LIBERAL DEMOCRACY UNDER SIEGE

REPORTS FROM THE FRONT LINES

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ALL THE PRESIDENT'S MEN
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INROADS COLUMNISTS

The Trumping of liberal democracy
by Reg Whitaker......6

We’ve seen Trump’s like before
by Garth Stevenson......10

Across the great divide
by Arthur Milner......16

LEGALIZATION

Cannabis: The road to legalization
An interview with Craig Jones....20

HOUSING

Housing price lunacy moves east
The affordability crisis that started in
Vancouver has now enveloped Toronto
by Josh Gordon......25
POPULISM AND RUSSIA

The populist insurgency and its Russian friends
by Henry Milner......38

The European Union and the populist challenge
by John Erik Fossum......46

Germany's political landscape: Uncertainty amid stability
by Philipp Harfst......51

The centre holds – just
But French and English political institutions are in disarray
by John Richards......57

The Kremlin strikes back in Central and Eastern Europe
by Filip Kostelka and Eva Krejčová......64

Italy’s second political earthquake
In 2013 as in 1994, popular dissatisfaction led to political realignment
by Giorgio Malet......72

Hans Brinker and the Dutch election
Populist nationalists lose, but also win
by Paul Lucardie......78

STEVE BANNON

The rise, and apparent fall, of President Bannon
by Ronald Beiner......83
NEIL GORSUCH

Turkey: Moving toward electoral authoritarianism?
by Ilter Turan……104

LANGUAGE

Can a bilingual province become a bilingual people?
New Brunswick’s image as an oasis of linguistic harmony masks some complex issues
by Mathieu Wade……126

POEMS

MUSINGS ON MODERNITY
by Philip Resnick……136

BOOKS

Integrating immigrants:
How well are Canadian schools doing?
by John Richards……114

Vimy and Vimyism
by Bob Chodos……139

EDUCATION

Law as politics, politics as law
by Gareth Morley……96

TURKEY

Turkey: Moving toward electoral authoritarianism?
by Ilter Turan……104
One morning in the third week of April, as this issue of Inroads was taking shape, I woke up, as I often do, to a CBC radio newscast. The top three items were allegations of irregularities in the Turkish constitutional referendum that had just taken place; Ontario’s nonresident speculation tax, about to be introduced; and a scene-setter for the first round of the French presidential election, scheduled for that Sunday. Despite our leisurely twice-a-year publication schedule, Inroads strives to be timely. As I listened to that newscast, I realized that with this issue we had succeeded to an uncommon degree.

Being timely is always a virtue in journalism, but there are reasons for placing special emphasis on this virtue right now. The rise of populist parties and movements, their challenge to established Western institutions and to classic left-right political divisions, and apparent Russian involvement in helping them along have thrown into question assumptions that have prevailed for a generation or more. We see Inroads as a place where readers can turn for insightful analysis of world-changing developments of this kind. While we have been examining the populist challenge for the last year or so, we offer our most sustained and systematic coverage in this issue, with a particular focus on the role of Russia.

The election of Donald Trump as President of the United States and the tumultuous early months of his administration have occupied a disproportionate amount of media space, but perhaps the most significant developments in the populist-versus-mainstream struggle have been taking place in Europe, and our theme section devotes most of its attention to that continent. Henry Milner and John Erik Fossum provide an overview. Milner takes a wide-ranging look at the erosion of democracy, while Fossum analyzes the nature of populism and its ambivalent relationship with the European Union.

Five articles look at the varying ways in which these dynamics are playing out in different parts of Europe. Philipp Harfst acknowledges Germany’s apparent stability, but notes that the populist Alternative for
Germany has gained representation in a series of regional elections. John Richards is only mildly comforted by Emmanuel Macron’s presidential victory in France, and looks ahead to Britain’s June election. He describes political institutions in both countries as being in “disarray.” Filip Kostelka and Eva Krejčová report on the methods Russia is using to reestablish its influence in its former empire, Central and Eastern Europe. Giorgio Malet provides background to Italy’s two “electoral earthquakes” of 1994 and 2013. Paul Lucardie explains why if the Dutch election of March 15 wasn’t a victory for Geert Wilders’s populist Freedom Party, it wasn’t exactly a defeat either.

Although Europe is our main focus, we don’t ignore the United States. Ronald Beiner searches for the core of “Bannonism,” which may well survive as a movement regardless of whether chief strategist Steve Bannon remains in favour in the White House. Gareth Morley examines the significance of Trump’s appointment of Neil Gorsuch to the Supreme Court. Trump and his context are also the subject of two political columns. Reg Whitaker is concerned about the loss of democratic trust and the possibility of authoritarian rule. Garth Stevenson finds in Trump echoes of earlier populists like William Jennings Bryan and Huey Long, and even such mainstream figures as John F. Kennedy and Lyndon Johnson.

Turkey is another country where democracy has been subject to increasing authoritarian pressures, and we are fortunate to have the distinguished Turkish political scientist Ilter Turan provide background to the April 16 referendum in which President Recep Tayyip Erdoğan narrowly won his bid for increased powers.

Canada has been essentially a bystander in these developments, but it is not isolated from what is happening in the rest of the world. In a follow-up to his analysis of Vancouver’s housing bubble a year ago, Josh Gordon looks at both Vancouver and Toronto and notes the “toxic” social effects of unaffordable housing, which has its roots in capital flight from China. He proposes a remedy, one that found its way into the recent British Columbia election campaign.

Also in this issue:

- While finding that, overall, Canadian schools are doing well at integrating immigrants, John Richards also identifies trends that raise doubts about whether this success can continue.
- Mathieu Wade explains why although New Brunswick is a bilingual province, New Brunswickers have not succeeded in becoming a bilingual people.
- In an interview with Gareth Morley, Craig Jones of the National Organization for the Reform of Marijuana Laws expresses qualified approval of Ottawa’s proposed legislation legalizing cannabis.
- Arthur Milner looks at two ways of crossing North America’s “great divide.”
- As we mark the 100th anniversary of the Battle of Vimy Ridge, I review a book that is highly critical of the notion that Vimy marked the birth of the Canadian nation.

— Bob Chodos
This has been called the post-truth age. Science, reason, logic, facts have been losing their substance, fading into ideology, myth, conspiracy and paranoia.

Now, thanks to some 63 million Americans minimally literate enough to cast a ballot, we have Donald Trump. Con man, egomaniac, pathological liar, sexual predator, manifestly unfit by character for high public office. Yet here he is, alleged “leader of the free world” with his finger on the nuclear trigger. He has suddenly driven America to the brink of destroying the liberal international order painstakingly built up over the past seven decades; of reversing the hopeful efforts to deal with threats to the global environment; of returning race hatred, misogyny, bigotry and intolerance to the very centre of American values. And all the while, together with his glitzy family and grisly entourage, he schemes to make as much money as he can from his latest, greatest scam.

I would call what I have just written “facts” backed by a plenitude of evidence. Others would denounce these words as “fake news,” or “alternative facts.” Half of America agrees that Trump is a monster. The other half thinks he is a messiah – and perhaps the caudillo who will enforce their will and their values on a hostile world. Trump and his followers live in an alternative looking-glass universe from which communication comes in Orwellian Newspeak: black is white; love is hate; peace is war; Barack Obama is an alien; Vladimir Putin is a good guy.
There are commentators who seek to normalize the abnormal, to legitimate the illegitimate. Trump, they assert, will be housetrained by the experience of office; his adult appointees will civilize him. Such illusions have a long history. When the conservative fool Franz von Papen brought Adolf Hitler to the German Chancellery in 1933, he assured his anxious associates that “within two months, we will have pushed Hitler so far into a corner that he’ll squeak.”

While Trump has in his first few months backtracked on some of his more egregious foreign policy stands, this represents less a civilizing process than recognition of the alarming ignorance of his earlier understanding of the world. But it in no way diminishes his narcissistic confidence in himself. He has got where he is by regularly ignoring the experts and party elders who sought to moderate him. Why would he suddenly change course now?

All his adult life he has run a private company, surrounded by yes men and trophy wives who fawningly stroke his ego and reassure him of his brilliance and invincibility. The only thing that has changed is that he has just accomplished the biggest hostile takeover in corporate history and is basking in a CEO office like no other on earth. But this is an office that attracts opposition and criticism, lots and lots of it. And Trump can neither abide nor handle criticism.

The other side of narcissism is deep insecurity. Criticism, especially if comes in the form of derision, is fuel to the flame of his vanity. Nothing drives him to greater fury than being the object of laughter. This is a volatile combination of combustibles that flares in predawn Twitter tantrums against Saturday Night Live; or in darker hints of authoritarian intolerance when he attacks the “lying” media as the “enemies of the people.”

Media critical of Trump are enemies of the people because, as Trump assured his followers in his acceptance speech at the Republican convention, “I am your voice!” In the populist narrative, he is the tribune of the masses, the articulation of their seething anger, their strong arm – and their boot.

Populism posits the people as a monolith with a unified will, needing only the right leader to voice and enforce that will. The paradox is that populist political movements are called into being by the division of the people.
undeniable racial charge: “real” Americans are white. Hence the Birther movement (which Trump himself led) that insisted that an African-American Democratic president could not, literally, be a “real” American but must be an alien Muslim imposter. Hence also the insistence that mass voter fraud exists and that minorities (“illegal aliens”) must have their votes suppressed.

Now that a populist tribune is in the White House, the possibility of authoritarian rule is imminent. Checks and balances have always been at the heart of the American system of government. Already some of these seem to be working to contain Trump. His flagrant Muslim-ban executive orders have been stymied by the courts. His promise to repeal and replace Obamacare initially failed in the House of Representatives when his own Republican majority splintered in two directions. But a string of such defeats might well be the trigger that sets off open authoritarianism. One scenario would see the Big Man overriding those very “elitist” mechanisms of restraint he condemned on the campaign trail, claiming draconian measures are necessary to “drain the swamp,” and rousing his followers to form intimidating street mobs in support. Perhaps another terrorist attack could be Trump’s Reichstag fire.

In this scenario, the institutional response should come from Congress, which has the power to impeach and remove a president for “treason, bribery, or other high crimes and misdemeanors.” A compelling case might be made for removing Trump (even short of future authoritarian abuse of his constitutional powers, the questions of foreign “emoluments” from his business interests abroad, or of smoking guns being found in his sinister Russian connections, could figure in articles of impeachment). However, this almost certainly will not happen given the Republican stranglehold on the House and the fierce, remorseless partisanship of that party. Only in the event that the Democrats regain control of the House in 2018 could impeachment become a possibility, but ruthless gerrymandering by the Republicans along with minority vote suppression makes the prospect of a Democratic seat majority unlikely even with a popular vote majority.

What makes the next four years truly threatening is that a legitimacy crisis has become general. Since at least the late 1990s, Republicans have regularly painted Democrats, especially liberal Democrats, as illegitimate. In 2016 populism dovetailed with partisanship to deliver the mass of regular Republican voters to Trump, despite his aggressive assault on the party mainstream during the primaries.

But Trump carries little or no legitimacy among Democrats or independents on the left.
Three million more Americans voted for Clinton, a democratic mandate denied by the 18th-century relic that chooses the president, the Electoral College. The story of Russian covert interference in the election on Trump’s behalf is already a scandal that may yet grow worse. Then there is FBI Director James Comey’s ill-considered but fateful intervention in the flimsy Clinton email matter. Finally, there is Trump’s arrogant and reckless disregard for decency, leading a campaign that featured calls for his opponent to be locked up or even assassinated.

The result of all this: the widespread slogan “Not My President!” During the George W. Bush years, many hated his war in Iraq but nonetheless acknowledged that he was still their President, like it or not. No more. Blue-state America is joining red-state America in seceding from democratic trust. Not since the Civil War era has the fabric of democracy been stretched so thin.

Against this turbulent backdrop, perhaps the single most bizarre feature of the Trump ascendancy looms like a huge question mark: the open hostilities that have broken out between Trump and the intelligence agencies. Some in the White House have begun warning of the “deep state,” with dark intimations of plots to overthrow the people’s tribune. During the Cold War there was speculation that a left-wing party coming to office in the West might fall victim to a coup orchestrated by the secret state in the name of defending capitalism against Communism. Now we have fallen down a rabbit hole into a weird world in which a Republican President is being investigated by the FBI for evidence that he is a Manchurian candidate of the Russians, while Democrats howl “subversion” in tones that they once would have labelled McCarthyite.

The “deep state” might be an appropriate analysis of Turkey, Egypt, Pakistan or Thailand, but it is a doubtful concept to apply to America. Power in the American system tends to be fragmented and diffuse and this goes for the intelligence agencies as well. They could never agree to get a coup together to take out a president, however much some may despise him. What they can do, however, and are doing, is to leak damaging classified information that keeps an already chaotic White House continually wrong-footed. It has been said that the United States has become less a democracy than a “vetocracy.” In his stumbling approach to governing, Trump has contrived to add one more set of influential forces ready to veto his initiatives.

Getting rid of Trump during his term may be a pipedream, but we can at least hope that he will continue to be his own worst enemy.
We’ve seen Trump’s like before

by Garth Stevenson

Few events in American political history have inspired more fear, dismay and anxiety than the election of Donald Trump as the 45th president. Never since the 19th century have so many Americans (and non-Americans too) regarded the outcome of a presidential election as illegitimate, or viewed the successful candidate as morally or intellectually unfit to hold the office.

Thomas Mulcair, the leader of Canada’s NDP, has even called Trump a fascist, a label that is unsuitable for several reasons. Fascism was a movement of young men (Mussolini took power at 39, Hitler at 43) who rose from obscurity in the aftermath of a world war, who founded new parties and whose followers dressed up in coloured shirts and fought brawls in the streets against communists and socialists. In countries with many Jews it was anti-Semitic. Its foreign policy was based on territorial expansion and imperialism; fascists claimed that their country needed more space to accommodate its population.

Trump, by contrast, is an elderly millionaire who became the presidential candidate of a long-established party. His followers don’t wear uniforms or fight brawls in the streets. His favourite daughter married a Jew (who is an important adviser to the President) and is herself a convert to Judaism. Trump’s foreign policy promises were isolationist rather than expansionist (although in
practice his foreign policy has not been as radical a break with the past as some people expected), and his vast country has plenty of room for a population that is growing rather slowly.

That Trump is not a particularly nice man may be conceded without attaching an exotic label to him. His crude speech and behaviour rival those of Lyndon Johnson, who had a strange obsession with the word *piss* and forced members of his entourage to watch him sitting on the toilet. Judging by his first few months, Trump will not be a great president, but he will probably be no worse a president than the sad consecutive trio of Fillmore, Pierce and Buchanan, who dithered their way into the Civil War, or than Andrew Johnson, who succeeded Lincoln.

In the 1920s the mediocrity of Harding and Coolidge inspired H.L. Mencken to write that maybe European countries had a better idea when they chose their heads of state by hereditary succession rather than allowing the people to elect them.

Trump’s slogan “Make America Great Again,” which seems to alarm some people although I find it perfectly innocuous, has echoes of Lyndon Johnson (“The Great Society”) and John F. Kennedy (“Get This Country Moving Again”). His views on policy also have roots in American history. Anti-Mexican sentiment goes back almost two centuries to the siege of the Alamo. hostility to immigration led to the “Know-Nothing” party in the 1850s, and later to the quota system that virtually ended immigration from Europe and Asia between 1920 and 1965.

Economic protectionism was Republican Party orthodoxy for almost a century after the Civil War; the Smoot-Hawley tariff act of 1930 carried protectionism to a level unlikely to be reached in any conceivable future. Isolationism, meaning a lack of interest in Europe and its problems, was a sentiment shared by most Republicans and many Democrats until the 1950s. Even Trump’s cozy relationship with the Russians, although genuinely disturbing, has a precedent in Franklin Roosevelt’s administration, in which sentimental Russophiles like Harry Hopkins and Henry A. Wallace, and even card-carrying Communists like Alger Hiss and Harry Dexter White, held important positions.
Donald Trump is a populist, and the President whom he most resembles, Andrew Jackson, is often considered the founder and prototype of American populism. Like Trump, Jackson was a wealthy man who posed as the tribune of the common people and the enemy of elites. Like Trump he was already elderly when first elected president. Like Trump he was hot-tempered and impulsive, and seemed to be perpetually angry about something. Alexis de Tocqueville, who visited the United States during Jackson’s administration, was not favourably impressed by Jackson and would probably not be surprised by the emergence of Trump.

William Jennings Bryan, the Democratic Party’s presidential candidate in 1896 at the young age of 36, was another populist who left a mark on American history, although he never became president. The most flamboyant and colourful American populist of the 20th century, and perhaps the most dangerous, was Huey Long of Louisiana,
the model for Buzz Windrip in Sinclair Lewis’s novel *It Can’t Happen Here*. In the novel, Buzz replaces Franklin Roosevelt as the Democratic presidential candidate in 1936, wins the election and establishes a dictatorship. In a very Long-like gesture of contempt for the elites, he offers his predecessor the post of ambassador to Haiti, which is politely declined. In real life Long, who had established a virtual dictatorship within his own state and was contemplating a run for the presidency in 1936, was assassinated in September 1935, just before the novel was published.

These examples are exceptions; there have been few populist presidents or even populist presidential candidates. A Republican was likely to win in 2016, since it is rare for one party to hold the White House for three consecutive terms and Hillary Clinton was a controversial candidate for several reasons. But why did the Republicans nominate Trump? The short answer is that none of the alternatives who sought the nomination was particularly inspiring. But their choice of Trump also reflects recent changes in the party system.

The founders of the American republic were suspicious of parties. They devised a system that would dilute the influence of parties by separating the legislative and executive branches of government, and they designed institutions, the Senate and the Electoral College, that would emphasize divisions among the several states. In response, the parties became decentralized organizations that emphasized territory rather than ideology and brokered a variety of interests through compromise rather than adopting a rigid party line. There was no need for party discipline since the president held office for a fixed term regardless of what went on in Congress. As a result there was much overlap between the parties. In the 1950s Democrat Lyndon Johnson helped Republican Dwight Eisenhower get his program through the Senate.
As recently as the 1960s neither “liberal Republican” nor “conservative Democrat” was an oxymoron. In those days “liberals” and “conservatives” had opposing views about taxation, spending and the relationship between business and labour, but such issues could usually be resolved through compromise.

Over the last half century all this has changed. Cultural and “social” issues that appeal to people’s emotions and are not easily resolved through compromise have largely replaced the traditional politics of who gets what, when, how. In response the parties have become more distinct from each other, more ideological and more centralized. A “liberal” nowadays means someone who has no religious faith (unlike Franklin Roosevelt and Harry Truman, who were devout Christians), believes abortion is a “right,” thinks homosexuality and lesbianism are normal and is convinced that straight men of European ancestry are the source of all the world’s problems. A “conservative” means the opposite. Most “liberals” live in large metropolitan areas close to the east or west coast and have been to university. Most “conservatives” live in smaller towns, rural areas and the inland states, and have not been to university. As “liberals” and “conservatives” thus defined have little in common with one another, the “liberals” have almost all become Democrats and the “conservatives” Republicans.

The “liberals” fired the first shots in the culture war by using questionable interpretations of the Constitution by the courts to override tradition, custom and public opinion. In *Engel v. Vitali* (1962) the judges decided that a brief nonsectarian prayer recited in schools at the behest of a local school board was an unconstitutional “establishment of religion” even though the Constitution explicitly states that the prohibition of establishing religion applies only to Congress, not to state and local government. In *Roe v. Wade* (1973) they used an alleged “right
to privacy” to allow an abortion to a woman whose life was not endangered by her pregnancy, although neither privacy nor abortion is mentioned in the Constitution.

The “conservatives,” not getting much satisfaction from the judicial branch, responded by turning the Republican Party into a centralized European-style political machine. The “liberals,” subsequently and less successfully, tried to do the same to the Democratic Party. Both parties nowadays choose their presidential candidates through primary elections or caucuses in which only the ideologically committed are likely to vote, rather than through the traditional politics of brokerage. As the parties have become more distinct from each other and more centralized, the separation of powers between president and Congress has become unworkable. And since the courts seem to be where the action is, judicial appointments have become a tough game in which both parties are willing to play hardball.

In 1992 a precursor of Trump, another populist millionaire named Ross Perot, ran for president as a third-party candidate. He took enough normally Republican votes to deny the incumbent, George H.W. Bush, a second term that he well deserved for his achievements in foreign policy. Bill Clinton won the election with 43 per cent of the popular vote. That must have persuaded many Republicans that (to borrow a phrase from Lyndon Johnson) it was better to have a populist inside the tent pissing out than outside the tent pissing in.

Having learned that lesson, the Republicans in 2016 found their ideal candidate in Donald Trump, who, unlike Perot, was already a celebrity when he began his campaign. If the hated liberal elites made fun of him, all the better. If his opponent was a charter member of the elites and the wife of a controversial ex-president, better still. In 2016 Donald Trump was just the candidate the party needed.
Across the great divide

by Arthur Milner

1. Vaudevillians in the Monashees

Getting to Room Temperature is a one-person play about my mother’s polite quest for euthanasia. The main and only character is a lot like me, but we decided to hire a real actor, Robert Bockstael. We did several test presentations, and the response was excellent. We were accepted at Ottawa’s 2016 undercurrents festival, where we broke attendance records and got great reviews. We then took Room Temperature to a small festival in Prince Edward County, Ontario.

Success in Canadian theatre means having a “midsize theatre company” buy one’s production (the script, actors, set, etc.: the whole show) or buy the rights to produce the script. Either would typically result in a two- to four-week run in a 200-seat theatre.

Theatre companies were uninterested. But the artistic director of a community cultural centre in the Okanagan Valley, who had read about the play on Facebook, wanted to buy the show, and she also had interested colleagues in other B.C. towns. Community cultural centres, typically, buy one performance and stick it in a 400- to 600-seat theatre. While “theatre companies” present or produce theatre, “community cultural centres” rarely produce anything but present a bit of everything – mostly music and musical plays and standup comedy. Room Temperature – “a hard-hitting, sentimental and funny one-person play about dying” – is not their usual fare.
In March, we did nine performances over three weeks in six B.C. locations: on the Gulf Islands, in the Interior and in a Vancouver suburb.

It was fantastic. We crossed oceans and mountains. We performed in cavernous auditoriums and, on the Gulf Islands, in rustic community halls. We were vaudevillians in the Monashees. Audiences laughed and cried and more than half the audience stayed for talkbacks. They, along with hospice and palliative care workers, told us: you got it exactly right. The tour was lucrative and fun and gratifying.

In Toronto, I described the experience to colleagues. The response was amazement and admiration: “You escaped the professional theatre circuit.” “You did a play on a topical and important issue.” “You connected with actual people.”

All that brought to mind my column in the last issue of Inroads about how the meaning and practice of political theatre has changed over the years.¹ We used to care about content; now our concern is “the participation of ‘target groups’ (e.g., women, Aboriginals, visible minorities). In the case of target groups, this redefinition of ‘political’ was enforced by arts funding bodies.”

Recently, in the Globe and Mail, J. Kelly Nestruck wrote, “Following a couple of years of programming in which Tarragon, a Toronto contemporary theatre, has fallen short on representing the diversity of contemporary Toronto, this season could be seen as a step forward.” Artistic Director Richard Rose explained the change in his theatre’s programming: “Obviously, the priorities within the Canada Council have changed, so we’re trying to acknowledge that.”²

Tarragon is perhaps Canada’s most important theatre (measured in new plays that have had subsequent productions). Its artistic director confesses that he changed his theatre’s mandate because a government agency told him to. And there’s not a whimper.

In his 2007 history of modern music, Alex Ross writes, “To the cynical onlooker, orchestras and opera houses are stuck in a museum culture, playing to a dwindling cohort of aging subscribers and would-be elitists who take satisfaction from technically expert if soulless renditions of Hitler’s favorite works.”³ Yes, that’s pretty cynical. But artists must from time to time entertain such negativity. To transpose Ross’s aphorism to midsize and small Canadian theatres: artists work for dismal wages to perform technically proficient, obscure plays for an artistically pretentious sector of the upper middle class.

Since the election of Donald Trump, we’ve been asking ourselves, “How do we

Tarragon is perhaps Canada’s most important theatre (measured in new plays that have had subsequent productions). Its artistic director confesses that he changed his theatre’s mandate because a government agency told him to. And there’s not a whimper.
breach the cultural divide?” Maybe the simplest answer is: get out of the big cities. Big cities are the home of liberalism and formal experimentation and government-enforced cultural diversity. Big cities are the home of theatre companies. Big cities are where we talk among ourselves.

Small cities and suburbs are the home of community cultural centres and Trump supporters. And that’s where we took our sweet story about a mother and son, our fairly sophisticated (I hope) exploration of death in the rich countries, and our discussion of assisted suicide. This is what we said about Canada’s most famous anti-assisted suicide campaigner:

_Here’s what Margaret Somerville gets wrong. She thinks we’re in danger of going from a world in which God decides when we die, to one in which strangers decide. But in fact we’re long past God deciding. Science and society have extended our lives, not God. If Somerville wants God to decide, we’ll have to get rid of not just the vaccines and penicillin, but – let’s admit it – the unions and public health care and the welfare state. And we’ll have to go back to dying at 40 instead of 80._

All in all, it seems an important message to carry across the cultural divide.

2. The Walmart effect

Canada and the United States have lost quite a few jobs in manufacturing, and almost all unskilled, nonunionized work pays less than it used to. People blame computers, free trade or immigrants, or all three. But there might be a simpler, proximate cause.

Sam Walton opened the first Walmart in 1962. By 1990 Walmart was the largest retailer in the United States and in 2000 its worldwide workforce reached one million. According to Wikipedia, “Walmart is the world’s largest company by revenue, according to the Fortune Global 500 list in 2016, as well as the largest private employer in the world with 2.3 million employees.”

In _Wal-Mart: The Bully of Bentonville_, Anthony Bianco suggests that there are many secrets to Walmart’s success. It was, for example, a pioneer in the use and development of technology, setting the pace for stock management and “just-in-time” delivery. In 1987, Walmart developed its own private satellite communication system – the largest in the United States.

As resistance to its expansion grew, the company sought to reshape its image. In 2010, Walmart committed $2 billion to ending hunger in the United States and, soon after, declared its commitment to sustainable agriculture, local farming and providing affordable, high-quality and healthy food.

There was one point, however, on which Walmart would not budge. From the start, Walmart insisted on the lowest wage package possible. It paid minimum wage or slightly above. It forced employees to work split shifts. It kept work hours and length of employment below the level at which statutory benefits and income security would kick in.

Keeping pay down meant keeping trade unions out. On the very few occasions in which employees successfully organized, Walmart reacted brutally. A month after being forced to sign
From the start, Walmart insisted on the lowest wage package possible. It paid minimum wage or slightly above. It forced employees to work split shifts. It kept work hours and length of employment below the level at which statutory benefits and income security would kick in.

a first contract with the United Food and Commercial Workers (UFCW), representing workers in Jonquière, Quebec, the company shut the store.

Not surprisingly, Walmart’s low-wage strategy influenced most of its retail competitors. But it wasn’t just retail. Before Walmart, suppliers set prices. When Walmart grew powerful enough to make offers that could not be refused, suppliers too were forced to cut costs – by reducing wages, replacing workers or going offshore.

How does one measure the impact of Walmart’s low-wage strategy? How does one compare that with the impact of technological change, free trade and immigration? I have no idea. An interesting project for an economist, no doubt.

But here’s some wisdom gained from hindsight: We should have put a lot more effort into helping the UFCW’s organizing efforts. We should have sat down in front of Walmart distribution centres instead of G7 meetings. It should perhaps have been the left’s absolute priority.

All that might be closing the barn door long after the horses have fled. But here’s another thing:

When you talk to these [union] people, they are still bitter about the trade issue, furious about what was done to them. They worked their butts off for Bill Clinton, and look what he did to them. Then they worked their butts off for Barack Obama – they turned over their treasury to the Democrats and they went door to door – organized labour had one demand to Barack Obama ... they wanted “Card Check,” to make it easier to organize a union ... Do you think he got that passed when he had both houses of Congress? He did nothing. He just let it die.

So here’s something else we might do to reach out to those who might vote for a Canadian Donald Trump: Make it a lot easier for people in the private sector to join a union.

Notes

Cannabis: The road to legalization

An interview with Craig Jones

Craig Jones holds a PhD from Queen’s University where he studied political economy. Since 2014 he has been the Executive Director of Canada’s oldest drug policy reform NGO, the National Organization for the Reform of Marijuana Laws (NORML) which advocates for the modernization of drug policy to bring it into conformity with evidence and best practices. Previously he was the Executive Director of the John Howard Society of Canada. He was interviewed for Inroads by Gareth Morley.

Right now, Canadian law makes possession, trafficking and production of cannabis a crime with exemptions for medical marijuana. Simple possession is rarely prosecuted. From your perspective, what are the main problems with this system?

It might be counterintuitive for some people, but most of the problems we have with cannabis arise from its prohibition, not its use.

NORML wants to encourage safe and moderate use of cannabis – for people who want to use cannabis – because, as with alcohol, the majority of users have no problem and experience only its benefits. Prohibition means we leave controlled substances to organized crime, rather than regulating them for safety and purity – although only a minority of cannabis production is controlled by what we would seriously call “organized crime.”

Simple possession is rarely prosecuted? If you’re a kid from a minority community in an inner-city neighborhood or on a reservation, you may have a different experience with the justice system. That’s one important reason to legalize: cannabis need not be the gateway to the criminal justice system that it is now.

If you talk with police – away from cameras and microphones – they will tell you that enforcement of cannabis prohibition is not a good use of their time and resources. And they’ve known this for a long time. It’s politicians, primarily, who have kept the fires burning under cannabis prohibition. In my conversations with law enforcement, they say they would have backed off years ago because, as police officers, they have much bigger problems with alcohol than with cannabis.
Do you see health or other risks in cannabis use?

Yes, there are risks, but these have to be compared with alternatives. People with a preexisting mental illness, or a family history of it, should avoid cannabis and all other psychotropic substances. People should not drive or operate heavy equipment under the influence of cannabis. The evidence about the effect of cannabis alone on driving is inconclusive, but we are against driving while impaired by anything. Alcohol and cannabis are a particularly bad mix. We can expect bad reactions to things like mould and pesticides – and we should pay close attention to prevalence and severity.

Most of the concern today turns on the neurodevelopment of the adolescent brain when exposed to regular high doses. No serious person argues against an age limit, and most scholars of cannabis science would prefer to delay initiation into the late teens or early twenties. What is less certain at this stage is the direction of the causal arrows between use of cannabis and poor school performance or learning outcomes. Does cannabis use at higher doses undermine school performance, or are children who are performing poorly at school drawn to self-medication? The end of prohibition will, among other things, enable a rigorous examination of causes and effects and other correlates among users and nonusers.

But in any event, risks pale in comparison to the risk of being criminalized for possession, which has always been the greater threat to life prospects under prohibition. Moreover, we can do more to deal with the risks in a legalized system with evidence-based regulation than under prohibition. Despite almost 90 years of criminal prohibition, Canadian youth are among the highest cannabis users in the world. Regulated legal vendors could do better, as they have for tobacco.

In November, the Task Force on Marijuana Legalization and Regulation provided its report. What do you think was good and bad about that report?

On balance, the report got the fundamentals right. The devil will be in the details, and we have not yet seen those details, but I suspect most casual users – and antiprohibitionists, which is NORML’s historic constituency – are comfortable with the Task Force Report. The issue turns on how one undoes bad policy. That turns out to be a more complex challenge than anyone realized. Almost 100 years of racist, punitive social engineering, deeply shrouded in myth and misinformation, is receding, but not without a fight. We’re at that point now, as Gramsci put it, where “the
old is dying but the new is not yet able to be born.” The report does acknowledge that people will – and should be able to – grow their own. NORML argued that cannabis should not fall under the exclusive control of corporations. We’re also glad that the Task Force says cannabis and alcohol should not be sold from the same storefronts.

*The Trudeau government has now introduced Bill C-45, which would take cannabis out of the Controlled Drugs and Substances Act and create a new Cannabis Act. What do you think of that legislation?*

The act gets the essentials right, but some of the details are wrong or just not known yet. Keep in mind that, though it may not seem like it, we are in “early days” where this psychotropically complex plant is concerned. There is much to be learned about the full range of therapies and, to be honest, harms associated with it. We have yet to see the regulations, so that limits our ability to pass judgement. From what I can tell, the government took the advice of the state of Colorado to start with stronger legislation on the expectation that it will be possible to loosen regulations with time and experience. The biggest challenge, in my view, was to create a regime that is able to learn and to feed that learning back into the regime’s design in real time. I am optimistic that this bill can do that.

Provincial regulation of sale made sense in the context of our existing jurisprudence over the control of alcohol and tobacco. Simple path dependency just made sense given our constitutional division of responsibilities and history of legislating consumption of toxic substances.

NORML endorses restrictions on promotion similar to those for tobacco for public health reasons. We have never endorsed or condemned the use of cannabis for any person or reason. We do not seek to grow the rate of use nor to shrink it. We just want the criminal justice system out of the whole issue through the enactment of legislation informed by science and best practices rather than fearmongering and hysteria. This act moves toward that objective.

The bill is still too punitive for what it does prohibit. We have pretty good evidence that punishment for cannabis crimes does not deter, and denouncement through criminal stigmatization is more harmful than use.

The worst thing is what the bill doesn’t do. It leaves in place the mandatory minimum penalties (MMPs) in the Controlled Drugs and Substances Act. Policymakers know – and will admit when away from cameras and microphones – that MMPs don’t deter and that certainty of punishment is more effective than severity. MMPs limit the discretion of judges – which is a feel-good measure – and sentence a “class” of crime rather than the individual offender. They’re a lazy means of appearing serious because they’re so easy to enact: a few changes to language. When former justice minister Rob Nicholson was in the Mulroney government, he opposed MMPs. Sooner or later some policymaker will say out loud what everyone knows: we should limit MMPs to the crimes for which the Law Reform Commission recommended it: murder and high treason.
We just want the criminal justice system out of the whole issue through the enactment of legislation informed by science and best practices rather than fearmongering and hysteria. This act moves toward that objective.

Many critics have noted that the federal bill provides a legal age of 18, but the science suggests that cannabis use can damage developing brains.

There is no logical argument for setting a legal age different from that for alcohol and tobacco, given that both are more harmful and toxic substances. From a public health perspective later initiation is preferable, but it is hard to enforce as a practical matter because Canadian youth are already among the highest consumers of cannabis in the world and cannabis cultivation is no longer the province of nerdy horticulturalists but available to anyone with an internet connection. All public policy has to balance the public good against the practically enforceable. We are long past being able to enforce, as a practical matter, a strict legal age when the plant is so easy to grow.

Are there any amendments to Bill C-45 you think Parliament should consider?

No prison for pot! Mandatory minimums should be repealed immediately – not a year from now – and the availability of a “conditional sentence order” that enables sentences of imprisonment to be served in the community should be restored to at least prevent the serving of actual sentences of imprisonment pending legalization. All indictable offences should be abolished, leaving only summary conviction offences and a maximum of two years less a day imprisonment for serious matters until legalization.

NORML endorses the view that there should be no imprisonment for cannabis offences and the focus should be on monetary penalties for infractions and violations. We have lots of experience and evidence to support the claim that imprisonment does not produce the deterrent effect advertised for it.

The report seems to contemplate federal supply management of cannabis production. This would obviously lead to valuable rents to those producers who get inside the system. Do you have worries about that approach?

Not really because there exists a large and well-established cannabis culture dating back at least to the 1960s, which I predict will emerge out of the underground and assert its vitality and life force. That is, in effect, what is happening with the dispensaries now. Cannabis users will grow their own, trade and sell to one another as they have for decades, but without the threat of criminalization. Many people will prefer the federally sanctioned suppliers, and that’s fine, but at least as many will grow a handful of plants on their balconies or in their backyards or basements or purchase from friends.
Many people will prefer the federally sanctioned suppliers, and that’s fine, but at least as many will grow a handful of plants on their balconies or in their backyards or basements or purchase from friends.

What lessons does the regulation of tobacco and alcohol have for legalized cannabis?

The important lessons are derived from public health principles: no advertising to children is the big one because delaying age of initiation is desirable for all psychotropic substances. NORML wants to discourage use by people who operate heavy equipment or drive, the way we do with alcohol, but NORML also wants to discourage texting and other driving distractions. NORML would also like to see some of the tax revenues recycled into treatment and education to encourage safe and moderate use. NORML also feels strongly that permitting home production limits the incentives for corporations to “enhance” their products, perhaps to make them addictive on the tobacco model.

Do you think there are other “controlled drugs and substances” that could benefit from a similar approach to the one taken for marijuana? What would be the best next step?

Canadians should ask themselves, as a thought experiment, which drugs and controlled substances they would prefer to leave to the criminal underclass to have regulated for accessibility, safety and purity. I think we have to assume that we cannot eradicate demand, nor have we been able to eradicate supply. Given that, the best we can do is to employ a harm minimization strategy to both demand and supply. Prohibition, on the evidence and experience, turns out to be a harm maximization strategy. I think we can do better. The public health principles that will come to govern cannabis can be applied to all other controlled substances.

Demand creates its own supply. That supply is going to be controlled either by organized crime or by some government or quasigovernment institution – like a not-for-profit NGO – that is able to regulate for purity, access and quality and that is able to create a real workable gateway between suppliers and children. I echo the conclusion of The Economist’s editors that legalization is the “least bad option.”

Does NORML have any thoughts on how best to address the ongoing surge of opioid dependence and overdose?

There is early – but promising – evidence that opioid use, and associated overdose, seem to be lower in U.S. jurisdictions where cannabis is legal and easily available. We should pay close attention to this correlation because that confirms what many cannabis users suspect: cannabis is an adequate substitute for some of the conditions that opiates treat.
Housing price lunacy moves east

But a remarkably powerful policy measure is sitting right under policymakers’ noses

by Josh Gordon

What started in Vancouver, Canada’s scenic outpost in the west, has now enveloped Toronto. Housing affordability crises of historic proportions now plague both cities.

The warning signs were all there, even for casual observers. To their credit, certain mainstream media outlets saw this unfolding, and posted sentries to report back to central Canada – Kathy Tomlinson of the Globe and Mail comes to mind. But political leaders in the heart of Canada remained either unaware or craven and timid in their reaction. Worse, some political authorities from the “centre” tried to silence the obvious alarm bells ringing in Vancouver – insinuating in various ways that West Coasters were just a bunch of xenophobes or racists.¹

But the concerns of Vancouverites were not a figment of their imagination. They were all too real. A wave of capital from abroad, primarily from China, was entering the Vancouver real estate market and driving prices skywards. And so now Toronto has joined the housing bubble club, as Vancouver put up a flimsy shield only to see some of that foreign capital bounce off it and ricochet east – and toward Seattle and Victoria.

Naturally, this dramatic development has sparked a massive debate in Toronto. Thirty per cent price gains year over year are hard to ignore, and tend to concentrate the mind of policymakers. For Vancouverites, what is striking in the Toronto debate is how eerie the parallels are to what transpired out west. The same bad arguments are being tossed around, and the same predictable obfuscation has emerged from real estate industry representatives and their apologists in academia and partisan politics.²
To call what is happening in Toronto a “debate” is to mislead somewhat. Differing perspectives are offered up, but the idea that many in the debate are interested in a search for “the truth” is questionable. As in Vancouver, the industry line in Toronto is that only “supply, supply, supply” can solve the problem. This has been debunked countless times, but it shuffles along unperturbed. It is a classic “zombie idea,” as Paul Krugman would say. That’s because there is simply too much money at stake for powerful people to ever allow the idea to die.

Indeed, those espousing the supply-side position in the housing debate haven’t even attempted a careful rebuttal to the demand-side perspective, despite ample resources to enlist academic hired guns. For the most part, in the media debate at least, the “rebuttal” amounts simply to “argument by assertion and repetition.” The few attempts to advance a slightly more careful supply-side case amount to the claim that some supply-side issues exist in the two cities, which few deny. But the idea that demand-side factors are the dominant force at work, including a large role for foreign capital, has never been effectively challenged. Very simply, supply-side issues on their own cannot get you anywhere near an average house-price-to-income ratio of 11 or 12, where it now sits in both cities. A surge in demand – from abroad, or due to dodgy lending practices, or both – is needed. Properly understood, supply issues constitute a small fraction – no more than 15 to 25 per cent by my estimations – of the high relative prices seen in Toronto and Vancouver.

The interested or sceptical reader is encouraged to check out the critique of the supply view advanced more carefully elsewhere. But prima facie, we can dispense with the supply-side case. Prices are surging to record levels in several major cities around the developed world, particularly those on the Pacific coast, far outstripping local income gains. This has happened in the past few years, several years after interest rates plunged to near zero. The supply case asks you to believe that all these cities simultaneously ran into major supply issues by imposing new onerous regulations and running into land constraints at nearly the same time. This is highly implausible, especially when we have an obvious alternative explanation: a massive wave of capital leaving China, combined with record low interest rates.

Despite the transparent implausibility of the supply case, the charade of a debate continues, given the media’s continued inclination – in Toronto at least – to predominantly interview real estate representatives.

In this article I revisit and refresh the debate around “but, data!”, discuss the ethics of foreign ownership and claims of “xenophobia,” puncture the delusions of “free market” arguments and, finally, sum up some of the political developments in the past year and what they portend moving forward.

**Dude, where’s my data?**

The absurdity of the housing debate is perhaps nowhere more evident than in the question of “data” and foreign ownership.

There is very little good, government-collected data on the question of foreign ownership. No one disagrees on this point. This is to the discredit of federal and provincial...
authorities, who for years resisted gathering rigorous data, even though Mark Carney, then governor of the Bank of Canada, warned quite clearly in 2011 that the Vancouver real estate market was being affected by money from East Asia.

The fact that five or six years could pass without any effort to collect data is stunning and can’t help but stimulate a tinge of conspiratorial thinking. Perhaps for the first time in Canadian history, there was a protest for data collection in Vancouver in May 2015.

The events of the summer of 2016, a full year after that protest, might indicate why it took so long for governments to do their jobs. Within five weeks of gathering data on the question, as the evidence arrived, the British Columbia government was pressured to introduce a stiff foreign buyer tax. It’s hard to avoid the conclusion that governments failed to gather data because they didn’t want to do anything about the issue. Why collect data that might be embarrassing? This gets to the politics of the field, discussed below.

With limited data, those who had their eyes open often had to rely on anecdote. But inconveniently for the real estate lobby, the inferential, and no longer just anecdotal, case was growing stronger and stronger. The report I wrote last year on Vancouver, for instance, which made the case that foreign capital was playing a major role, did not rely on a single anecdote. All the data it presented were carefully gathered, some of them by Canadian governments. But the evidence had to be pieced together to get a clearer grasp of the issue – including by eliminating other alleged, but ultimately insufficient, causal contributors.

When the B.C. government finally collected data, then, it was no surprise that the amount of “foreign citizen buying,” about 13 per cent, in Vancouver was much more than the 3 to 5 per cent estimated by the real estate industry. Nor was it surprising that 90 per cent of the foreign buying was from China. This was predictable, based on the strong inferential case.

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**FIGURE 1: YEAR-OVER-YEAR TRENDS IN TERANET HOUSE PRICE INDEX, JANUARY 2006–JANUARY 2017**

![Graph showing year-over-year trends in Teranet house price index from January 2006 to January 2017. The graph includes data for Vancouver, Toronto, and other major markets (CAL, EDM, WIN, OTT, MTL, QUE, HAL). The source is Teranet. Hamilton and Victoria (not shown) largely track the major markets closest to them, Toronto and Vancouver respectively.](image-url)
The inferential case has only grown stronger since last year. Figures 1 through 5 tell important elements of the main story.

Figure 1 shows the broad outline of the two-track Canadian housing market, where Toronto and Vancouver have been red-hot in recent years while cities in the rest of the country have seen modest price growth or even price declines. Indeed, except for their “adjacent” or “spillover” cities, Hamilton and Victoria, there aren’t major housing affordability issues outside of Toronto and Vancouver, despite record low interest rates everywhere – and an alleged Canada-wide culture of “house horniness.” Something unique is happening in Toronto and Vancouver. It is not primarily a “big city thing,” a “lots of immigrants thing” or a “hard to build thing” – if it were, Montreal would be red hot too.

What do Toronto and Vancouver have in common that is unique? Strong interest from buyers with access to substantial money abroad, at present principally from China. This is evident from surveys of elite Chinese citizens about preferred destinations of real estate investment, from the sordid history of the federal Business Immigration Program, and from patterns of real estate interest on Juwai, a website that caters to real estate buyers in China. In a 2014 survey, for example, Toronto was sixth and Vancouver third as destinations for international real estate buying for Chinese elites.

Unlike Canadian governments, organizations in Australia and the United States have gathered at least rudimentary data on foreign buying. Figure 2 shows the amount of money spent by citizens from China in the residential real estate markets of those two countries from 2011 to 2015.

There has been a near trebling of buying since 2013 or so, as money fled China. We
have good data about broader capital flight from China, and it shows an escalating amount of money exiting the country in this period.\textsuperscript{8} The sums in figure 2 are substantial; Chinese citizens were by some margin the largest segment of foreign buyers in these two countries in recent years. In the United States, the buying is concentrated in California (32 per cent of all purchases), where the most unaffordable markets (San Francisco, Los Angeles, San Diego) just happen to be. In Australia, the buying is concentrated in Melbourne and Sydney, again by far the most expensive markets in the country.

There is little reason to think that Canada is any different. If anything, Canada might be a more enticing target, as I explain below, and a falling exchange rate since 2015 has helped that along. But some may remain unconvincing. If only there was some proxy for money arriving from China...

As luck would have it, the Vancouver airport keeps a record of the amount of undeclared money being seized. In 2013, $2.8 million was seized from Chinese citizens. In 2014, the figure was $4.3 million, and in 2015 it was $6.4 million.\textsuperscript{9} This pattern of 50 per cent year-over-year increases from 2013 to 2015 fits the pattern in figure 2 nearly exactly. Data from Canadian banks on the total amount of foreign currency and deposits also tell the same story – a sharp escalation from 2013 onward.\textsuperscript{10}

Fine, money is arriving, says the sceptic, but do we have any evidence that it’s affecting housing markets? Here again we need to assemble the evidence in unorthodox ways. Figure 3 shows rates of investment or speculative buying of detached houses in Toronto from 2012 to 2016. These data were collected by John Pasalis and his team at Realosophy, a brokerage in Toronto.\textsuperscript{11} They used Multiple

\begin{figure}[h]
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\includegraphics[width=\textwidth]{figure3.png}
\caption{Investor/speculator purchases of freehold (detached) housing in greater Toronto area, 2012–2016.}
\end{figure}

Source: John Pasalis, \textit{Freeholds on Fire: How Investor Demand is Driving Up Prices in the Greater Toronto Area} [Toronto: Realosophy, March 2017].
Listing Service data – the realtor listings database – to see what proportion of properties in that segment were bought and then listed for rent on MLS within a year of purchase. This indicates buying for investment purposes. As Pasalis notes, the data systematically undercount the amount of investment buying, because investors may rent properties through services other than MLS, leave properties unoccupied or move into the new property and rent out their old home. On the basis of this logic, Pasalis estimates that the amount of investment/speculative buying is potentially double or triple the rate he calculates given his methodology.

The pattern revealed in figure 3 clearly aligns with the data from figure 2: relative stability from 2012 to 2013, a small jump in 2014 and a big jump in 2015 (and 2016). Moreover, the areas where the most investor buying is taking place are areas with large Chinese diasporas. On the other hand, Brampton, with a large South Asian diaspora, has been largely unaffected until recently. What we see with the data from Oshawa and other outlying areas (not shown) is a big jump in 2015 and 2016 as locals get on board and get into the speculative groove.

Doesn’t all of this happen because there’s a shortage of supply? No, or at least not as the supply-siders portray it. As I’ve documented elsewhere, housing completions have been strong in recent years, relative to population growth and otherwise. Detached house building is down modestly, but not dramatically. What has happened instead, as figure 4 shows, is that sales have surged (solid line, left-side axis) as investor buying has emerged. This has sharply drawn down “inventory” (dash line, right-side axis) as new listings stay stable (dotted line, right-side axis). Consequently, the appearance of scarcity emerges.

There should be no confusion: a sharp increase in sales is a surge in demand. A low

![Figure 4: Real Estate Sales and Listings, Toronto, 2002–2016](image)

Source: Toronto Real Estate Board. December is simply a representative month to illustrate trends over time.
rate of active listings is, in this case, a product of surging (record) demand, not weak (built) supply. Yet you’ll never hear Ontario realtor representative Tim Hudak or any other industry apologist admit that. Their line is that all we need is “supply, supply, supply,” as if you can build enough homes for a population caught up in a real estate frenzy who want to buy second, third or fourth properties. Trying to satisfy speculative demand is lunacy.

The evidence in figure 3 is especially problematic for the supply-side case. Why did speculative buying and total sales suddenly pick up in 2014–15 after a few years of stability? The obvious explanation is that capital flight from China acted as a catalyst. Some supply-siders might claim that inadequate new housing fostered broad speculative activity. But there is little evidence of a supply shift that would do this, given the data on construction and new listings. And, if the problem is inadequate housing supply in Toronto, why would the speculative activity be so geographically varied? The supply-siders have no answer for this.

Figure 5 is a modified version of figure 4 for the Greater Vancouver market, this time using a 12-month rolling average technique to smooth out seasonal fluctuations (and using monthly, not yearly, sales totals). As in Toronto, the same surge in demand (dash line, right side) has drawn down inventory (solid line, left side) and created tight market conditions – which first drove prices up rapidly, and then stabilized prices as new listings began to fall in line with the sales decline in early 2017.

The data and the foreign buyer tax

It is important to make explicit what figure 5 means for how we interpret the present debate around the foreign buyer tax. First, a surge in
demand due to capital flight from China led to rising prices. Second, the demand cooled leading up to and especially following the introduction of the foreign buyer tax in July 2016 – the same month as the inflection point in the monthly sales data. Third, inventory started to inch up – but then new listings fell in early 2017, so that it has remained largely constant. What this means is that the foreign buyer tax has sharply curtailed demand, yet since it did not set off a run for the exits – a sharp rise in new listings – prices haven’t fallen much because inventory is still so tight.

In summary, the foreign buyer tax was not enough to break speculative expectations. This should be no surprise. The foreign buyer tax doesn’t apply retroactively, and unless sellers think the tax is going to make the market fall off a cliff – which they don’t – they have no strong urge to rush their property onto the market. In fact, the provincial government has given inconsistent signals. It imposed the foreign buyer tax in July 2016, but in December it offered loans to first-time buyers and this January it created larger loopholes in the foreign buyer tax. There are indications that if the Liberals are reelected in the B.C. election on May 9, the provincial government will further prop up the market and potentially rescind the foreign buyer tax. These inconsistent signals provide an incentive to hold off listing, which is what we see in early 2017. A fall in new listings has kept the market tight, and so for the moment Vancouver prices remain stable, and in some segments are rising.

While both the B.C. and Ontario governments are now collecting data on foreign buyers, they inevitably present a misleading picture. The existing efforts rely mainly on asking buyers whether or not they are foreign citizens. However, the issue in Toronto and Vancouver is about the source of the money for purchases, not citizenship. “Foreign ownership” is ownership primarily on the basis of foreign income or wealth. Citizenship can be a useful proxy for that, but it is incomplete.

Foreign citizen buyers are only one way that foreign capital can arrive in a market: wealthy recent immigrants, long-time residents with continued sources of income overseas and proxy buyers are all alternative channels. So the current government data capture only a fraction of foreign capital flows – the idea that the current Vancouver market is almost all “local” after the foreign buyer tax is complete fiction. This is why the chief economist at CIBC, Benjamin Tal, recently estimated instead that over 25 per cent of the Toronto market, and over 35 per cent of the Vancouver market, was foreign money.

This weakness in the data collection effort has long been known, but governments have gone ahead with this strategy anyway. What this has done, probably intentionally, is make foreign ownership seem much less prevalent than it really is. And apologists for foreign capital have been only too happy to play on the confusion – yet another indication that we are not having a sincere debate.

Moving forward, to get a clearer picture, governments simply need to compare declared incomes in the period preceding a house purchase, in terms of both the duration of reported income and its level, with the purchase price. Where there is a substantial mismatch, governments will be able to conclude, after appropriate qualifications, that outside wealth or income is at play. Damningly, this doesn’t even require
data collection – all it requires is data communication between Canadian governments.

A recent report from Richard Wozny is telling in this respect. It documented that house prices and average incomes, when disaggregated to the municipal level, were in fact negatively related in Metro Vancouver; some of the municipalities with the lowest incomes had the highest house prices, and vice versa.\textsuperscript{17} This has generated stunning statistics: in Vancouver and West Vancouver, long known to be top destinations for foreign capital, the average ratio of detached house prices to household income in 2016 was 37 (!). In Richmond and Burnaby, middle-class suburban municipalities but also top destinations for foreign capital, these same figures were 28 and 23 respectively.

Read those figures again. And realize that a bank is unlikely to grant you a mortgage much more than five times your household income, even with record low interest rates.

Yet the “debate” shuffles along.

“Xenophobia” and the ethics of foreign ownership

Another constraint on honest discussion about Vancouver and Toronto real estate has been concern that to criticize foreign ownership is “xenophobic” or even racist. In Canadian society, these are potent charges.

There are undoubtedly xenophobes and racists who oppose foreign ownership, but that doesn’t mean all such concern is motivated by these sentiments. In fact, there are strong ethical grounds for being concerned with foreign ownership.

Foreign ownership of residential property entails two main ethical problems. The first is that foreign buyers have access to sources of wealth or income that locals do not. This means that locals are potentially put into disadvantageous competition with foreign money for property where they reside. The second is that those who own based on foreign income or wealth may not have paid the taxes that have made the property so valuable in the first place. Since public investments in physical infrastructure, social services and legal institutions are not primarily made through property taxes, the value uplift they provide to residential property is effectively given to such “foreign” owners for free. In the case of Toronto and Vancouver, this means that local taxpayers are in effect subsidizing millionaires.

This injustice also has a generational component. Those who already own, who often bought when there wasn’t competition from massive amounts of offshore money, will see equity gains, while younger generations must either deliver those (tax-free) equity windfalls through highly leveraged buying or else be shut out from an attractive source of wealth accumulation and personal stability.

One way of looking at the present situation is that policymakers have turned Canadian real estate, especially in the large cities, into a highly attractive global asset class. Canadian governments do not effectively enforce money laundering rules, we have relatively low property taxes (or “carrying costs”) and the enforcement of capital gains taxes on nonprincipal residences has been lax. Add to this the nearly free public services that we provide to wealthy migrants and their families, if they choose not to work, and it is no wonder...
that the country has seen an influx of foreign capital. Frankly, as a wealthy individual in a capricious authoritarian regime, you’d be foolish not to avail yourself of the Canadian red carpet offer.

Ultimately, the problem is that while this policy framework benefits the real estate industry and homeowner equity and boosts short-term debt-based economic growth, it generates highly unaffordable housing markets, precarious levels of private debt and tremendous intergenerational and class inequity.

To put it bluntly, in return for subsidizing wealthy foreign owners and fostering an intergenerational wealth transfer, we have ripped apart the meritocratic social contract. Among the primary determinants of personal wealth in Toronto and Vancouver today are your date of birth, whether your parents own (or owned) and whether you have siblings. Working hard, getting trained and playing by the rules doesn’t get you very far any more, absent a gift from parents. No wonder younger people are furious – wealth is being transferred to those who have already hit the equity jackpot, while debt and stress are transferred to them. Not by coincidence, Vancouver had the lowest level of reported life satisfaction among all Canadian urban areas in a recent survey. The current framework is terrible public policy, and socially toxic.

Since these younger people are the kids of those with rising equity, at least the transparent unfairness of the situation is apparent to many in the older generation too. That is why overwhelming majorities in the two cities – near 80 per cent or more – are in favour of curtailing or taxing foreign ownership in various ways.

I made this very case in the Globe and Mail in April 2017. The response from the real estate lobby was silence. There is no compelling ethical case to be made for the current policy framework. It is indefensible, so no one tries to defend it.

But to point all of this out is somehow to be xenophobic or racist. Never mind that the concern is with foreign money and its effects, not foreign people. Never mind that there are straightforward policies that can address the effects of foreign capital without targeting individuals who wish to come to Canada and join the labour market.

The status quo will not work out well. Many young people are being pushed out of their childhood cities, or pressured into massive debt, while being called “xenophobes” for asking for sensible policy reform. Housing bubbles of historic proportions are emerging, foreshadowing deep economic crises. And public authorities are concealing data and failing to enforce basic regulations. What could go wrong? Who is guilty of ethical lapses?

**Appeals to the “free market”**

The final arrow in the quiver of the apologist’s case is the claim that we should just “let the free market do its thing.” This is remarkably misguided in several ways.

First, the housing market is already thoroughly regulated. Indeed, it may be the most regulated sector of the entire economy. From zoning rules to building regulations to property taxes to strata rules to social housing initiatives to tenancy law to capital gains law to mortgage regulations and insurance, there are hundreds if not thousands of regulations...
and policies that currently address the market and its operation. The idea that a few new regulations or taxes on foreign capital will take us from the realm of a “free market” to a “state-regulated market” is laughable.

Second, housing markets are regulated for very good reasons. Human beings often make poor decisions when it comes to debt and potentially speculative assets, especially when they endow those assets with deep meaning. And the decisions some make have clear externalities on others. If I build a condo tower next to your house, you might have some issues with a “free market” in housing.

In short, have we really forgotten about the American housing crash already? All Canadians are ultimately underwriting what is happening in Toronto and Vancouver. If those housing markets go bust, the cleanup costs will fall on all Canadians, including possibly bailing out the Canada Mortgage and Housing Corporation, which has implicit taxpayer backing. Asking for macroprudential policy is sensible, not statist.

Finally, much of the foreign money arriving in Toronto and Vancouver is from societies that are far from free markets. To talk about the “free market” in such a context is as ironic as it is meaningless.

The politics of housing insanity

Contemporary discussions among policymakers have been mostly about how to “calm” or stabilize housing markets in both cities. But a “calm” market at historically unaffordable levels is not an adequate long-term goal.

In part, politicians’ timidity is driven by their wariness about threatening the equity of baby boomers, the most powerful electoral bloc in Canadian society. Their timidity is also due to an understandable fear of causing a housing crash.

Yet this is precisely why policymakers should have never allowed the situation to get to this point. The most blame should be reserved for those who had the chance to tackle the issue earlier and did not. This includes politicians at all three levels of government, but especially provincial leaders, who had the most important and nimble levers of power to address the situation. That the Ontario government watched the Vancouver situation unfold and yet still took no action – nor collected data for almost a year – is particularly damning.20

When the discussion does get around to restoring affordability, the common refrain is that the situation is “very complicated” and that “there are no silver bullets.” Pundits stroke their chins and say these things with an air of gravitas. To use another Krugmanism, this is the “very serious people” phenomenon.

Yet there is a remarkably powerful policy measure sitting right under the noses of policymakers: a property surtax that can be offset against income taxes paid, while exempting seniors with sustained Canada Pension Plan contribution records. What this would do, as I’ve explained elsewhere, is reconnect the housing market to the local labour market.21 No longer would real estate in these places be an easy, subsidized place to park money from abroad. As a result, the marginal buyers would once again be primarily local income earners. This would, in turn, affect speculative and “fear of missing out” behaviour, and rebalance the market as those who had bought on the basis of foreign income or wealth, but
who have no interest in working in Canada or paying their fair share of taxes, listed their properties. The “supply shortage” would sort itself out in a hurry.

So far, politicians have not been willing to implement such a surtax. Incumbent governments are too tied to real estate industry donations, and their strategies of economic growth too dependent on the patently unfair policy framework of pampering foreign owners.

Think about that: Canadian governments are unwilling to introduce policies that would ensure that many wealthy homeowners paid their fair share of taxes. Significant parts of the economies of Toronto and Vancouver are premised on tax avoidance or evasion – and the dangerous debt leveraging that ensues. And yet these incumbent politicians brag about being solid economic managers, and people believe them. Remarkable.

None of this is written in stone. Policy can be changed. The surtax policy will not solve every housing affordability issue, but it will deal with a substantial part of it. It may just require new political leadership.

Absent a major policy change, housing affordability will have to wait on rising interest rates or some macroeconomic shock, such as the collapse of the epic housing bubble in China. Figure 6 shows (real) national land prices in China increasing at a compound annual rate of roughly 17 per cent over a period of 12 years – or 575 per cent in total real terms. Economic growth in China has been impressive over that span, but not enough to justify such price gains. Price-to-income ratios in the biggest Chinese cities are therefore more than double those in Toronto and Vancouver, by some estimates, and the country has an estimated 50 million vacant homes.

Leaving our fates to global forces is not a good strategy. Better to get our policy frameworks in order so that as foreign capital arrives in Canada, at least the benefits are shared more broadly, and housing markets regain some sanity.

Notes

1 “CMHC President Warns Against Scapegoating Foreigners In Vancouver Housing Debate,” CBC News, November 30, 2016.


3 For this debunking, see for example my Vancouver’s Housing Affordability Crisis: Causes, Consequences and Solutions (Vancouver: Simon Fraser University, Centre for Public Policy Research, May 2, 2016) and In High Demand: Addressing the Demand Side of Toronto’s Housing Affordability Problem (Toronto:
Ryerson City Building Institute, March 13, 2017).

4 See Frank Clayton and David Amborski, Countering Myths about Rising Ground-Related Housing Prices in the GTA: New Supply Really Matters (Toronto: Ryerson University, Centre for Urban Research and Land Development, April 25, 2017). It is weak, misleading scholarship – they do not even mention the concept of “supply elasticity” in a report on supply and housing prices. As this goes to press, Ontario government data have undercut one of the central claims of the supply side view: that there is a dearth of serviced land (“Thousands of Sites for Homes Sit Shovel-Ready in Toronto Area,” Globe and Mail, May 8, 2017).

5 See my “Toronto, Don’t Let Vancouver’s Housing Crisis Become Yours.”

6 There is no attempt to gratuitously single out China here. Similar concerns and analysis would be happening if the money arrived from any other society. The reference to a specific country is required because our governments haven’t collected good data, which would allow aggregated foreign ownership statistics to tell the story.

7 See, for example, the Hurun Report, available at http://up.hurun.net/Hufiles/201504/20150427162743845.pdf; my Vancouver’s Housing Affordability Crisis; and “Chinese Home Buyers Turn Their Attention Away from Vancouver,” Globe and Mail, March 7, 2017, respectively.


11 John Pasalis, Freeholds on Fire: How Investor Demand is Driving Up Prices in the Greater Toronto Area (Toronto: Realosophy, March 2017), retrieved from http://www.realosophy.com/special-reports

12 See my In High Demand.

13 Sales for the early months in 2016 were still above sales totals for the same months in 2015, itself a very hot market. They only dipped below the 2015 figures in July, the same month the tax was announced. Those wanting to downplay the impact of the tax with talk of “the market was cooling before the tax” are therefore overselling it a bit – June 2016 was still the hottest June in terms of sales since 2005!

14 For one illuminating example, see Kathy Tomlinson, “Out of the Shadows,” Globe and Mail, September 13, 2016.

15 Consider the consistent estimates that around 60 to 70 per cent of the high-end Westside Vancouver market is foreign money, but that in the B.C. government data “foreign” buyers are only 10 per cent of City of Vancouver sales, and their average purchase price is lower than that of “domestic” buyers.

16 This estimate was given during a talk to the Global Risk Institute in Toronto. See also David Ley, “Global China and the Making of Vancouver’s Residential Property Market,” International Journal of Housing Policy, Vol. 17, No. 1 (2017), pp. 15–34.

17 Richard Wozny, Low Incomes and High House Prices in Metro Vancouver (Vancouver: Site Economics, April 2017).


20 Ontario’s much-hyped “nonresident speculation tax,” while often compared to B.C.’s foreign buyer tax, is no such thing: its loopholes are so big that one can only conclude that it was designed to fail.

21 See Gordon and Kesselman, “Face It, There’s Nothing ‘Free Market.’”

22 The B.C. NDP, to its credit, has endorsed a variant of this surtax idea.

The populist insurgency and its Russian friends

by Henry Milner

Is the liberal democratic political world as we have known it being transformed – for the worse – right before our eyes? If so, we are not talking about the kinds of transitory changes we are accustomed to, but rather what the French call tendances lourdes. In this section we pose that question squarely. We are not the first to do so, clearly, but we bring to it both a Canadian perspective and on-the-spot reports from analysts in the places where the challenge is playing out.

We have approached the question before. In two articles in recent issues, Patrick Webber suggested that the left-right framework in which we have understood democratic politics is no longer appropriate. That framework was defended in the Winter/Spring 2017 issue by Gad Horowitz.¹ But is it in fact meaningful in today’s context? Events since then strongly suggest that Webber has it right.

Take the recent French presidential election results. While Emmanuel Macron’s victory in the second round was never in doubt, Marine Le Pen was still able to win 34 per cent of the vote. And a third of French voters stayed home or cast blank or invalid ballots. We can be sure that in mid-June Le Pen’s National Front will win far more than the two National Assembly seats it has now. Moreover,
The polarization in France is not in any way the standard left-right one on social and economic issues, on most of which Marine Le Pen was, if anything, to the left of Emmanuel Macron. PHOTOS: LEWEB/WIKIMEDIA COMMONS (LEFT) REMI NOYON/Flickr

the polarization is not in any way the standard left-right one on social and economic issues, on most of which Le Pen was, if anything, to the left of Macron.

The left-right framework was set out in a number of landmark articles and books from the 1960s onward, including Horowitz’s 1966 essay “Conservatism, Liberalism and Socialism in Canada: An Interpretation.” Swedish sociologist Walter Korpi termed it “the democratic class struggle,” while for his Danish colleague Gøsta Esping-Andersen that struggle was one of “politics against markets.” This idea, that the basic dynamic of democratic politics is a dispute over the use of the state within liberal democratic institutions, has served as the basic framework for understanding, and participating in, politics in the last two generations.

Of course, during these past 50 years, even in the democratic heartland of western Europe, North America and Australasia, not all political parties and movements have fit within the framework. Extremist parties of left and right have arisen, at times challenging liberal democratic institutions, But as a rule, these were kept to the fringe: for more than half a century the main actors in our political systems – a mainstream composed of two main parties or blocs of parties – have had a shared understanding. Within the constraints of constitutional democracy, the left seeks to use government to win a greater share of resources for those who are disadvantaged, while the right seeks to reduce constraints that hinder those with such resources from using them as they see fit. Each presumes that its favoured policy mix will produce sufficient durable economic growth to allow for improved conditions for everyone including those at the bottom, not only domestically but also beyond through foreign aid and immigration.

This is the model that was held out, if not always applied, as decolonization and democratization were advancing in Asia, Africa and Latin America. Most dramatically, it was the objective aspired to by the peoples of the former Soviet empire and, it seemed for a time, of the former Soviet Union itself. Until about ten years ago, when the economic crisis hit, the continued advancement of this liberal democratic model was never seriously in doubt.
The economic crisis brought to the surface cracks that had been forming in the key pillar propping up the model: the prospect that there would be sufficient economic growth so that some of its benefits could trickle, if not flow, downward.

The economic crisis brought to the surface cracks that had been forming in the key pillar propping up the model: the prospect that there would be sufficient economic growth so that some of its benefits could trickle, if not flow, downward. Recently, the work of Thomas Piketty and his colleagues has drawn our attention to the fact that upward mobility was declining and inequality had been increasing for a decade. This was the inevitable result of industrial jobs being supplanted by technology or moved to countries where labour costs are low. It is an “elite” with appropriate technological skills and knowledge and access to capital, both financial and social, that has prospered. Those who have combined the two in developing internet-based enterprises have made it to the top in record time and numbers.

At the same time, the end of the Cold War and the demise of the Soviet Union shifted the world’s major geopolitical fault line to the Arab-Muslim world in parts of Asia and Africa. Conflicts there, combined with the growing presence of internet-based

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**FIGURE 1: ELECTION RESULTS FROM 20 COUNTRIES**

The charts above show election results in 20 European countries, with right-wing populist and far-right parties in black.

SOURCE: nytimes.com
The rise of populist parties serves the interests of the Putin regime, which has used highly sophisticated cyber techniques to promote them and undermine mainstream parties.

communications, have brought terrorism and uncontrolled migration to the Western democracies. The resulting cleavages have led to the rise of populist parties in Europe. During this process, Russia under Vladimir Putin effectively abandoned whatever aspirations it had of becoming a liberal democracy. The rise of populist parties serves the interests of the Putin regime, which has used highly sophisticated cyber techniques to promote them and undermine mainstream parties.

The articles on Europe that follow, along with related analyses of events in the United States and Turkey, examine this complex set of developments. Inroads readers will be familiar with the manifestation of these phenomena in the rise of Donald Trump. While it is foolhardy to attribute any consistent set of ideas to Trump, there is no question that his appeal fits into what we think of as populism, aimed at those who feel left out of a world of geographical and cyberspace mobility that appears to have passed them by.

This is the constituency that populists address when they claim to speak in the name of, and directly to, the people. Those who oppose them, in politics, the media or universities, are “enemies of the people.” And the people, more often than not, turn out to be old-stock nationals. A specific example of this tack is the ongoing attack by Hungarian Prime Minister Viktor Orban on the Central European University and its founder, George Soros, a severe critic of the populists. The very real sentiment of being left out is thus exaggerated and distorted by populist politicians and their facilitators in the “alternate” media. Donald Trump’s disdainful attitude toward facts parallels developments in Putin’s Russia, for which Trump has shown a very un-American, and especially un-Republican, admiration.

Russian cyberwarfare clearly helped elect Trump, and he still appears unconcerned about Russian meddling not only in his own election but also in elections in eastern and western Europe, where it presents a more insidious threat to liberal democracy. Indeed, Trump has been generally welcoming of populist movements everywhere as reflecting his own “America First” stance. As described
by Ronald Beiner in this issue, Steve Bannon, at least until recently the most influential of Trump’s advisers, expounds a more consistent version of this kind of populist nationalism: emphasis on the nation, on the direct relationship between the charismatic leader and the people and on security and public order, along with hostility to immigration and distrust of supranational and intermediate institutions.

It is noteworthy that the first foreign politician Trump met with after winning the election in November was Nigel Farage of the populist United Kingdom Independence Party. And a day after his inauguration, addressing right-wing populists meeting in Koblenz, Germany, Marine Le Pen heralded Trump’s victory. “In 2016, the Anglo-Saxon world woke up,” she said, promising that Europe was soon to follow. To what extent, the articles in this section ask, has Le Pen been proven right?

A related phenomenon is the emergence or consolidation of authoritarian regimes in Russia, China, Turkey, Egypt and parts of eastern Europe. Perhaps the most significant authoritarian challenge to liberal democracy today is taking place in Turkey. In a very important contribution to our understanding of this phenomenon, the distinguished Turkish political analyst Ilter Turan explains developments leading up to the April 16 referendum in that country. Overall, according to the Economist Intelligence Unit’s 2016 Democracy Index,

The average global score fell to 5.52 from 5.55 in 2015 (on a scale of 0 to 10). Some 72 countries experienced a decline in their total score compared with 2015, almost twice as many as the countries which recorded an improvement (38). The other 57 countries stagnated, with their scores remaining unchanged compared with 2015 ... In the 2016 Democracy Index five regions, compared with three in 2015, experienced a regression – Eastern Europe, Latin America, the Middle East and North Africa (MENA), Sub-Saharan Africa (SSA) and Western Europe – as signified by a decline in their regional average score. Eastern Europe recorded by far the biggest decline (from 5.55 to 5.43). Almost one-half (49.3%) of the world’s population lives in a democracy of some sort, although only 4.5% reside in a “full democracy”, down from 8.9% in 2015 as a result of the US being demoted from a “full democracy” to a “flawed democracy.”

The flaw in American democracy is Americans’ declining trust in their government and elected officials. Drawing on data from Waves 3 through 6 of the World Values Surveys (1995–2014), Roberto Stefan Foa and Yascha Mounk focus on “four important types of measures that are clear indicators of regime legitimacy as opposed to government legitimacy: citizens’ express support for the system as a whole; the degree to which they support key institutions of liberal democracy, such as civil rights; their willingness to advance their political causes within the existing political system; and their openness to authoritarian alternatives such as military rule.”

They conclude,

Citizens ... in North America and Western Europe have not only grown more critical of their political leaders. Rather, they have
also become more cynical about the value of democracy as a political system, less hopeful that anything they do might influence public policy, and more willing to express support for authoritarian alternatives ...

In 2011, 24 percent of U.S. millennials (then in their late teens or early twenties) considered democracy to be a “bad” or “very bad” way of running the country.

Continental Europe is the main scene of the populist insurgency. In his comparative analysis of European developments, John Erik Fossum shows how populists like Marine Le Pen are able to target the European Union. Even in Sweden, as reported in the Winter/Spring 2017 issue of Inroads, the still strong anti-immigrant Sweden Democrats were at one point in 2016 tied in the polls with the two major parties.6

In this section, we report on elections this year in a number of key European countries where populists, often Russian-supported, have emerged as key players.

As reported in the Los Angeles Times, Eugene Rumer, director of the Russia and Eurasia program at the Carnegie Endowment for International Peace, recently told a Senate Intelligence Committee hearing that Ukraine was hit during its 2004 and 2014 election campaigns. Malware was used to infect the servers at Ukraine’s central election commission. Hungary, the Baltic states and the former Soviet republic of Georgia, which Russia invaded in 2008, have also been targets of political subversion by the Kremlin. Putin’s intelligence agencies are now directing their subterfuge at Germany and France. The immediate targets of Russian cyber meddling are Emmanuel Macron and think tanks associated with German Chancellor Angela Merkel. The result has been a relentless series of cyberattacks originating in Moscow, in all probability directed by Russian military intelligence.7

Pro-Russia candidates won presidential elections in 2016 in Bulgaria and Moldova, and the former Soviet empire remains the primary target of Russian meddling. The essay by Filip Kostelka and Eva Krejčová provides an overview of the methods through which, more than 25 years after the fall of the Iron Curtain, the Kremlin is rebuilding its political clout. But as we have seen, it doesn’t end there.

As Andrew Higgins wrote in the New York Times on December 4, Putin “has been adept at making his own luck, deploying Orthodox priests, Russian-funded news media outlets like RT, spies and computer hackers to ride and help create the wave of populist anger now battering the foundations of the post-1945 European order.” A European Council on Foreign Relations (EFCR) study termed 45 parties insurgent, of which 30 “expressed agreement with at least some recent Russian positions.” The study noted that “these views on Russia policy do not fall naturally along the lines of left and right.” A subsequent EFCR commentary elaborated:

A majority of the 45 insurgent parties identified by EFCR were favourably inclined towards Russia and sympathised with Russian positions. The most pro-Russian of these parties (of a significant size) on the far right are: the AfD [Germany], FPÖ [Austria], Greece’s Golden Dawn, Hungary’s
Jobbik, France’s Front National, Italy’s Northern League, the United Kingdom Independence Party (UKIP), and Belgium’s Vlaams Belang (VB). On the far left, the most pro-Russian parties are Cyprus’s AKEL, Germany’s Die Linke, the Czech Republic’s KSCM, Podemos in Spain, and Syriza [Greece]. The Italian Five Star Movement and the Human Shield Party in Croatia also belong to the pro-Russian camp. 8

There are reports of American money finding its way to some of these movements. As reported by Paul Lucardie in this issue, the David Horowitz Freedom Centre (founded to battle “the radical left and its Islamist allies”) donated over €100,000 to Geert Wilders’s PVV (Freedom Party) in the Netherlands. In his article, Lucardie notes that though the PVV did not do quite as well as had been expected in that country’s election, the overall result was more complex. Nationalist parties, seeking to protect national identity and sovereignty, restrict immigration and strengthen national defence and security, did well, but so did cosmopolitan (antinationalist) parties concerned with climate change, solidarity with refugees, diversity, privacy and civil liberties. The losers were parties that either defended the status quo or took an ambiguous middle-of-the-road position on these issues.

Something similar is happening in France. It was the pro-Europe independent Emmanuel Macron who emerged to face Marine Le Pen in the second round rather than the major party candidates. Nevertheless, as John Richards reports, the combined strength of Le Pen and far-left populist Jean-Luc Mélenchon in the first round raised concerns that will not go away despite Macron’s second-round victory.

In Germany, where the election will take place in the fall, the populist AfD will not be an important factor compared to elsewhere in Europe. Nevertheless, the AfD has done well recently in a number of key Land elections and, as reported by Philipp Harfst, is apparently being helped by a campaign orchestrated or at least tolerated by Russian authorities. Harfst expects a dirty campaign, with fake news from a variety of sources including the Russian media.

It can be said that, among Western countries, the populist story begins in Italy. Giorgio Malet writes about two major anti-elite uprisings, in 1994 and 2013. These two electoral earthquakes resulted from deep and widespread popular dissatisfaction with the political system and mainstream political actors and transformed Italian politics. Italy has witnessed the rise of Forza Italia, the party of the tycoon Silvio Berlusconi, the Northern League and, most recently, the Five Star Movement led by the former comedian Beppe Grillo, the choice of a quarter of Italian voters in 2013.

As the articles that follow describe and try to explain, somewhere between 15 per cent (Germany) and 40 per cent (France) of voters in these countries have so abandoned the idea that democratic politics will lead to progress that they are prepared to cast their votes for someone who rejects the whole trajectory of democratic development they have experienced. 9 Whether these local populists’ attack focuses on the EU, immigration or trade, the appeal is the same: it finds its audience not
in the expanding cities but in those outside of them, near or far, who feel, or are told to feel, abandoned. Given that the pressures that underlie mass migration are not likely to recede soon, and the cybernation of the world even less so, this state of affairs will be with us in the years to come.

Notes


9 As this is being written, the United Kingdom is about to face a snap election, so analysis of the meaning of its results will have to await the Winter/Spring 2018 issue of Inroads, where we will report on it in light of the wider developments signalled here. Support for UKIP is one indicator of the strength of populism in the U.K., but the strength of populism in Jeremy Corbyn’s Labour Party is perhaps a more important one.
The European Union and the populist challenge

by John Erik Fossum

Contemporary societies, it is often claimed, are marked by a “populist zeitgeist.”¹ Populism is a global phenomenon, but it comes in many forms and shapes. Even if populist parties and movements espouse views that tend to straddle the left-right dimension, it is common to distinguish between left-wing and right-wing versions of populism.²

European populist movements started out as fringe groups, but their views are today becoming part of the mainstream. With some exceptions, the trend is for established parties to move closer to populist positions, notably on immigration and cultural diversity. Moreover, populist support correlates with a significant decline in social democratic party support, as many populist parties fashion themselves as the real workers’ movements.³ In a number of cases, populists have entered governments or are wielding direct influence on governing parties, although it is only in eastern Europe (Hungary and Poland) that populists, of the right-wing variety, are running governments.

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The European Union as populist target and as arena

The populists’ favourite target is the European Union (EU).4 Populists in Europe, and especially right-wing populists, are Eurosceptics or Europhobes, calling for dismantling the EU. The EU appears to fit the populist stereotype of an aloof elite disconnected from the people5: its movers and shakers are executives and experts, in charge of institutions without proper anchoring in the demos. Ironically, an important reason for that is the exceptional degree of member-state control of EU-level institutions, which places strong constraints on the EU, especially in fiscal matters. Populists actively seek to foster a contrast between what they portray as disloyal and morally corrupt EU and national elites on the one side, and themselves as the authentic expression of the peoples of Europe on the other. It appears that few political entities lend themselves better to that social construction than today’s EU.

But if the EU is a populist target, it also fosters populism. The EU level serves as an important arena and even launching pad for populist politics. In the last European Parliament (EP) elections, populist parties gained very strong support, in some cases far stronger than in their respective member states. The United Kingdom is a case in point. In the 2015 U.K. election, the United Kingdom Independence Party (UKIP) won 12.6 per cent of the vote, which gave it only one seat (out of 650) in the House of Commons. In the 2014 EP elections, UKIP gained 26.8 per cent of the vote, which gave it 24 seats (out of 751) in the European Parliament).6 U.K. elections are first-past-the-post, whereas EP elections are proportional. The far easier conversion of votes to seats at the EU level has enabled parties that were constrained by national electoral systems to build strength and visibility at the EU level and to convert that into domestic influence.

The EU level facilitates cross-national populist organizing and politics in Europe. Even though populists espouse strong (ethnic) nationalist views, European populism is becoming more transnational (in EP party groups, in contact patterns, in learning and in copying from one another). An interesting question is whether the transnational component is simply a means for improving national positions, or whether the parties might develop genuine transnational attitudes. Islamophobia might be one such trigger insofar as populists consider Europe (not simply the nation-state) as the natural unit to defend.

Populists use EU institutions as platforms, drawing on their resources to denounce the EU, often in utter disregard of what they have experienced at the EU level. The lines of attack...
follow the basic constructions of the world that populists operate in, and will be further illustrated below.

EU decision-making is typically consensus-seeking and draws heavily on expert knowledge. Both aspects run counter to populism, especially right-wing populism that focuses on strong and decisive leadership and has a strong authoritarian bent. Populists are quite prone to dismiss experts and expert knowledge, and seek to associate experts with the dreaded elite. In the European setting, this construction of a conflict between expertise and popular democracy has been facilitated by important changes in party systems. Many of Europe’s established parties are no longer embedded mass parties, making them appear to be closely linked to the state. These parties are easy targets of populist ire, construed as part of the technocratic elite, unresponsive to the national settings from where they stem.

The many crises of the EU

Populism thrives on crises. In that sense, contemporary Europe is fertile ground. The EU is still reeling from the aftereffects of the financial crisis and the Eurozone governance crisis. It faces a geopolitical crisis related to Russia’s resurgence as a power hostile to the EU’s interests, especially in Central and Eastern Europe, and to the EU’s weak ability to cope with the latest migration crisis. In addition, the EU has to confront the potential fallout and domino effects of the looming Brexit.

Populism figures centrally in all these challenges. The EU has instituted sanctions against Russia. Most populist parties want to abolish these sanctions because they have quite close links to Putin’s Russia. In some cases there is a direct financial element involved. In 2013, for instance, Russia’s First Czech-Russian Bank lent Marine Le Pen’s National Front €9.46 million to finance an election campaign. A survey conducted by the European Council of Foreign Relations found that in Western Europe, right-wing populist pro-Russian parties included Alternative for Germany, the Austrian Freedom Party, Golden Dawn (Greece) National Front (France), Northern League (Italy), UKIP and Vlaams Belang (Belgium). They also surveyed populist left-wing parties and concluded that AKEL (Cyprus), Die Linke (Germany), Podemos (Spain), Syriza (Greece) and the Italian Five Star Movement could be considered pro-Russian. The study underlines how these links have helped to legitimize Russian policies in the relevant countries, but the findings were not clear on the extent to which there was collusion.

The financial crisis that turned into the Eurozone crisis has given added impetus to populism. In southern Europe, where the crisis hit the hardest, the main growth has been in left-wing populism. In northern Europe, the financial crisis did not have profound effects; the main surge has been in right-wing populism. An important factor stimulating growth in right-wing populist sentiment in northern Europe has been immigration, in particular the refugee crisis.

These patterns show that there is no direct link between magnitude of socioeconomic dislocation and support for right-wing populism. The Brexit story should not be read
as an exception even though UKIP and the Leave campaign gained very strong support in deindustrialized regions. If we go back in time, we see that it is failure to act at the national level that underlies these developments: U.K. governments have tolerated what Simon Deakin described as “the shrinking of the industrial base, while actively encouraging the growth of a casualised labour market, characterized by growing self-employment (often a front for very insecure employment), agency work, and zero hours contracting. The result is the low-wage, low-productivity economy that the UK is rapidly becoming, and increasingly so since the crisis of 2008 revealed the structural weaknesses of the British economy.”

The EU did little to reverse Thatcher-driven deindustrialization, nor did it inhibit member states such as Germany, the Nordic countries, the Low Countries and France from retaining their manufacturing base. UKIP’s Nigel Farage worked consistently and effectively at directing dissatisfaction at the specific target of the United Kingdom’s EU membership. He spent 25 years keeping the issue alive, nourishing it and actively and constantly looking for an opportunity or a political opening to bring this momentous change to fruition. As Hanspeter Kriesi has noted, “There is nothing inevitable about the politicization of European integration. It takes partisan operators who are capable and willing to mobilize the latent structural potentials for euroscepticism to become politically and electorally relevant.”

There is a broader issue pertaining to the relationship between populists and crises here. Populists do more than respond to crises; there is an intrinsic link between populism and crisis in the sense that populism actively seeks to construct and trigger crises. “While crisis may present an effective stage for populists,” Benjamin Moffitt writes in his book *The Global Rise of Populism*, “it is often the case that populists must play an important role in ‘setting the stage’ themselves.”

**Shifting the focus: Populists as authentic expressions of “the people”**

It is common to highlight what populists are against, but it is equally important to pay attention to what are for. Key here is that they present themselves as the authentic expression of the people. In doing so populists skip quite gingerly over the central role that media play in this relationship. Once we recognize that there is a distinct political style intrinsic to populism, it becomes much easier to understand the close connection between modern populism and contemporary media developments. Moffitt notes that populism’s “appeal to ‘the people’ versus ‘the elite’ and associated Others plays into media logic’s dramatization, polarization and prioritization of conflict; its ‘bad manners’ line up with media logic’s personalization, stereotypisation and emotionalisation; while its focus on crisis plays into media logic’s tendency towards intensification and simplification.”

The emphasis on populism as a distinct style of politics helps to uncover the distinctive ways in which populists orchestrate themselves and their surroundings in the pursuit of their objectives. Populists have become increasingly skilled in working the media, in particular the
new media. “Populists are not particularly keen to reveal the artifice behind their own media performances, nor the professional machinery behind them,” Moffitt writes, “given that much of their appeal stems from appearing to connect with ‘the people’ in an unmediated way that is different from ‘politics as usual.’”

There is no such thing as an authentic representation of “the people.” If we are to move forward, if the values that have guided democratic development for three generations are to be sustained, we need to uncover and expose populist artifice and strategy, without underestimating the seriousness of the issues that these movements reflect.

Notes

2 John B. Judis usefully notes that left-wing populism is dyadic, pitting people against the elite, and differs from right-wing populism, which is triadic in that it includes an out group (such as immigrants). See John B. Judis, The Populist Explosion (New York: Columbia Global Reports. 2016).
5 In “The Populist Zeitgeist,” Mudde defines populism as a “thin-centred ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, ‘the pure people’ and ‘the corrupt elite,’ and which argues that politics should be an expression of the volonté générale (general will) of the people” (p. 543).
Germany’s political landscape:
Uncertainty amid stability

by Philipp Harfst

Compared to elsewhere in Europe, the electoral scene in Germany is the least altered by recent developments. The two major parties, the Christian Democrats (CDU/CSU) and Social Democrats (SPD), predominate and could end up forming another Grand Coalition after the Bundestag election that will take place on September 24. However, amid this overall stability there are elements of uncertainty. These elements can be seen in recent Landtag (provincial parliament) elections which, more than provincial elections in Canada, reflect wider political developments; in the prospects of the new populist party, the Alternative for Germany (AfD),¹ which failed to break through the 5 per cent threshold in the 2013 Bundestag election but has done so in all Land elections since then, gaining representation in 10 out of 16 Land parliaments; and finally, in the possibility of Russian interference.

The Social Democrats’ strong start

In the precampaign period at the end of 2016, the Social Democrats appeared to be on the rise. The then–party leader and Minister of the Economy Sigmar Gabriel managed to impose his party colleague Frank-Walter Steinmeier as the Grand Coalition’s joint candidate for the federal presidency. Gabriel looked like the natural candidate to challenge the CDU/CSU’s Angela Merkel for the chancellor’s position. Then, in the ensuing reshuffle of party and cabinet positions, Gabriel surprised the party and public by nominating Martin Schulz to be the SPD candidate for chancellor. What happened?

¹AfD
Until a few months ago, Social Democrats’ approval rates had not risen from the last Bundestag election of 2013, when they scored a low 25.7 per cent.² At that time, the Christian Democrats, and in particular Chancellor Merkel, were also losing support in the polls, mainly to the right-wing populist AfD, which was gaining continuously in Landtag elections in east and west and was also scoring well in the polls at the national level (see figure 1). Faced with this situation, in the late summer of 2016 Sigmar Gabriel proposed Foreign Minister Steinmeier for federal president in the election for that position that was to take place in mid-February 2017.

While many observers doubted the cleverness of Gabriel’s move at that time, it turned out to be a strategic masterstroke. The Christian Democrats, who hold a plurality in the Bundesversammlung, the body that indirectly elects the federal president, should have been the ones to name a joint candidate – except that they lacked a convincing candidate. Even though Angela Merkel herself apparently tried to convince potential candidates in a number of phone calls, the CDU/CSU failed to present a viable alternative to the highly reputed SPD minister Steinmeier. This represented a defeat for both the Chancellor and her party.³

This victory, combined with his success in winning a number of internal party debates, strengthened Gabriel’s position. However, Social Democrats faced a dilemma: while their leader was a gifted and effective politician and thus the natural SPD candidate for chancellor, the polls showed him unable to win public trust. The media speculation about potential more popular alternative candidates – the most prominent among whom were Hamburg Mayor Olaf Scholz and the President of the European Parliament, Martin Schulz – gave the party a good deal of needed attention and credibility.

**FIGURE 1: POLL RESULTS FOR VIABLE GERMAN PARTIES SINCE JANUARY 2015**
In this context, at the end of January 2017 Gabriel resigned as party leader and nominated his close personal friend Martin Schulz to succeed him and to challenge Merkel. Gabriel announced that he would stay in government and keep his post as Vice Chancellor but switch from the ministry of economy to the less politicized ministry of foreign affairs, where he succeeded Steinmeier.

The ensuing “Schulz effect” gave much needed inspiration to the SPD, bringing a positive dynamism to its campaign launch. Against Schulz, who is an experienced politician at the European level but a new face on the national scene, Merkel now looked exhausted. Moreover, because Schulz has never been a member of a Grand Coalition cabinet, he was able to convincingly promise a fresh start. He did not carry the burden that weighed on the 2009 SPD campaign, when the party had also been a member of an outgoing Grand Coalition and faced difficulties campaigning against a government in which it had borne a great deal of responsibility. Thus the SPD succeeded in reaching its first objective in advance of the Bundestag campaign.

The Christian Democrats’ alienation from Merkel

When Christian Democrats were confronted with Schulz as Merkel’s SPD contender, they had already passed through a long vale of tears. In the 2013 Bundestag election the CDU/CSU’s coalition partner in the outgoing government, the Free Democrats (FDP), had failed to pass the 5 per cent threshold and thus were excluded from parliament. Therefore, and even though they remained the dominant party in the Bundestag, the Christian Democrats were forced to form the third Grand Coalition in the history of the Federal Republic, with all the policy concessions this entailed. Notably, the Social Democrats were able to impose a minimum wage, strengthen rent controls and loosen restrictive rules on the naturalization of foreigners’ children who were born in Germany. At the same time as having to implement such clearly left-wing and liberal policies, the CDU/CSU was under pressure from the right. The 2013 Bundestag election had seen the rise of a new populist party, the Alternative für Deutschland or AfD.

This then was the situation in 2015: many inside the CDU were concluding that faced with the AfD challenge, the party’s right-wing profile was being blurred by a Protestant, female and eastern German Chancellor leading a government that made considerable policy concessions to the centre-left. At this point,
On September 5, 2015, Merkel decided to open the borders to refugees who were living in extremely bad conditions in Hungary. This gave rise to growing popular discontent, which led to open resistance against Merkel inside the CDU and continuous friction with its Bavarian sister party, the CSU.

The first regional election following the opening of the borders was held in Baden-Württemberg, usually considered a Christian Democrat stronghold in the prosperous southwest. In this election the party lost more than 12 percentage points, finishing second after the Greens, with whom it was forced to enter a coalition as junior partner. Next, in Sachsen-Anhalt, an eastern Land, the AfD finished second to the CDU with nearly one quarter of the votes. In the regional election in Berlin in September 2016, the CDU lost its position as junior partner of the Social Democrats; its 16.6 per cent of the votes represented just 3.5 percentage points more than the AfD. The most traumatic CDU experience, however, was the regional election in Mecklenburg–West Pomerania, Merkel’s home Land, on September 4, 2016: the Christian Democrats came third, two percentage points behind the AfD.

In contrast, the regional election in Saarland in late March 2017 has to be seen as encouraging for the conservatives. Despite positive poll numbers and the expected “Schulz effect,” the Social Democrats failed to take over the minister-president’s office from the popular CDU incumbent. In fact, the final result was an increase in the CDU vote by more than five percentage points to above 40 per cent and a slight loss for the SPD, which ended up with 29.6 per cent. Polls indicated that the “Schulz effect” faded as discussion of a potential SPD coalition with the Left party became public. Moreover, had the Christian Democrats also won the 6.2 per cent of the vote that went to the AfD, they would have secured an absolute majority, enabling the party to govern alone.

This year’s second regional election, in Schleswig-Holstein on May 7, saw the three parties that made up the governing coalition – the Social Democrats, the Greens and the SSW, the party of the Danish minority – lose a combined 5 per cent of the vote and their majority in parliament. At the same time, the Christian Democrats with a 1.2 per cent gain and the Free Democrats with a 3.3 per cent gain were not able to win a majority of seats either. AfD, a first-time participant, obtained 5.9 per cent of the vote and thus enters its 12th Land parliament in its short history. And again, it is able to force the other parties to form either a coalition made up of three parties (SPD, Greens and FDP) or yet another
Grand Coalition. This result does not give the expected boost to the Christian Democrats’ campaign for the September federal election, but it doesn’t sustain Social Democrats’ hopes of a Schulz effect either.

After Schleswig-Holstein, observers looked to the May 14 election in the most populous Land, North Rhine–Westphalia, to set the dynamics of the federal election campaign. The surprising result can be interpreted as a disaster for the Social Democrats, who lost close to 8 percentage points in the Land that was their traditional stronghold. The Christian Democrats came out only 1.8 percentage points higher than the SPD, but since the FDP also gained 4 percentage points and the SPD’s former coalition partner, the Greens, lost 4.9 points, a new CDU-led government with the FDP is the most plausible constellation. The wider message is that, at the federal level, a government without the conservatives is unlikely. What of a government without the SPD? To answer this question we need to look more closely at developments among the AfD and the other small parties.

The rest of the picture: Four small parties and an uncertainty

The AfD’s chances in next fall’s election have suffered somewhat recently (see figure 1). One factor is that it still appears to be divided, two years after the split it underwent in June 2015 when founding party leader and economics professor Bernd Lucke was voted out, left the party and formed a new one. Meanwhile, the two current Bundestag opposition parties, the Left and the Greens, score between 7 and 8 per cent, while the Free Democrats, after their setback in 2013, can expect to return to the Bundestag with around 6 per cent in the polls. And the more parties enter parliament, the more difficult it will be to form a government other than a Grand Coalition – even though all political forces including the two major parties publicly proclaim that this would be the worst possible outcome.

In addition to the uncertainty surrounding the party landscape and government formation process that will follow, there is another uncertainty that could affect the upcoming Bundestag election and its outcome: interference by Russian hackers and secret service forces. Three security breaches in the Bundestag’s data network have been exposed. Little has been published about the first one but we do know that Marieluise Beck, a Green MP who works on human rights in Russia, has been one of the victims of an attack allegedly carried out by a Russian hacker group called APT29. The second, and seemingly massive, attack in May 2015, once again ascribed to

Given the experience in the 2016 U.S. presidential campaign, there is reason to fear that the three security breaches in the Bundestag’s data network are an attempt to gather incriminating information to be used in the upcoming Bundestag campaign.
Russian hacker groups, resulted in a 16-giga-byte leak from Bundestag computers. The most recent attack in February 2017 targeted at least ten members of the Bundestag, among them Marieluise Beck. Given the experience in the 2016 U.S. presidential campaign, there is reason to fear that these attacks are an attempt to gather incriminating information to be used in the upcoming Bundestag campaign.

This type of information could be used to destabilize the country, the key pillar of a weakened European Union and partner in the Atlantic alliance. The same seems to be the case for reports on a German-Russian girl published by Russian media. In January 2016, Russia’s RT network claimed that the girl had been abused by a group of immigrants and that the police has proof of this alleged abuse. Russian Foreign Minister Sergei Lavrov issued a statement asking German authorities not to suppress the affair, even though the videos that Russian TV stations used to prove their claim have been shown to date from the year 2009 and the girl in question, “Lisa,” admitted that she had made it all up. Hence it seems likely that a campaign orchestrated or at least tolerated by Russian authorities aims at influencing the coming German election by helping populist right-wing forces like the AfD. It should be noted, however, that the German secret service issued a statement declaring that it had no proof of a Russian disinformation campaign.

Could this campaign affect the outcome of the election? This is difficult to tell. What we know, however, is that social networks are gaining importance in classical election campaigns and that these networks are particularly sensitive to information of this kind, which can be shared in seconds and is difficult to take back once it is out. Missing is the traditional filter of responsible journalists who check whether the information provided is plausible and reliable. As we head into the fall, we have reason to fear the beginning of a dirty campaign at least partially riddled with fake news from various sources, be they hackers, Russian media or populist social networkers.

Notes

2 For all election and poll results used in this article see wahlrecht.de
4 The coalition agreement is accessible at https://www.bundesregierung.de/Content/DE/_Anlagen/2013/2013-12-17-koalitionsvertrag.pdf?__blob=publicationFile&v=2, 13.04.2017
The centre holds – just

But French and English political institutions are in disarray

by John Richards

Four days prior to the second-round election on May 7, the two remaining candidates for the French presidency conducted a televised debate. Marine Le Pen opened with the following tirade:

E lecting Mr. Macron means choosing savage globalization, Uberization, economic uncertainty, the war of all against all, economic pillage of major social groups, asset stripping of France and communautarisme ... The French have been able to see the real Macron in this second round: benevolence has given way to slander, the studied smile turns into a smirk in the course of his meetings, the enfant chéri of the system and the élites has let fall his mask.¹

Emmanuel Macron’s initial response was measured. He accused Le Pen of lacking in “finesse d’esprit.” By the end of the two-and-a-half-hour debate however, the ferocity of his attacks matched hers:

Your political project lives on fear and lies. They are what animate you, they are what animated your father [Marine’s father Jean-Marie Le Pen founded the National Front, which she now heads] over the decades; they are what has animated the extreme right in France. I do not want any of it in our country. The France that I want is better than that. It will not be divided. But to achieve it, we must escape from a political polarization that you have helped create. You are one of the products of the status quo you denounce. You thrive on the status quo. You are a parasite.²
Le Pen’s overture was an ad hominem attack that, with a few modifications, could have been a Trump campaign speech attacking Hillary Clinton. In return, for someone wanting to heal wounds in the French body politic, Macron’s tirade against her had the feel of Clinton’s denunciation of intolerant “deplorables.” If exploitation of “fear and lies” is one pole of French politics, what is at the other pole? As an iconic representative of the cosmopolitan elites that Le Pen attacked, Macron might have at least hinted at the sins of the Parisian technocrats who have run France for the past half-century. He lectured Le Pen on the incoherence of her proposals; he did not “feel the pain” of her supporters.

Ultimately, the French opted, 66 per cent against 34 per cent, for the enfant chéri over the parasite. Like many in the French political elite, Macron is a graduate of the École Normale d’Administration, a technocrat who had never previously run for office. During the campaign, Le Pen’s strength was to articulate deeply held frustrations of native-born French who feel abandoned. While Macron made tepid claims to understand her supporters, he remained at the level of the earnest liberal wanting everyone to be reasonable. He remained excessively vague on how to reform the country.

And the country needs reform. Unemployment and immigration are two examples. To tackle the decades-long persistence of a disastrously high French unemployment rate, among the young and immigrants in particular, requires German- or U.K.-style relaxation of the labour code. It is an understatement to say that this will be controversial. Will Macron dare to touch it? On immigration, Macron has acknowledged the failure of immigrant integration. His proposals, which turn on better education starting at the primary level, make sense. But it is far from clear whether he can make progress on this dossier without controversial initiatives such as a dramatic limit on immigration, especially from the Maghreb and sub-Saharan Africa. Imposing tough border controls would violate the Schengen Agreement, which eliminates border controls among most European Union (EU) member countries and a few non-EU countries. An immigrant who enters a Schengen-member country has the right in principle to move freely to any country in the Schengen zone.

At time of writing (the day after Macron’s second-round victory), Macron’s immediate hurdle is the general election in June for the French National Assembly. His own political party, En Marche, created over the last year to support his campaign, lacks local political roots and may win few parliamentary seats. The National Front will make gains over the two seats it currently holds, but “ganging up” by its opponents in the legislative second round will limit its potential. Given public hostility to the outgoing Socialist President, François Hollande, the Socialists will not fare well. The legislative winners may well be the Republicans, the centre-right party, whose éminence grise is former President Nicolas Sarkozy – in which case Macron will wind up in effect cohabiting with a National Assembly dominated by Hollande’s predecessor.
France is déjà vu all over again

The results of last June’s U.K. Brexit referendum, last November’s U.S. presidential election and the April 23 first round of the French presidential election share obvious similarities. In all three, more than 40 per cent of voters in effect rejected core institutional arrangements that had seemed subject to electoral consensus for over a quarter-century. At the core of current populism is the argument that free trade and large-scale immigration have led to stagnant incomes for most of the native-born and unacceptably rapid change in the ethnic composition of communities. The two dimensions, stagnant incomes and fear of lost identity, are related inasmuch as immigrants are perceived not only to be culturally alien but also to be lowering wages among native-born citizens with low formal education.

Geography matters in this discussion. In the cosmopolitan cities – in London, Paris, New York and San Francisco – the majority have overwhelmingly rejected populist candidates. The populists, in general, have succeeded in regions beset by declining industries, below-average education levels and above-average unemployment.

In examining the recent French election, we can start with the map showing the winners in the first round by department. In the centre of Paris, a friend observed, Marine Le Pen could not get herself elected dogcatcher.

She garnered 5 per cent of the vote. With the exception of Seine-Saint-Denis (about which more below), Macron headed the polls in the eight departments encompassing Paris and its extensive suburbs. On the other hand, Le Pen led in nearly all departments of the north and northeast, and in the Midi (south). In addition to most of the cities, Macron prevailed in departments in the west and southwest.

![FIGURE 1: FRENCH FIRST-ROUND PRESIDENTIAL ELECTION RESULTS, BY DEPARTMENT](image-url)
In the U.K. Brexit referendum, the U.S. presidential election and the first round of the French presidential election, more than 40 per cent of voters in effect rejected core institutional arrangements that had seemed subject to electoral consensus for over a quarter-century.

Unique among countries beset by populist revolts, in France left-wing populism inspired by a long tradition of Marxism has proved nearly as prominent as right-wing populism inspired by long traditions of cultural nationalism. In the first round, the four leading candidates realized popular votes within a narrow range: 19.6 per cent for Jean-Luc Mélenchon, left populist leader of a newly founded party, France Insoumise, a competitor to the French Socialist Party; 20.0 per cent for François Fillon, winner of the primary organized by the centre-right Republicans; 21.3 per cent for Le Pen, candidate of the National Front, founded by her father; and 24.0 per cent for Macron, head of the newly founded En Marche.

Random events and small shifts in turnout could readily have generated a second round – a runoff between the first and second ranked candidates – from any combination of two among the four leading candidates. Several months ago many predicted a runoff between Fillon and Macron or Fillon and Le Pen. Unfortunately for Fillon’s electoral prospects, a weekly left-wing satirical paper, Le Canard Enchaîné, revealed massive abuse of his expense account as a member of the National Assembly over the last decade.

Mélenchon nearly doubled his vote in the final month, most of his votes coming from Benoît Hamon, hapless winner of the Socialist Party primary, who ultimately received only 6.3 per cent of the vote. Had Mélenchon’s rise commenced earlier, he might have shifted even more votes from Hamon, and ranked first or second. A hypothetical shift of three percentage points from Macron to Mélenchon would have sufficed, all else unchanged, to generate a runoff between Mélenchon and Le Pen.

Worth noting, the French presidential election has once again illustrated the famous Arrow “impossibility theorem.” Kenneth Arrow is an American economist who demonstrated formally that any electoral system can be gamed. There is no guarantee that a voting system will generate the outcome favoured by a plurality.

The trouble with French Islam today

A number of years ago Irshad Manji, a liberal Muslim originally from Vancouver, wrote a book called The Trouble with Islam Today. Her thesis was the loss of critical thinking among current Muslim leaders and the retreat of many into a fundamentalist interpretation
of Islam, one that is deeply suspicious of Western culture. Islam in France is currently undergoing its own trials, related to the problems Manji identified but in a specifically French context.

The first large-scale Muslim immigration to France came from the Maghreb in the 1960s. At the time, France was enjoying its 
trente années glorieuses following World War II. Its economy was growing rapidly and this first wave found employment and integrated reasonably well. Many had had close contact with the French during the decades of colonialism; some had sided with the French against the liberation movements. Subsequently, they were joined by many from francophone sub-Saharan ex-colonies. No official statistics exist but estimates place the present share of Muslims at 10 per cent or more of the French population.

It is an understatement to note that Muslims are less integrated today than half a century ago. Why? Some blame discrimination on the part of the French, too rigidly attached to notions of laïcité. Some blame an overly generous welfare state that provides few incentives for the poorly educated to take low-paying jobs. Some blame a rigid labour market that makes it impossible to fire, and hence employers do not hire. And some blame the rise of conservative political Islam as an ideology inviting Muslims in France to reject Western culture. I give some weight to all of the above.

Le Pen’s insistence on strict laïcité and her call to extricate France from the Schengen accord in order to impose strict immigration controls are anathema to most Muslims. Fillon also adopted a “tough” stand. On July 14, 2016, a jihadist in Nice drove a large truck through a crowd celebrating Bastille Day, killing 86 and wounding well over 100. Following the attack, Fillon published a short book entitled Vaincre le totalitarisme islamique (To Defeat Islamic Totalitarianism). The title reveals the plot: France must be tough in response to political Islam, whether it be the Islamic State or terrorists within France. This is a dossier on which Macron has said little. Which left an opening for Mélenchon.

Mélenchon is a product of French Marxist tiers-mondisme, a tradition that includes celebrities such as Jean-Paul Sartre and has been maintained by papers such as Le Monde Diplomatique. To his credit, Mélenchon has not minimized the misogynist features of political Islam; instead, he has consistently articulated the social demands of the Muslim community. The result is that he captured well over half the Muslim vote. Mélenchon did well in departments and cities with large Muslim diasporas. The one department

To his credit, Jean-Luc Mélenchon has not minimized the misogynist features of political Islam; instead, he has consistently articulated the social demands of the Muslim community. The result is that he captured well over half the Muslim vote.
in the Parisian region that Macron did not win was Seine–Saint-Denis, in the northeast of Greater Paris. It has a majority Muslim population and Mélenchon won a plurality. Similarly, in France’s second city, Marseille, the Muslim share of the population is high, and Mélenchon prevailed. However, overall in Bouche-du-Rhône, the department encompassing Marseille, Le Pen prevailed. The Midi is a region where Muslim-French relations are tense. Not surprisingly, the majority in Nice voted either for Le Pen or Fillon.

Were this a “normal” election, a victory of 66 per cent to 34 per cent would indicate stability, a solid majority and a “loyal” opposition. But in the age of mainstream versus populist and Muslim alienation, this is not the case. One symptom of malaise is the exceptionally high percentage of spoiled ballots, votes blancs (ballots submitted with no candidate selected) and nonvoters. Most foreign observers, understandably sympathetic to Macron, are projecting onto him their proposed policy solutions and minimizing the difficult institutional reforms required to realize them.

... and across the Channel

In early June, shortly before the French legislative election, the British will vote in a snap general election called by Conservative Prime Minister Theresa May. There is currently no British equivalent to Macron. Instead, the Conservatives are en route to winning a resounding victory and continuing their “Brexit means Brexit” strategy of rapid withdrawal from the EU. Labour Party leader Jeremy Corbyn is en route to presiding over Labour’s worst defeat in three decades.

Nigel Farage, the most prominent proponent of Brexit, is to Marine Le Pen as Jeremy Corbyn is to Mélenchon. Both Corbyn and Mélenchon view the EU as an institution whose primary purpose is to persuade the working class to accept rampant free trade. Both leaders have tiers-mondiste sympathies: they support the agenda of the immigrant diasporas in their respective countries. Both passionately dislike the legacy of the major centre-left parties in their respective countries.

Corbyn is the dog that didn’t bark in the 2016 U.K. referendum debate. Nominally, Labour supported Remain, but Corbyn’s heart was not in the fight. (Four decades earlier, at the time of the first referendum on U.K. withdrawal, he had argued for Brexit.) Conscious that Labour supporters are divided between many in the Midlands and north who support Brexit and those in the south, in London in particular, who want to remain in the EU, he mumbled.

The bitter conflicts within Labour ranks over Leave versus Remain and over the legacy of the Blair-Brown government have produced disarray analogous to that among the French Socialists. U.K. local government elections took place a few days prior to the second-round election in France. Labour fared disastrously, losing a large number of local councillors. For the Conservatives it was a resounding success in terms of councillors gained. Their hard drive to exit the EU has co-opted the majority of Farage’s supporters in the United Kingdom Independence Party (UKIP) as well as many Labour supporters.
As a member of David Cameron’s cabinet, Theresa May nominally supported Remain in the referendum campaign. But, like Corbyn, her heart was not in it. Upon Cameron’s resignation as prime minister, she won the internal struggle for party leadership. Tactically, she has outmanoeuvred both UKIP and Labour, and the disarray within Labour has given the Conservatives a very large lead in the polls. The five polls conducted so far in May give them an average 18-point lead over Labour.

French and English political institutions are in disarray. Macron’s victory gives France a reprieve, but it is far too soon to relax. In the U.K., May is a brilliant tactician able to win battles against immediate opponents within and beyond her party, but her “Brexit means Brexit” strategy dooms Britain to a cramped marginal status.

One of the few high-profile voices to make the case for continued British participation in the EU and resurrection of the centre-left is Tony Blair. It is unlikely that he will be able to replicate the role of Churchill, condemned to political purgatory in the 1930s for his early aggressive hostility to Hitler. Blair’s reputation has been severely tarnished by accusations of his having manipulated parliamentary support for the U.S. military removal of Saddam Hussein. Nonetheless, Blair deserves some credit: he recently contributed the majority of his wealth (£10 million) to found a new foundation on behalf of centre-left politics in Europe.

As Napoleon reputedly said, *on s’engage, et puis on verra.*

Macron’s victory gives France a reprieve, but it is far too soon to relax. In the U.K., May is a brilliant tactician, but her “Brexit means Brexit” strategy dooms Britain to a cramped marginal status.

### Notes

1. My translation of the debate transcript reported in Le Monde on May 3: “M. Macron est le choix de la mondialisation sauvage, de l’ubérisation, de la précarité, de la guerre de tous contre tous, du saccage économique, notamment de nos grands groupes, du dépeçage de la France, du communautarisme. [...] Les Français ont pu voir le vrai Macron dans ce second tour : la bienveillance a fait place à la médisance, le sourire étudié se transforme en rictus au fur et à mesure du meeting, l’enfant chéri du système et des élites, a tombé le masque.” *Communautarisme* refers to inward-looking group identity, at the expense of identification with France as a whole.

2. My translation of the debate transcript reported in TF1 on May 3: “Votre projet, c’est un projet qui vise à vivre de la peur et des mensonges. C’est ce qui vous nourrit, c’est ce qui a nourri votre père pendant des décennies, c’est ce qui a nourri l’extrême droite française et c’est ce qui vous a fait vous. C’est pour ça que je n’en veux pas pour notre pays. Parce que la France que je veux, elle vaut beaucoup mieux que ça. La France que je veux ne sera pas divisée. Mais pour cela, il faut sortir d’un système qui vous a coproduit. Vous êtes la coproduction du système que vous dénoncez parce que vous en vivez. Vous êtes son parasite.”

3. According to a poll reported in Libération on April 25, 55 per cent of Muslims supported Mélenchon. Other polls indicate an even higher share.
The Kremlin strikes back in Central and Eastern Europe

by Filip Kostelka and Eva Krejčová

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This article is extensively sourced. For the references see the electronic version of the article at www.inroadsjournal.ca

Infiltration of an opposition demonstration, inciting the demonstrators to storm the country’s parliament, then having mercenaries disguised as police massacre them, while simultaneously assassinating the country’s long-serving Prime Minister.

The first scene of a Jason Bourne movie? No, an alleged coup attempt planned by Russian spies, thwarted in October 2016, on the day of the elections to Montenegro’s parliament. Originally circumspect in his allegations, the Montenegrin prosecutor now openly accuses Russian authorities of having masterminded the plot. Although much remains unclear, there are several developments that give credence to this accusation. But whatever the specific facts, it is but one of many manifestations of Russia’s growing appetite for intrusion in Central and Eastern European politics. More than 25 years after the fall of the Iron Curtain, the Kremlin is rebuilding its political clout in the former Soviet empire.
What does Putin want?

In the early 2000s, many in Central and Eastern Europe (CEE), as well as in the West, were persuaded that Russia had been transformed into a relatively democratic, if not liberal, country. They believed that Russia’s primary objective was to stabilize its institutions, modernize its economy and develop business ties with the rest of Europe. Russia was seen politically as a strategic partner, and economically as a great business opportunity. Among other signs, this optimistic view was supported by the positive attitude toward the West that Russian President Vladimir Putin had adopted on taking office in 1999. For example, the Kremlin did not strongly oppose NATO’s expansion into the Baltic states in 2002. Similarly, Russians accepted the establishment of U.S. military bases in Central Asia and, more generally, supported the American war on terror.

Soon, however, Russian foreign policy was subject to a major overhaul, triggered apparently by the Orange Revolution in Ukraine in 2004, which followed upon the Rose Revolution in Georgia in 2003 and the Bulldozer Revolution in Serbia in 2000. This propagation of the “revolutionary virus,” replacing pro-Russian authoritarian regimes by more or less pro-Western democratic ones, was increasingly perceived as a threat to Putin’s regime. The events in Ukraine in particular were an eye-opener and, according to some observers, a shock comparable to 9/11 in the Western world.

Putin and his entourage suddenly understood that the winds of change were clearly flowing in the wrong direction and that accommodation and openness toward the West had to come to a halt. Such a shift in foreign policy, which implied a more active role...
for Russia abroad, was facilitated by the favourable economic context brought about by skyrocketing gas prices, along with signs of weakness in the West such as the protracted wars in Afghanistan and Iraq and the failed constitutional treaty in the European Union.

The current regime’s survival is, without much doubt, the primary motivation for Russia’s activism in CEE and beyond. By weakening the West and pro-Western actors in the East, Russia aims to deprive its domestic opposition of material and ideological support. Although Putin seems to benefit from genuinely high approval within Russia – greatly facilitated by the state’s tight grip on the media – the mobilization potential of the opposition (as manifested in the nationwide protests on March 26) and the unpredictability of revolutionary movements should not be underestimated.

A major warning came from Ukraine – symbolically, 10 years after the Orange Revolution. The Euromaidan events of 2014, which ousted Russia-leaning Ukrainian President Viktor Yanukovych, constituted yet another pro-Western revolutionary upheaval in Russia’s backyard. Given that Russia had long felt threatened by the West, it does not come as a surprise that the Ukrainian déjá vu provoked Putin’s most aggressive and spectacular external action so far: the military campaign in Ukraine. Even though the annexation of Crimea and covert intervention in eastern Ukraine reflect Russia’s strategic interests (the importance of Russia’s naval base in Crimea’s capital Sevastopol) and imperial ambitions, the dominant considerations in these operations were domestic ones. The actions in Ukraine demonstrated Putin’s determination to fight resistance and bolstered his legitimacy. His popularity, which had been declining as a result of the economic downturn that began in 2012, shot up as the population was called on to “rally round the flag.”

The second motivation underlying Russia’s increasing activity in CEE is its historical aspiration to be a great power. This aspiration, explicitly invoked by Putin even in his first presidential term, reflects elite and mass opinion. Surveys reveal that a majority of Russians are nostalgic for the Communist era, when the Soviet Union played a leading role on the world stage and CEE was part of the Soviet empire. Most Russians approve of the Kremlin’s increasingly neo-imperial and anti-Western discourse and agree that Russia has the right to regain control of its near abroad. By adopting aggressive, anti-Western expansionism, Putin extends Russia’s sphere of influence and – what likely matters more to him – consolidates his position back home.
Russia’s strategy and tools

Because of its history and geography, CEE is the natural target for Russia’s expansion and principal battlefield for the confrontation between Russia and the West. Russia’s main objective is the weakening, delegitimization and, if possible, disintegration of the two main Western structures: NATO and the European Union. Territorial expansion is probably not a priority at this stage, but it may become one since if and when the main objective is met it will become infinitely easier to implement. To achieve its ends, the Kremlin employs three principal types of tools.

Military operations are the first and, obviously, the most extreme. They can be used in Russia’s close proximity and, as long as NATO is operational, only against countries that are not NATO members. Up to the mid-2000s, Russia acted mainly indirectly, helping keep armed conflicts in Moldova, Georgia and Azerbaijan frozen. Since then, however, the Kremlin has not hesitated to launch direct military interventions, which all targeted countries that were moving into the Western orbit: Georgia (2008), Ukraine (2014) and, presumably, Montenegro (2016).

After a victorious but embarrassing traditional war against Georgia in 2008, which revealed weaknesses in the Russian military, the last two operations took the form of hybrid warfare, executed by unidentified armed forces consisting of regular soldiers, mercenaries and local extremists. By officially denying any involvement (a key part of its disinformation campaign), Russia averts a direct response from NATO and, in case of failure (as in Montenegro), avoids embarrassment in domestic public opinion, which proved fatal to authoritarian regimes in the past. Conversely, as the Crimean experience demonstrates, it is never too late to claim responsibility in case of a positive outcome.

In the Baltics, despite NATO’s guarantees, there is fear of a Russian invasion, especially with Donald Trump in the White House. The fact that Lithuania (in 2015) and neighbouring Sweden (in 2017) have reintroduced conscription, and that the measure has been discussed in Latvia, speaks for itself. In Estonia (which retains conscription) and in Latvia, there

Surveys reveal that a majority of Russians are nostalgic for the Communist era, when the Soviet Union played a leading role on the world stage and Central and Eastern Europe was part of the Soviet empire.

Vladimir Putin with Czech President Miloš Zeman, one of his closest allies in CEE. PHOTO KREMLIN.RU
is concern about Russia’s instrumentalizing these two countries’ large Russian-speaking minorities in a repeat of the Ukrainian scenario. Moreover, these countries remain vulnerable to potential disruptions in the supply of Russian gas. Tension remains high, maintained by Russia’s frequent military drills, the reinforcement of its military presence in its Kaliningrad enclave, daily violations of the Baltic states’ airspace by Russian jets, disinformation and cyberattacks.

The second type of tools in CEE consists of circles of influence made up of CEE countries’ politicians, public officials, judges, secret services and business leaders, established through a combination of legal business operations, corruption, patronage and blackmail. In the first stage, businesses and lobbies close to the Kremlin typically establish economic partnerships in the target countries. Together with their local partners, they subsequently identify politicians and public officials to promote their economic interests and, by the same token, Russia’s political agenda. Once these politicians and officials receive money or other favours, sometimes without being aware of the origin of the largesse, they are trapped. Unless they want to see their career in ruins, they have to remain an active part of the Russia-affiliated network of influence. Some of these “agents” act, at least partially, on ideological grounds (Russophiles or nationalists opposed to supranational governance and globalization); others, however, seek personal gain as the networks have an interest in helping their members make it to the pinnacle of political and economic power.

For obvious reasons, the operations and scope of the Russian networks of influence are difficult to trace. Nevertheless, apart from testimonies, reports and leaks from counter-intelligence, there is abundant anecdotal evidence of worrisome links between Russian lobbies and Central and Eastern European elected officials. As in western Europe, many pro-Russian sympathizers in CEE are found among both far-right and far-left politicians, whose anti-establishment and anti-Western orientations fit Russia’s goals extremely well. Political parties such as Jobbik (far right) in Hungary, the KSCM (Communist) in the Czech Republic, the SNS (far right) in Slovakia and Ataka (far right) in Bulgaria all defend pro-Russian positions and maintain close relations with Russia’s representatives.

But this is only the tip of the iceberg. Russia’s allies can be found in the highest echelons of CEE politics. It is publicly available information that Lukoil, the Russian state oil firm, has backed former Czech President Václav Klaus (2003–2013) and current President Miloš Zeman, who became perhaps the most high-profile and vocal detractors of the EU in the Western world. While constrained by the largely ceremonial role of the Czech presidency, Klaus and Zeman have artfully enrobed pro-Russian positions in the cloak of a populist and nationalistic discourse, which appeals to a large segment of the Czech electorate.

In neighbouring Hungary and Slovakia, the long-serving prime ministers, Viktor Orbán and Robert Fico, have been more opportunistic in their support of Russia. However, using similar populist undertones, they do not hesitate to question European integration and criticize the sanctions that the EU adopted
against the Kremlin in the wake of Russia’s annexation of Crimea. In those countries, Russia’s main leverage is energy. Hungary signed a 2014 deal with Rosatom, the Russian state nuclear firm, to build a nuclear power plant, funded by a Russian loan. Slovakia, which has also negotiated with Rosatom over the construction of a new nuclear reactor, is notably concerned by the construction of a new pipeline (Nord Stream 2) between Russia and Germany, which could deprive it of lucrative revenue from the transmission of Russian gas to western Europe.

In southeastern Europe, Russia benefits from strong historical, cultural and business ties in countries such as Bulgaria, Serbia and Moldova. Public opinion is somewhat more sympathetic toward Russia here than it is in central Europe. Mainstream political parties tend to try to strike a balance between the West and Russia, turning a blind eye to Russia’s increasingly aggressive foreign policy. This is particularly true of Serbia, which despite its bid for EU membership has refused to participate in EU sanctions against Russia after the annexation of Crimea. Moreover, Serbia takes part in joint military exercises with the Kremlin, and purchases military equipment from Russia. In return, the Russians defend Serbia’s claim to Kosovo, which seceded from Serbia in 2006, and question Serbia’s responsibility for war crimes during the Yugoslav Civil War. Russia also supports Serb minorities in Bosnia-Herzegovina and Kosovo and instrumentalizes their grievances to disrupt the shaky regional stability maintained by NATO.

The third type of tools through which Russia interferes in CEE politics is a vast disinformation campaign, which has intensified since the Ukraine crisis. The campaign relies on a variety of vehicles:

- official Russian media run in multiple language forms (the RT and Pierviy Kanal TV stations and the Sputnik news agency);
- a multitude of mostly online platforms in CEE languages, ranging from conspiracy and antisystem magazines to relatively respectable news outlets;
- puppet pro-Russian nongovernmental organizations and think tanks;
- groups, pages and channels on social networks and video-sharing platforms;
- internet trolls, bloggers and bots (automated accounts on social media and discussion forums).

These different vehicles interact and spread disinformation by combining fabricated stories and twisted interpretations with factually accurate reporting.

Current Russian disinformation is considerably more sophisticated and efficient than Soviet propaganda used to be, especially because it seldom focuses on Russia. Instead, the main objective is to divide and polarize the targeted societies and undermine public trust and support for democratic institutions, the mainstream media and Western structures and alliances (NATO, the EU, the United States). The West is depicted as belligerent, morally corrupt and on the brink of collapse. Western democracy is reportedly subverted by collusion of political and business elites supported by mainstream media that are biased, censored and manipulative.
The campaign targets different countries with messages to fit their particular circumstances. Although it is global in its objectives, as illustrated by its interference in the 2016 U.S. presidential election, the campaign is particularly intense in Central and Eastern Europe. In the Czech Republic alone, the Prague-based think tank European Values counted 39 Russian disinformation websites in April 2016. The most prominent targets are the Baltic countries with Russian minorities and the aforementioned countries that have been historically close to Russia (Bulgaria, Serbia, Moldova and Montenegro).

Prospects for democracy and security in Central and Eastern Europe

Crimea sets a dangerous precedent. Russia managed to illegally annex it with practically no resistance, and today the status of the peninsula is no longer on the negotiating table. EU authorities condition the removal of the sanctions against Russia on implementation of the Minsk II agreement, which aims to pacify the situation in eastern Ukraine but says nothing about Crimea. More widely, Russian disinformation, capitalizing on recent challenges faced by the European Union (especially the euro crisis, the refugee crisis, terrorism and Brexit) and on Russia’s military success in Ukraine and Syria, seems to bear fruit in a variety of European countries. It also contributes to the rise of populism in Western countries. The emergence of increasingly authoritarian and inward-looking governments in Poland and Hungary could encourage the rise of similar governments elsewhere in CEE. To this must be added the effect of statements by the new U.S. President and his entourage undermining the credibility of NATO’s commitments in CEE.

Russia’s dream of a restored position of leadership – of a disintegrated, divided, and vulnerable CEE under its hegemony – has little prospect of materializing in the near future. Yet, in contrast to a few years ago, it is sadly no longer entirely implausible. In confronting the West, Putin’s regime has the advantage of facing fewer moral, legal and procedural constraints than its foes. As the first post-Communist Czech President, playwright and dissident Václav Havel, put it, “It is a natural disadvantage of democracy that it ties the hands of those who wish it well, and opens unlimited possibilities for those who do not take it seriously.” Naturally, EU member states cannot apply the same methods to fight Russia’s activities in CEE as Putin employs to repress opposition in Russia. Similarly, the West is penalized by an asymmetric exposure to disinformation. As a study by the NATO Strategic Communications Centre of Excellence explains, “Via RT and Perviy Kanal, Russia has free access to democratic societies, while the West’s ability to influence Russian audiences is limited and controlled by the [Russian] state.”

Still, there is still a good case for optimism. First, Russia does not really propose an alternative model to Western democracy. Few Europeans are seriously attracted by the prospect of living in an illiberal and unequal society. The current populist challenge, supported by Russia, is for many voters a call for
more and not less democracy. And although EU institutions face multiple criticisms, a large majority of Europeans support EU policies (including common defence and security). Similarly, in spite of Russia’s disinformation campaign, the prosperity of European Union membership remains attractive in the Balkans.

Second, the European Union and NATO are, economically and militarily, incomparably stronger than Russia. For Moscow, an open confrontation with the West is thus, under the current circumstances, undesirable if not inconceivable.

Third, some countries are learning how to counter disinformation. The Scandinavian versions of the news agency Sputnik closed in 2016 because of low readership. Factors such as high-performing adult education systems and the actions taken by the public authorities to inform the public of the Russian threat presumably helped. This is something many European governments could do better. Although the Kremlin clearly wages an information war against Europe, relatively few Europeans perceive Russia as a major threat when compared to the Islamic State, climate change or economic instability.

Fourth, both NATO and the most exposed countries (the Baltic states, Poland and their Scandinavian neighbours) have built up their defence capacities and seem increasingly prepared for Russian hostility. In addition, notwithstanding the verbal opposition voiced by the Hungarian and Slovak prime ministers, EU governments remain united in the sanctions against Russia.

Finally, even though the Kremlin currently seems to be on the offensive, it should not be forgotten that its actions were initially motivated by its increasing vulnerability. However improbable it seems now, Putin’s destiny could be that of many authoritarians before him (including the Soviet leaders) whose support unexpectedly crumbled like a house of cards. As we write these lines, protest marches against corruption are taking place in more than 80 cities all around Russia. In the years to come, as Putin’s position weakens, we could very well see an escalation of the confrontation with the West. Yet, we could also see a change in Russian leadership and thus, hopefully, significantly better prospects for democracy and security in Central and Eastern Europe.

Crimea sets a dangerous precedent. Russia managed to illegally annex it with practically no resistance, and today the status of the peninsula is no longer on the negotiating table.

PHOTO COURTESY VICTOR KORNIYENKO/WIKIMEDIA COMMONS
Italy’s second political earthquake

In 2013 as in 1994, popular dissatisfaction led to political realignment

by Giorgio Malet

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While many observers were shocked if not horrified by the election of Donald Trump, Italians were feeling a sense of déjà vu at what they saw happening across the pond. Pundits have tended to disregard developments in Italian politics in the last two decades, seeing the Italian experience as the product of idiosyncrasies of a rather peculiar country. However, time has shown that Italy’s flaws were not particularly idiosyncratic, as liberal democracy has come to face severe challenges in many Western countries. A trip through the past two decades of Italian political history could thus be most revealing as to what we may expect in other democracies that today are under stress.

During this period Italy experienced two major anti-elite uprisings. In both the 1994 and 2013 elections more people changed their votes than at any other time in Italian history. These two electoral earthquakes resulted from deep and widespread popular dissatisfaction with the political system and mainstream political actors. Both elections saw the sudden success of new political parties which transformed Italian politics. In 1994 the newly established Forza Italia, the party of the tycoon Silvio Berlusconi, won 21 per cent of the vote; in 2013 a quarter of Italian voters chose the Five Star Movement led by the former comedian Beppe Grillo, a record gain in Italian politics (table 1).
In 1994 the massive electoral realignment occurred in the wake of corruption scandals that ended up effectively destroying the party system of what is commonly called the “First Republic” (1948–1993). That system amounted to the continuous domination of the same governing coalition. In 1992, spectacular revelations started to emerge from investigations into almost every party represented in the parliament. That was the straw that broke the camel’s back, and it fuelled major structural changes in the party system. The result was the almost complete disappearance of most pre-1992 parties and their replacement by new political actors who were fundamentally different from their precursors in both identity and organization.

Among the new parties, Forza Italia deserves special attention, as Silvio Berlusconi quickly became the indispensable focus of Italian politics. The party system of the “Second Republic” was marked by sharp and lasting conflict around the figure of the Cavaliere, as he is – and likes to be – known. Although the explanation of his enduring success as being based on his control on the media and his effective use of political marketing has some truth in it, there is more to it. No one can have such a lasting impact on the political life of a country without a message that corresponds to what voters want.

At its core, Berlusconi’s ideology was a mix of populism and liberalism. He rejected

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**TABLE 1: ELECTION RESULTS IN 2013**

<table>
<thead>
<tr>
<th></th>
<th>Votes (%)</th>
<th>Seats (%)</th>
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<tbody>
<tr>
<td><strong>Left-wing coalition</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Democratic Party (PD)</td>
<td>25.5</td>
<td>47.1</td>
</tr>
<tr>
<td>Left Ecology and Freedom (SEL)</td>
<td>3.2</td>
<td>5.9</td>
</tr>
<tr>
<td>Democratic Centre (CD)</td>
<td>0.5</td>
<td>1.0</td>
</tr>
<tr>
<td><strong>Right-wing coalition</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>People of Freedom (PdL)*</td>
<td>21.4</td>
<td>15.6</td>
</tr>
<tr>
<td>Northern League (LN)</td>
<td>4.0</td>
<td>2.9</td>
</tr>
<tr>
<td>Brothers of Italy (FdI)</td>
<td>1.9</td>
<td>1.4</td>
</tr>
<tr>
<td><strong>Centrist coalition</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civic Choice (SC)</td>
<td>8.6</td>
<td>6.2</td>
</tr>
<tr>
<td>Centre Union (UdC)</td>
<td>1.7</td>
<td>1.3</td>
</tr>
<tr>
<td><strong>Challenger</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Five Star Movement (M5S)</td>
<td>25.1</td>
<td>17.3</td>
</tr>
</tbody>
</table>

* Now again Forza Italia, after the split of a centrist faction which entered the governing coalition.

Source: www.politicaldatayearbook.com

Note: The table reports the vote and seat share for the Chamber of Deputies. Only parties that obtained at least one seat are included.
the shared traditional portrayal by Italian political elites of a backward country that had to be modernized: for him, the Italian people were good as they were, with their vices and their virtues. Berlusconism built on the profound anti-Communism of the First Republic, putting an end to the cultural marginalization of the right in the pre-1994 era. Although Forza Italia initially brought to Italy the neoconservative ideology that had spread in the West in the 1980s, its leader gradually dismissed the economic liberalism of the early stages and moved the party to a more traditional conservative stance. The broad appeal of this recipe allowed Berlusconi to govern the country for more than ten years between 1994 and 2011.

In June 2011, the Economist published a 14-page special report on Italy. The cover of the issue featured a picture of a proud Silvio Berlusconi with the title “The man who screwed an entire country.” The report had a significant impact on public debate in Italy, as it was only in the spring of 2011 that Berlusconi had started to recognize publicly the dire situation of the Italian economy. A few months later, his inadequacy in dealing with the economic crisis led to pressures from the European Union and international markets for a change in government. The President of the Republic, Giorgio Napolitano, demanded Berlusconi’s resignation, and asked the former EU commissioner Mario Monti to form a cabinet of technocrats who would deal with the country’s economic and financial emergency. With almost no opposition, or indeed serious discussion, in its first months of office the Monti government pushed through two policy packages containing austerity and liberalization measures.

During 2012 the increasing unpopularity of the technocratic government’s policies drained support from both the mainstream left (the Democratic Party) and the mainstream right (the People of Freedom, heir to Forza Italia). The credibility of the People of Freedom was largely undermined by the failures of the Berlusconi government. The right-wing electorate was unhappy with the increases in taxation and the pension reform introduced
by the Monti government. The left faced the dilemmas typical of social democratic parties in the postindustrial world; in particular, its pro-EU stance contrasted with its traditional position on worker protection. Moreover, in accepting the appointment of a technocratic executive rather than calling for new elections, the left made itself vulnerable to accusations of weakness.

In other words, neither the right nor the left seemed willing to take over the responsibility of solving the country’s pressing economic and financial problems. Confidence in the Italian mainstream parties’ capacity to govern – called into question by the appointment of a technocratic executive – as well as in the moral integrity of the Italian political elite was damaged during these crisis years. A large and growing number of newspaper articles and popular books raised these issues, and this in turn gave rise to popular indignation. It is only in this context that the astonishing success of the Five Star Movement can be understood.

The party founded by Beppe Grillo had its roots in the humus of the movements of the libertarian left. The five stars of the name represent the main pillars of its founding program: defence of the environment, public water service provision, zero-waste development, free internet connectivity and sustainable transportation. Along with these pillars, there is an emphasis on morality in public life, a central theme of Beppe Grillo’s blog since 2005. The “Clean Up Parliament” initiative and, later, the 2007 “V-Day” rallies (literal translation: “Fuck Off Day”) are manifestations of this reality.

While these early experiences can be fit into the various expressions of anti-Berlusconi mobilization promoted by left-wing grassroots activists that emerged in 2001, over time Grillo’s relationship with the parties of the left evolved from collaboration to competition. The dominant discourse now is anti-elitist. It refuses to distinguish between the left and the right, instead drawing a clear line between the morality of ordinary people and the corruption of the elites – so much so that today no concept captures the essence of this party better than populism.

The party’s approach to the internet shows just how pure its populism is. For the Five Star Movement, the web is more than a means of communications and organization; it is a key element in the party’s conception of politics and democracy. The exaltation of direct democracy, in its digital version, is the concrete expression of its conception of politicians as delegates constrained by an “imperative mandate” from the people. However, the leader often disavows its democratic principles in practice, imposing a three-line whip upon his MPs on controversial policy issues or intervening in the candidate selection process.

Yet the populism of the Five Star Movement has not been the sole challenge to Italian liberal democracy. The weakening position of Silvio Berlusconi, whose party still won more than the a fifth of the votes in 2013, has since then favoured another party: the Northern League. Led by a newly elected leader, Matteo Salvini, the Northern League’s poll ratings are currently around 13 per cent nationally, even though it has long been active only in the northern part of the country.
The Northern League, the oldest party currently represented in the Italian parliament, has known ups and downs, from its semiclandestine early stages marked by ethnic regionalism to the national prominence of the controversial figure of Umberto Bossi, whose shifting personal popularity has been reflected in the party’s wavering support. It has always been hard to place the Northern League in any party family. The regional nature of the party has undergone significant changes through its phases of participating in coalition governments and being in opposition, but what remains consistent both for the grassroots and in its election campaigns is the stress on regional identity: the periphery versus the centre.

In every other way, populism for the Northern League is like a second skin. It dislikes politicians and intellectuals and wants to return to community traditions and look to charismatic personalities, to common sense, to the language “spoken by the people.” Although observers have been reluctant to include the Northern League in the radical right party family, the features placing it there became increasingly obvious over time, especially in its position on immigration, security and public order and in its hostility to the EU after Italy entered the Eurozone. The party’s platform has recently shifted in an attempt to extend its political activity to the rest of the peninsula. Even though this strategy is unlikely to succeed, it has enabled the party leader to present himself as leader of a national alternative to the centre-left government of Matteo Renzi.

Renzi, the young and ambitious leader of the Democratic Party, was appointed Prime Minister in February 2014. His honeymoon with Italian voters became rocky when his labour market reform alienated many former leftist supporters, and it came to an end in

FIGURE 1: OPINION POLLING OF MAIN ITALIAN PARTIES SINCE THE LAST ELECTION

Note: The figure shows monthly averages.
late 2016 with the rejection by referendum of a constitutional reform he had strongly advocated. The reform would have overcome the bicameral arrangement of the Italian parliamentary system by reducing the Senate’s powers both over the formation of governments and in the legislative process. However, the outcome of the referendum was mainly driven by widespread dissatisfaction with the government, especially in southern Italy, where the economy has not yet recovered from the crisis.

Following Renzi’s resignation, the Foreign Minister, Paolo Gentiloni, became Prime Minister, leaving the composition of the cabinet almost unchanged and Renzi with significant influence over government decisions. After his likely easy win over his internal rivals in the upcoming primary elections, he plans to present himself as a fresh candidate in the next general election, slated for 2018. As we can see in figure 1, the outcome is not at all certain.

In this context, the Five Star Movement and the Northern League have consolidated their position in the party system and gained further popularity. It is hard to tell in which direction they will push Italian politics as it is still unclear under which electoral law Italian voters will make their choices next year. The current proportional system – which resulted from a decision by the Constitutional Court abolishing the majoritarian bonus provided for by the previous law – has started to display its first effects in the increasing fragmentation of the party system.

On the left, the Democratic Party has recently suffered a split as two influential party leaders formed a new party in addition to the four or five already existing. However, they might eventually end up merging in a single list for the next election if they manage to overcome the traditional divisiveness of the Italian left. On the right, the rise of the Northern League has challenged the central role of Forza Italia (as Berlusconi’s party is once again called) as coalition builder. The radical right positions of Matteo Salvini seem irreconcilable with the moderate stances of the centrist parties once allied with Berlusconi. Furthermore, the uncertain future of Forza Italia is still tied to the destiny of its 80-year-old leader.

The current challenge to liberal democracy is, in the end, a challenge to mainstream politics and, in many respects, a reaction to the failures of established parties. The domestic consequences of globalization – in terms of economic competition, supranational integration and cultural diversity – have given rise to new political conflicts which, in turn, have uprooted the traditional reference points of “left” and “right.” The failure of mainstream parties to give voice to these new grievances and to propose and deliver practical solutions to these challenges has fuelled a vehement popular reaction. Thus, the economic crisis has only intensified a deeper political crisis which has been a long time coming.

Seen from outside, the Italian experience is certainly not encouraging. Italy has shown that democracies do not often learn from their mistakes. The politics of overpromising nourishes easy hopes and triggers strong disappointments. Populism can end up feeding more populism. If Italy manages to muddle through again, this time it must figure out a way to break out of this trap. The prospects are rather bleak.
Hans Brinker and the Dutch election

Populist nationalists lose, but also win

by Paul Lucardie

Paul Lucardie has done research on political parties and ideologies at the Dutch Political Parties Documentation Centre of the University of Groningen in the Netherlands since 1979. In 2014 he published Democratic Extremism in Theory and Practice: All Power to the People (London: Routledge). He holds a PhD in political science from Queen’s University in Kingston, Ontario.

Has the Dutch voter, like the legendary Hans Brinker, saved us all by putting his finger in the dike to stop the wave of nationalist populism engulfing the Western world? A superficial glance at the results of the March 15 election for the Dutch lower house of parliament (Tweede Kamer) might suggest that. Whereas many polls and pundits had predicted that the Freedom Party (Partij voor de Vrijheid, PVV) led by Geert Wilders would gain close to 30 seats (out of 150) and become the largest party in parliament, in fact PVV obtained only 20 seats, much fewer than the Liberal Party (Volkspartij voor Vrijheid en Democratie, VVD) (see table 1).

A closer look, however, reveals that the picture is rather more complicated. Parties at both ends of the nationalist-to-cosmopolitan spectrum did well in the election, at the expense of parties that either defended the status quo or took an ambiguous middle-of-the-road position on this spectrum. Nationalist parties sought to protect national identity and sovereignty, restrict immigration and strengthen national defence and security, whereas cosmopolitan
parties worried more about climate change, solidarity with refugees, diversity, privacy and civil liberties. Nationalism isn’t necessarily combined with populism, but it can be, as in the case of the PVV.

Issues such as Dutch identity, immigration and integration dominated much of the campaign. According to the polls, citizens regarded these as the most important political problems at the end of 2016, though they were closely followed by health care, income and job security, and governance. If economic issues had gained priority, the outcome could have been quite different. After all, the Dutch economy was in better shape in March 2017 than at the time of the last election in 2012: the Gross Domestic Product was rising again, while unemployment and the public deficit were shrinking. Yet the two parties that had formed a coalition in 2012, the VVD and the Labour Party (Partij van de Arbeid, PvdA), and – against the expectations of many observers – had managed to resolve their conflicts and provide a stable and relatively effective government, both suffered serious losses.

The (rather conservative) VVD remained the largest party and lost fewer seats than expected, possibly because of the firm way its...
Issues such as Dutch identity, immigration and integration dominated much of the campaign. According to the polls, citizens regarded these as the most important political problems at the end of 2016. leader, Prime Minister Mark Rutte, handled the diplomatic conflict with the Turkish government in the weekend before the election. When a Turkish minister went to the Netherlands to persuade Dutch-Turkish citizens (who generally have double nationality) to vote Yes in Turkey’s constitutional referendum, she was ordered to leave the country immediately. Earlier in the campaign Rutte had published a moderately nationalistic declaration in national newspapers. He called on immigrants to adapt to Dutch values and to behave “normally,” thus likely stealing some thunder from Wilders. In its election platform, the VVD called for stricter immigration and integration policies, though it did not go as far as the PVV.

The PvdA paid a much higher price for its participation in government. Its drop from 38 to 9 seats was the largest electoral loss for any party in Dutch history since 1918. Its leader, Deputy Prime Minister Lodewijk Asscher, seemed to take a rather ambiguous position in the debate over Dutch identity and immigration. On the one hand he called for “progressive patriotism.” In 2014 he had criticized Dutch-Turkish associations for obstructing the integration of their members into Dutch society. As a result, two Dutch-Turkish members of parliament left the PvdA and founded a new party called DENK – which means “Think” in Dutch and “Equivalence” or “Equality” in Turkish. On the other hand, Asscher passionately defended multiculturalism in a final television debate with Wilders. In addition, the PvdA had disappointed its own electorate on some salient issues, agreeing to increased individual contributions to health care (“personal risk”) and introducing a law which was intended to promote job security but in fact had the opposite result of further increasing the precariat.

While the two governing parties suffered substantial losses, some but not all opposition parties benefited. In this regard we should note the failure of the Socialist Party (SP), which actually lost a seat, to woo voters from the PvdA, despite advocating a more comprehensive public health care system, more secure jobs, higher pensions and welfare and democratic reforms like binding referendums. Some observers blamed this poor result on the party’s leader, Emile Roemer, who was perceived as a friendly uncle lacking the aggressive “bite” of successful opposition leaders. Yet one could also point at the party’s middle-of-the-road position on the most important issues: national identity, integration and immigration. In the 1980s, when still a Marxist-Leninist party, the SP had warned against mass immigration, at the time a taboo in Dutch politics. Gradually, while shifting from Marxism-Leninism to democratic socialism with a populist touch, it became more liberal in this respect, perhaps
confusing some of its potential voters. It also adopted a somewhat ambivalent attitude toward European integration.

As we can see in table 1, the large gains went to two decidedly, cosmopolitan parties, Democrats 66 (D66) and the Green Left (GroenLinks, GL). Both advocated more liberal immigration policies, as well as more European integration and a greener, more sustainable economy – even if the Green Left went further in this respect and relied more on government intervention. DENK, perhaps the most cosmopolitan party in its platform and the background of its list of candidates, won three seats in parliament. The Party for the Animals, which was founded to promote animal rights but emphasized cosmopolitan issues like climate change in its campaign, improved its standing from two to five seats.

Yet nationalist parties also made substantial gains. Even though it failed to live up to expectations, the populist PVV, which wanted to stop immigration, ban the Qur’an and close all mosques, as well as leave the EU and introduce binding referendums, became the second largest party. It waged a fairly weak campaign. Wilders refused to take part in most television debates and did not appear often in public because of increased security threats. His persistent enthusiasm for Donald Trump might have cost him some votes too. Rumour had it that he received Russian aid, but there is no evidence for this at all. Nor is there evidence for direct American intervention, though Wilders has received American money. In recent years the David Horowitz Freedom Centre had donated something like €100,000 to the Friends of the PVV Foundation.

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Moreover, a new populist party, Forum for Democracy (Forum voor Democratie), often regarded as “PVV lite,” entered parliament with two seats. And the Christian Democratic Party (Christen Democratisch Appel, CDA), which waged a rather nationalist campaign, was rewarded with six more seats. The Christian Democrats proposed to abolish dual nationality, restore conscription – to promote citizenship and respect for social norms and values – and teach the national anthem in all schools. Yet its nationalism remained traditionalist and unsympathetic to populism, even to the idea of popular sovereignty; Christian Democrats opposed the use of referendums and the direct election of mayors and other public officials.

The two other Christian parties, the Christian Union (ChristenUnie, CU) and the Calvinist Reform Party (Staatkundig Gereformeerde Partij, SGP) neither won nor lost
seats. Both appeal mainly to members of small Protestant denominations and not to secular voters. Finally, the senior citizens’ party 50Plus (50plus) managed to double its number of seats, avoiding the identity and immigration issues and simply insisting on higher pensions and a lower retirement age.

The Dutch party system is too complex and multidimensional to explain changes in terms of one factor or one dimension only. The 2017 election is no exception. The system has become even more fragmented than it had been since 2012, with the largest party obtaining only slightly more than 20 per cent of the popular vote and of the seats in the lower house of parliament.3 Socioeconomic issues, class cleavages and denominational differences as well as the personalities of the leaders all had some impact on the outcome of the election. However, the most important issue seems to have been national identity, integration and immigration. The parties that took a clear and consistent position one way or the other on this issue – and related issues like European integration and possibly also climate change – won seats at the expense of parties defending an ambiguous or middle-of-the-road position. As a result, the party system has become somewhat more polarized on this issue.

But in spite of their losses, middle-of-the-road parties have retained a pivotal position in parliament. The next government coalition will be neither nationalist nor cosmopolitan, but no doubt a bit of both; most likely it will be composed of VVD, CDA, D66 and either the Christian Union or the Green Left. Overall, nationalist populism has grown, even if not as much as expected. So no one should assume the matter resolved. If the dike hasn’t collapsed, there remain numerous weak spots. After all, Hans Brinker never existed.

Notes


3 The Netherlands has one of the purest proportional representation systems in the world; the seats are divided according to the popular vote across the country, which is effectively regarded as one constituency.
The rise, and apparent fall, of President Bannon

What we are witnessing now is the birth of a new political order.

— Stephen Bannon

A guy named Adolf Hitler won an election in 1932. He won an election, and 50 million people died as a result of that election in World War II, including 6 million Jews. So what I learned as a little kid is that politics is, in fact, very important.

— Bernie Sanders

Steve Bannon, who became Donald Trump’s “senior strategist” soon after Trump won the November election, has enjoyed a meteoric rise, and a seemingly equally spectacular fall from grace, in the short time since Trump improbably became President. The rise and fall are closely connected. As soon as the mainstream media began dubbing the chief strategist “President Bannon,” it was obvious to anyone with any familiarity with Trump’s psyche – and no one who isn’t a total hermit cut off from all media can get away from Trump’s psyche – that Trump would quickly sour on his top adviser in the West Wing. Hence Trump, all too predictably, now assures us that he’s his own strategist. When dealing
with Trump, what could be a worse sin than shoving him out of the limelight for which he so palpably hungerers?

Bannon may hang on, or he may resign, or he may get the axe. We don’t know. But whether he’s in the White House, or back at Breitbart News, or somewhere else, Bannonite politics expresses something important and disturbing about the contemporary zeitgeist. Regardless of how much longer he lingers in the White House, we still have a real interest in penetrating Bannon’s hyperactive political brain. Hence the following attempt to sketch a political-intellectual profile of this cantankerous and wily operator. If this turns out to be a political obituary of Stephen K. Bannon, so be it.

A short history of Bannonism

Up until the point when he joined the Trump campaign in August 2016, Bannon was a manically voluble communicator. He gave strident lectures to right-wing groups. He made films celebrating conservative icons from Ronald Reagan to Sarah Palin – there are reports that as a filmmaker Bannon modelled himself on Leni Riefenstahl. He even collaborated on the script for a rap version of Coriolanus, “drawn to Shakespeare’s Roman plays,” according to the woman with whom he co-authored the script, “because of their heroic military violence.”

Then Bannon closed up like a clam. Presumably, the time for words had ended; the time for deeds had begun. Bannon is on record as welcoming darkness and destruction. And in Trump, Bannon seemed to have found the suitable political instrument of the darkness and destruction for which he yearns.

Yes, there has been the odd interview with Bannon, often for the purpose of denying that he is a racist. Were those denials reliable? If so, one has to ponder why white supremacists like Richard B. Spencer were so visibly enthused by the Bannon- Trump consortium. Spencer, one will recall, immediately became the most visible face of the alt-right (neofascist) movement in America by greeting the Trump victory with the proclamation, “Let’s party like it’s 1933,” and by eliciting Nazi salutes from his followers when he shouted “hail Trump!” at a postelection alt-right conference in Washington. In any case, soon after earning this notoriety, Spencer released a provocative podcast in which he offered the following astonishing commentary on Bannon:

I think Bannon is a wild card, and a wild card is good ... Bannon has made gestures towards us; he’s said Breitbart is a platform for the alt-right. He’s apparently read Julius Evola and Alexander Dugin. Make of that what you will ... We want a wild card; we want change. So, I think Bannon is a good thing.

What’s wrong with this picture?

Julius Evola (1898–1974) was a ferocious racist and anti-egalitarian who characterized his politics as being to the right (!) of European fascism and who helped inspire far-right terrorism in Italy; Aleksandr Dugin (born 1962) is a Russian fascist who despises liberal
democracy and believes in Russian imperial expansion far beyond anything aspired to by Vladimir Putin. Clearly, Spencer refers to Bannon’s awareness of Evola and Dugin because he sees it as a further indication that Bannon is with “us.” (Spencer is an English-language publisher of Dugin.) In the same podcast, Spencer also tellingly pointed out that the final video ad of the Trump campaign (surely inspired by Bannon) “reminded me quite a bit” of videos produced by NPI (National Policy Institute, Spencer’s far-right, white-nationalist outfit).

Perhaps the most salient commonality between Bannon’s ideology and Dugin’s is the yearning for a grand apocalypse (World War III) expressed in both. In fact, the yearning for a cleansing apocalypse seems to be a conspicuous feature of several of the scariest ideologies that confront us today, including the ideology of the Islamic State, Duginism and now Bannonism. (And one should hasten to point out: even if Bannon is turfed out of the West Wing tomorrow, that doesn’t guarantee that “Bannonism” as a far-right populist movement is finished. In fact, there have been pointed suggestions from the Bannon camp that Bannon’s removal would prompt “the movement” to retaliate against Trump for having betrayed it; that very possibility of rebellion against Trump by the populist base may well be precisely what is currently keeping Bannon in place.)

When an earlier version of this article was posted on the Crooked Timber blogsite, a comment by Bruce Wilder cited a disturbing exchange between Bannon and David Kaiser, in which Bannon expressed his strong conviction that “the current crisis” will lead to a conflagration “at least as big as the Second World War in the near or medium term.” Kaiser, as quoted by Wilder, said that Bannon “did not seem at all fazed by the prospect.” As a comment by Andrew Brown on the Crooked Timber thread rightly pointed out, this is fully consistent with what Bannon said in a discussion in which he participated via Skype.
in the context of a 2014 conference held in the Vatican.\(^7\)

Given the paucity of direct evidence with regard to how Bannon thinks politically, what his policy agenda is and what might define his vision of a desirable politics, it is not surprising that the transcript of this discussion (which is the “text” alluded to in the Spencer podcast discussed above) has gotten substantial attention. The Skype exchange can be employed as a preliminary window into Bannon’s political thinking:

- Bannon claims that there is both a crisis of capitalism and a crisis of Judeo-Christian values, and the two crises are interwoven. Bannon endorses a Christian rejection of liberal secularization; in fact, the contempt for Christianity on the part of ruling elites constitutes proof for him of the cultural arrogance of those elites. He suggests that Christianity was a key part of what sustained the health of capitalism, so secularization is simultaneously antireligious and anticapitalist.

- Again and again, Bannon rails against “crony capitalism” (this from a former investment banker who worked for Goldman Sachs!). At the same time, he attacks what he calls “state-sponsored capitalism” (in China and Russia). Bannon endorses a quasi-Marxist critique of the kind of Wall Street capitalism that treats people like commodities. But this doesn’t deter him from also saying, “We are strong capitalists; the harder-nosed the capitalism, the better.” He claims that God favours capitalism ("divine providence" intends for us to be committed job creators and wealth creators). But Christian capitalists must support “putting a cap on wealth creation and distribution.”

- Bannon endorses a Samuel Huntington–type thesis of a clash of civilizations between the Judeo-Christian West and Islam. He suggests that the coming fight between Christianity and Islam will be of the same order of magnitude as the civilizational cataclysms associated with the First and Second world wars. He more or less assumes that jihadi versions of Islam are what represent Islam in this coming civilizational struggle.

- Bannon aligns himself with a Tea Party critique of the Republican establishment (the fight against which is more urgent than the fight against the Democrats); with right-wing Catholic anti-abortion and pro–traditional marriage politics;
and with far-right European populist parties like UKIP and the National Front. He repeatedly refers to the National Front as “centre-right” because it represents a backlash of “the middle class, the working men and women in the world” against arrogant cosmopolitan elites. Washington, Beijing and Brussels all belong to the same international elite that disdains ordinary people and bosses them around. Bannon even goes so far as to suggest that the centralized U.S. government is as elitist and detached from the ordinary citizenry as the European Union. Should both be disbanded? Bannon definitely gestures in that direction. (Tellingly, when Bannon allegedly called himself a “Leninist,” he elaborated what he meant as follows: “Lenin wanted to destroy the state, and that’s my goal too. I want to bring everything crashing down, and destroy all of today’s establishment” – what has been aptly referred to as Bannon’s “right-wing-revolutionary schtick.”)8 As is fairly clear, many of Trump’s cabinet appointments have been suggestive of such an agenda.

- While conceding that Putin’s Russia is a kleptocracy, Bannon defends far-right (“centre-right”!) populist movements in Europe with respect to admiring Putin because Putin stands for a firm concept of committed nationality. Insofar as Putin’s nationalism draws sustenance from fascist sources, that doesn’t seem objectionable to Bannon. (He cites Julius Evola and alludes to Aleksandr Dugin; hence the remarks made by Richard Spencer.) Overall, Tea Party themes (particularly outrage at the complicity between big government and the bankers responsible for the 2008 financial crisis) seem much more salient than alt-right themes, though Bannon puts a lot of emphasis on the “Judeo-Christian” foundation of the West. He believes (or says he believes) that racial and ethnic aspects of contemporary populism will fade as populism attains its ends, which largely consist in the humbling of ruling elites.

One suspects that Bannon consistently refers to “Judeo-Christian” morality for the same reason that he calls far-right politics “centre-right” politics: to mask (though not with any real effectiveness) the ugly radicalism of his commitments. As Spencer rightly points out in the podcast discussed above (and as was evident to countless people who viewed the ad), the Bannon/Breitbart-inspired final ad of the Trump campaign featured a visibly anti-Semitic subtext. Also, it’s hard to believe that Bannon and Trump were unaware of the unpleasant lineage of the inaugural address’s slogan of “America First.”

Putting it all together, his worldview comes across as a hodgepodge of incompatible ideologies whose common thread is hatred of (liberal) elites.9 One can speculate that Trump was drawn to Bannon because Bannon gave expression to the political opportunities ripe to be exploited in European-style right-wing populism: the idea was that whatever is driving the rise of populism in Europe can drive populism in America as well.10 Beyond this
strategic instinct or insight, Bannon fails to articulate a coherent set of ideas, apart from the notion of a conspiracy on the part of a sinister liberal-cosmopolitan elite (“the party of Davos”) against common folk in Kansas and Colorado. As the statement of a political philosophy, one has to say that it is pretty shallow and poorly thought through.

How do Bannon’s professed Christian beliefs consort with his commitment to hard-nosed capitalism (“the harder-nosed the better”)? How does his vehement antistatism mesh with his forbearance for authoritarian Putinite nationalism? Why are Bannon and Trump themselves exempt from membership in the despised elite? It suggests to me that people whose whole life revolves around making money and consolidating power (including media power) – and this is true of Bannon no less than Trump – haven’t made it a priority to reflect on what their actual positive political principles are (insofar as it’s appropriate to speak of “principles” in this context). Needless to say, we saw a lot of that in the hollow-ness and inconsistency of Trump’s campaign; and we’ve been seeing more of the same (a conspicuous lack of thought-out principles) during the early months of Trump’s chaotic and flip-flopping Administration.11

Of course, Bannon has some very strong opinions, and those opinions follow identifi-able patterns. What’s less clear is whether those opinions (the nefariousness of ruling elites, the evil of the dominant liberal-secular culture, the threat posed to the West by “Islam,” the need to shake up the political culture in a thoroughly radical way) jell into something that’s particularly coherent, with intelligible or predictable policy implications. To be sure, there is a distinctive Bannonite ideology, but it is, to say the least, a highly tension-ridden ideology, and all the various contradictions between thought and practice in Bannon’s career (Harvard Business School, Goldman Sachs, Hollywood, and now membership in the ruling elite) reflect those very tensions.

It should not be assumed that speech and deeds, logos and praxis, will be in harmony. Bannon and Trump are ruthless operators, playing the political game in a hyper-Machia-vellian fashion. Words are not used primarily to express political intentions or to articulate a sincerely held political vision. To a much greater extent, they serve to keep people guessing, or to provide active smokescreens for their real designs, or to manipulate people by pushing the right buttons – or maybe it’s just a question of getting a “buzz” from knowing

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that one has the power to stir up millions of people with one’s words and images (hence the Riefenstahl fixation). The Bannon-led Breitbart News is reported to have had 45 million readers. That’s a lot of power – especially when one considers that fewer than 63 million votes sufficed for Trump to win the presidency. If Bannon insists that he’s not alt-right, yet also says that he was content to turn Breitbart into “a platform for the alt-right,” then that in itself is a clear acknowledgement that purposes were being served other than the expression of actual political commitments (the pursuit of truth not being one of those purposes!).

Bannon the political agitator railed against what the bankers got away with during the crisis of 2008; Bannon the senior strategist almost certainly supported a relaxation of post-2008 regulatory controls on Wall Street. The political activist Bannon cast “crony capitalists” as the root of all evil, yet the Trump cabinet (surely with Bannon’s encouragement) has exhibited no lack of crony capitalists – on the contrary, they seem to predominate. “Globalism” was supposedly the enemy, but that obviously didn’t rule out appointing Goldman Sachs and ExxonMobil executives to positions of consummate power. Bannon famously told the Wall Street Journal that his whole commitment to populist politics flowed directly from the plunge in his father’s AT&T stocks owing to the 2008 financial crisis. But it would require pretty twisted political reasoning to see the personnel or policies of the Trump administration as a reasonable redress for Marty Bannon’s anguish about his ravaged savings.

Ross Douthat, an astute New York Times columnist, summed up the first 72 days of the Trump Administration as follows: “A core weakness of this White House ... is the absence of anyone who seems to have thought through how one might translate Trumpism, the populist nationalism on which the president campaigned, into substantive policy on any specific issue except a temporary visa freeze.” Douthat explicitly directed this judgement against Bannon: “It was probably unreasonable to expect a sixtysomething whose life experience is all in media and Hollywood to suddenly turn into a one-man think tank, no matter how many French far-right agitators he name-drops.” This fits neatly with my argument that Bannon/Trump’s philosophical and policy incoherence was perfectly apparent even before the Trump administration took office.
The politics of The Joker

In truth, the disparate balls being juggled in Bannon’s ideological juggling act – Tea Party libertarianism, compassionate conservatism, Christian piety and moralism,17 European-style populist nationalism (not excluding its Putinophile aspects), clash-of-civilizations Islamophobia, with ominous “gestures” to the alt-right – are too eclectic to be taken at face value.18 Still, the overall political effect is in deadly earnest. At the end of 2016, it was reported that the Trump crew had welcomed the leader of Austria’s far-right Freedom Party at Trump Tower.19 This was fully consistent with the pattern of Bannon’s political alignments as we’ve come to know them. Despite what he says, Bannon is emphatically not a political thinker or political doer of the “centre-right” – or at least, what he takes to be centre-right is very far removed indeed from what the vast majority of us understand by it.

At one point we got the bizarre news that Trump had reportedly offered Robert F. Kennedy, Jr., who has promoted the theory that vaccines are responsible for autism, a position as “vaccine czar.”20 Surely, that could only have been Bannon’s idea, and tells one everything one needs to know about the Bannon style of “governing.” It’s his perverse sense of humour, which then supplies the foundation for his politics (or antipolitics). Responsible government is all a big joke. The point is to laugh in the faces of the established political class, and to make sure that they know that you’re laughing in their faces. As Bannon himself more or less suggested in his Hollywood Reporter interview, and as seemed to be subtly intimated in Trump’s inaugural address, it’s a politics of The Joker.21 The Vatican correspondent for Breitbart News, Thomas Williams, gave his then-boss, Bannon, the following excellent advice: “If you are going to tear down, you better know what you are building.” Yet Williams knew that Bannon was incapable of taking that advice: “I think he prefers tearing down to building up, honestly.”22 The overriding purpose was to throw a brick through the window of the political establishment, and Trump was that brick.

Another initiative of the Trump administration that had Bannon’s fingerprints all over it was the startling plan to require weekly publication of crimes committed by immigrants and/or aliens: “This proposed list is a move reminiscent of Breitbart News ... Infamously, Breitbart had a ‘black crime’ section, opened as a response to Black Lives Matter.” And the relentless attacks on the mainstream media during the first weeks of the new administration unquestionably represented another area where Trump and Bannon thought as one, as Bannon himself made clear in a characteristically pit-bull interview given to the New York Times.23 In short, we have good reason to suspect that Trump’s most radical early initiatives were all Bannon-inspired (or at least, Bannon encouraged and cheered on Trump’s most radical impulses). Also fairly disturbing was something reported in the wake of the initial defeat of Trump’s anti-Obamacare American Health Care Act. Bannon and Trump, according to this report, insisted on a roll call in the House of Representatives, despite being assured by Speaker Paul Ryan that the vote was
sure to fail. The idea was to use this roll call as the basis for an “enemies list” (what Bannon himself apparently referred to as a “shit list”) – with all its sinister Nixonian echoes. Ryan, to his credit, refused to play this game and cancelled the vote.24

Prior to being put in charge of the Trump campaign, Bannon famously confessed that Trump is “a blunt instrument for us. I don’t know whether he really gets it or not.”25 Well, blunt instrument for the pursuit of what political project exactly? And who exactly is the us in Bannon’s “for us”? How does this us relate to Spencer’s us when he said in his podcast that “Bannon has made gestures towards us”? To keep our sanity in the Trump era, I think we’ll need to hold before our mind’s eye a picture of some imaginable scenario that might redeem this absurdity of a Steve Bannon occupying a prominent office in the West Wing (which, as of this writing, he still does). Here’s mine: Trump makes a complete fool of himself every day for the next four years. (So far, that’s pretty much what he’s been doing.) The 2020 Democratic nomination goes to Andrew Cuomo, who picks a dynamic young Hispanic (Julián Castro?) as his running mate. They make mincemeat of Trump and Pence in the election and win by a landslide. Then, as soon as a vacancy opens up, Cuomo appoints Obama to the Supreme Court. The bad guys lose and the good guys eventually have the last laugh.

This is not impossible. If it were, it’s hard to see how we would be able to fend off the despair of witnessing the current political ascendency of Bannon and his Tea Party philosophy. In any case, of one thing we can be absolutely certain: the inauguration of Trump’s successor as president, hopefully no later than January 2021, will attract a far larger crowd than Trump’s.

Notes


6 Bannon has also raised the possibility of war with China. See Andrew Griffin, “Donald Trump’s Closest Advisor Steve Bannon Thinks There Will be War with China in the Next Few Years,” Independent (London), February 1, 2017, retrieved from http://www.independent.co.uk/news/world/americas/donald-trump-steve-bannon-china-south-sea-war-chinese-us-president-special-counsellor-a7556546.html. We need to take this very seriously.

7 A transcript of Bannon’s Vatican remarks is available at J. Lester Feder, “This is How Steve Bannon Sees the Entire World,” BuzzFeed, November 15, 2016, retrieved from https://www.buzzfeed.com/lesterfeder/this-is-how-steve-bannon-sees-the-entire-world?utm_term=.mwMpXoQbLk#.bgkYKwld6z. See also Griffin, “Donald Trump’s Closest Advisor Steve Bannon Thinks There Will be War with China.” Bannon’s apocalypticism is on display as well in the movie trailer of a Bannon documentary titled Torchbearer, http://www.torchbearermovie.com. For the Crooked Timber thread, see http://crookedtimber.org/2017/01/11/the-political-thought-of-stephen-k-bannon/#comments, comments 10 and 27.

In the version of this essay posted on the Crooked Timber blogsite, I referred to Bannon’s worldview as “a fairly incoherent hodge-podge of incompatible ideologies.” A comment by someone named J-D (comment 12) objected to the word fairly in this sentence. Fair point.


I think it’s fair to say that Trump’s inaugural address communicated a consistent message. Its animating themes were angry populism and aggressive economic nationalism (which are also familiar Bannonite themes). This isn’t an especially attractive political vision, but it’s better than the alt-right.

Shane, “Combative, Populist Steve Bannon.”


Trump went on to announce support for precisely this policy. Bernie Sanders was right to point out (fairly indignantly but justly) the rank hypocrisy of these supposed “populists” (David Edwards, “‘This Guy is a Fraud’: Bernie Sanders Blasts Trump for Selling Out Voters to Help Wall Street,” Raw Story, February 5, 2017, retrieved from http://www.rawstory.com/2017/02/this-guy-is-a-fraud-bernie-sanders-blasts-trump-for-selling-out-voters-to-help-wall-street/).


Consider the following comment by someone named Pamela on the New York Times website in response to David Brooks’s “Bannon Versus Trump” column: “David Brooks, you are giving the Trump administration way too much credit for having a deep-rooted political philosophy. Even if Bannon has spouted a bunch of nonsense about the end of Judeo-Christian morality and humane forms of capitalism, he certainly doesn’t care about that. Trump is a symbol of the spread of globalism, anti-Christian morality, inhumane capitalism, and relativism, practically everything you mention (except diversity). The Trump administration is a bunch of rich old White men who believe that rich old White men should run the show. Their beliefs are
not rooted in any conception of morality. They are corrupt.” A comment by “passer-by” (comment 39) on the Crooked Timber thread similarly complains that it is foolish to expect coherence in any ideology designed for mass consumption. I agree: an ideology is an ideology, not an exercise in philosophical reflection. But that’s not a reason not to do what one can to expose it as (mere) ideology.


21 See Nathan Amzi, “Oh Man This Is Good. Thought I’d Heard That Somewhere Before ...,” January 20, 2017, retrieved from https://twitter.com/theamzi/status/822505074857484288


Law as politics, politics as law

Neil Gorsuch and the future of the U.S. Supreme Court

It isn’t easy keeping either of America’s big coalitions together. In the opening months of the Trump administration, Republicans divided over foreign policy (neoconservative hegemonists vs. Jacksonian isolationists), trade policy (traditional Republican business interests and libertarians vs. Trumpian protectionists), immigration (ditto), health care (everybody against the Ryan plan) and, it now seems, even taxes. The Democratic Party was better able to unify around opposing Trump and the Republican desire to repeal Obamacare, but the division between its social-democratic and neoliberal wings – exposed by the surprisingly effective primary challenge of Bernie Sanders – reemerged in the struggle for Democratic National Committee chair between Keith Ellison and Tom Perez. The Trump era looks set to realign the partisan and ideological system that has characterized American politics for the last half-century.

But one issue was an exception. The nomination of the mild-mannered Neil Gorsuch as junior justice of the U.S. Supreme Court united each party internally and totally polarized them against each other. The U.S. Senate – long a bulwark of individualism and cross-party back-scratching, with at least ten Republican members who
have publicly feuded with President Trump – divided almost perfectly on party lines. The minority Democrats took the politically risky step of filibustering a nominee whose professional qualifications were difficult to question. And then the majority Republicans took the equally perilous step of rewriting the body’s rules to eliminate the ability of a minority to filibuster a Supreme Court nominee (the so-called “nuclear option”).

The United States has never had the disciplined party structure of parliamentary democracies like Canada and the resolution of the impasse undeniably reduces the overall power of senators. For this reason, the Republican majority has ruled out taking the same step of eliminating the filibuster for ordinary legislation or budget issues, and Democrats would be unlikely to force such a result if they could avoid it. On these other matters, the institutional interests of senators are more powerful than their ideological loyalties. But for Supreme Court nominees, neither party’s base would tolerate such a set of priorities. If another justice dies or retires before the next presidential election – and three of them were born in the 1930s – this disciplined partisanship is very likely to be repeated.

To an outsider, it is strange that the most perfectly partisan issue in American politics is nomination to a purportedly nonpolitical office. On further investigation, it just gets stranger – and says a lot about the dangers to the rule of law of constitutionalizing moral and political conflicts.

**From Scalia to Gorsuch via Trump**

The fight that led to Gorsuch’s nomination began almost a year before Trump took office. On the night of February 12, 2016, after a day
of quail hunting, Justice Antonin Scalia died in his sleep. For someone who made his name as an expert in administrative law and statutory interpretation, Scalia was a colourful and controversial character. A conservative Catholic who was acerbic both in oral argument and in writing, he typically voted for results congenial to the political right – although he was proud of the exceptions, such as his vote in *Texas v. Johnson* that flag burning is constitutionally protected free speech, as well as his numerous decisions limiting the scope of criminal statutes and protecting what he thought of as rights of criminal defendants.¹

Scalia cut his teeth as a free-market critic of federal regulation, particularly of telecommunications. He was thus a minor player in the “law-and-economics” movement of the 1970s that analyzed law in terms of neoclassical microeconomic theory. But his more important role was in defining the specifically legal views of the American right, views that at least purport to eschew any connection with market economics or traditional morality.

Scalia propounded constitutional “originalism” (the idea, refined by Scalia, that the text of the constitution should be read in terms of the “public meaning” it had when adopted), *Chevron* deference (the idea that the executive branch should get to interpret its statutory powers when they were ambiguous) and statutory textualism (a refusal to pay attention to the political history of a law, combined with a relatively literal reading of its meaning). Although there are certainly conservative lawyers who disagree with one or more of these ideas, these ideas have largely defined the conservative mainstream since the Reagan era – in no small part as a result of Scalia’s energetic advocacy of them. Originalism and textualism in particular stood in contrast to the mainstream of American legal thought, which (as in Canada) prioritizes pragmatism and judicial discretion over the highly formalist and positivist approach Scalia advocated.

The relationship between Scalia’s legal commitments and political conservatism is as controversial as the legal ideas themselves. In any particular case, the results of reading constitutions historically, deferring to presidential administrations or reading congressional enactments textually could be liberal, conservative or neither depending on the constitutional provision, the administration or the Congress. Many of Scalia’s critics have argued that he applied his legal ideas inconsistently when they conflicted with his political biases.² Scalia did not always deny this, but argued that formalism created an objective standard by which he could be judged, while pragmatism makes a virtue out of political bias.³ At the same time, in a larger sense, Scalia probably thought his legal views supported an overall populist conservatism, because he thought that the
progressive agenda was promoted by judges reading the modernist prejudices of their class into constitutions and statutes.

However, another view of the “original” meaning of phrases in the Fourteenth Amendment like “equal protection of the laws” and states being prohibited from depriving any person of “life, liberty or property without due process of law” is that these words enacted principles that are capable of new application as social understanding changes. From this “new originalist” perspective, the original force of the Fourteenth Amendment comes from the underlying revolutionary principles of the post–Civil War Reconstructionist era, not the specific views of the majority of the population at the time. It is perfectly consistent with these principles and with the text to apply “equal protection” to gay and lesbian people and “liberty” to their freedom to marry, regardless of how fringe a view this would have been in the 1860s. Recently, an increasing number of progressive judges and legal theorists have come to see that this is not a dispute about whether the original public meaning of constitutional texts is binding, but about how meaning should be understood. Jack M. Balkin’s 2011 book *Living Originalism* sets this progressive originalist position most coherently, and Elena Kagan, President Obama’s former Solicitor General whom he appointed to the Supreme Court, set it out most pithily at her confirmation hearing when she said, “We are all originalists now.”

While Scalia was on the court, the median justice in ideologically charged cases was Anthony Kennedy, a moderate Republican appointed by Ronald Reagan when the more fearsomely conservative Robert Bork proved unacceptable to the Senate. Kennedy clashed most memorably with Scalia on gay rights issues, but was often aligned with the conservative wing of the court in other respects. Scalia’s death during the presidency of Barack Obama appeared to open up the possibility of a Democratic-appointed liberal majority. Obama nominated Merrick Garland, by all accounts a moderate liberal generally disinclined to interfere with the elected branches of government, whether for conservative or progressive reasons. Garland was about as favourable a justice as Republicans could expect from a Democratic president. However, while Democrats controlled the presidency, Republicans controlled the Senate, and they refused to allow Garland’s nomination to come to a vote while Obama remained in office.

Trump’s nomination as Republican candidate for president came as a shock to the leaders of the conservative movement – who believed they had established a lock on the Republican Party since Reagan. The “Reagan coalition” was mobilized around three ideological blocs: social conservatives motivated by a desire to preserve traditionalist virtues, economic libertarians motivated by a pro-market ideology and neoconservatives who advocate an assertive military and foreign-policy posture by the United States. Trump’s obvious personal failings and lack of religious convictions, ingrained protectionism, support for popular spending programs and inconsistent isolationism did not faze the Republican primary electorate, which warmed to his ultranationalist identity politics and authoritarian persona. But little Trump said was consistent
with movement conservatism as it had been understood for 40 years.

Nevertheless, while some conservative thought leaders – especially those for whom foreign policy was particularly salient – abandoned Trump altogether, most social and economic conservatives were won over by the time the election rolled around. And indeed while much postelection punditry has focused on the small number of traditionally Democratic rust belt voters who switched from Obama, Trump avoided the electoral annihilation midcampaign polls predicted because traditional Republicans voted for him.

Instrumental to this consolidation was Trump’s commitment to appoint a replacement for Scalia from a shortlist of judicial conservatives prepared by leaders of the Federalist Society, a group of conservative and libertarian lawyers and law professors (while Gorsuch was not on Trump’s original list, he was on a supplemental list delivered later in the campaign). More than any other single thing Trump did on clinching the nomination, this commitment brought the majority of the “movement” behind him – enabling him to win in November despite the well-founded doubts of many movement leaders about his ideological reliability, competence and character. Delivering on this commitment, shortly after being inaugurated Trump nominated Judge Neil Gorsuch, appointed to the federal appellate courts by George W. Bush, to the Supreme Court.

The right-wing legal counterculture

As political scientist Steven Teles documents in his 2009 book The Rise of the Conservative Legal Movement, the Federalist Society is a fascinating case study in long-term institution-building by the American right. Founded by Reaganite students at elite law schools in 1982, the Federalist Society advocates no positions and submits no briefs. It organizes conferences and student chapters for libertarian and conservative legal types to talk to one another and sometimes debate progressives. By creating a network, it built up a right-wing legal counterculture. Of course, there have always been conservative lawyers, but when the Federalist Society was founded, there was little in the way of right-wing legal theory, especially in constitutional or administrative law. But since 1982, whole intellectual movements – law-and-economics, originalism, textualism, Thomist natural law

More than any other single thing Trump did on clinching the nomination, his commitment to appoint a replacement for Scalia from a shortlist of judicial conservatives prepared by leaders of the Federalist Society brought the majority of the conservative “movement” behind him.
thinking – have developed, been refined and to some extent migrated over to the progressive legal academy.

The political moment of this more ideological brand of right-wing lawyering arrived as a result of disappointment of conservative movement figures in results from Republican appointees. Eisenhower appointed both Chief Justice Earl Warren and liberal icon William Brennan. Nixon appointed the very conservative William Rehnquist, but also Harry Blackmun, author of the *Roe v. Wade* decision that created a constitutional right of access to abortion. George H.W. Bush appointed Clarence Thomas, who has proven to be more doctrinaire even than Scalia, but also David Souter, who quickly became aligned with the liberal wing of the court and who voted along with Blackmun, Kennedy and Sandra Day O’Connor (another Reagan appointee) to uphold *Roe* in the 1992 decision *Casey v. Planned Parenthood*. *Casey* was the final straw for conservative activists, who adopted the slogan “No More Souters” and broke with George W. Bush when he tried to appoint the insufficiently ideological Harriet Miers to the Court in 2005.

The result is that the American right has demanded ideological reliability, not just Republican partisanship. And, as Lenin and Gramsci realized long ago, this requires ideological institutions engaged in more abstract theorizing. Gorsuch is a hereditary conservative: his mother was an official in the Reagan administration and he is a product of the debates in the Federalist Society and similar circles. As a law professor at the University of Chicago, Scalia was an early mentor of the Federalist Society, and he undoubtedly had an outsize influence on the people who have gone through its ranks. But Scalia was fully formed intellectually before the Federalist Society began, as were Clarence Thomas and Samuel Alito. Chief Justice John Roberts is a lawyer’s lawyer, with an instrumental view of theory. It is widely speculated that he avoided ruling Obamacare unconstitutional because he did not want to embroil the Court, as an institution, in the no-win partisan disputes about health care.

Gorsuch differs from his predecessors in being a generational product of a much more theoretical culture on the legal right. This will likely mean both that he can be relied on from the conservative perspective, and that he will be able to put forward his perspective in a less acerbic way than Scalia. (It also means departure from Scalia’s stance of deferring to executive agencies when interpreting statutes, a position now unpopular on the legal right.) As is now traditional, Gorsuch did not say much that is substantive in his testimony before the Senate Justice Committee. As a court of appeal justice, his record showed he was a better than average writer, with results that were not unusual for a Republican appointee.

Commentators turned to his doctoral dissertation, *The Right to Receive Assistance in Suicide and Euthanasia*, which examined the issue from various perspectives including common law, constitutional law and contemporary moral philosophy. The dissertation is a solid if unremarkable academic work, addressing the arguments of pro-euthanasia thinkers like Peter Singer and Richard Posner without rancour or hyperbole. But it ends up with a
conservative conclusion, defending traditional distinctions between foreseeably causing death with pain medication and deliberately causing it, or between a competent person dying by refusing hydration or treatment and active medical assistance.

Gorsuch’s thesis supervisor, Oxford legal philosopher John Finnis, is a leading exponent of a neo-Aristotelian natural law approach to legal and moral philosophy – ostensibly secular but definitely influenced by a tradition in Western philosophy that had a major impact on the moral theology of the Catholic Church. Gorsuch borrowed from this tradition the idea of human life as an “intrinsic good” that cannot be reduced to a utilitarian calculus or equated with a right of personal choice. While Gorsuch steered clear of abortion politics, and regarded Casey as authoritative, activists on both sides of the abortion debate clearly decided he would support overturning it if the opportunity arose, and he will probably vote like Scalia, while employing more measured rhetoric.

It should be said, though, that Aristotelian virtue ethics and natural law theory are not necessarily right-wing, and that consistent utilitarians and libertarians come to extremely unpopular and counterintuitive moral positions. Singer thinks it is wrong to eat meat or give your child birthday presents if the money could help save someone from malaria, while Posner guaranteed that he would never reach the U.S. Supreme Court by advocating auctioning off rights to adopt babies. This does not mean those positions are wrong (Jeremy Bentham counterintuitively opposed sodomy laws and slavery), but it should put some of the hyperventilating in context. The actually alarming thing is that it is important to dissect a dissertation in moral philosophy for clues about the future of public policy in a democracy of almost 300 million people. This is the consequence of the superempowerment of final courts of appeal.

The balance holds – for now

The immediate effect of Gorsuch’s nomination will not be huge. Anthony Kennedy will remain the median vote on the Supreme Court of the United States, as he has been since Sandra Day O’Connor retired in 2005. Since the ideological space between Kennedy and O’Connor is not that great, really the Court will remain where it has been since Gorsuch was a teenager. But the next death or retirement is likely to be either Kennedy or one of the Court’s liberals, in which case the balance could shift dramatically.

It is surely unfortunate that so much of significance to American public policy turns on actuarial accident. Too much that should
be left to politics is judicialized. The inevitable result is that, once the most salient issues are decided by a Supreme Court, the law becomes hostage to politicization. Scalia’s answer to this was to find formalist approaches to adjudication that would transcend the judges’ own biases, but the actual result is that these approaches just become shibboleths for one political coalition and anathema for the other. The political debate is channelled into jurisprudential abstraction, but at the end of the day the judicial balance depends on the brass-knuckle politicking of senators like Mitch McConnell and Chuck Schumer.

Canada does not yet have the problem of polarization around judicial choice and our Supreme Court enjoys widespread acceptance, if not widespread understanding. But the same logic may eventually triumph here, since there is no greater sense in Canadian elite legal circles that the results in constitutional cases are independent of the ideologies and perspectives of the justices. This was exemplified by the questionnaire for Supreme Court of Canada appointment filled out by our most recently appointed justice, Malcolm Rowe, and published by the Trudeau government on the internet. Reflecting the academic consensus since the 1930s, Rowe stated quite frankly that “Supreme Court of Canada judges ordinarily make law, rather than applying it” and that the legitimacy of court decisions derived from the “wisdom and well-founded principles” of its judges.

The appointments of Justice Russell Brown in 2015 and Justice Rowe in 2016 both provoked a more ideologically polarized debate than we have been used to. We can hope that the United States is not the mirror of our future, but pessimism is probably the better way to bet.

Notes

1 A few examples of his votes that favoured the right include Thompson v. Oklahoma (1988) (Scalia dissenting would have upheld death penalty against teenager); Planned Parenthood v. Casey (1992) (Scalia dissenting would have upheld criminalization of abortion); Grutter v. Bollinger (2003) (Scalia dissenting would have declared affirmative action unconstitutional); Lawrence v. Texas (2003) (Scalia dissenting would have upheld criminalization of homosexual sex). Scalia concurred in all the major “right-wing” decisions of the Rehnquist and Roberts courts, including Bush v. Gore (2000) and Citizens United v. Federal Election Commission (2010) (striking down restraints on independent political expenditures by corporations). In terms of his exceptions, in Texas v. Johnson (1989), Scalia concurred in the decision written by liberal icon William Brennan. An example of his opposition to expanding the scope of criminal statutes is his dissent in Smith v. United States (1993) (Scalia refusing to extend “use” of a firearm to trading it in exchange for drugs) and of the defence of rights of criminal defendants his majority judgement in Kyllo v. United States (2001) (use of heat detection device to find marijuana grow operations without a warrant unconstitutional).

2 The most sophisticated example of this critique is Cass Sunstein’s article/obituary “Antonin Scalia, Living Constitutionalist,” which appears in the forthcoming Harvard Law Review.


Turkey: Moving toward electoral authoritarianism?

by Ilter Turan

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Although Turkey’s governing Justice and Development Party (JDP) would strongly deny it, impartial observers would see Turkish politics as currently evolving toward electoral authoritarianism, a system of institutions under which those elected abuse it to their advantage to prolong their tenure – if possible indefinitely. For more than half a century Turkey has been a liberal democracy, though a defective one, with some military intervals. The ratification of major changes in Turkey’s constitution on April 16, moving the country from a parliamentary to a presidential system in a referendum riddled with allegations of electoral irregularities, constitutes yet another important step away from that democracy.

Turkey’s evolution toward electoral authoritarianism may appear surprising since the JDP, the governing party behind the drive, won power in 2002 as a moderately conservative party promising to bring an end to the country’s divided politics, set it on a course of prosperity and improve the quality of its democracy. What went wrong? Did the party change, or did it always aim to use political competition as a means to winning and holding onto power? To answer, we need to take a historical perspective: where is liberal democracy in the vision of the parties that have ruled Turkey?
The tradition of military authoritarianism

Turkey made a transition to competitive party politics in 1946, but authoritarian interludes have not been rare. The first breakdown came in 1960 when a junta, the National Unity Committee, deposed the Democratic Party government of Prime Minister Adnan Menderes and assumed power. The Democratic Party, which in 1950 had defeated the Republican People’s Party, the founding party of the republic, had grown increasingly authoritarian as its base of popular support gradually eroded. Hence, the intervention was justified on grounds of returning Turkey to the path of democracy, and competitive politics was restored in 1961.

Only ten years later an indirect military intervention took place, this time forcing the resignation of the Justice Party government under Süleyman Demirel and installing a national unity government with the task of placing limits on the liberties given to citizens in the 1961 constitution. The generals felt that only in this way could the erosion of public order be brought under control. Although the legislature was obliged to amend the constitution in return for restoring civilian-dominated politics in 1973, continued disorder created the conditions for a new intervention in 1980 that was to last three years. In this last direct intervention, the military leadership attempted, ultimately without success, to depoliticize society and restructure the party system. It was more successful, however, in developing a number of mechanisms through which the military could not only maintain its autonomy vis-à-vis elected governments but also function as a veto group, imposing limits on the scope of civilian politics.

Beginning with the 1960–61 intervention, the autonomy of the military constituted a problem for elected governments. Initially, the military was the leading partner in a tacit alliance of institutions including the bureaucracy, the judiciary, the universities and semipublic organizations like the bar associations, that perceived their duty as being to preserve the achievements of the Atatürk Revolution, most notably secularism. As political competition expanded and the economy developed, this alliance broke down, leaving the military along with the courts as the major guardian of the secular republican tradition.

On other issues, attitudes changed over the years. For example, when governments opted for industrialization based on import substitution, a choice dear to the hearts of military officers, the military came to support the autonomy of the military constituted a problem for elected governments. Initially, the military was the leading partner in a tacit alliance of institutions that perceived their duty as being to preserve the achievements of the Atatürk Revolution, most notably secularism.
the industrial establishment, restraining labour unions and in the process evolving into a conservative force. But this changed when the 1980 military rulers helped suppress both labour and the middle classes as the country made a painful shift from autarky to export-led growth and integration with the global economy.

Nevertheless, the military’s commitment to secularism remained unchanged and indeed became less flexible over time. In 1997, the military imposed the closing of the middle school sections of secondary schools offering preacher training on a government in which the religious Welfare Party was the main coalition partner. Later that year, it went further, forcing the same government, led by Prime Minister Necmettin Erbakan, to resign. Then in 1998, the Constitutional Court closed down the Welfare Party for having used religion for political ends. In line with tradition, the closing of the Welfare Party led to the opening of the Felicity Party, “under new management” but with Erbakan, as usual, wielding power behind the scenes.

Yet, far from the eyes of external observers, a rebellion had been brewing among young party cadres against a leader who had persistently led his party down this blocked road. Having failed to capture the leadership of the party, the young rebels in 2001 formed their own party, the Justice and Development Party. Appearing more moderate, calling itself conservative rather than religious, the JDP quickly developed into a major political force and won power in the 2002 election. It has maintained its parliamentary majority in every national election since, except briefly after the June 2015 election.

The Justice and Development Party in power

The military’s interventionist proclivities and its antagonistic relationship with religiously oriented parties constitutes one of the keys to understanding a dilemma built into Turkey’s democracy. The military and associated institutions, products of defensive Westernization policies dating back to the Ottoman Empire, entertained no doubt that they possessed a set of superior values that entitled them to guide society in the “right direction.” They tended to see the majority which did not subscribe to the same set of values as ignorant, rather than themselves as unable to persuade the people as to why they should adopt a different set

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(Recep Tayyip Erdoğan pictured)
of values and change their ways. But being in power, they judged, gave them the right to make binding decisions for society.

The JDP came to power articulating a more traditional set of values, and has, understandably, justified its actions as representing the will of the people. As such, it views arguments that the will of the majority can be circumscribed by the rules and principles of liberal democracy with scepticism.

When the JDP first took power, despite concerns among the secularist segments of the electorate and the political elite, its initial domestic and external policies did not signal major changes. Rather, it promised to enhance democracy, while maintaining the secular nature of the system. True to its word, it sought to widen relations with the European Union and take steps to open the way to accession negotiations for full membership.1

Critically, some of the institutional mechanisms through which the military continued to exercise “oversight” on the operation of Turkish politics were removed from the constitution. For example, the representation of the National Security Council on the Council on Higher Education and on the governing board of the Turkish National Broadcasting Company was ended and the State Security Courts were abolished in 2004. Such efforts to reduce the political role of the military continued after Turkey was invited to begin accession negotiations with the EU in 2005.

In 2007, when the nonrenewable term of Turkey’s president expired and the parliament had to elect a new president, there was a serious clash between the JDP and the secular establishment. The military, in designing the 1982 constitution, had envisioned a nonpartisan presidency with significant powers of appointment to state institutions which themselves should be kept out of everyday politics. These positions included, among others, judges of the Constitutional Court and the rectors of state universities.

In addition, it was assumed that the president would not come from among the ranks of politicians but from among retired commanders or high-ranking civil servants.2 Yet, after the restoration of ordinary politics, the next two presidents (1989–2000) were politicians who had been serving as prime ministers when elected. They were followed by A. N. Sezer, the Chief Justice of the Constitutional Court.

In 2007, when Sezer’s term was ending, it seemed natural that the candidate of the JDP, which enjoyed a majority in the parliament, would emerge as the new president after the initial two rounds of voting under

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a qualified majority. The candidate of the governing party was Abdullah Gül, who had been prime minister and was foreign minister at the time. He was opposed by the secular establishment because of what his wife, who dressed conservatively and covered her head, represented. Using a legal technicality, the main opposition party successfully challenged his election in court.

Rather than change its candidate, the JDP passed a constitutional amendment, subject to ratification in a public referendum, that the president be elected by popular vote. Before the vote on the constitutional referendum could be held, however, a national election gave the JDP an astounding victory, allowing the parliament to elect Gül president. It might have been possible at that time to rescind the vote on constitutional change, but the government decided to go ahead with the referendum and the change was approved. In retrospect, the change appears to have constituted a critical step toward a transition to a presidential system.

An interplay of domestic and international forces constituted the background against which the JDP began, at first gradually and then more rapidly, to take an authoritarian turn away from its moderate course. The difficulties encountered in the 2007 presidential election as well as a ruling by the Constitutional Court that the JDP had used religion for political ends (it imposed a fine, rather than closing the party as had been done in the past) were important developments on the domestic front. On the international front, the JDP’s hopes that the ban on students and public employees wearing headscarves would be rejected by the European Court of Human Rights were dashed. And progress on accession to the EU halted as France under Nicolas Sarkozy put negotiations on a number of chapters on hold, arguing that Turkey did not belong in Europe. More diplomatically, German Chancellor Angela Merkel said that she favoured a special relationship, but would honour Germany’s commitments.

As a result, the government became doubtful that Turkey could win the place it deserved in Europe or count on the EU as a credible partner. Meanwhile, it retained extensive support among the voters, with no sign of a significant opposition to challenge its position. And despite worsening relations with the EU, it managed to establish good relations with all actors in its region, leading to aspirations of becoming a regional and, eventually, a global leader. In this context, Prime Minister Recep Tayyip Erdoğan and other JDP leaders regularly made statements critical of the prevailing world order.

An event that triggered policy change came in 2010 with the outbreak of the “Arab Spring.” Seeing that one of the major events...
exponents of change was the Muslim Brotherhood, to which it felt close, the government perceived an opportunity to assume the leadership of societies in the region in which Sunni Islam prevailed. In Egypt, the Brotherhood achieved power and was happy to receive Turkish backing and support.

The government wrongly assumed that the Assad regime in Syria would also soon fall. Mediation efforts soon gave way to military support to the opposition, and, as more moderate forces failed, increasingly to more radical religious groups that were more capable of carrying on the fight. Such involvement meant not only new problems of domestic security but also departing from the tradition of keeping an equal distance from all countries in the region and distancing Turkey’s policy from those of its Western allies. The outpouring of refugees from Syria to Turkey seeking to reach Western Europe added further complications to the difficult Turkey-EU relationship.

The Gülenist conspiracy

In mid-December 2013, the Turkish public was shocked to learn that four ministers had been arrested on charges of corruption. Simultaneously, some taped recordings began to circulate on the internet implicating Prime Minister Erdoğan in the affair. While the ministers were asked to resign, the Prime Minister launched a campaign against the Gülenist group, which he claimed had colluded with foreign powers to bring his government down and establish a parallel state. Mass arrests of alleged Gülenist conspirators, many of them people in government service, followed.

The Gülenists are followers of a meagrely educated preacher, Fethullah Gülen, who had attracted a significant following among the rising merchant classes in the provinces. Gülen used this support to develop an elaborate network of high schools and remedial training centres to prepare high school graduates for university admission exams. The network also reached into many countries in Africa, the former Soviet Union and the Balkans, and even the United States. These schools provided good-quality, inexpensive education to the children of local elites, and paved the way for small and medium-sized Turkish businesses to reach these new markets.

When the JDP came to power in 2002, the Gülenists, who had not extended support to its predecessors, saw an opportunity for themselves in the JDP's impressive success. The Gülenist movement provided well-educated cadres that the new government needed and its adherents were placed in important positions in the bureaucracy.

This mutually beneficial relationship continued until December 2013. The Gülenists, while supporting the JDP, apparently maintained their separate identity. As the recent trials have shown, they had penetrated all agencies of government, especially the judiciary, the police and the military.

An earlier series of trials beginning in late 2008 brought many former and current military commanders and officers to court for alleged coup plotting. Despite flimsy and circumstantial evidence and inadequate respect for the defendants’ rights, many were convicted.
and went to prison. As a result, the military’s morale and combat effectiveness was reduced. This brought to an end the army’s status as an autonomous centre of political power, an outcome welcomed by the government which refused to intervene “in the administration of justice.” Later investigations revealed what most careful observers had already suspected in 2008: that the cases were fabricated not only to curb the political power of the military by humiliating top generals but also to weed out the opponents of Gülenists in its ranks.

The current efforts under emergency rule to remove Gülenists from the institutions of government focus on the military, but also target their sources of financial support from segments of the business community and the schools, including universities, that they developed to train their followers. The imminence of the Gülenist threat has been used both to justify emergency rule and to dispense with standard judicial procedures in cleansing public institutions and civil society of Gülenists.

The presidential system and electoral authoritarianism

When President Gül’s term ended in 2014, Erdoğan offered his candidacy and won in the first round. He immediately announced that “he could not be expected to behave as if he were elected by the parliament,” since he had a popular mandate. He attacked the current arrangement with (presumably) two centres of power as unstable and ineffective. Ahmet Davutoğlu, whom he appointed as Prime Minister, not only had his own ideas but was not favourably disposed toward transforming the Turkish system into a presidential one.

In 2015, there were two parliamentary elections. In the first held in June the JDP failed to achieve a majority, but it recovered in the second in November. President Erdoğan then forced Davutoğlu’s resignation and gave the job to a loyal ally, Binali Yıldırım. To achieve the qualified majority for constitutional change to a presidential system, Yıldırım and Erdoğan secured the cooperation of the jingoistic Nationalist Movement Party (NMP). On January 22, 2017, a bill proposing changing 18 articles of the Turkish constitution was adopted by the Turkish Grand National Assembly. The changes were ratified by a narrow majority in a referendum held on April 16.

The proposed changes will bring, in Erdoğan’s words, “a Turkish-type” presidential system. This system places the executive in a far superior position to the legislative and judicial branches but lacks the checks and balances generally found in the more conventional democratic presidential system.
In reality, authoritarianism in the form of an all-powerful president had already emerged without being constitutionally entrenched after Erdogan was elected President. Erdoğan had made the Gülenists who had tried to bring him down with allegations of corruption his primary target. Fighting a battle for their existence, the Gülenists made a final move to prevent their decimation on the night of July 15, 2016. Their failed military takeover gave the government a justification for enacting a state of emergency to arbitrarily dismiss public servants, restrict freedom of expression, have the courts take opponents into custody and bring charges of aiding terrorist organizations.

The government has branded as a terrorist organization a large community consisting of concentric circles of active Gülenist militants, supporters, sympathizers and the many people who have had relations with them. Rather indiscriminate dismissals, arrests and imprisonments have generated fears that anyone can be accused of being Gülenist and suffer the consequences without recourse to the protection of the law. EU criticisms that the antiterror legislation should be revised with a view to protecting individual liberties have fallen on deaf ears.

There is also yet another organization, this one accurately branded as terrorist: the Marxist-Leninist Kurdish separatist PKK that has continually challenged the government’s authority in rural southeastern Turkey since 1984. After many years of antiterror campaigns, the JDP government changed course and chose to work for a negotiated settlement. The PDP, a Kurdish party strongly suspected of having PKK connections, initially lent its support to the process. After the November 2015 election, the PDP was the third largest party in the legislature, with some 60 deputies.

However, differences within the PKK, the change of attitude among both the PKK and the PDP toward supporting the development of autonomous regions inspired by the Kobane experience in Syria and the recognition by the JDP that the agreement undermined its own standing in southeastern Turkey brought an end to the so called “Peace Process.” Terrorist activity resumed and has now also moved into urban centres. Unable to count on PDP support to change to a presidential system, the JDP turned to the NMP, a party that had rejected a negotiated settlement and called for suppression of any assertions of Kurdish ethnicity.

The government has since portrayed all terrorist movements as cooperating with one another and with external powers to destroy
Turkey. All types of opposition activity are branded as terrorism-related and suppressed under the state of emergency legislation. Two cases stand out. First, many of the columnists of the opposition daily Cumhuriyet have been arrested for being members, or helping the activities of, terrorist organizations, some for sending “subliminal” messages through their columns. As of this writing, they have been in prison for more than four months without trial. Second, a counterterrorism decree has given the President power to appoint directly the rector of state universities from among those who petition him, replacing the law that directed the President to choose from a list of three candidates proposed by the Council on Higher Education.

To ensure the ratification of the proposed presidential system in the recently concluded referendum, President Erdoğan, the government and the NMP agreed on branding those who would vote No as traitors, supporters of Gülen or the PKK or both who were out to destroy the country. The police manhandled people trying to distribute leaflets against the proposal. The various institutions of government, the bureaucracy and the state broadcasting company among others were all involved in promoting a Yes vote. The government wanted to confirm by popular vote a system that has the features of elected government but lends itself to authoritarian rule, lacking in checks and balances.

The referendum and beyond

The constitutional change was approved in the April 16 referendum with a narrow majority of 51.4 per cent and strong indications of electoral irregularities. This outcome came after a bitter and highly polarized campaign in which the activities of the opposition were often stymied by official interference and the government used all instruments of the state to promote a Yes vote. Although a Yes has been secured, the government is facing questions of legitimacy both domestically and in the international arena.

This outcome is producing contradictory pressures on the government, particularly on the President. On the one hand, he wants the changed system to become the new normal, which would suggest a policy of conciliation, moderate rhetoric and reaching across the aisle to the opposition and international critics. On the other hand, however, recognizing the precarious position the referendum outcome has put him in, he wants to keep the momentum of electoral mobilization to consolidate his powers, a feat that will be easier to achieve if domestic and international tensions are kept high and a sense of siege is sustained. Currently, the second path, consolidation of power through
domestically polarized and internationally confrontational politics, appears to have been chosen over reducing tensions.

Will the President succeed in his strategy, and will he continue to move in the direction of more authoritarian politics? The constitutional changes grant him exceptional powers. He can appoint vice presidents and ministers without parliamentary approval; these officials may not be questioned in the parliament. He can issue decrees in many domains which in liberal democracies are generally the prerogative of lawmakers. He appoints most of the judges to the constitutional court and the high board of judges, as well as public prosecutors. He can dismiss civil servants. He can now return to his party and, not surprisingly, is expected to become its leader. This new position will enhance his powers and give him a determining role in the designation of candidates for parliamentary seats, enabling him to shape a highly obedient parliamentary group. He can also dissolve the parliament, though in this case he has to leave his position and run for office in the following election.

Two important criticisms have been levelled against the changes. First, the constitution does not contain an effective system of checks and balances. Second, the President’s powers will enable him to convert the system into a party state. The question is: will these powers be used in an authoritarian fashion? The President has often expressed his majoritarian proclivities, arguing that he has the national will behind him and he should not be constrained by the courts, the bureaucracy and perhaps even the laws. This has already led him into an authoritarian path, and it would not be surprising if he chooses to continue along that path.

But there are countervailing pressures. The referendum has stimulated a lively civil society and a strengthened opposition that may continuously challenge him. Turkey’s international connections may constitute a source of restraint as well. Finally, there may be those in the governing party whose pangs of conscience or political interests will guide them to drag their feet. It is too soon to venture reliable predictions. Unhappily, authoritarian tendencies are becoming manifest in many systems in which citizens had earlier been enjoying a liberal democratic system. Turkey could be on its way to being an early manifestation of this development.

Notes

1 After being excluded from the list of invitees for membership in 1997, Turkey was invited to become a member of the EU at the Council’s Helsinki meeting in 1999, but had to go through a preparatory stage until 2005 during which, among other expectations, it was to enact measures to further democratize its political system.

2 From 1960 until 1989 all presidents were in fact retired generals or admirals.

3 The “Greek” Republic of Cyprus, a member of the EU, had already put many chapters on hold as a result of its conflict with the Turkish Republic of Northern Cyprus.

4 Kobane is a region of Syria bordering on Turkey with a mostly Kurdish population. The local Marxist-Leninist Party, PYD (Democratic Union Party), took advantage of the weakness of Assad’s government to form an autonomous government in the region, force Arab-origin populations to move out and protect towns through digging street trenches. Its military wing is now being trained and supplied by the United States in the fight to liberate Rakka and Idlib from the Islamic State.
Integrating immigrants: How well are Canadian schools doing?

by John Richards

John Richards is co-publisher of Inroads and a professor in the School of Public Policy at Simon Fraser University in Vancouver.

From Europeans arriving in the U.S. Midwest and Canadian Prairies in the late 19th century to (primarily) Asians arriving in Canadian cities in the late 20th century, the key to intergenerational integration of immigrants has been a high-quality education system, leading to immigrant employment levels similar to those for nonimmigrants. The first rung on the education ladder is high school completion. Nine of ten young Canadian adults aged 20–24 have at least a high school certificate.

However, this is a low rung. To have a good chance at a job yielding a middle-class income usually requires a trades certificate, college diploma or university degree. Nearly seven of ten Canadians aged 25–34 have reached one of these rungs. If we set aside the shameful fate of Aboriginal students, the Canadian K–12 school system overall is not faltering – among either native-born or immigrant children. But there is no guarantee that its present performance will persist.

While overall, immigrant students fare as well as native-born students or slightly better, immigrant education poses two potential problems. Within some ethnic communities, high school completion rates are mediocre, especially for those who arrived after 2000. Second, in the long term the prominence in Toronto and Vancouver of “ethnic enclaves” – the term the geographer Daniel Hiebert employs for census tracts in which visible minorities comprise over 70 per cent of the population – may generate difficult-to-manage education dynamics.
Why analyze ethnic origin?

The factors relevant to explaining students’ school performance range from school quality to parental education and family income to education expectations of students and their school peers. Whether ethnic origin should be included as one of these factors is a contested question.2

Some argue against. The correlation between student education outcomes and family ethnic origin may be high, but what appears as the impact of ethnicity should be understood as the impact of other features of the student’s family, its socioeconomic condition or school quality. Furthermore, to identify ethnic differences in education outcomes potentially aggravates social divisions based on ethnic differences, thereby increasing attitudes of marginalization among groups with weak school outcomes and ethnic superiority among those with strong outcomes. France is a country that officially subscribes to these arguments and gathers no official data on ethnicity, including the role of ethnicity in school outcomes.

Overall, however, the case for gathering, publishing and analyzing ethnic-based data is stronger than that against. While ethnic origin is never the sole factor in explaining children’s education outcomes, in most rigorous quantitative studies, after accounting for independent explanatory factors, family ethnic origin still appears as a statistically significant and often important determinant of those outcomes.

The channels through which ethnicity influences outcomes may be differences in family expectations for children’s education between ethnic communities or school peer effects among students of a particular ethnic origin. A subtle but important form of discrimination may play a role: for students of ethnic groups with weak outcomes, teachers and school administrators may develop low expectations; among ethnic groups whose families display high expectations, teachers may develop very high expectations, which in turn discourage students from other ethnic origins. If ethnic origin does play a role in one generation and ethnic communities tend to congregate geographically in enclaves, then intergenerationally the role of ethnicity is amplified.

Furthermore, in the absence of open analysis of ethnic differences, anecdotes prevail. Relative performance of neighbourhood schools is a key factor in parents’ decisions on where to live. Better that such decisions be based on results of objective analysis of schools than on anecdotes, which distort by accentuating the exceptional.

Outmigration from neighbourhoods whose schools display weak outcomes frequently hampers the potential to use education to reduce interethnic income gaps. Outmigration denies potential positive student peer effects to the remaining students. In U.S. schools, this dynamic has made closing of education gaps between black, Hispanic and Indigenous students on one hand and “white” students (which in this context includes visible minorities such as East Asian) on the other a Sisyphean undertaking. Similar dynamics of visible minority concentration in particular urban enclaves are taking place in Europe.3
How immigrant children perform in school

Until the last quarter of the 20th century, the United States was ahead of other industrial countries in providing education – first primary and later secondary – to all. No longer are U.S. K–12 results impressive. The Program for International Student Assessment (PISA), organized by the OECD, has become the most respected comparative measure of performance among national school systems. The most recent available data are from the 2015 “round” of PISA tests. Canada ranked well above the OECD average on all three subjects assessed. Its overall ranking among all participating countries (whether or not OECD members) was tenth in mathematics, third in reading, seventh in science. The difference between Canada and the respective OECD average is statistically significant for all three. By contrast, the United States ranked 40th in mathematics, 24th in reading, 25th in science.

PISA results also show that immigrant education outcomes in Canada (and Australia) are exceptional relative to other OECD countries with large immigrant populations, and that U.S. immigrant student results are mediocre.

For each participating country in the 2012 round, PISA divided sampled students into three categories: students born in the relevant country to nonimmigrant parents (nonimmigrant), students born in the relevant country to parents born in another country (second generation) and students who themselves were born in another country (first generation). A good school system seeks both to maximize the share of students performing at high levels, and to minimize the share performing at low levels. Figure 1 illustrates immigrant

![Figure 1A: Share of Students Participating in PISA 2012 Scoring Above the Baseline (Level 3 or Higher) in Mathematics](image)

Source: Organisation for Economic Cooperation and Development, PISA 2012 Results, Vol. 2: Excellence through Equity (2013), p. 81. Note: In assessing student mathematics performance, PISA employed seven levels, counting “below level 1” as the seventh. Fifty-five per cent were able to perform at level 3 or above. PISA defined level 3 as follows: “Students can execute clearly described procedures, including those that require sequential decisions. Their interpretations are sufficiently sound to be a base for building a simple model or for selecting and applying simple problem-solving strategies. Students at this level can interpret and use representations based on different information sources and reason directly from them. They typically show some ability to handle percentages, fractions and decimal numbers, and to work with proportional relationships. Their solutions reflect that they have engaged in basic interpretation and reasoning” (OECD, PISA 2012 Results, Vol. 1: What Students Know and Can Do (2014), p. 61).
and nonimmigrant student performance in mathematics for selected countries: the share performing at or above level 3 (Figure 1A) and the share at or below level 1 (Figure 1B). Among the high-immigrant OECD countries illustrated, Canada and Australia enjoy the highest and second-highest share of first-generation students scoring at level 3 or above, and the lowest and second-lowest share of such students performing at level 1 or below. U.S. performance is slightly, but only slightly, better than the overall OECD average.

Relative to most countries, Canada and Australia have the crucial advantage of being surrounded by large oceans and having no land border with a low-income country. Hence both countries have been able to impose stringent education and language requirements on legal immigrants, and illegal immigrants are few. For economic immigrants (as opposed to family members or refugees), Canada’s point system places over half of the 100 potential points on two criteria: education level (maximum 25 points) and proficiency in one or both of Canada’s official languages (maximum 28 points). The combination of geography and a “points system” is almost certainly the explanation for the fact that immigrant student PISA results in these two countries are as good as those of nonimmigrant students, and in some cases better.

Immigrants and high school completion

The data in Figures 2 and 3 concern young adult first-generation immigrant cohorts aged 20–24 at the time of the 2011 census. This is the youngest tabulated cohort for which it is reasonable to expect completion of secondary school. While they are all in the same age cohort, the immigrants’ ages at time of arrival obviously differ. The 1981–1990 arrivals were infants when their parents...
or guardians reached Canada; the 2006–2011 arrivals came between the ages of 15 and 24.

On average young adult immigrants aged 20–24 outperform their Canadian-born counterparts in terms of high school completion (Figure 2). Specific immigrant group completion rates range from 84 per cent to 98 per cent. As Colin Busby and Miles Corak document, there is a late-arrival disadvantage.9 As illustrated in Figure 2, the gap is small among many immigrant groups, but among two groups (Southeast Asians and West Asians) the late-arrival disadvantage is nearly 10 percentage points.

Two reasons explain the disadvantage. For students whose families speak neither French nor English as mother tongue, it is much easier to learn a Canadian official language (often by osmosis from other children) when under age 10, which excludes those in the two most recently

![Figure 2: High School Completion Rates, Young Adults Ages 20–24, by Ethnic Immigrant Groups and Period of Arrival, 2011](image1)

**Source:** Statistics Canada, Labour Force Status (8), Visible Minority (15), Immigrant Status and Period of Immigration (10), Highest Certificate, Diploma or Degree (7), Age Groups (13B) and Sex (3) for the Population Aged 15 Years and Over, in Private Households of Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 2011 National Household Survey (2013), cat. no. 99-012-X2011038.

![Figure 3: Share of Young First-Generation Immigrants with at Least High School Certification, Ages 20–24, by Ethnic Origin and Period of Arrival, 2011](image2)

**Source:** Statistics Canada, 2011 National Household Survey, cat. no. 99-012-X2011038.
arrived cohorts. A second reason is that recent arrivals will have undergone most if not all of their primary and secondary education in their country of origin. If that training is of considerably lower quality than that in Canadian schools, students may, independently of any language difficulty, face frustration and fail to complete.

Figure 3 renders the story more complex. The trend line linking average completion rate to period of arrival displays the late-arrival disadvantage. Admittedly, the trend lines of individual immigrant groups resemble random strings of spaghetti, but they display relevant information. Two groups (Koreans and Filipinos) display consistently superior completion rates with little variation by period of arrival. The potentially worrisome results are among those groups displaying large declines between the pre- and post-2000 periods of arrival. West Asians and Southeast Asians experience a decline in excess of 10 percentage points between cohorts arriving in 1991–2000 and in the most recent period. Completion among the most recent arrivals for these two groups averages below 80 per cent. Chinese immigrant students remain at or above the average for all immigrants, but they too have experienced a large decline in completion rates, of nearly 10 percentage points, between pre- and post-2000 periods of arrival.

Immigrants and postsecondary education

High school completion is the minimum education level for a Canadian adult to have more than a 50 per cent chance of being employed (as reported in the Canadian census). However, jobs available with just high school are typically low-wage and lack security. To realize middle-class Canadian incomes, some form of postsecondary education is typically necessary. The youngest tabulated cohort for which it is reasonable to expect adults to have completed postsecondary education is ages 25–29. The statistics in Figure 4 display the share in this cohort with a bachelor’s or higher university degree, a college diploma or a trades certificate. If we are to flag potential problems, there are three ethnic groups (Latin Americans, blacks
and Southeast Asians) whose average postsecondary education completion rates are at least five percentage points below the comparable rate for nonimmigrants.

The Youth in Transition Survey (YITS) provides evidence on many interrelated factors that may be relevant in determining immigrant student choices with respect to pursuit of postsecondary education. Two detailed studies, one by Ross Finnie and Richard Mueller and the other by Victor Thiessen, used YITS data.11

Thiessen defined four sets of variables: indicator variables to distinguish otherwise unspecified aspects of a student belonging to a particular regional ethnic grouping and whether the student is first- or second-generation immigrant; variables describing the family’s socioeconomic condition (parental income, presence of two parents, status of parental occupation, employment status of mother, number of siblings); variables describing relevant aspects of the family’s “culture” (importance of postsecondary education to parents, importance to student peers, student academic effort); and “performance” variables that reflect grades and courses chosen in secondary school. Finnie and Mueller defined similar sets of variables, and in addition added a set of variables to indicate province of residence.

After allowing for available controls, certain variables emerged in all specifications as having a statistically significant impact on the probability of an immigrant student pursuing a university degree, relative to settling for high-school only:

- **Parental education**: More education matters. The education impact is particularly powerful if at least one parent possesses a university degree.
- **Family income**: It matters, but much less so than parental education.
- **Ethnic origin**: As with data used in this article, YITS ethnic origin identification is mostly at the regional level. The overwhelmingly most important ethnic effect reported is the large positive impact on university attendance among Chinese-origin students, both first- and second-generation, even after allowing for all other controls.12 The impact is smaller but there is a positive impact associated with students from other Asian countries.
- **Parental and peer expectations for children’s education**: Parental expectations as to the level of education for their children are significant, as are peer student plans for postsecondary education, albeit less so.
- **High school performance**: Good high school grades and choice of pre-university courses are extremely powerful indicators of a student’s subsequently pursuing a university degree.

The “gold standard” for assessing the impact of any particular factor on education outcomes is a random control trial in which a random sample of students is selected and divided between those who receive a “treatment” (for example, participation in an early childhood education program) and those who do not and thereby can function as “control.” If, at the end of the experimental period, the
treatment group performs significantly better or worse than the control, the difference can with little doubt be attributed to the treatment.

Obviously, random control trials are not feasible in assessing most factors bearing on children’s education. Instead, rigorous analysis relies on multivariate regressions, controlling for as many potentially relevant factors as possible. Unfortunately, regression analysis cannot eliminate all ambiguities. For example, one of the most powerful variables in the YITS data in terms of its impact on pursuit of a university degree is for the student to have chosen university-preparatory courses in high school. Should this variable be considered a proxy for the student’s ambition and capacity? Or is it better modelled as an outcome determined by parental expectations, which in turn are partially determined by ethnic origin?

A tale of two Vancouver suburbs

In a recent study of the geographic distribution of visible minorities (whether born in Canada or abroad) in Montreal, Toronto and Vancouver, Daniel Hiebert documents shifts between the 1996 and 2011 censuses in visible minority share of Census Metropolitan Area population and in share of visible minorities living in “ethnic enclaves.” Shifts in Montreal are modest, but in Toronto and Vancouver they are large (see Figure 5). Had the additional post-1996 visible immigrant population spread itself evenly across all census tracts of Vancouver and Toronto, the proportion living in an enclave would have risen by 2011, but the share would be under 25 per cent in each. Had the increase in each census tract been proportional to its 1996 visible minority share, the enclave share would have risen to about 30 per cent. The actual 2011 enclave shares reported by Hiebert imply a heavy concentration of visible minority immigrants choosing to live in neighbourhoods that, already in 1996, contained sizable visible minority communities.

To illustrate potential education policy dilemmas, consider the two suburban municipalities in Vancouver in which over half the population are visible minorities and

![Figure 5: Visible Minority Share of CMA Population and Enclave Share of Visible Minority Population, Montreal, Toronto, Vancouver](source: Daniel Hiebert, Ethnocultural Minority Enclaves in Montreal, Toronto and Vancouver, IRPP Study 52 [Montreal: Institute for Research on Public Policy, 2015].)
approximately half the neighbourhoods, as defined by Hiebert, are “ethnic enclaves.” In Richmond the dominant visible minority is East Asian, in Surrey South Asian. The best comparative education data readily available are from the low-stakes provincewide test (Foundation Skills Assessment or FSA) in three core subjects (numeracy, writing and reading). All provincial students take these tests in Grades 4 and 7, and the provincial education ministry publishes results using three scores. For these two school districts, Figure 6 shows school district deviations, at Grades 4 and 7, from the corresponding provincial averages. (Table 1 shows distributions of provincial level results for the two grades.) In general, Richmond scores are above the provincial average; Surrey’s are below. The most dramatic difference between the two school districts arises in the numeracy results.

There is no reason to believe provincial support for schools is different in Surrey than in Richmond. However, FSA scores differ substantially, and ethnicity is almost certainly a significant factor. Do school peer effects also play a role? Is there evidence of outmigration among families not belonging to the dominant ethnic minority? The data provided in Figure 6 are suggestive, but nothing more. Jane Friesen and Brian Krauth have addressed some of these questions in detail: “We find that attending an
‘enclave’ school provides a slight net benefit to Chinese home-language students and a large net cost to Punjabi home-language students. The results are consistent with a simple model of peer effects in which the academic achievement of peers is much more important than their home language.”

The link between schools and attitudes toward immigration

Overall, all but three immigrant groups realize high school completion rates among young adults aged 20–24 above the comparable rate for nonimmigrants – which is reassuring. But Southeast Asians and West Asians display a disturbing trend in that the high school completion rates for both have declined continuously since the 1991–2000 arrivals. Relative to those arriving in 1991–2000, the decline among the most recent arrivals is in excess of 10 percentage points and, for both, the completion rate among the most recent arrivals is below 80 per cent. In addition, there is a clear disadvantage in high school completion among most immigrant children arriving as teenagers.

These results indicate the importance of immigration services, in particular English or French as second language programs in provincial schools. School districts in metropolitan areas are devoting resources to this task but improvements are feasible. On the basis of qualitative analysis in Vancouver, Angela Rai reports evidence that provincial authorities do not adequately recognize teaching of an official language to immigrants as a major career path for teachers. In Quebec, schools are attempting simultaneously to integrate immigrants into French as the provincial langue commune and teach English as a second language. Here, linguistic immigration services have loomed as a larger issue than in the other provinces.

The snapshot of recent student performance in two Vancouver school districts is only suggestive (“two swallows do not a summer make”). However, the large increase in immigrant share of Toronto’s and Vancouver’s population and the dramatic increase in the

<table>
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<tr>
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<td>21.7</td>
<td>65.5</td>
<td>12.9</td>
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proportion of visible minorities living in “enclaves” should invite some concern. Will these cities over the next generation generate ethnic-based education inequalities similar to those that have arisen in cosmopolitan U.S. and European cities?

Observing the PISA results among first- and second-generation immigrants, Canada’s performance is an obvious outlier – as is Australia’s. Almost certainly, the ability to require rigorous education and language qualifications among potential immigrants is a key explanation for Canada’s superior immigrant student results. Given the importance of well-educated parents able on arrival to speak and read one of Canada’s official languages and able therefore to tutor their children, political pressure to relax the language and education requirements is disconcerting. A high-profile example of such pressure is the lobby by several Vancouver MPs in ridings with large South Asian communities.¹⁸

At present, Canada’s school system is doing relatively well and the majority of Canadians hold generally favourable attitudes toward immigration. Successful schools and favourable attitudes to immigration are linked. If our school system falters – as has the U.S. K–12 system – immigrant education and integration will suffer. And the large minority (38 per cent) who agree “strongly” or “somewhat” that “overall, there is too much immigration” would no doubt increase.¹⁹

Notes


⁵ PISA is conducted among students aged 15 in all OECD members, plus others that choose to participate. It is organized in “rounds,” once every three years, among a random sample of secondary school students in a random sample of schools. In the 2015 round, the sample exceeded 500,000 students; the Canadian sample was over 30,000. The emphasis in each round is on one of three core competencies: reading, science and mathematics. In the 2015 round the emphasis was on science.


⁸ To generate adequate sample sizes for cross tabulation, Statistics Canada has aggregated immigrant communities into regional groupings. The data discussed are from online tabulations.
in 1977 that most immigrants enroll their children in French-language schools. The Quebec experience, prior to passage of Bill 101, was that the great majority of nonfrancophone immigrants to Quebec transitioned from their mother tongue to English. As I indicated in Language Matters: Ensuring That the Sugar Not Dissolve in the Coffee, monograph in Canadian Union Papers, Commentary 84 (Toronto: C.D. Howe Institute, 1996), transition to French has increased considerably since the 1980s.

According to the National Household Survey (Statistics Canada, NHS Focus on Geography Series [2013], cat. no. 99-010-X2011005), 53 per cent of Surrey’s population and 70 per cent of Richmond’s are visible minorities. In Surrey, 26 per cent of the city’s population identify as South Asian, exactly half the visible minority population. In Richmond, the Chinese comprise 53 per cent of the city’s population, well over half of the visible minority population.


Jane Friesen and Brian Krauth, Enclaves, Peer Effects and Student Learning Outcomes in British Columbia (Vancouver: Metropolis British Columbia, Centre of Excellence for Research on Immigration and Diversity, 2008). Friesen and Krauth evaluate peer effects in Richmond and Surrey, using a “value added” model of changes in Grade 7 versus Grade 4 results in the provincial core competency test.


Can a bilingual province become a bilingual people?

New Brunswick’s image as an oasis of linguistic harmony masks some complex issues

by Mathieu Wade

New Brunswick is often presented as the poster child of Canadian bilingualism and linguistic harmony. It’s the only officially bilingual province and its demolinguistic makeup is unique in the country. While francophones represent no more than 4 per cent in the rest of the provinces outside Quebec, they make up a third of New Brunswick’s population. However, the commonplace idea that New Brunswick is an oasis of linguistic harmony conveniently ignores the palpable frustrations and tensions that exist within both linguistic communities and the complex issue of linguistic coexistence.

In 2015, an online petition calling for abolition of linguistic duality and official bilingualism gathered more than 10,000 signatures. That same year, the CBC announced it would put to an end to anonymous comments on its website after Acadians complained about the overtly racist comments that accompanied most language-related articles. In 2016, the proposition to rename a park and a court in Moncton in honour of two Acadians – a poet and an architect – was met with widespread opposition. These two people, opponents argued, didn’t
represent their community – didn’t share their identity. Though Acadians make up a third of the population and have been present in the city since its foundation, 95 per cent of Moncton’s street names are in English.

The relative harmony and institutional accommodation of official language minorities in New Brunswick belies a problematic situation over the five decades since official bilingualism was adopted. In the 1970s the Parti Acadien, a francophone nationalist party, proposed the creation of an Acadian province as an alternative to official bilingualism. The party presented candidates only in Acadian regions, and never managed to get a candidate elected.

In the 1990s the Confederation of Regions party, an anglophone nationalist party, proposed to abolish official bilingualism. The CoR presented candidates only in anglophone regions, yet rose to official opposition in 1991. Since then, the political consensus seems to be that discussion of official languages is taboo. In 2011, two Conservative MLAs questioned the relevance of official bilingualism, and they were forced to apologize. Another Conservative MLA criticized linguistic duality in health care in 2012 and was ousted from the caucus after he refused to retract. The same year, when the Official Languages Act underwent its 10-year review, the Conservative minister in charge decided to do so behind closed doors given what she called the “emotional” nature of the issue.

Five decades after the adoption of the Official Languages Act, and more than 30 years after the enshrinement of linguistic duality in the Canadian Charter of Rights and Freedoms, language continues to be contentious.

Underneath the veneer of harmony lie frustrations on both sides of the linguistic divide, frustrations that the main political parties have failed to address. These tensions are in large part due to the very nature of the province’s linguistic regime and the ambiguous goals it has been given.

New Brunswick’s linguistic regime and its critics

Though New Brunswick is officially bilingual, the linguistic regime has never sought to create a bilingual population. Rather, the province’s
Though New Brunswick is officially bilingual, the linguistic regime has never sought to create a bilingual population. Rather, the province’s linguistic regime is founded on two principles that seek to ensure the right of every New Brunswicker to be unilingual. In the context of stagnant economic growth, these two principles have recently been criticized both for being too costly and for stifling employment.

**Linguistic duality** has received the most criticism. Adopted in 1981 by the provincial Conservatives and enshrined in the Canadian Charter of Rights and Freedoms by the provincial Liberals in 1993, it refers to the right of both linguistic communities to distinct educational institutions and distinct health networks. In both education and health care, duality seeks to create linguistically homogenous environments to protect the minority language. While there is only one Department of Education, each community has its own school districts. Though there is only one Department of Health, there are two health networks, francophone and anglophone. The language of work and administration in a given hospital depends on the network that manages it, but all health care facilities are required by law to provide services in both official languages.

Critics have highlighted two main problems with duality. First, they argue, duality is comparable to racial segregation. It is unfair, they say, to separate children based on language. Duality is divisive as it separates the people along linguistic lines. Second, they argue that duality is inefficient. It is too expensive for this “have-not” province. New Brunswick cannot afford to duplicate its services to accommodate a minority group and needs a “common sense approach” to language.

Both of these arguments are at least partly ill-founded. First, whereas racial segregation aims to ensure domination over a group defined by ethnic or racial traits, duality aims to create an environment where a minority language group – the Acadians – can thrive. It is a means to protect a minority, not to ensure domination over it. Language is a complex skill that needs certain conditions to thrive and grow. Duality has created such an environment. As a skill, a language can be learned, but also lost. Bilingual schools throughout the country – up until the 1990s in some areas – led to massive linguistic assimilation because of the appeal and social and cultural power of English in North America. The idea of one school for all neglects the complex power relations inherent in language, and the need for a minority group to have spaces where its language can circulate freely.
The idea of one school for all neglects the complex power relations inherent in language, and the need for a minority group to have spaces where its language can circulate freely.

Second, while duality does entail some administrative duplication, it doesn’t duplicate all institutions and services. Merging all school districts and health networks wouldn’t magically reduce their cost by half. There would be as many students and sick people as before. Moreover, the linguistic composition of bilingual schools would vary greatly across the province. Linguistic communities aren’t spread evenly. In the northeast over 90 per cent of the population is francophone, whereas in the southwest over 90 per cent is anglophone. Bilingual schools would look completely different in different regions, and would therefore yield uneven results with regard to language. These new bilingual institutions would also need bilingual employees, not only to offer services in both languages but also to enable employees to work in the language of their choice. The alternative to duality cannot be common institutions whose default language is English.

Providing services and a workplace environment in both official languages requires certain institutional arrangements that have also been criticized. Indeed, the other main criticism of the linguistic regime is the unfair advantage given to bilingual people in the public sector. Which brings us to the other branch of the linguistic regime: institutional bilingualism.

_Institutional bilingualism_ refers to the right of all citizens to interact with the state and receive services, and for public servants to work, in the official language of their choice. To ensure this right, a certain percentage of civil servants need to be proficient in both official languages. According to the Commissioner of Official Languages for New Brunswick, 41 per cent of public sector jobs require bilingualism.¹ The law applies solely to the public sector. Any linguistic requirements in private sector jobs are unrelated to official bilingualism; they are, rather, a reflection of the growing market value of multilingualism in a globalized economy.

Nevertheless, these linguistic criteria for certain public sector jobs, as well as for a growing number of service jobs in the private sector, have come under criticism from a number of unilingual anglophones who feel disadvantaged in the labour market. The uneven distribution of bilingual skills in the province does tend to favour francophones. Over 70 per cent of francophones are bilingual, compared to under 16 per cent of anglophones. This disparity is in part due to the English’s appeal as the world’s most dominant language. But it doesn’t mean that English is more naturally or easily learned (52 per cent of francophone Quebecers cannot speak English). According to the 2006 census, the employment rate of bilingual New Brunswickers was higher (62.5 per cent) than that of unilingual anglophones (56.6 per cent) and francophones (41.9 per cent).²
Duality and official bilingualism go hand in hand. They ensure that, in a province where there are two official languages but where the majority of citizens speak only one language, unilinguals have access to services and a workplace environment in the language of their choice. Duality guarantees unilinguals – the majority of whom are anglophones – access to public sector jobs in health and education. Abolishing duality would drastically increase the need for a bilingual workforce in the public sector, to the detriment of its critics, who deplore the unfair advantage supposedly already given to bilingual workers.

Unilinguals in a bilingual province

Since its adoption in 1969, institutional bilingualism has served one main purpose: guaranteeing equal rights to public services in both official languages. By declaring the state bilingual, institutional bilingualism indirectly protects the right of individuals to be or remain unilingual. This right for unilinguals of both official languages to receive equal services doesn’t apply to their respective rights to employment. Yet, the regime does create a public service and, more generally, a society where bilingualism becomes a marketable and valued asset. This is where New Brunswick’s language policies have failed. They protect the rights of unilingual citizens, but fail to foster and expand bilingualism. Between 1951 and 2001, the number of bilingual people did double, but it peaked at 34 per cent of the population and has since decreased.

While every premier since Louis J. Robichaud in the 1960s has touted bilingualism as an economic advantage, efforts to foster this skill and increase the number of people who possess it have been timid at best. Bilingualism played a major role in Moncton’s revival as a service hub in the 1990s. The city is now the province’s economic engine and has had the largest growth in its population per capita of any city east of Ontario. Moncton became a call-centre hub, in large part because of its bilingual population.

Yet few efforts have been made to widen this skill. Bilingualism is considered something of a naturally occurring resource that can simply be extracted. New Brunswick therefore has an economy that increasingly relies on language skills – WestJet announced it would be creating 400 jobs in Moncton, the vast majority of which require bilingualism – yet it continually produces more unilingual citizens than bilingual ones. The province’s education system fails at fostering these valuable language skills, especially among the anglophone majority.
Language is a form of power. In multilingual contexts, a language’s ability to circulate freely and to be understood determines its power to create community, shape opinion, organize action and influence behaviour. The regime enables French to circulate freely in certain spheres of society, thereby granting it value and power in both the public and private sectors. Critics have tended to focus on revoking language rights from the minority, thereby reducing its value and its power. Very few voices publicly call for improved French second-language education. Acadian culture and language are tolerated, and sometimes even celebrated, but very rarely embraced by the majority. To embrace a language is to give it power. When a majority refuses to learn or acknowledge a minority language, it is expressing its power and domination.

The province’s political parties have largely neglected these power relations at the heart of linguistic coexistence. As a result, New Brunswickers have never learned how to discuss language.

Recognition of language groups

These fundamental discussions concerning language rights and skills are complex, and both official language groups have had trouble finding productive ways to express their frustrations and aspirations. There are two main reasons for this.

First, recognizing a linguistic group is inherently different from recognizing religious, sexual or ethnic groups. Nondiscrimination can take many forms: allow Sikhs to wear a turban instead of the traditional RCMP Stetson, allow Muslim women to take the citizenship oath without uncovering their faces, allow gays and lesbians in the Canadian armed forces, legalize same-sex unions, and so forth. In all these cases, recognition takes the form of passive nondiscrimination. Recognizing the minority group doesn’t entail transforming one’s own identity, or acquiring a skill – just not getting in the way of someone else’s expression of their identity.

Language, on the other hand, is a skill. Recognizing a linguistic group means not only tolerating its presence but also enabling its language to circulate freely in certain areas. A linguistic group exists only insofar as its language can circulate. The vitality of a linguistic group – in other words, its level of recognition – is directly related to its ability to circulate freely in as many places as possible, to give its speakers access to the widest array of goods and services.
Recognizing a linguistic group means not only tolerating its presence but also enabling its language to circulate freely in certain areas. A linguistic group exists only insofar as its language can circulate.

If recognizing a linguistic minority implies acquiring its language, is unilingualism in a bilingual society a form of discrimination? Is it discriminatory not to provide a service in a given language? There certainly is a difference between refusing to serve a francophone and refusing – or not being able to – serve a francophone in French. Yet, both can be considered forms of discrimination.

In 2015, a group in Richmond, B.C., filed a human rights complaint after a series of condo meetings were held in Mandarin only, given that it was the majority language in the building. They argued that this constituted a form of discrimination that effectively excluded non-Mandarin speakers from taking part in the meetings. This is an eloquent example of the power of language. In 2010, French was briefly forbidden at the Moncton Casino’s card tables to prevent cheating, since many employees were unilingual anglophones.

In 2010, a group handed over a petition with more than 4,000 signatures to Dieppe’s city council asking it to adopt a bylaw regulating the language of commercial signs. Dieppe forms part of Greater Moncton along with Riverview and Moncton proper. With a population of about 25,000, Dieppe is the largest majority-francophone city outside Quebec. Though 75 per cent of its population is francophone, most commercial signage was in English. The group asked the city to implement a bylaw making both French and English mandatory on all signs. The city accepted this proposition and adopted bylaw Z-22.

The same group then asked Moncton’s city council to do the same. Moncton is, after all, officially bilingual. Though a third of Moncton’s population is francophone, less than 20 per cent of commercial signs contain French. After consulting with local businesses, most of whom rejected this idea, the city refused to adopt the bylaw, preferring incentives and education to regulation.

The idea of regulating the language of commercial signage attracted widespread criticism from anglophones. Such a proposition would go against freedom of speech, they argued. They shouldn’t be forced to express themselves in a language that doesn’t reflect their linguistic or cultural identity. Francophones argued that the city’s current linguistic landscape didn’t adequately reflect its demographic composition and had adverse effects on their sense of belonging to the city. What does it teach our young children, who are learning to read in French, when their language is absent from the city where they live?

One question was never asked though: why did shop owners, who defended their right to express themselves in the language of their choice, overwhelmingly use that right to exclude the francophone population? Recognition goes beyond the mere question of
rights: it implies acknowledging groups with whom we create a society, and finding ways to include them.

Policy and path dependency

In New Brunswick, language policy has had some side effects that make this recognition difficult. Policy instruments designate groups, defining their rights and their access to certain resources. These bring with them a certain inertia. In this case, the adoption and institutionalization of the linguistic regime in New Brunswick has had a profound effect on Acadians. It has given their language political—much more than social—recognition, and has redistributed vast resources to their institutions, especially their schools. Prior to Louis J. Robichaud’s reforms, there were considerable financial disparities between anglophone and francophone schools, which for the most part have been eliminated.

Schools have become the cornerstone of Acadian identity and the main tool in promoting and defending French. Duality has meant that Acadians can manage their own schools. Duality has, in a sense, created two solitudes. Francophone schools try to promote French and limit the use of English (it’s generally forbidden to speak English in the hallways and to play English music on the school radio or at musical events). Meanwhile, anglophone schools haven’t made French as a second language a priority. The two school systems function as parallel units.

Duality was initiated to protect the minority language, but it has had the adverse effect of inhibiting cooperation between the linguistic communities. Since 1989, francophone schools throughout the province have celebrated “Provincial French Pride Week” in March. This week-long celebration of French language and Acadian culture is confined to francophone schools. Imagine if Black History Month were directed only at Black people. Imagine if feminism were taught only to women.

In 2014, the Department of Education and Early Childhood Development adopted a 10-year plan for language and culture in francophone schools.3 This plan sets guidelines for linguistic and cultural identity construction, mobilizing hundreds of associations, academics, parents, teachers and others. But the scope of the discussion has been limited to French schools. Francophones haven’t framed their cultural identity in a way that included the anglophone majority, even though anglophones’ ability to communicate in French has enormous implications for the Acadians’ position.

This tendency to evacuate the anglophone majority from francophones’ collective Francophones haven’t framed their cultural identity in a way that included the anglophone majority, even though anglophones’ ability to communicate in French has enormous implications for the Acadians’ position.
projects is also manifest in immigration issues. New Brunswick has an aging and declining population. Immigration has been presented as a potential solution to this demographic problem. The linguistic regime gives francophones the right to “francophone immigration.” To respect the linguistic composition of the province, the provincial and federal governments have stated that a third of all immigrants should be “francophone.” Public resources have been directed toward recruiting and retaining immigrants from francophone countries. However, these immigrants are faced with a difficult situation. Not only do we ask them to become a minority within a minority – which is by no means a comfortable place to be – but they quickly find out that English is a necessary skill in the labour market.

Conversely, efforts by anglophone school districts to attract immigrants have had some success. Faced with declining enrolments, some school districts, in partnership with the province, actively recruited Korean families. Koreans now represent the second largest immigrant community in New Brunswick. While these immigrants are helping boost enrolment numbers at anglophone schools, their employment prospects, and ultimately their probability of staying in the province, will remain somewhat limited if they do not learn French. Will they stay?

Without a clear policy on second-language education, immigrant parents are left with a difficult choice: either they send their children to anglophone schools, where they will learn the majority language but risk not learning French, or they send them to minority francophone schools, where they will most likely learn some English but will be schooled in a marginalized language. Will they feel part of the Acadian community?

This dilemma was particularly clear in the school enrolment of the recent influx of Syrian refugees to the province. Both linguistic communities welcomed the arrival of refugees. They were seen as a much-needed demographic boost. Acadians demanded that the linguistic balance of the province be respected and that a third of all children be enrolled in francophone schools. The federal government warned the Acadians that refugees should not be seen as an opportunity for their community, that the situation was urgent and complex, and that were these refugees from a francophone region things might be different. Parents were left to choose the language in which their children would be schooled. As of September 2016, 85 per cent of parents had chosen anglophone schools.

Language rights and policy in New Brunswick are aimed at protecting linguistically homogenous communities, rather than promoting bilingualism. These are indeed two very different goals. Each community having a right to its own institutions, its own services, its own immigrants, they tend to fight for their respective share of resources rather than strive to work together. In the face of a declining population, Acadians are putting all their efforts at attracting immigrants to their schools, rather than improving French second-language education in anglophone schools where the majority of immigrants end up enrolling. There’s a simplistic conception that whatever happens in “their” school is not “our” problem.
Rights and policies have shaped language and identities in New Brunswick in ways that limit collective action, cooperation and unity. While the ideal of promoting and defending linguistic communities is a noble one, in their refusal to set clear goals and formulate a common societal project, these policies are based on a static definition of language and identity. By focusing exclusively on political recognition, they fail to foster social recognition.

Transforming identities

The language debate in New Brunswick has historically been framed as a French problem. The province – or perhaps should we say the anglophone majority – has sought to find reasonable accommodation with the Acadian minority, without ever clearly embracing its language and culture as a fundamental part of the province’s identity. Conversely, Acadians have historically sought to shelter their identity from the anglophone majority’s dangerous influence. Anglophones are a menace rather than potential allies. Equality for Acadians has meant the right to be self-sufficient as a distinct community and limit any interaction with the anglophone community. However, insofar as both groups seek to be self-sufficient and distinct from each other, inequalities and frustrations are bound to grow. Acadians have everything to gain by encouraging their anglophone neighbours to learn French. And anglophones have everything to gain by learning French and enriching themselves with new francophone cultures.

New Brunswick has a unique demography and faces daunting economic and social challenges. These challenges will be overcome much more easily if the province’s population learns to work together and strives to create a common bilingual people. For this to happen, the majority will need to let go of some of its privilege and embrace the language and culture of a group with which it has been sharing a territory – for better and for worse – for over four centuries. Acadians, for their part, will need to take risks and encourage and embrace bilingual anglophones. Both groups need to let go of their old reflexes. They cannot thrive if they continuously compete for resources and fight for the right to ignore each other.

New Brunswick is Canada’s only bilingual province. It’s now time for New Brunswickers to become a bilingual people.

Notes

Canada at 150

We don’t need any kaiser.
— Heinrich Heine, A Winter’s Tale

What courage, back in 1843,

for the bard to give voice

to what was still a faint stirring

somewhere in the forest depths

of a Germany still asleep

to the longing for a springtime of the people.

And we,

in this Dominion of the North,

who have been sleeping for a full 150 years,

putting up with regal flummery,

with all the trappings of Old World monarchy,

have yet to break the bonds of a mentality

that ties us to our colonial dregs.
Modernism

Modernism came at a stroke
amidst the carnage and the cold
that swept muddy battlefields,
leaving the old order fractured in its wake.
Scales fell from a generation’s eyes,
becoming an atonal twelve,
bodies on canvases disengaged,
squares, cubes and asymmetric blobs
displacing classic harmony for good.
We were growing up,
or so it seemed,
learning to live with bold designs,
urban centrefolds that swelled until they reached the sky,
movement at a speed
foretelling the eclipse of linear time.
Some say the world has become a better place,
that the multitude has never thrived as it now does,
despite the lapses of major wars and minor ones,
and regimes no less repressive than those that came before.
Perhaps the data point to sunnier days,
but in our gut we kind of sense
the breakdown which the modernists sketched
has become the lethal norm.
Cementario del Norte – La Recoleta

July 26, 1991

Past chiselled tombs,
crypts of publishers, cardiologists and rectors
ministering to the soul or body,
along the alleyways of a deserted city,
no blade of grass to disturb the grey cement and marble,
you wander.
A cat or two has made a home
in amongst these necro-villas with their coffins,
guardians tending to the flowers and the dust,
sweeping the portals clean,
much as concierges might do in the world of the living.
Suddenly around the bend TV cameras whir,
a whole cortège of mourners
– wreaths of the finest roses, orchids, passion flowers at their feet –
has gathered around the Duarte tomb
to mark the 39th year since her passing.
A balding trumpeter, out of a’30s movie,
plays in her honour,
as a sea of hands, each with two fingers held aloft,
salutes to the cry “Viva Perón!” “Viva Eva Perón!” “Viva la patria!”
Many of the women are in furs,
a few in simpler cloth or woollens,
their eyes moistening to the power of a legend.
Which is the real Evita,
the stricken saint they mourn,
Madonna to the decamisados,
heroine of Broadway musicals?
Or the spider-lady behind a fickle venturer
who for decades kept a country in his thrall?
Vimy and Vimyism

by Bob Chodos

Bob Chodos is managing editor of Inroads. His article on the centenary of the First World War, “In the Trenches,” appeared in the Summer/Fall 2014 issue.

Ian McKay and Jamie Swift, The Vimy Trap, Or, How We Learned to Stop Worrying and Love the Great War. Toronto: Between the Lines, 2016. 372 pp.

When the dark wood fell before me
And all the paths were overgrown
When the priests of pride say there is no other way
I tilled the sorrows of stone
— Loreena McKennitt, “Dante’s Prayer”

The most dramatic moment in President Donald Trump’s speech to Congress on February 28 came when he addressed Carryn Owens, the widow of a Navy SEAL who was killed in a raid on an Al Qaeda target in Yemen in late January. Senior Chief William (Ryan) Owens “died as he lived,” Trump said:

a warrior, and a hero – battling against terrorism and securing our Nation. I just spoke to [Defense Secretary Gen. James] Mattis, who reconfirmed that, and I quote, “Ryan was a part of a highly successful raid that generated large amounts of vital intelligence that will lead to many more victories in the future against our enemies.” Ryan’s legacy is etched into eternity. For as the Bible teaches us, there is no greater act of love than to lay down one’s life for one’s friends. Ryan laid down his life for his friends, for his country, and for our freedom – we will never forget him.
Initial media comment was effusive. “What the President did w Owen’s widow was capital P Presidential,” noted Katy Tur of NBC. Citing this and other moments in Trump’s speech, Chris Wallace of Fox News said, “I feel like tonight Donald Trump became the President of the United States.”

Questions about whether the Yemen raid lived up to Trump’s characterization of it were left to outlets such as the New Yorker, where Amy Davidson wrote that “Owens was killed in an operation in Yemen that Trump had authorized, and which appears to have gone very badly, with probable civilian deaths, the alienation of the Yemeni public, and exaggerations about the intelligence gained,” and John Cassidy pointed out that Bill Owens, father of the slain Navy SEAL, was demanding an investigation into the mission that led to his son’s death. An earlier New York Times article on the raid summed it up by saying that “almost everything that could go wrong did.”

But none of that mattered. When a military operation – almost any military operation – is invoked for political or patriotic purposes, the details are unimportant.

As with the Yemen raid of 2017, so with the Battle of Vimy Ridge of 1917.

Of course there are differences. It is unquestionable that the four Canadian divisions that launched the attack on April 9, 1917, did, in fact, dislodge the Germans and capture the ridge. The problem is with the wider context, and especially with the claim, frequently repeated in this year’s observance of the centenary of the battle, that Vimy represented the birth of the Canadian nation – what Ian McKay and Jamie Swift, in their new book The Vimy Trap, call “Vimyism.”

The Vimy Trap is a historiography of Vimy, and of Canada’s participation in the First World War more generally – supplemented by an extensive and useful bibliographic essay. It is not so much about the war itself as about its representation in the years since in books, newspaper photos and their captions, painting and sculpture, films, radio documentaries, exhibits in the Canadian War Museum, even video games. It is about the impact of Vimy on our sense of ourselves.

Though full-blown Vimyism is a relatively recent phenomenon, different conceptions of the war have been in competition in the entire century since 1914. During the war itself, the official attitude toward the war was expressed in what historian Paul Fussell, cited by McKay and Swift, called “High Diction”: the language
of honour, valour and sacrifice. Even then, High Diction ran up against the “Low Reality” of the war, a notable expression of which was Fred Varley’s grim 1918 painting *For What?*

A current of disillusionment ran through the postwar period, and among the most disillusioned were the returned soldiers themselves. Erich Maria Remarque, whose 1929 novel *All Quiet on the Western Front* typified the “Literature of Disillusionment” of that period, was a veteran of the Western Front; so was the Canadian Charles Yale Harrison, author of *Generals Die in Bed* (1928).

This mood was reflected in the creation of the imposing monument to Canada’s war dead that was dedicated at Vimy Ridge in 1936. In the Canadian National Vimy Memorial’s dominant figure, sculptor Walter Allward portrayed Canada as a grieving woman, “Canada Bereft” as he called her or Mother Canada as she is popularly known. At the top of the monument’s twin pylons are the symbolic figures of Justice and Peace, with other symbolic figures below. The Vimy Memorial, a familiar image that graces the reverse side of the 20-dollar bill and says “Vimy” to many Canadians, is far from being Vimyist.

And while there were echoes of Vimyism in some of the speeches at the dedication ceremony, others, like that of United Church minister George Oliver Fallis, took on a very different tone. Evoking John McCrae’s plea in “In Flanders Fields” to take up the dying soldiers’ quarrel with the foe and hold high the torch they threw, Fallis urged his listeners to

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“finish their task and make real their vision of a world swayed by peace and brotherhood.” McKay and Swift comment, “The ‘foe’ with whom one should quarrel, in this 1936 vision, was war itself.”

But after King Edward VIII dedicated the Vimy Memorial, attitudes began to harden. “From the mid-1930s,” McKay and Swift write, “martial nationalism would start to make claims for Vimy that were scarcely credible and would have been generally unrecognizable in 1917 ... There was a sense that, after the opening of the monument in 1936, Vimy and the Great War attained a certain untouchability in Canada.”

Still, it took another few decades before Vimyism really began to take hold. Its central creedal statement is the work of Brig.-Gen. Alex Ross, who fought at Vimy and later became a leading figure in the Canadian Legion: “It was Canada from the Atlantic to the Pacific on parade. I thought then, and I think today, that in those few minutes I witnessed the birth of a nation.” While Ross may have expressed similar sentiments earlier, this formulation comes from his introduction to a 1967 book by Eberts Macintyre, Canada at Vimy. And Vimyism would have to wait another two decades for its core scriptural text, Pierre Berton’s 1986 book Vimy. As McKay and Swift write, “The ‘Battle of Vimy Ridge’ that has captivated many a Canadian mind – from Don Cherry to former prime minister Stephen Harper to historian Tim Cook – is, to a large extent, the Vimy of Berton’s heroic story.”

In Berton’s telling, the story was one of hardy Canadian frontiersmen whose fortitude, resourcefulness and independence of mind allowed them to accomplish things that the regimented soldiers of Europe could not. But McKay and Swift raise some pointed questions about Berton’s story, and about the Vimyist account of the battle in general. They note that most of the soldiers at Vimy came not from the frontier but from the urban working class. Far from being “innocents abroad,” as Berton portrays them, they engaged in such “brutal tactics” as prisoner-killing and trench-raiding (that Berton himself reports such activities leads McKay and Swift to call his book a “subtly self-subverting text”). The units that won this “Canadian” victory were fully integrated into the British Expeditionary Force. And far from promoting Canadian national unity, Vimy had a “quite unexpected consequence”:

After Prime Minister Borden went to France to visit the wounded of Vimy Ridge, he returned home to Canada in May convinced that the country should move ahead on compulsory military service. Shortly after that, on 24 May, Montreal became the scene of anti-conscription riots. Rather than leading the country almost magically to attain new levels of unity and togetherness, Vimy Ridge was the prelude to an unprecedented conflict in Canada so serious that it raised the prospect of the country’s violent dissolution.

With this background, it is not surprising that Vimyism has never caught on in French Quebec. Indeed, even though Vimy is supposed to represent a key moment in Canada’s achieving independence from Britain, it has been largely a British Canadian phenomenon, and it
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took hold precisely when the idea of Canada as an essentially British country was beginning to fade. “Vimy as the national origin story can be welcomed without inner reservations mainly by those Anglo-Canadians who retain a fond regard for the British Empire,” write McKay and Swift. “Since the 1960s the members of this group have become a minority – yet one retaining vast political resources and cultural power. In a country of minorities ... Vimyism – promoted by a powerful, determined, and affluent minority – fills a cultural void.”

McKay and Swift favour a very different style of war remembrance, typified by a pair of statues by German artist Käthe Kollwitz, which stand in a German military cemetery in Belgium where her 18-year-old son, killed in 1914, is buried. They note that Kollwitz’s work, *The Grieving Parents*, “has no trace of patriotic bombast.” Rather, it expresses grief for her son, for all the victims of the war, and for her generation’s failure to prevent the catastrophe. A more recent example of appropriate commemoration in the Ring of Remembrance in Ablain-Saint-Nazaire, France, not far from Vimy Ridge, dedicated on November 11, 2014. Consisting of 500 metal panels, it contains the names of nearly 600,000 soldiers on both sides killed in northern France, listed alphabetically without regard to nationality or rank.

Another elaborate ceremony took place at Vimy Ridge on April 9, 2017, to commemorate the 100th anniversary of the battle. While there were notes of Vimyism in the ceremony, especially in Prime Minister Trudeau’s speech, the dominant mood was more subdued. Trudeau evoked the familiar tropes of the battle bringing Canadians together and allowing Canada to stand as an independent actor on
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the international stage. But under the brooding figure of Mother Canada, in a battlefield still pockmarked and dotted with unexploded shells, Loreena McKennitt’s “Dante’s Prayer” better suited the occasion. François Hollande of France, in the waning days of his presidency, had the grace to remember the German soldiers who died as well as those of France, Britain and Canada. Even Trudeau, after his Vimyist excursion, concluded his speech with a passionate call for peace and the words “Never again.” In the CBC’s coverage of the event, Peter Mansbridge and others noted that the capture of Vimy Ridge did not change the course of the war.

Perhaps the high tide of Vimyism has passed and Canada can move on to a more sober assessment of its military past. Perhaps Canada has matured to the point where it no longer needs a battle to define its identity. Perhaps the world is slowly finding better ways to resolve disputes than the use of force. Perhaps.

On April 6 (coincidentally the 100th anniversary of American entry into the First World War), President Trump ordered a missile attack on a Syrian air base in response to the Syrian regime’s use of chemical weapons. Once again commentators declared his move presidential (there had been some backsliding since his February speech). Once again, “Donald Trump became President of the United States” – this time according to Fareed Zakaria on CNN.

Whether or not the West should intervene militarily in Syria is a complex issue. Those who favour such intervention have some cogent arguments on their side. But evidence of any long-term, thought-out strategy behind Trump’s action is lacking. This is not supposed to concern us. “The motto seems to be: ‘when in doubt, go to war,’” noted Arthur Milner on the Inroads listserv. “Any leader will do. Trump sends a few dozen missiles and suddenly the liberal warmongers decide he’s presidential after all.”

A battle makes a nation. A missile strike makes a presidency. How we remember war affects how we think about it now. McKay and Swift’s account of how we remember Vimy is of more than historical interest.

Notes


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In this issue

FRONT MATTER
Reg Whitaker sees a danger to democracy in Donald Trump, while Garth Stevenson hears echoes of populisms past
Arthur Milner crosses the great divide
Craig Jones guides us through the transition to legal marijuana

HOUSING BUBBLE REVISITED
Josh Gordon: There’s a way to stop housing prices from rising further out of reach in Vancouver and Toronto

POPEULISTS IN EUROPE AND THEIR RUSSIAN FRIENDS
Henry Milner on the retreat of democracy
John Erik Fossum on populists and the European Union
Philipp Harfst on Germany’s uncertainty amid stability

TRUMP ADMINISTRATION
Ronald Beiner: What does Steve Bannon really think?
Gareth Morley: Neil Gorsuch and judicial conservatism’s new generation

HOUSING BUBBLE REVISITED
Josh Gordon: There’s a way to stop housing prices from rising further out of reach in Vancouver and Toronto

EDUCATION OF IMMIGRANTS
John Richards: Can the current good results continue?

BILINGUALISM IN NEW BRUNSWICK
Mathieu Wade: A bilingual province, but not a bilingual people

BOOKS
Bob Chodos on Vimy Ridge, 100 years later

PLUS
Philip Resnick: Canada at 150 and other poems