. You're reading the words of a guy who switched to fluorescent squiggly-bulbs a year ago.

But the climate change discussion? You're seeing people publicize selected information while hiding from other information, shouting down the opposition, and preferring not to debate issues but rather to place disparaging labels on their adversaries. You're seeing campaigns based on the charisma of the campaigners. Do you believe you're witnessing a scientific debate? Or can you recognize something with which you may be much more familiar?

The IPCC may yet prove, this coming May, to have the unassailable scientific data they claim to have. Yet by releasing a Summary for Policymakers ahead of the data they've ensured policies will already be underway.

So watch the developments critically. If you have some science background it may help, but don't feel out of your league if you don't. Anyone who knows politics has all the expertise they need.

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