Canada on the Edge

Canadians must end our faux-democracy now,
and urgently rebuild a stronger, united federation.

Deborah Coyne

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Author's Note

This is a critique of Canada's faux-democracy and a roadmap to a new kind of politics, a true democracy, and a stronger federation, built on citizen engagement. The critique is practical, and not informed by any top-down academic, legal, or political approach. Rather, it reflects my hands-on experience in the undemocratic underbelly of party politics, and what I have learned as an active citizen.

Canada is a faux-democracy – a democracy in name only. Our political parties are hollowed-out shells, run by an insular elite who select the party leader. Once a party leader becomes prime minister, the government is effectively run out of an increasingly powerful Prime Minister's Office (PMO), while parliament is effectively neutered. The democratic decay at the top is compounded by an anachronistic electoral system that produces governments that do not reflect the popular vote, and a parliament in which MPs are unable to function freely in holding government to account.

Between elections, the prime minister consolidates his control of parliament through a tentacled PMO and the exercise of his enormous, unaccountable, untransparent discretion. Even serious ethical breaches attract few consequences. The PMO orchestrates the business of legislating and making judicial and administrative appointments with a view to maintaining and enhancing its partisan power, with minimal accountability. The prime minister appoints the chairs of most parliamentary committees and the Chiefs of Staff to cabinet ministers who all report to the PMO, as well as senators, the Governor-General, federal and Supreme Court of Canada justices, heads of Crown Corporations, ambassadors, and more.

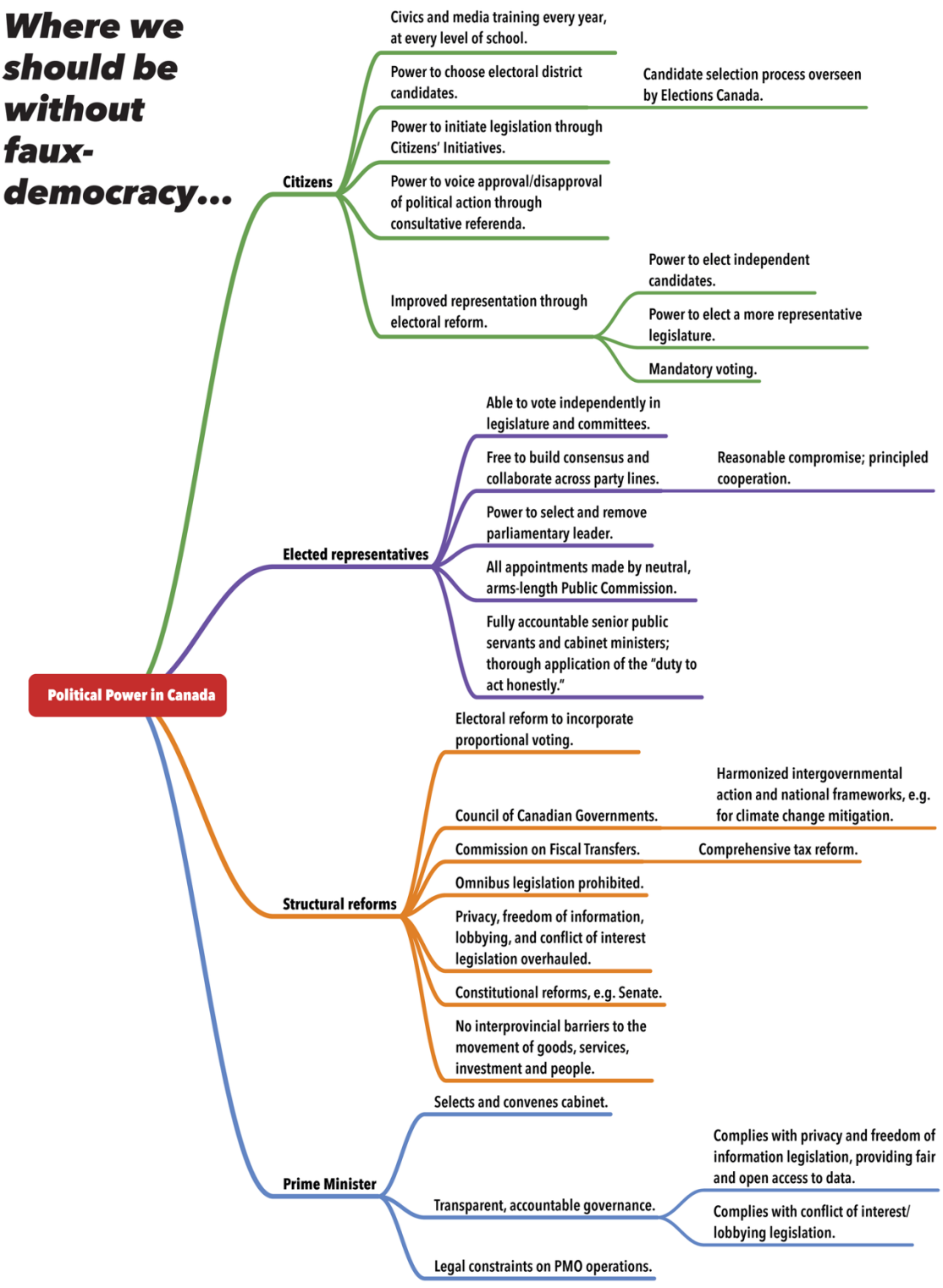
With so much power concentrated in the PMO, and no effective checks and balances in parliament, it is not surprising to find that our faux-democratic leaders focus on the short-term and their self-interest in getting re-elected, rather than the long-term interests of the citizens of Canada for whom they hold power in trust. In turn, this alienates citizens who believe they are powerless in a rigged political game.

The visuals below show the distribution of political power in Canada. The first visual sets out the current state of our faux-democracy – with political power highly concentrated at the federal level in the prime minister and PMO.

The second visual indicates how, once faux-democracy is ended, citizens would be able to exercise power and ongoing influence in a true Canadian democracy and a stronger, more unified federation.

Canada's faux-democracy:

Where we are now...


Where we should be without faux-democracy...
Political Power in Canada
Citizens
Civics and media training every year, at every level of school.
Power to choose electoral district candidates.
Candidate selection process overseen by Elections Canada.
Power to initiate legislation through Citizens' Initiatives.
Power to voice approval/disapproval of political action through consultative referenda.
Improved representation through electoral reform.
Power to elect independent candidates.
Power to elect a more representative legislature.
Mandatory voting.
Elected representatives
Able to vote independently in legislature and committees.
Free to build consensus and collaborate across party lines.
Reasonable compromise; principled cooperation.
Power to select and remove parliamentary leader.
All appointments made by neutral, arms-length Public Commission.
Fully accountable senior public servants and cabinet ministers; thorough application of the "duty to act honestly."
Structural reforms
Electoral reform to incorporate proportional voting.
Council of Canadian Governments.
Harmonized intergovernmental action and national frameworks, e.g. for climate change mitigation.
Commission on Fiscal Transfers.
Comprehensive tax reform.
Omnibus legislation prohibited.
Privacy, freedom of information, lobbying, and conflict of interest legislation overhauled.
Constitutional reforms, e.g. Senate.
No interprovincial barriers to the movement of goods, services, investment and people.
Prime Minister
Selects and convenes cabinet.
Transparent, accountable governance.
Complies with privacy and freedom of information legislation, providing fair and open access to data.
Complies with conflict of interest/ lobbying legislation.
Legal constraints on PMO operations.

Let's start with the faux-democratic governments of Justin Trudeau. Trudeau's contempt for Canada's parliament and our democratic foundations became obvious within a year of his 2015 election when he unilaterally cancelled his popular campaign promises to reform the electoral system as well as other structural reforms to ensure greater accountability and transparency in parliament.

Trudeau consistently valued polarization and short-term wedge issues – like carbon pricing and immigration – and micro-managing docile Liberal/NDP MPs out of the PMO, to maintain political power. He accelerated the decay of our democratic institutions and practices; undermined the coherent civic consciousness essential for Canadian unity, and failed to undertake long-term structural changes and policies needed to strengthen our fragmented, dysfunctional federation.

Three consecutive faux-democratic Trudeau Liberal governments left Canada vulnerable to attacks on our economy and security by failing to deal with the following challenges:

- Incoherent foreign, defence, and national security and intelligence policies.
- A balkanized internal Canadian economic market with enormously costly internal barriers to flows of goods, services, investment, and people.
- An incomprehensible, inefficient, and unfair tax system, and costly regulatory and licensing regimes across a jumble of jurisdictions.
- An inequitable post-Covid economic recovery that favours Canadians who already have substantial financial assets, property, and income, while exacerbating inequality and the affordability crisis for the vast majority of ordinary Canadians with precarious incomes.
- Public servants demoralized and sidelined by countless outside consultants hired by political staff, and bogged down by countless bureaucratic processes and procedures preventing effective, efficient service to Canadians.

By the end of 2024, Canadians had thoroughly lost confidence in the federal government's ability to help improve our standards of living and future prospects. Economic growth, business investment, productivity, and GDP per capita were very weak. Too many Canadians faced long-term stagnation of incomes, with high inflation reducing real incomes further and making basic necessities like food and housing unaffordable.

Enter Donald J. Trump.

Trump is unquestionably unbalanced, amoral, and corrupt, generally governing erratically and unpredictably surrounded by acolytes who feed his narcissism. Unfortunately, Trump is

also focused on reinforcing US hegemony in North America and will let whatever is left of NAFTA/CUSMA drift into irrelevance. He will continue to play tariff Whac-A-Mole and other chaotic games with us to destabilize the Canadian economy, and undermine investor confidence. And he intends to extract concessions to ensure that Canada stays firmly within the US orbit, whether as a satellite, or collection of satellites, or "if we want it" as a 51st state.

How did we drift to the point that we were so unprepared for these attacks on our economic and political autonomy, especially after dealing with the first Trump term and the challenging renegotiation of NAFTA?

The answer is NOT Donald Trump 2.0.

It is us.

Our faux-democracy and our dysfunctional federalism have combined to seriously weaken Canada economically and politically, and increase our vulnerability. We are stuck in reactive mode, and not fully able to control the concessions that will now be demanded of us as the inevitable price of our immutable geographic proximity to the US.

Short-sighted, self-absorbed faux-democratic leaders failed to acknowledge and manage Canada's long-term challenges arising from our dependence on the US for trade and defence. Our leaders should have focused on increasing our economic growth and productivity, expanding opportunities for our growing population, and leveraging our unique geography – a vast territory in North America with valuable critical minerals and resources. Our leaders should have moved firmly to eliminate our federal dysfunction and utter inability to harmonize action across different levels of sub-governments, that now prevents us from presenting a coherent united front as we negotiate new terms of engagement with a US that is an adversary, not a friend.

None of these crucial failures of Canadian leadership were debated in the 2025 election. Canadians' attention was carefully deflected to fighting Trump, instead of addressing our own underlying failures and weaknesses that made us vulnerable to Trump in the first place.

Policies did not matter in the snap election referred to as "presidentialized." However imperfectly, Canadians simply decided who was the best fit to manage Trump – Mark Carney or Pierre Poilievre.

The election result was close: the Canadian popular vote was essentially split between the two leaders, confirming that a significant majority of Canadian voters are non-partisan and have no party affiliation. Once again, our antiquated electoral first-past-the-post (FPTP)

winner-takes-all electoral system produced an unsatisfactory distribution of MPs across regions – east-central-west, urban-rural – that, at best, does not resonate with us. At worst, the vote exacerbated regional and demographic divides, as too many people voted strategically to avoid a particular result, only to end up with that undesired result anyway.

So, what is next?

The new prime minister, Mark Carney, has plunged ahead with specific initiatives to strengthen our slumping economic productivity and national resilience, and "redefine Canada's international, commercial, and security relationships." For the moment, Canadians appear to find the practical action and direction coming from the PMO refreshing.

Among other things, Carney has announced his determination to abolish all trade and labour mobility barriers to ensure a strong internal Canadian economy. This is an important and long overdue project.

But Carney's Bill C-5 – the *One Canadian Economy Act* – is only an imperfect first step. The Act will remove barriers to trade and labour mobility in federal jurisdiction only, while the vast majority of barriers are in provincial jurisdiction. And the slowly expanding patchwork of bilateral provincial agreements to reciprocally remove interprovincial barriers to trade and labour mobility, or establish east-west energy corridors, will not boost our internal economy enough to offset the downward pressure from the US.

So, there is much work ahead. Will Carney succeed in implementing meaningful and durable change that strengthens our national economy, national security, and national sovereignty?

There are two serious obstacles.

First, Carney must engage citizens democratically. Instead, he appears to prefer governing faux-democratically out of the PMO without seeking real consensus and compromise in parliament. This failure to engage citizens is not something that can be corrected with more "consultation" on baked-in PMO positions, or more one-way "communications" simply informing Canadians of the details of new policies and projects.

Second, Carney must rebuild a coherent united federation to negotiate more effectively with the US. Instead, he seems content to work within our fundamentally dysfunctional and divided federation, through executive-driven, ad hoc meetings of both the first ministers and the premiers-only Council of the Federation.

Unless Carney can chart a new course to end top-down, short-sighted, faux-democratic governance, encourage compromises that bridge regional and partisan divides, and establish a functional federation that can expeditiously harmonize action across different levels of government and clear out the tangled mess of protectionist provincial/municipal laws and regulations, Canada's ability to control our future in North America will be compromised. Implementing a so-called "wartime economy" or imposing ineffective counter-tariffs are only band-aid solutions that deflect attention from the internal Canadian crisis eroding the foundations of our democracy and our federation.

This eBook sets out three broad areas of democratic and federalism reforms that are urgently needed to pull Canada back from the edge and ensure our survival as a united independent federation.

The first area of reform is to restore the foundations of constitutional democracy and build a new kind of politics that enables ongoing, meaningful, citizen engagement, and the constructive exercise of citizen power, not just at election time.

The second area of reform is to end faux-democracy: reduce the power of the PMO and encourage genuine collaboration, compromise, and cooperation across regional and partisan divides in parliament. This will greatly enhance the role of MPs (helped by public servants, **not** high-paid lobbyists and consultants) who bring to the table the views of ordinary Canadians outside the Ottawa bubble.

The third area of reform is to design new federal architecture and rebuild a stronger federation based on transparent, accountable collaboration and harmonization in the national interest across Canadian jurisdictions; something that will then enable the federal government to speak clearly for Canada at home and abroad.

The Canadian federation is fragmented and more uncoordinated than the 27-member European Union. Provincial governments have steadily increased in power since 1867, and understandably prefer to prioritize provincial interests over the national interest. There is no central mechanism within parliament, such as an effective Senate, that could provide a national forum for addressing the concerns of sub-governments through a national lens.

Our future as a sovereign federation now depends crucially on whether we can assert a coherent Canadian presence in both North America and a divided world.

We urgently need a new structure/forum that brings all levels of Canadian governments together to compromise, agree on mutually-satisfactory trade-offs, and establish

harmonized Canada-wide national standards to strengthen the Canadian economy, notably in all areas relating to the free flow of goods, services, investment, and people.

Rebuilding a stronger, less fragmented federation that resonates with all Canadians will require us to resolve the renewed threats to national unity surfacing in Alberta and Saskatchewan. These threats, together with the widespread perception that the federal government unfairly accommodates Quebec at the expense of other provinces, especially in western Canada, are gravely weakening Canada.

Most Canadians believe that we cannot continue to accommodate persistent demands from Quebec provincial governments for special deals in the federation. Most Canadians question why we subsidize Bloc Québécois members of parliament who are dedicated to destroying Canadian unity. In building a new intergovernmental forum, the time is overdue to address once and for all Quebec's status in the federation, and call the question: is Quebec in or out of Canada?

One last point: our federal government must more effectively challenge narrow diasporic political groups in Canada whose leadership, whether inside or outside Canada (see foreign interference in our political party nominations process), too often undermine our ability to build the principled, coherent civic consciousness/identity we need to strengthen our democracy and our federation.

All Canadians want to pull together to build a uniquely compassionate and productive country that is fiercely independent and more than a sum of fragmented parts. We need to end the creeping faux-democracy. We need to rejuvenate our democratic and federal institutions and enable the constructive exercise of citizen power between elections, to support our collective efforts to strengthen national unity, to maintain our sovereignty, and to contribute to global stability.

We must be able to speak with one voice internationally and strengthen Canada's hand in international negotiations and multilateral forums. Canada must not be drawn more and more into the US orbit with less and less influence, and we must once again play a coherent, constructive role on the world stage to promote peace and security in a rules-based international order.

Book Summary

This book stems from an unusual opportunity I had to review my eclectic political activities over the years, and organize almost 40 years of writings and thoughts. My activities were wide-ranging, mainly related to my deep interest in our constitution, our rights and freedoms, the rule of law, our public policies, and international relations. My most constructive political experiences involved popular, citizen mobilization outside of the political establishment, although I also ran for the leadership of the Liberal Party of Canada in 2013 and was a candidate in two federal elections. I remain fascinated by how we can use representative institutions and practices to improve our collective future, and shape a society where preserving the dignity of our fellow citizens preserves the dignity of us all.

In this eBook, I analyze the twin dangers of Canada's faux-democracy and our dysfunctional federation, the combination of which steadily undermines Canada's strength and coherence. I set out a roadmap to work around the hollowed-out establishment parties and political machines, and build a true citizen-powered democracy, and a new kind of politics. This means ending government by autocratic, self-absorbed party elites. It means empowering citizens during and between elections through extensive reforms to representative institutions and practices, to support more transparent, responsible, and responsive government. We also need to rebuild our federal architecture to ensure the Canadian federation strengthens, not undermines, national unity and is able to survive the challenges to our sovereignty coming from within and outside Canada.

Either we rise up now and insist on serious reform, or our politics will continue to be dominated by privileged elites who consider it a mere game to be fought and won, and citizens to be manipulated, not served.

Complacency is dangerous. Our future as an independent, united federation is at risk.

The eBook is in three parts:

Part One: Reining in faux-democrats: restoring the foundations of constitutional democracy; strengthening citizen power.

Section 1.1 – *The rise of faux-democracy and dysfunctional federalism: Canada on the edge* – discusses how the combined rise of Canada's faux-democracy and dysfunctional federation has alienated citizens and seriously weakened Canada's sovereignty.

Section 1.2 – *Why Meech and Charlottetown matter: lessons in citizen mobilization* – discusses in detail the lessons from the historic citizen mobilization that eventually brought down the Meech and Charlottetown constitutional Accords, culminating in the Charlottetown referendum vote in October 1992. Meech and Charlottetown illustrate well the ease with which faux-democratic leaders tried to use the constitution as an instrument to assist in achieving partisan goals.

We need to take steps to ensure our constitution can endure as a vibrant instrument of the people, by the people, for the people, throughout Canada, rather than be weakened by faux-democratic politicians intent on expanding their partisan powers. This is discussed further in sections 1.3 and 1.5.

Section 1.3 – *Citizen initiatives and referenda* – puts forward proposals for empowering citizens between elections such as through citizen ballot initiatives and consultative referenda.

Section 1.4 – *Changing the rules: political engagement and social media today* – describes how social media has changed the rules of political engagement and can, with some guidelines, play a positive role in facilitating citizen involvement and holding governments accountable to the people.

Section 1.5 – *Constitutional reforms to strengthen our democracy and sovereignty* – includes proposals for constitutional reforms to strengthen protections against the arbitrary exercise of power that undermines the rights and freedoms guaranteed equally to all Canadians.

Part Two: Ending faux-democracy: reforms to representative institutions and practices.

Ending faux-democracy requires the methodical implementation of a wide range of reforms to strengthen our representative institutions and practices.

Section 2.1 – *Political party reforms: taking back control from political party machines* – discusses how insular, unrepresentative, and unaccountable political parties are the major culprits in entrenching faux-democracy, and in turning politics into an elite sport for the select few. This section sets out some political party reforms to eliminate this source of faux-democracy.

Section 2.2 – *Election-related reforms: making our vote count* – discusses specific overdue election-related reforms. These include an end to our antiquated first-past-the-post (FPTP) electoral system which permits the election of majority governments with less than 40 per cent of the vote, and the election of a parliament that does not reflect the popular vote. More

generally, most Canadians feel that their preferred party or candidate does not get elected and that they, therefore, have no real influence in parliament.

During FPTP elections, faux-democrats hone their skills in manipulating the short attention span of the electorate. On election day, they hope we remember only carefully-crafted micro messaging about narrow issues carefully curated by politicians. The focus is on personalities and stunts, vague statements, and word salads, and of course fear. The name of the game is to polarize opinion around wedge issues wherever possible, so that the voter is convinced that one political party or another will do something terrible that must be avoided at all costs. Voters end up voting against something, instead of for something.

This deliberate polarizing of debate around a manufactured fear of the opposition deflects our attention from any substantive policies and proposals to address longer-term economic and social priorities. This means the next government is elected without any clear mandate for which they can be held accountable. And many disadvantaged and alienated citizens in particular then give up on government and are open to listening to, and following, the angry voices of extremist elements whether on the left or right.

In addition to electoral reform, this section also discusses the merits of mandatory voting, and providing much more extensive civics training every year, at every level, in school.

Section 2.3 – *Parliamentary reforms: increasing accountability and scrutiny* – discusses in detail the many reforms to parliamentary institutions and practices which are essential to holding governments accountable to both parliament and the people and to greater oversight between elections – such as reducing PMO control, eliminating omnibus bills and implementing whistleblower legislation, greater access to information, and stronger privacy oversight, ethics guidelines, and lobbying regulations. Successive governments have failed to implement any restraints to their autocratic powers. The time is overdue for elected representatives to regularly work across party lines and build new governing coalitions outside the parties to stop the democratic decay.

Section 2.4 – *Comprehensive tax reform: raising adequate revenues accountably, fairly, and efficiently* – addresses the specific subject of raising adequate revenues and undertaking comprehensive tax reform. This topic merits its own section since a fair and efficient tax system is crucial to building a vibrant national economy and encouraging business investment across Canada. It is particularly important now since defending the serious challenges to Canada's economic and political autonomy requires citizens to be fully confident in the state of our public finances. And without adequate public finance, we cannot deliver effectively on crucial initiatives from defence to housing to addressing the essentials of shared citizenship for all Canadians.

Part Three: Fixing federal dysfunction: new federal architecture, a stronger federation.

Sadly, the inadequate capacity of our federal and provincial governments for long-term public policy planning and constructive collaboration across jurisdictional and other boundaries, has persisted for decades. Interprovincial tensions and resentments continue to undermine national unity and our ability as citizens to pull together to undertake the hard work of building a prosperous Canadian economy and a vibrant true democracy. Meanwhile our federation steadily weakens.

Canada is now on the edge. Action to repair our dysfunctional federal system, and build a stronger united federation, is absolutely crucial as we negotiate new terms of engagement with an adversarial United States determined to destabilize our already fragile economy. If we cannot ensure coherent, effective, and efficient collaboration across all levels of government, Canada will fade into a collection of uncoordinated satellites in the US orbit.

The varied pandemic responses by Canadian governments in 2020-2022 should have been a wake-up call, and is just one of multiple examples of our federal dysfunction that impacts the lives of Canadians every day. Why, for example, were we so slow to change the guidance on masking and travel bans? Why did we so easily forget the lessons of the 2002 to 2004 SARS epidemic and abandon the pandemic early-warning system? Why were we unable to maintain adequate vaccine manufacturing in Canada? Should we now revisit the *Emergencies Act* and the possibility of a coalition government handling the next emergency more effectively? Is there not a compelling national interest to have common pandemic and emergency rules across the country?

Section 3.1 – *Reform of intergovernmental institutions and practices: getting governments to work together, harmonizing fiscal responsibility* – discusses how to rebuild our federal architecture, and reform intergovernmental institutions and practices to achieve better intergovernmental coordination. This will strengthen the unity and resilience of our federation to deal with threats to our sovereignty and enable us to assert a coherent Canadian voice in both North America and a divided world.

Intergovernmental dysfunction is a huge factor in so many areas impacting Canadians on a daily basis. Take, for example, our national housing crisis. Crucial action is required across all provinces and municipalities to collectively remove the tangle of costly development charges, zoning regulations, and lengthy approval processes for new construction.

In addition, the multitude of quiet deals concluded between the federal government (read PMO) and separate provinces on various issues, including equalization, are too often

regarded as unfair and seed resentment across the federation. More transparency and accountability are required to restore trust and confidence among Canadians and their governments.

One proposal discussed in this section is to establish a Council of Canadian Governments (inspired by an earlier Australian council). The Council would not require constitutional change (as would, for example, reforming and repurposing our current moribund Senate). The Council would promote a tradition of coordination across provincial, municipal, Indigenous and federal governments, and gradually strengthen our coherence as a federation and ability to speak with one voice.

Another proposal is to create an arms-length Commission on Fiscal Transfers to bring transparency, coherence, consistency, fairness, and accountability to the pervasive jumble of federal contributions to the provinces. A simultaneous overhaul of the incomprehensible and divisive equalization program is also necessary.

Section 3.2 – *Intergovernmental harmonization of critical policy areas: benefitting all Canadians* – discusses five critical policy areas that need serious and sustained intergovernmental harmonization, which would greatly benefit all Canadians and our federal coherence. These are: eliminate barriers to the flows of goods, services, investment, and people across Canada; climate change mitigation; improved income security; coordinated training and support for workers; and improved access to healthcare.

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Despite the continuous and tiresome refrain that politics is a game and that we cannot expect significant change, I refuse to give up hope for something better. In this eBook, I describe the personal experiences that have informed my political views and some proposals to initiate long overdue change. Even though I have left active politics, I am deeply concerned about the serious democratic decay in our representative institutions and practices, as well as our weakening federation. I trust my observations may contribute to more informed debate about the way forward to end faux-democracy and strengthen Canada.

Canadians must be persuaded that strengthening both our democracy, and our federation, are goals worth fighting for, issue by issue, for as long as it takes. Citizen engagement can play out in many different forums and many different ways, during and between elections. What must unify us is our shared determination to work both inside and outside political parties to build a new kind of politics for all Canadians: a politics which focuses on our serious collective challenges, takes control of the political agenda, and brings about the crucial reforms to our representative institutions, and our federation.

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PART I

Reining in faux-democrats: restoring the foundations of constitutional democracy; strengthening citizen power

Citizen power *refers to the ability of citizens to have a meaningful role in decision-making processes, particularly in matters that affect their lives and communities. It's about citizens having influence, responsibility, and control over the decisions that shape their future. In essence, citizen power is about empowering citizens to become active participants in shaping their own futures and making a real difference in their communities.*

Here's a more detailed breakdown:

***Citizen-led decision-making**:*
Citizen power involves citizens taking the lead in decision-making, rather than simply being informed or consulted.

***Redistribution of power**:*
It's about shifting power from traditional authorities to citizens, enabling them to participate more actively in shaping policies and outcomes.

***Deliberative processes**:*
Instead of simply debating, citizen power often involves deliberative processes, where citizens engage in thoughtful discussion and consideration of issues before making decisions.

***Citizen participation**:*
Citizen participation is often used interchangeably with citizen power, referring to the extent to which citizens are involved in decision-making processes.

***Benefits**:*
Citizen power can lead to better outcomes, more responsive government, and greater civic engagement, as citizens feel more invested in the decisions that affect them.

(surprisingly helpful AI definitions)

1.1 The rise of faux-democracy and dysfunctional federalism: Canada on the edge.

You are sitting on the roadside in a broken-down transit bus, or mired in endless traffic along one of our nation's highways. You are employed but your salary is never enough, or you are unemployed and looking, still looking. Your rent is going up once again. Your thoughts turn to you and your family's situation. You were hoping for a tiny increase in the minimum wage, but a newly elected provincial government has abruptly revoked it.

What about childcare support? That would really make a difference, but the Liberal government $10 a day childcare is almost impossible to access.

How about income support to survive the evermore precarious living conditions associated with having to work multiple jobs in the 'gig economy'? What about enforceable employment standards to protect against the crazy and unpredictable shifts imposed on you? Or what about comparable and accessible training across all provinces that would enable you to take up decent work anywhere in Canada?

Maybe, you think, if your vote had some impact, things would improve. But try as you might to select the best local candidate, the best leader and the best political party, nothing seems to change. A new government may start by fulfilling some promises, but within months the impact on citizens – *on you* – does not match the rhetoric. What follows is polarizing debate and intergovernmental squabbling – federal, provincial, municipal, Indigenous – which makes progress on important initiatives glacially slow, or even cancels them, from carbon pricing to the minimum wage and a basic income experiment.

Eventually, a few long-ignored promises might re-appear, but only a few months before an election.

Meanwhile, you're a parent of a child with a disability or a family living on the edge without affordable housing, and suddenly you find yourself faced with a government's decision to reverse critical funding you had been relying on. You have neither the time nor energy to protest; you simply have to wait another four years until the next election for your vote to possibly make an impact. But by then you don't know where your life will be – your children never stop growing and getting older, and only a steady job with a living wage and access to effective social services will provide you with the dignity and security to survive.

Our reaction, as citizens, is to conclude that political action is hopeless. We give up, struggle along with our lives, and increasingly rely on overstretched volunteer services, charities, or,

where possible, our families, to help out. All too often we don't bother to vote. It seems to make no difference.

We most certainly don't get involved in political parties to bring about change. We're now convinced that political parties claiming to have popular support are a sham: weak on principles and lacking long-term vision and goals.

Understandably, we are frustrated and cynical, alienated from the very individuals and organizations that are supposed to represent us and enable us to act collectively for the good of all. They appear blatantly out-of-touch and unresponsive, unable to manage the complex challenges facing every modern democracy. We have allowed the established political parties to take the control of the democratic process away from citizens and run it like an elite sport – creating a faux-democracy.

If any of this resonates with you, then you are a member of a large and growing group of citizens who have been let down by our basic democratic structures. And when citizens disengage, political dialogue is polarized, driving out principles and long-term vision. Despite Canada's reputation for moderation, tolerance, and inclusion, we, too, are vulnerable to pernicious, divisive forces.

Today, too many Canadians neither buy into worn-out political rhetoric about middle-class aspirations, nor see any measurable value in tax cuts or tax benefits for children or workers. Nor do we see any government initiatives that significantly assuage our anxiety about our precarious living conditions, and our social economy's ominous future. Instead, we see inequality increasing every day and stagnant or declining economic opportunity, with any rise in incomes still significantly skewed toward the highest earners. With every increase in secure salaries, gold-plated benefits and expense accounts for politicians, and each report of out-of-control pay for private sector CEOs and directors, citizens see more evidence that our democracy is far from a leveling system. As things stand, non-elites have no real say in building a society that assures equal access to opportunities.

Here is something I wrote in 2013 during the Liberal Party of Canada leadership race, when I was still actively engaged in federal politics:

> "Like many Canadians, I have lost confidence in the fundamentals of our democratic system, along with the idea of an honest and efficient government. I'm frustrated by endless reports of wasted money and ineffective programs. I resent years of leaders creating short-term opportunities for consumption instead of long-term opportunities for education and employment, leaving us spectacularly unprepared for an age of restraint and environmental

> devastation. Sadly, especially for many young people, it's much easier to give up on politics altogether and settle for mediocrity and low expectations."

I believed, then, that we could do politics differently, that we could overcome pervasive spin, manipulation, and obsession with partisan political agendas. Yet today, we find ourselves further than ever from achieving this goal, with a political establishment incapable of enacting the change we so vitally need.

In the decade since 2015 when I left active politics, faux-democracy has unfortunately strengthened under successive Liberal governments. Small wonder that we see a general sense of disappointment and cynicism towards government in general, and towards recent Liberal governments in particular.

Liberals come off as good at rhetoric and grand gestures, endlessly repeating their commitment, for example, to helping the (aspiring) middle class; but are insincere – powerless or unwilling to take necessary, innovative, and transformative steps to genuinely help struggling Canadians.

Successive faux-democratic Liberal governments after 2015 consolidated power through perfecting the art of identity politics. Dividing citizens into manageable identity-based groups with separate needs and demands allows faux-democrats to target limited initiatives to citizens, appealing to narrow identity-related concerns in order to lock in their support at election time. But this undermines the fundamentals of liberal democracy that depend on recognizing the dignity of all individuals and the legal, civil, and moral equality of all people, regardless of identity. Such universal recognition is the precondition to developing the crucial social and economic policies that improve opportunities and bring us all together. And this is what will ultimately enable us to marginalize bigotry and lies, allow reason and compassion to prevail; and achieve real progress in which we correct the mistakes of the past, not just apologize for them.

Faux-democratic Liberal governments have also avoided undertaking long-term initiatives to address the major challenges we face as Canadians. Such challenges are too often considered high risk politically: they require long-term commitment and cannot be neatly packaged success stories to present at election time. Faux-democrats prefer to govern using a short-term electoral calculus, in which winning the next election trumps the broader collective interests of Canadians. They favour conflict over cooperation with their parliamentary colleagues, and exaggerate our differences rather the seek compromise. And they tolerate serial government ethical transgressions by supporting conveniently inadequate conflict of interest and ethical rules.

As a result, by 2020, we were tragically unprepared for the pandemic despite clear warnings after SARS in the early 2000s, and we began losing the race to contain accelerating climate change and extreme weather events. Then by 2025, Canada's economic growth and productivity was so anemic, our economic and social resilience so weakened, that we were disturbingly unprepared for, and now extremely vulnerable to, pressures from a US administration that is an adversary, not a friend.

All this is compounded by the dysfunction in our increasingly incoherent federation that is now more decentralized than the 27-member European Union, and is unable to facilitate constructive collaboration and harmonization across jurisdictions. This dysfunction makes Canada vulnerable to external pressures, while encouraging governments within Canada at all levels to pursue short-term partisan goals and simply resort to blaming other levels for the inevitable policy failures.

Mark Carney's speedy elevation in March 2025 to both Liberal Party leader and prime minister to replace Trudeau, all while parliament was prorogued, was smoothly executed by Liberal Party insiders. The snap election campaign that quickly followed carefully focused voters on a fear of Trump, and tipped the balance of support back to the Liberals enough to produce a stable Liberal minority government.

Now, prime minister Carney continues to nurture the fear of Trump to justify forging ahead with the broad exercise of centralized executive powers to defend the Canadian economy and security. Going forward, it appears that Carney will govern vigorously out of the PMO.

In the short-term, many Canadians are prepared to support what they see as a sense of purpose from the prime minister. But in the long-term, this faux-democratic approach is not sustainable. Important structural reforms to rejuvenate parliament, strengthen our democracy and our federation, and increase citizen engagement and influence, should be on Carney's agenda.

If not, citizen cynicism and frustration will quickly reach a tipping point. If inequality continues to accelerate, if prosperity and progress always seem to happen to other people, if enough Canadians continue living precariously close to the edge, under- and unemployed, conditions will soon be ripe for a reaction that could destroy, rather than strengthen, our democracy and federation.

We need an urgent rebalancing of executive and citizen power, so that political power is no longer concentrated in party leaders, and so that government can genuinely respond to citizens' concerns and carry out an innovative, ambitious agenda through greater collaboration and compromise in parliament. We must reform our democratic institutions

and practices, and create new norms based on cooperation, finding common civic goals, and shared respect.

We also need to eliminate the dysfunction of our federal system that discourages collaboration and harmonization across jurisdictions. Different levels of government often act at cross purposes and blame the other levels when something goes wrong. Faced with a confusing patchwork of laws and regulations, and inadequate transparency, citizens (whether as consumers or in business) can never accurately assess accountability. We need all levels of government working much more efficiently and effectively together – despite varied election cycles – to create national frameworks that support coherent action in the many areas that deeply affect our daily lives.

In short, the entire political system needs overhauling, from our representative institutions to intergovernmental relations. We must cultivate an environment that encourages citizen engagement and values consensus among all our elected representatives, and across all levels of government on an ongoing basis. Elections then will finally be about mobilizing Canadians around inspiring, long-term plans of action, rather than around familiar, all-too-fleeting personalities and short-term window-dressing.

One day, a person associated with a thoughtful non-profit, non-partisan organization dedicated to "increasing civic engagement and a more positive public life," thanked me for my service to Canada over the years. She asked me what I thought I had been able to contribute to public policy or public life during those years of active involvement in politics. Without bitterness, but with some regret, I replied, "nothing."

I have spent most of my adult life refining my thinking about Canada – its values and institutions – and how we can ensure good governance and productive citizenship. Those goals may have resonated with many fine people along the way; but my honest conclusion is that my partisan activity did not result in meaningful impact.

Still, there was one time in my political life I can truly say was a rewarding and effective experience: my involvement in the constitutional debates over the Meech Lake and Charlottetown Accords, from 1987 to 1992. Citizens took matters into their hands and battled around the rigid, insular political elites that were steering the country in the wrong direction. The debates were full of principle and a sense of purpose, providing valuable insights into the hopes and dreams of Canadians across the country. This experience forms the bedrock of much of my thinking on creating political change today. I address this next, in section 1.2.

1.2 Why Meech and Charlottetown matter today: lessons in citizen mobilization.

How does the Charlottetown referendum, and the five years of debate that preceded it, relate to today? The 1992 referendum saw most of Canada's population vote against an agreement supported by the political establishment, including every official party. It was a powerful grass-roots message to Canada's "elite political class" and certainly a preview of how things would develop in this country over the course of subsequent decades. Citizens coordinated a widespread, organized revolt against the lack of transparency and accountability that still plagues political conduct in Canada, both within governments and between different levels of government.

All in all, it was arguably among the two or three most successful citizen mobilizations in Canadian history.

Still, according to many in our political, academic and media establishments, it might as well be written out of our history books.

The 30th anniversary of the Charlottetown Referendum in 2022 passed imperceptibly with no serious reflection on the event and how consultative referenda could play a role in strengthening citizen engagement in our increasingly fragile democracies. Instead, a faux-democratic proponent of the accord was quoted as saying constitutional reform was too complicated to trust the people with the final word.

Of course, nothing could be further from the truth!

The urgent need to challenge this deliberate faux-democratic misrepresentation of our constitution was even more evident with the shameful unanimous acceptance, by all our federal leaders, of Quebec's Bill 96 in May 2021. To have so quickly, and thoughtlessly, accepted the Quebec government's brash attempt to unilaterally amend the Canadian constitution to recognize both Quebec and Quebecers as a nation, together with its pre-emptive use of the notwithstanding clause, should shock all Canadians. (This is matched only by the equally shameful failure of our leaders to condemn in 2019 Quebec's Bill 21 restricting religious freedom)

A straight line can now be drawn from Brian Mulroney and his fellow federal and provincial leaders in 1987 attempting to appease a Quebec government with the controversial constitutional amendments in the Meech and Charlottetown Accords, through to Justin Trudeau and his fellow federal political leaders in 2021 attempting to appease another Quebec government with the equally controversial Bill 96 constitutional amendments.

These constitutional initiatives are all executive-driven with little or no input from citizens. They are designed primarily to attract votes in Quebec for short-term partisan gain, not for the greater good of Canada and the Canadian people. And they undermine our Charter rights and freedoms and destabilize an already dysfunctional and highly decentralized federation.

* * *

Almost 40 years ago, Canada faced a constitutional crisis that was resolved by citizen engagement, organised in exactly the kind of movement we need to see today.

It started in 1987 with the Meech Lake Accord, when then-prime minister Brian Mulroney introduced controversial amendments to Canada's Constitution. The amendments were negotiated with all the premiers, to respond to Quebec's five demands for constitutional change, which were put forward because the Quebec government claimed, incorrectly, that Quebec was excluded from the Canadian constitution.

Despite Quebec initially demanding the recognition of Quebec's distinctiveness in the constitutional preamble as one of its five core demands, what eventually emerged in the Meech Lake Accord was a distinct society clause that undermined the Charter of Rights and Freedoms, along with other provisions that gravely weakened an already excessively decentralized federation. Meech was then presented to Canadians as a take-it-or-leave-it proposition.

Here, we must pause to remember that Quebec was not in fact excluded from the Constitution of 1982. The Constitution of 1982 is the fundamental law of the land throughout Canada, including Quebec, notwithstanding then-premier René Lévesque's refusal to sign the final document. Seventy-two of seventy-five Quebec MPs in parliament voted in favour of the Act, and Quebecers have never since hesitated to rely on the Constitution and its Charter of Rights and Freedoms, in the courts and beyond. If not legally necessary, however, it is arguably politically desirable that the National Assembly of Quebec formally endorse the 1982 constitutional changes, but not at any price.

In April 1987, I was a young law professor at the University of Toronto reading through the proposed changes to the Constitution. I couldn't believe how eleven men could have the audacity to sit *in camera* and then present to the people of Canada changes that would result in a substantial devolution of powers to the provinces, and a substantial reduction in the impact and powers of the federal government.

Essentially, Brian Mulroney had conceded each of Quebec's demands for more powers and, wherever possible, extended these concessions to all the provinces to ensure their support, undermining the Charter in the process. At the very least, there was something wrong with a process that could alter the fundamental law of the land – our basic individual rights and freedoms and basic framework for our representative institutions and practices – without serious consultation and direct input from the people of Canada.

Unfortunately, the flawed constitutional amending formula adopted as part of the historic patriation process in 1982, and the failure to amend the preamble of the constitution to include a version of the inspiring 'we the people' provision, leaving only a dry outdated reference to "supremacy of God and the rule of law," made the first ministers' controversial action possible in 1987.

The final 1982 amending formula expressly rejected the initial proposal for a referendum mechanism to ensure popular assent for constitutional change that prime minister Pierre Trudeau and sovereigntist premier René Lévesque of Quebec both supported. Unfortunately, in the final compromise with the recalcitrant provinces outside Quebec who opposed the Charter of Rights and Freedoms, the federal government reluctantly agreed to drop the referendum mechanism, and include not only an amending formula that requires only legislative votes in the federal and provincial legislatures, but also the controversial notwithstanding clause, which allows governments to override certain rights and freedoms from time to time. This determination of nine provinces to hold out for a package that did not include a referendum mechanism is arguably an important reason why the final package was rejected by René Lévesque, from which the myth of Quebec's exclusion from the constitution arose.

So it was that, when I sat with other constitutional law professors to settle on the materials for the 1987/88 school year and one of my colleagues mentioned in passing that we should add the Meech Lake Accord, I strongly objected, saying that it should never become law. To me, the Meech Lake Accord represented a complete reversal of the country's constitutional evolution. It seemed obvious that it had the potential to create enormous rifts in, if not tear apart, the fabric of the Canada I loved.

In my view, Mulroney and the provincial premiers had made an enormous miscalculation in thinking that passing the constitutional resolutions through the legislatures with minimal debate was going to be easy. After patriation of the Constitution in 1982 and the introduction of the Charter, Canadians felt a sense of ownership in what was now seen as *our* constitution and would surely take offense at the idea that matters that would ultimately define Canada might be conducted behind closed doors. My instinct proved accurate almost immediately, as Canadians began to voice their distaste for such hasty reforms.

Even back then, I realized that our parliamentary system, dominated by established political parties, was not the way to fight Meech. Individual MPs in Ottawa and provincial legislators were expected to toe the party line once the leader made a decision, leaving no room for independence. This is true to this day, as I will demonstrate in future sections of this eBook.

To effectively mobilize citizens to oppose the Accord required organizing outside the established political parties. That's why I abandoned the idea of trying for a nomination to be the Liberal Party of Canada candidate in the Beaches riding during the 1988 election campaign, and instead turned to organizing popular opposition. The Liberal leader, John Turner, strongly supported Meech from the beginning, and although a few Liberal MPs and candidates were critical of the Accord, they had no chance of exerting any influence in a House of Commons with a strong Conservative majority. The best approach, I decided, was to spend my time organizing citizens outside the party structure, in hopes of convincing those who supported the Accord that they were wrong.

Recognizing that Mulroney was hell-bent on ramming the accord through the relevant parliamentary committees as quickly as possible, I spent the summer in my small office on the top floor of Falconer Hall, one of the two old U of T Law School buildings, contacting people across the country to build the foundations of a national organization. In those pre-Internet days, doing so required a lot of energy: phone calls, writing submissions for various people who wanted to appear before federal and provincial committees, and late-night photocopying sessions with volunteers preparing material that had to be sent via courier the next morning.

It astounds me to think what we could have accomplished then if we'd had access to today's instant communications and social media networks. I believe opposition to the accord would have coalesced so quickly that it would have forced the first ministers to back down and spare Canada three terrible years of divisive and damaging debate that increasingly alienated citizens from self-absorbed political elites.

We organized from the grass roots, using little more than landline telephones and word of mouth, without the convenience of texting, email, and social media. Individuals were encouraged to get any civil society group – or any other private or public association they were involved with – to oppose the accord. This expanded our civil society base to include women's groups, Indigenous groups, municipal councils, schools, the March of Dimes… the list was endless. What mattered was to build a consensus and develop a list of key concerns that all opponents could sign onto, so as to ensure our opposition was united and coherent, nationally based, and not anti-Quebec.

Public debate intensified, spurred on by purposeful, intricate popular organizing. Protest happened through every possible outlet, inside and outside the provincial and federal legislatures. Proponents of the Accord labelled us "dissidents," claiming we were "anti-Quebec" and out to weaken Canada – very much a prelude to the fearmongering and deliberate polarization of political messaging practiced so assiduously by the established political parties today.

The proposed constitutional amendments were controversial because they seriously undermined the role of the federal government and eroded the Charter of Rights and Freedoms' vision of equal citizenship and a Canada-wide civic identity. For most Canadians, the decentralizing concessions demanded by the Quebec government (supported, unsurprisingly, by all the other premiers) were too high a price to pay for a largely symbolic vote of approval for the 1982 Constitution in the Quebec National Assembly. Despite Lévesque's regrettable refusal to sign the final document, the 1982 Constitution had become the fundamental law of the land everywhere in Canada.

The political leaders of all the major political parties closed ranks to support the executive agreement reached by the heads of federal and provincial governments, without any consultation or engagement with citizens. Legislative committees were established in all the jurisdictions to examine the Accord, but most signatory governments had little trouble obtaining majorities to pass the necessary ratification resolutions through their respective legislatures – undeterred by growing public concern.

The Quebec government led the way by approving the Accord on June 23, 1987, and triggering the three-year time frame set out in the Constitution for obtaining all requisite ratifications (in this case, from all provincial legislatures, the House of Commons, and the Senate). In so doing, they were following the amending formula introduced as part of the *Constitution Act, 1982* that only requires approval of federal and provincial legislatures, and excludes the possibility of directly consulting citizens.

It was an exciting time of citizen mobilization. The multi-partisan coalition of opponents that I helped build endured through the three-year life of the Meech Lake Accord and beyond, to the Charlottetown referendum vote in October 1992. Our goal was always to criticize constructively and, wherever possible, present alternatives such as recognizing Quebec's distinctiveness in the constitutional preamble so that the Charter would not be undermined.

We wanted to unite Canadians from all walks of life around common principles of equality, freedom, and democratic participation. By connecting diverse citizen initiatives under a national roof, we cultivated a vibrant civic space for debate and action to address urgent collective concerns. This architecture (non-digital of course) – maintained through careful

and tireless old-school communication and organization – facilitated a proliferation of meetings and events across the country. (For those interested, all my papers and records related to this period are deposited with Library and Archives Canada)

In parliament, the Senate stalled its ratification process and held lengthy committee hearings that provided an invaluable outlet for the growing opposition. The Senate's eventual rejection of the Accord was overridden by the House of Commons. Over the course of the ensuing three years, three new provincial premiers were elected who did not accept the Accord as it stood. New Brunswick ultimately passed a futile companion accord to address some criticisms.

In 1989, Newfoundland and Labrador elected a new premier, Clyde Wells. He had vocally articulated his principled opposition to the Accord, which had been approved by the House of Assembly under his predecessor. Premier Wells indicated that he was prepared to rescind the NL House of Assembly's prior approval.

With very little hesitation, I accepted an offer to work with the premier as his constitutional advisor. Within two weeks I had moved from Toronto to St. John's. Finally, an opportunity had emerged to realize the goals of our national movement to stop the Accord, provided the NL House of Assembly revoked its approval.

* * *

Premier Wells confronted Mulroney face-to-face at a First Ministers' Conference in November 1989. The debate was broadcast live on television and replayed many times on newscasts. Unsurprisingly, Wells came across as a hero. Look no further than the polls for evidence. A majority of Canadians outside Quebec favoured the accord in 1987; by 1990, as Wells' personal popularity soared, a majority opposed the accord. In particular, many Canadians became uncomfortable about giving Quebec "distinct society" status, which sounded like one province would be elevated above all the others. Wells had emerged as a national voice representing the opponents of Meech.

The basic details of Meech are well-known. Today, the debate may seem to some like a lot of wrangling over dry and convoluted constitutional minutiae; at the time, though, Meech was a wild rollercoaster ride for the entire nation.

Mulroney refused to back down, wrongly assuming Canadians could be persuaded to see the Meech Lake Accord in a positive light. Convinced that a deal with the holdout provincial premiers was all that was required, Mulroney initiated what turned into a marathon 70-hour negotiating session in a boardroom in Ottawa's Conference Centre, at the very last moment

before the June 23 deadline for approval. On June 9, 1990, Mulroney announced that a tentative agreement had been reached. The lone holdout was Clyde Wells, who agreed to present the compromise to his province's legislature.

A few days later, Mulroney gave an interview to *The Globe and Mail.* The story published on Tuesday, June 12 made it clear that the prime minister had deliberately timed the first ministers' conference to ensure a crisis atmosphere, maximize pressure on the hold-out provinces, and leave so little time that Newfoundland would be unable to hold a referendum.

Though Mulroney's revelation hardly surprised those familiar with his take-no-prisoners partisanship, his bluntness on this occasion was extraordinary. He described gathering his advisors at 24 Sussex a month before the June conference to map out a federal strategy. "Right here, I told them when it would be," Mulroney said. "I told them a month ago when we were going to [meet]. It's like an election campaign. You count backward. [I said,] 'that's the day we're going to roll the dice.'"

At this point, all but two provincial legislatures had approved the accord, so the success or failure of Meech rested on Manitoba and Newfoundland and Labrador's responses to Mulroney's compromise. Manitoba premier Gary Filmon was in favour but faced a procedural hurdle. If he could not get all members of the Manitoba legislature to unanimously approve the compromise, public hearings would have to be held – a process that would stretch beyond the ten-day deadline. On June 12, the province's lone Indigenous representative, Elijah Harper, strongly backed by Indigenous groups across Canada, refused to give his consent.

The resolve of the Indigenous leaders was inspiring and appropriate. Few were better placed to lead the opposition than the first peoples of Canada who, as so many pointed out, were more important, distinctive, and fundamental than any other group. They collectively dispelled naive notions that they could be bought off with minimal concessions thrown together by Mulroney and the pro-Meech forces. I can't think of a better illustration of the vital need for any constitutional reform in this country to be transparent and open at every stage, taking into account the interests of all Canadians.

For the remaining days of the debate, I coordinated responses to over 12,000 letters, calls, and faxes received by the premier's office from across Canada during the ten-day period. Over 95 percent supported Wells – a tangible demonstration of how out-of-touch the other first ministers were with Canadians' feelings about Meech.

At the Newfoundland and Labrador House of Assembly, the cabinet debated whether to hold a referendum or a free vote. A referendum proved impossible under the tight time constraint,

so a debate was set to begin on June 20, giving the members of the House of Assembly time to return to consult their constituents in their respective districts. In the end, with backing from his caucus, Wells tabled a motion to adjourn, and the House voted in favour. A vote on the Meech Lake accord was thus deferred for good. But there was no doubt by those knowledgeable about the dynamics in the House of Assembly and the province, the vote would have been negative. Meanwhile, the people finally prevailed with one final wave of Elijah Harper's feather, as he thwarted the unanimous vote in the Manitoba legislature.

In the midst of all the political manipulation, some in the media became extraordinarily engaged in actively supporting Meech. Those of us organizing in opposition to the Accord had to learn to grow a thick skin, stand by our principles and not be provoked by unfounded attacks and other efforts to stigmatize us. This was never easy. A few days before the Accord expired, then leading *Globe and Mail* commentator Jeffrey Simpson penned a direct personal attack on me and my counterpart in Manitoba, entitled "Wherever the Meech flame flickers, there they'll be with a snuffer", and arguing that if we were wrong about the need to defeat the Accord, "Canada as we know it is finished."

A year later, the *Montreal Gazette*'s brilliant cartoonist, Aislin (Terry Mosher), captured everything that was wrong with Meech in one simple image. It depicts Wells asking Mulroney, "But if Meech was as important to Canada as you've always said it was, why didn't you let Canadians vote on the matter?" Mulroney replies: "Because, Clyde, it was far too important."

When Meech died, all of us who had opposed the Accord hoped our experience would ensure that any future constitutional amendments would be grounded in open, principled debate and direct consultation with the people of Canada, to prevent such a debacle from ever recurring. We were to be disappointed. Despite key advisors' advice to the contrary, Mulroney forged ahead with a new round of constitutional talks that would become known as the Charlottetown Accord.

* * *

The new initiative led by Joe Clark did involve public consultation, but this was carefully managed to sideline opposition, constrain popular engagement and ensure majority legislative support in all provinces and territories. The new package of even more extensive reforms was quickly dubbed "Meech plus." This time, the Charlottetown Accord appeared to garner not only the support of all premiers, but of Indigenous leaders as well.

Fortunately, Mulroney opted to call a consultative national referendum, seeking what he hoped would be such unambiguous support for the constitutional amendments across

Canada that expeditious ratifications by all legislatures would follow easily. The political elite, media, and both the cultural and business communities supported the Charlottetown Accord. Liberals either endorsed it or retreated to the sidelines. Even Clyde Wells was on board, judging that sufficient progress had been made toward Senate reform and addressing Indigenous concerns.

As if he'd learned nothing from the failure of Meech, Mulroney set a low tone by calling opponents of the accord "enemies of Canada."

Rather than encourage informed, polite dialogue, Mulroney persisted with the ill-advised strategy he had practiced during the Meech period. He deliberately polarized the constitutional debates by demonizing his opposition, something we sadly see happening increasingly today. He labeled his opponents "dissidents," accusing us of being anti-Quebec and destroying Canada. Throughout the referendum period, he continually argued that the country and its economy would collapse because of our irresponsible actions.

Finding economists and historians to publicly counter Mulroney's bogus claims became a daily task for our 'No' Committee. When the Blue Jays won their first MLB World Series championship in the final few days of the referendum campaign, Mulroney rushed out to congratulate the team. He then declared it a great day for Canada, just as it would be when we all voted, as we should, in favour of the Charlottetown Accord. Our 'No' Committee immediately responded with congratulations to the Blue Jays, of course, specifying that the World Series results had nothing to do with our constitutional future, and that all Canadians would be building a stronger Canada by voting No to the Accord.

More personally, shortly before voting day, I came home to find a menacing death threat on my message machine warning me to stop opposing the Accord. The local police could do nothing to trace the call. They simply warned me to keep my doors locked and watch out for anything suspicious – small comfort for a single mother living alone with a small child.

In these pre-Me-Too era days, it was impossible for most women to fight back against offensive misogynistic rhetoric and innuendo, especially when initiated by men in positions of power like Canada's prime minister. As the excerpts from interviews that Mulroney gave to his authorized biographer[i] show, Mulroney used offensive, misogynistic comments about my personal life to motivate his sycophants. (Peter C Newman, *The Secret Mulroney Tapes: Unguarded Confessions of a Prime Minister*, Random House Canada, 2005, pp.139-40).

I will never know whether the threat I received was from someone inspired by Mulroney's rhetoric. The double standards facing women and their personal lives, and the objectification of women by men in even the highest office, revealed with such clarity in Mulroney's

comments about me, are disturbingly common. And despite the admirable advances now inspired by the Me-Too movement, there is still much to be done.

For most Canadians during the Charlottetown referendum, it seemed the public was once again under-consulted and bullied to fall into line with an even more complicated set of constitutional reforms, in an apparent replay of Meech. By then working in Ottawa, I helped to co-found 'Canada for All Canadians,' one of the registered "no" committees during the campaign leading up to the 1992 national referendum. I simultaneously co-wrote, with law professor Robert Howse, a little book called *No Deal*[ii] – *Why Canadians Should Reject the Mulroney Constitution* in which we outlined Charlottetown's deficiencies. "There is absolutely no reason to think that this Accord will bring constitutional peace," we wrote. "What does history suggest about pacts and armistices made under threats and intimidation? They lack all moral authority and soon dissolve into chaos and conflict."

"Canada for all Canadians" gained a reputation as the only credible, pan-Canadian "no" committee. As a result, the media took us seriously. Other "no" groups tended to represent narrower interests. For example, I kept a cautious distance when contacted by Preston Manning – then leading the newly-created Reform Party – since his opposition had a strong anti-Quebec flavour that ran counter to our movement's inclusive approach.

In order for the federal and provincial governments to entrench the Charlottetown Accord in the Constitution, in accordance with the amendment provisions stipulated in the *Constitution Act, 1982,* it was generally accepted that the support of a majority of voters in seven provinces comprising 50 percent of the national population would be required, if not provincial unanimity. The question on the ballot was: "Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?

The referendum legislation of 1992, which is still on the books, was flawed and rudimentary. For example, as there were no meaningful financial controls on spending, this meant the deep-pocketed, federal-government-sponsored Yes committee massively outspent their grass-roots No opponents.

Fortunately, the huge imbalance in financial resources had little impact on voters, who were reasonably well informed by the time of the vote. The referendum debate had been effectively five years in the making, and prior broad-based grassroots organizing meant we were well prepared to mobilize against another establishment attempt to constrain popular dissent.

At a wide variety of open forums across the country, there was a sense of citizens openly venting their concerns, and having a genuine opportunity to accept or reject the complex

legal document in question. Throughout, I emphasized to all my fellow travelers on the 'No' side that, while I most certainly intended to defeat the Accord, we had to be prepared to accept any outcome, so long as it emerged from a fair and open debate.

On October 26, 1992, with an impressive voter turnout of 72%, the Accord was unambiguously rejected in Quebec, and by a majority of voters in most other provinces (as well as voters living on First Nations reserves). How extraordinary to see citizens voting against an agreement endorsed by the prime minister, all the premiers, and most establishment political groups and media outlets.

The Charlottetown Accord was withdrawn.

So ended an incredibly divisive period in our nation's history. Appropriately, Mulroney's approval rating dropped to 11 percent in a 1992 Gallup poll, making him among the most unpopular prime ministers in the half-century since the introduction of opinion polling in Canada. He retired just two months before the 1993 federal election, replaced by his defence minister, Kim Campbell. With little time to rebuild the party, Campbell suffered the worst defeat by a governing federal party in history. In 1993, the Progressive Conservatives went from 151 seats to two, thus losing official party status.

Going Forward

The Charlottetown Referendum should have established a clear convention that any significant constitutional reform requires a public, consultative referendum; and paved the way for future, broad-based debates.

Regrettably, bruised by the defeat of the Meech and Charlottetown Accords, members of the political establishment condemned the referendum as an overly simplistic mechanism. They claimed the exercise of direct democracy prevented Canadians from understanding the complexity and value of the Charlottetown Accord – and that those who voted No were ill informed and simply made the wrong choice.

Since 1992, new generations of faux-democratic political elites have closed ranks and concluded that any further constitutional reform is impossible. A knee-jerk distrust of referenda (and indeed all constitutional change) has emerged.

Faux-democrats are convinced that further constitutional reform is impossible, and referenda in particular are dangerous mechanisms undermining political elite control. Indeed, in 2016, Justin Trudeau went as far as to argue that opening debate on the Constitution in any way would be just too difficult and distracting for Canadians, and that

referenda are generally "bad things to happen" that “give people a chance to lash out at institutions...”

This of course is incorrect. Canadians across the country had a very good understanding of the Meech and Charlottetown Accords and seriously debated both its general impact and detailed legal provisions. Properly designed and executed, consultative referenda are entirely appropriate for gauging public opinion in a constructive way – even when complex issues are at stake – and are an important tool for strengthening our representative democracy and enhancing citizen participation.

Constitutional debate and reform, however difficult, comprise an absolutely essential and ongoing component of a well-functioning representative democracy. The Constitution is a “living tree” that belongs to the people of Canada. Our elected leaders cannot shrink from their profoundly serious obligation to serve the people and to facilitate, whenever need be and with clear popular consent, changes to the fundamental law of the land for the benefit of present and future generations of Canadians.

Requiring consultative referenda as part of the amending formula, drafting a new constitutional preamble, repealing the notwithstanding clause, Senate reform, and even instituting a new Canadian head of state, are all eminently debatable constitutional topics that should be put to the people. After all, the Constitution belongs to the people of Canada, who must be consulted directly with respect to all significant reforms, by way of consultative referenda. [*More on this in section 1.5.]*

One final point: There is one type of constitutional amendment that our faux-democratic leaders can apparently accept. This is when political leaders can control the constitutional amending process through targeted bilateral amendments that affect only one province and that minimize any unpredictable interaction with the public. Bilateral amendments are permitted in the constitutional amending formula, when it involves an issue that only impacts that province and is approved by parliament as well as the provincial legislature. Several have been concluded since the Charlottetown referendum.

However, the constitutionality of the 1992 bilateral amendment [iii] that entrenched the collective rights of the two linguistic communities in New Brunswick in the Charter of Rights and Freedoms, remains to be determined by the Supreme Court of Canada**.** This is because the amendment introduced the alien concept of community rights in a Charter devoted to individual rights.

And now, with Bill 96, Quebec has taken the bilateral concept of constitutional amendments to new and absurd lengths, with its controversial proposal to unilaterally amend the

Canadian constitution to advance the notion that both Quebec and Quebecers form a nation. We will likely have to wait for the courts to have the last word, since as always, our federalist political leaders refuse to disagree with Quebec for fear of losing votes in the next federal election.

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The basic organizational structures, skills and practices we honed during the citizen mobilization around the constitutional amendments between 1987 and 1992 are still required today, albeit with the benefit of much more efficient communication tools. We must try to ensure that the participatory power of social networks and our unfettered access to data succeeds in shifting political influence from brokers and elites and back to the people, provided we can harness digital infrastructure to expand our civic space, and build principled movements.

1.3 Citizen initiatives and referenda.

Our democratic reforms must include new measures to inspire citizen engagement to step up and to end our faux-democracy. If we are to make our governments responsive and responsible, Canadians must be encouraged to mobilize whenever necessary to translate principles and ideas into positive, concrete action, and build genuinely democratic institutions. In doing so, we can learn from the sound practices of previous popular movements.

In the past, mobilization has occurred primarily through community-based groups, local councils, labour unions, and civil liberties organizations. As we seek innovative ways to mobilize today, we must recognize the benefits and pitfalls of instantaneous social networking. Social media is great for organizing meetings and marches, and elevating voices that previously lacked a platform. But they will never substitute for the hard work of building a clear consensus around complex issues. We have all witnessed how easily social media can be exploited to amplify polarization and propagate of hate speech, rumours, and misinformation (a.k.a. fake news). To counter such efforts to constrict constructive conversation, we need to find ways of getting involved on an ongoing, rather than intermittent, basis.

Various mechanisms could make our representative democracy more responsive to the demands around which we mobilize. In California, 'citizens' initiatives' – petitions that can become ballot propositions, and tangibly influence the legislative agenda – have led to the passage of landmark legislation on issues from minimum wage to digital privacy protection (based on the well-respected European model of digital privacy). In a column (published in *The Los Angeles Times* in January 2019), Nathan Gardels, executive advisor to the Think Long Committee for California, wrote that in California, "most consequential decisions are made not by the governor and legislature, but by the citizens directly at the ballot box on taxes, budget, the environment, etc." Observers conclude that coherent governance is facilitated by greater participation, despite the deluge of contested information and divisive interests that characterizes our digital age.

California adopted this form of direct democracy over 40 years ago. Under Governor Jerry Brown, the state took positive steps to make citizens' initiatives more workable and effective at facilitating consensus across partisan lines. In 2014, the state passed a law that was collaboratively drafted by 30 groups, including labour unions and civil liberties organizations. If a citizens' initiative collects at least 25 percent of the signatures required to qualify as a ballot measure, it goes directly to legislative hearings. The legislature and governor can then negotiate with the initiative's sponsors, hold hearings, and "fix

unintended consequences or collateral impact." If an agreement is reached, either the ballot measure is amended, or legislation can be introduced without a separate public vote – provided the process is completed no less than 131 days before the coming election.

Canada would certainly benefit from adopting the citizen initiative process. In 2014, the Canadian House of Commons voted to partially adopt a United Kingdom procedure to accept e-petitions. Regrettably, MPs rejected a mechanism that would have allowed these petitions to trigger debates in the House of Commons, so this minimal initiative had little, if any, impact. This was a huge lost opportunity to give the Canadian people agenda-setting power and strengthen the relationship between citizens and parliament. In the United Kingdom, debates triggered by petitions feature among the most-watched parliamentary broadcasts.

In May 2019, Liberal backbencher Frank Baylis proposed a motion that would allow MPs presenting petitions with more than 70,000 signatures to request a take-note debate on the issue at hand, to be reviewed by an all-party subcommittee. Baylis' motion would have essentially given citizens the power to trigger parliamentary debates via petition. Unfortunately, even this well-intentioned, relatively limited attempt to address our lamentable lack of direct democracy failed.

We could also focus on opportunities for one particular avenue of direct democracy: a consultative referendum. Properly designed and executed, consultative referenda are highly effective gauges of public opinion, and an important tool for strengthening our representative democracy and enhancing meaningful citizen participation, even when complex issues are involved. Unfortunately, our political leaders feel threatened by the freewheeling public debate that accompanies referenda, and too often close ranks against citizens to protect their executive powers and political bases.

As discussed in section 1.2, the Charlottetown experience demonstrates how consultative referenda can strengthen our representative democracy and enhance citizen participation in Canada.

As we expand the use of consultative referenda, we must also learn from recent ill-thought-out and poorly executed referenda around the world. The 2016 Brexit referendum – recklessly called by British Prime Minister David Cameron to fend off pressure from within his own party – is a case in point. The question put to voters was deceptively simple: "Should the United Kingdom remain a member of the European Union or leave the European Union?" The UK government miserably failed to specify what consequences would flow from the requisite majority (a minimal 50 percent plus one) voting either 'Remain' or 'Leave'.

Cameron's government never undertook the critical step of holding a clear debate, in advance of the referendum, to determine whether a 'Leave' vote would categorically bind the government to politically or legally proceed with Brexit. In retrospect, many agree that the government should first have initiated a *consultative* referendum, to ascertain the general direction of public opinion. The result would then have been weighed in the balance, alongside other political and constitutional considerations (such as minority rights, devolution, and the demographic and regional distribution of referendum votes), before deciding on a course of action.

The Brexit debacle directly ensued from the government's failure to think carefully about how to frame the referendum question, and how to organize the referendum process. Exploiters of populist backlash against years of national austerity measures were able to divert attention to dysfunction in Brussels, play on deep-rooted racism, xenophobia and socioeconomic divisions, and ultimately tip the scales against the EU.

Many critics argue that controversial referendums in Colombia and Greece, alongside the Brexit vote, prove that referendums are too unpredictable and hazardous. But they condemn direct democracy too quickly.

In 2016, an agreement was reached to end over five decades of conflict between the Colombian government and the Revolutionary Armed Forces of Colombia, a guerilla movement. However, a referendum to ratify the deal was unsuccessful by a razor-thin margin of 50.2 percent to 49.8 percent. In the case of Greece, in 2015 the government rushed a referendum to decide whether to accept debt bailout conditions proposed by the EU and the International Monetary Fund (IMF). The results: a majority of more than 61 percent of Greek citizens rejected the bailout, triggering several senior political leaders' resignations. Days later, Prime Minister Alexis Tsipras - whose Syriza party had run on a distinctly anti-austerity platform – accepted a three-year EU bailout package that imposed even more severe austerity conditions than those voters had rejected in the referendum.

Most problems that arose in Columbia and Greece could have been averted by framing the questions put to voters and organizing the referendum process more carefully, as well as by establishing some flexibility in the government response to referendum results. The real problem in Colombia was a failure both to build broader public support for ratifying the 2016 peace agreement signed by the FARC and the government, and to acknowledge the country's history of failed peace plans. In Greece, the referendum took place after less than a week of campaigning, giving citizens little time to consider and debate the consequences of their vote. A successful referendum – that is, one that effectively expresses the will of citizens – must give voters enough time to consider the issues at stake, and to educate themselves about the

pros and cons of their vote. Democracy of any kind – including direct democracy – is all about discussion and debate.

Here are some points to guide the use of consultative referenda in Canada:

- First, we need an independent referendum commission to establish and administer rules fairly. Referenda are not partisan tools to be manipulated by the government. Indeed, the opposite is true: they are appropriate when a government needs to consult the public to assist the executive and legislative branches in formulating policy and action on a particularly difficult or controversial issue.
- Referenda should not be rushed. The referendum commission must determine the length of the official campaign after considering how thoroughly the issue has been subjected to previous public debate. Citizens need time to be well informed.
- The independent commission should be responsible for the final draft of the question or questions put to voters. Undertaking multiple constitutional reforms at the same time, in a single document, may be confusing. Combining too many different reforms can deprive citizens of the opportunity to consider each on its own merits. Discussions can of course proceed simultaneously on different issues, but there should be separate referendum questions to resolve each, as appropriate.
- Careful thought must go into the size of majority vote required for an option or question to be approved or rejected. Serious consideration should be given to incorporating a mandatory voting requirement, since low voter turnout can have grave repercussions.
- The referendum commission must establish strict controls on spending by the Yes and No sides. It is arguable that a certain amount of public funds should be allocated for administration by the independent referendum commission, according to objective criteria.

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1.4 Changing the rules: political engagement and social media today.

As I look back on my eclectic history of political engagement, the most exciting and fulfilling experiences involved anti-establishment campaigns, grounded in popular mobilizations outside the traditional political arena. The pre-Internet, pre-social media era I started out in now seems so antiquated. Linking up in those days took endless hours of phone calls and photocopying, faxing, and snail-mailing. Things that took hours to accomplish then, now take mere minutes or seconds. Accessing media – publishing op-eds in newspapers, and "making the news" on television or radio (CBC Newsworld was finally created in the late 1980s) took a lot of effort.

In the present day, what we now refer to as traditional or legacy media continues its steady decline. The 2025 Reuters Institute Digital News Report indicates that only 39% of Canadians trust traditional media. Canadians increasingly obtain their news online from alternative platforms like YouTube and Facebook. The future is a "dynamic decentralized ecosystem" in which information flows through multiple channels.

This trend toward less and less civic engagement through legacy media seriously weakens the justification for the substantial public subsidies of legacy media implemented by the federal government. As the 2025 election revealed, the media independence so crucial to our democracy and holding governments accountable, is compromised when media are beholden to one particular political party or election outcome for the continuation of their valuable subsidies.

This ongoing decline in legacy media also means that we need a more effective model for regulating and taxing digital services than that clumsily incorporated in the current *Online News Act* and the *Online Streaming Act*.

Social media today is, on balance, a positive development in the political landscape. Vital civic concerns can get traction, and many more voices can be amplified much faster and more effectively than before. I think of the #MeToo campaign and so many others.

The potential of this vastly enlarged civic space makes it well worth the admittedly challenging effort required to correct negative impacts of heightened connectivity and to design effective mechanisms to filter out the bigotry, misogyny, and dis- and misinformation so prevalent on social media today, while containing the just plain trivial.

What most interests me, though, is how to use social media more constructively to strengthen our democratic institutions and practices, as well as ensure that it serves the

broader purpose of supporting a thoughtful, more-informed citizenry. Can social media help restore public confidence in our elected representatives, and ensure more responsive and responsible government? Can social media help expand our civic space so that citizens can interact with our governments in a more collaborative, consensus-building and less polarized way, around long-term projects, and goals?

I strongly believe most Canadians accept that our government's role is to enable all citizens to fully enjoy equality and our rights and freedoms, and to provide the basics of citizenship: justice and safety, public education, healthcare, clean air, clean water, housing, parks, etc. We believe government should help build a resilient social economy so Canadians can meet the real challenges we all face on a daily basis: finding and keeping a decent job with decent pay, raising children in a safe and clean environment, caring for elderly parents and disabled relatives, and ensuring enough food is on the table. At the same time, we believe that governments must raise enough revenues, through various types of taxation, to adequately fund our collective responsibilities. And raising this revenue must be done fairly, openly, and efficiently to ensure that the wealthy pay their fair share to ensure fiscal sustainability.

To accomplish all this, however, requires governments that are more collaborative, and elected representatives who can cooperate and compromise to carry through big ideas and bold policies. This is where citizen action – and social media – comes in.

If you look around, you will see a vibrant world of engaged citizens, active community organizations and articulate civil society advocates collaborating on the ground, outside political parties, to promote leveling the playing field for all Canadians and their families. Their activities are varied – from helping Canadians directly with support or legal advice, initiating legal action, challenging government laws or regulations, and raising awareness of underserved communities.

Citizens are fighting for a wide range of policy initiatives at local and national levels – an annual basic income, tax reform, public education, childcare, post-secondary education, employment training, healthcare, pharmacare, infrastructure, public transportation, social housing, electoral reform, climate action and sustainable development.

We must encourage citizens and innovative civil society organizations to network with each other much more, and combine their efforts, rather than operate largely out of separate silos. If their collective impact were enhanced, governments might then be persuaded to experiment with bold policy initiatives, rather than continuing to allow social and economic injustices to persist.

Today, at a minimum, I see strong networking opportunities across a wide range of civil society groups in the following policy areas:

1. Supporters of a basic minimum income that could simplify the confusing and conflicting federal-provincial-municipal income support programs, provide greater economic freedom to citizens, and even help resolve federalism's fiscal crisis.
2. Tax reformers who want fiscal sustainability and an overhaul of our unfair, exemption-riddled income tax system, as well as a better balance between income tax and other taxes such as corporate, financial transactions or consumption.
3. Workers who want to ensure that automation and artificial intelligence (AI) is deployed in such a way as to increase, not decrease, opportunities for meaningful work.
4. Environmentalists who support climate change mitigation and sustainable development.

The challenge is to forge these networks well before an election, supporting concrete collaboration beyond just digital communications. The networks would agree on a joint program, or demands, to present to candidates of all parties in the election. Typically, election candidates receive endless streams of single-issue questionnaires that they just hand off to the central party office to complete – which hardly encourages independent thought on the candidates' part. What's novel about the process I'm proposing is that candidates would be asked to support a joint program that included not only particular policy initiatives of concern to the citizens' network, but also the institutional reforms essential to ensuring real legislative progress.

These candidates, if successfully elected to parliament, would commit to working with like-minded colleagues across regional and partisan lines to find common ground to broaden frameworks for engaging with citizens such as citizen ballot initiatives that are working well in California; to demanding independent votes in the House of Commons; and to supporting electoral reform involving a proportional voting system.

Even if only a few such candidates were elected initially, the emergence of an independent, multi-partisan democratic caucus – comprising representatives directly accountable to a network of diverse Canadians united around common goals – could make a real difference and possibly force through crucial reforms, in a new parliament.

Sometimes, minority governments prove more productive and responsive to the concerns of citizens. But Justin Trudeau's second minority government, elected in 2021, that

controversially locked in NDP support in a signed long-term agreement, has now proven this otherwise.

I hold out great hope that younger Canadians – the Millennials and Generation Z that follows them – can turn around the environmental and financial mess that Baby Boomers and Generation X are leaving behind. Generation Z, born after 1997, now constitutes about 17 percent of the population. One study finds that, like Millennials, they are "connected, open and optimistic," extremely diverse – from their values to their backgrounds – and pragmatic, having watched their parents struggle through economic decline. Data from the Samara Centre suggests that young Millennials and Generation Z actually discuss politics more than older Canadians, and are more likely to participate in politics in almost every way – except for voting. Whether they will develop the habit of voting early remains to be seen.

Most importantly for this discussion, these younger generations are masters of social media and connecting digitally. But we must remember that to have meaningful collaboration requires more than merely digital connections. It requires coordinated, on-the-ground operations and constant oversight over the use of social media to encourage online participation in thoughtful forums, rather than the instant, reactive kind of exchange that shuts down or intimidates constructive civic engagement.

Social media can serve as an extraordinarily efficient communication and information-sharing tool. And digital networks play a valuable role in bringing together a diverse range of unconnected citizens. But we are now all too aware of the risks inherent in our instant access to unlimited quantities of information. It too often amplifies our sense of insecurity and skepticism, and encourages disinformation and disrespectful discourse.

In effect, digital networks on their own can neither translate the kind of superficial, fleeting emotional attachment expressed through a "like," a "comment," or a "retweet" into constructive action, nor build informed consensus and encourage collaboration across wide gulfs of opinion. Too often, the most insightful voices are lost in the noise or drowned in triviality. Research finds that social media platforms are built to intensify and spread strong emotions like anger, awe, and anxiety – thoughtful deliberation is less valuable in the attention economy. If we cannot find a way to use our networks to communicate meaningfully across these divides, social media risks simply intensifying the existing fault lines in our society.

When the French grass-roots movement involving citizens wearing yellow vests (that they are required to carry in their vehicles) first erupted in fall 2018, it was not connected to any particular trade union, political party, or other national organization. Many assumed the internet was the explanation for the emergence and diffusion of the protests, or that

Facebook had somehow *caused* the protest movement itself. What observers ultimately discovered was that the transmission of information via social media was simply an enabler for a variety of organizations, such as traditional unions of teachers and transport workers, to join forces around their shared concerns, while reinvigorating their individual organizations' platforms. This collaboration significantly amplified both their collective and individual impacts on national conversations about economic and social justice.

So, behind all the hashtags and virtue signaling in our digital world, it is still the people on the ground and their real-life, mobilized networks that drive social movements. The original yellow vests protest that began at the traffic circles in small communities were organized by people already connected and living together in the same small town. It was an organic popular movement focused on improving the lives of the working class. But while the original movement demonstrated the power of civil society groups collaborating to enhance their collective impact, the very breadth and force of social media that enabled concrete citizen mobilization also facilitated its hijacking by extremists more interested in disrupting and shutting down opportunities for broader civic engagement.

The protests in France demonstrated that organizing modern social movements for change still requires effective on-the-ground networks, while integrating digital capabilities carefully into traditional methods of organizing and civic infrastructure. Popular movements still drive the internet, not the other way around. But inequalities in access to digital activism persist, reflecting broader structural inequities of class, race, gender, and other factors. Constant vigilance is required to prevent exclusionary, divisive elements from infiltrating and subverting a movement's goals and principles.

As we turn increasingly to social media to help expand our civic space and organize politically, popular platforms like Google, Meta, and Twitter merit public scrutiny and oversight. Meta and Google in particular have coercive economic power. They effectively control half of all digital advertising revenue. They exploit the data they control, bundle the services they offer and use discriminatory pricing to retain benefits they would otherwise be obliged to share with consumers. They have achieved monopoly power while also competing against one another, swallowing up competitors and deploying enormous resources to invade each other's territories.

In addition, Meta and Google's business models are built around surveillance. They make most of their money by elaborating increasingly detailed profiles of your behaviors and preferences, and selling that information to advertisers. Search results and social feeds created by advertising companies are strongly incentivized to push you toward information silos or apps that show you more ads from those same platforms.

Companies this dominant – near-monopoly distributors of information – will rarely take adequate action on their own to protect society from the consequences of their actions, especially with respect to privacy and data protection laws. When so many of us are only too happy to give away our most valuable asset, our personal data, in exchange for a free email service or a cute cat video, governments must take action to protect the public interest.

The historian Yuval Noah Harari calls this meta-challenge "avoiding a digital dictatorship." We must regulate data ownership to prevent a concentration of all wealth and power in the hands of a small elite – whether it's Amazon's Jeff Bezos or Facebook's Mark Zuckerberg.

Furthermore, decent future jobs in AI are currently predicted to be relatively few in number compared to jobs lost to automation, and are likely to go to the well-educated and well-connected. As many citizens lose their economic power, they lose political power. The same technologies that risk making billions of people economically irrelevant may also make them easier to monitor or control. In fact, AI could erase the practical advantages of democracy, erode the ideals of liberty and equality, and concentrate power among a small elite group who control the data. Citizens will be left even further out-of-the-loop, angry, and alienated.

So, national government oversight and careful regulations are needed to preserve competition, privacy, innovation, and fair and open access to data**.** Unless we move in this direction, we are abdicating crucially important civil decision-making to large, private, non-governmental corporations instead of to fully accountable governments or governmental organizations.

Canada is lagging seriously in all areas of legislative and regulatory oversight relating to competition, privacy, and election laws. In April 2019, the Privacy Commissioner, Daniel Therrien, completed an investigation into Facebook's operations following the Cambridge Analytica scandal. He concluded that Facebook had broken the law by acquiring hundreds of thousands of Canadians' private information and indicated that he would be seeking a court order against Facebook. However, the privacy protections in our legislation were empty and effectively unenforceable in these circumstances. (This is discussed further in section 2.1 in respect of political party operations).

At an international meeting in Paris following the New Zealand Christchurch massacre and the murderer's disturbing Facebook posts, Canada signed the Christchurch Call along with 17 other countries to address, among other things, content regulation (free speech versus censorship) on social media. The federal government also announced a 10-point Digital Charter that regrettably turned out to be an assemblage of digital initiatives preoccupied with protecting and managing personal data collected by online companies. Canada urgently

requires much more: a coordinated policy initiative with respect to content, data, and competition policy in the digital industry.

For the 2019 federal election, the Justin Trudeau government issued a Declaration on Electoral Integrity regarding the conduct of social media companies during an election. Unfortunately, the Declaration was as vague as the Digital Charter, with no teeth, or any announced plan whatsoever for measuring whether the terms of the declaration are being met. This reflected a familiar pattern in the government's efforts to tackle this problem – of being almost deferential to the social media platforms, and steering clear of any hard regulatory power of the state.

In addition to establishing oversight and rules for tech companies and social media, much more conscientious action is needed to strengthen civic and media literacy, and ensure a truly informed democratic citizenry. All citizens need expanded ethics training in all areas of social, economic, and cultural life. And substantial investment is required for teaching civic and media literacy every year, at every level, in schools – not just for a single term in high school. [*More on this in section 2.2]*.

Clearly, the questions of who controls social media and data, present urgent challenges to democracy here in Canada and elsewhere. The pandemic certainly highlighted the very real danger to citizens of the rapid spread of false information across social media related to the safety of vaccines. Addressing these challenges will determine whether we succeed or fail to build a more resilient and inclusive society, economy and democracy for all Canadians in our extraordinary, globally connected society.

1.5 Constitutional reforms to strengthen our democracy and sovereignty.

Today, most Canadians have been convinced that constitutional change is impossible. At least this is what our faux-democratic political establishment repeats *ad nauseam* since the defeat of their proposed Meech and Charlottetown, constitutional reforms, as discussed in section 1.2.

Of course, constitutions are enormously important documents and certainly not to be amended lightly. But constitutions are also "living trees," as described in a leading court case that ruled that the word "persons," as used in the 1867 British North America Act, also included women.

Despite the patriation of our constitution and the introduction of a Charter of Rights and Freedoms in 1982, faux-democratic leaders continue to challenge the foundational constitutional principle that democratic power, derived from the people, resides with the people. They sometimes succeed. This is because there are fundamental flaws in our constitutional architecture that facilitate the undermining of the constitution and our rights and freedoms.

These flaws date back to 1982. The absence of a referendum mechanism in the constitutional amending formula to empower citizens to engage in the constitutional reform process, the lack of a meaningful constitutional preamble describing modern-day Canada, and the insertion of a notwithstanding clause in the Charter of Rights and Freedoms, resulted in a constitution which fails to make clear that the Canadian people – not governments – are the foundation of our constitutional democracy.

Currently, several areas of outstanding constitutional business require attention, some more urgently than others. These include requiring a consultative referendum for constitutional amendments, drafting a new constitutional preamble, repealing the notwithstanding clause, Senate reform and establishing a new Canadian head of state. All these issues are eminently debatable constitutional topics that should be put to the people. After all, the Constitution belongs to the people of Canada, who must be consulted directly with respect to all significant reforms, by way of consultative referendum. Yet rarely do any of our politicians, media personalities or academics support even a discussion of constitutional change.

Consultative referenda for constitutional amendments:

The made-in-Canada constitutional amending formula introduced in 1982, unfortunately put the legislatures (that in turn are effectively controlled by their respective executive

branches, hence our faux-democracy), rather than the people of Canada, in the driving seat when it came to constitutional amendments. The amending formula does not recognize a role for the people, and refers only to various votes in legislatures and parliament, most often completely controlled by a small clique of faux-democrat politicians. Indeed, our preamble might as well read "We the prime minister and the premiers," rather than "We the people…"

With no referendum mechanism, we failed to ensure that the people of Canada were adequately respected in our constitutional reform process. The danger that arises when governments – as opposed to the people – dominate our constitutional process was all-too-evident during the debates over the Meech Lake and Charlottetown Accords that spanned 1987 to 1992.

Section 1.2 describes how prime minister Brian Mulroney, and the provincial premiers made the first attempt to amend our constitution using the new 1982 formula. Behind closed doors, the initial signatories of the Meech Lake Accord negotiated a complex agreement that amended our foundational document in a serious way. These men felt no need to consult with either their caucuses or the people of Canada in a meaningful way, which was a huge mistake. The Accord's painful trajectory exposed political parties as mere tools of their domineering leaders, a predicament true to this day. And it exposed the flaws in the constitutional amending procedure introduced in 1982, which entrusted too much control to the executive-dominated legislatures. With a majority of seats in the legislatures, leaders can have their way on constitutional issues without directly assessing citizen support.

Canadians who mobilized to defeat the Meech/Charlottetown Accords were hopeful that the ultimate calling of the Charlottetown referendum in 1992 created a precedent for holding a consultative referendum for any subsequent significant constitutional reform. That did not happen.

It is now clear that we need to formally include a consultative referendum mechanism in the constitutional amending formula to prevent our faux-democratic politicians from entrenching their autocratic ways.

Yet our autocratic politicians continue to oppose letting people have the last word on constitutional change. For instance, Justin Trudeau stated that referenda just "give people a chance to lash out at institutions..." And Trudeau's absurd acceptance in 2021 that the Quebec government can make unilateral amendments to the Canadian constitution that undermine the Charter and the federal-provincial balance of powers (Bill 96), provides even more compelling reasons to insist on a consultative referendum mechanism in the amending formula.

With Bill 96, federal political leaders shamefully refuse to criticize the Quebec government's provocative proposals to unilaterally amend the Canadian constitution to declare that "Quebecers form a nation" and "French shall be the only official language of Quebec. It is also the common language of the Quebec nation." This is faux-democracy at its worst – our faux-democratic leaders refusing to uphold the constitution because they are trolling for votes in a province led by a government that would prefer to leave Canada.

By uncritically accepting the latest Quebec government proposals in Bill 96 and accepting Quebec's unilateral amendments to the Canadian constitution as purely symbolic, our federal leaders are shirking their solemn obligations to uphold the constitution and our rights and freedoms – the very core of a true democracy. The situation is all the more outrageous because in Bill 96 the Quebec government pre-emptively used the notwithstanding clause to override the Canadian Charter of Rights and Freedoms, and continues to claim inaccurately that Quebec is somehow excluded from the Canadian constitution.

Enough already! We cannot continue to make concessions to those whose end game is to leave Canada. Our federal leaders must accept that we may someday have to put a simple question directly to Quebecers and Canadians: Do you wish Quebec to remain in Canada?

A new constitutional preamble:

With the long overdue focus on, and commitment to, reconciliation with Indigenous peoples, it is time to draft a new constitutional preamble. The current preamble of our constitution is pitiful: It refers only to Canada being founded on "principles that recognize the supremacy of God and the rule of law."

Genuine steps towards truth and reconciliation should include drafting a new preamble that includes a clear affirmation of Indigenous peoples and their crucial contribution to Canada's constitutional identity. A new preamble is also where we can recognize particular dimensions of Quebecers' distinctiveness (as originally put forward by Quebec in 1987), rather than the overreaching distinct society provisions in the Meech Lake and Charlottetown Accords, and the more recent iteration in Bill 96.

We can and should have a stirring constitutional preamble that reflects our constitutional foundations, our fascinating country, and our exciting future in the 21st century and beyond.

Repeal the notwithstanding clause:

In 1982, our then-prime minister only reluctantly accepted the insertion of the notwithstanding clause in the constitution. This is the provision that allows governments to override (to legislate notwithstanding) certain fundamental rights in the Charter. Section 33 was a political compromise to bring a few recalcitrant provincial premiers onside to entrench the Charter of Rights and Freedoms. The federal cabinet debated, but ultimately rejected, another option: going over the premiers' heads to obtain popular assent to the Charter through a referendum on the entire constitutional amendment package, without the notwithstanding clause. *[More on this in section 1.2.]*

The regrettable decisions to include the notwithstanding clause in the Constitution and leave out a referendum mechanism in the amending formula were considered the best option at the time. Many expressed hope that the notwithstanding clause would never be used, and would eventually be repealed.

During the Meech and Charlottetown Accords debates, many Canadians criticized Brian Mulroney for not taking any steps to at least incorporate a repeal of the notwithstanding clause into his negotiations of the Accords with the premiers. (Mulroney was on the record as opposing the notwithstanding clause). Indeed, amid the Meech Lake ratification process of 1988, Premier Bourassa inserted the notwithstanding clause into the Quebec government's Bill 178 to uphold a ban on English-language signs. This further inflamed debate over the proposed 'distinct society clause' for Quebec.

The notwithstanding clause has now proven to be a ticking time bomb in the heart of the Charter. The initial hope in 1982 that it would be rarely invoked is proving inaccurate. Quebec is using it pre-emptively again, and a federal party leader, and other provincial premiers, notably in Ontario and Alberta, have attempted to, or threaten to, use the notwithstanding clause to override Charter rights that have been upheld in the courts.

In 2017, the Quebec government enacted Bill 21, a bill that bans public workers from wearing religious symbols. Bill 21 violates religious freedoms, disproportionately impacts Muslim woman, and undermines our collective commitment to guarantee and respect our shared rights and freedoms across the country. To avoid legal challenges that could have delayed the bill's implementation for years, the premier invoked the notwithstanding clause to override religious freedoms guaranteed in Canada's Charter of Rights and Freedoms, as well as Quebec's Charter of Human Rights and Freedoms. Then, in 2021, the premier used the notwithstanding clause pre-emptively again, in Bill 96, to unilaterally amend the Canadian constitution in ways that impact minority rights and undermine the Charter.

More frequent use of the notwithstanding clause will steadily erode yet another pillar of our democracy. It is not sufficient for our leaders to simply rebuke premiers and express "disappointment" with their use or threatened use of the notwithstanding clause. Nor is it useful to debate how a deeply flawed provision in the Charter could somehow be restrained by defining the impossible: the "exceptional circumstances" under which the notwithstanding clause might legitimately be used.

In my view, the notwithstanding clause is not required and should be repealed. Section 33 was never anything but a political compromise to secure what was then the novelty of entrenched rights and freedoms. It is no longer needed. The Charter is now universally accepted as fundamental to Canadian citizenship. Leaving the notwithstanding clause in our constitution is simply an unnecessary source of political conflict. Moreover, the notwithstanding clause applies to fundamental democratic rights, legal rights, and equality rights, but not to other Charter provisions, such as mobility and language rights. This creates an illogical and unacceptable hierarchy of rights.

Section 1 of the Charter – the reasonable limits clause – provides legislators with more than enough flexibility to pursue legislative goals that may involve "reasonable limits" on guaranteed rights and freedoms "prescribed by law as can be demonstrably justified in a free and democratic society." Legislators must, therefore, insert clear statements in the preamble to any legislation to explain, for example, the particular justifications for more severe sentencing for certain crimes, if a legal challenge is anticipated.

I believe there could be strong popular support for repealing the notwithstanding clause. If the federal government wanted to do more than merely lament premiers Ford and Legault's actions, the prime minister could initiate the repeal process. At the same time, he could offer to formally abolish the historical constitutional powers of disallowance and reservation enshrined in sections 55 and 56 of the *Constitution Act, 1867*. These British imperial mechanisms – initially designed to veto legislation enacted by colonial governments – technically remain operative to enable the federal government to disallow a provincial law, despite over 50 years of disuse.

As part of the repeal process, the federal government would hold a consultative national referendum as in 1992. If a majority of voters in all provinces supported repeal, the premiers and prime minister would be morally compelled to pass the legislative resolutions required to amend our constitution. Even in the unlikely event that the referendum proposal was defeated, the opportunity for vigorous, open democratic debate would revitalize our civic space; promote free, informed, and respectful discussion; and strengthen bonds of common citizenship.

Canadians working together to abolish the notwithstanding clause, entrench consultative constitutional referenda, and draft an inspiring constitutional preamble, would ensure our constitution can endure as a vibrant instrument of the people, by the people, for the people, rather than be weakened by faux-democratic politicians intent on expanding their partisan powers.

Senate reform:

The Liberal government's 2015 changes to the Senate appointment process succeeded in pausing the embarrassing soap opera that played out under the Harper administration. However, these reforms are unlikely to survive much longer.

Despite the government's rhetoric about respecting an arm's-length process and appointing only "independent" senators from a list prepared by the new Independent Advisory Board, new appointees remain wholly dependent on the prime minister's approval, and entirely *unaccountable* to Canadians. The leader can still easily guide appointments through the new channels and onto the shortlist. And a new way to game the system is all too easy, involving behind-the-scenes campaigns to patronize NGOs and groups on the Independent Advisory Board's outreach list, in exchange for endorsement and inclusion on Senate candidate shortlists.

The creation of "independent appointments" has unintentionally resulted in appointees exercising their independence to inappropriately advocate for particular causes. We have seen this a number of times, an example being the proposed oil tanker moratorium on the West Coast. As a prominent commentator noted in May 2019: "Today's independent "non-partisan" Senate has a mandate of its own – a mandate of virtue… But the Commons has a larger mandate to pass legislation in the people's name and be accountable for it."

Constitutional reform is urgently required to either abolish the Senate or design a new, elected Senate with a seat distribution and powers appropriate to the 21st century, and the ability to effectively articulate provincial/regional concerns in parliament. Continuing with the status quo is not an option, but until we can implement reform, the appointment process must be completely independent from the executive branch. We cannot settle for the sham independence of current arrangements.

Yet today, most establishment political leaders (backed by many in the media and academia) still resist any constructive engagement with the Canadian people to amend the constitution,

even one focused on a single issue like Senate reform. They continue to argue that constitutional reform is unnecessary and to be avoided – a dangerous attitude.

A Canadian head of state:

One final detail relating to constitutional reforms is worth considering. Despite its historical role in our history, a monarchy linked to Britain is no longer relevant to Canada as a modern nation. We need a made-in-Canada alternative to defend our institutions of parliamentary democracy, a Canadian head of state with democratic legitimacy.

Constitutional change of this magnitude, of course, can only be accomplished after a consultative referendum. It also requires a renewed treaty process with First Nations, to ensure the move is not unilateral, and that treaty and Indigenous rights are protected and promoted. Crucially, the impetus for change must come from the Canadian people.

It is noteworthy that Australia held a referendum to abolish the monarch in November 1999. The referendum question asked whether Australia should become a republic with a President appointed by a two-thirds majority of Commonwealth Parliament members. The referendum was defeated, but the general consensus is that the issue will resurface with the arrival of King Charles III. I am confident that as the Canadian population grows, we will inevitably abandon our antiquated ties to the House of Windsor.

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PART II

Ending faux-democracy: reforming representative institutions and practices.

Faux democracy *isn't a formal political science term like "illiberal democracy" or "pseudo-democracy." It's more of a colloquial term, often used to describe a system that appears democratic but isn't genuinely so.*

Citizens may not have a genuine choice of candidates or parties, or the system might be manipulated to favor one side.

***Lack of Real Power**:*
Citizens may not have a real voice in decision-making, even if they have a vote.

***Control by Elites**:*
The system may be controlled by a ruling class, with limited accountability.

***Appearance of Democracy**:*
Faux democracies might have elections, but they may be rigged, or the opposition might be heavily suppressed.

(surprisingly helpful AI definitions)

2.1 Political party reforms: taking back control from political party machines.

What can be done to end the hegemony of our insular, faux-democratic political parties and open up the various institutions and practices they currently monopolize?

I come at this topic with over a decade's personal experience with the traditional party system. Between 2005 and 2014, I was involved in three nomination contests to be a candidate for the Liberal Party of Canada. I also ran as a Liberal candidate in the 2006 general election. Along the way, I received advice from party insiders that I just had to play the political "game" nicely, wait my turn, accept that it's all about luck and timing in so-called "winnable" ridings – code for doing all you can to get the leader's personal support for your candidacy.

In 2012–13, I joined the race for the leadership of the Liberal Party, a further sobering education in how the system works. Camouflaged by an avalanche of unknown instant Liberals who signed up online for a free Liberal Party membership in order to vote, the party elite engineered Justin Trudeau's rise to the top on the strength of his personal image only, with no substantive debate. Once anointed, Trudeau owed little to anyone outside the inner circle who had assisted him.

At the conclusion of this section, I set out my own futile trajectory in active politics. Many readers may conclude that I should not have bothered to tough it out for so long. But I could not in principle accept that our partisan political parties could be so controlled and exclusionary. My albeit disappointing experience simply convinced me that we need transformative political reforms to save our democracy, and must greatly expand citizen engagement.

Since leaving partisan politics, it is clear to me that hollowed-out political parties increasingly backstop our faux-democracy, and present serious obstacles to much-needed and overdue change.

Most Canadians today are thoroughly disillusioned with our established political parties. Our leaders rule by distraction and diversion, and appeal to the lowest common denominator. They seem content to spout empty rhetoric and rely on appearance over action. They pander to their bases and seek to vilify the others.

Meanwhile our democracy is increasingly ill-equipped to confront the enormous challenges that lie ahead in a divided world that values tightened borders and protecting national economies. These challenges include future pandemics, climate change, the effects of AI and

technological disruption, and our need for increased immigration while managing huge movements of people fleeing poverty, war, and crime.

Political parties used to play the crucial role of mobilizing citizens and constructively guiding public policy agendas. Now, they operate phony grass-roots organizations, which at most involve two percent of the population and serve merely as election machines for party leaders. Research from the Samara Centre found that a majority of Canadians wouldn't even consider joining a major party in the future.

A tight clique of party insiders selects the leaders presented to Canadians, most recently illustrated yet again by Mark Carney's speedy elevation to both Liberal leader and prime minister in a matter of weeks in early 2025.

Party leaders then tightly control everything: the nomination of the candidates you vote for, the election policy platforms you are presented with, and, if elected to power, parliament's legislative program. This means submissive party caucuses, submissive cabinets, and ultimately submissive legislatures. The new, transparent way of governing that Justin Trudeau promised in 2015, quickly devolved into the same top-down, tightly-controlled style of government of any previous prime minister going back to the 1970s. This appears likely to continue under Mark Carney.

In between elections, the elites of the hollowed-out political parties prepare for the next election, among other things, scraping your personal data off Facebook and Twitter to design micro-targeted messaging, while conveniently exempting their outreach operations from oversight by the Privacy Commissioner.

For many years, the Privacy Commissioner has been deeply concerned that Canadian political parties have not yet agreed to be subject to Canada's privacy legislation. The Commissioner has written:

> "At the same time as developing highly sophisticated methods of data collection, the federal parties have plead poverty – insisting that they would be unable to meet even basic legal privacy standards. But in many other jurisdictions (including British Columbia), political parties must meet the same or comparable privacy standards as are imposed on private companies, while still campaigning effectively. Yet the partisan data collection by political parties, as much as by private companies, undermines the personal autonomy and private will of sovereign individuals – the fundamental basis of democracy. Indeed, one of the primary objectives of parties in collecting our data is simply to determine whether or not we're likely to support them, and therefore, worth talking to or not. Political parties are in the business of learning as much about

> you as possible and influencing your choices at election time, yet have hitherto refused to submit to our privacy legislation and the pertinent regulation and oversight. This is unacceptable and must be corrected. Citizens must have much greater rights over the use, mobility and, monetization of personal data in all contexts, and any regulation thereof must be accompanied by meaningful enforcement."

As more and more questions arise as to whether political parties are illegally using constituency data, paid for by public funding, for partisan political purposes, it seems outrageous that the Privacy Commissioner cannot even do any spot-checks on MP offices or the caucus research bureau to see if public funds are being used for partisan advantage.

Regrettably, Mark Carney is now locking in this extraordinary privacy-free zone in political parties by stealthily slipping in an amendment to the *Canada Elections Act* in Bill C-4 – *An Act respecting certain affordability measures for Canadians and another measure.* Astute commentator Michel Geist incisively criticizes Carney's action:

> "The government is moving to eviscerate political party privacy in Canada as it fast tracks Bill C-4, proposed legislation framed as implementing affordability measures, but which also exempts political parties from the application of privacy protections on a retroactive basis dating back to 2000. The government moved to end second reading debate yesterday without a single Liberal MP speaking to the privacy provisions in the bill and is seeking to fast-track hearings in the Senate so that it can be passed before Canada Day. The provisions give political parties virtually unlimited power to collect, use and disclose personal information with no ability for privacy commissioners to address violations. The bill drops earlier proposed requirements to disclose security breaches and restrict selling Canadians' information, and it blocks the application of provincial privacy laws. The bill's provisions set a privacy standard for political parties (effectively limited to merely disclosing their privacy practices) that would be unthinkable for the private sector and establishes an unprecedented back-to-the-future approach of wiping out any potential accountability dating back decades."

Sadly, it is never in the self-interest of faux-democratic political parties seeking re-election to submit to oversight, or to implement policies designed to weaken top-down party control and encourage more collaboration across partisan divides in the legislature, however important this may be. To restore power and influence on citizens, we need to end the dominant influence of insular faux-democratic political elites in our political processes.

***

I conclude this section with an account of my personal experiences navigating the shoals of party politics, to illustrate how the role and operations of political parties prevent meaningful citizen engagement, and why there is an urgent need for activist citizens to work outside the hollowed out political party structure to bring about real change.

My eclectic career spans over 30 years of varied political activity, but mine is a cautionary tale. I found participating in active politics exhilarating, yet failed in my ultimate goal to become an elected representative.

I have no regrets. Looking back, I can easily identify moments when I could have changed course and compromised my principles to succeed. I knew that many established politicians and pundits considered me naïve and intransigent, but I could never accept that politics was just an unprincipled game of selected insiders that values the superficial over substance, and nurtures faux-democracy.

If we are serious now, as we should be, about strengthening our weakened democracy and revitalizing representative institutions and practices, the way forward comes not from the exceptional success stories of politicians who have succeeded in getting elected, but from the experiences of many more like me who have failed. The stories of those who failed to obtain a nomination, who were manipulated out of the way by the party leader or his advisors, or the rare examples of those who were elected but refused to be reduced to talking-point factotums, are most instructive. For out of the accounts of losers in a rigged political game can come a blueprint for serious structural and systemic reforms that are necessary to end faux-democracy.

As recently as the 1970s, political parties were still considered the essential underpinnings of our democratic system. They played critical roles in mobilizing voters, nominating candidates for elections, selecting party leaders, and developing policies for election platforms that could eventually form part of a government's legislative program. Today, however, I am convinced that our political parties no longer make a constructive contribution to the democratic process.

By the 1980s, when I first became politically active, many current criticisms of political parties had been articulated by the President's Committee for Reform of the Liberal Party of Canada. The 1985 report[iv] of that Committee, which I participated in drafting, was a response to strong grass-roots objections to the centralization of control by the leader, Pierre Trudeau, and his office. The recommendations were wide-ranging and included strengthening the role of unelected party members, as well as creating a Council of Riding Presidents to ensure more meaningful ongoing interaction between the elected and unelected wings of the party,

not just at election time. The recommendations were largely ignored. When the Council of Riding Presidents was finally created years later, it was weak, dysfunctional, and irrelevant.

While this disappointed me at the time, I did not realize that it would be just the first of many similar disappointments that would follow successive efforts to reduce the top-down control of established political parties' structure and operations. My involvement in party politics – trying either to influence policy or get elected to parliament – was a long, frustrating process of learning that the only way to have any real influence is to be very close to the leader and their advisors who expect absolute loyalty from their "team".

Elected politics was not an option while I was engaged in a non-partisan capacity in the constitutional battles, and then raising children. Only in 2005, when I decided my children were old enough, did I try re-entering the partisan political arena I had left 18 years earlier. At that point, I had no obvious riding in which to run, except the one where I was living – Ottawa West Nepean, and no effective connections with then-leader Paul Martin or his team. Nevertheless, I had some enthusiastic supporters, and enough confidence to believe that a hard-working, independent-minded, principled candidate could run successfully for an open nomination. I would soon learn otherwise. The nomination for my Ottawa riding was quickly passed off by the retiring Liberal MP to her preferred successor. The date of the nomination vote was rigged so that only the successor had time to sign up enough members to seriously contest the ballot. The successor was conveniently acclaimed.

Rather than give up, in 2005-06, I settled on my only other option: to run in a completely unwinnable riding. Liberal Party central was prepared to grant me a free path to the nomination in the riding of Toronto Danforth, provided retiring MP Dennis Mills agreed. The support of Mills, who still "controlled" the riding association membership at that point, would pretty much guarantee my acclamation at the nomination meeting. Paul Martin's campaign advisors thought I might be able to attract some positive attention to an otherwise hopeless race against NDP leader Jack Layton, who was the riding's shoo-in candidate. My allies advised me that running in Toronto-Danforth would amount to "paying my dues'', making me eligible for a nomination in a more winnable riding in the next election.

That general election period was one of the longest in history, stretching from November 2005 to the end of January 2006, and necessitating a few days' break of sorts over Christmas. Most of my party help came from provincial Liberals led by Dalton McGuinty, who would call a by-election in the riding shortly after the national election. The provincial Liberal candidate, Ben Chin, accompanied me from time to time when I was canvassing door-to-door. Two or three extraordinarily dedicated volunteers also helped, but I frequently canvassed alone through rain, sleet, and snow. I discovered that I thoroughly enjoyed door-

to-door exchanges and the chance to really get to know, and respond to, the concerns of citizens.

After my all-too-predictable loss, and with Jack Layton and the NDP now comfortably ensconced in Toronto-Danforth, I turned to next steps. I hadn't factored in Paul Martin's sudden resignation after Stephen Harper's government came to power. My ability to find a nomination in another, more winnable, riding was now dependent on building a connection with a new leader. For all intents and purposes, any "credit" I had earned by running for the Martin team was null and void, non-transferable to a new leader.

In the 2006 leadership race, I decided to support Michael Ignatieff. I was advised to f ind ways to work for him to build up my "credit" with him and his inner circle and become eligible for a better riding should he become leader. But almost immediately, I grew concerned when he swiftly supported Harper's declaration that the Québécois were a nation, albeit within Canada. I managed to schedule a brief meeting with Ignatieff and present him with a memo about the history of Meech and Charlottetown, explaining how the better approach to re-opening the issue of Quebec's so-called exclusion from the constitution and distinct society was to draft a new preamble to the Constitution. [See my 2013 blog on a new constitutional preamble.[v]]

Ignatieff responded that while he understood the problem, his team thought a change of his position would appear weak in the eyes of voters. Indeed, his support for the nation concept already figured in his printed campaign materials. At the leadership convention, he and Bob Rae both lost to the compromise candidate, Stephane Dion, who had a somewhat stronger federalist position on the "Québécois-as-a-nation" debate.

So, I was back to square one with yet another leader with whom I had no connection. In this, I discovered that I was in the same boat as my good friend, the late Marc Garneau. We reconnected during the convention and compared our experiences of being relegated by the Liberal Party to running in the 2006 election in unwinnable, no-hope ridings. Fortunately, Marc and his supporters were eventually successful in persuading the party to support his nomination in a winnable Montreal riding in the 2008 election. Marc was elected and went on to win five successive elections and serve Canada in parliament with distinction until he resigned in 2023.

As for me, I first decided to seek a nomination in the Toronto riding of Don Valley West, which had opened up when MP John Godfrey retired in 2008. It was a riding that I had lived in and understood. I was told that my candidacy was futile since the leader's office would be supporting Rob Oliphant, but that if I withdrew quietly, I would be in a better position for the next winnable riding.

I could easily see what was happening on this chessboard. Dion's office pulled in behind the candidate supported surprisingly by both the Ignatieff and Rae teams, which jointly dominated the Liberal scene in Toronto. Rob Oliphant had been a vocal supporter of Ignatieff, but had also helped Rae by stepping out of the 2006 Toronto Centre nomination race to make way for Rae after the leadership campaign.

After withdrawing from the Don Valley West race, I briefly considered a Brampton riding whose longtime MP, Colleen Beaumier, had announced that she would not be running in the next election. I met with the riding president and retiring MP but was then advised that Dion was throwing his support behind Andrew Kania, who reportedly had donated significant funds to Dion's leadership campaign. (As I recall, the local riding association did not welcome the party's choice, and much manipulation took place before the party could safely call a nomination vote and be assured there were enough Kania votes in the bag.) Yet again, the lesson learned was that when party central decides on a preferred nomination result, there is no point putting up a fight. At the time, I was reminded once more by senior organizers that it was "not my time and place."

I finally left the nomination merry-go-round to consider the option of running a credible campaign for party leadership first, as a means of finding a good riding to run in. Recent history indicated that, even if I lost the leadership bid, I could perhaps enhance my profile sufficiently to gain crucial party insider support for a viable nomination in the next general election.

This happened after the 2006 leadership race, when failed leadership candidate, Bob Rae, was installed by the party in his preferred Toronto Centre riding over the then prospective candidate, Rob Oliphant, (which in turn led to Rob Oliphant's switch to the Don Valley West riding with the stamp of approval of Stéphane Dion's office). Similarly, after the 2006 leadership race, the party persuaded retiring Liberal MP Jim Peterson to pass on his riding of Willowdale to failed leadership candidate, Martha Hall Findlay, (who had been replaced as the Liberal candidate in her Newmarket riding in the 2006 election, by Conservative MP Belinda Stronach who had crossed the floor to the Liberals).

Around this time, my continued interest in government and policy led me to be more active online and establish a website and blog called Canadians Without Borders in 2008. My experience as a first-time candidate two years earlier had convinced me that I had to understand the entire policy universe, including intergovernmental frameworks, in order to feel confident to continue in active politics and have credibility when asserting public policy positions. I wanted to be prepared to answer any questions from Canadians and provide an informed answer on anything , without spin or doublespeak.

I have always wanted to encourage and contribute to a public debate among Canadians about what we share; what it means to be Canadian when so many of us come from all over the world; and what we, as Canadians, want to accomplish together. We need to have a collective voice that is clear, coherent, and principled. But to have that we had to have bold, visionary, national leadership, and a more collaborative and collegial federalism.

It took the devastating collapse of the Liberals in 2011 to permit the sclerotic Liberal party, however briefly and cautiously, to open itself up to people like me, who have a genuine interest in engaging Canadians in substantive debate about the future of our country. So, on June 27, 2012, I joined to campaign for party leadership, and created a new website (www.deborahcoyne.ca) to promote *One Canada for All Canadians* and to document my ideas, policies, and activities.

I was determined to see whether, in our then still relatively new age of instant and low-cost communication, it was possible to do politics differently; to run a frugal campaign of substance, uncluttered by spin and manipulation and less focused on partisan political agendas. A renewed Liberal Party could only be as strong as its links to citizens, encouraging and connecting with the many grass-roots groups committed to helping the disenfranchised, protecting the environment, building safe communities, and generally strengthening Canada at home and abroad.

I'm not naive about the tactics pursued by others, but I have full confidence in the Canadian people's ability to distinguish between the authentic and the phony. I know many people 'get it.' There **is** a different way to approach politics.

I drew inspiration from a trip I took to Washington in 2010 to see Jon Stewart's and Stephen Colbert's "Rally to Restore Sanity and/or Fear." It took the two political satirists only a few weeks to assemble a quarter of a million people at an anti-rally rally against the hijacking of the political system by elites that effectively shut out ordinary people. It was a political event that never endorsed a politician, just the idea that the citizenry can – and should – take control of the political narrative. There was a lot of humour, but Stewart struck a more serious tone in his closing speech, stating: "We know instinctively as a people that if we are to get through the darkness and back into the light, we have to work together."

That is, in fact, what drew me to political life: the idea of helping to bring people together, something I have always strived to do. The all-volunteer team I assembled for the Liberal leadership race included former colleagues from various organizations for which I worked, former law students, people I helped over the years, and citizens who backed my Meech or Charlottetown efforts.

Running for the leadership was a great experience for me. I ran with a comprehensive policy platform: *One Canada for all Canadians*. With help from some enthusiastic volunteers, we created a colourful Roadmap[vi] to One Canada, with each policy direction linked to 22 substantive policy papers.

I was finally free to express my opinions, unfettered by existing party policies, for what I hoped was an interested audience. Unfortunately, throughout that long leadership race spanning June 2012 to April 2013, most media outlets studiously ignored my candidacy because I had not been previously elected. Even when Justin Trudeau and I were simultaneously confirmed as accredited candidates with all the requisite signatures, I was never mentioned by name. With dark humour, my campaign manager compared me to Lord Voldemort in the Harry Potter series, "he who must not be named."

Of course, this all made me constantly question why I was sticking it out, but I kept my expenses and expectations low. I eventually covered all my expenses through supporter contributions but was left with some outstanding leadership debt (now retired) because party decisions to set the entry fee at what was then a fairly substantial $75,000, instead of the $30,000 required in 2006. (Fast forward to the 2025 leadership contest which established the exceedingly high exclusionary entry fee of $350,000.)

The leadership race was a wonderful way to meet Canadians across Canada. I wrote at the time:

> "It was an amazing journey. Nine months, and over 20,000 kilometers of driving later, here we are at the end. I have dodged buffalo while driving the Alaska Highway across northern British Columbia in a snowstorm. Survived the treacherous Highway 63 on my way to Fort McMurray. Crossed the Confederation Bridge onto Prince Edward Island in fog and high winds. Visited communities from Whitehorse to Gander. I have consumed more early morning oatmeal and coffees in more Tim Hortons than I care to remember, and I have thrived on the excitement of innumerable rerouting battles with my GPS. I owe enormous thanks to my all-volunteer team for running an unprecedentedly frugal national campaign. We proved that a campaign about vision, principles and ideas can survive."

I thoroughly enjoyed the opportunity to meet so many Canadians who were genuinely interested in how government could be more responsive and responsible. I loved long question and answer sessions, during which I could really listen to their concerns and suggestions, and exchange views on a wide range of practical proposals that would enable elected representatives to implement real change for the better.

In my final speech in April 2013,[vii] I set out the following summary of my reasons for entering the leadership race and my vision of One Canada – the policy framework I hoped could help the party and the party's next leader. As I had throughout my campaign, I articulated my deep concerns for our democracy and our federation – concerns that went sadly unaddressed in the succeeding years, and are expressed again in this eBook:

> "I entered this race to engage Canadians in a conversation about national politics and to make the argument for One Canada – One Canada for all Canadians.
>
> We are more and more disconnected in a Canada that is just a fragmented collection of provinces and territories – a nation in name only – and a fading presence in the global community. This has to change. And I am convinced that Canadians want it to change.
>
> We're tired of a dysfunctional political process, polarized politics and the winner-take-all mentality of the left and the right. We are tired of national government that is only about short-term partisan gains and the next election, instead of inspiring us to work together in the national interest, for the long term.
>
> We can and must do much better. We have to get back to the fundamentals of governing for all Canadians – for the people, not the politicians. We have to get back to building a Canada that matches our highest aspirations for ourselves and our nation.
>
> We are privileged to live in freedom in one of the greatest countries in the world. But with that privilege comes great responsibility. A responsibility we must all share.
>
> We must look over the horizon, make reasonable compromises, and build a Canada much bigger than the sum of its parts.
>
> A Canada where everyone has equal access to opportunities and is included in our shared prosperity and where everyone shares in the hard work to make this a reality.
>
> We must demand more from our politicians and from ourselves. We must demand better.
>
> Canada is a land of vast opportunity with a vibrant, globally connected population and extraordinary and expanding human energy and potential.
>
> It is time to fully embrace what we can do as a nation and as a people, to unleash this tremendous energy – the ideas, the talents, and the drive. Because together, we can build One Canada – a powerhouse of prosperity, sustainable living and social justice. One Canada for all Canadians."

At the end of the day, the leadership race was elite-driven and all about "electability," not policy. For the Liberal Party elite supporters of Justin Trudeau, the subsequent election of a majority Liberal government in 2015 confirmed the merit of their choice, regardless of the absence of substantive debate.

In my view, however, leadership races should always be about policy and long-term vision. By focusing on electability alone, the party misses an important opportunity to reset itself and its ability to provide a more responsive, transparent, and accountable government.

I can think of at least two crucial policy areas which were largely ignored in the 2012-2013 leadership race and did not sufficiently test leadership candidates in ways that might have ensured a more informed leader, and a more engaged electorate. The first was electoral reform, which Justin Trudeau evaded throughout the leadership race. More thoughtful engagement in 2013 might have prompted greater scrutiny of his sham 2015 campaign promise, which he abruptly but predictably revoked in February 2017.

The second was Canada's approach to China, which was already looming large as a highly significant challenge for 21st century foreign policy. Political commentator Paul Wells has since looked back at the comments made by Justin Trudeau during the Liberal leadership race depicting China as a benign actor on the world stage. Wells wondered whether we might not have ended up in a disturbing standoff with China had there been more scrutiny of, and challenge to, the Trudeau's naïve views much earlier. Some of us tried to initiate debate on this during the leadership race (see my National Post article here: https://nationalpost.com/opinion/deborah-coyne-chinas-place-in-the-oilpatch-is-too-complicated-for-simple-answers[viii]), and other critical topics, but the leadership selection process was too carefully controlled – and the media coverage too narrow – for our interventions to be heard.

After the leadership race ended, I tried to secure a nomination one more time. After a futile effort in the infamous riding of Toronto Centre, which was yet again in play with Bob Rae's retirement, I was blown off quickly by the leader's office. Liberal insiders had already tagged the riding and obtained Bob Rae's support for the candidate of choice, Chrystia Freeland.

Returning to run for the nomination in the Toronto Danforth riding was suggested, but the riding had remained firmly in NDP hands after Jack Layton's election in 2006, and several Liberals had positioned themselves for the nomination over the intervening years since I lived there. I decided to circle back to my old riding of Ottawa West Nepean, in Ottawa, which was then held by retiring Harper cabinet minister John Baird. From February to late October 2014, I worked hard going door-to-door signing up new members. I refused all offers of assistance tied to the unethical practice of buying memberships. My two nomination opponents refused to participate in open public meetings or debates save for one carefully controlled event, with only brief scripted exchanges.

When my team and I uncovered many forged memberships while going door-to-door to meet potential voters, I carefully documented and submitted formal challenges to these memberships. Party officials categorically rejected my challenges on voting day. Once again, my defeat was not unexpected.

Looking back, ought I to have concluded sooner from my experience that continuing to seek out a viable riding was misguided? Should I have given up and accepted long ago that principle and policy were of no real value in politics, and that you simply must have and maintain the leader's support? No. For better or worse, I was and remain determined to prove that citizens deserved better.

***

So, what lessons have I learned from my three decades of political involvement?

First, an important area for political party reform involves the way party leaders are selected. We should return to the process that allows members of caucus to select the parliamentary leader and provide for neutral oversight pursuant to Elections Canada, or the *Parliament of Canada Act*. In other Westminster countries, like the UK and Australia, parliamentary caucuses still play an important role in leadership contests.

In Canada, caucuses have ceded that role entirely. But, in an encouraging development, in 2014, Conservative MP Michael Chong was successful in ensuring the passage of his private member's bill – the *Reform Act* – at the end of the Harper government. Among other things, the legislation increases the leader's accountability at least to the caucus, and allows the caucus to initiate a leadership review, and potentially to vote in a new interim leader.

The *Reform Act* applies only to parties that adopt its provisions after each general election. To its credit, the Conservative Party has consistently adopted the provisions, and the caucus used its power to remove Erin O'Toole as leader in 2022. Stunningly, the Liberal Party and caucus continue to consistently refuse to adopt the legislation, even though the provisions would have enabled the caucus to require Justin Trudeau to step down earlier in 2024.

Re-empowering members of caucus to select the parliamentary leader would hopefully entail more thoughtful choices in terms of serious policy debates and, by ensuring the leadership process is no longer a purely internal party process, further diminish the excessive power of the leader and ensure much greater accountability**.**

Second, for too long, nomination races have formed the ignored, undemocratic underbelly of our political system. Selecting the candidate to represent the party in the next general

election is the party's equivalent of *The Hunger Games* – an often-amoral competition among insular elites, sustained by ego and personal ambition.

The process of signing up new party members and getting them out to vote is so ethically challenged, so devoid of any genuine attempt to engage the broader electorate, that few Canadians pay any attention. It was particularly frustrating to see the ongoing faux interest in motivating more women to run for elected office, only to assign them to ultimately unwinnable ridings.

A successful nomination in a winnable riding is still only about your connection with the party leader; the value of your background to the leader; your willingness to recite endless talking points provided to you in the leader's name; your donations to the party; your ability to fundraise for the party; your ability to hire a leading party insider as campaign manager; and your willingness to overlook memberships or votes obtained in ethically dubious ways during a nomination contest.

The leader and his office maintain such tight control that very few independently-minded people will make it through the nomination gauntlet, men, or women. And sadly, elected life is still very much a career-limiting move for the vast majority of us who dare to cross over the divide into partisan politics. The time is overdue for serious reform.

In our social media age of fragmentation and flexibility, it is futile to even try to restore the former role of political parties as a bottom-up channel for policies between elections. We need to take the oversight of the candidate selection process out of political parties' hands and give it to Elections Canada.

We must amend the *Canada Elections Act* to remove the requirement for an officer of the national party to sign nomination papers for candidates of their respective parties. (This would not preclude appropriate vetting of qualifications and appropriate provisions to ensure candidates comply with finance-related aspects of the *Canada Elections Act)*. At the same time, we must implement other election-related reforms, for example, to level the playing field for the increasing numbers of independent candidates, as I briefly discuss in the next section 2.2.

These changes will ensure that nominated candidates are chosen by a representative group of informed voters in their electoral district. No longer will a candidate owe more loyalty to a leader than to their constituents. Elected MPs will have greater autonomy and be much less likely to unthinkingly toe the leader's line in parliament. This will complement parliamentary reforms (discussed in section 2.3), needed to enhance accountability and scrutiny of government's actions.

Here is a framework for serious reform that will introduce respect for democratic values and high ethical standards into the nomination process for electoral district candidate selection:

- **Authorize Elections Canada,** as a neutral body, to oversee the entire nomination process on behalf of the political parties as well as independent candidates. (This was also recommended in the January 2025 Final Report of the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions).
- **Encourage the involvement of a much broader base of the riding electorate**. This requires the elimination of unethical vote-buying and the amassing of automaton voters that has become all-too-characteristic of nomination races, especially in so-called winnable ridings.
- **Limit the campaign to a four to six-week period with a public and predictable schedule**. This allows nomination candidates to get into the race and, if they lose, return to their prior occupations as soon as possible.
- **Ensure the primary focus is on as many in-person all-candidate exchanges in local establishments, and on the ground, as possible.** For example, events could be scheduled for several evenings and afternoons a week throughout the campaign. These exchanges would be (and are) the most effective test of local appeal and eventual competence in parliament. Person-to person interactions circulated on social media are also very effective, as convincingly demonstrated in New York City's Democratic mayoral primary in June 2025.
- **Implement online voting, subject to a rigorous multi-step system to authenticate voters**. This requires the process of registering to vote in the nomination race to be rigorously administered by a credible arms-length body (mentioned above), and for personal ID that will eventually be presented at the time of a vote to be assessed and determined to be acceptable.

2.2 Election-related reforms: making our vote count.

The previous section 2.1 laid out the reforms needed to reduce the debilitating influence of insular political party elites on our democracy, with a particular focus on the selection of both the candidates who represent us in elections, and our parliamentary leaders. This section turns to critical election-related reforms: changing our electoral system; introducing mandatory voting; and changing political financing to accommodate the increasing number of independent candidates who do not belong to established political parties. These reforms, along with others to be discussed in subsequent sections, are designed to promote governments whose members are encouraged to work across partisan lines and make reasonable compromises at all times.

Too many Canadians vote in ridings where they feel compelled to vote strategically in order to prevent a certain result, rather than for the individual candidate they prefer. That's why it's so important for Canada to adopt a form of proportional representation, so that our representatives in the House of Commons reflect the popular vote, and we initiate a tradition of coalition-building in parliament. Electoral reform is essential to ensuring a parliament that is more responsive to Canadians, more collaborative, and more creative. We also need electoral reform to put an end to governments that rule as majorities with a minority of the vote.

Contrary to what its critics claim, introducing some form of proportionality into Canada's electoral system would not lead to an unruly House of Commons and disruptive extremist groupings. Properly designed, the reform would, in fact, go a long way to produce a parliament with empowered MPs and greater collaboration, while reducing executive power.

The Trudeau government's decision in 2017 to abruptly withdraw support for any electoral reform to replace our first-past-the-post system, was evidence, again, of a government out of touch with Canadians, and more concerned with holding onto power than strengthening democracy. Trudeau's decision to abandon electoral reform was a significant betrayal of voters' trust.

During the 2015 election campaign and shortly after his landslide victory, Justin Trudeau presented himself as committed to changing the way federal elections are run to "make every vote count," as he often said. At a forum at the University of Ottawa in April 2016, six months after being elected, he said, "I believe fundamentally that we can do better. We can have an electoral system that does a better job of reflecting the concerns, the voices, of Canadians

from coast to coast to coast, and give us a better level of governance." According to the Liberal pre-election platform:

> "We are committed to ensuring that 2015 will be the last federal election conducted under the first-past-the-post voting system. We will convene an all-party parliamentary committee to review a wide variety of reforms, such as ranked ballots, proportional representation, mandatory voting, and online voting. This committee will deliver its recommendations to parliament. Within 18 months of forming government, we will introduce legislation to enact electoral reform."

A House of Commons Special Committee on Electoral Reform was struck to study the issue, together with town hall forums, an online survey, and millions of postcards mailed out to encourage Canadians to participate in the discussion. A lengthy Report was issued in December 2016.

Then, in January 2017, Trudeau announced the sudden end to any electoral reform initiative and simple rewrote the mandate letter of a new minister of Democratic Institutions. Trudeau's outrageous claim that the cancellation somehow resulted from citizens' failure to come up with a sufficient consensus to replace the existing first-past-the-post, winner-takes-all system was utterly baseless. He also suggested arrogantly that Canadians were far less interested in electoral reform than before, because his government was so much better-liked than the Harper regime.

Trudeau said he could not support proportional representation (PR), the system that would best ensure the popular vote is accurately reflected in the House of Commons, because PR would allow extremists to hold the balance of power in Ottawa. This comment was simply fear-mongering, unworthy of a prime minister. His final argument that proportional representation would undermine the brokerage role of mass political parties does not even hold up for his own party.

Trudeau's actions confirmed, if there was still any doubt, that the Liberal Party is no longer a grass-roots brokerage party of diverse ideas – it is just an election machine run by, and for the benefit of, the leader and his office.

The electoral reform charade made regrettably clear that there was no real commitment to building the "fair and open" government that Trudeau had promised would engage with Canadians. That's why so many of us citizens are cynical. Regardless of whether electoral reform was a top-of-mind concern for most Canadians, the government's brusque about-face breached a solemn commitment made to voters during the election campaign. It served to underline what was already increasingly clear: that copious government surveys and online

opportunities encouraging Canadians to "participate" – whether on the subject of electoral reform or any other campaign promise – *do not* amount to actual citizen engagement in directing and shaping governance. Such initiatives are simply a means of gathering data about voters to better manipulate the leader's message to attract votes.

So, how do we fix things?

Canada is one of the last free and prosperous nations in the world to continue to use the antiquated, first-past-the-post voting system. By allowing a party with a minority of votes to gain majority power, first-past-the-post (FPTP) disadvantages Liberal and NDP voters in the West, Conservative voters in the cities, and Green voters right across Canada. Ultimately, it can neither produce governments that reflect the diversity of people in Canada, nor accurately convey voters' wishes.

Reforming our electoral system is overdue, and the best solution is some form of proportional representation (PR). But how can we get around established parties' resistance to the change we need? Pundits often note that political parties will support electoral reform while in opposition, but reverse their position once in power. It's easy to see why. Once in power via FPTP, a new government fears losing that power if it changes the electoral system to a PR system, even if it would more accurately reflect the popular will.

But this is precisely why PR should be the preferred choice: it is more likely to lead to governments that require politicians to engage in coalition-building and seek compromise with those with opposing views. Our national politics would be much better served by more civility and collaboration, and less of the conflict that turns parliamentary debate into the equivalent of a hockey brawl.

During the 2025 election, when asked about his views on electoral reform, Mark Carney only indicated vaguely that "addressing structural issues in our democracy" such as electoral reform would have to wait until he dealt with the pressing economic and security issues.

Canadians would benefit if the new federal government placed changing the electoral system on the agenda for an all-party Democratic Voting Commission tasked with reviewing the research on electoral reform options, and conducting a public consultation on the style of proportional representation best suited to Canada. So much work has already been done that choosing a broadly acceptable electoral system for subsequent elections should be relatively easy, particularly if the legislation provides for a mandatory in-depth review of citizens' experience of the PR system after its first use.

If needed, the decision to introduce a new electoral voting process lends itself particularly well to a consultative referendum, as recommended in the 2016 report of the House of Commons Special Committee on Electoral Reform. Lessons should be drawn, however, from British Columbia's unfortunate experience with an overly complex, multiple-question format in their referendum on electoral reform**.** (There were two questions with four options relating to three new systems of proportional representation – dual member, mixed member, and rural-urban – with many details to be determined further down the line.) Any future referendum question should present a straightforward choice between a single reform option and our existing system.

What about addressing voter apathy? Electoral reform would help, but we could also make voting a legal obligation for all citizens, as it is in Australia, where turnout exceeds 90 percent. Anyone who chooses not to vote for reasons of conscience is able to spoil their ballot. Mandatory voting would eliminate the need to rally supporters to the polls by pandering to divisive prejudices, and hopefully encourage more meaningful election debates on substantive public policies.

Some think easier online voting will overcome elector apathy. Certainly, it may help, and the technology may soon advance to the point where a digital vote is secure and viable and subjected to a rigorous multi-step system to authenticate voters. Even so, we still need to invest much more effort in voter registration and increasing citizen engagement. Elections Canada must always have a vigorous, independent, fully funded mandate to guard against voter suppression, increase voter registration, remove barriers to voting, and enable much greater citizen engagement.

One important step is for all provincial and territorial governments to agree that students attend a civics class at every grade level, every year in school. Schools would provide an interesting weekly class discussing reliable, relevant historical and current material, carefully curated by instructors from sources that include the social media and AI summaries all too familiar to young persons. Such an addition to the curriculum would greatly benefit all young Canadians as they learn to navigate the chaotic online world where it is difficult to separate what is true from what is false. It would also contribute to their constructive citizen engagement in later life.

Canada's political financing rules also require change. Although eliminating corporate and union contributions places us in a much better position than the United States, we still have some way to go to achieve a better balance that reflects the equal value of every citizen.

Current political financing rules still favour established parties and their proxies, that spend (translation: waste) enormous amounts of money on attack ads, push polls, etc. Third parties

aligned with the established parties still spend inordinate amounts of money in the pre-writ period. A new compliance regime is needed that applies to all individuals and parties. One approach is to establish a maximum total annual contribution for all citizens – a cap that applies to a citizen's total contribution to candidates or parties. The current tax deduction for such contributions, which simply benefits better-off Canadians, should be eliminated. In addition, political financing, both during and between elections, must be adjusted to support independently elected representatives who are not aligned with an established party.

We could also reconsider a per-vote subsidy, but one that goes directly to individual candidates, not their parties. When the per vote subsidy was in place from 2004 to 2011, it went only to political parties to enable them to fund policy development between elections, among other things. As demonstrated above, the established political parties have proven unable or unwilling to innovate policy beyond that dictated by the leader's office. Providing a modest subsidy to election candidates receiving a minimum number of votes would be a more productive way of strengthening the influence of individual citizens vis-a-vis the insular hollowed-out parties.

One final point: Dr. Paul Thomas, a professor at Carleton University, has noted that there is far too much executive discretion in the calling of by-elections after an MP resigns. The average Canadian vacancy is 115 days, compared to 53 days in the U.K. *The Parliament of Canada Act* requires a by-election to be called between 11 and 180 days after vacancy, which is a huge range. Once a by-election is called, the campaign must last at least 36 days, and at most 50 days. This means a minimum 47-day campaign.

Clearly, there is a need to fill vacancies between elections much more expeditiously and minimize the length time during which electors are left without representatives. This is yet another area for concrete legal change if we are to diminish self-interested party control of public processes.

2.3 Parliamentary reforms: increasing accountability and scrutiny; reducing PMO control.

In this section, I turn to a wide range of parliamentary reforms designed to reduce PMO control of parliament, and encourage elected representatives to pursue reasonable compromises and principled cooperation across party lines.

As noted earlier, our established political parties have lost their vibrant grass roots community bases and, along with them, any meaningful outlet for public participation and its mediating role in building consensus around long-term political action. Instead, party leaders have centralized power and created top-down organizations that serve primarily as 24/7 election machines. During elections, citizens are sold on personalities and "good intentions," rather than policies and "good governance." When voting is over, policies – and citizens – are shunted to the sidelines.

Executive-controlled parties lead to top-heavy governments guided by electoral cycles and special interests rather than the public interest. In most established democracies today, executive rule has never been so strong and responsible governance never so weak. In Canada, this affects both federal and provincial levels of government. Civic space in which citizens can constructively engage with policy-makers is severely limited. Citizen frustration is compounded by the chaotic dysfunction that exists between different levels of government – federal, provincial, territorial, municipal, Indigenous – which produces paralysis instead of the crucial harmonization needed for effective public policy.

The tragedy is that we've reached this nadir of representative democracy just as we are experiencing peak economic insecurity and anxiety.

This insecurity affects all generations, from the 50-year-old factory worker to the 30-year-old millennial, to the cynical Generation Z, with the exception of the now largely-retired Boomers (who nevertheless exercise disproportionate weight at election time because of their commitment to get out and vote, as we saw in 2025). Far too much work is considered to be precarious by Canadians. The frontiers of biological, physical, and digital systems are expanding at unprecedented speeds. Disruptive technological advances – from artificial intelligence and the Internet of Things (IOT) to self-driving vehicles and 3-D printing – have a huge impact on the labour market and our ability to hold down decent jobs with adequate pay.

Power remains extraordinarily concentrated in the executive branch of the Government of Canada, namely the Prime Minister's Office (PMO). Branding of the party leader and prime minister dominates the focus of communications. As Alex Marland, author of *Brand*

Command: Canadian Politics and Democracy in the Age of Message Control (2016), wrote: "Branding is addictive, it is circular, and it is a seemingly unstoppable force… Branding requires message control and simplicity, and political power centralizes when communications converge."

The MPs elected under the Trudeau banner in 2015 knew all too well that they owed their positions and power to a fluke of our first-past-the-post electoral system, which delivered a surprising majority government despite having the support of only the minority (40 percent) of the mere 68 percent of the population who actually voted. Within a PMO-directed House of Commons, widespread sycophancy became common, together with the same recitation of mindless PMO-drafted talking points that characterized the Harper era.

In 2015, Canadians voted for significant change, and we were thoroughly disappointed.

We expected serious reforms to our representative institutions, and to the role and conduct of government aimed at ensuring responsive and responsible governance between elections. We expected an ambitious long-term agenda aimed at relieving the stress of precarious work, strengthening social security and building a vibrant economy for all Canadians, not just the lucky few.

Ten years later, in 2025, after what many Canadians now refer to as a lost decade of Liberal rule, Canadians again voted for significant change, but this time through the distorted lens of threats to our economy and our sovereignty from the United States. This has produced yet another Liberal minority government under Mark Carney, albeit a relatively stable one.

Canadians seem to welcome Mark Carney's pragmatism, and the articulation of an ambitious domestic agenda aimed at rebuilding our weak economic and security resilience, and securing measurable improvements for struggling Canadians. But this agenda should include democratic and federalism reforms as well.

Carney's approach to governance appears to be emerging in much of the same faux-democratic mould as that of his predecessors. Yet it is this centralized PMO control of the legislative process that will impede the successful implementation of the bold government initiatives that Carney wants to implement to address our economic and security anxieties.

Instead, Carney needs to submit proposed initiatives to parliament, the content of which is not baked-in by the PMO. Draft legislation should be sent to parliamentary committees for constructive collaboration and consensus-building across regional and partisan lines. Committees should be required to return a consensus position as quickly as possible. This

would vastly improve the initiatives and ensure efficient and effective implementation for the benefit of Canadian citizens.

Without democratic and federalism reforms, our representative institutions and practices, which used to serve as checks on unfettered executive power, continue to atrophy. Neither the House of Commons nor the still-hapless Senate will provide meaningful legislative oversight of the PMO on any issue of the day. Our political parties – formerly broad-based grass-roots organizations – have been reduced to election automatons, which are at the beck and call of party leaders who tightly control the nomination process that determines who we can elect to Parliament.

Extensive parliamentary reforms are crucial if we are to truly constrain prime ministerial authority and re-engage Canadian citizens with our government. These reforms would relax party discipline; loosen the leader's grip on power; increase openness, accountability, and transparency in governance; and allow MPs much more autonomy in developing responsive policies and programs across regional and partisan lines. In turn, this will enable parliament to better engage with and remedy citizens' concerns.

To begin with, the federal government must undertake the long overdue overhaul of our out-dated legislative frameworks for ethics, privacy, and freedom of information. Early on in his first mandate, Trudeau tripped up defending the indefensible cash-for-access controversy. He was eventually reduced to claiming that we should just trust him not to have behaved unethically. This is dangerous territory. Leaders may well consider themselves personally incorruptible, and believe they personally know what is best for their citizens. But this is inadequate in a vibrant democracy which depends on the rule of law, not a leader's personality. I trust Mark Carney will take note.

Urgent legislative action is required. For example, the *Accountability Act* still does not provide for the enforcement of senior public servants and cabinet ministers' "duty to act honestly" by the independent Conflict of Interest and Ethics Commissioner reporting to parliament. This "duty to act honestly" is referenced only in a set of accountability guidelines – "Accountable Government: A Guide for Ministers and Ministers of State" – the enforceability of which is in the prime minister's hands.

We need to strengthen the powers and independence of the Conflict of Interest and Ethics Commissioner to investigate government officials and lobbyists, and to ensure the selection of the Commissioner is made, not by cabinet, but through a merit-based process. Retiring NDP MP David Christopherson's 2019 private members bill (sadly defeated) made a useful suggestion that all officers of parliament should be selected by a special parliamentary

committee. Effective whistleblower protection for public- and private-sector employees is also needed.

We must strengthen the rules of conduct for lobbying. All lobbyists' contacts with politicians and government bureaucrats, both formal and informal, must be reported and made public. And as the SNC Lavalin scandal illustrated, oversight of lobbying efforts must go beyond registration. This is discussed in detail in the case study at the end of this section.

Within months of the 2015 election, SNC-Lavalin had mounted a multi-year lobbying campaign focused not just on the PMO, but also on other government bodies, including Global Affairs Canada, Export Development Canada, Public Services and Procurement Canada, the Treasury Board, and the Privy Council Office. All this was to convince the Liberal government to introduce "deferred prosecution agreements" (DPAs), which would allow the company to pay fines and restitution, escaping criminal prosecution and certain restrictions on its ability to contract with federal departments and agencies. As described in the case study below, the players did not count on confronting a principled justice minister, who refused to comply with PMO directions.

Similarly, the *Access to Information Act* and the *Privacy Act*, require comprehensive overhauls to bring them fully into the digital age. Reforms must ensure greater transparency of, and accountability for, government activities, and a more equitable balance between Canadians' right to know and the legitimate protection of information. The federal government's 2019 amendments to our access to information regime fall far short of the grand promise made by the Liberals to make government "open by default"; outgoing Information Commissioner Suzanne Legault wrote in February 2018 that the then proposed amendments would result in a "regression" rather than an improvement in access rights.

As discussed in sections 1.4 and 2.1**,** the Privacy Commissioner has long insisted that modern tools are urgently needed to deal with privacy concerns arising from the operations of social media and the tech giants, as well as political parties. But this has continued to be blocked by our faux-democratic party elites, most recently under Mark Carney.

In addition to the foregoing reforms of important frameworks for legislation, we need to explicitly reduce the sweeping powers of the PMO to control parliament and the legislative process. A range of changes to the standing orders and internal regulations would support greater independence for elected representatives in the overall legislative process. These reforms would include stricter limits on the PMO budget, and the dismantling of the all-powerful command-and-control network currently sustained by the PMO through a thick network of political staffers and communications officers.

Equally essential is the strengthening of the operations of parliamentary committees and reducing party leaders' and whips' control of parliament, which would enhance the autonomy of individual MPs. Indeed, House of Commons committees have a vital role to play in examining our government's policies, programs, and actions. Committees need to have adequate budgets – controlled not by the Board of Internal Economy, but rather through the Library of Parliament – to function vigorously and independently. Committee members should follow a clear set of rules and check their partisanship at the committee door, and committee chairs should be elected by secret ballot by the whole of the House of Commons. This latter suggestion is to prevent the ruling party from gaming the current system by putting forward only one candidate for chair who inevitably wins the most votes within the committee.

The House of Commons Standing Committee on Justice and Human Rights that examined the SNC-Lavalin scandal exemplified what is wrong with a system essentially controlled by the PMO. The committee was dominated by Liberal MPs. Despite ongoing and widespread concerns over the federal government's attempt to undermine the independence of the Attorney General of Canada, the committee prematurely shut down its investigation. The situation had become intolerably uncomfortable for the prime minister, who refused to acknowledge any wrongdoing on his part.

Parliamentary committees should be productive consensus-building forums in which elected representatives are encouraged to find common ground on crucial citizen concerns. In the United Kingdom, some all-party committees are obliged to scrutinize particular legislative matters until a consensus is achieved. Imagine what a difference this would make in formulating sensible gun control legislation that would really stem the illicit arms trade, and impose reasonable regulations consistent with the citizen's privilege to own a gun.

Another area for reform is the prime minister's broad power to appoint deputy ministers, associate deputy ministers, members of boards and commissions, and ambassadors. This power should be removed, and replaced by an impartial and objective Public Appointments Commission. Similarly, the prime minister's power to make judicial and quasi-judicial appointments should be replaced by a fully independent and transparent appointments process, involving meaningful parliamentary confirmation.

Which brings us to yet another urgent reform: outlawing the undemocratic practice of omnibus bills. Ironically, this was yet another campaign promise that Liberal governments abandoned after 2015. Despite superficial changes to the Standing Orders to prevent the practice, omnibus bills just keep coming, with one Budget Implementation Act after another. And there it was: a change to the Criminal Code to allow for remediation agreements instead of prosecutions for companies accused of corruption. This Deferred Prosecution Agreement

(DPA) amendment was easy to miss in the outrageous 556-page Budget Implementation Act of 2018.

The 2019 Budget Implementation Act, which weighed in at 392 pages, enacted or amended more than 60 different pieces of legislation! Among many other things, controversial and hastily drafted amendments to the *Immigration and Refugee Protection Act* affecting asylum seekers were stealthily slipped in on one line.

Then, Bill C-30, the 2021 Budget Implementation Bill, weighed in at over 700 pages in length. And in August 2020, the government simply prorogued parliament to avoid accountability for the WE Charity scandal. In June 2021, in an unprecedented attack on the authority of parliament, the Liberal government went to court to challenge the right of the House of Commons to demand documents from the government.

Such omnibus budget legislation is prohibited in Australia and the United Kingdom, and severely restricted in New Zealand. The fact that Canadian governments engage in this anti-democratic practice without compunction is yet further testimony to the abysmal state of our political system, and the faux-democratic arrogance of our political party elites.

Unfortunately, it appears that our current Liberal government will continue the undemocratic practice of governing out of the PMO with omnibus legislation that prevents adequate scrutiny and accountability. Within weeks of Carney assuming power, he introduced three omnibus bills: *The Strong Borders Act* (Bill C-2), A*n Act respecting certain affordability measures for Canadians and another measure* (Bill C-4), and *An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act* (Bill C-5).

Bill C-2 addresses complex and controversial issues which merit separate consideration in separate legislation in parliament, notably, the provisions to expand law enforcement powers for warrantless searches that raise serious civil liberty concerns. Bill C-4 surreptitiously slips in a controversial amendment to the *Canada Elections Act* that eliminates any political party responsibility to respect the privacy of citizens interacting with the party. Bill C-5 hands sweeping powers to cabinet ministers to circumvent environmental laws in order to get big resource projects built.

Canadians may not object to a prime minister who acts expeditiously to get things done. But there is no reason why most new legislation cannot be introduced at an earlier stage before it is baked-in, to allow for a more extensive review by the many MPs who we elect, and pay well, to do exactly that.

One final point: the House of Commons Board of Internal Economy (BOIE), and the Procedure and House Affairs Committee (PROC) would be well-advised to ensure MPs benefits are comparable to those of the ordinary Canadians who pay their substantial salaries (baseline $178,900), expense accounts, and extended benefits. For example, MPs' extended health benefits, pensions, and maternity leave, well exceed those of most Canadians. Differentials like these contribute to citizens' cynicism with politics and politicians.

The SNC – Lavalin scandal – a case study.

Nothing better symbolizes the corrosiveness of PMO control in our democracy, than the 2019 SNC-Lavalin affair, which featured Jody Wilson-Raybould, a prominent Indigenous politician, who held two high-profile positions in the Liberal cabinet – Minister of Justice and Attorney General – from 2015 to January 2019. In her role as Attorney General, she decided not to overrule a decision by the Director of Public Prosecutions to pursue charges of corruption and fraud against the Quebec engineering multinational SNC-Lavalin. Wilson-Raybould later reported that she was subjected to repeated overtures by cabinet colleagues and officials from the PMO trying to convince her to change her mind and reverse her decision.

After Treasury Board President Scott Brison resigned in January 2019, it provided the prime minister with an opportunity he couldn't resist. In a cabinet shuffle on January 14, he reportedly moved Wilson-Raybould first to Indigenous Services and then, after she refused the post which would require her to administer the Indian Act, Trudeau moved her to Veterans Affairs – widely seen as a demotion. The prime minister also replaced Brison at the Treasury Board with former Indigenous Affairs Minister Jane Philpott, a move seen as a promotion but in fact was a convenient way to neutralize both Philpott and Wilson-Raybould, who were often allied in cabinet against the PMO's preferred direction in Indigenous matters.

On February 7, *The Globe and Mail* published a story, citing unnamed sources, reporting that Wilson-Raybould's "lack of cooperation" as Justice Minister and Attorney General was the main reason she was removed from the portfolio. Five days later Wilson-Raybould resigned from her cabinet post and at the end of the month appeared before the Commons justice committee and stated that she felt intense political pressure and veiled threats relating to the SNC-Lavalin file. A few days later, Philpott resigned from her Treasury Board post saying, "Sadly, I have lost confidence in how the government has dealt with this matter and in how it responded to the issues raised… I must abide by my core values, my ethical responsibilities and constitutional obligations…."

The resignations from cabinet of two high-level female cabinet ministers were a dramatic moment, but all the more so for those who recalled the day Justin Trudeau was sworn in as prime minister, standing in front of his cabinet made up of 15 women and 15 men. When he was asked why a gender balance mattered, he held up his hands and said, "Because it's 2015."

With the prime minister's minions in overdrive trying to protect him and limit his direct involvement in the controversy, Wilson-Raybould produced another bombshell. In December 2018, when various government representatives were pressuring her, she voice-recorded a call from then-clerk of the Privy Council Michael Wernick that dashed all denials that the prime Minister had been aggressively involved in protecting the interests of SNC Lavalin. In part, Wernick said: "I think he is gonna find a way to get it done one way or another… he is in that kinda mood and I wanted you to be aware of that… he is in a pretty firm frame of mind about this so… I am a bit worried… It is not a good idea for the prime minister and his Attorney General to be at loggerheads."

My take on all this is that Jody Wilson-Raybould is among our rare principled politicians. She correctly identified and resisted attempts by the prime minister and his advisors to pressure the Attorney General to undermine prosecutorial independence. Jane Philpott, likewise, stood up "for principle, truth, and justice," resigning from cabinet in protest at the government's handling of the SNC-Lavalin affair.

Finally, on April 2, 2019, the prime minister ejected both women from the Liberal caucus – a decision that was his alone, because the Liberal caucus had failed to adopt for itself the power to decide its own membership pursuant to the 2014 *Reform Act.* Indeed, as noted earlier, the Liberal Party has consistently refused to adopt the *Reform Act* which is designed to reduce the autocratic power of the PMO, and enhance that of caucus. (In this instance, the caucus had even failed to hold a vote on whether to adopt that particular caucus power, despite being required to do so in the *Parliament of Canada Act*.)

In the 2019 election, Jody Wilson-Raybould succeeded in her bid to be re-elected as an independent MP; she did not seek re-election in 2021. According to Wilson-Raybould, "federal politics… is increasingly a disgraceful triumph of harmful partisanship over substantive action." Jane Philpott did not run again.

Wilson-Raybould and Philpott were both cabinet ministers when they stared down the prime minister and his acolytes. Pity the poor backbencher. Author and political scientist Alex Marland, the author of a book about how party discipline has intensified in Canada, *Whipped, Party Discipline in Canada* (2020), has written "Backbenchers are unfairly derided by pundits as trained seals who mindlessly follow their masters' orders. In reality, they are interesting people who get involved in party politics hoping to make a difference. But too

often independent thinking does give way to a team mentality. The transformation begins the moment they sign a "values contract" when they want to be nominated as party candidates. The contract is signed during the candidate vetting process to screen out people who might attract negative attention during a campaign and those unwilling to commit to the party's core values, such as the principles articulated in the party constitution. The team ethos is reinforced through a daily barrage of digital messages."

Two camps can be identified in the political sphere:

- The *politics as usual/politics as a game* camp sees political parties as the personal instrument of the leader for the purpose of winning the next election and staying in power.
- The *principled citizen* camp refuses to accept that politics is a game and believes in a vibrant citizen-powered democracy. Its members are those who believe we can do better and do not have to settle for mediocrity.

The dominant *politics as usual* gang set out to undermine the public's positive perception of both Jody Wilson-Raybould and Jane Philpott as principled heroes. They made a great effort to portray both women as self-interested politicians out only for their own personal glorification. The *as usual* gang, best symbolized by the team within the PMO, are acolytes and yes-people who argue that politics can only effectively function as a rigorous team sport with fealty to the all-powerful leader. Indeed, Democratic Institutions Minister Karina Gould went so far as to claim that the expulsion of the two women, and preserving caucus unity, was more important than addressing the constitutional breach of judicial independence that was at the core of the controversy.

Justin Trudeau once again demonstrated all too clearly the superficial, self-interested side of Liberal Party culture, and the arrogance and suffocatingly centralized party leadership that rules in a faux-democratic bubble.

2.4 Comprehensive tax reform: raising adequate revenues accountably, fairly, and efficiently.

The subject of taxation is usually a guaranteed conversation-stopper. Yet, the economic crisis and the serious challenges we now face will undoubtedly require Canadians to pay more taxes, whether for workers displaced in hard-hit sectors like steel, aluminum, softwood lumber, and autos, or to support crucial infrastructure investments.

Many of us citizens are quick to complain we are overtaxed, though we know our taxes fund a wide range of essential services that individual Canadians and the private sector cannot, or will not, provide efficiently. Taxes pay for our roads and sewers, health care and education, police and military, and many other essential public goods and services.

Governments' ability to act on behalf of citizens is critically dependent on their ability to raise revenues fairly and efficiently. Citizens deserve straight talk from representatives, who must fully inform us of the realistic costs of any action, provide short- and long-term funding options, and take action accordingly.

Taxation in Canada is progressive, meaning that those earning higher incomes are expected to contribute more to public services. In a progressive system, tax revenue should directly, or indirectly, help lower-income citizens and provide equal opportunity for social advancement. Yet our current income tax system is riddled with exceptions, special cases, and limited exemptions that are at best inconsistent, and at worst profoundly unfair. Some wealthy individuals and many businesses get breaks they don't need, while average and low-income wage earners are held back by counterproductive rules and regulations. The cost of these (largely politically inspired) tax adjustments in terms of foregone government earnings is estimated at between $80 and $100-billion.

Reforming our tax system will improve our collective ability to raise revenues efficiently and fairly and enable us to fund urgent policies and initiatives without resorting to unsustainable debt financing. Restoring fair and progressive taxation will help us sustain a productive, prosperous economy, while genuinely helping mitigate Canada's widening income gap. We need much more than yet another federal government minimal middle-class tax cut, which does nothing for lower-income Canadians.

How bad is our income tax system, really? When the right-leaning Fraser Institute and seven out of 10 business leaders agree it's a mess, it's safe to say there is a problem. Accessing the system is so baffling and frustrating that citizens struggle to access tax credits they deserve. A 2017 study by the University of Calgary's School of Public Policy found that only 40 percent

of more than 1.8-million Canadians living with a severe disability take advantage of the federal disability tax credit (DTC). The mind-numbing complexity of the system was thought to be a major obstacle to access, and this is likely affecting other population groups, too.

In a January 2019 column that still resonates today, *Globe and Mail* journalist Ian McGugan criticized our income tax system as "a labyrinth of rules that appears to have been cobbled together during a midnight rave-up of politicians, Sudoku aficionados, and people new to the English language." McGugan then comments on the challenges of reforming a system that has sprawled in every direction, as follows:

> "Making matters even more difficult is the growing trend toward income inequality. An increasing proportion of society's earnings now flow to the top tier of earners. This poses a knotty dilemma. On one hand, any attempt to impose hefty levies on society's wealthiest and most productive members simply prods people of high ability to decamp to other countries. On the other, it's hard to ethically or politically justify a system that goes easy on the well-to-do simply because they're mobile.
>
> Economists and other theorists who study optimal approaches to taxation generally agree on a few notions. They're for reducing special exemptions and flattening tax rates. They also find merit in distinguishing between income from employment and income from stocks, bonds, and other investments.
> For example, Kevin Milligan of the University of British Columbia has argued persuasively for a system that combines strongly progressive tax rates on employment income with a relatively low flat rate on investment income. The goal would be to tamp down the inequality in people's paycheques while encouraging individuals to invest in activities that can grow the economic pie for everyone.
>
> One modest first step would be to follow the lead of the United Kingdom and set up an Office of Tax Simplification. More ambitiously, the time is ripe for a broad rethinking of Canada's tax system. Our last such effort, the Carter Commission in the 1960s, took 10 years to move from initiation to very piecemeal implementation. The sooner we get started on a new effort for the 21st century, the better."

We would do well to establish a national, independent committee of experts to conduct a thorough review and propose steps to overhaul our unfair, inefficient, and exemption-riddled tax system. This committee's mandate should extend beyond personal and capital income taxes to encompass all existing and potential sources of tax revenue, including sales, consumption, estate, and financial transaction taxes. It would also take up the very useful work done by the expert panel established by the Department of Finance Canada in 2016 to review tax expenditures. Encouragingly, several panel members (most notably economist

Robin Boadway and political scientist Jennifer Robson) have a clear-eyed understanding of the inequities overwhelming our tax system. But they appear to have had little concrete impact, as the Department of Finance continues to publish excruciatingly detailed and unreadable annual reports on federal tax expenditures.

Comprehensive, root-and-branch tax reform is not just the piecemeal elimination of a few tax credits here and there. If we broaden the field of action, calculating winners and losers becomes more fluid and less divisive.

When the government clumsily attempted targeted reforms to prevent the misuse of private corporations to reduce tax bills, the initiative failed. These reforms were sensible, but because they were presented in isolation, small business owners and professionals were able to overwhelm and embarrass the government with well-crafted messaging, representing themselves as innocent victims of an unjustified government vendetta. Had these changes formed part of a much broader tax reform initiative, the government would not have been so easily pressured to abandon them.

Any comprehensive review and reform must involve in-depth scrutiny of corporate tax structures with a view to systemic reform. Some European countries have successfully implemented a reform that converts corporate income tax into "rent" tax. Unlike income tax, this cannot be said to act as a disincentive to investment and innovation. Allowance for Corporate Equity (ACE) tax systems allow a firm to deduct borrowing and equity costs related to investment in its business, among other advantages.

Indeed, a tax system such as ours, written for the analog era using statistical methods that fail to capture real wealth, is ineffective in today's financialized, digital economy. Standard measures of GDP fail to reflect the whole panoply of intangible assets, from digital music and mobile apps, to Google, Amazon, Meta, and Uber. Digital assets undeniably influence profitability, but businesses can book them as intermediate goods as opposed to output, reducing their tax bills. Similarly, affluent earners can opt to receive income in the form of stock options, on which they pay much less tax than on regular income, if any. Tech giants routinely book their profits in low-tax jurisdictions, although countries like Canada are attempting to coordinate international action to prevent this.

A draft international agreement at the OECD involving some 140 countries representing 90% of global GDP, is attempting to establish common standards for taxing targeted digital-related revenues, including those earned from online marketplaces, digital advertising and social media services. The US is strongly opposed to the proposed digital services tax. When Canada for some reason tried to implement its own version of the DST effective June 30,

2025, the US threatened tariff retaliation and Carney promptly rescinded the legislation entirely in response.

As we seek out new sources of revenue for our collective priorities, we should join European nations like France and Germany in promoting and enforcing an international financial transactions tax (popularly known as the "Tobin tax"). Bill Gates supported a related proposal for increasing tax revenues in the G-20: a 0.01 percent tax on the sale of equities, and a 0.05 percent tax on bond transactions.

Final note: The foregoing discussion has focused on revenues from income tax. In addition, we must of course also review appropriate levels of sales tax revenues. And if we determine that additional sales tax revenue is needed, we already have mechanisms in place to provide lower-income Canadians with exemptions and refundable tax credits to make the impact as equitable as possible.

PART III

Fixing federal dysfunction: Rebuilding a stronger federation

*A **Dysfunctional Federation** refers to a type of political or organizational structure where the member entities (states, provinces, regions, or sub-national units) are supposed to work together under a central authority, but there are significant issues or inefficiencies preventing smooth cooperation. These dysfunctions can manifest in several ways:*

Characteristics of a Dysfunctional Federation:

1. ***Lack of Cooperation**: The different units (states or regions) within the federation may not work well together, leading to conflicts and a breakdown in collaboration.*
2. ***Weak Central Authority**: The central government might lack the power or will to enforce laws or coordinate effectively, causing a fragmented or chaotic system.*
3. ***Inequitable Distribution of Power**: Power may be unevenly distributed between the central government and the states, leading to friction, especially if the central authority is too weak or too strong.*
4. ***Economic Disparities**: If the regions or states have vastly different economic interests or levels of development, it can lead to inequality and resentment, making it harder for the federation to function harmoniously.*
5. ***Bureaucratic Inefficiencies**: Complex and overlapping bureaucracies may create inefficiencies, making it difficult to address issues or implement policies in a unified way.*
6. ***Conflict and Fragmentation**: Constant disputes over jurisdiction, resources, and policies between the central government and the regional units can cause instability.*

*In essence, a **dysfunctional federation** is a system that is not functioning as intended, with intergovernmental relations marked by tension, inefficiency, or failure to meet the needs of its citizens.*

Surprisingly useful AI definitions

3.1 Reform of intergovernmental institutions and practices: getting governments working together; harmonizing fiscal responsibility.

Canada is a complex federation with multiple levels of government – provincial, territorial, Indigenous, municipal. It is a huge challenge to demand greater accountability, transparency, and responsive national policies and programs when several layers of government are concerned. Too often, we end up with either the lowest common denominator of agreement, or no multilateral agreement at all, and an inequitable patchwork of standards and services across the country.

Canadians are worn out by this intergovernmental dysfunction. Our federation is weakening. We urgently need an effective intergovernmental structure to harmonize policies across jurisdictions in the national interest.

The existing approach of relying on ad hoc first ministers' meetings, or bilateral federal-provincial agreements, to achieve ad hoc intergovernmental consensuses no longer works. As noted in section 1.5, the Senate in its current form is not a forum to reconcile regional and sub-government concerns. Nor is the Council of the Federation, which consists of provinces and territories only, and which was originally created by disgruntled provinces in 2004 as a talking shop for provinces to air grievances about the federal government. In addition, the multitude of quiet deals concluded between Ottawa (read PMO) and separate provinces on various issues, including equalization, are too often regarded as unfair and seed resentment across the federation. All this combines to gravely weaken our resilience to deal with the intensifying threats to our sovereignty.

The critical national challenges Canadians face involve *every* level of government. Coordinated governance is needed to ensure all levels of representative institutions work together to supply enough affordable housing, and help Canadians find and keep decent jobs with decent pay, raise children in a safe and clean environment, care for elderly parents and disabled relatives, and make sure enough food is on the table.

Canadians are fed up with one level of government passing off responsibility for an initiative to another, and with one level suddenly vetoing another level's action on purely electoral calculus. Equally concerning is the tangle of overlapping regulations across different levels of government that brings much-needed infrastructure projects to a halt, from housing to transportation.

The examples of intergovernmental dysfunction are endless. Time and time again, the federal government has set goals for immigration, yet failed to assure sufficient settlement funding for the provinces that are primarily responsible for integrating new Canadians. Municipalities try to increase public transit, only to find funding opportunities unexpectedly cut by the province.

Intergovernmental dysfunction is a huge factor behind our national housing crisis. Increasing our residential construction workforce and increasing productivity will not be enough to meet the unprecedented demand for affordable housing. Crucial action is required across all provinces to collectively reduce a tangle of costly development charges, zoning regulations, and lengthy approval processes for new construction. Scaling up prefabricated housing to be built by the new federal housing entity called "Build Canada Homes" (BCG), also requires prior coordination of the same design, and design guidelines that currently vary widely across provinces and our many municipalities.

Then there is Artificial Intelligence (AI). We urgently need regulatory clarity across all jurisdictions to ensure adequate investment in so many transformative applications that will revolutionize our economy.

Prime minister Mark Carney has articulated the general need for bold national leadership on economic and security issues. But the successful implementation of initiatives like bolstering defence, abolishing barriers to the movement of goods, services, investment and people, building east-west energy corridors, and vastly expanding affordable housing, requires a degree of sustained coordination and consensus across different levels of government which is not possible in our dysfunctional federation.

This section will examine directions for reforming our intergovernmental structures and practices, including intergovernmental fiscal transfers. The discussion builds on proposals that I put forward during my 2012-2013 leadership campaign. I thought then, and still do now, that the time is overdue to rebuild and strengthen our federal system – a new federal architecture – to facilitate cooperation between all levels of Canadian governments and achieve common goals for all Canadians, openly and accountably.

One possibility is creating a Council of Canadian Governments. An institution like this, promoting a tradition of coordination across provincial, municipal, Indigenous and federal governments, might gradually strengthen our coherence as a federation and our ability to speak with one voice in North America and the world.

Another, is creating an arms-length Commission on Fiscal Transfers reporting to parliament to facilitate consensus on the fairness of intergovernmental funding decisions, including

equalization, and diminish intergovernmental conflict and complaints. We have to demand maximum transparency, accountability, and efficiency from intergovernmental fiscal transfers and our collective public expenditures across all levels of government.

Council of Canadian Governments

Australia had a model that Canada could follow to create a more collegial and collaborative federalism, without requiring constitutional change. The ten-member Council of Australian Governments consisted of the prime minister, state and territorial leaders, and the head of the Australian Local Government Association. Established in 1992, the Council fostered co-operation on, and harmonization of, policies and programs of national importance for almost 30 years. It was generally well-accepted by Australians, as having eliminated much of the inter-jurisdictional wrangling with which Canadians are so familiar.

In 2020, shortly after the start of the pandemic, the Australian Council was replaced as the main intergovernmental forum by a National Cabinet, modelled after Australia's WWII War Cabinet, with the prime minister, and state and territorial leaders. Ongoing intergovernmental coordination continues through specialized committees focused on policy areas like skills, infrastructure, health, transport, population and immigration, energy, and rural and regional Australia). This chart of the Australian Federal Relations Architecture[ix] as of October 2020 describes the new structure.

Fully implementing the idea of a Council of Canadian Governments[x] chaired by the prime minister and including provincial premiers, territorial leaders, representatives of municipal governments, and representatives of Indigenous peoples, would neither be a formal part of our legislative process, nor have any governmental powers or constitutional status. It would supplement first ministers' meetings. The Council's role would be to initiate, develop, and monitor the implementation of policy reforms of national significance that require action by all Canadian governments. This focus on collaboration would bring more direction and coherence to national governance, and our coherence as a federation.

The Council would be thoroughly transparent: full details of its meetings, agendas, proposed initiatives, agreements, and so forth would be available online. Ideally, council meetings would be open to the public, giving citizens access to the experts invited to consult on policy developments. This high degree of transparency would facilitate constructive citizen mobilization around issues of national concern, and permit Canadians to demand much greater accountability from our leaders on matters requiring co-ordinated action at different levels of government. (We would equally need to hold provincial and federal legislatures accountable for any laws or regulations they passed to follow through with the Council's work.)

Strengthening our social safety net and our economic fundamentals in a meaningful way requires all levels of government to take collaborative, constructive action. Citizens should not have to put up with one level of government avoiding an issue by blaming another, or see their benefits arbitrarily cancelled because federal action is uncoordinated with a related provincial program. Finding that our training certificates are not recognized throughout Canada, or that our businesses must comply with different regulations in order to operate across more than one province, is absurdly frustrating.

A Council of Canadian Governments would prevent Canadians from falling between the cracks because of complex, uncoordinated federal-provincial-municipal-Indigenous initiatives. The Council would also be mandated to continually strengthen and monitor our internal Canadian economy, and eliminate the regulatory labyrinth that makes it easier to conduct business outside our borders than across Canadian jurisdictions. Greater national coherence would bolster all citizens' economic and social security, and increase investment and jobs across the country.

Finally, a transparent Council of Canadian Governments would allow for much-needed reporting on our massive $70-plus-billion federal-provincial fiscal transfer program, which accounts for over a quarter of all federal spending. It would be invaluable to have a forum in which much-misunderstood topics such as federal-provincial "fiscal balance" could be examined. ("Fiscal balance" debates are triggered by the frequent claims of provinces facing large deficits that Ottawa should be increasing transfers to the provinces and shouldering more of their expenditure load).

Commission on Fiscal Transfers

Every year, Ottawa channels billions of dollars to the provinces and territories to reduce inequities among Canadians. This goal of economic and social justice is so fundamental to our way of life that it is entrenched in the Constitution. Section 36(1) *commits* our governments to: "(a) promoting equal opportunities for the well-being of Canadians, (b) furthering economic development to reduce disparity in opportunity, and (c) providing essential levels of public services of reasonable quality to all Canadians." Most federal contributions to provinces take the form of transfer payments earmarked for health care, post-secondary education, social assistance, and social services. These arrangements are jointly referred to as "fiscal federalism." Section 36(2) of the Constitution *commits* our governments to providing "reasonably comparable levels of public services at reasonably comparable levels of taxation." This specific form of financial redistribution of our national wealth is what we call "equalization."

Transfers from federal to provincial and territorial governments are an integral component of a well-functioning, modern federation. In a federation such as ours, the so-called 'vertical balance' between federal and provincial levels of government is just as important as the 'horizontal balance' that implies correcting disparities across provinces. Too much provincial self-sufficiency can increase interprovincial disparities, which in turn puts pressure on equalization. Indeed, we should be concerned that in Canada, federal transfers account for a lower percentage of provincial revenues than any other federation in the developed world. Canada is considered the most decentralized federation in the world, with Ottawa's share of total revenues the smallest of any other central government.

It has become very difficult to measure whether fiscal federalism, as currently structured, allows us to share our financial burdens fairly and promote national objectives for the benefit to all citizens. Different levels of government increasingly strike ad hoc deals, which make calculating the real impact of transfer payments next to impossible. Bilateral, federal-provincial deals on healthcare and childcare funding are good examples. The lack of meaningful scrutiny of intergovernmental transfers by the House of Commons is an alarming failure of transparency and accountability to the Canadian people, who don't need statistical evidence to know that the collective impact of public spending falls well short of its intended goals. To achieve greater openness, we must change how parliament handles fiscal redistribution.

Each year, as of 2025, the Canada Health Transfer allocates over $50 billion to the provinces, while the Canada Social Transfer distributes another $17 billion-plus for services including post-secondary education and childcare. All provinces now receive both these transfers on an equal per-capita basis (for every citizen). Equalization payments, which are made only to provinces with a 'fiscal capacity' below the national average, now total over $25-billion. Over half of this amount goes to Quebec; the rest is divided between Ontario, Manitoba, Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland/Labrador. Many other federal programs and initiatives incorporate equalizing elements. One example is Employment Insurance, currently structured to benefit unemployed citizens in areas of the country with fewer job opportunities.

Equalization is undoubtedly a valuable program. Its purpose is to enable "less prosperous provincial governments to provide their residents with public services that are reasonably comparable to those in other provinces at reasonably comparable levels of taxation." Yet this aspect of financial redistribution is long overdue for substantive and procedural reform.

Among other things, the formula used to calculate Canada's equalization payments – by adding up various tax bases and subtracting others to somehow measure fiscal capacity

across provinces – is so complex that few experts can explain it in intelligible terms. This has meant that the equalization program is increasingly a source of division across the country as multiple provincial governments complain about its fairness.

Alberta's government has held a confusing, inconclusive referendum on the issue, and questioned why Quebec receives enormous equalization payments and yet funds services other provinces cannot afford, such as subsidized electricity, very affordable child care, and the lowest post-secondary tuition fees in the country.

In November 2024**,** the Johnson Shoyoma Graduate School on Public Policy published a very helpful study on equalization by Louis Lévesque, former federal deputy minister including lead at Finance Canada, entitled: *Not all quiet on the equalization front in Canada.* The author commented as follows on provincial fairness concerns with the equalization program raised by Newfoundland and Labrador and other provinces:

> "The resentment about Canada's equalization program that has always been present to some extent in parts of the country is now being expressed formally. This past June [2024] Newfoundland and Labrador filed a constitutional challenge against key provisions of the current equalization formula in its provincial Supreme Court. The provincial government's June 26 communique states: '(this) statement of claim outlines how the Government of Canada's equalization program does not achieve its constitutional purpose. The program unreasonably and unfairly penalizes Newfoundland and Labrador by failing to transfer sufficient funds which are needed to ensure that residents benefit from levels of public services that are reasonably comparable to those in other provinces. Relief being sought from the court involves declaring elements of the equalization program as unconstitutional, including:
> • The absence of including the costs of providing public services when calculating equalization payments;
> • The fiscal capacity cap;
> • The inequitable distribution of excess equalization program funding; and,
> • The gross domestic product growth ceiling.
> Newfoundland and Labrador is not alone in expressing concerns about the Equalization Program. Saskatchewan's premier Scott Moe has been very vocal on this issue, and his government tabled a reform proposal in 2018 that amounted to a 50% cut to equalization, combined with a redistribution of the savings on an equal-per capita basis to all provinces. For its part, Alberta has expressed concerns over the years about the large sums coming out of the province to the federal government, notably to fund equalization payments. The Premier of British Columbia, David Eby, recently expressed similar concerns at the meeting of Premiers in July 2024."

It will be important to analyze the impact of the huge Quebec Hydro deal with Newfoundland and Labrador (NL) Hydro, to buy hydro and develop new hydro projects with NL along the Churchill River, not just from the bilateral perspective of the two signing provinces, but also from the broader perspective of fiscal federalism and the integrity of the horizontal balance across all provinces addressed in the equalization program.

If the Memorandum of Understanding is completed in April 2026, Quebec Hydro will end a controversial 1969 agreement with Newfoundland and Labrador some 15 years early, and among other things, pay a higher price for NL power replacing the absurdly low 1969 price that was locked in until 2041. But as always, crucial details are not disclosed, and inter-provincial trust is fragile. Many in NL feel Quebec is getting much more than the record shows.

We urgently need to bring coherence, consistency, fairness, transparency, and accountability to the perverse jumble of federal contributions to provinces, to stop stoking interprovincial tensions, eroding Canadians' ties to one another, and generally undermining national unity.

A permanent, non-partisan, independent advisory commission, similar to Australia's Commonwealth Grants Commission, could scrutinize and manage fiscal federalism. This Commission on Fiscal Transfers would examine economic conditions in every province by drawing up a giant balance sheet of GDP in each jurisdiction, taking all revenue sources into account, measuring the effectiveness of government programs, and charting improvements in equity. Among other improvements, the current equalization formula would be replaced.

The Commission – made up of experienced experts appointed by Ottawa through a new, transparent and arm's-length Public Appointments Board – would then submit an annual proposal to the federal government for adjusted equalization and fiscal transfers that better promote our national goals of equity and equality of opportunity for all Canadians, regardless of residence. It would work in conjunction with the Council of Canadian Governments to resolve such difficult questions as to whether specific transfers should be made on a per-capita basis, or according to "fiscal need," taking disparities among provinces into account. The Commission's reports to parliament and recommendations to the Minister of Finance would make federal transfers to other levels of government more transparent, and much less political. Detailed findings would inform broad-based debate on longer-term national objectives, strengthening ties among Canadians and increasing our confidence in the fairness of the system.

3.2 Intergovernmental harmonization of critical policy areas: benefitting all Canadians.

This eBook has addressed the need for more responsive, open, accountable government, more responsible long-term planning and policies, and fewer useless, polarized debates. I've mapped out how to overhaul our representative structures and practices to increase citizen engagement and influence, eliminate our faux-democracy, and reform our dysfunctional federation.

In this section, I provide five examples of critical challenges ahead that call for serious and sustained intergovernmental collaboration and harmonization: eliminate interprovincial barriers to goods, services, investment and people; climate change mitigation; improved income security; coordinated training and support for workers; and improved access to healthcare.

Eliminate interprovincial barriers to goods, services, investment, and people: a strong internal economic union.

A productive, prosperous economy depends on expanding our internal market and improving regulatory harmonization so that businesses and individuals can easily work across provincial borders. This requires dismantling the numerous barriers to the free movement of goods, services, investment, and people, imposed by both provinces and the federal government, which make Canada a generally more fragmented and fractious place to do business than even the 27-member European Union. A strong internal economic union is all the more essential if we are to stand up forcefully to the America First initiatives of the now adversarial US.

Eight years ago, in 2017, Justin Trudeau announced with much fanfare a new "Canada Free Trade Agreement" to replace the anemic Agreement on Internal Trade (AIT), which dated back to 1993. Officials made extravagant claims that the myriad of provincial rules and regulations which impeded both trade and individuals' ability to work across internal borders would soon be terminated. But this blanket elimination was subject to a "secret list" of many provincial exceptions, and the legislation that ultimately took effect in July 2018 fell far short of the government's rhetoric.

Regrettably, provisions that permit provincial governments to limit market access in areas such as forestry, fisheries, energy production, and gambling remain intact. Only "some progress" was made on that perennial favourite: beer and wine sales. And "unfinished business" includes "aspects of financial services."

Ironically, there was much gnashing of Canadian teeth over the absurdity of dairy farmers in Wallonia slowing up the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) back in October 2016. In fact, our own governments created an absurdity by failing to devise an enforceable internal Canadian agreement over provincial procurement. Once CETA was ratified, a French or German firm bidding on a contract in a particular province might have an advantage over a company from another Canadian province.

In 2025, it does appear that Mark Carney and most premiers are genuinely committed to achieving a strong internal Canadians economic union. But it is unclear how much will be achieved through ad hoc first ministers' meetings, or ad hoc meetings of the premiers-only Council of the Federation.

Establishing an effective internal Canadian economic union requires focused and firm action in an open, accountable, multilateral forum like the proposed Council of Canadian Governments**.** In its absence, Carney has rushed to pass through parliament the *One Canadian Economy Act* (Bill C-5) that will end trade and mobility barriers on July 1, 2025, but only in federal jurisdiction. There is also a vague exemption for "measures with an overriding public interest." While important, this federal legislation only addresses a relatively small proportion of the numerous barriers remaining between provinces across Canada. And so far, provinces are negotiating one-on-one bilateral deals involving mutual recognition of each other's equivalent provisions for various trade and labour mobility matters that impede trade and labour mobility.

We will see how much progress is eventually made towards a strong internal economic union. Canadians certainly seem on board and expectations are high.

Climate change mitigation

Climate change is not just an ecological question. It is also an energy issue, an infrastructural issue, a jobs issue, a migration issue, a health issue, and a foreign policy issue. Yet our public response has been underwhelming and uninspiring, characterized by intergovernmental incoherence and a general lack of committed leadership. The federal government's now defunct consumer carbon-pricing initiative included a weak provincial-territorial patchwork of pricing and cap-and-trade systems. Bilateral deals made with individual provinces too easily unravel. What we need in the future is systematic collaboration and multilateral co-ordination between the federal and provincial governments in a harmonized, long-term framework.

Robert Lyman, author of "Carbon Taxation – the Canadian Experience" published by the Global Warming Policy Foundation, wrote a prescient 2019 Financial Post article entitled *Trudeau's 'climate emergency' meets his national muddle of malfunctioning carbon taxes*. In it, Lyman commented on the fact that "carbon dioxide pricing has simply been added to the over 600 existing federal, provincial and territorial programs and regulations. There is no inventory of these programs and no way to assess their effectiveness or cost-effectiveness."

While putting a price on carbon once seemed to be the most economically efficient way to tackle climate change, it has arguably been the focus of too much attention and has ultimately proved unsustainable. Political opponents polarized debate around, and exaggerated, the financial sacrifice a carbon tax would represent for voters. Moreover, revenues from current carbon levies on consumers and businesses did not actually offset the social costs of carbon emissions, which include environmental devastation, health risks, and extreme weather events.

The Trudeau government's 'Pan-Canadian Framework' – with federal "benchmarks" for provincial and territorial carbon pricing systems, and a "backstop" plan for jurisdictions that do not comply – was unfortunately flawed in more ways than pricing. For example, the federal goal was to encourage the transition from high-emitting to low-emitting forms of electricity generation. But the government designed the federal tax to kick in at different emissions levels for different types of fuel, with higher tax-free allocations for coal-fired plants than natural gas, and none at all for hydro and wind. This discouraged the shift to low-emitting forms of electricity generation. Ironically, Alberta's Carbon Competitiveness Incentive Regulations adopted the better approach of a uniform benchmark for all fuels used to generate electricity.

Coordinated intergovernmental effort is required on a wide range of actions that includes designing clean energy mandates and subsidies, and tax reforms that eliminate fossil fuel subsidies. Although less efficient economically, this approach can also make a real difference.

In 2021, the federal Conservatives announced an improved climate change plan relying on "green technology, not taxes." The plan had some positive elements that could complement a more vigorous carbon pricing approach. It would set strict emission limits on major greenhouse gas emitters that, if exceeded, would require the companies to pay into a fund tied to government-certified clean tech companies. There is perhaps room here for compromise across political divides someday, if only compromise was on the agenda.

The key is to encourage a national consensus and sustained collaboration across provinces and territories such as within the proposed Council of Canadian Governments, as well as in parliament. Mitigating climate change is undoubtedly the existential challenge we will face

throughout the 21st century, even though it has been accorded a lower priority after the 2025 election. By failing to take innovative steps – both on structure and policy – to build a durable national consensus for coordinated intergovernmental action, the federal government is failing all Canadians and jeopardizing the well-being of future generations.

Improved income security

The child benefit introduced by Liberal government in 2015 to replace Stephen Harper's regressive Universal Child Care Benefit and the old Canadian Child Tax Benefit and National Child Benefit Supplement, was a strongly progressive initiative. It provides significant relief to lower-income families, and could further advance social equity if phased out at a more realistic income level.

Eventually, some form of guaranteed basic income for working-age adults should be possible to complement what is now effectively a basic income guarantee for children, and the basic income elderly Canadians receive via Old Age Security and the Guaranteed Income Supplement.

We are all deeply concerned about the widening income gap and steadily increasing numbers of people trapped in the low-wage economy – workers, especially younger generations, struggling with part-time, precarious employment.

The 2018 Canada Workers Benefit (CWB), an update of the original Working Income Tax Benefit (WITB) introduced by the Harper government in 2007, is a small step forward. This refundable tax credit initially supplemented low-income workers' earnings by a maximum of $1000 for families. Unfortunately, as originally structured, the WITB operated as a disincentive to work when combined with provincial benefits. A person was required to make at least $3,000 to be eligible for the benefit. A single person working at a fast-food outlet for minimum wage and making $343 a week, or less than $18,000 a year, earned too much to be eligible. If they reduced their hours by half, however, they could not only receive the WITB, but also retain provincial benefits for the working poor, such as prescription drug coverage. Clearly, they were better off working fewer hours. The subsequent Trudeau government changes – including increased benefits for individuals and families and lower claw-back rates – are modest, but remove some disincentives to employment from our tax system.

But the federal government has yet to effectively collaborate with the provinces to scrap social assistance rules that interact negatively with federal programs like the CWB, and discourage recipients from making the transition to full-time employment. For example,

significant discrepancies in minimum wage and social assistance policies across provinces and territories make it difficult to formulate a uniform federal benefit that fairly addresses the varied needs of low-income workers across Canada. Effective income security policies require serious efforts by the federal government to collaborate multilaterally with the provinces and territories**.** Regrettably, collaboration has been the exception, not the rule, although some provinces and territories have now bilaterally changed the parameters of the federal CWB to better meet local needs.

A basic income guarantee is certainly an idea whose time has come, and it gained traction during the pandemic. It has been proposed for many years by conservatives and liberals alike. An enormous quantity of persuasive research demonstrates that today's multiplicity of income support programs – overlapping, confusing, and riddled with contradictory incentives – is a huge problem.

A "big bang" version of an income guarantee would replace separate federal and provincial programs with a single, universal, unconditional cash benefit delivered through the tax system. (This would not include EI or pensions). The general principle would be to establish an income floor below which no Canadian could fall, but with incentives for recipients to continue working and to earn more. However, a basic income guarantee can only improve equity among Canadians in conjunction with continued support for essential social services like affordable childcare, housing and transit.

Federal-provincial spending on income security in Canada is significant, totalling over $170 billion, or almost 10 percent of our GDP. The biggest challenge in implementing a user-friendly and efficient basic income guarantee will be getting all levels of government to work together on any particular initiative to establish a collaborative road map across jurisdictions. The introduction of a universal basic income would provide a regular payment to every Canadian without requiring a needs test. The payment would be designed to be "clawed back" only as a recipient earned additional income, in such a way as to be phased out completely once an income of, say, $60,000 was achieved. The overall cost of the program would depend on the claw-back rate.

The simplest way for the federal government to begin the transition to a basic income guarantee and get more funds into the hands of Canadians most in need, would be to make most existing tax credits refundable. Our current maze of non-refundable tax credits (NRTCs) – worth over $80-billion – is largely politically inspired and only accessed by a subsection of Canadians whose tax bills are sizeable enough to benefit. In contrast, refundable tax credits (RTCs), like the CWB and GST credit, are carefully designed to provide a benefit to low-income Canadians, including those who pay little or no taxes. A 2015 research paper by economists Wayne Simpson and Harvey Stevens, analyses various

alternatives for converting NRTCs to RTCs at a modest additional cost. Implementing one of these options would be a positive initial step towards increasing the fairness of our tax system and mitigating income inequality. Furthermore, this federal tax reform initiative would enable Ottawa to spur provinces and territories into taking comparable action, and snowball improvements to the income security of low-income Canadians.

This is where a new federal architecture such as the proposed Council of Canadian Governments would come in handy. In recent years, we have seen some limited federal-provincial coordination spark progress in select areas. One example is the consolidation of a hodge-podge of tax credits – sales, property, energy – into a streamlined monthly payment delivered quarterly through Ontario's Trillium Benefit and Québec's Solidarity Tax Credit. British Columbia similarly consolidated its Climate Action Tax Credit with both the federal GST credit and provincial PST credit. However, so much more action is needed, and a dedicated forum for intergovernmental collaboration would undoubtedly expedite change.

In 2017, the province of Ontario commenced its own pilot project for working-age adults based on a report by former Conservative senator Hugh Segal. The federal government was not involved; the project was limited to replacing the current Ontario welfare and disability benefits with a basic income, and assessing whether this provided individuals with better support. If the project had been judged a success, Ottawa would likely have been asked to add federal income supports into the mix. Sadly, the basic income experiment was cancelled by the Ontario government in 2018.

In April 2018, the Parliamentary Budget Officer (PBO) published a report on *Costing a National Guaranteed Basic Income Using the Ontario Basic Income Model.* The report concludes such an initiative would be feasible "as a combined federal-provincial basic income system that could be managed by intergovernmental fiscal arrangement. This would replace some provincial transfers for low-income individuals and families including many non-refundable and refundable tax credits thereby reducing its net cost." The stage is set for a meaningful federal-provincial initiative combining a basic income guarantee with enhanced accessibility to affordable services – housing, transit, child care – so as to better respond to the varied needs of struggling individuals and families.

More active federal government participation, and closer collaboration with provinces, would be enormously helpful in advancing such an income initiative. A first area for federal-provincial efforts could initially focus on the relatively straightforward creation of a basic income guarantee for persons with disabilities. This would be a huge improvement, replacing the mess of no fewer than nine different federal and provincial income streams currently available: Social Assistance, Workers' Compensation, the Disability Tax Credit,

veterans' programs, private programs, Canada Pension Plan Disability (CPPD), EI Sickness Benefit, Registered Disability Savings Plan, and CWB disability supplement.

A very modest new Canada Disability Benefit (CDB) making $200 monthly payments to Canadians with disabilities finally started in June 2025. Unfortunately, it was not fully integrated and coordinated with provincial governments in advance. So, some recipients of the CDB in certain provinces may find that the additional $200 a month from the federal government, is offset by a reduction in their provincial disability payment. This disturbing outcome would have been avoided if the CDB had been finalized in the kind of multilateral forum and framework provided by the proposed Council of Canadian Governments and Commission on Fiscal Transfers (described in section 3.1). Intergovernmental collaboration could facilitate progress towards the goal of a basic income guarantee for persons with disabilities, while significantly enhancing transparency, accountability, and vital citizen engagement.

Coordinated training and support for workers.

Intergovernmental collaboration is desperately needed in order to provide more relevant and practical workforce development and improve Canada's poor record of on-the-job training. The evidence is clear that the companies that invest the most in ongoing training for their workers, and in productivity improvements, are also the most successful.

In recent years, the federal government has focused only on minor tinkering with the Employment Insurance program, for which less than half of today's workers are eligible; it has made little or no effort in the intergovernmental arena to bring coherence and cohesion to the fragmented and poorly coordinated transfers of over $3-billion each year to the provinces and territories for labour market development. There are almost 50 assorted bilateral federal-provincial-territorial agreements, currently grouped under four federal-provincial labour market programs, broadly devoted to helping various categories of unemployed people get back to work. Measuring accountability, equity, and effectiveness is challenging for officials, let alone the citizens who desperately need to use the programs.

Serious consideration could be given to innovative suggestions such as collapsing these federal programs into a single transfer system to the provinces, territories, and Indigenous governments – a system funded from general revenues and allocated according to the provincial or territorial share of unemployed workers in Canada, with a single set of administrative requirements. Provinces and territories would not be allowed to impose residency requirements for individual eligibility for training, and they would have to report publicly on program results. Under this type of system, workers would not have to qualify

for EI to use the programs, and EI premiums for both workers and businesses would be lowered.

We must urgently overcome the unwillingness of many Canadian employers to invest in long-term internships and apprenticeships. Many companies fear that they will be unable to protect themselves against attempts by their competitors to poach their interns and apprentices. Meanwhile Canada's productivity growth rate, our ability to "work smart," and our level of innovation in the workplace, are persistently below those of our competitors, while we face frequent shortages of trained workers. We need to provide incentives for employers to train workers and to invest in productivity improvements for the long term to improve our overall competitiveness.

We need to consider encouraging investment in workers through the Workplace Development Board system used in the US. These regional boards lead sector-by-sector collaboration across businesses, industry, labour unions, educational institutions (usually community colleges because of the emphasis on vocational skills), community and residents' organizations, community-based employment services, and governments. They can vastly expand on-the-job training by achieving economies of scale. Such co-ordination is a very labour-intensive process that involves consultation, deliberation, and alignment of various individual interests, but it can also deliver great results, especially in identifying employers who are committed to investing in their workers, and those workers or employers who need support for ongoing training and career advancement.

It would help if Canada could encourage the kind of social solidarity that exists in many European countries, where a strong tradition of workers' mobilizations has led to more collaborative relations between employers and workers (in many cases workers sit on company boards), and a strong consensus in favour of government participation in apprenticeship and training. Citizens in these countries agree on the value of paid apprenticeships and internships, and remain committed to avoiding the outrageous disparities between the pay levels of CEOs and those on the shop floor that afflict the US, the UK, and, increasingly, Canada.

And we can learn from how Germany's extensive apprenticeship system and similar initiatives in the Nordic countries, Austria, Italy, the Netherlands, France, and Switzerland helped to shield these nations from the job shortages associated with the European economic crisis. Apprenticeships are integrated into formal education and students receive a wide range of vocational training in high school. On-the-job training is blended with classroom training. These countries all provide tax credits for enterprises that increase training year-on-year. For example, France has added a payback clause that requires employees to reimburse the employer for the cost of their training if they leave the employer within a

certain time period after the training is complete. This was done to offset employers' fear of losing their investment in their employees.

Improved access to health care

The Liberal government's attempt at more effective federal-provincial collaboration – by means of the same old ad hoc first ministers' meetings – quickly ran aground in late 2016 when healthcare negotiations faltered. In the absence of a constructive, stable national framework for intergovernmental negotiations, little progress could be made towards either building a consensus on healthcare policy and innovation, or improving accountability for the federal government's enormous fiscal transfers to the provinces. Despite her good intentions, then federal Minister of Health Jane Philpott was hamstrung when an all-provincial consensus was not forthcoming, and she was reduced to striking a string of bilateral federal-provincial deals.

This approach risks enlarging our inequitable patchwork of services across the country, and relegating the federal government to the now-familiar role of headwaiter to the provinces. Instead of taking the lead in forging intergovernmental consensus on subjects of concern, so as to enhance national governance, Ottawa settles for minimal effort and lowest-common-denominator outcomes to satisfy the provinces' disparate demands.

In March 2019, the federal government announced an ambitious proposal to implement national pharmacare. While laudable, this initiative initially foundered on the shoals of inadequate intergovernmental collaboration (to define appropriate federal-provincial-territorial roles and contributions), and the pandemic disruption. The federal government had to come to grips with complex variations between provincial and territorial pharmacare plans in order to promote more cost-effective coverage and reach a national, universal standard.

Certainly, health care in general, especially long-term care in the wake of the pandemic tragedy and our generally aging population, is another broad area of essential public services that would benefit from a new intergovernmental forum such as the Council of Canadian Governments. The time is overdue to more effectively exchange views across jurisdictions about how best to sustain massive health care expenditures, and assess the direction and impact of the expanding role of private sector health care services.

Epilogue
Engaged citizens, true democracy, a strong united federation.

The essential message in this eBook is that faux-democracy and dysfunctional federalism are here to stay unless citizens take urgent action and demand change.

The situation is critical.

Citizens must find ways outside the hollowed-out political parties to get involved in rescuing our democracy, and strengthening our sovereignty, and our federal coherence.

This eBook outlines the dismal failures of our faux-democratic leadership that led to Canada's extreme vulnerability to the attacks from Trump on our economic and political autonomy.

Trump is clearly determined to increase US hegemony in North America. This American goal will not disappear when Trump exits from the political stage. It is part of the new geopolitical reality that Canada now faces.

Unfortunately, Canada has very little leverage in negotiations with the US. Our federation is dysfunctional and fractured across 13 provinces and territories, so we cannot present a united front. Our defence expenditures have declined so much that we cannot defend ourselves.

Canada has also failed to nurture a strong internal east-west economic market to enable us to be less dependent on Canada-US trade. And our economic growth and productivity remains sluggish, while new investments are fleeing to the US to serve the much larger, and now protected, market there.

Going forward, we need to stop expecting, or relying on, the mythical perfect party leader to miraculously pull together a broad coalition of Canadian voters and bring about overdue change. This is not going to happen. At the moment, Canada is a faux-democracy on a slippery slope to autocracy that is similar to what has happened in the US. The Liberal Party of Canada is unlikely to move beyond its baked-in faux-democratic structure and leadership, and the Conservative Party is confused about its emerging new base and its purpose, and stuck in a decidedly uninspiring attack mode.

Instead, we need to build a new kind of politics and a new coalition with strong citizen engagement with principled leadership to rein in the faux-democrats who so thoroughly dominate the political process through political parties. We need principled leadership to

engage citizens in serious debates required to rebuild a strong sovereign federation that can manoeuvre independently of the US, both in North America and in the unsettled world we now face.

Citizens must demand and support constructive initiatives to end faux-democracy (the Longest Ballot protests have run their course), to restore an acceptable balance between executive and citizen powers. We must insist on more transparency, accountability, and oversight for all those in public life.

At election time, Canadians should attend nomination and all-candidate meetings, speak to candidates at the door, and require firm commitments from candidates to implement important democratic and federalism reforms as a condition of receiving our vote. For instance, in exchange for our support, we should insist that candidates vote independently of party affiliation in parliament, seek compromises with their elected colleagues across regional and partisan divides, replace the first-past-the-post electoral system, and impose legal limits on the executive power of the prime minister.

If you do not get positive responses to these and other questions, be openly critical and look elsewhere. Only support thoughtful representatives who promise the most genuine and principled commitment to holding governments accountable and to stopping democratic decay. Far better to elect, riding by riding, a parliament of trustworthy, independent-minded representatives, than feel compelled to vote only to choose a political leader in whom all power is vested.

I hope my experiences will help individual citizens understand why our established political parties, with their all-powerful leaders, are part of the problem and not the solution. Politics is not a game. Democracy is not an elite sport.

And I hope citizens will be persuaded that ending faux-democracy, and strengthening our democracy and federation, are goals worth fighting for, candidate by candidate, issue by issue, for as long as it takes.

Let us work together to end Canada's faux-democracy, build a new kind of politics, and establish a true democracy of the people, by the people, for the people, in a strong united Canadian federation that can inspire a divided world.

ENDNOTES

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[ii] https://deborahcoyne.ca/wp-content/uploads/2017/02/No-Deal-Coyne-and-Howse-October-1992.pdf - p.29

[iii] https://deborahcoyne.ca/court-challenge-of-the-1992-bilateral-new-brunswick-constitutional-amendment-to-the-charter-of-rights-and-freedoms/ - p. 31

[iv] https://deborahcoyne.ca/wp-content/uploads/2021/07/Final_Report_Presidents_Committee_on_Reform_of_the_LiberalPartyofCanada_August1985.pdf - p. 55

[v] https://deborahcoyne.ca/mr-couillard-quebec-the-constitution-and-canada-march-2013/ - p. 57

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[vii] https://deborahcoyne.ca/coyne-showcase-speech-april-2013/ - p.61

[viii] https://nationalpost.com/opinion/deborah-coyne-chinas-place-in-the-oilpatch-is-too-complicated-for-simple-answers – p.62

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[x] https://deborahcoyne.ca/how-governments-can-get-along/ - p.86