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International Journal of Canadian Studies
Revue internationale d'études canadiennes

Open-Topic Articles

Articles hors-thème

32, 2005

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Présentation

En 1999, la *RIÉC* publiait un numéro spécial célébrant le 10^e anniversaire de la revue. Il s'agissait d'une anthologie de textes tirés de revues d'études canadiennes dans le monde. Mon prédécesseur, Robert Schwartzwald, écrivait alors : « À titre de revue qui s'est explicitement donné une mission internationale, la *RIÉC* cherche à diffuser les résultats de la recherche universitaire sur le Canada partout dans le monde. » (*RIÉC*, 19, 1999, p. 5). Ce numéro spécial contenait un premier dossier de quatre articles portant sur des études comparées entre le Canada, les États-Unis, la Corée et l'Australie. Un second dossier était composé d'articles plus spécifiques en provenance du Brésil, des États-Unis et de l'Inde. Enfin, les éditeurs avaient colligé dans un dernier dossier des articles de chercheurs d'Allemagne, de France et d'Espagne traitant du thème de la mouvance des frontières.

Bien que le principe de ce numéro spécial « hors-thème » soit différent, nous avons voulu reprendre en quelque sorte l'esprit de ce numéro de 1999, c'est-à-dire que nous avons voulu publier dans ce numéro « hors-thème » des articles reflétant les aspects internationaux et multidisciplinaires de la recherche sur le Canada, de même que certains thèmes qui semblent prédominer dans l'actualité politique canadienne, notamment : l'environnement et les questions urbaines, l'importance croissante de l'Ouest comme nouveau vecteur

Introduction

In 1999, the *IJCS* published a special issue to commemorate the journal's 10th anniversary. It consisted of an anthology of essays selected from Canadian Studies journals from around the world. At that time, my predecessor, Robert Schwartzwald wrote: "As a journal with an explicitly international mandate, the *IJCS* seeks to disseminate scholarship on Canada around the world" (*IJCS*, 1999, p. 5). The special issue contained a first dossier of four essays focusing on comparative studies between Canada, the United States, Korea and Australia. A second dossier was composed of more specific essays from Brazil, the United States and India. Finally, the last dossier was a compilation of essays on the theme of ever-changing borders collected from researchers in Germany, France and Spain.

Although the principle underlying the present Open Topic special issue is different, we wanted to revisit, so to speak, the spirit of the 1999 issue. That is to say, for this issue, we wanted to publish essays that reflect international and multidisciplinary aspects of research on Canada, as well as certain predominant themes in current Canadian politics, such as: environmental and urban questions, the West's increasing importance as a new medium of political and economic reform in Canada, and finally, law and order.

Consequently, the essays for this issue have been grouped into three sections. The first section has two articles on Canada and the international arena. The second section groups four articles that broach national themes, among them,

politique et économique du Canada, enfin la loi et l'ordre.

Nous avons donc regroupé en trois sections les articles de ce numéro. Une première partie contient deux articles sur le Canada et la scène internationale. Une deuxième partie regroupe quatre articles abordant des thèmes nationaux, dont la question des compensations à verser aux victimes de crimes violents, la politique urbaine, le multiculturalisme et la protection de l'environnement. Enfin, la troisième section est consacrée à l'Ouest et son influence au Canada, en particulier la complexité de sa principale école de pensée conservatrice et, par contraste, sa tradition de gauche, souvent incomprise au centre du pays. Finalement, un dernier texte sur l'absence du facteur géographique dans l'appréciation de la littérature de l'Ouest.

Dans le premier dossier, David Webster aborde un sujet fascinant, celui des relations entre le Canada et le monde islamique dans les années 1950. Ce texte porte plus précisément sur l'approche canadienne, dans le contexte de la Guerre froide, à l'Asie et au monde musulman. Cette approche privilégiait les échanges de dialogue entre religions et les initiatives dans le domaine de l'éducation. Ce faisant, les organismes non gouvernementaux ont joué un rôle très important dans l'établissement de liens avec des pays asiatiques dont plusieurs pays musulmans. Parmi ces organismes, le *McGill University's Institute of Islamic Studies* dirigé par Wilfred Cantwell Smith de 1951 à 1963 constituait une institution clé. En fait, cet institut fut

the payment of compensation to victims of violent crimes, urban politics, multiculturalism, and environmental protection. The third section is devoted to the West and its influence on Canada, in particular, the complexity of its mainly conservative school of thought, and by contrast, its left-wing tradition, often misunderstood in central Canada. Finally, the last article deals with the omission of the geographic element with regard to the appreciation of literature from Western Canada.

In the first section, David Webster takes up the fascinating topic of relations between Canada and the Muslim world during the 1950s. The article deals more specifically with the Canadian approach in Asia and the Muslim world in the context of the cold war, and how this approach privileged dialogues between religions and initiatives in the field of education. Non governmental organizations played a very important role in building links with Asian countries, many of which were Muslim. Among these organizations, McGill University's Institute of Islamic Studies, led by Wilfred Cantwell Smith from 1951 to 1963, was key. In fact, the Institute was particularly active in Indonesia, and it set out to develop a pro-Western Indonesian elite favourable to democratic institutions. At first glance, such an objective might have appeared typically "Western," but Webster insists on the fact the Institute's founder, Wilfred Cantwell Smith, wanted more or less to transcend premises of Orientalism—that is, the idea of a stagnant and unchanging Islamic world, as defined by Edward

particulièrement actif en Indonésie et visa à développer une élite indonésienne favorable à l'Occident et aux institutions démocratiques. À première vue, cet objectif a pu sembler typiquement « occidentaliste », mais Webster insiste sur le fait que le fondateur de l'Institut, Wilfred Cantwell Smith, voulait transcender ni plus ni moins les postulats de l'Orientalisme, tel que définis par Edward Saïd, dont l'idée d'un monde islamique stagnant et retardataire. Smith, selon Webster, pensait au contraire que la modernité pouvait émerger du monde musulman à partir de facteurs internes que pouvaient renforcer des échanges interculturels avec des institutions comme l'Institut.

Dans un autre texte, à partir de travaux récents de Brode et de Stanton, Yuki Takatori s'interroge sur le contraste entre la position officielle du gouvernement canadien, plutôt faible, concernant les mesures répressives à prendre contre les criminels de guerre, notamment au procès de Tokyo, et le rôle très actif joué par des Canadiens à ce procès, entre autres, le juge E. Stuart McDougall, le procureur Henry G. Nolan et le diplomate E.H. Norman. Il en conclut que le leadership de ces individus a permis au Canada de se débarrasser de sa mentalité de « dominion timide » à la remorque des positions prises par la Grande-Bretagne et les États-Unis. Au contraire, le Canada jouerait maintenant un rôle de leader autonome dans la poursuite du respect du droit international.

Sur la scène strictement nationale, la montée récente de crimes violents, notamment dans les villes de l'Ouest canadien, a semblé accroître l'intérêt

Saïd. According to Webster, Smith thought that modernity could emerge from the Muslim world if internal factors were reinforced by cross-cultural communications with organizations like the Institute.

In another article, based on the recent works by Brode and by Stanton, Yuki Takatori questions the contrast between the Canadian government's rather weak official position with regard to the repressive measures taken against war criminals, namely at the Tokyo Trial, and the active role of Canadians in the Trial, including among others, the roles of Justice E. Stuart McDougall, prosecutor Henry G. Nolan and diplomat E.H. Norman. Takatori concludes that, rather than passively following the stance taken by Great Britain and the United States, the leadership of these individuals allowed Canada to rid itself of its "timid Dominion" mentality. Canada would thereafter play a role of an autonomous leader in the pursuit of respect for international law.

On the strictly national scene, the recent escalation of violent crimes, namely Western Canadian cities, seemed to have heightened public interest for a more repressive approach vis-à-vis murderers, particularly adolescents found guilty of sordid murders who could be tried as adults, and consequently, who might receive much longer jail sentences. Another aspect, however, is that of compensation for victims of violent crimes. Uri Yanay's essay, in a style unusual for this journal but customary for law journals, questions differences in the way victims are treated from one

public pour une approche plus répressive vis-à-vis les meurtriers, en particulier des adolescents trouvés coupables de meurtres sordides qui pourraient être jugés en tant qu'adultes et donc se voir imposer un emprisonnement beaucoup plus long. Mais un autre aspect est celui des compensations à apporter aux victimes de crimes violents. Dans un article d'un style différent pour cette revue mais habituel pour des revues de droit, Uri Yanay s'interroge sur les différences de traitement des victimes d'une province canadienne à l'autre. L'auteur conclut que malgré les changements récents au *Code criminel canadien*, le Canada n'a pas en fait un code uniforme de traitement des victimes. Ces différences sont particulièrement graves dans le cas de victimes d'actes violents qui ont été blessées, parfois sévèrement, lors de ces attaques. De nouveaux amendements au *Code criminel* semblent donc nécessaires afin d'assurer une meilleure indemnisation des victimes. Par ailleurs, l'article de Mirela Moldoneavu montre aussi un certain fossé entre la loi et la réalité. À partir d'une étude des programmes de formation des maîtres dans les cinq grandes universités ontariennes, l'auteur démontre les carences d'un système où les politiques des États, fédéral ou provincial, sont en porte-à-faux par rapport au système d'éducation. L'auteur croit en effet que la politique du multiculturalisme ne peut se développer pleinement sans une formation adéquate des enseignants.

Dans le domaine des politiques environnementales, Suna Baykaral

Canadian province to another. The author concludes that, in spite of recent changes to the *Canadian Criminal Code*, Canada does not have a uniform code with regard to the treatment of victims. Differences are particularly serious in cases where the victims of violent acts have been injured during attacks, sometimes severely. Therefore, new amendments to the *Criminal Code*, appear to be necessary to ensure better compensation for victims. Furthermore, Mirela Moldoneavu's article also demonstrates a certain gap between law and reality. Based on a study of teacher education programmes in Ontario's five major universities, the author demonstrates the shortcomings of a system wherein federal or provincial politics are discordant in relation to the education system. Indeed, Moldoneavu believes that a multiculturalism policy cannot develop fully without adequate teacher training.

In the field of environmental politics, and inspired by works on policy analysis and comparative politics, Suna Baykaral analyzes the array of factors leading to the convergence of policies among nations. Based on a specific case study—the addition of methylcyclopentadienyl manganese tricarbonyl (MMT) to fuel—the author's aim is to identify elements of convergence or divergence between Canada and the United States as regards pollution control. Among elements of convergence are international constraints of economic integration, science's uncertainty vis-à-vis certain problems, the situation of technology in a particular sector, etc. The author

analyse les divers facteurs qui conduisent à une convergence des politiques des États dans certains domaines en s'inspirant de travaux de politique comparée et d'analyse des politiques. À partir d'un cas spécifique, l'ajout de méthylcyclopentadienyl manganese tricarbonyl (MMT) dans le fuel, l'auteur cherche à identifier les facteurs de convergence ou de divergence entre le Canada et les États-Unis en matière de lutte à la pollution. Les facteurs, notamment, de convergence sont les contraintes internationales d'intégration économique, les tâtonnements de la science vis-à-vis certains problèmes, l'état de la technologie dans un secteur particulier, etc. L'auteur plaide pour des analyses intégrant des facteurs 'mésos' et une extension des cadres analytiques afin de mieux faire ressortir la complexité des convergences politiques. Pour sa part, Gary Sands étudie comment au Canada et aux États-Unis les responsables de la planification urbaine tentent de préserver les centres historiques des villes alors que les banlieues essaient de créer de tels centres. Ces centres offrent en effet une source de regroupement et d'identité. La revitalisation des centres a donné lieu à plusieurs stratégies de développement urbain depuis une trentaine d'années qui sont étudiées dans cet article à travers quatre cas, dont deux au Canada, Brantford en Ontario et Oakville, et deux aux États-Unis, Ann Arbor et Saginaw. L'auteur conclut que les stratégies réussies de revitalisation, comme à Oakville et Ann Arbor, s'appuient davantage sur des stratégies qualitatives visant à attirer une population de classes moyennes férues de créativité et

argues for analyses that integrate 'meso' factors and extend analytical frameworks in order to better expose the complexity of policy convergence. Gary Sands, for his part, studies how those responsible for urban planning, in Canada and the United States, attempt to preserve the historical centres of cities, whereas suburbs attempt to create such historic centres. These centres provide a sense of community and of identity, and their revitalization has given rise to many urban development strategies in the past 30 years. These strategies are studied through a closer examination of four cases: two Canadian cities, Brantford and Oakville, and two U.S. cities, Ann Arbor and Saginaw. The author concludes that successful revitalization strategies, like those in Oakville and Ann Arbor, are supported by qualitative objectives aimed at attracting a middle class population that is passionate about creativity and urban space that is innovative and provides a sense of community.

In closing this issue, we have brought together three essays that examine the subject of Western Canada from different angles, and at a time when economic success in this region, particularly in Alberta, triggers a redefinition of Canada's political zones of influence. Honour to whom honour is due: the Calgary School, of conservative allegiance, appears to have attracted a certain interest these past years, no doubt because of the strong media presence of some of its protagonists and of their influence with the Alberta government and Stephen Harper's federal government since 2006. Observing the diversity of the

d'espace urbain à la fois innovateur et communautaire.

Pour terminer ce numéro, nous avons regroupé trois articles abordant sous différents angles la question de l'Ouest canadien, à un moment où, notamment en Alberta, la réussite économique de cette région provoque une redéfinition des zones d'influence politique au Canada. À tout seigneur tout honneur, l'École de Calgary, d'allégeance conservatrice, a semblé attirer un certain intérêt public ces dernières années, sans doute à cause de la forte présence médiatique de certains de ses protagonistes et de leur influence auprès du gouvernement albertain et du gouvernement fédéral de Stephen Harper depuis 2006. Cependant les auteurs, Frédéric Boily, Natalie Boisvert et Nathalie Kermoal, contestent l'idée qu'il y ait dans le groupe une parfaite cohésion au point de former une école et remarquent que leurs sources intellectuelles sont variées, avec notamment Eric Voegelin, Alexis de Tocqueville, John Locke et Friedrich Hayek. Cependant, ces intellectuels conservateurs ont en quelque sorte exprimé un sentiment d'aliénation de l'Ouest, mais d'un point de vue de droite plus typiquement albertain. Or, ce lancinant sentiment d'aliénation a aussi trouvé une certaine expression en Saskatchewan, mais cette fois d'un point de vue de gauche. L'auteur, David McGrane, voit dans les oscillations du discours sur l'aliénation en Saskatchewan plus le résultat des changements de conjoncture économique que la conséquence d'une doctrine politique. Mais peu importe le

group's intellectual sources—notably Eric Voegelin, Alexis de Tocqueville, John Locke and Friedrich Hayek—authors Frédéric Boily, Natalie Boisvert and Nathalie Kermoal challenge the idea of perfect cohesion within the group, that is, to the extent of forming a school of thought. Nonetheless, these intellectual conservatives expressed, as it were, the West's sentiment of alienation, but from a more typically Albertan, right-wing point of view. Yet, this sense of alienation has also manifested itself in Saskatchewan, but from a left-wing point of view. Author David McGrane sees these oscillating discourses on alienation as being more the result of changes in economic circumstances than stemming from political doctrine. Regardless of the content and the political source of the discourse on alienation, according to Pamela Banting, the fact is that when it comes to discourse and literary analysis in Canada, authors from the West are often misunderstood because theoretical considerations omit the geographic element. Therefore, Banting argues for greater recognition of the geographic variable in literary analysis, in the same way as sex, social class, ethnic origin and “race” are accounted for.

All these essays demonstrate both the complexity of the Canadian reality and the national interest aroused by this complexity. They also exemplify the high level of academic research on Canada that the journal, since its founding, has sought to disseminate.

Claude Couture
Editor-in-Chief

contenu et la source politique du discours sur l'aliénation, le fait est, selon Pamela Banting, qu'effectivement, dans le discours et l'analyse littéraire au Canada, les auteurs de l'Ouest sont souvent incompris parce que le facteur géographique n'est pas pris en considération. L'auteur plaide donc pour une plus grande reconnaissance de la variable géographique dans l'analyse littéraire, au même titre que les variables de genre sexuel, de classe sociale, d'origine ethnique et de « race ».

Tous ces articles montrent à la fois la complexité de la réalité canadienne et l'intérêt national et international que cette complexité suscite. Ils montrent aussi le haut niveau de recherche académique sur le Canada que la revue a cherché depuis sa fondation à mieux faire connaître.

Claude Couture
Rédacteur en chef

Canada on the International Scene

Le Canada et la scène internationale

David Webster

***Islam and Cold War Modernization in the Formative
Years of the McGill Institute of Islamic Studies***

Abstract

Canadian postwar approaches to Asia were made not only in the political and economic realms but also through religion and education. Non-governmental actors were important in these relations, playing a role often complementary to government strategies. One of the major mechanisms for Canadian approaches to the Islamic world was McGill University's Institute of Islamic Studies. Directed by Wilfred Cantwell Smith from 1951 to 1963, it sought to "modernize" Islam and build cultural bridges between the West and Islamic countries. Its influence was most notable in Indonesia, where McGill graduates became part of a modernizing elite aiming to develop Indonesia along pro-Western lines.

Résumé

Au cours de la période d'après-guerre, le Canada a manifesté son ouverture à l'égard de l'Asie non seulement dans les domaines politiques et économiques mais aussi dans les domaines de la religion et de l'éducation. Des intervenants non gouvernementaux ont joué un rôle important dans ces relations, rôle souvent complémentaire à celui des stratégies gouvernementales. L'un des mécanismes principaux de l'approche du Canada à l'égard du monde islamique a été l'Institut des études islamiques de l'Université McGill. Cet établissement, dirigé par Wilfred Cantwell Smith de 1951 à 1963, a cherché à « moderniser » l'Islam et à créer des ponts culturels entre l'Ouest et les pays islamiques. Son influence s'est fait sentir surtout en Indonésie, où des diplômés de McGill sont devenus des membres d'une élite à tendance modernisante visant à aider l'Indonésie à se développer selon des modes pro-occidentaux.

In June 1956, Indonesian president Sukarno stood at a special convocation at McGill University to receive an honorary doctorate of law. Draped in McGill's red and white robes, which matched the colours of the Indonesian flag, he praised the university's Institute of Islamic Studies (IIS).¹ Sukarno said he knew "a little of the story of James McGill, fur-trader, soldier and far-sighted visionary" — enough to know that the university's founder would have been "very glad and very delighted indeed could he but know that the beliefs and culture of Islam are being studied so intensively here today."² Indeed, the Montreal-based institute was the main channel through which Canadians approached the Islamic world in the immediate postwar

years. Although it was seeking a more prominent global diplomatic role, including toward Asia, the government of Canada had few close ties to Southeast Asia — and those ties that it did have were largely mediated through the “North Atlantic triangle” of Canadian relations with the United States and Britain. Its first embassy in the region opened in the Indonesian capital, Jakarta, in 1953. With government-to-government relations limited, non-governmental diplomacy often played a more fundamental role.

Canadian-Asian relations must be studied not only in terms of diplomacy but also trade, immigration, and missionary work (Lee 1995). Canada’s approach to Asia took place in political and economic means, but also through religion and education. The important role of Canadian Christian missionaries in Asia, for instance, has received a great deal of attention. These trans-Pacific religious connections, however, were not limited to Christianity: the case of the IIS shows how they could be mediated through other religions as well. This essay addresses the formative years of the IIS in the 1950s and 1960s, thereby helping to highlight some of the more neglected aspects of Canadian relations with Asia. It considers early connections to Indonesia, the most populous Muslim country in the world, and the Asian state with which the IIS has the longest and most important ties. By emphasizing the role of a non-governmental actor, it also demonstrates the importance of non-state diplomacy in weaving the fabric of Canadian-Asian relations within the general parameters set out by Canadian diplomacy. In many cases, non-government actors played a role in shaping the direction of that diplomacy. Missionaries and their children influenced Canadian images and the Canadian approach to China; the move of the Institute of Pacific Relations from New York to Vancouver both reflected and affected a different emphasis in Canadian and American attitudes toward Asia; wheat farmers’ wish for Asian markets opened doors to China and altered the pattern of Canadian aid to India and Pakistan (Evans and Frolic 1991; Woods 1993; Spicer 1966). The Canadian government consciously defined its Asia policy as being broadly in line with Canada’s allies, but stressed Canada’s economic support for non-communist regimes in contrast to US military aid, a contrast frequently overdrawn but nevertheless frequently asserted (Saint Laurent 1952). The IIS role in shaping Islamic education in Indonesia dovetailed with the Canadian government’s self-defined mission in its relations with Asia as a whole, acting as a modernizing agent and in keeping with Canada’s Cold War goals.

A conscious effort to move beyond the traditional Orientalist methods of teaching Islam, the IIS set itself the goal of both understanding Islam and

shaping its future directions. Orientalism, the construction of the idea of “the Orient” in Western discourse about it, with the Orient as irrational Other to the West’s rational self (Said 1978), had a long provenance, but the postwar years threw it into flux. Was there still a future for a discipline centred on “the West’s application of reason to the data of Islam” (Smith 1957, 71)? The IIS was one attempt to answer that question in the affirmative while transcending Orientalist preconceptions and methods. Wilfred Cantwell Smith, the institute’s founder and guiding spirit throughout his tenure as director from 1951 to 1963, rejected conceptions of Islam as stagnant and unchanging. He insisted that Islam was able to modernize itself, and offered the IIS as a guide toward modernity. The IIS tried to revivify Orientalism as a project in intercultural communications, but also saw itself as “midwife” to a more modern type of Islam, thus continuing some aspects of Orientalism’s attempt to control through knowing. It was born as part of the North American area studies complex founded in the postwar years with US foundation money, a complex implicated from the start in the Cold War. Although the IIS flew its Canadian colours proudly, its role within the area studies complex paralleled that of the Canadian government within the Western alliance system. A Canadian initiative served the goals of a wider project of enmeshing countries like Indonesia in a Western-centred world while offering Canada as a less self-interested partner.

The IIS quest to act as modernizing agent for the Islamic world was most effective in Indonesia. The role of Islam in the Indonesian state was an important issue even before that state was established in 1945. Early nationalist leaders opted not to create an explicitly Islamic republic, but historians generally still divide Indonesian nationalism into three streams using a typology popularized by Sukarno: Islamic nationalism, socialism, and “secular” nationalism (Sukarno 1970; Kahin 1952; Legge 1972). Sukarno had written little on Islam since the 1930s, but it remained a crucial part of his nationalist synthesis. In his vision, Islam was a stream feeding the nationalist river. It could be dangerous when it clashed with other streams, whether by holding them back through its resistance to change or by pushing for an Islamic state (Noer 1973; Boland 1982). The type of Islam taught at McGill offered a more amenable style than that of the traditional Middle Eastern centres. Paradoxically, McGill also offered a refuge to Islamic thinkers disillusioned with the direction of the country under Sukarno. Political Islam clashed with Sukarno and fell from favour after 1957. At McGill, a new model of Islamic education was worked out with implications for the political involvement of Islam in the country, which echo down to today.

Defining the Institute

The IIS was, in the words of assistant director Charles Adams, “a unique Canadian institution” that “deserves the intelligent understanding and co-operation of all thoughtful Canadians” (Adams 1962, 34). Although it grew into a bustling and influential organization, its early years were the story of “the lengthening shadow of a man,” Wilfred Cantwell Smith.³ Smith was an eminently respectable product of the Toronto establishment. (His elder brother Arnold became a prominent Canadian diplomat and the first Secretary-General of the Commonwealth.) He was born in Toronto in 1916 and educated at Upper Canada College (rising to head boy in 1933) and the University of Toronto. There, he was active in Knox Church, the Student Volunteer Movement for Overseas Missions, and the Student Christian Movement. He went on to win a Massey fellowship to attend Cambridge University, where he studied Divinity and made side trips to Oxford for additional study of Islamics under H.A.R. Gibb. In 1941, he took a post as “representative among the Muslims” for the Canadian Overseas Missions Council, reporting to a joint board of the Anglican, Baptist, Presbyterian, and United Churches. As their base, Smith and his wife Muriel (born to missionary parents in China) selected Forman Christian College in Lahore (then in British India, now in Pakistan).⁴ In Lahore, Smith completed *Modern Islam in India*, which was rejected as a thesis by Cambridge and banned in India because of its Marxist-inspired critique of British rule. Although Smith called himself a socialist, he also seems to have viewed missionary work as incompatible with Marxism.⁵ After completing his doctorate at Princeton, Smith accepted McGill’s invitation to take up the university’s first chair in Comparative Religion in 1949.

The university promptly set about building an institute around him, envisioned as a collaboration between McGill and the Rockefeller Foundation that could follow in the footsteps of the Rockefeller-funded Montreal Neurological Institute. That project, seen at the time as one of the Foundation’s most successful, had been built around the person of Wilder Penfield and paid for with two Rockefeller endowments of \$500,000 each. The original idea was for another institute that could be a bridge to India and Pakistan. McGill principal F. Cyril James had grander schemes for what the growing university could do. James, an energetic English economist who had been recruited by McGill to head its school of commerce, was the university’s principal from 1939 to 1962 and thus “part of the imperial establishment,” in his biographer’s words (Frost 1991, 59). His recruiting of Smith as professor of comparative religion in the new Faculty of Divinity helped ensure that the new faculty developed away from a narrow Christian focus (McMurray 1974).

James pressed the Rockefeller Foundation to back a new Institute of Commonwealth Studies built around Smith's Indo-Pakistani expertise. "If it can be achieved," James wrote to Joseph Willits of the Rockefeller Foundation, "it will in the course of time offer to the people of North America a chance to understand more clearly the culture, the philosophy and the habits of mind of both Pakistanis and Indians." The attitudes of India and Pakistan in turn were central to the future of the Commonwealth, since they were a new and different element racially and religiously within the association. They were "the keys to the future of the Commonwealth — and perhaps to the future of democracy!" That was because the Commonwealth could quickly mobilize large resources on the Anglo-American side in the event of war with the Soviet Union.⁶ In short, James' hope for a new centre at McGill reflected Canadian government Cold War strategies. The institute was intended as an anti-communist measure to bridge a perceived growing cultural divide between Europe and North America on the one hand, and their former colonies on the other. The eventual scope of the new institute, however, was defined by those who were paying for it. Rockefeller Foundation officers thought the Commonwealth Studies Institute was beyond McGill's resources, proposing instead an IIS. In defining the scope of the new IIS, Smith spoke of studying a culture stretching from North Africa to Indonesia, rather than a limited area. Rockefeller Foundation officers called the project "sound" but thought it could not be done without increasing the annual budget past Smith's estimate of \$33,000. They were also concerned that the IIS might overemphasize Pakistan at the expense of the "heart of the Arab world," and at "the tendency that Smith has to think of this Institute as 'educating' the Mohammedans. ... Certainly we might hope that we would have some impact [on] the Islamic world but it should be entirely by indirection." As long as James stayed closely involved, however, the foundation promised to green-light the institute.⁷ Within just a few months of the initial conversations, the foundation gave McGill a bequest of \$214,800 for the first five years of IIS operation, allowing an annual drawing of up to \$46,000.⁸

The Institute operated in Cottingham House, an "altogether delightful" four-storey stone mansion built into the side of the mountain on Montreal's Redpath Crescent, where pheasants roamed the grounds at will. Few places would look less inviting to a student from the Middle East or Indonesia, who had to brave the winter winds of Montreal for a long hike up from the bus stop or the main McGill campus, a quarter of a mile away. Although this meant isolation from the rest of the university until the IIS was moved to the main campus in the mid-1960s, it also fostered a sense of community that was reinforced by the afternoon tea that Smith made a requirement for all

people in the IIS building — prepared, in an attempt to realize the IIS vision of bringing Westerners and Muslims together, by one Western and one Muslim student every day.⁹ IIS course offerings, all at the graduate level, stressed Islam in the modern world and the study of Islam as a living faith and as a “culture area.” Visiting professors from the Arab countries and McGill professors from other departments supplemented a core group of two Western and two Muslim professors.

The IIS may have been unorthodox, “neither fish nor fowl, guided neither by an area nor a social science discipline; all it had was Smith’s teleology.” But its students almost always spoke well of their experience. A Canadian diplomat who spent two years there studying for his MA praised “the Montreal viewpoint,” for its pure scholarship, its study of the ideal, and its stress on inter-cultural communication.¹⁰ By 1955, the Rockefeller Foundation had agreed to the long-term endowment sought by McGill, granting \$500,000 (US\$510,000) outright to the university to fund IIS operations past the initial five-year period. With this long-term endowment, the future of the institute seemed secure. It was able to win support from other sources too, allowing constant growth until a financial squeeze set in after 1970. The Ford Foundation began by funding scholarships, but soon kicked in major donations of its own: \$250,000 in 1957, later upped to \$500,000 over seven years, with a further \$235,000 to cover scholarships for Muslim students to come to McGill. The IIS also enjoyed a growing reputation in Islamic countries. The initial experiment had been a rousing success; it stood on firm ground a decade after its creation. When James stepped down as principal in 1962, Smith soon followed, taking a post in Comparative Religion at Harvard, while Charles Adams moved up to the post of director.

The IIS hoped to “cross the bridge” between the West and the Islamic world (Smith 1953). His words echoed the rhetoric of policymakers in Ottawa when speaking about foreign aid. Canadian government planners had started giving aid to Asia to stabilize the global economy and keep the region non-communist, but soon spoke of foreign aid as a humanitarian “bridge” linking the West and Asia. In the realm of non-state diplomacy, the IIS was trying to fill a similar desire for bonds between the West and its former dependencies in Asia and Africa. Inevitably in the 1950s, that meant it had a cold war aspect.

The Institute, Area Studies, and the Cold War

The IIS was born within the emerging area studies complex in North American universities, a non-governmental network that existed apart from

government actions yet also complemented them. Area studies blossomed after 1945 with backing from the US government and large private foundations, reinventing the old methods of studying the Orient (Cumings 1997; Lewis and Wigen 1997, 166; Berman 1983, 102; Lewontin 1997). According to Edward Said (1978, 175–76, 325), “Oriental Studies were to be thought of not so much as scholarly activities but as instruments of national policy towards the newly independent, and possibly intractable, nations of the post-colonial world,” meant in part to build “modernizing elites” in Arab countries. The Rockefeller and Ford Foundations financed the formation of a host of programs for intensive study of various parts of the world. The drive in the United States for area studies was couched in strategic arguments (Wallerstein 1997). The new programs received substantial government support, but the non-governmental big foundations also played a vital role. The Cold War aspects of foundation-backed area studies would also drive critiques beginning in the 1960s, starting with China studies and spreading.

As president of the Rockefeller Foundation in 1952, Dean Rusk told Congress “it was of the greatest importance for us to encourage concentrated attention on what was then called the weird languages, such languages as Indonesian, Burmese, some of the Indian dialects, some of the languages of Indochina ... So we [the Foundation] have attached considerable importance to these area studies” (Trumpbour 1989, 96). Founded in 1909 with a mission to promote action “in the acquisition and dissemination of knowledge, in the prevention and relief of suffering, and in the promotion of any and all of the elements of human progress,” the Rockefeller Foundation became increasingly interested in technical assistance under Rusk’s tenure from 1952 to 1960 (Nielsen 1972, 50; Rockefeller Foundation 1954, 22–27). Rusk led a particular turn to the Third World in programming, on the grounds that

[i]deas and aspiration which were generated in the course of democratic, national and economic revolutions in the West are now producing explosive demands for far-reaching changes in other parts of the world. ... The under-developed countries of today are borrowing ideas and aspirations and have examples of more “advanced” countries before their eyes; but they lack capital, trained leadership, an educated people, political stability, and an understanding of how change is to be digested and used by their own cultures. (Shaplen 1964, 15)

The Foundation wished to provide skills to the less developed countries, so that they might develop along Western lines. Altruism combined with strong Cold War motivations.

Cyril James was acutely conscious of this, extensively employing anti-communist arguments in his search for foundation funding. Resurgent political Islam appeared to many Western policymakers as greatly preferable to the communist adversary or even to “radical” Third World nationalism and neutralism. It was a potential Cold War ally. James argued that there were “three great religions in the world today, Christianity, Islam, and Communism — and Islam stands halfway between Christianity and Communism. . . . In a strategic sense, in the struggle between Russia and the West for the minds of men, the Islamic lands are critical areas.”¹¹ Editorials on the IIS in both Canada and the Islamic world praised it as part of an Islamic-Western alliance against communism. The world situation, *Saturday Night* (1952) editorialized, had given the West “a strong reason to seek a better knowledge of and sympathy with the group of nations whose concept of the universe is at least monotheistic and spiritual and entirely opposed to the gross materialism with which we are confronted in the Communist bloc.” Similarly, one Pakistani newspaper wrote:

Never was there greater need for world religions to pool their resources than today, when civilisation is threatened by one of the darkest forces known to history, a force out to reduce man to a producing machine and consuming animal, with no higher destiny than a few creature comforts. . . . Between them, the worlds of Islam and Christianity can accomplish a great deal to turn the tide of atheistic materialism and build a new and happier world on the Fatherhood of God and brotherhood of man — concepts which form the corner-stones both of Islam and Christianity.

The IIS, according to this editorial, was an integral part of this alliance against communism (*Civil and Military Gazette* 1952).

Area studies across North America were soon sucked into the McCarthyist maw. Investigations by the House of Representatives’ Un-American Activities Committee shattered scholarly enquiry in general, and especially China scholarship. Being located in Canada did not free the IIS from these pressures. Indeed, anti-communist professor Karl Wittfogel singled out Smith as a possible fellow traveller.¹² Smith delivered the required anti-communist loyalty oath in both countries, informing both McGill and the Rockefeller Foundation that “I am not now, I have never been, and it was always true on principle and by conviction I never could be, a member of the Communist Party, either in India or anywhere else.” Communism was “evil, terribly evil” with “ultimately evil purposes,” in search “not of truth nor goodness nor even the classless society, but of power for the Kremlin.”¹³ Smith credited part of his disillusion from communism to the influence of his brother Arnold, who witnessed the

realities of the Soviet Union as a diplomat at Canada's Embassy in Moscow. The family connection was symbolic of a growing connection between the IIS and the Canadian government.¹⁴

The IIS also wanted to engage with the Colombo Plan, the major channel for Canadian aid to Asia. "We have assumed far too glibly that in our relations with Afro-Asia all we have to do is give and teach," Smith wrote in one of his best-known books. "The Canadian Government in the Colombo Plan spends fifty million dollars a year in economic assistance and technical training. When it is suggested that along with this we should spend at least half of one per cent of such amounts on cultural interchange, so far this idea has not only not been accepted, it has not been understood — it is thought of as a frill if not a distraction, rather than as a serious and even necessary move in international affairs" (Smith 1962, 105). Soon after the IIS was founded, Smith began a campaign for Colombo Plan support for the humanities, which could make the Plan a bridge of two-way cultural communication. But Ottawa felt that this sort of exchange lay outside the Plan mandate, and suggested it be a non-governmental endeavour. Smith also lobbied Asian governments, even asking Sukarno to intervene, but without success.¹⁵ "We in the West have only a limited number of friends in Asia," he wrote in a memo to James. "It is distressing to watch us alienating such as we have. Surely our Governments must do *something* to stop this."¹⁶

The IIS, then, was like many university centres entangled in the Cold War, but in a very Canadian way. Canada wanted to help its allies fight communism, but in Asia at least Canadians spoke of preferring economic weapons. As Jean Lesage, parliamentary assistant for external affairs, said, "The technical assistance mission and experts constitute the 'other forces of the United Nations.' While the soldiers of the United Nations are fighting in Korea to repel aggression, it is the privilege of these other 'forces' to contribute directly to the well-being of the countries in which their operations are conducted and in so doing to help ease the present international tension" (1952, 762). The Canadian diplomatic self-image came to include a belief that Asians saw Canada as a disinterested country with no axes to grind, less threatening than its larger allies. "Canada has none of the political flavour which now attaches to the United States," Smith noted. He denounced the "current alienation of the free Orient from the free West" as "appalling," saying "Canadians do not generally recognize how significant a role they can and do play in intercultural affairs. We have a unique opportunity that other countries may well envy, to approach people throughout the world truly as equals."¹⁷ Canada had a competitive advantage in housing an organization like the IIS: it would not attract the same suspicions from Muslims in South Asia and elsewhere that

would certainly be drawn by a similar project based in Britain or the United States. The Rockefeller Foundation agreed, seeing Canada as less liable to suspicion than either Britain or the United States but close enough to American centres to allow productive collaboration with the emerging area-studies complex.¹⁸ So too did many Canadian diplomats. One disapprovingly noted in a report on an annual gathering of American Middle East scholars that a “strong sense of idealism and the spirit of missionary endeavour . . . still characterize the thinking of many Americans about the Middle East.”¹⁹ The implication was that Canada was more understanding of the non-European world, and non-Europeans thus more open to Canadian initiatives. Canada was a loyal ally, fighting the same Cold War, but it had its own unique character. The IIS became one more piece of evidence bolstering this self-image, another prop to the idea that Canadian foreign policy was one thing that differentiated Canada from the United States (Stairs 1998).

The Dream of Modernizing Islam

Although backed by area-studies money from the large foundations, the IIS insisted on seeing the Islamic world in its entirety as a cultural area, and Smith argued a humanistic brief against the social science bent of much of the “area studies” complex (Smith 1956). He dreamed of a centre outside that area able to help those from inside it successfully face the challenge of modernity. His thought evolved between his days studying under H.A.R. Gibb and his later prominence as the father of “world theology,” but certain ideas remained constant and were especially prominent in his McGill years. According to one remembrance, he was “a critic of ‘orientalism’ long before Said” (Putnam et al. 2001); nevertheless he proved unable to transcend it entirely. His humanistic ideas led him to a very Orientalist vision of reshaping the future of Islam in Montreal.

Even before being hired by McGill, Smith made it clear that he would be approaching comparative religion in a different way. A divinity student, he wrote, must be someone who champions not only Christianity above other religions, but also religions in general. His work was devoted to understanding Islam’s attempt to come to terms with modernity, the same question that had recently confronted Christianity.²⁰ And his loyalty was not to the doctrines of Christianity or any one church, but to God, the same priority he would urge upon Muslims (Smith 1957). Smith took the same approach in his McGill inaugural lecture, assailing those who studied other religions based on externals alone. “Such scholars,” he said acidly, “might uncharitably be compared to flies crawling on the outside of a goldfish bowl, making accurate and complete observations on the fish inside,

measuring their scales meticulously, and indeed contributing much to our knowledge of the subject; but never asking themselves and never finding out, how it feels to be a goldfish” (McGill 1950, 42).

Smith called throughout his career for “intercommunication,” for an interfaith dialogue aimed at mutual understanding, during a period when different cultures were coming into increasing contact with one another and with modernity. According to him, religions were being revealed to possess not unchanging essences but rather cumulative traditions subject to constant reinvention. After leaving McGill to devote himself fully to the study of comparative religions, he became one of the most influential Christian thinkers and interpreters of religion. Some even credit Smith for eventually altering the United Church of Canada’s conception of mission into one that accepted each religion as a valid road to God (Smith 1953; McGill 1950; Cracknell 2001; Jones 1992; Tadson 1984, 9–10). Smith’s most influential book in his McGill years was *Islam in Modern History*, the product, in part, of his doctoral work at Princeton. The book is oddly poised between his Orientalist schooling and his later world theology, mixing classic Orientalist sentences like “[t]he Arabs are a proud and sensitive people” with the assertion that Islam was not static but dynamic (Smith 1957, 50–51, 93). Smith later rejected some of his own classification of Islam as a sealed religious category, choosing instead to study religions in general as part of the way humans relate to each other (Smith 1981, 27; Cracknell 2001, 236–37). At McGill, however, he dreamed of helping Islam come to terms with the modern world. Power relations being what they were, that meant on modern (Western) terms. The West remained monolithically “modern,” and modernity remained its gift to an Islamic world that was no longer viewed as unchanging and unchangeable, but remained in need of salvation from backwardness. Edward Said (1978) has argued that traditional Orientalism tried to gather information about classical Islam in order to understand and control Islam. In studying a monolithic Islamic world, it created the object it sought to explain. Said analyzes the postwar American area-studies complex as the latest phase of Orientalism, a change in method but not in essence. Smith shared some of this critique, assailing both old-style Orientalism and the new methodology-driven social science approach to area studies before it was fashionable to do so. In one of his early articles, he insisted that

a university cannot glibly subordinate its study of the Orient to the pragmatic desire of its society to cope with the Orient operationally. ... We shall have failed in our task as orientalists if our society continues to imagine that the problem is how we in the West can deal with the Orient. The practical problem rather is how

man throughout the world can deal with the fact that he is separated from his neighbor by a cultural frontier. (Smith 1956)

Smith wanted to bridge the gulf between the Muslims, caught in prisons of their own traditions, and those Orientalists who studied them without sympathy.²¹ Smith was an internal dissident within Orientalism, a sympathetic scholar, but he continued in his McGill years to view modernity as something to be passed from the West to the Muslim world through such transmission belts as the IIS, then implemented by Muslims who had accepted the message. “The Muslims must modernize their life; but they cannot do so without thinking through their own religion,” Smith argued in one early formulation of the IIS mission.

Amongst their (and indeed all orientals’) immense and manifold problems, none is more fundamental than their need of re-expressing their faith in twentieth-century terms. . . . Accordingly, members of the Muslim intelligentsia would, I have concrete reason to believe, be willing to come to a centre such as McGill to consider, in the dispassionate atmosphere of honest and informed religious inquiry, and away from the pressures and localisms of their own milieu, the problems of religion and modernity. . . . At its highest — if you will not smile at the exaggerated ambition — I would foresee our programme conceivably acting as a kind of midwife for the Islamic Reformation which is struggling to be born.²²

In his 1948–49 travels through the Middle East and South Asia, Smith was “fascinated by the deep, wide-ranging, and obviously critical transition through which Islam as an on-going force is currently going.” Islam, he became convinced, “is living through in our day a transformation comparable in scope and profundity, though not in form, to the Protestant Reformation in the history of Christianity.” The IIS, Smith hoped, could “make a notable contribution to that Islamic renaissance [*sic*] and reformation.” For this rebirth to succeed, Muslims must come to terms with their religion and with modernity, “so that there is some point in what might otherwise seem paradoxical, a Muslim’s coming to the West to study the twentieth-century crisis of his own culture.”²³ Although his dreams were more those of the economist and the cold warrior, James shared Smith’s vision of the IIS as midwife to an Islamic reformation, comparing its mission to that of the influence of classical Greece on the West during its own passage into modernity.²⁴

Throughout the five-year start-up period, tension lingered between Smith’s vision and that of sceptical Rockefeller Foundation officers. The

Foundation was interested in the accumulation of information, “creating a better understanding of Islam as it is today” (Rockefeller Foundation 1951, 396). While accepting this, Smith stressed the goal of shaping Islam into the modern faith it could be. Foundation officers dismissed this thrust as missionary-inspired and unrealistic: Why would Muslim students come to the West to study their own faith? Smith’s approach ultimately won over the Rockefellers, who expressed their conversion in the decision to award a long-term endowment. The Foundation praised Smith for offering something no other Orientalist could: a cooperative endeavour between Muslim and Western scholars. “It now seems clear,” stated the 1955 decision paper approving a new \$500,000 grant, “that this latter commitment is to have consequences, earlier unpredictable, in Islam itself through the return to Islam of scholars and students who have participated in the Institute.”²⁵ This was a handy bit of self-justification, for although the Foundation’s people had not foreseen it, Smith had. He repeated his arguments to the Ford Foundation when he applied for funds to bring more Muslim students to McGill in order to help them become “as constructively *engagés* as possible. I do not feel that Hindus and Buddhists need this kind of thing quite so sorely, but Muslims seriously do.” Ford Foundation personnel in the Middle East agreed to recommend the IIS project because they “regard[ed] it as a sound means of assisting Islamic societies to ‘re-think’ traditional values in such a way that cultural continuity [could] be combined with social and economic progress.”²⁶ This IIS vision — an Islamic reformation that affirmed religious traditions by bringing them into conversation with modernity and the West — had its largest effect in Indonesia.

Indonesia and the “McGill Mafia”

In *Islam in Modern History*, Smith had acknowledged a “lacuna” in his work, the omission of Indonesia. When the IIS opened, it had the same gap but moved to address this so effectively that it quickly became the prime overseas training ground for Indonesian scholars of religion. Alongside US-trained army officers and the technocrats who came to be called the “Berkeley mafia,” a “McGill mafia” grew up and came to dominate the Ministry of Religion and the Islamic education system of Indonesia, becoming a crucial component of Indonesia’s modernizing elite (Smith 1957, 293; Federspiel 2002, 114; Steenbrink 1997; Ransom 1975). Wilfred Cantwell Smith’s regional focus was Pakistan, and IIS professor Fazlur Rahman returned home in 1962 to head a new Islamic Research Institute, facing later accusations that he was a pro-Western spy for the IIS.²⁷ There would also be a branch of the IIS opened in Iran. But the Institute proved

most influential in Indonesia, an area of peripheral interest to its initial programming.

Part of the move to include Indonesia came on Rockefeller Foundation urging. Many Americans had been hopeful that Indonesia might develop on the model of secularist Turkey, which had moved to “modernize” along Western lines, defining Islam as an essentially backward tradition (Sayyid 1997, 158). The hope was that other countries would choose this “Kemalist” path of development led by modernizing elites — not because secularizing was the best path, but because there were certain early stages of economic development in which developing states were vulnerable to communist subversion (Nasr 2001; Rostow 1960). The best hope for this in Indonesia lay with the Masyumi party, an alliance of Muslim organizations that played a leading role in the politics of the Republic after 1945. Masyumi was the voice of moderate political Islam, seeking a more thoroughly Islamized state in opposition to secularizing nationalists, but also acting as a “modernist” voice within Indonesian Islam in opposition to traditionalists. When Masyumi failed to win Indonesia’s first national elections in 1955, its leaders became increasingly disillusioned with the direction of Indonesian politics. In 1957, many of them became the civilian face of a rebellion against the Sukarno government. After defeating the rebellion, Sukarno banned Masyumi. Just as Western government hopes for a pro-Western Indonesia rested on Masyumi, the first IIS forays into Indonesia tended to focus on its brand of reform Islam.²⁸ The reformist (or modernist) movement within Islam flourished beginning in the late 19th century with its centre in Egypt, and won the allegiance of many Muslims in Indonesia. “The apparent modernism of their [reformers’] activities,” according to Laffan (2003, 8), “lies in the fact that they sought to enact reform with an emphasis on the rational and personal, rediscovery of a pristine Islamic past, and the employment of all forms of modernity compatible with this ‘pure’ Islam.” Given common concerns with the issue of facing modernity, it is not surprising that all the Indonesians who clustered at the IIS in the 1950s and 1960s came from this reformist stream.

The IIS received the Indonesian government seal of approval with visits by Usman Sastroamijoyo, the Indonesian ambassador and brother of Prime Minister Ali Sastroamijoyo, and then by Sukarno himself. Smith travelled to Indonesia in 1955; he returned in 1957 as an official state guest along with Principal James. In 1958, using Ford Foundation money, Smith hired Mohammad Rasyidi on a five-year appointment to teach Islam in Indonesia. Born in 1915 with the very Javanese moniker Saridi, Rasyidi changed his name as an expression of his commitment to Islam. He studied religion at the University of Cairo, a more reformist alternative to Al-Azhar

University. Rasyidi served as an assistant in the Office of Native Affairs, the primary means by which the Dutch colonial regime studied and controlled Islam, and then headed the Islamic Library in Jakarta under the Japanese occupation. He became the Indonesian Republic's first Minister of Religion in 1946, creating the ministry that in effect succeeded the Office of Native Affairs. As minister, he stressed tolerance and freedom of worship while insisting religion had a place in the state, carving out a middle path between adherents of an Islamic state and those who wanted a purely secular Indonesia. That meshed well with the IIS view of religion's place in society. Rasyidi earned his doctorate in Islamic studies, with Rockefeller Foundation assistance, while studying under Louis Massignon in Paris. Returning to the diplomatic service as ambassador to Pakistan, he grew increasingly disillusioned with the direction of the government. While many devout Muslim diplomats backed the 1957–58 rebellion, Rasyidi instead took refuge in an offer to teach at the IIS, and enrolled his daughter at McGill.²⁹

At the IIS, Rasyidi leaned on the traditional canon of Dutch authorities, including the Dutch Orientalist and colonialist Christiaan Snouck Hurgronje, best-known of a line of scholar-advisers to the Dutch East Indies government paid to serve as tutors to “a backward and suspicious religion” (Steenbrink 1993, 24). Snouck Hurgronje wanted to “emancipate” Muslims from their religion. He earned his reputation by penetrating the shrine of Mecca disguised as a pilgrim, then applied his knowledge to a study of the strongly Muslim people of Aceh, harnessing anthropological and religious study to the conquest of one outlying part of the Indies. His strategy helped the Dutch complete their colonial war in Aceh and he was rewarded with the leadership of the Office of Native Affairs from 1889 to 1906. From this position, he tried to reshape Islam by divorcing it from politics and making it a personal faith like his own Protestant Christianity (Benda 1958; Steenbrink 1993; Snouck Hurgronje 1916, 1906, 1931). One 1957 tribute pointed out that Snouck Hurgronje was much concerned with the question: “How should one govern Muslims in order to smooth their way towards modern times and if possible to gain their cooperation in the realization of the ideal of a universal civilization[?]” (Drewes 1957, 4). That was, in short, the mission of the Office of Native Affairs, which continued to exist until the end of the colonial era. Even Rasyidi was enmeshed by its spell. Although in 1946 he had described the Office as “nothing but a very dangerous instrument of imperialism,” Rasyidi continued to lean on its teaching authority, defending Snouck Hurgronje and reserving his sharpest scorn for Muslim backsliders (Rasyidi 1946, 25; Azra 1994, 104).

The first Indonesian fellowship students arrived at the IIS in 1955–56, a period when the Islamic movement in Indonesia, disappointed by Masyumi's failure to win the 1955 elections, was turning to internal strengthening, especially within the religion ministry. Four earned their master's degrees by 1961 and returned to Indonesia to work for the Ministry of Religious Affairs or teach in Islamic universities.³⁰

The most prominent of the first wave of Indonesian students was Abdul Mukti Ali. Born eight years after Rasyidi, he too changed his Javanese given name (from Boedjono) when he embraced devout Islam. Mukti Ali fought for independence in Masyumi's militia during the Indonesian revolution and went on to study in Mecca and Karachi. In 1955 he transferred to McGill to study comparative religion under Smith, winning a scholarship from the Asia Foundation. After earning his MA from McGill, he returned in 1957 to become an assistant to the Minister of Religion, charged with administering the university-level State Islamic Institutes (IAINs). Within his first year back, he had already represented Indonesia at two international conferences on religion. In 1960, he took charge of the new IAIN program in comparative religion and authored its text book, *Ilmu Perbandingan Agama* (The Science of Comparative Religions). Mukti Ali credited Smith's "holistic approach" to the study of religions with shaping his own ideas (Munhanif 1996).

Harun Nasution became almost as prominent as Mukti Ali. Born in North Sumatra in 1919, he went for higher study to the Haram Mosque. Nasution, already leaning toward modernist Islam over the orthodox forms predominant in his home and in Arabia, called Mecca "a medieval city in the modern age" and soon moved to Egypt: first to Al-Azhar and then to the American University. Armed with a BA in social science, he took a job working with Rasyidi in the Indonesian Embassy which set him on the path to a diplomatic career. This ended in 1957 when he joined dissident Indonesian diplomats in backing the Sumatra-based rebels, partly because he felt Sumatra was oppressed and partly because they were "the anti-communist faction." He returned to Egypt to study "rational and modern" Islam, and then followed Rasyidi to McGill, earning his MA in 1965 and his doctorate in 1968 with a controversial dissertation that argued reformist Muslims had misunderstood the Egyptian modernizer Mohammad Abduh. Nasution later recalled the crucial influence of the IIS on his own thinking:

At McGill I obtained a wide viewpoint on Islam. Not Islam as studied at Al-Azhar in Egypt. At McGill I had opportunity. ... There, it was liberal. Free. So, it was easy to inquire. There, I first

saw Islam as having a rational character [*bercorak rasional*]. Not irrational Islam as found in Indonesia, Mecca and Al-Azhar. ... Islam was very rational. It was at McGill that I became aware: the teachings of Islam within and without the Islamic world were very different. (Nasution 1989, 34; my translation)

At McGill, Nasution had come to share Smith's view of all the major monotheistic religions as valid paths to redemption. He returned to a teaching post at IAIN Jakarta in Islamic philosophy, and later became the rector. Since the university was, in Nasution's view, "still very traditional," he proposed a new curriculum for teaching Islam, based on McGill's, which was implemented in modified form (Muzani 1994; Nasution 1989; Steenbrink 1997; Porter 2002, 56; IAIN Jakarta 1996, 2).

The earliest Indonesian IIS students and the first Indonesian professor all played prominent roles in the administration of religion on their return. Rasyidi returned to Indonesia in 1965 to campaign against communism, publishing *Islam menentang Komunisme* (Islam against Communism). That year and the next, an army-led campaign saw large numbers of Muslims take violent reprisals against members of the Indonesian Communist Party and hundreds of thousands of other suspected leftists (Roosa 2006). Estimates of the death toll run as high as one million. Rasyidi turned next to polemics against Christian missionaries, fueled in part by the conversion of significant numbers to Christianity in the wake of the massacres (Azra 1994).

After 1965, General Suharto's "New Order" military regime viewed political Islam as the major remaining threat to its power. New Order ideology emerged in practice, not as a fully-formed system of thought. The ideology of development (*pembangunan*) became the regime's main legitimizing factor, but it was only given formal expression after the new regime had consolidated its power. General Ali Murtopo, a prominent ideologue of the early New Order, defined development as economic progress, and modernization as "changing norms which are no longer functional in the development of society and changing norms which hinder development." In order for Indonesia to pass through the necessary "stages of development," there had to be mental changes too. Village populations should be depoliticized and transformed into a "floating mass" that would concentrate solely on the tasks of development, while the armed forces would act as the prime modernizing agent (Murtopo 1973, 51, 85–87). Islam, too, had to be depoliticized and harnessed to the task of development. Benedict Anderson (1983) interprets the New Order as having many of the characteristics of the colonial state, concerned above all with controlling

society. In its attitude to political Islam, the Suharto regime took on the full range of colonial state characteristics. Like the Office of Native Affairs, the regime in its early years hoped to move Islam into the private sphere. After stage-managed elections in 1971 won by the military's political vehicle Golkar, the government moved against the largest remaining independent party, the Javanese Muslim *Nahdlatul Ulama* (NU) (Revival of the Religious Scholars). The NU had survived Sukarno's purge of the Masyumi and then Suharto's rise to power, all the while retaining the religion ministry as its own fiefdom. To eliminate a potential political competitor, the Suharto regime wanted to change that. So, too, for different reasons, did the first Indonesian scholars to return from McGill.

Mukti Ali and Nasution were leading figures in the *Gerakan Pembaharuan* (Renewal Movement) within Indonesian Islam in the late 1960s and early 1970s. A 1968 seminar among Muslim intellectual leaders in Jakarta showed a divergence between Islamic idealists seeking a Muslim political party, centrists who pressed for Islamic unity outside the electoral arena, and pragmatists led by Mukti Ali, who preferred "a concentration on specific piecemeal development-oriented schemes instead of totalistic theoretical expositions" (Hassan 1982, 75). This third group proved willing to accommodate the new regime. Mukti Ali was no secularizer: he insisted that religion had a crucial place within the development process, making it not only about providing material growth but also about allowing people to realize their dignity as human beings and in making social justice the main goal of development (Mukti Ali 1971). The Renewal Movement took strong exception to the characterization of Islam as a barrier to development and to dismissals of rural Muslims as "the sarong-wearing group," insisting instead that Islam could be a vital part of the development of Indonesia. Its preeminent thinker Nurcholish Madjid (who would later be a visiting professor at McGill) preached that Islam should become more personalistic and rational. This dovetailed with the goals of New Order modernizers exemplified by Ali Murtopo, but it was nevertheless an autonomous development within Indonesian Muslim thinking (Hassan 1982). Its effect, however, led to an alliance with the New Order regime. In order to promote rural development and the depoliticization of rural society, the regime needed the help of the *ulama*, the local religious leaders. Linking the military government and the *ulama* in what he saw as the interests of the Muslim community was one of Mukti Ali's prime concerns. In return for the inclusion of Islam in development, he called upon *ulama* to become *teknokrat samawai* (heavenly technocrats), backing development and stability (Hassan 1982, 169; Mukti Ali 1978). This is similar to how the Dutch colonial regime had tried to harness Islam to the service of the state, but this time many Muslim leaders proved amenable. There was no

nefarious scheme to ally with the military; rather, the interests of the IIS graduates and Ali Murtopo's group complemented each other.

Of the four possible names for the new Minister of Religion, two were McGill graduates: Mukti Ali and Timur Jaelani. President Suharto selected Mukti Ali as the best man to both modernize Indonesian Islam and handle inter-religious dialogue, while Timur Jaelani served as secretary-general of the ministry. The new brooms at the religion ministry modernized the Islamic schools and IAINs, working with the country's new military rulers to depoliticize Islam in exchange for participation in the country's new developmentalist trajectory (Federspiel 1998, 25–27; Munhanif 1996; Porter 2002, 53–56; Steenbrink 1997; Hefner 2000, 93; McDonald 1980, 133–34). Ironically, Rasyidi became a leading critic of McGill-trained Islamic modernizers, whom he accused of serving a regime determined to reduce the power of Islam through such steps as secularizing aspects of marriage law and accepting Javanese mysticism as a valid religion. The New Order was indeed trying to shape Islam into a more quietistic force that would not challenge its authority. Yet the first generation members of the McGill mafia were no mere tools of a centralizing regime. They were also pursuing a consistent course in line with “the Montreal viewpoint,” trying to transform the way Islam was understood in Indonesia. One analysis of Mukti Ali's thinking has argued that “by perceiving that faith is personal; that faith includes any system of religious belief such as Javanese spiritualism; that religion should be carried out with dialogue, and so forth, Mukti Ali actually provides some room for the New Order's government to work with this kind of ‘Smithian thought’ towards a modern religious policy in Indonesia” (Munhanif 1996, 121–22). Smith would hardly have embraced the New Order regime, born in blood and sustained through the continued systematic violation of human rights. But just as his project of cross-cultural communications and mutual understanding was also a quest to “modernize” the shape of Islam, so too did his Indonesian students seek to modernize Islam as practised in their country. To achieve this, they accepted the New Order's developmentalist project.

In his term from 1971–77, Mukti Ali became “the first in a line of ministers of religion to preside over policies for the creation of a cadre of western educated Muslim intellectuals to counter the practice of sending Muslim graduates to universities in the Middle East” (Porter 2002, 55). This second wave cemented the reforms initiated by the earliest McGill graduates and continued the practice of sending students to Western universities to study Islam. It also helped the IIS escape a funding crisis when its Ford Foundation income dried up in the 1970s. Here the interests of the IIS and those of the Canadian government coincided. The Trudeau

government overturned previous aid patterns, making once-neglected Indonesia into a country of concentration. The 1970s Canadian government paid more attention to Indonesia because of a renewed stress on trans-Pacific trade relations, an increased emphasis on development and relations with developing countries, a willingness to take on regional commitments being shed by a retrenching United States, and a policy of bilateral concentration on identified partners, one of which was Indonesia, seen as a good fit to receive what Canada had to offer (External Affairs 1970; Nossal 1994; MacGuigan 2002; Pratt 1994; Trudeau and Head 1995; Granatstein and Bothwell 1990; Scharfe 1996).

The Canadian International Development Agency (CIDA) paid increasing attention to Indonesia. By the 1980s, Indonesia ranked second among all Canadian aid recipients. As part of that growth, CIDA offered scholarships to Indonesians to study at the IIS from 1972–75, the first concrete Canadian support for the IAIN system (incidentally fulfilling Smith's calls in the 1950s for a small part of Canadian aid funds to be committed to the sort of humanities-based cultural interchange represented by the IIS). More scholarships for the same purpose came from the Connecticut-based Hazen Foundation. This saved the IIS from a feared 80% drop in Muslim students resulting from loss of other funds and rising fees for international students.³¹ Such a drop would have shattered the original IIS vision of a centre composed of roughly equal numbers of Muslim and Western students. CIDA stepped up its involvement in 1990 by providing \$6 million over five years for the IIS to strengthen the capacity of the IAIN system directly, and by bringing IAIN teachers for graduate training at McGill; the project was renewed after the success of this first phase with \$12.4 million in CIDA funds for 1995–2000, and renewed for a third phase in 2001.³² The effect on the IIS was substantial; the effect on the IAINs even more so. By the 1980s, three-quarters of IAIN instructors receiving higher training went to Western universities to get it; by the mid-1990s, more than 200 IAIN instructors had studied Islam in Montreal on CIDA scholarships. Of the 24 universities with which IAIN forged links, McGill was the one that remained most intensively involved. The IIS had led the shift away from traditional Middle Eastern centres of learning to Western schools (Effendy 2003, 404; Jabali 2001; IAIN 1996, 2000).

Paradoxically, a project heartily endorsed by the New Order regime produced some of that regime's sharpest critics. The McGill-IAIN project focused on building IAIN's "capacity and role as an agent or vehicle of development and of strengthening of civil society and civil values." The IAIN vision, traceable back to Smith, of a "pluralistic, tolerant form of Islam, secular in its orientation, and committed to respect for human rights

and social equity,” produced demands for human rights and social equity that were increasingly directed at the Suharto regime, whose developmentalist project emerged as opposed to greater human rights, and often spurred greater income disparities. “Over the past two decades,” an IAIN team wrote in assessing the relationship with McGill, “an Islam based on tolerance and inclusiveness has taken root as mainstream Islam in Indonesia” (IAIN 2000). Calls from Muslim intellectuals for an expanded civil society (*masyarakat madani* or *masyarkat sipil*) ran directly counter to the New Order’s stress on depoliticization, and contributed to the fall of Suharto in 1998 (Hefner 2000). This group, for instance, is today prominent among liberal Muslims such as those involved in the 2005 Jakarta assembly of the Congress of Democrats from the Islamic World, whose pluralistic vision is pitted against the more fundamentalist vision of the state-sanctioned Islamic Scholars Council — not to mention the violent proponents of an Islamic state behind the Bali bombings in 2002 and 2005 (Hainsworth, forthcoming).

Conclusion

While the Canadian government paid little attention to Asian states seen as peripheral, organizations like McGill’s IIS carved out an important role in shaping the direction of Indonesian Islam and, ultimately, Indonesian politics. A university-based program had repercussions far beyond its borders, becoming a significant actor in international relations in its own right. It was influenced by the strategic goals of the major US-based foundations and governments that saw the Muslim world, if shaped properly, as a potential anti-communist partner. The IIS aimed to promote cross-cultural communications and internal reform within Islamic societies. Almost accidentally, that vision influenced Indonesia more than any other Muslim country. Once the IIS influence on Indonesia became visible, the Canadian government embraced its approach, making McGill’s support for the IAIN system into the most significant Canadian aid project directed at Indonesia. The IIS, a non-governmental actor, had pointed the way to an important element of Canadian government strategy toward Indonesia.

The aims and objectives of the IIS complemented Canadian government strategies. Canada wanted to see aid used as a lever to modernize Asian societies and hold them to the Western side in the Cold War. Similarly, the IIS saw itself as a Canadian institution with a role to play in fostering understanding and a community of interest between the West and the Islamic world, while helping Islam to modernize itself. Informal ties between Ottawa and the IIS, along with similar places within the Western

alliance system and the North American area studies complex respectively, helped ensure similar approaches to an important Asian country, well before CIDA began to fund McGill's Indonesia programming. The IIS set its own directions, and had its own foreign policy in miniature, but they were not wholly autonomous from the directions set by the Canadian state within the Western alliance and the international system. Nor were its Indonesian graduates operating wholly autonomously of the Indonesian state. The early years of the IIS suggest that non-governmental organizations, including universities, play an important role in international relations. They can often influence government policies, but they are in turn influenced: civil society does not operate autonomously from government strategies and international relations (Swift 1999). The IIS' intent was couched as pure humanistic endeavour, but its effect was inevitably political. Acting as midwife to an Islamic reformation was a colonialist vision in some ways, certainly an Orientalist one in the new style; this made it easier for the "McGill mafia" in Indonesia to fall into an alliance with the early New Order.

The creation of the IIS was driven by humanistic inquiry, but it was also a small element of the much larger Cold War. With the Soviet communist enemy making a bid for the loyalty of radical Third World nationalisms, Western governments could see political Islam as a possible ally, whether it came in the form of the 1950s Masyumi party in Indonesia or Afghan mujahideen fighting the Soviet occupation of their country in the 1980s. Intercultural communication on the IIS model might help attract Muslim support for the Western side, while the notion of promoting an Islamic reformation was at least compatible with modernization theory (Latham 2000). Today, the idea of an enemy has shifted from communism to political Islam as exemplified by Al Qaeda and, in Indonesia, by the Jemaah Islamiyah network blamed for bombings in Bali and Jakarta. In Indonesia, the IAINs eventually became centres of freer thought and critical inquiry, encouraging the growth of a strong civil society that toppled the Suharto regime in 1998. In trying to promote a more non-political Islam through higher education, as a means to repress political Islam, the regime sowed some of the seeds for a new form of Muslim opposition. The fact that the McGill-IAIN relationship was sustained over an extended period made it increasingly hard for the Suharto regime to use it as a tool for control. In post-Suharto Indonesia and the post-9/11 world, the brand of pluralistic Islam promoted through the IIS seems more important than ever. It is also important to have an awareness that university-based international relations are not conducted autonomously from state strategies. Canada, in part through the IIS, has a long-standing academic connection with the Muslim world that the United States lacks, one that can be seen as a tool in

the new “war on terror” (Federspiel 2002), but also one that must therefore be wielded all the more carefully in the hopes that it does not become a weapon.

Opening the Tehran branch of the IIS in 1973, McGill vice-principal Stanley Frost planned to speak of the “great importance of the underlying purpose of the Islamic Institute: that is, that men of different traditions are learning to know one another and so come to understand and appreciate one another.”³³ The words and the spirit remain relevant now that political Islam is seen as the West’s greatest enemy. It provides a vital contrast to binary “clash of civilizations,” “with us or against us” thinking. There is still talk of trying to “modernize” Islam, talk that refuses to see the long tradition of reform within Islam and tends to dismiss the efforts being made by Muslims, in favour of attempting to impose change from the West. The project of mutual understanding needs to be divorced as much as possible from this mission to deliver modernity, defined as remaking Muslim societies in the Western image, and from entanglements with state strategies that too often are aimed at controlling an adversary.

Notes

1. All Indonesian names have been rendered according to the current spelling system: thus Sukarno, Rasyidi, and Sastroamijoyo instead of Soekarno, Rasjidi, Sastromidjojo. An earlier version of this paper was presented at the 2005 Canadian Historical Association. I am grateful for comments there and in response to earlier drafts of this article from Steven Lee, Alexander Woodside, and the anonymous readers. I am also grateful for the generous help of archivists at the McGill University Archives, Rockefeller Archive Centre, United Church Archives and Library and Archives Canada.
2. McGill University annual report, 1955–56, 26; “Let Us All Be Loyal to True Knowledge,” Sukarno’s speech at McGill, n.d. Library and Archives Canada (LAC), RG 25, vol. 7751, file 12371-40 [1.2].
3. The phrase is taken from Rockefeller Foundation (RF) decision RF55169, 6–7 Dec. 1955, Rockefeller Archive Center (RAC), RF records, RG1.2, series 427R, box 10, file 93.
4. Kenneth Cracknell, “Introductory Essay,” in *Wilfred Cantwell Smith: A Reader* (Oxford: Oneworld, 2001); Willard G. Oxtoby, “Editors’ Introduction” to Wilfred Cantwell Smith, *Religious Diversity* (New York: Harper & Row, 1976); Richard J. Jones, “Wilfred Cantwell Smith and Kenneth Cragg on Islam as a Way of Salvation,” *International Bulletin of Missionary Research* 16(3) (July 1992): 105–10; “Wilfred Cantwell Smith: In Memoriam,” *Harvard Gazette*, 13 Nov. 2001; typescript of Smith’s recollections in “The Institute of Islamic Studies,” excerpt from RF Trustees’ confidential report, 1 April 1954, RAC, RG1.2, 427R, box 10, file 93; Wilfred Cantwell Smith, “Work among the Moslems,” *Presbyterian Record*, April 1942; minutes of the first annual meeting of Canadian Overseas Missions Council, 9–10 April 1946, United Church Archives (UCA), Board of Overseas Missions, Fonds 502, box 19, file 440.

5. Muriel Smith in Lahore to Rev. H.C. Priest in Toronto, 10 Jan. 1944, UCA, Fonds 502, box 17, file 366; Wilfred Cantwell Smith, *Modern Islam in India: A Social Analysis* (London: Victor Gollancz, 1946); Wilfred Cantwell Smith, *The Faith of Other Men* (New York: New American Library, 1962); "Wilfred Cantwell Smith: In Memoriam," *Harvard Gazette*, 13 Nov. 2001; Salwa Ferahian, "Wilfred Cantwell Smith Remembered," <http://www.lib.umich.edu/area/Near.East/sferah.htm>.
6. James to Willits, 3 April 1951, McGill University Archives (MUA), RG2, box 208, file 5586.
7. "Interim Note on Scope and Objective," proposal by Smith to Ford Foundation, 7 Dec. 1954, MUA, RG2, box 169, file 5869; James, "Memorandum regarding conversations with the Rockefeller Foundation" [1951], MUA, RG2, box 208, file 5586; RF interviews with James, 14 May 1951, RAC, RG1.2, 427R, box 10, file 93.
8. Flora Rhind, Secretary of RF, to James, 28 June 1951, MUA, RG2, box 208, file 5586; James to Marshall, 29 May 1951; RF51108, 22 June 1951, RAC, RG1.2, 427R, box 10, file 93.
9. *Collected Papers of Howard M. Federspiel*, Set 1: *Graduate School Papers and Theses at McGill University* (Newark, OH, 1994), 4–10; Smith to James, 8 Oct. 1962, MUA, RG2, box 274, file 8263; note on RF visit to McGill, 8 Oct. 1958, RAC, RG1.2, 427R, box 11, file 100.
10. Excerpt from RF interview with Paul Romeril, 25 Jan. 1959; Romeril's report to Ford Foundation, 30 May 1959, RAC, RG1.2, 427R, box 11, file 101.
11. RF report on visit to McGill, 1 April 1954, RAC, RG1.2, 427R, box 10, file 93.
12. Excerpt from RF phone interview with Karl Wittfogel, 1 April 1952, RAC, RG1.2, 427R, box 10, file 94.
13. Smith in Damascus to R.B.Y. Scott, Dean of McGill Faculty of Divinity, 10 Nov. 1948, MUA, RG2, box 208, file 5586; Smith to Marshall, 29 May 1951, RAC, RG1.2, 427R, box 10, file 93.
14. On the role of Arnold Smith as the first Canadian advocate of a hard line toward the Soviet Union, see Denis Smith, *Diplomacy of Fear: Canada and the Cold War 1941–1948* (Toronto: University of Toronto Press, 1988), 75–82; Reg Whitaker and Gary Marcuse, *Cold War Canada: The Making of a National Insecurity State, 1945–1957* (Toronto: University of Toronto Press, 1994), 115–20. Canadian missions in six Muslim countries spread information about the IIS and asked British embassies to do so in countries in which Canada was not represented. E.H. Norman, Information Division, Dept. of External Affairs (DEA), to Smith, 29 Sept. 1952. LAC, RG25, vol. 8267, file 9455-P-5-40.
15. Smith to R.G. Nik Cavell, Colombo Plan Administrator, Dept. of Trade & Commerce, 26 June 1953, LAC, RG25, vol. 6576, file 11038-40 [12]; Secretary of State for External Affairs (SSEA) Lester B. Pearson to Smith, 29 April 1955, MUA, RG2, box 180, file 6251; "Colombo Plan Aid to Indonesia," memorandum by Canadian delegation to Tokyo meeting of the Colombo Plan Consultative Committee, 10 Nov. 1960, LAC, RG25, vol. 7357, file 11038-4-40 [3.2]; Smith to Sukarno, 9 Oct. 1957, MUA, RG 84, box 64, file Indonesia, Government of.
16. Smith to James, 29 May 1954, MUA, RG2, box 180, file 6251.
17. RF interviews with Smith, 6 April 1951, RAC, RG1.2, 427R, box 10, file 93; McGill University news release, 27 Dec. 1955, MUA, RG2, box 180, file 6251.
18. Parkin to James, 6 April 1951, MUA, RG2, box 208, file 5586; RF51108, 22 June 1951, RAC, RG1.2, 427R, box 10, file 93.

19. "Report on the 12th annual Conference on Middle Eastern Affairs, Washington," 31 Jan. to 1 Feb. 1958, LAC, RG25, vol. 3897, file 9802-40.
20. Smith to James, from Beirut, 12 Oct. 1948, MUA, RG2, box 208, file 5586.
21. In William R. Roff's formulation, this is the gulf between "Muslims-observed (the discourse of authenticity)" and "Muslim-observers (the discourse of orientalism)." William R. Roff, "Islam in Indonesia as a Knowledge Industry," *Kultur: The Indonesian Journal of Muslim Cultures* 1(2) (2001): 1-7.
22. Smith's proposal to James, 7 May 1951, MUA, RG2, box 208, file 5586.
23. Smith, "Interim Note on Scope and Objective," 7 Dec. 1954, MUA, RG2, box 169, file 5869.
24. RF interviews with James, 13 May 1951, RAC, RG1.2, 427R, box 10, file 93.
25. RF55169, 6-7 Dec. 1955, RAC, RG1.2, 427R, box 10, file 93.
26. Ford Foundation internal "request for grant action" [1961?], MUA, RG2, box 274, file 8263.
27. Esposito 1987: 116; IIS associate director Donald P. Little to Principal H. Rooke Robertson, 20 Feb. 1969, MUA, RG2, box 356, file 13189.
28. RF interview with Smith, 6 April 1951, RAC, RG1.2, 427R, box 10, file 93; Smith to Fahs, 21 March 1953, RAC, RG1.2, 427R, box 10, file 95. On the rebellion, see Audrey R. Kahin and George McTurnan Kahin, *Subversion as Foreign Policy: The Secret Eisenhower and Dulles Debacle in Indonesia* (Seattle: University of Washington Press, 1995).
29. Azyumardi Azra, "Guarding the Faith of the Ummah: The Religio-Intellectual Journey of Mohammad Rasjidi," *Studia Islamika* 1(2) (1994): 87-119; Smith to James, 31 May 1958, MUA, RG2, box 241, file 7257; Steenbrink 1997; introduction to H.M. Rasjidi, *Documents pour servir à l'histoire de l'Islam à Java* (Paris: École Française d'Extrême-Orient, 1977); Boland 1982, 157; Deliar Noer, *Administration of Islam in Indonesia* (Ithaca: Cornell Modern Indonesia Project, 1978), 17; Fahs diary excerpts, May 1953, RAC, RG 1.2, series 652R, box 6, file 69; Indonesia, Rasjidi, Mohamad 1953-56; Fahs diary excerpt, 15 Jan. 1959, RAC, RG1.2, 427R, box 11, file 101; Indonesia Ministry of Religious Affairs, *Tasks and Functions* (Jakarta: Ministry of Religious Affairs, 1996), 3; interview with Rasyidi, 7 Feb. 1947, from *Letters and Documents from the Archives of Virginia Thompson*, Cornell University Library microfilm reel 8248.
30. Smith to Minister of Education Prijono, 15 Feb. 1956, MUA, RG 84, box 64, file Indonesia, Government of; List of foreign students at McGill, 1956, MUA, RG2, box 169, file 5869; Smith to J.A. Quinn of Ford Foundation, 7 July 1961, MUA, RG2, box 274, file 8263; Boland 1982, 107-8.
31. IIS annual report, August 1975, MUA, RG2, box 504, file 9252; Principal R.E. Bell's notes on meeting with IIS director Charles Adams, 6 Dec. 1971, MUA, RG2, box 457, file 8670; McGill news release, 22 June 1972, MUA, RG3, box 207, file 4039.
32. Hickling Corp., "Mid Term Evaluation, IAIN Institutional Development Project," Feb. 1992, and IIS response, Adams to Vice-Principal Roger K. Prichard, 7 July 1972; Phase II renewal agreement [1995], MUA, RG3, box 1001, file 17381.
33. Frost to M. Muhaqqiq, Tehran MIIS, 24 Sept. 1973, MUA, RG3, box 207, file 4039.

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Yuki Takatori

***Justice Tempered by Realpolitik:
Canada's Role in the Tokyo Trial***

Abstract

This paper is a discussion of the Canadian involvement in the Tokyo Trial. Following the leads provided in the trail-blazing works by Brode (1997) and Stanton (1999, 2000), it contrasts the reluctance of the Canadian government to take part in judicial measures against war criminals with the leading roles played by Canadian Justice E. Stuart McDougall, prosecutor Henry G. Nolan, and diplomat E.H. Norman, all of whom worked closely with others from the Commonwealth governments. The paper also explores the pressure Canada was under to choose between the desirability of continuing to punish and the necessity to show leniency toward imprisoned Japanese war criminals.

Résumé

Cet article porte sur la participation du Canada au Tribunal militaire international pour l'Extrême-Orient. Dans le sillage des importants travaux de Brode (1997) et de Stanton (1999, 2000), il souligne le contraste entre le peu d'empressement manifesté par le gouvernement canadien à participer aux mesures judiciaires prises contre les criminels de guerre, et le rôle de premier plan joué au cours du procès par le juge canadien E. Stuart McDougall, le procureur Henry G. Nolan, et le diplomate E. H. Norman, qui ont tous travaillé avec d'autres représentants du Commonwealth. L'article examine aussi les pressions exercées sur le Canada pour amener celui-ci à choisir entre la nécessité de continuer à punir et celle de se montrer indulgent envers les criminels de guerre japonais emprisonnés.

Legal Foundation for War Crimes Trial

In August 1945, three months after the demise of the Third Reich and shortly before the capitulation of the Japanese Empire, the representatives of the Big Four (France, the Soviet Union, the United Kingdom, and the United States) gathered in London to lay the legal foundations for meting out justice to Axis war criminals. Throughout the conference, Robert Jackson, the United States representative, was a dominant figure, single-handedly steering the proceedings toward his ambitious goals of convening an international court and having aggressive war declared a crime, a "Crime against Peace," for the first time in history. Though the United Kingdom was party to this agreement, to which was attached the

Charter of the International Military Tribunal, scepticism about the establishment of a court remained strong within the British government, especially in the Foreign Office. Although the general reaction of the Canadian government to the “Jackson Plan” is not known, E.R. Hopkins of the Department of External Affairs basically supported it, since he believed that it was “most in line with existing customary international law.”¹ Still, the overall attitude of the government regarding this Allied postwar task had, for some time, been indifference. For instance, prior to the London Conference, the United Nations War Crimes Commission (UNWCC) was established in October 1943 to collect and analyze evidence of war crimes, but Canada did not choose to become a member nation until two years later. Even then, Ottawa looked with misgivings on the work of this organization, thinking that nothing useful would come of it.

How are we to explain such a lack of enthusiasm? In part, Canada’s reluctance emanated from a lingering “timid Dominion” mentality (Brode 1997, 30–53), coupled with a consciousness of the distance separating it from the European theatre. And, in part, it was a reflection of the world view of William Lyon McKenzie King, the wartime prime minister, who looked upon the value of Canada’s international commitments with dubiousness, fearing that embroilment in disputes beyond its national boundaries might reduce Canada’s autonomy. Even when the execution of Canadian POWs in Normandy came to light, Ottawa was little swayed by the news, still believing that a collective Allied attempt to administer justice would result in failure (*ibid.*, 33). Not having been asked to participate in the negotiations in London, the Canadian government used the non-invitation as a pretext for refusing to adhere to the Four Power Agreement, despite repeated urgings from the High Commissioner that Canada abide by this agreement, as nineteen other countries had chosen to do.² In the end, Canada’s involvement in the investigation of European war criminals was not on its own initiative; rather, it was spurred into action by pressure from the press and the public.

With regard to Far Eastern war crimes, Canada’s interest was to some extent greater because, having lost two battalions in the fall of Hong Kong, it had “suffered more at the hands of the Japanese than any other nation against whom [its] forces had been sent,” and the appalling conditions in Japanese prison camps had had “no parallel in either Germany or Italy” (McClelland 1947). Nonetheless, the absence of zeal in the Department of External Affairs (DEA) frustrated the Department of National Defence (DND), which had been diligently collecting evidence of Japanese atrocities. Ottawa’s reluctance to participate in the war crimes trials has been amply described by Stanton (1999, 2000), but what is equally

significant is the eagerness with which the Canadians who were dispatched to Tokyo (diplomat, prosecutor, and judge) cooperated with others, especially from the Commonwealth governments, in their pursuit of justice. In the following sections the enthusiasm of the Canadian representatives in Tokyo will be contrasted with the lack of it back home.

Canadian Representatives at the Tokyo Trial

Canadian involvement in the trials of Far Eastern war criminals began in September 1945, shortly after the signing of the Instrument of Surrender, when Ottawa approved in principle a “plan ... providing for joint military investigation and prosecution ... of Japanese war criminals.”³ Pursuant to this plan, Canada was asked to nominate judges and prosecutors for several international military tribunals, chartered by Douglas MacArthur, the Supreme Commander for the Allied Powers (SCAP). The intent of these “Class A” war crimes courts was to try Japan’s national leaders, who formally would have been shielded by their status as high-ranking officials, for committing Crimes against Peace. As it turned out, the geopolitical circumstances of the time forced the Allies to content themselves with just one major trial, the International Military Tribunal for the Far East (IMTFE), now commonly known as the Tokyo War Crimes Trial. Provision was also made for the convening of a lesser category of war crimes trials, “Class BC” war crimes trials, which were to be Allied military commissions sitting in judgment of Japanese accused of violating the traditional rules of war (e.g., the killing of civilian populations, the inhumane treatment of POWs, or the use of poison gases), or of having ordered such violations. Though Canada’s primary interest was in the Class BC trials, it had to work out an arrangement to take part in them indirectly through Britain or the United States, there being no Canadian occupation force in the Far East.

As for the Tokyo Trial, Ottawa received an invitation to participate in October 1945, one month after Japan’s surrender, but did not begin the search process for the judge until January 1946. This was partly because full details regarding the jurisdiction and constitution of the proposed court, on the one hand, and the compensating, messing, billeting, and transportation of judges, on the other, were not furnished until then. A decision was finally made to nominate Justice Andrew Hope, a justice of the Supreme Court of Ontario and a member of the Court of Appeals for Ontario; the choice, however, was vetoed by the Chief Justice of Ontario. Within a few days, E. Stuart McDougall of the Court of King’s Bench, Quebec, was called on to fill the void. A specialist in mining and corporation law, McDougall had no experience in criminal or international law and had not been a judge until

1942. In contrast to the frequent communication concerning Hope between the DEA and the DND, which had originally suggested Justice Hope be considered, and between DEA and the Privy Council Office, there is no correspondence in the External Affairs papers regarding how McDougall's name came to the fore — perhaps, since the deadline for nomination had been approaching when Justice Hope was eliminated from consideration, all communication between the decision-makers was carried out face-to-face or telephonically.

Brode speculates that McDougall owed his nomination to McKenzie King's Liberal Party (1997, 192). In fact, he had been a provincial treasurer in the Adérald Godbout Government in Quebec, which lent unstinting support to King in 1944 on the immensely controversial issue of conscription, and thereafter remained loyal to King's federal government on the issue of Quebec autonomy. McDougall's possible tie with King seems even more plausible when one takes into account his strong background in labour relations, especially in mining, in which King himself had been deeply involved not only as Canada's first Labour Minister but also as a consultant to the Rockefellers during a strike against their mining operations in Colorado. It is therefore entirely possible that McDougall had struck up a friendship or formed a political alliance with King sometime prior to his nomination. The political nature of his appointment notwithstanding, he was admired by his peers in Tokyo as a jurist of exceptional ability, and, as will be discussed in later sections, he was to play an important role in the formation of the bloc of so-called majority judges.

McDougall was not the only Canadian of consequence at the Tribunal. E.H. Norman, a Canadian Department of External Affairs official posted to SCAP's Division of Counterintelligence (and later head of the Canadian Mission to Tokyo), wielded great influence on the course of trial preparation as the driving force behind the arrest of one of the most important suspects, Marquis Kido Kōichi, Lord Keeper of the Privy Seal and the emperor's closest advisor. Norman's memo on Kido, dated 8 December 1945, was impassioned and cogent, identifying its subject as the man who had pushed for General Tōjō Hideki to be named as successor to Prime Minister Konoe Fumimaro in the fall of 1941, when the United States and Japan were striving to break the deadlock in their diplomatic negotiations. The Norman memorandum nudged George Atcheson, Acting United States Political Advisor to MacArthur, into taking action; on 6 December, he listed Hirohito's confidante as a suspect.⁴ Shortly after his arrest, Kido came forward with a voluminous (5,920-page) diary, which, because he had begun keeping it in 1930 following his appointment as chief secretary to the Lord Keeper of the Privy Seal, encompassed the very period

the International Prosecution Section (IPS) intended to cover in the indictment. Kido had meticulously (but briefly) recorded details, including statements made by the emperor and actions taken by cabinet ministers, of the decision-making processes during numerous crises, and had not laid down his pen even during his incarceration. The diary was a windfall of immeasurable value to the IPS, which used it to untangle the complicated web of machinations behind Japanese aggression in the 1930s and 1940s. For historians, it has also since proved to be a precious primary-source key to Shōwa Era politics.

Canada's Roles in "America's Trial"

Because it was conducted to an overwhelming degree under American leadership and authority, the Tokyo War Crimes Trial has often been labelled "America's Trial." This characterization is certainly not unfounded: unlike the Nuremberg Trial, in which the four member nations (Britain, France, Soviet Union, and the United States) divided all tasks and obligations among them equally, the Tokyo Trial put in place a system that guaranteed America's dominance. For instance, according to the Tokyo Charter — written by the US prosecutors — the right to designate the chief counsel, who was to be responsible for the "investigation and prosecution of charges against war criminals," was conferred upon MacArthur alone.⁵ Since the chief counsel was expected to act in accordance with instructions from the US government, the appointment of Joseph Keenan, former US Assistant Attorney General, facilitated the furtherance of America's postwar strategic interests as the top priority at the Trial. MacArthur's overriding aim at that time was to eventually bring Japan securely into the sphere of American influence by following the path of least resistance in the occupation, implicating that Emperor Hirohito, who still retained unequalled prestige and influence among his subjects in war crimes, therefore had to be avoided at all costs. Hence, Keenan and his right-hand men collaborated with Japan's pro-America camp, and even with the defendants, to ensure no incriminating evidence against the emperor would be presented (Yoshida 1992, 114–15; Bix 2000, 586). This behind-the-scenes immunity deal was far from the only manifestation of unilateral control: all matters concerning trial procedures, administration, and staffing were left entirely to the American contingents, which arrived in Tokyo, as it turned out, two months before their Allied counterparts would begin to show up. In light of these considerations, it would not be unreasonable to conclude that America's presence was an all-powerful one.

However, what has been overlooked is the British Commonwealth role at the Trial, specifically the considerable practical effect that certain members

and their representatives had upon its planning and conduct: the British prosecutor, Arthur S. Comyns Carr carried out a major overhaul of the original Nuremberg-style four-count indictment (Crimes against Peace, Conventional War Crimes, Crimes against Humanity, Conspiracy) prepared by the US prosecutors, by expanding it into a much longer, 55-count statement of charges (Horwitz 1950, 498; Kay 1982, 1560). When the American prosecutors were unable to garner evidence of probative value, their colleagues from Canada (Henry G. Nolan), New Zealand (R.H. Quilliam), and Australia (Alan Mansfield) took it upon themselves to propose and put into effect various measures, winnowing the great mass of documents so as to separate out only those records of immediate relevance to the case, interrogating witnesses in Japan and overseas, and paring down the large number of suspects into a final list of defendants (Kay 1982, 1532–37). In addition, once the Trial finally began, the *Japanese Government* phase, the very first stage of the prosecution's case and one that was to set the tone for those that would follow, was tasked to Nolan, whose performance was so outstanding that it prompted Keenan to send an unsolicited letter of commendation to the Secretary of the Army, asking him to dispatch a note of appreciation to the Canadian government (1598).⁶ Thus, despite Ottawa's generally minimalist interest in the entire war crimes question, the Canadian prosecutor, working closely with his Commonwealth colleagues, became a prominent figure at the Trial.

The Majority Judgment

Equally important was the role played by Justice McDougall as one of the three primary authors of the court's final (or, as it came to be known, "majority") judgment, delivered in the name of the Tribunal. As indicated, the decision was not the work of the entire bench, that body having been earlier divided — by the vexing problem of the jurisdiction of the court — into two wings: the so-called "majority justices" (Lord W.D. Patrick of Britain, Erima H. Northcroft of New Zealand, I.M. Zaryanov of the Soviet Union, Myron C. Cramer of the United States, Ju-Ao Mei of China, Delfin Jaranilla of the Philippines, and McDougall), and the "minority justices," (Radhabinod Pal of India, B.V.A. Röling of the Netherlands, Henri Bernard of France, and Australia's Sir William F. Webb, the Tribunal's president). The discord originated when the defence made a motion at the beginning of the Trial challenging the right of the court to try the accused on charges of Crime against Peace. The motion was based on the defence's theory that at the time of the signing of the Instrument of Surrender, the term "war crimes" was understood to mean traditional war crimes, not Crimes against Peace, and that therefore the court did not have jurisdiction to try those accused of the latter (IMTFE 1946–48, 126–36). The contention had merit

and could not be rejected out of hand; in fact, MacArthur's office sent a priority message to the War Department requesting an immediate answer as to the grounds on which a similar motion at Nuremberg had not been sustained.⁷ Justices Patrick, Northcroft, and McDougall favoured upholding the legality of the Charter and, therefore, of the Tribunal, but others on the court, including Webb, argued that the court, so as to avoid what might later be termed "judicial legislation," should not make a hasty determination. Apparently eager to sidestep the issue, the court unanimously decided to dismiss the defence motion "for reasons to be given later" (IMTFE 1946–48, 319). But soon thereafter, the aforementioned trio tried to forge a consensus regarding jurisdiction which would, along the lines of the Nuremberg Charter, hold that since the Tokyo Charter was binding upon the court, the court did not have the right to decide whether it was legal or illegal. However, the three could not persuade the bench as a whole to agree with them, a failure that compelled them to defer the subject till the end of the Trial, and that contributed more than any other cause to its division.⁸

From the beginning, McDougall expressed unwavering support for the Nuremberg precedent, maintaining that the Charter was an expression of the international law existing at the time it was written, not an application of *ex post facto* law (as the defence contended), and that, therefore, the judges were not empowered to question matters of jurisdiction. Ruling otherwise, he believed, would deny the Tribunal any claim to have set a historical example. In a similar vein, Patrick thought that those who did not acknowledge the binding nature of the Charter were duty-bound to disqualify themselves. Gradually, McDougall, Patrick, and the like-minded Northcroft formed a camp to counter President Webb, whose initial view was that aggressive war was not illegal. When Webb later revised his view, he argued, to the consternation of McDougall, that the criminal nature of aggressive war did not derive from international law but from natural law – that is, "the mankind [*sic*] sense of right and wrong."⁹

Other members of the Tribunal held a wide range of opinions: according to McDougall, the Indian Justice Radhabinod Pal had already decided by the time of his arrival to write a dissenting opinion (Röling and Cassese 1993, 29); French Justice Henri Bernard theorized that the legitimacy of the Charter was based on *le bon coeur* of each man; and the Dutch Justice, B. V. A. Röling, held that laws concerning Crimes against Peace were indeed *ex post facto*, but that they were justified as expressions of political wisdom (Röling and Cassese 1993, 65–9; Brook 2001, 685–8). McDougall had little regard for these staunch non-conformists, and "looked forward in horror to what they [would] produce" in their final judgment.¹⁰ In March 1947,

almost a year after the Trial had begun, he exasperatedly unburdened himself in a five-page, single-spaced letter to Secretary of State for External Affairs Louis St. Laurent. In it, he characterized President Webb as inexperienced and untrustworthy, and revealed that the latter was preparing to write the final judgment by himself. McDougall also gave vent to an uncomplimentary appraisal of some of the other judges and made known their opinions long before their verdicts would be delivered, an action he deemed justifiable due to the “unusual circumstances.” At the conclusion of this unflattering report, which so disturbed St. Laurent that he asked (in a memo to the Cabinet), “Who is the president ‘in whom no one has any trust or confidence?’” McDougall delivered Ottawa an unexpected shock by asking them to relieve him of his duties so that his country could be saved from disgrace in the eyes of history. (Although, as related by Sir Alvary Gascoigne, head of the United Kingdom Liaison Mission in Japan, in his message to the British Foreign Office, he realized that “for patriotic reasons he could not ... leave his post.”)¹¹ Within days, Northcroft had officially requested Wellington to recall him, and Patrick also informally conveyed to London his desire to step down.

Naturally, their respective governments were not at all happy about the prospect of mass resignations. The British government was afraid that the triple withdrawal would destroy the dignity of the Commonwealth by diminishing the power of persuasion of the Nuremberg precedent, and, in turn, legitimizing Japan’s wartime actions in the minds of the Japanese people. Accordingly, London refused to call Patrick back and expressed its hope that Ottawa would not honour McDougall’s request, either.¹² Likewise, Sir Michael Myers, former Chief Justice of New Zealand, who consulted with Prime Minister Right Honourable Peter Fraser with respect to this matter, told Northcroft that a falling out with his colleagues would not be considered an acceptable reason for an early departure, and hinted that such action might constitute improper disclosure of discussions in chambers. Myers also warned that if Northcroft coordinated his resignation with the British and Canadian justices, it would definitely provoke justifiable accusations that the Commonwealth had sabotaged the Trial (Kay 1982, 1667).

Though opposed to the non-representation of Canada in the Tribunal, Brigadier-General R.J. Orde, Judge Advocate General, concluded after consultation with the Department of Justice that McDougall’s services were badly needed back in Quebec. Citing the case of US judge John P. Higgins, who had been replaced by General Myron Cramer when he resigned in June 1946, Orde therefore asked the Canadian prosecutor in Tokyo, Brigadier Nolan, if a qualified replacement would be eligible to take

McDougall's place. On the other hand, E. Herbert Norman of the Canadian Liaison Mission in Tokyo, while being somewhat sympathetic toward McDougall's desire, was not in favour of recalling him, since so much time (almost a year) had passed since the commencement of the Trial. He too cited the Higgins precedent, but it was to remind Ottawa that that resignation had stirred up intense criticism in Tokyo. In the end, the Department of External Affairs did not grant McDougall his wish, instead suggesting, in the interest of both a successful conclusion to the Trial and his personal health, that he take a much needed leave for the summer.¹³ Thus, all three governments agreed in their instructions to their respective judges: Remain at your posts.

By this time, the patience of the Commonwealth partners was wearing thin; reckoning that the difference of opinion between them and the others was irreconcilable, they decided to write their own judgment. Sometime after the summer recess, under the leadership of Lord Patrick, they succeeded in bringing into their camp the US, Soviet, Filipino, and Chinese justices, those members of the bench who had hitherto kept their views to themselves. After the formation of this majority, Canada's McDougall took the initiative in streamlining the 36 conspiracy counts in the indictment to fifteen, and eventually to eight (Higurashi 2002, 429). By the end of the process, he and the others had pared 45 counts in all. (It is quite ironic that the total number of counts, initially set at four by the US prosecutors, was augmented by a whopping 51 by the British prosecutor, only to be slashed by the Commonwealth judges down to ten.) McDougall, together with Patrick, also drafted the section of the judgment regarding all other questions of the law. Even before the summations by the defence and the prosecution had come to a close, the majority adopted McDougall and Patrick's section of the judgment almost verbatim, opting, since the Nuremberg Charter and the IMTFE Charter were essentially identical, to express their "unqualified adherence" to the relevant opinions of the Nuremberg Judgment by falling back on its precedents and, thereby, avoiding inconsistencies (IMTFE 1948, 48439).¹⁴

In such manner and without consulting the four minority justices, the majority justices, especially the Commonwealth triumvirs, came to make all the decisions regarding the judgment and the findings of facts, believing that it was the only thing they could do to salvage the Tribunal. Understandably, those who were snubbed could not contain their resentment.¹⁵ In his dissenting opinion, the French Justice, Bernard, faulted the majority for deliberating only among themselves, an action he condemned as "a violation which would result in most civilized nations in the nullity of the entire procedure." He also implied that someone other than

the judges may have been involved in the findings of facts, and that evidence produced outside the court may have been accepted (Bernard 1948, 18–21). Dutch Justice Röling, in an interview he granted 30 years later, was equally indignant, observing that the way the seven judges deliberated was a “serious violation” of the Charter (Röling and Cassese 1993, 52). Thus, even though all eleven justices were firmly united in their resolve to do the right thing, they were hopelessly divided in establishing what the right thing was.

The final judgment, thus written by the upholders of the Nuremberg exemplar, and read by President Webb in open court from 4–12 November, rejected the defence’s motions challenging the Tribunal’s jurisdiction, on the grounds that the Charter was “decisive and binding” upon the court (IMTFE 1948, 48435). In conclusion, President Webb, after handing down guilty verdicts for all the defendants, announced the sentences: seven of the accused, including ex-premier General Tōjō Hideki, were sentenced to death by hanging, sixteen to life imprisonment, one to a twenty-year prison term, and one to a seven-year term. Soon after sentencing, speculation grew among journalists and defence lawyers that one of the death row convicts had been condemned by a vote of six to five and the remaining six convicts by seven to four votes. It did not take much guesswork to surmise that the seven votes had come from the majority judges.¹⁶ It was also rumoured that four defendants had narrowly escaped capital punishment by five to six votes. One lucky defendant who thus cheated death was Ōshima Hiroshi, former ambassador to Germany and one of the architects of the Tripartite Pact, the treaty that solidified Japan’s full military alliance with Germany and Italy. According to Ōshima’s own account, it was the serendipitous friendship between his American counsel, Owen Cunningham, and Justice McDougall, and the latter’s fondness for the former, that prevented the decisive vote for death from being cast (Higurashi 2002, 472; Kojima 1971, 191).

Aftermath

In the immediate wake of defeat, the Japanese generally accepted the death sentences imposed upon their leaders as adequate, if not necessarily appropriate, punishment for the actions Japan had taken (Brownlee 1997, 16), but there were a few Allied representatives who had doubts about some of the court’s decisions. One of them was Canada’s E. Herbert Norman. When he and ten other representatives were invited to a meeting with MacArthur to advise him about the exercise of his right to “reduce or otherwise alter [a] sentence,”¹⁷ Norman had been prepared to recommend mitigation in two cases (Ministers of Foreign Affairs Shigemitsu Mamoru

and Tōgō Shigenori). However, MacArthur manipulated the proceedings to create an atmosphere unfavourable to the exchange of opinions, depriving Norman of a chance to express his views (Sebald 1965, 167–69). Nevertheless, unable to bring himself to give up on mitigation, he wrote a letter to MacArthur asking for a reconsideration, but there is no indication that he received a response, and MacArthur upheld all sentences.¹⁸ After an unsuccessful attempt by several defence lawyers to persuade the US Supreme Court to issue a writ of *habeas corpus*, the executions of the seven condemned were carried out during the early hours of 23 December 1948. From outside the death house were heard shouts of “Banzai!” an expression of loyalty and farewell uttered with their last breaths by the men who were about to ascend the thirteen steps to the gallows (Hanayama 1950, 273–74).

For McDougall and other followers of the Nuremberg doctrine, the Tokyo War Crimes Trial was brought to a conclusion that was on their terms. But evaluations of the Trial ran the whole gamut even within the SCAP: on the one hand, Solis Horwitz, one of Keenan’s assistants, praised the Trial as “proceedings of utmost significance for ... the elimination of war”; on the other, General Charles Willoughby, MacArthur’s chief of counterintelligence, harshly condemned it as “the worst hypocrisy in recorded history” (Horwitz 1950, 475).¹⁹ It is fair to say that uncertainty remains as to whether, as Chief Prosecutor Keenan boasted, it contributed “to the orderly processes of world society, and to the cause of peace” (Keenan and Brown 1950, 1). Indicative of its evanescent impact is the absence to this day of officially published transcripts of both the proceedings and the judgment. It had been the opinion of Brigadier Henry G. Nolan, the Canadian prosecutor, that the publication of a trial record was necessary if the Tribunal was to have the full effect, legally and morally, but no enthusiasm emanated from the Far Eastern Commission or from within the US government bureaucracy. In unabashed frankness, one US State Department official told the Canadian Ambassador in Washington that he “personally would not waste a nickel of Government money” for this purpose and that since “it is not copyrighted ... there is nothing to hinder any country from publishing it if they consider it of sufficient importance.”²⁰ Equally telling was the release, immediately after the executions, of the remaining Class A war criminal suspects held in Sugamo Prison, followed by a statement by MacArthur to the effect that there would be no further major war crimes trials.²¹

Reduction of Sentences

After a two-and-a-half year posting, Justice McDougall had fully discharged his responsibilities; the Canadian government had not; in fact,

files related to the Trial continued to pile up for the next twelve years. The remaining sections of this paper outline the dilemma Canada faced between the desirability of continuing to punish and the necessity to show leniency toward imprisoned Japanese war criminals.

As soon as the Trial ended, talk of clemency for the convicted Class A war criminals started up among the Allied powers in anticipation of the approaching peace treaty with Japan. This settlement, the San Francisco Peace Treaty, was signed by 48 nations on 8 September 1951 and enacted on 28 April 1952. In it, Article 11 declared that “Japan accepts the judgments of the International Military Tribunal for the Far East and of other Allied War Crimes Courts both within and outside Japan, and will carry out the sentences imposed thereby upon Japanese nationals imprisoned in Japan.” The article further stipulated that “[i]n the case of persons sentenced by the International Military Tribunal for the Far East, [the power to grant clemency] may not be exercised except on the decision of a majority of the Governments represented on the Tribunal, and on the recommendation of Japan.”

The Peace Treaty, however, contained within itself weaknesses, even seeds of potential failure. First and foremost, as Yoshida argues (1997, 171–72), despite the fact that it was a peace treaty to “settle questions still outstanding as a result of the existence of a state of war” that was waged by Japan, it contained no direct mention of where war responsibility rested, except for the reference to the acceptance of the judgments of the Tokyo Trial in Article 11;²² nor did it include any articles prohibiting or restricting Japan’s rearmament, or any clauses making the democratization of Japan mandatory. What was even more detrimental (though geopolitically unavoidable) was that neither the People’s Republic of China (although already recognized by Britain in 1950) nor the Republic of China on Taiwan, the two biggest victims of Japan’s aggression, were included as signatories to the Treaty. Against such a flawed settlement, the Asian nations that had suffered at the hands of Japan’s imperialism could not speak loudly, for, involved as they often were in final stages of wars of independence or early stages of state formation, they were still politically or economically powerless. Furthermore, the increased influence of the United States on the Far East, together with the diminished influence of Britain, gave Australia and New Zealand no choice but to go along with America’s policy on Japan, which was to embrace the former enemy as a firm anticommunist bulwark and a member of the Western camp. Japan’s changed status moved William Macmahon Ball, the Australian representative on the Allied Council for Japan, to bitterly comment, “Seldom can a defeated nation have had such an important role allotted to it

so soon after its defeat” (Sugita 2003, 29–47; Harries and Harries 1987, 194).

Regardless, the Allied powers (minus the Soviet Union), the People’s Republic of China (neither of which had signed the Treaty), and the Philippines (which had signed but not ratified it), faced the necessity of settling various matters regarding the procedures for clemency in anticipation of the Japanese government approaching individual governments with its own interpretation of Article 11. However, hardly had informal talks begun when on 8 November 1952 the Foreign Ministry submitted to each of the Allied powers an official request that clemency be granted to all twelve of the convicted Class A war criminals still imprisoned. Attached was a supporting brief presenting for each prisoner the rationale for freeing him.²³ It was the first sign given by Japan’s new leaders of their determination to liberate fellow countrymen incarcerated by their former enemies. There were divergent responses to the request: the Canadian Ambassador immediately cabled the Japanese Foreign Ministry’s message to Ottawa, whereas the Australian and New Zealand embassies, feeling no such urgency, judged it more fitting to dispatch the request by diplomatic pouch (thus presaging their governments’ hardline resolution not to easily let the Japanese warlords, who were supposed to be serving life-terms in prison, off the hook). The Netherlands reacted with a similar lack of sympathy.

Not receiving a prompt and positive response to its call for a wholesale pardoning of Class A war criminals, the Japanese government revised its strategy, this time tendering a shorter list of just three prospective parolees.²⁴ On 5 November 1953, representatives of the Allies secretly met at the US Department of State to discuss the petitions on a preliminary basis. Thereafter, similar meetings were held upon receipt of other lists of Class A war criminals recommended for clemency. The petitions consisted of cookie-cutter, fill-in-the-blank phrases, making much of the prisoners’ old age and the destitution of their families without breadwinners, while making light of their influence over government policy decisions before and during the war. Particularly noteworthy was the implication that they all deserved to be released because they had been wrongly convicted, an outright challenge to the IMTFE verdict and a possible breach of Article 11 of the San Francisco Peace Treaty.

Quite understandably, those in the DEA who received the petitions for clemency were far from impressed. Some were quick to point out inconsistencies in their reasoning, while others cynically commented that if their assertions were true, then the erstwhile members of the ruling elites

whose cause they pled were mere pawns who, paradoxically, became less influential the higher they rose through the ranks.²⁵ But such firm objections to a premature release of convicted war-makers were almost always accompanied by disclaimers expressing a reluctance to aggressively champion Canada's case, as well as a willingness to go along with whatever decisions were made by other powers, especially the United States. A notable exception to this docility in defence of logic and morality was Arthur Menzies of the Far Eastern Division, who, seeing no merit in a further relaxation of an already lenient measure, vigorously protested the placing of Canada in the "unfortunate position of sacrificing a matter of principle" for a political cause of questionable value.²⁶

Despite the bitterness felt among the former Allied nations, Japan, as if testing the limits of generosity of the parole board, submitted request after request for further remission of sentences, the most audacious being a plea to reduce them to time served, so that the parolees would be eligible, if they so wished, to run for office in the upcoming national election.²⁷ And by this time, a series of extraordinary stories had surfaced about the conditions of incarceration of the inmates in Sugamo. For instance, Menzies reported from Tokyo that sumo wrestling bouts had been arranged for the amusement of the prisoners. In fact, the procurement of entertainment and diversion was not limited to Japan's national favourite pastime: professional baseball teams played exhibition games, singers held concerts, and school children paid visits to hear the avuncular convicts tell stories, all in the name of offering comfort and sympathy.²⁸ Furthermore, the country club prison atmosphere was confirmed when one of the Class A war criminals already on parole, in an interview he granted to a reporter from *Bungei Shunjū*, let it be known that inmates in Sugamo Prison were free to leave the premises, work elsewhere during the daytime, and come back at night to what they called the "Sugamo Apartments."²⁹

Despite Canada's exasperation regarding Japan's tactics, it continued to be a reluctant supporter of the political expediency practised by the other Allied powers (particularly the United States), deferring all decisions and instructing its embassy in Washington never to take any "initiative in coordinating action" among the interested parties.³⁰ Behind this wait-and-see attitude was the plain fact that none of the twelve Class A war criminals in question had been held responsible for the ill treatment of Canadian prisoners, making Canada less emotionally invested in this matter and its stake less direct. However, should Canada set these "architects of war" free before they finished their sentences, while two Germans, Kurt Meyer and Johanns Neitz, who had been convicted and sentenced to life imprisonment for the conventional war crime of

maltreating of Canadian POWs, remained in confinement, the German public might become resentful of Canada's preferential treatment. On the other hand, not granting parole would risk generating ill will in Japan against Canada. Therein lay Canada's dilemma.³¹

In the end, what shaped the outcome of all the negotiations were the tensions of the Cold War, casting a dark shadow over the prospect of the Allies' post-World War II cooperation. For, ironically, even as these strains were leading inexorably to a breakdown in cooperation between the USSR and its wartime partners, the mass release of Japanese war criminals from Soviet prisons forced Canada to support an equally generous measure of clemency, lest the goodwill engendered by the Soviet act give impetus to an attempt by Japanese leftists (as well as centrists who might be swayed to support them) to build a home-grown Communist movement.

Thus, on 7 April 1958, after a meeting at the US Embassy in Tokyo, Canada, along with the other powers concerned, sent a diplomatic note to the Japanese government announcing their decision to reduce the sentences of Class A war criminals to the time already served, and issued a press release the following day agreeing to virtually everything Japan had asked for. A few days later, the Canadian Embassy in Japan received a note from Japanese Foreign Minister Fujiyama Aiichirō expressing his gratitude for the Allies' "humanitarian decision." Conspicuous by its absence in his note was the phrase *A-kyū senpan*, "Class A war criminals"; Fujiyama instead used the euphemistic as well as obscure *A-kyū kankeisha*, literally meaning "Class A-related persons." Presumably, Japan had drawn the conclusion that, as of 7 April 1958, these "persons" were no longer to be considered lawless international evildoers, and that, by abruptly discontinuing the use of a term carrying a severe social stigma, their (and the nation's) embarrassing past could in some measure be put behind them. The final documents in the Canadian file on Japanese war criminals consisted of short follow-ups on the activities of the released "Class A-related persons." In a dispatch from Tokyo, it was reported that contrary to the apprehensions some Allied governments had harboured, all but one of the released were living the lives of hermits and showing no desire to re-enter the public spotlight. The date of the dispatch was 11 January 1960, a week before Japan and the United States were to sign the Treaty for Mutual Cooperation and Security.³²

Conclusion

Throughout the entire experiment in justice — which had started out with the establishment of the UNWCC as part of an international quest for the elimination of war but had been outweighed in the end by the reality of

international power politics — the government of Canada remained an unenthusiastic participant. Its unwillingness to assume a prominent role in the prosecution of war crimes stood in stark contrast to the strenuous and conscientious efforts of its principal representatives, prosecutor Henry G. Nolan and Justice E. Stuart McDougall, who spearheaded the endeavour to give concrete shape and meaning to emerging law, and of a supporting actor, the diplomat E. Herbert Norman, who single-handedly persuaded the International Prosecution Section to arrest Kido, and who vigorously (but unsuccessfully) urged the Supreme Commander for the Allied Powers to grant clemency to Shigemitsu and Tōgō. Nearly 40 years had to pass before Ottawa followed in the footsteps of McDougall, Norman, and Nolan and made its own mark in the sphere of international justice.

Although armed conflicts had gone on almost without pause since the end of World War II, the will to re-orchestrate efforts among nations to punish violators of the laws of war lay dormant until the 1990s, when atrocities in Yugoslavia and Rwanda, reminiscent of Auschwitz and Nanjing, compelled (and the elimination of Cold War rivalries allowed) the global community to work toward the establishment of a permanent international criminal court. As Stanton (2000, 400) has observed, by this time Canada had transformed itself from a country that would passively follow the lead of major allies into one that would confidently stand in the forefront, providing leadership and resources in support of such a court from the very outset. On July 1998, Philippe Kirsch, a senior Canadian diplomat, was selected to chair the Committee of the Whole at the Diplomatic Conference in Rome, where the International Criminal Court (ICC) was established by the Rome Statute. (Kirsch was later elected a judge and the President of the ICC.) Only five months later, Canada signed the Statute, the fourteenth country to do so. On the domestic front, Canada was the first nation ever to adopt comprehensive legislation, the Crimes against Humanity and War Crimes Act, implementing the ICC. Thus, the indifference, the “timid Dominion” mentality, which lay at the root of so much of the irresolution in punishing perpetrators of war crimes, had disappeared without a trace, and Canada, having sloughed off the habits of its colonial past, emerged as a prominent actor on the international stage, with a determination to “guarantee lasting respect for and the enforcement of international justice.”³³

Notes

1. Note for Mr. Read, 18 June 1945, RG-25/Volume 3182, Library and Archives Canada (LAC).

2. Australia, India, New Zealand, Greece, Denmark, Panama, Honduras, Yugoslavia, Czechoslovakia, the Netherlands, Poland, Belgium, Ethiopia, Haiti, Norway, Luxemburg, Venezuela, Uruguay, Paraguay.
3. Minutes of Extraordinary Meeting of War Crimes Advisory Committee held on Friday 21 September 1945, RG-25/Volume 3641 Japanese War Crimes – General File, LAC.
4. War Guilt of Marquis Kido, Lord Keeper of Privy Seal, 19 November 1945. RG-59 Decimal File 740.00116 PW/10-845. National Archives and Records Administration (NARA), College Park, MD.
5. *Charter of the International Military Tribunal for the Far East*, Section II, Article 8a.
6. Letters from Keenan to Patterson, 1 August 1946; Keenan to Royal, 20 August 1948. Papers of Henry G. Nolan. MG31/E-43, LAC.
7. Message to War Department, 10 May 1946, RG-153 Records of the Office of Judge Advocate General, War Crimes Branch/Entry 145/Series 118-7, US, NARA. Article 3 of the Nuremberg Charter openly declares that “[n]either the Tribunal, its members nor their alternates can be challenged by the prosecution, or by the Defendants or their Counsel.”
8. Letter to Louis St. Laurent, 19 March 1947, RG 25/Volume 5762 International Military Tribunal for the Far East /File 104-J-(s), LAC.
9. Memorandum: By the President, IMTFE, 5 August 1946, Box 136. Arnold C. Brackman Papers, Howard Gotlieb Archival Research Center, Boston University.
10. Letter to Louis St. Laurent, 19 March 1947, RG 25/Volume 5762 International Military Tribunal for the Far East /File 104-J-(s), LAC.
11. Letter to Louis St. Laurent, 19 March 1947; Memorandum from Louis St. Laurent, 29 March 1947, RG-25/Volume 5762, LAC; Message from Gascoigne, 26 April 1947, FO 371/69833 Japanese War Crimes Trials, National Archives (NA), Kew, England.
12. Telegram from the High Commissioner for Canada in Great Britain, 8 May 1947, RG25/Volume 5762 International Military Tribunal for the Far East, LAC.
13. Army Message from Nolan to Orde, 21 May 1947; Message from Norman, 5 Apr. 1947; Message from Secretary of State, 12 June 1947, RG25/Volume 5762 International Military Tribunal for the Far East /File 104-J-(s), LAC.
14. Memorandum to All Members, 18 March 1948, Arnold C. Brackman Papers.
15. Five judges submitted separate opinions: President Sir William Webb (Australia), Delfin Jaranilla (the Philippines), Henri Bernard (France), B.V.A. Röling (the Netherlands), and Radhabinod Pal (India). Jaranilla's was a concurring opinion.
16. Frank White, “How Trial Judges Voted,” *Nippon Times*, 10 December 1948.
17. Article 17 of the *Charter of the International Military Tribunal for the Far East*.
18. See also Letter to MacArthur, 23 November 1948; Letter from Norman, 24 November 1948, RG25/Volume 3642 Japanese War Crimes, LAC.
19. See also Letter from B.V.A Röling to Arnold Brackman, 20 September 1982, Arnold C. Brackman Papers.
20. Message from Canadian Embassy, 23 April 1949, RG25/Volume 6196 Japanese War Crimes – General File, LAC.
21. Message from SCAP, 29 December 1948, RG9 Radiogram, Reel 324, MacArthur Archives.
22. Preface to *Treaty of Peace with Japan*.

23. Of the original thirteen who were imprisoned at the time of the coming into force of the Treaty, one, Hiranuma Kiichirō, had died in August 1952. Those who remained incarcerated were Araki, Hashimoto, Hata, Hoshino, Kaya, Kido, Koiso, Minami, Oka, Ōshima, Satō, and Shimada.
24. Generals Araki Sadao, Hata Shunroku, and Minami Jirō.
25. Annex to Message No. Ex-1871 from the Secretary of State for External Affairs (n.d.), RG-25/Volume 6377, LAC.
26. Memorandum for Mr. G. Sicotte, 19 November 1954, RG-25/Volume 6377 Japanese War Crimes – General File, LAC.
27. Letter to MacArthur, 21 May 1957, D 1.3.0.3-10, Volume 5. The Diplomatic Record Office, Ministry of Foreign Affairs, Japan.
28. Message from the Canadian Liaison Mission, 16 January 1952, RG-25/Volume 6375, LAC.
29. Message to the Under-Secretary of State for External Affairs, No. 2, 19 October 1955, RG25/Volume 6854 Japanese War Crimes – General File, LAC; Araki Sadao, “Sugamo danchō no ki” (Gut-wrenching story of Sugamo), *Bungei Shunjū* (November 1955): 204–5.
30. Message to the Canadian Embassy in Tokyo, 14 September 1955, RG-25/Volume 6854, Japanese War Crimes – General File, LAC.
31. Top Secret Memo from Brigadier W.J. Lawson, 17 November 1953, RG-25/Volume 6377 Japanese War Crimes – General File, LAC.
32. Letter to William Frederick Bull, 8 April 1958; Letter to the Under-Secretary of State for External Affairs, 11 April 1958; Letter from Canadian Embassy, 11 January 1960, RG-25/Volume 6854 Japanese War Crimes – General File, LAC.
33. *Rome Statute of the International Criminal Court*.

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National Issues

Enjeux nationaux

Uri Yanay

***Caring for Victims of Violent Crimes:
Issues of Assistance and Compensation in Canada***

Abstract

Victims of violent crimes share similar predicaments and needs. This article examines the way in which Canada cares for and assists victims of violent crimes. The article consists of three parts: the first focuses on the Canadian federal policy and guidelines for assisting crime victims. It highlights recent changes in the Canadian Criminal Code that impact victims' rights. Part two presents variations in victim policy and services in two provinces. Finally, the discussion touches upon the nature of crime victims' rights in Canada, the differences that exist between provinces in implementing victims' rights, and the organizational framework of victims' services. One of the conclusions of this article is that, with the exception of rights conferred by the Criminal Code, Canada does not have a uniform, binding social policy that anchors the rights of crime victims.

Résumé

Les victimes de crimes avec violence font généralement face aux mêmes difficultés et ont les mêmes besoins. Le présent article examine la manière dont la société canadienne s'occupe des victimes d'actes criminels et leur vient en aide. Il se compose de trois parties : la première porte sur la politique et les lignes directrices fédérales à cet égard; elle souligne les récents changements du Code criminel qui ont une incidence sur les droits des victimes d'actes criminels. La deuxième partie compare la politique appliquée et les services offerts à ces personnes dans deux provinces. Enfin, la discussion aborde la question des droits des victimes d'actes criminels au Canada, des différences entre les provinces quant à la mise en œuvre des droits des victimes et du cadre organisationnel des services aux victimes. L'article conclut entre autres que, à l'exception des droits prévus par le Code criminel, le Canada n'a pas de politique sociale uniforme pour fixer les droits des victimes d'actes criminels.

Despite their needs and predicaments, victims of violent crime have not been at the centre of social policy research and attention. This article focuses on the Canadian welfare policy and assistance programs designed for victims of violent crimes. First, it examines the principles of Canada's federal policy regarding such victims. It then turns to the implementation of this policy at the provincial level.

Violent crimes¹ may have a severe effect on victims and their families (Elias 1986; Sebba 1996). Most victims require immediate attention to their physical injuries and emotional trauma. Their personal effects, clothing, and documents may be damaged or lost. Loss of earnings and income may result from the difficulty in returning to past routines, including employment. In the event of homicide, the victim's survivors will require special attention and professional help (Mihorean et al. 2001; Yanay 2003). Furthermore, crime victims and their families may wish to actively follow their case and have a voice in court, rather than only act as witnesses (Young 2001a). Therefore, caring for victims may involve the right to economic and non-economic assistance, compensation, and broader participation in the criminal process.

One of the conclusions of this article is that, with the exception of rights conferred by the *Criminal Code*, Canada does not have one uniform, binding policy that anchors the rights of crime victims under Canadian federal law. According to the Canadian system, each province initiates, develops, and funds social welfare programs (Bakvis and Skogstad 2002; Lightman 2003), among which are those designed for people who were criminally injured within that jurisdiction.²

Should Crime Victims Be Cared For?

Victims of crime face various needs. It can be argued that the more violent the crime, the broader and deeper the needs and the longer they will prevail. People cannot prepare themselves for such eventualities. Even if privately or collectively insured, only part of their property, medical, and other losses will be met by the medical and other insurance policies. Victims will soon realize that their needs are not met and will require some degree of social assistance (Maguire 1985; Tobolowsky 2001). Should crime victims be cared for? Elias (1983) argues that a state has an obligation to care for crime victims, especially for those who have suffered criminal injuries. Without entering into the legal issues involved, Elias bases this duty on what he calls eight different "theories." Among them is the "Government Negligence Theory," according to which criminal victimization is a result of the failure of state agencies to secure the personal safety of people; the victim is therefore entitled to state assistance and compensation. Indeed, in Canada, in *Jane Doe v. Board of Commissioners of Police of Metropolitan Toronto* (1998), the court ruled that to prevent criminal victimization, the state owes an affirmative "duty of care" to the public.³ According to Elias, the "Social Welfare Theory" highlights the needs that crime victims face, and which should be formally dealt with by state organs.⁴ Elias maintains that the state is obliged to deal with crime victims because it owes them a duty of care,

and/or because of its duty to deal with the victims' crime-related predicaments.

Furthermore, comparing offenders' rights and victims' rights in many countries shows that offenders enjoy broader and more established rights than their victims. It can be argued that offenders' rights are well rooted in law and in precedents, whereas victims' rights do not enjoy similar socio-legal foundations, since they are not law-based rights (Ashworth 1998; Hudson 2003; Roberts and Roach 2003).

The 1985 UN *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* sets basic measures for victim assistance and compensation. Even prior to this declaration, Western countries showed a growing concern for crime victims (Sebba 1996). In addition to Canada, all 50 states (Tobolowsky 2001) and most European countries (Greer 1996; Mikaelsson and Wergens 2001), including England (Miers 1997), have developed programs for the support and compensation of victims of violent crime (Mawby and Gill 1987; Lurigio, Skogan, and Davis 1997; Williams 1999; Roberts 1990). Some of these programs are institutionalized, secured by laws, but it can be argued that most victim programs are residual and based on discretion.

This article deals with three interrelated issues. First, it critically examines the nature of crime victims' rights in Canada. It then demonstrates significant differences in the scope and volume of victims' rights in different provinces, using the examples of Ontario and Nova Scotia. The third issue relates to the organizational and legal framework of victim services in Canada.

The Canadian Case

The Canadian General Social Survey (1999) found that 25% of Canadians aged fifteen and over were victimized one or more times in 1999. This was about the same (23%) as in 1993. In both 1999 and 1993, about 50% of incidents involved "Personal Crimes": assault, sexual assault, robbery, and theft of personal property⁵ (Besserer and Trainor 2000; Mihorean 2001). These findings put Canada near the international average of criminal victimization (Besserer 2002). In Canada, the total number of crimes reported between 1993 and 1998 dropped by 10.3%: property crime decreased by 14.0% and crimes of violence fell by 4.8%. Nevertheless, crimes became more violent (Tremblay 2000). One can assume that each crime leaves at least one person victimized, in need of attention and help. Furthermore, each victimization may have significant impact on other people who directly or indirectly relate to that person.

Victim Assistance: The Federal Policy

Section 7 of the *Canadian Charter of Rights and Freedoms* asserts the UN's Universal Declaration of Human Rights (1948): "Everyone has the right to life, liberty, and security of the person . . ." Although debate continues about the constitutional and legal significance of the Charter, it reflects a basic social contract: the state undertakes an obligation to secure the personal safety of each person and, hence, also to attend to the needs of crime victims if it has failed to secure the person's safety.

Victim services in Canada have their roots in the past (Rock 1986; Burns 1992; Young 2001a, 2001b). Aware of victims' plight, but not mandated by law, the federal government offered to help all provinces develop support and compensation programs for victims of violent crimes. In January 1973, the federal government agreed to allocate each province five cents per resident per year for this purpose or, alternatively, to pay 90% of the total cost of support and compensation for victims of violent crime in the province, whichever amount was lower. In 1977, this allocation was changed to ten cents per resident per year or 50% of the costs of the province for this purpose, again whichever was lower (Burns 1992).

In 1983, with the growing awareness of victims' needs, the Canadian federal and provincial governments jointly established the Canadian Federal-Provincial Task Force on Justice for Victims of Crime. This was done prior to the UN Declaration in 1985. Following the UN Declaration and the recommendations of the Canadian Task Force, in 1988 the federal justice ministry and provincial ministers of justice jointly formulated the *Canadian Statement of Basic Principles of Justice for Victims of Crime*. This statement was meant to shift the focus of attention of the Canadian criminal justice system from the offenders to the interests and needs of the victims involved.

The original 1988 statement⁶ reflected a positive yet abstract list of victims' rights, phrased in general terms. In line with this statement, the federal government continued to subsidize provincial victim support and compensation programs. However, in 1992, in the absence of a law mandating this allocation, the federal government ceased to share the provincial expenses for victims' assistance and compensation. Provinces had to decide if they would continue the support programs and cover the resulting costs themselves (Bakvis and Skogstad 2002).

A 1998 report⁷ by the Federal Standing Committee on Justice and Human Rights, chaired by Shaughnessy Cohen, examined if and how provinces followed the *Canadian Statement*. This report was critical. It confirmed that

victims need protection and information, and that they need to have a voice, respect, and an advocate to secure this for them. The report gave eight specific recommendations for developing a federal crime victim strategy.

1. Implementing the *Statement of Basic Principles of Justice for Victims of Crime*;
2. Establishing an Office for Victims of Crime representative of all components of the criminal justice system;
3. Assessing restorative justice practice in Canada;
4. Tabling an Omnibus Bill to amend the *Criminal Code* and *Corrections and Conditional Release Act*, based on the *Statement of Basic Principles of Justice for Victims of Crime*;
5. Making specific amendments to the *Criminal Code*;
6. Working with provinces and territories to develop strategies to assist victims to enforce restitution orders;
7. Addressing the concerns of victims of crime respecting parole and the federal corrections system.

(Policy Centre for Victims Issues 2002, 7)

To carry out these recommendations, the Policy Centre for Victims Issues was established within the federal Department of Justice in 1998. The mandate of the centre is to study the needs of crime victims, review policies of assistance and support, coordinate the work of those dealing with crime victims, including the law enforcement agencies, and keep the public at large, as well as legislators, informed about the rights of victims of violent crimes. The centre published its “Victims of Crime Initiative” (VCI) and was given, in 2000, a five-year mandate to carry it out. The VCI “is broadly mandated to respond to the needs of victims of crime and increase their confidence in the Canadian criminal justice system ... by supporting provinces and territories that work with victims ...” (Policy Centre for Victims Issues 2002, 8).

However, the main outcome of the Federal Standing Committee on Justice and Human Rights Report was Bill C-79 (16 December 1998). This bill listed recommendations to ensure the rights of crime victims in the *Criminal Code* (Ministry of Justice 1998). Some view this legislation as reiterating old, existing principles⁸; however, the bill introduced five new principles to the *Canadian Criminal Code* (1999)⁹, binding on all the provinces:

- a. **The right to submit a Victim Impact Statement to the court:**
(Section 722 of the *Canadian Criminal Code*) According to this section, any crime victim can file a statement describing the harm done, or the losses incurred, due to the offence. Judges are

required to consider Victim Impact Statements at the time of sentencing a convicted offender. Where such a statement has been submitted, victims are allowed to read it aloud in court. Not always are such statements filed. (Meredith and Paquette 2001).

- b. **Imposition of a surcharge:** According to Section 737 of the *Canadian Criminal Code*, a victim surcharge is a mandatory penalty imposed on offenders at the time of sentencing. The court is obligated to levy a “victim surcharge” of 15% on any fine imposed on an offender. If no fine was imposed, the offender is obligated to pay a “surcharge” of \$50 for a summary conviction offence and \$100 for a more serious indictable offence¹⁰. A sentencing judge is authorized to waive payment of this surcharge if an offender cannot afford to pay it, or if paying this surcharge would cause “undue hardship” to the offender or her/his family. This surcharge is the main source of funding for support programs for crime victims.
- c. **Restitution to the Victim by the Offender:** The *Canadian Criminal Code* permits the court (Sections 738–741.2 and 491.2) to order the offender to pay restitution to cover victims’ expenses and replacement costs only. The initiative for paying restitution can come from the judge or the prosecutor, forcing the offender to pay restitution to the victim or the survivors for monetary loss to property or income, as well as other expenses incurred as a result of the crime. A restitution order does not include any compensation for pain and suffering.
- d. **Special arrangements, respectful and compassionate, in all matters related to victims of sexual offences:** To reduce further victimization, this change in the *Criminal Code* allows the court to ban the publication of identifying information about victims of sexual offences¹¹ (Sections 486 (4.1) and 486 (3)). It also allows a prohibition on cross-examination of the victim on intimate matters. Section 486 (1) allows the court to conduct its procedure *in camera*.
- e. **Establishment of special arrangements, respectful and compassionate, in all matters related to victim and witnesses under the age of 18, or suffering from mental or physical disability:** The *Criminal Code* (Section 486 (1.2)) allows a crime victim under the age of eighteen to testify in court accompanied by an adult (a support person). Furthermore, section 486 (2.1) to the *Canadian Criminal Code* allows for victims under the age of eighteen to request to testify behind a screen or by closed-circuit television.

The introduction of the last two principles (d, e) focuses on victims of sexual offences, and minors. It also includes special court guidelines for people suffering from emotional or physical disabilities.

In its 1998 report, the Federal Standing Committee on Justice and Human Rights recommended “assess[ing] restorative justice practice in Canada.” Restorative justice is an alternative way of settling conflicts, including criminal cases, by bringing the victim, the offender, and the community together to discuss a resolution respecting all parties (Braithwaite 2003). Canada has gained much experience in restorative justice programs and practices (Clairmont 1996; Clairmont et al. 2003; Wemmers and Canuto 2002; Roberts and Roach, 2003). Adopting restorative policies and practices is also based on local, provincial initiatives and funding (Dittenhoffer and Ericson 1983).

In summer 2003, a revised *Canadian Statement of Basic Principles of Justice for Victims of Crime* was published (Appendix A). It clarifies ambiguities but does not yet turn abstract principles into legal social rights.¹² Until now, no federal law specifies the right of victims of criminal injuries to state compensation. However, some provinces have established a victim compensation program (Wylie 2001; Young 2001a). To demonstrate the local interpretation of victim policy and services and to mark the differences that exist between provinces, two provinces will be discussed: Ontario and Nova Scotia.

Ontario

In order to legally establish victims’ rights, in December 1995, The *Act Respecting Victims of Crime* was legislated in Ontario. The Ontario parliament that year was eager to promote a clampdown on crime and advocate harsher punishment for those convicted. The Ontario lawmakers referred to this act as the *Victims’ Bill of Rights*. Section 1 of this law defines a victim as “a person who, as a result of the commission of a crime by another, suffers emotional or physical harm, loss of or damage to property or economic harm, including loss of income-earning ability.”

Ontario’s *Victims’ Bill of Rights* drew inspiration from the 1988 *Canadian Statement of Basic Principles of Justice for Victims of Crime*. The Ontario law stipulates that victims of crime should be treated “with courtesy, compassion, and respect for their personal dignity and privacy [...] victims must have access to all information related to the handling of the complaint that they filed.”

In 1997, three crime victims petitioned an Ontario court to declare that sections of the 1995 *Act Respecting Victims of Crime* grant them legal rights that any court in the province would acknowledge. After hearing their case, the court decided that Ontario's *Victims' Bill of Rights* does not confer "legal rights." It ruled that although the law reflects the intent of society to deal compassionately and fairly with the victims of crime, "there are no rights, either statutory or constitutional by reason of, or within the Act — nor did the legislature intend there to be It is nothing more than a statement of government policy wrapped in the language of legislation. While the Applicant may be disappointed by the legislature's efforts, they have no claim before the courts because of it" (File No. 97-CV-134533SR section 40, 41; released 13 May 1999). This court decision removed any ambiguity about the legal, constitutional significance of Ontario's *Victims' Bill of Rights*. This ruling reaffirmed that the only victims' rights that are legally binding are those defined in Canada's *Criminal Code*.

Still, any victim of a crime that takes place in Ontario may apply to the province for compensation under Ontario's *Compensation for Victims of Crime Act*.¹³ This Ontario law, applicable to victims of violent crimes (e.g., murder, assault, battery, sexual assault, assault of a minor) or to any individual who sought to prevent injury to another person or property — or to the dependents of the victim — provides for coverage of medical costs, medicines, burial costs, loss of income as a result of the injury, loss of support that the victim regularly provided for another, and costs related to the application for restitution, including appearances before a public board established to deliberate such applications. For this purpose, Ontario appointed a provincial, quasi-judicial commission: the Criminal Injuries Compensation Board. It deals with applications for losses that result from criminal injuries and that are not covered by any other source. The board can award a reimbursement of expenses and a lump-sum compensation not to exceed \$25,000, or a monthly payment not to exceed \$1,000 for an extended period. In severe cases, the overall reimbursement and compensation cannot exceed \$365,000. Despite its title, this compensation scheme does not recompense victims for pain and suffering. It is up to the court to decide what restitution is appropriate.

The rules of the board do not always require the filing of a complaint to the police. Experience indicates that some victims, especially of family violence or sexual offences when they were minors, prefer not to inform the police about grave incidents immediately after they occur.¹⁴ If allegations are filed years later, the board will base its decision on medical certificates and affidavits from therapists or caretakers, verifying that the act was committed against the applicant and that they have attended to its long-term

consequences. If approved, compensation will cover the costs of therapy and counselling.

To maintain its quasi-judicial character, the Criminal Injuries Compensation Board sometimes also summons the offender¹⁵ to a session in which the offence will be discussed: first, the offender has the right to defend him or herself during deliberations; second, if compensation is awarded to the victim, the offender may be required to pay all or part of it. The parties are not represented by legal counsel, and the board makes its decision based on the testimony and documents before it, applying the criterion of “balance of probabilities,” which is used in civil cases, rather than “beyond all reasonable doubt,” used in criminal cases. After the board has heard the victim’s presentation and sometimes also the response of the offender, the victim is then asked to describe the effects of the offence upon his or her life, income, future earnings, and the like,¹⁶ and compensation may be granted. Later, if a victim wins reparation from the offender in court, the victim must disclose to the board the amount of money she or he received. Part of it must be subrogated to the province through the board.

Ontario: The Office for Victims of Crime

In 1998, the Ontario premier founded the Office for Victims of Crime, an advisory agency to the Ministry of the Attorney General of Ontario. A sixteen-member public council oversees its operation. Council members include representatives of the bureaus of correction and parole, the police, centres for victims of sexual assault, and other voluntary bodies. The Chair of this Office and three of its senior special advisors (Order in Council Appointments) staff are crime victims. They themselves have lost children to violent crime such as kidnapping, abuse, and murder. The very painful experiences of these parents have given them special status and clout on the issue of victims of violent crime. They serve as spokespersons for many crime victims. The Ontario Office for Victims of Crime was created to (1) increase external input to government decision making for programs affecting victims of crime; (2) enhance policy and program coordination and decision making with respect to services provided by ministries to victims of crime; (3) raise the public profile and credibility of programs assisting victims of crime; and (4) advise the government on the allocation of funding for programs from the Victims Justice Fund (VJF) (Office For Victims of Crime 2000, 3).

To finance this program without using taxpayers’ money, the Ontario government established the Victims Justice Fund, pooling fines and “surcharges” levied by criminal courts. The Ontario VJF covers the costs of many victim-oriented programs, including the victim support line called

SupportLink that provides ongoing case information and updates to the crime victim. This addresses the needs of people who believe that they are at risk and need protection. The Partner Assault Response Program helps violent individuals reduce their violence. A few community-police services (like the Victim Crisis and Referral Service) and other victim service initiatives exist in the province (Ontario Office for Victims of Crime [OVC] *Update*, 1(5)), all funded by monies collected by criminal courts as fines and surcharges.

With the change of government, and effective May 2004, the Victim Unit of the Ontario Office for Victims of Crime ceased to exist. Instead, crime victims are now referred to the Ontario Victim Services Secretariat (OVC *Update*, 1(8)). Having no legal basis, victim services may be further altered and relocated in the future.

Nova Scotia

In 1989, the province of Nova Scotia enacted its *Victims' Rights and Services Act* with the aim of providing support to victims of crime. Section 3 (1) of this law declares that a victim has three absolute rights:

- (a) The right to be treated with courtesy, compassion, and dignity and with respect for the privacy of the victim;
- (b) The right of access to social, legal, medical, and mental health services that are responsive to the needs of the victim and the needs of the victim's dependents, spouse, or guardian; and
- (c) The right to have property that was stolen from a victim returned to the victim as soon as possible.¹⁷

Section 3 (2) enumerates limited rights of the victim, subject to the availability of resources:

- (a) The victim has the right to be informed of the name of the accused, the specific offence with which the accused is charged, and the progress of the prosecution of the offender; and the victim has the right to testify about the effects of the offence and make representations for restitution from the offender.
- (b) The victim also has the right to receive information about the reimbursement of expenses, as well as compensation for the pain and anguish suffered as a result of the offence.
- (c) While waiting to testify in court, the victim has the right to be kept apart from the accused and the witnesses of the accused to ensure the safety of the victim and the victim's family and to protect them from intimidation and retaliation.

Based on this law, and to deal with crime victims and their families, the Justice Ministry of Nova Scotia established a Victims' Services Division. In addition to its staff, trained volunteers help care for victims of crime, monitor their safety, welfare, health, and report back to the Division. The Victims Services Division helps victims write a Victim Impact Statement if they wish to present it to the court. In 1999, Nova Scotia broadened the definition of victims to include not only individuals or families but also institutions, organizations, and businesses whose property or equipment was damaged as a result of a criminal offence.

In writing this Statement in their own words, victims must be very careful, and are legally barred from rescinding anything written there, even if they wish to do so at a later date. The content of the Victim Impact Statement is not confidential, and becomes part of the court "file" given to the judges, defence, and Crown. If the Statement is submitted after the defendant has been pronounced guilty, the court may consider its content during the sentencing (Nova Scotia Department of Justice 2000).

Another function of this Division is to implement section 11A(1), which declares eligible for compensation any person injured or the dependents of a person killed in a violent crime or during the attempt to prevent the commission of a violent crime by another. According to the Criminal Injuries Compensation Regulations (15 February 1994), any person who was the victim of a violent crime, who reported it to the police, and who filed a claim within the defined period may be eligible for state compensation. Compensation will be given for any injury that took place in Nova Scotia as a result of a criminal offence, sexual assault, or an attempt to prevent crime. This compensation may be awarded for:

- Expenses incurred as a result of the victim's injury or death.
- Monetary loss incurred by the victim as a result of total or partial disability affecting the victim's capacity for work.
- Monetary loss incurred by dependents as a result of the victim's death.
- Support of a child born as the result of rape.
- Other monetary loss that derives from the victim's injury and any expense that, in the opinion of the Board, is reasonable to incur.

(Nova Scotia, Criminal Injuries Compensation
Regulations 1992, c.11)

According to the original regulations, compensation will not be given for claims less than \$250, and the total amount of compensation paid to a victim

shall not exceed \$25,000 for one injury, with coverage of income lost not to exceed half this amount.

After the federal government ceased in 1992 to share the cost of provincial victim compensation programs, the Nova Scotia legislature enacted its 1994 Compensation law, but the provincial government found it hard to meet these costs on its own and gradually reduced the compensation paid to crime victims until it came to an end altogether in 1998. The only reimbursement recognized since then is for psychological counselling of the victims, their family members, or others who were traumatized by the case and require counselling, not to exceed \$2,000 per victim.

In a private interview with this author (22 August 2000), the director of the Division noted that cancellation of the compensation to crime victims did not arouse significant public protest. The provincial government was able to gloss over the cancellation of payments to crime victims in the context of cutbacks to other social services and the elimination of several welfare programs. Thus, public protest focused on broader and more sensitive budget cuts, and the cancellation of Criminal Injuries Compensation was lost in the shadows. Eventually, reactions were heard from the Coalition of Victims' Rights, composed of various NGOs, including the survivors of homicide victims, as well as women's organizations against sexual assault and family violence. Nevertheless, according to the Division director, cancellation of the reimbursement and compensation did not evoke major protest.

The *Criminal Code* mandates the imposition of a surcharge on any fine, to be used as a Victims Assistance Fund. In 2002, \$778,270 was collected from the entire province of Nova Scotia from this surcharge.¹⁸ Such limited resources did not allow for any significant assistance programs for victims, let alone for compensating them.¹⁹ The Victims Assistance Fund still funds a program to accompany and support witnesses in court cases dealing with violent crime. This program provides the victim with comprehensive information about the criminal justice system, including the pre-trial, trial, and incarceration stages. A pre-trial visit to the courtroom may also take place.²⁰

Discussion

This article examines the way in which Canada cares for people who have suffered criminal victimization. The discussion highlights three interrelated issues. The first issue is the nature of crime victims' rights. The second issue focuses on the differences that exist between provinces in

implementing victims' rights. The third issue relates to the organizational and legal framework of victim services.

As mentioned, the first issue is the nature of crime victims' rights. Conceptually, a right exists only if there is an explicit duty to administer and secure this right, a duty that can be challenged in court. A right that is not followed by a parallel duty can be viewed as an abstract, "declarative" right only, bearing little or no merit (Dworkin 1977, 98).

The 2003 *Canadian Statement of Basic Principles of Justice for Victims of Crime* lists a number of support services and financial benefits (reparation) that should be provided to crime victims (Section 7). However, the *Statement* does not specify any parallel duty to provide such reparation, loss of income, to reimburse expenses, pay damages, or compensate for pain and suffering. Failure to address the question of who is responsible for providing these items, and the lack of an explicit, legal duty of the state to secure each of these remedies, turns the *Statement* into a declarative document only. Indeed, the *Statement* may express good intentions, but it appears to carry little if any legal, let alone practical, weight. Even the 1995 *Ontario Act Respecting Victims of Crime* was ruled as having no legal merit.

The 1999 amendments to the *Criminal Code* introduced important new sections related to Victim Impact Statements, the payment of "surcharge," restitution, and so on. Incorporating these sections into the *Criminal Code* has reinforced them as formal, legal rights. True, the court does not have to secure all these rights, but it does have to consider them and justify its decision, opening the case to an appeal process. For example, the court has to consider redress by the offender, and is obliged to receive a Victim Impact Statement and even allow the reading of this Statement in court, if so requested by the victim. The *Criminal Code* clarifies the victim's right to prevent the publication of his/her identity and more. Hence, the *Criminal Code* has upgraded some intentions in the 1988 Canadian Statement from declaration to law, and has transformed abstract statements into something closer to victims' rights. However, the practical significance of this upgrade remains to be tested. If the court decides that it has no interest in a Victim Impact Statement, it may let it be read out in court but it will not refer to its content. If the court decides that the offender should but cannot pay damages to the victim, there is no way to implement the *Code*.

One can therefore argue that even the 1999 amendments to the *Criminal Code* have not fully secured victims' rights. Furthermore, the law permits the court not to impose a surcharge on the offender, leaving victim services unable to perform their social role. Basing an important social fund on court

rulings, and the imposition of surcharge in addition to the fine, puts much pressure on judges. In one province, judges tend to impose surcharges, whereas in another province, judges avoid imposing this surcharge. The result is that a public fund, intended to pay for victim services, does not receive the resources on which it relies. Despite statements made about the rights of victims of violent crime, it is doubtful whether these rights are reinforced by a parallel duty to secure them. Even duties imposed by the *Criminal Code* are not fulfilled in all provinces. When it comes to victims' rights, implementation of this Code differs according to the province.

Does this apply to offenders' rights? To prevent the criminalization of innocent people, the rights of offenders are well established and legally based and are far better implemented than victims' rights. No symmetry applies here. As indicated, victims' rights are narrow, and the budget of victim services is capped and not anchored in law. If a policy is placed along a continuum of which one pole represents legal "rights" and the other pole represents welfare-oriented, discretionary "considerations," offenders have legal rights specified by law that can be defended in court. Offenders can claim their rights but crime victims do not enjoy this option, and will have to approach welfare-oriented agencies and apply for assistance through non-statutory channels. Such asymmetry is quite disturbing. The rights of offenders are solidly entrenched in most Western legal systems. In recent years, and with the growing discussion over basic human rights, offenders seem to gain broader and more profound rights. Victim's rights have not enjoyed a similar process (Bacchus 1999). One of the reasons for this asymmetry is perhaps the fact that in criminal cases, it is the state versus the suspect or the offender. The latter needs to be protected from the state powers or the abuse of those powers. Victims, however, have already paid their toll and it is assumed that they do not need further protection; they need to be cared for. This puts the victim, and victim's rights, in a different perspective, and in a different legal position. Furthermore, as specified earlier, victims are not an integral part of the criminal process. True, they may be asked to give evidence, a traumatizing experience in itself, but they do not need any rights to protect them from any sanctions attached to this process (Ashworth 1998, 18).

The rights of offenders are solidly entrenched in most Western legal system. In recent years, and with the growing discussion over basic human rights, offenders seem to gain broader and more profound rights. Victim's rights have not enjoyed a similar process (Bacchus 1999).

The second issue relates to the differences that exist between provinces in implementing victims' entitlements. Not all provinces are legally

committed to compensate crime victims. We have witnessed significant differences between Ontario and Nova Scotia in the type and amount of support that they offer victims of violent crime. Indeed, we have seen that one province meticulously ensures compensation to the victim, while the other has done away with this payment entirely, and currently covers the cost of psychological counselling only. Therefore, one cannot refer to the universal rights to compensation of crime victims across Canada. Poorer provinces may be unable to pay victim compensation and provide them with the necessary services they may need, whereas the more affluent provinces may do both. However, do the victims differ between these two provinces? Do their needs vary? Is it really financial shortage that prevents provinces from helping crime victims, or is it a question of policy and priorities? Indeed, regimes that emphasize law and order on their political agenda seem to provide crime victims with better attention and resources, first, to recognize the loss and suffering that these victims endured, second, to reward them for cooperating with law enforcement agencies, and third, to demonstrate that the government views helping victims as part of its overall efforts to curb crime (Berki 1986). If true, this observation may shed some light on the third issue.

The third issue relates to problems that emerge from the organizational framework of the institutions dealing with victim policy and services. Most of these services, federal and provincial, are not part of the core civil service; instead, perhaps because of political conjuncture, they reside in agencies that were established for a limited period of time, whose mere existence and continued operation is not guaranteed. The Policy Centre for Victim Issues, as part of Justice Canada, had a five-year mandate (2000–2005) to implement its Victims of Crime Initiative. It was recently given a few more years to conclude its plan, and to introduce and sanction it locally. The Ontario Office of Crime Victims is defined by its ministry as an “advisory agency.” Its mere existence depends on future political and financial considerations. Now that the Ontario OVC has ceased to exist, are crime victims better off? Are they cared for?

In Canada, the discussion on the status of the agencies and the services that were designed to assist victims of crime is of major importance: their status defines their ability to influence decision making in their domain. Failure may emerge from the different choices made by each province with regard to positioning these agencies within various government departments. In some provinces, victim services are part of the Attorney General’s office; in others they belong to the Solicitor General or to the Health and Social Services, for example. The administrative affiliation of victim services has direct and indirect implication on the work of these

services and their ability to change existing policies and improve services to the population that they care for. Indeed, the formal setup of any state agency has a significant role in securing peoples' rights. If an agency is defined as "temporary," "advisory," and the like, will it have the status, means, and power to perform what it is meant to do? Can it pursue change? When the work of such an agency comes to an end, who will continue its mission, especially if the rights it advocates are not sanctioned by law, and there is no legal guarantee in their mere existence in the future? True, voluntary agencies could try and lift the banner, but would they be effective?

This article focuses on the nature and delivery of victims' rights in Canada. It argues that the only victims' rights are those established by the *Criminal Code*. Other so-called victims' rights are entitlements based on discretionary, welfare-oriented considerations. Only the future will determine in which direction victims' policy and services will move. At present, it seems that the nature of victim policy and services in Canada is much closer to the welfare end, depending on political legitimation, support, and funding that alters as political circumstances, leaders, and coalitions change. Since offenders' rights are robust, solid, and clear-cut, whereas crime victims do not enjoy similar rights, can it be said that crime victims suffer only once?

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Notes

1. Violent crimes are defined by law. They usually include assault, sexual assault, and robbery. Property crimes, blackmail, extortion, and similar types of severe criminal offences are not defined as "violent." Despite their harsh impact on people who have suffered victimization, they are not part of this discussion. In Canada, compensable violent crimes are defined by each province.
2. Non-government, voluntary victim support, and self-help initiative sexist and function in most provinces. They are not part of this discussion.

3. It can be argued that the court ruling in the Jane Doe case established such a duty: “The plaintiff has established a private law duty of care ... the police failed utterly in the duty of care they owed...their decision (not to warn) was irresponsible and grossly negligent” (Jane Doe v. Board of Commissioners of Police of Metropolitan Toronto (1998), 39 O.R. (3d) (487).
4. Elias also lists the Social Obligation Theory that highlights the compassion that people feel toward innocent crime victims, and the expectation that the state will help them.
5. In its 2001 Report, Statistics Canada made no distinction between violent and selected property crimes. It grouped them together under “Personal Crimes” (Mihorean 2001, 3).
6. The 1988 *Canadian Statement of Basic Principles of Justice for Victims of Crime* can be found at <http://canada.justice.gc.ca/en/ps/voc/csbp.html>.
7. “Victims’ Rights: A Voice, Not a Veto.”
8. For example, in some provinces, Victim Impact Statements have existed since 1989 (Nova Scotia 1992).
9. In some provinces there is no Ministry of Justice but, instead, a Ministry of the Attorney-General.
10. The *Canadian Criminal Code* provides for a “victim surcharge” on offences under the *Criminal Code* and the Controlled Drugs and Substance Act (also a federal legislation). Most provinces have enacted additional legislation that imposes “victim surcharge” on provincial offences (for example: motor vehicle offences and liquor control offences — both are under provincial legislation). The revenues from both the *federal* and *provincial* victim surcharge goes into a Victims’ Fund in each province.
11. Because of the special vulnerability of victims of sexual assault, the *Canadian Criminal Code* added several subsections to section 273.1, to help define “consent to sexual activity.” Such definition has its legal merits but it is doubtful if it can cover all life situations.
12. See http://canada.justice.gc.ca/en/ps/voc/publications/03/basic_prin.html.
13. In 1967, the *Law Enforcement Compensation Act* was passed in Ontario. This law entitled any police officer who suffered injury in the course of duty to receive compensation from the state. This act also covered citizens who helped police and law enforcement and suffered injury while doing so. Although this law took effect on 1 April 1968, it was amended retroactively in 1969 to the date of its passage, to establish that any victim of a violent crime was entitled to compensation by the state. In 1971, the Compensation for Victims of Crime Act was passed in Ontario, superseding the earlier law, and establishing a quasi-judicial committee to oversee compensation.
14. In recent years the board has endorsed applications of adults who were criminally injured while attending boarding schools as children.
15. In the case of child victims, family violence, and sexual offences, the offender is not summoned to the board hearing, in order to spare the victim.
16. Despite some similarities between the victim’s description to the board and the Victim Impact Statement, these are two different instruments. A Victim Impact Statement is submitted to the court, while the former, although similar in content, is submitted to the board, a quasi-judicial body.
17. The police or prosecutor’s office will sometimes keep possession of a victim’s personal effects until they can be presented in court as evidence, thereby preventing access of a victim to his or her property. This is why the commitment

- of the authorities to restore the victim's possessions as soon as possible is important.
18. The Nova Scotia web material on Policing and Victim Services can be found at <http://www.gov.ns.ca/just/PolVS/victimServices.htm>.
 19. In 1998–99, the total sum of compensation awards in Nova Scotia amounted to \$490,093. 414 people applied that year for compensation; 282 (68.1%) received awards. The average award was \$1,357.42 (Young 2001a).
 20. See Nova Scotia, Victims' Services Division: <http://www.gov.ns.ca/just/execsum.htm>.
 21. See http://canada.justice.gc.ca/en/ps/voc/publications/03/basic_prin.html.

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The Canadian Charter of Rights and Freedoms
The Canadian Criminal Code
Corrections and Conditional Release Act

The Canadian Statement of Basic Principles of Justice for Victims of Crime 1988, 2003
Bill C-79

Ontario:

The Law Enforcement Compensation Act, 1967
Compensation for Victims of Crime Act, 1971
Act Respecting Victims of Crime, 1995

Nova Scotia:

Victims' Rights and Services Act, Chapter 14, S.N.S. 1989
The Utility and Review Board Act S.N.S. 1992
Criminal Injuries Compensation Act, 1994
Criminal Injuries Compensation Regulations, 1992

Court Decisions:

Ontario: 97-CV-134533SR.

United Nations Declarations:

Universal Declaration of Human Rights, 1948
Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,
1985

Appendix

The Canadian Statement of Basic Principles of Justice for Victims of Crime, 2003

1. Victims of crime should be treated with courtesy, compassion and respect.
2. The privacy of victims should be considered and respected to the greatest extent possible.
3. All reasonable measures should be taken to minimize inconvenience to victims.
4. The safety and security of victims should be considered at all stages of the criminal justice process and appropriate measures should be taken when necessary to protect victims from intimidation and retaliation.
5. Information should be provided to victims about the criminal justice system and the victim's role and opportunities to participate in criminal justice processes.
6. Victims should be given information, in accordance with prevailing law, policies and procedures, about the status of the investigation; the scheduling, progress and final outcome of the proceedings; and the status of the offender in the correctional system.
7. Information should be provided to victims about available victim assistance services, other programs and assistance available to them, and means of obtaining financial reparation.
8. The views, concerns and representations of victims are an important consideration in the criminal justice process and should be considered in accordance with prevailing law, policies and procedures.
9. The needs, concerns and diversity of victims should be considered in the development and delivery of programs and services, and in related education and training.
10. Information should be provided to victims about available options to raise their concerns when they believe that these principles have not been followed.

Mirela Moldoveanu

Le multiculturalisme canadien : une politique efficace?

Réflexion sur des programmes de formation initiale des maîtres en Ontario

Résumé

En se basant sur l'hypothèse que la politique du multiculturalisme au Canada ne saurait être efficace que si le système d'éducation s'y implique à fond, cette étude examine les politiques d'éducation multiculturelle à l'échelon fédéral et en Ontario et leur implantation dans les programmes de formation initiale des maîtres offerts dans cinq grandes universités ontariennes. Malgré un haut degré de cohérence entre les politiques fédérales et provinciales, une rupture émerge au chapitre de la formation des futurs enseignants.

Abstract

Starting from the hypothesis that multicultural policy in Canada will never be successful unless the educational system is fully committed to it, this paper examines multicultural educational policies at both the federal and the Ontario provincial levels as well as their implementation in the basic curricula of educational programs offered at five major Ontario universities. Despite a high degree of concordance between the federal and provincial policies, the author sees a widening disparity in training programs for upcoming teaching professionals.

Depuis plus de 20 ans, la problématique du multiculturalisme est devenue une préoccupation de plus en plus importante pour les chercheurs de tous les domaines partout dans le monde. La mondialisation et la migration internationale, présentées et analysées surtout sous un angle économique, semblent avoir plusieurs effets parfois déconcertants sur les pays d'accueil. Le système d'éducation n'est pas épargné. En effet, les sociétés d'accueil doivent relever de nouveaux défis : diversification ethnoculturelle, reflétée évidemment dans la composition ethnique des cohortes scolaires, et hétérogénéité des traditions linguistiques et culturelles apportées par les nouveaux arrivants. Les pays concernés ont répondu de manières

différentes, dictées par leurs traditions culturelles et démocratiques, mais aussi par la proportion d'immigrants qu'ils ont à intégrer : le « melting pot » américain jusque dans les années 70, les politiques assimilationnistes de la France jusqu'au début des années 90, le multiculturalisme canadien, pour n'en donner que quelques exemples. Mais quelles sont les retombées des politiques multiculturelles sur la société canadienne?

Des études récentes soulignent certaines limites auxquelles se heurte l'implantation des dites politiques (Bannerji, 2000; Dei et Caliste, 2000; James, 2005). À la lumière de ces observations, nous formulons l'hypothèse que la capacité de la société canadienne d'intégrer harmonieusement les divers groupes culturels repose dans une large mesure sur la capacité du système d'éducation à s'adresser à tous les élèves, quelle que soit leur appartenance ethnoculturelle. Par conséquent, la formation au multiculturalisme des enseignants qui œuvrent déjà dans les écoles publiques ontariennes, mais surtout des futurs enseignants, devient une dimension essentielle de la préparation à la profession. En effet, étant donné la dynamique démographique des dix dernières années et les prévisions à moyen terme, il devient impératif que les enseignants sachent adapter leur démarche pédagogique aux besoins de groupes de plus en plus hétérogènes. Dans ce contexte, nous nous proposons d'analyser si les programmes de formation initiale des maîtres en Ontario sont conçus de manière à répondre aux objectifs de l'éducation multiculturelle. Plus spécifiquement, la présente recherche vise à : 1) présenter les politiques d'éducation multiculturelle aux paliers fédéral et provincial de gouvernement, et plus spécifiquement en Ontario¹; 2) analyser le degré de cohérence entre les politiques fédérale et provinciale concernant l'éducation multiculturelle; 3) analyser le degré de cohérence entre les politiques provinciales et celles des principales universités ontariennes qui offrent des programmes de formation initiale des maîtres.

En essayant de répondre aux objectifs de recherche mentionnés, le présent texte comprend cinq parties. La première argumentera, d'une perspective de demande sociale, la nécessité de l'implantation de l'éducation multiculturelle au Canada. La deuxième partie présentera le cadre de référence, tandis que la troisième se penchera sur la méthodologie de recherche. Dans la quatrième partie, nous entreprendrons une analyse des politiques multiculturelles en vigueur au Canada et en Ontario ainsi qu'une analyse curriculaire de cinq programmes de formation initiale des maîtres offerts dans de grandes universités ontariennes. Enfin, la dernière partie sera dédiée aux conclusions.

L'éducation multiculturelle au Canada : une nécessité?

L'éducation multiculturelle au Canada semble s'appuyer sur une grande demande sociale. Un bref aperçu du profil ethnoculturel, à l'échelle nationale et en Ontario, permettra de mieux apprécier l'importance de la politique sur le multiculturalisme.

La diversité canadienne en statistiques

Les données du dernier recensement de Statistique Canada (2001) montrent que les immigrants représentent 18,4 p. 100 de la population totale du Canada. L'immigration constitue par ailleurs le facteur le plus important de croissance démographique dans presque toutes les régions du Canada, mais surtout dans les grandes régions urbaines. Le taux de croissance démographique de 2 p. 100 enregistré par les villes de Toronto et de Vancouver, de 1996 à 2001, est dû à l'immigration internationale (Statistique Canada, 2002). En même temps, le taux de croissance démographique des groupes culturels est supérieur à celui des Canadiens de souche : 58 p. 100 pour les populations des groupes ethnoculturels contre 9 p. 100 pour la population canadienne de souche, de 1986 à 1991 (Statistique Canada, 2001).

Ces chiffres ne constituent pas une nouveauté. Le taux actuel de croissance démographique des groupes culturels représente le niveau le plus haut des cinq dernières décennies (Statistique Canada, 2001), mais le changement le plus radical s'observe dans l'origine des groupes d'immigrants. Tandis que dans les années 60 et 70, la plupart des immigrants venaient des pays de l'Europe occidentale (81 p. 100), les nouveaux arrivants viennent de pays différents. À titre d'exemple, précisons que 57 p. 100 des immigrants établis au Canada entre 1991 et 1996 viennent d'Asie, 13 p. 100 des Caraïbes, d'Amérique centrale et du Sud et 7 p. 100 d'Afrique (Statistique Canada, 2001).

La plupart des immigrants sont concentrés dans les grands centres urbains : Toronto, Vancouver, Montréal. La diversification ethnoculturelle touche de plus en plus de régions considérées jusqu'à présent comme plus homogènes de ce point de vue, par exemple Ottawa et le couloir Calgary-Edmonton. Parmi les provinces, l'Ontario accueillait en 1996 le pourcentage le plus élevé de population immigrante, soit 25,6 p. 100 de la population totale de la province (Statistique Canada, 2001). Depuis, les données-échantillons du recensement de 2001 montrent que le pourcentage des immigrants en Ontario a encore augmenté, s'établissant à 26,84 p. 100 (Statistique Canada, 2003). Cette augmentation change certes la composition ethnique de la société en général, mais a aussi un effet

considérable sur la composition ethnique de la population étudiante. D'ailleurs, les jeunes cohortes sont plus diversifiées sur le plan ethnique que les cohortes plus âgées. En 1996, par exemple, la composition ethnique des jeunes cohortes prouvait cette diversification : pour les enfants de 0 à 5 ans, 45 p. 100 étaient d'origine autre que canadienne (48 p. 100) ou autochtone (7 p. 100); pour la cohorte de 6 à 11 ans, on enregistrait 50 p. 100 de Canadiens de souche contre 43 p. 100 d'enfants d'autres origines et 7 p. 100 d'Autochtones; pour la cohorte de 12 à 18 ans, il y avait 52 p. 100 de Canadiens de souche, 43 p. 100 d'autre origine et 5 p. 100 d'Autochtones (Statistique Canada, recensement de 1996). En Ontario, 55 p. 100 des jeunes de moins de 25 ans en 1996 étaient d'une origine autre que canadienne, contre 42 p. 100 de Canadiens de souche et 3 p. 100 d'Autochtones (Mata et Valentine, 1999, p. 3). De plus, parmi les enfants immigrants d'âge scolaire, 65,6 p. 100 n'avaient ni l'anglais ni le français comme langue maternelle (Statistique Canada, 1996). Un bref regard sur la réussite de l'intégration de ces élèves dans les écoles canadiennes pourrait montrer sous un jour nouveau la problématique de la formation multiculturelle des enseignants.

L'intégration des enfants immigrants dans le système scolaire canadien

À la suite de ce bref profil ethnoculturel du Canada d'aujourd'hui, il est opportun de se demander comment le système d'éducation canadien réussit à intégrer les élèves d'origine ethnique et de culture différentes et à répondre à leurs besoins. Des études menées récemment ont prouvé que le potentiel du système actuel est assez limité. L'enquête de Worswick (2001) soutient que les enfants immigrants réussissent tout aussi bien à l'école que leurs pairs nés au Canada, même s'ils ont plus de difficultés qu'eux en lecture et en rédaction; mais son étude mesure seulement la réussite des enfants qui poursuivent leurs études, sans prendre en considération l'abandon scolaire.

Malgré l'optimisme que peuvent justifier ces données, la plupart des recherches mettent en évidence un écart considérable entre le taux de réussite scolaire des enfants immigrants et des élèves membres des minorités visibles, et celui des Canadiens de souche. Par exemple, Watt et Roessingh (1994) enregistraient un taux d'abandon scolaire de 74 p. 100 pour les élèves immigrants dont l'anglais est la langue seconde. Selon une étude menée par Brown (1993) sur la réussite scolaire des élèves des minorités visibles, 42 p. 100 des élèves noirs qui fréquentaient l'école secondaire en 1987 avaient quitté l'école en 1991, comparativement à un taux d'abandon scolaire de 33 p. 100 pour les élèves qui n'étaient pas de race noire. Le décrochage scolaire semble relié aux difficultés des enfants

immigrants à s'adapter à un système qui ne tient pas compte de leurs besoins spécifiques (Antoniadès, Chéhadé et Lemay, 2000; Antoniadès, Chéhadé, Lemay, Armand et Lamarre, 2001; Bouchamma, 2002; Dei et coll., 1987; Hakuta, 1987; Plante-Proulx, 1987). Par ailleurs, les obstacles à l'intégration des minorités ethnoculturelles dans la profession enseignante témoignent finalement de la même incapacité du système actuel de rejoindre toutes les catégories d'étudiants (Mujawamariya, 2000 et 2002a; Mujawamariya et Moldoveanu, 2003a et 2003b).

Dans ce contexte, nous essaierons de voir comment les programmes de formation initiale des maîtres prennent en considération la dimension multiculturelle. Notre étude s'appuie sur une analyse curriculaire et sur une conception de l'éducation multiculturelle que nous définirons dans ce qui suit.

Assises théoriques : curriculum et multiculturalisme

Le curriculum et l'éducation multiculturelle font couler beaucoup d'encre depuis plusieurs décennies. En effet, la littérature qui vise à cerner le sens de chacun des deux concepts clés qui fondent la présente étude est immense. Les sections suivantes tenteront de préciser les acceptions adoptées dans le cadre de notre recherche.

L'analyse curriculaire

Aux fins de la présente recherche, nous retiendrons deux dimensions définissant l'action éducative, qui découlent des théories d'analyse curriculaire présentées par Nadeau (1988) : le système éducatif et le curriculum formel. Le système éducatif représente selon Nadeau le cadre général dans lequel s'inscrivent les programmes éducatifs. Ces derniers respectent idéalement les grandes lignes directrices du système éducatif et sont conçus de façon à en atteindre les objectifs. Pour que l'action éducative soit efficace, il devrait y avoir de la cohérence entre ces deux volets.

La partie formelle du curriculum se concrétise dans un programme d'études caractérisé par des objectifs spécifiques. Conformément au principe de cohérence sus-mentionné, l'analyse du curriculum formel mettra en évidence les visions du monde, les théories philosophiques, sociologiques, psychologiques, épistémologiques et éducatives adoptées par le planificateur, ses valeurs et croyances (Nadeau, 1988; Herman et Herman, 1994). Le curriculum résulte d'une activité décisionnelle fondée sur des choix idéologiques, stratégiques et politiques. Ce niveau d'analyse fera ressortir les idéologies du planificateur du programme : ses croyances et les valeurs qu'il veut transmettre aux étudiants. En même temps, le

planificateur du programme doit prendre en considération la trame philosophique du système éducatif dans lequel s'intègre le programme. Dans l'analyse que nous proposons des programmes de formation initiale des maîtres, nous essayons de prendre en compte les orientations du système éducatif en Ontario relativement à l'éducation multiculturelle et de cerner la cohérence de celles-ci avec les curricula formels des programmes retenus. Mais pour ce faire, il est nécessaire de définir le concept d'éducation multiculturelle.

L'éducation multiculturelle

Giroux (2000) définit le multiculturalisme comme un terrain où s'affrontent des construits idéologiques variés : la mémoire historique et l'identité nationale, les représentations sociales et de soi-même et les politiques de la différence. Pour ce qui est de l'éducation, selon le même auteur, un curriculum multiculturel doit développer des contextes qui aident à reconstruire les relations entre l'école, les enseignants, les étudiants et la communauté. Malgré la récurrence des concepts et des idées, le domaine de l'éducation multiculturelle reste extrêmement complexe. La terminologie utilisée elle-même en témoigne : les spécialistes parlent d'éducation multiculturelle, interculturelle, antiraciste ou à la citoyenneté. Sans entrer dans le débat terminologique, nous retenons le syntagme « éducation multiculturelle », privilégié dans les documents politiques fédéraux et de l'Ontario.

Fondamentalement, la formation multiculturelle vise à une révision globale de l'enseignement, de façon à relever les défis du pluralisme ethnoculturel que pose la société canadienne actuelle. Pagé (1993) définit trois objectifs que devrait remplir l'éducation multiculturelle : 1) reconnaître et accepter le pluralisme comme une réalité de la société contemporaine; 2) contribuer à l'instauration d'une société d'égalité de droit et d'équité; 3) contribuer à établir la cohésion sociale en établissant des relations interethniques harmonieuses.

L'approche multiculturelle en éducation influence à différents niveaux de complexité les curricula. Banks (1989, p. 192) en identifie quatre, que nous allons retenir aux fins de notre analyse : 1) les approches « contributionnistes », qui se limitent à introduire des contenus ethniques superficiels, tels que les fêtes, la nourriture, les héros et, en général, des éléments culturels discrets; 2) les approches « additives », qui ajoutent des contenus, des concepts, des thèmes et des perspectives ethniques, mais sans modifier en profondeur la structure du curriculum; 3) les approches « transformationnelles », qui visent à changer la structure du curriculum en

intégrant des perspectives multiculturelles; 4) les approches « d'action sociale », qui impliquent les membres des groupes culturels dans la société.

Après avoir défini le cadre de référence de notre étude, il est important de préciser la méthodologie de recherche utilisée. La section suivante en décrira brièvement les points clés.

La méthodologie de recherche

Afin de répondre aux objectifs de la présente étude, nous avons entrepris une recherche documentaire pour identifier les politiques fédérales et provinciales concernant le multiculturalisme. Une analyse curriculaire des programmes de formation initiale des maîtres offerts dans cinq grandes universités ontariennes nous a permis par la suite de vérifier le degré de cohérence entre les politiques officielles et les réalités de formation multiculturelle des futurs enseignants en Ontario.

Pour établir les fondements philosophiques de l'éducation multiculturelle au Canada, nous avons retenu deux documents qui légifèrent et définissent le multiculturalisme au Canada, soit : la *Loi sur le multiculturalisme canadien* (1998) et le *Rapport sur le multiculturalisme canadien* de 2000/2001 ainsi que cinq documents en lien avec l'implantation des politiques multiculturelles dans les écoles ontariennes et avec les compétences recherchées des enseignants en Ontario, soit : *L'antiracisme et l'équité ethnoculturelle dans les conseils scolaires. Lignes directrices pour l'élaboration et la mise en œuvre d'une politique* (MÉFO, 1993); la Note MÉFO n° 119 du 13 juillet 1993, *Élaboration et mise en œuvre d'une politique d'antiracisme et d'équité ethnoculturelle dans les conseils scolaires*; le rapport *Pour l'amour d'apprendre* (La Commission royale sur l'éducation, janvier 1995); le guide *Valeurs, influences et relations avec les pairs* (1996) et les *Normes d'exercice de la profession enseignante* (OE, 1999). La recherche documentaire visait à mettre en évidence les politiques des autorités curriculaires contribuant au processus d'éducation en Ontario et spécifiquement dans la formation initiale des maîtres (le ministère de la Formation et des collèges et universités — MÉFO — et l'Ordre des enseignantes et des enseignants de l'Ontario — OE). La recherche a ciblé par conséquent des documents différents pour chaque organisation mentionnée, sélectionnés en fonction des objectifs de la recherche et cohérents avec le modèle théorique qui la sous-tend.

Ces documents ont été soumis à une analyse de contenu visant à faire émerger, dans un premier temps, la place qu'accordent au multiculturalisme les discours politiques fédéraux et de la province de l'Ontario. Les compétences relatives au multiculturalisme que devraient, conformément à

ces documents, posséder les enseignants de l'Ontario constituent un deuxième aspect ciblé par l'analyse de contenu. La grille d'analyse de ces documents comprenait des catégories préétablies, en conformité avec le cadre de référence de la recherche, ainsi que des catégories émergentes des documents eux-mêmes.

Nous avons analysé par la suite les curricula des programmes de formation initiale de formation des maîtres offerts dans cinq universités ontariennes : l'Université de Toronto (OISE), l'Université Queen's (située à Kingston), l'Université York, l'Université Western Ontario (située à London) et l'Université d'Ottawa. Il faut préciser que l'Université d'Ottawa, la seule université bilingue en Ontario, dispense deux programmes de formation initiale des maîtres : *Teacher Education*, offert en anglais, et Formation à l'enseignement, offert en français.

Des critères de position géographique et de prestige académique ont dicté le choix des universités à l'étude. Ainsi, le programme de formation initiale des maîtres offert à l'Université de Toronto compte parmi les plus prestigieux en Ontario; cette université présente un intérêt d'autant plus grand qu'elle est située dans la région qui accueille le plus grand nombre d'immigrants en Ontario (Statistique Canada, 2003). Les universités Queen's, York et Western se trouvent, elles aussi, dans des régions multiethniques, tandis que l'Université d'Ottawa aspire à répondre aux besoins de deux communautés linguistiques et culturelles différentes : anglophone et francophone.

L'analyse des programmes des cinq universités est restée au niveau du curriculum formel. Les résultats de cette analyse curriculaire peuvent être corroborés avec ceux d'autres recherches qui ont ciblé spécifiquement les perceptions des étudiants maîtres au sujet de leur préparation à l'éducation multiculturelle (Mujawamariya et Moldoveanu, 2006a et 2006b). Une comparaison des résultats des analyses documentaire et curriculaire a été réalisée. La section suivante nous renseignera sur la façon dont le multiculturalisme apparaît dans les documents officiels.

L'éducation multiculturelle : des politiques aux pratiques curriculaires

Le multiculturalisme dans les politiques fédérales

Le Canada a affirmé officiellement la diversité comme source de richesse à la fin des années 60, quand le *Rapport de la Commission royale d'enquête sur le bilinguisme et le biculturalisme* recommandait la reconnaissance du français comme langue officielle ayant le même statut que l'anglais dans

l'administration fédérale et au Parlement. Cette recommandation s'est traduite en pratique, en 1969, par l'entrée en vigueur de la *Loi sur les langues officielles*. C'était le premier pas vers la politique d'acceptation de la diversité ethnoculturelle.

En 1971, le gouvernement libéral présidé par le premier ministre Pierre Elliott Trudeau a affirmé d'une manière formelle la politique multiculturelle du Canada. Dans un cadre encore plus formel, la *Loi sur le multiculturalisme*, sanctionnée en 1988, assure l'appui du gouvernement aux divers groupes minoritaires du Canada pour qu'ils développent leur culture tout en contribuant à l'épanouissement de la société canadienne et pour que les nouveaux arrivants apprennent une des langues officielles. Comme le précise la *Loi sur le multiculturalisme canadien*, la politique du gouvernement fédéral en matière de multiculturalisme consiste à le reconnaître comme une « source de richesse » du Canada et à « encourager la participation égale et équitable de tous à la vie sociale », et ce, « quelle que soit l'origine ethnoculturelle de la personne », tout en mettant en œuvre des mesures destinées à « préserver le patrimoine culturel et linguistique » des minorités culturelles.

Malgré les critiques (venant surtout de la part des représentants des francophones et des Autochtones, mais aussi des communautés immigrantes), le Canada a poursuivi sa politique multiculturelle et reste, jusqu'à présent, le seul pays ayant mis en place une telle politique. Mais l'adoption d'une politique n'équivaut pas toujours à une implantation efficace et équitable. En effet, 30 ans après l'adoption de la politique multiculturelle et 15 ans après la sanction de la *Loi sur le multiculturalisme canadien*, des chercheurs s'interrogent encore sur la problématique du multiculturalisme effectif. Ce n'est pas par hasard que les professionnels de l'éducation sont ceux qui se montrent les plus préoccupés (Moodley, 1995; Laperrière, 1991; James, 1997; James et Schecter, 2000; Mujawamariya, 2000 et 2002, Ghosh et Abdi, 2004, pour n'en citer que quelques exemples), puisque implanter une politique multiculturelle entraîne nécessairement des changements de mentalité qui doivent s'opérer dès la plus tendre enfance. Et l'école tient une place privilégiée dans ce changement, à l'instar de toutes les autres institutions participant à la formation des attitudes et à la reproduction culturelle : la famille, l'Église, les pairs, les diverses organisations et les médias.

Le multiculturalisme dans les politiques éducatives de l'Ontario

Le gouvernement de l'Ontario a suivi de près la politique du gouvernement fédéral. En 1977, il a par exemple établi *The Heritage Language Programme*, qui propose des cours de langues et de notions culturelles à

l'intention des élèves issus de l'immigration, présentés après le programme régulier. En 1987, à l'époque où le gouvernement fédéral était en train de rédiger la *Loi sur le multiculturalisme canadien*, un comité consultatif ontarien a publié le rapport *Élaboration d'une politique d'équité en matière de relations raciales et ethnoculturelles*. Ce rapport proposait aux conseils scolaires un modèle de politique sur les relations raciales. Soumis à un examen critique à l'échelle provinciale, ce rapport constitue le fondement des politiques sur l'éducation multiculturelle et antiraciste qu'a adoptées par la suite le gouvernement de l'Ontario — *L'antiracisme et l'équité ethnoculturelle dans les conseils scolaires. Lignes directrices pour l'élaboration et la mise en œuvre d'une politique* (1993). La note n° 119/1993 (Politique antiraciste et d'équité ethnoculturelle dans les conseils scolaires) du MÉFO définit le cadre d'action envisagé à l'époque pour réformer l'éducation en Ontario. Puisque depuis 1993 le MÉFO n'a pas réactualisé ses politiques à ce sujet, ces deux documents restent les seules références. Le gouvernement de l'Ontario admet dès le début que « les structures, les politiques et les programmes en éducation reflètent surtout une perspective européenne et ne tiennent pas compte des points de vue, des expériences et des besoins des Autochtones, ainsi que des nombreux groupes raciaux et ethnoculturels minoritaires » (MÉFO, 1993b, p. 1), et précise que les objectifs des établissements d'éducation seront dorénavant d'offrir une éducation équitable et des chances égales de réussite à tous les élèves des écoles ontariennes.

Le MÉFO reconnaissait dans ce document l'existence d'inégalités au sein du système éducatif et en admettait les conséquences néfastes sur l'« épanouissement des Autochtones et des autres élèves et des membres du personnel issus des minorités raciales et ethnoculturelles » (*ibidem*, p. 1). Il recommandait par conséquent une modification des politiques en place à l'époque, accompagnée d'une modification des pratiques et des comportements individuels « qui sont racistes de par leur incidence, si ce n'est par leur intention » (*ibidem*, p. 1). Les conseils scolaires devaient élaborer une politique contre le racisme et pour l'équité ethnoculturelle, qui serait par la suite approuvée par le ministre de l'Éducation. La priorité était accordée « à l'élargissement du programme d'études pour y inclure divers points de vue et en éliminer les stéréotypes » (*ibidem*, p. 1).

D'autres publications ministérielles témoignent implicitement de l'orientation politique du gouvernement à ce sujet. Le document *Valeurs, influences et relations avec les pairs. Guide pédagogique*, qui date de 1996, en constitue un exemple concluant. Le MÉFO y définit les valeurs auxquelles le système éducatif de l'Ontario doit préparer les élèves. Deux objectifs apparaissent comme essentiels dans le processus d'éducation et de

formation : la sensibilisation des élèves aux valeurs de la société canadienne et la création dans les écoles ontariennes d'un « environnement qui les aide à se créer une image positive d'elles-mêmes et d'eux-mêmes, ce qui est crucial pour leur permettre d'agir en tant que membres responsables et bienveillants de la société » (MÉFO, 1996, p. 1). La diversité ethnoraciale et culturelle représente selon ce document un facteur qui a changé d'une manière radicale l'image de la société. En même temps, il reste essentiel que l'école forme des individus qui pourront « vivre, s'épanouir et jouer un rôle productif dans une société qui valorise la diversité et qui prône l'équité et la justice sociale » (*ibidem*, p. 2). Parmi les valeurs sociales considérées comme importantes par les auteurs du guide pédagogique de 1996 comptent le respect de soi, la justice, l'égalité des chances, l'équité, c'est-à-dire exactement les valeurs promues par les tenants de l'éducation multiculturelle. L'image se complète lorsque s'y ajoutent quelques-unes des valeurs personnelles dont parle le document en question : la conviction qu'il est important de réaliser son potentiel, le respect des autres, le respect de soi-même, l'appréciation de sa langue et de sa culture d'origine, ainsi que des autres langues et cultures. Sans faire une référence directe aux idéaux de l'éducation multiculturelle, ce guide pédagogique se situe dans le cadre idéologique que défendent les militants les plus ardens du multiculturalisme.

En janvier 1995, la Commission royale sur l'éducation (établie par le MÉFO en 1993) publie le rapport *Pour l'amour d'apprendre*, qui constitue la clé de l'évolution actuelle du système éducatif ontarien. Le rapport consacre la diversité ethnoculturelle en Ontario comme une source de richesse, mais aussi comme une source de tensions au sein des établissements scolaires. Les auteurs affirment leur croyance dans la capacité du système éducatif ontarien de « répondre à cette diversité » et dans sa mission de « servir dans la plus totale équité des élèves de toute provenance imaginable » (Commission royale sur l'éducation, 1995, p. 1).

En étroite relation avec les principes et les objectifs de l'éducation multiculturelle et antiraciste, la Commission recommande que :

- les écoles fournissent les programmes de soutien linguistique en anglais ou en français à l'intention des élèves immigrants qui en ont besoin (recommandation 32);
- les facultés d'éducation intensifient leurs efforts en vue d'attirer un plus grand nombre d'étudiants-maîtres provenant des minorités culturelles et raciales (recommandation 61);
- les facultés d'éducation mettent en place des programmes conjoints pour encourager les jeunes appartenant aux groupes

minoritaires à choisir la profession d'enseignant (recommandation 62);
les conseillères et conseillers scolaires, les éducatrices et les éducateurs et le personnel de soutien bénéficient d'un programme de perfectionnement professionnel sur l'antiracisme (recommandation 137);
l'évaluation du rendement des agentes et agents de supervision, des directrices et directeurs, de même que des enseignantes et enseignants inclut des résultats mesurables, liés directement aux politiques et aux plans antiracistes du Ministère et des conseils scolaires (recommandation 138);
le Ministère et les conseils scolaires examinent et contrôlent systématiquement le matériel didactique (textes, livres et revues, vidéos, logiciels et ainsi de suite), les méthodes et programmes pédagogiques (programme d'études) ainsi que les outils d'évaluation pour s'assurer qu'ils soient dénués de tout racisme et qu'ils respectent l'esprit et la lettre des politiques antiracistes (recommandation 140).

L'un des changements les plus importants survenus à la suite du rapport de la Commission royale sur l'éducation reste la création de l'Ordre des enseignantes et enseignants de l'Ontario (OE). Organisation professionnelle, l'OE assume parmi d'autres responsabilités la mission d'élaborer un processus d'agrément des programmes de formation initiale à l'enseignement offerts par les facultés d'éducation de l'Ontario — processus extrêmement récent, dont la dernière étape s'est accomplie le 12 décembre 2002, date à laquelle l'OE est devenu responsable de l'agrément de tous les programmes de formation initiale des maîtres en Ontario.

En novembre 1999, l'OE a adopté les *Normes d'exercice de la profession enseignante*, qui décrivent les compétences et les aptitudes dont tous les membres de l'organisation (en fait les seuls habilités à enseigner en Ontario) devraient faire preuve. Comme le précise ce document, les membres de l'OE « traitent équitablement et avec respect » tous les élèves, les « encouragent à devenir des individus à part entière au sein de la société », « connaissent les façons d'enseigner dans un monde en évolution » (OE, 1999, p. 5). Les membres de l'OE aident l'élève « à accepter sa propre identité, à mieux connaître son patrimoine culturel et à développer son estime de soi », utilisent « une gamme de méthodes pédagogiques pour s'adapter aux différences en apprentissage, culturelles, spirituelles et langagières », « s'adaptent aux différences des élèves tout en respectant leur diversité », aident l'élève « à lier l'apprentissage à sa propre expérience de vie ainsi qu'à ses particularités culturelles et spirituelles » (*ibidem*, p. 9). Parmi les connaissances essentielles des membres de l'OE

figure la compréhension de l'influence sur l'apprentissage « du patrimoine culturel, de la langue, de la situation familiale, du sexe, de la communauté » (*ibidem*, p. 11).

Les documents analysés définissent les orientations générales du système ainsi que ses attentes par rapport aux profils de sortie des futurs enseignants. En effet, les documents fédéraux indiquent les objectifs de la politique multiculturelle canadienne. Ensuite, ceux du gouvernement de l'Ontario explicitent des aspects en lien direct avec le système éducatif, tout en englobant de façon cohérente les valeurs et les principes du multiculturalisme énoncés au palier fédéral. Le tableau 1 rend compte d'une façon synthétique des éléments clés qu'a fait émerger l'analyse documentaire.

D'une façon cohérente, l'approche du multiculturalisme proposée dans ces documents semble s'inscrire dans une démarche d'action sociale (Banks, 1989). Mais comment les facultés d'éducation ontariennes ont-elles conçu leurs curricula afin de préparer les futurs enseignants à mettre en pratique les politiques multiculturelles?

Le multiculturalisme dans les programmes de formation initiale des maîtres en Ontario

La présence des divers volets de l'éducation multiculturelle reste très forte à l'Université de Toronto, qui dispense un cours obligatoire traitant des relations entre l'école et la société, de la diversité en salle de classe, des politiques éducationnelles et des objectifs de l'éducation. De plus, 9 cours optionnels (sur 49) couvrent tous les aspects de l'éducation multiculturelle et antiraciste, y compris l'éducation des Autochtones.

À l'Université Western Ontario (London), on trouve un cours optionnel sur l'équité en éducation et la justice sociale. Il n'y a pas de cours obligatoire sur la problématique multiculturelle.

L'Université Queen's (Kingston) offre un cours optionnel qui traite de l'éducation multiculturelle, un cours obligatoire d'introduction à la problématique de l'éducation des Autochtones et trois cours optionnels sur l'éducation des Autochtones. Si l'éducation des Autochtones semble bien représentée dans le programme, l'éducation multiculturelle par contre ne fait pas l'objet d'un cours obligatoire.

L'Université York dispense un cours obligatoire sur l'éducation en milieu urbain qui traite, entre autres, de l'éducation multiculturelle. Il n'y a pas de cours dédié spécifiquement au multiculturalisme.

Tableau 1 : Éléments clés des politiques en lien avec le multiculturalisme des gouvernements fédéral et de l'Ontario

Le cadre fédéral	Politiques éducatives en Ontario	Pistes d'action proposées
La diversité ethnoculturelle représente une source de richesse pour la société canadienne.	S'adapter aux différences des élèves en matière d'apprentissage, de culture, de spiritualité et de langue, tout en respectant leur diversité. Relier l'apprentissage à l'expérience de vie de l'élève ainsi qu'à ses particularités culturelles et spirituelles. Encourager l'élève à accepter sa propre identité et à développer son estime de soi.	Formation initiale et continue
La politique multiculturelle vise à assurer la participation égale et équitable de tous à la vie sociale, quelle que soit leur origine ethnoculturelle.	Veiller à éliminer la discrimination et à détruire les préjugés en lien avec l'origine ethnoculturelle et raciale de la personne. Promouvoir une éducation équitable et qui donne des chances égales à tous.	Politique antiraciste dans les conseils scolaires Programme d'équité d'accès à l'emploi et à la formation des maîtres
Le gouvernement fédéral donne son appui aux groupes minoritaires pour qu'ils préservent leur patrimoine culturel et linguistique.	Encourager l'élève à mieux connaître son patrimoine culturel. Comprendre l'influence du patrimoine culturel, de la langue, de la situation familiale, du sexe et de la communauté sur l'apprentissage.	Formation initiale et continue

Le programme francophone de l'Université d'Ottawa inclut un cours optionnel sur les valeurs de la société canadienne et, depuis septembre 2003, un cours obligatoire sur la gestion de la classe en milieu minoritaire pluriethnique, à l'intention des étudiants qui se préparent à enseigner au niveau secondaire. Le programme anglophone prévoit pour sa part un cours obligatoire qui traite de la problématique du rôle des enseignants dans la reproduction et l'élimination des inégalités sociales, sans afficher directement un intérêt particulier pour la problématique de la diversité ethnoculturelle. Le programme anglophone offre en plus un demi-cours

optionnel qui traite spécifiquement du multiculturalisme et de l'antiracisme.

Malgré certaines différences qui apparaissent entre les universités sélectionnées dans le cadre de cette étude en ce qui a trait aux variables mentionnées (cours obligatoire/optionnel, spécifique/général), leurs approches semblent unitaires du point de vue de la valorisation de l'éducation multiculturelle dans leurs curricula. À ce titre, le tableau 2 synthétise le nombre et le type de cours en lien avec l'éducation multiculturelle offerts par les facultés d'éducation des universités à l'étude. Tandis que les cours spécifiques traitent exclusivement des enjeux de l'éducation multiculturelle, les cours généraux s'en occupent parmi d'autres problématiques. Par exemple, le cours *Anti-Racism and Multicultural Education* (Université d'Ottawa, programme anglophone) se veut exclusivement dédié aux enjeux du multiculturalisme et de l'éducation antiraciste. En revanche, un cours tel *Contemporary Issues in Education* (même programme) est censé traiter, selon la description publiée dans l'Annuaire de la Faculté d'éducation, des sujets tels l'antiracisme et le multiculturalisme, les valeurs éducationnelles et la culture populaire.

Tableau 2 : Les cours en lien avec l'éducation multiculturelle offerts par les facultés d'éducation des universités à l'étude

	Toronto	Western Ontario	Queen's	York	Ottawa (programme anglophone)	Ottawa (programme francophone)
Cours spécifique obligatoire						1
Cours spécifique optionnel	9		1		1/2	
Cours général obligatoire	1			1	1	
Cours général optionnel		1				1

L'analyse des curricula explicites offerts dans les cinq universités sélectionnées pour cette étude fait ressortir que les programmes de formation initiale des maîtres ne semblent pas se préoccuper de l'éducation multiculturelle dans la même mesure que les gouvernements fédéral et provincial. Cette constatation émerge du poids quantitatif des cours

consacrés à la problématique multiculturelle ainsi que de leur statut (obligatoire ou facultatif) et de l'envergure de l'approche des aspects reliés au multiculturalisme. Ainsi, la problématique multiculturelle se trouve le plus souvent traitée dans des cours optionnels. Cet état de fait mène à la conclusion que l'éducation au multiculturalisme est reléguée au second plan de la préparation des futurs enseignants. De plus, il est rare qu'un cours spécifique soit consacré à l'éducation multiculturelle; au contraire, certains aspects figurent parmi les sujets à aborder dans des cours traitant des valeurs de la société canadienne et du système éducatif, dans la mesure où l'équité et la justice sociale constituent des idéaux généraux, partagés par tout système éducatif démocratique.

Traiter de la problématique multiculturelle dans les cadres de cours généraux sur les valeurs sociales ne garantit pas l'intégration des aspects principaux reliés au multiculturalisme. Celui-ci demeure un concept théorique, une valeur à défendre dans les discours politiques, certes, mais dépourvu d'implication pratique. À l'exception des étudiants qui se préparent à enseigner au niveau secondaire dans le programme francophone de l'Université d'Ottawa, les futurs enseignants formés dans les cinq universités à l'étude ne bénéficient pas de cours traitant des stratégies de gestion de classe ou d'enseignement adapté aux classes hétérogènes du point de vue ethnoculturel. Les fondements d'une pédagogie différenciée, conditionnée par les caractéristiques ethnoculturelles des groupes d'élèves, les stratégies spécifiques de gestion de la classe multiethnique, même les connaissances culturelles, restent ainsi en dehors des préoccupations de ce type de cours généraux. Les futurs enseignants sont alors privés d'une dimension qui tend à devenir de plus en plus importante dans la pratique quotidienne de l'enseignement au Canada.

Les autres cours des programmes, y compris ceux de didactique des matières, ne semblent pas, eux non plus, inclure d'éléments reliés à une méthodologie d'enseignement qui prennent en compte les différences ethnoculturelles. En effet, aucune des descriptions fournies dans les annuaires des facultés à l'étude ne mentionne cette problématique. Il en résulte que traiter de ces questions reste au bon gré du professeur responsable du cours, ce qui ne garantit pas une approche cohérente. Par ailleurs, Mujawamariya et Moldoveanu (2006b) abondent dans ce sens quand elles analysent les perceptions au sujet des pratiques d'enseignement de l'éducation multiculturelle en place dans quatre programmes de formation initiale des maîtres. À la lumière de ces résultats, qu'en est-il de la cohérence systémique de la politique multiculturelle?

Le multiculturalisme : cohérence politique ou rupture?

Comme l'a démontré cette étude, un haut degré de cohérence existe entre les politiques multiculturelles du gouvernement du Canada et les objectifs d'éducation formulés dans les documents officiels des divers organismes de l'Ontario. L'approche éducationnelle du gouvernement de l'Ontario se situe dans le cadre de l'« action sociale » définie par Banks (1989), visant à l'intégration harmonieuse des membres des groupes culturels dans la société canadienne. L'analyse des curricula de cinq grandes universités ontariennes démontre par contre une rupture entre les exigences du système provincial d'éducation et les programmes de formation initiale des maîtres : les approches des universités sont plutôt de type « additif » (selon Banks, 1989). Ces institutions se sont contentées d'ajouter certains cours (pour la plupart optionnels) qui présentent des contenus ethniques, des principes de justice et d'équité sociale, mais sans en opérer une intégration de substance dans leurs curricula.

En même temps, tandis que les politiques officielles sont conformes aux objectifs de l'éducation multiculturelle (Pagé, 1993), les programmes de formation initiale des maîtres analysés en éludent des dimensions importantes. L'Université de Toronto reste la seule à intégrer tous les aspects de l'éducation multiculturelle. Même si les concepts de reconnaissance et de valorisation de la diversité et ceux de justice et d'équité sociale se retrouvent dans les cours offerts, il est rare qu'ils soient traités ensemble, ce qui conduit à des représentations fragmentées et par conséquent biaisées de la problématique.

L'absence d'une action concertée visant à unifier les approches de l'éducation multiculturelle dans les programmes de formation initiale des maîtres en Ontario semble à l'origine de cet état de fait. Laissée encore à l'initiative de chaque faculté, gardée parfois en marge des préoccupations des programmes de formation, l'éducation multiculturelle n'est pas valorisée dans les curricula des universités. Les futurs enseignants commencent alors à professer sans en comprendre les enjeux, ce qui explique les phénomènes discriminatoires signalés encore dans les études empiriques et qui se reproduiront certainement à l'extérieur de l'école. La politique multiculturelle promue par les gouvernements fédéral et provincial risque de ne pas être efficace tant qu'elle ne bénéficiera pas de l'appui des programmes de formation initiale des maîtres.

Dans le contexte d'une demande sociale croissante et d'un cadre systémique assez contraignant du point de vue de la politique, les facultés d'éducation ontariennes devraient adapter leurs programmes de formation initiale des maîtres de façon à offrir aux futurs enseignants une préparation

qui leur permette de dispenser un enseignement inclusif et équitable. Ce réajustement passe nécessairement par l'implantation de politiques institutionnelles claires qui établissent une base de formation uniforme et systématique. Un effort soutenu d'application devra accompagner l'adoption d'une telle politique. Des changements curriculaires dans le sens de l'intégration en profondeur des principes de l'éducation multiculturelle, accompagnés par des activités de formation des professeurs qui dispensent des cours dans le cadre des programmes de formation initiale des maîtres s'imposent.

Conclusion

Cette recherche ne constitue qu'un point de départ exploratoire. Nous avons souligné des incohérences entre les curricula formels de cinq grandes universités ontariennes, d'une part, et les orientations politiques du système éducatif en Ontario, d'autre part. Ces résultats rejoignent les conclusions d'études d'envergure menées dans de grandes universités canadiennes au sujet de la préparation multiculturelle des futurs enseignants (Mujawamariya et Moldoveanu, 2003b, 2006a et 2006b).

Certainement, des études plus approfondies sont nécessaires, pour mieux rendre compte de ce que signifie l'éducation multiculturelle dans les programmes de formation initiale des maîtres en Ontario. Sur un autre plan, l'examen de la cohérence entre les orientations du système d'éducation en Ontario concernant le multiculturalisme et les pratiques enseignantes dans les écoles publiques constitue une piste de recherche encore inexplorée. Les résultats corroborés de ces recherches pourraient mener à une amélioration des pratiques de formation initiale des maîtres offerte par les universités ontariennes en vue d'implanter les principes de l'éducation multiculturelle, soit le respect et l'appréciation de la diversité, ainsi que l'équité et la justice sociale.

Notes

1. Au Canada, l'éducation primaire et secondaire relève du niveau provincial du gouvernement.

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Suna Bayrakal

***Determinants of Canada–U.S. Convergence in
Environmental Policy-Making: An Automotive Air
Pollution Case Study***

Abstract

The various forces that lead to policy convergence among nations have been broadly considered in the literature on comparative politics and policy analysis. Although macro-level and micro-level forces of policy convergence have been the historical focus in this area, arguments for consideration of such influences at the meso-level have been increasing. This paper explores meso-level policy convergence forces in the existing literature through a case study of the automotive fuel additive methylcyclopentadienyl manganese tricarbonyl (MMT) in Canada to examine the extent to which these factors contribute to convergence or divergence from U.S. policy in this issue area. Although the content of MMT policies in Canada and the U.S. has converged to a large extent, there remain important differences between the design of these policies and their outcomes. Contributing most significantly to convergence in policy outcome in this case are the international constraints of economic integration, the uncertainty of the science associated with the policy problem, emulation, and the technology associated with a sector economically integrated between the two countries. This case reveals the interactions between meso-level factors of policy convergence and the importance of relationships between policy dimensions in convergence and, in so doing, suggests how the complexity of existing policy convergence analytical frameworks might be extended.

Résumé

Les différentes forces qui mènent à une convergence des politiques entre les nations ont été largement étudiées dans les ouvrages sur les sciences politiques comparatives et l'analyse de la politique. Bien que les forces de la convergence des politiques aux niveaux macro et micro aient toujours constitué l'élément central dans ce domaine, il existe de plus en plus d'arguments en faveur d'une étude de ces influences au niveau dit méso. Le présent document explore les forces de convergence des politiques au niveau méso dans la littérature actuelle, à l'aide d'une étude de cas sur le méthylcyclopentadiényle manganèse tricarbonyle (MMT) comme additif pour le carburant automobile au Canada. Il examine la mesure dans laquelle ces facteurs contribuent à la convergence ou à la divergence à l'égard des politiques des É.-U. Bien que le contenu des politiques sur les MMT au Canada et aux États-Unis converge dans une grande mesure, il reste des différences importantes sur le plan de la conception des politiques et de leurs résultats. Parmi les éléments qui, dans le cas présenté, contribuent de la façon

la plus marquée à la convergence des résultats des politiques, mentionnons les contraintes internationales de l'intégration économique, l'incertitude de la science associée aux problèmes liés aux politiques, l'émulation et la technologie associée à un secteur économiquement intégré entre les deux pays. Le cas en question révèle les interactions entre les facteurs de niveau meso de la convergence des politiques et l'importance des relations entre les dimensions des politiques en convergence; ce faisant, il indique comment les cadres analytiques existants de la convergence des politiques pourraient être rendus plus complexes.

Introduction

The various forces that lead to policy convergence among nations have been broadly considered in the literature on comparative politics and policy analysis. Identification of these forces has been a function of level of analysis, perspective on the dynamics of policy convergence, and policy dimensions of interest.

Convergence and comparative politics and policy were initially studied primarily at the macro-level with attention focused on the characteristic features of capitalist, as distinct from socialist, societies with the social and economic forces produced by industrialism seen as strongly influencing convergence toward a common point (Bennett 1991; Howlett 1994; Kerr 1983). These pressures for convergence were seen to be the pursuit of modernization, competition, education, and communication (e.g., new means of mass communication), and common human needs and expectations (Kerr 1983). In contrast, pressures for diversity were identified as different historical points of origin, different industrializing elites, conflicting ideologies, and diverse beliefs (Kerr 1983). Also at the macro-level, Goldthorpe (1984) suggested that social stratification, representation of interests, and industrial relations and organization influence convergence and divergence. Later work in the 1970s and 1980s suggested that forces at the micro-level (nature of the policy system, behaviour of individual political decision-makers, transnational policy agents involved in learning, policy networks, and advocacy coalitions) had a stronger influence on policy-making within nations (Howlett 1994).

More recently, several scholars have emphasized a meso-level of analysis in the study of policy convergence (Banting, Hoberg, and Simeon 1997; Bennett 1991; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1986; Howlett 1994). Bennett argues that a meso-level of analysis is expected to provide a "more precise concept of 'policy convergence'" acknowledging, however, that "industrial or economic development might provide the broad socio-economic context to which policy makers in different countries must respond" but that "there are also different political

mechanisms, operating at the level of middle-range theory, through which policies might converge” (Bennett 1991, 217). Howlett asserts that his work on Canadian and U.S. environmental policy styles found that these styles “differ in the main due to a set of institutional and constitutional variables which both the micro- and macro-level convergence theories neglect” and suggests that convergence theory must consider variables at all three levels (Howlett 1994, 125–126).¹ Further discussed below, meso-level forces influencing policy convergence are seen to include domestic pressures, international pressures, emulation, distinctive national features, political institutions, and the state of science and technology and the nature of the problem (Adolino and Blake 2001; Banting, Hoberg, and Simeon 1997; Bennett 1991; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1986; Hoberg 1997; Howlett 1994; Toner and Conway 1996; Vogel 1986).

Although policy convergence can be seen to be “a measure of the relative similarity or difference in policy objectives, instruments, and consequences across political jurisdictions” (Hoberg, Banting, and Simeon 2002, 253), it also has an important dynamic component. Convergence “asks whether policies are becoming more alike over time” (Hoberg, Banting, and Simeon 2002, 253) not just that they are similar. Kerr further asserts that similarity is not as important as the motion of two situations toward each other acknowledging that they may still be far apart (Kerr 1983). Inkeles observes that “convergence means moving from different positions toward some common point” (Inkeles 1981, 13). However, as suggested by Howlett’s (1994) work on Canadian and U.S. environmental policy, convergence may not necessarily be a situation of two policies changing over time and converging toward some common point not yet reached by either country, but rather that the policy of one country may be converging toward that of another. Further, Howlett draws needed attention to a lag effect in analysis of policy convergence; “it is possible that the observed pattern of convergences and divergences merely represents a lagged response on the part of Canadian policy-makers to US initiatives” (Howlett 1994, 102).

A commonly cited problem in comparative policy analysis has been the ambiguity and imprecision in this area (Bennett 1991; Feldman 1978; Howlett 1994). One aspect of this, in examining policy convergence, is the question of whether the focus is, or should be, on content, goals, instruments, outcomes, style, institutions, ideas, actors, formulation, design, and/or implementation. Howlett (1994) suggests that policy style, which he views as a matter of process, is at the heart of the “convergence thesis.” Howlett’s findings—based on examination of meso-level political and constitutional factors—that Canadian and U.S. environmental policy

styles are not converging are repeated elsewhere in the literature on environmental policy-making in Western industrialized countries. Vogel (1986), Brickman, Jasanoff, and Ilgen (1985), and Hoberg (1986) also indicate that despite similar (and perhaps converged) policy goals and outcomes in Western industrialized nations, policy instruments and process are very different and not apparently converging. Kerr, in discussing societies but similarly applicable to policy, attributes to the word convergence “the tendency of societies to grow more alike, to develop similarities in *structures, processes, and performances*” (Kerr 1983, 3, emphasis added) thus differing from Howlett’s focus on process. Bennett (1991) also suggests that separate consideration of the different policy dimensions (goals, content, instruments, outcome, and style) may better contribute to our understanding of policy convergence and divergence.

This paper explores the meso-level policy convergence forces in the existing literature through a case study of the automotive fuel additive methylcyclopentadienyl manganese tricarbonyl (MMT) in Canada to examine the extent to which these factors contribute to convergence or divergence from U.S. policy in this issue area. MMT has been accused of interfering with the functioning of the new generations of automotive air pollution control technology systems and debate about its toxicity is ongoing. The considerable contribution automobiles make to air pollution problems and the economic significance of the motor vehicle manufacturing and petroleum refining industries make them important industrial sectors for examination. Choice of this particular case study allows exploration of the connections between environmental policy, trade, and Canada–U.S. policy convergence and aims to contribute to the literature on policy convergence by suggesting how the complexity of existing policy convergence analytical frameworks might be extended. This study will be centred on the MMT policy process in the 1990s through 1998 to include a 1995 policy change on the use of MMT in gasoline in the U.S., and, in Canada, a 1997 law affecting the use of MMT and a 1998 MMT policy reversal.

Framework for Analysis

The analytical framework used here draws significantly from that developed by Banting, Hoberg, and Simeon (1997) and work by Hoberg (1997) specifically in environmental policy as these efforts build on prior work in this area incorporating previously identified variables. Additional factors identified by other scholars supplement the framework (Adolino and Blake 2001; Bennett 1991; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1986; Rosenau 1969; Toner and Conway 1996; Vogel 1986).

Several broad categories of explanatory factors related to policy convergence can be discerned from this literature. These include domestic pressures, international pressures, emulation, distinctive national features, political institutions, and the state of science and technology and the nature of the problem.

Domestic Pressures

Domestic pressures can be forces for convergence or divergence. Convergence may result from parallel domestic pressures in different nations without one country exerting influence directly on another (Adolino and Blake 2001; Banting, Hoberg, and Simeon 1997; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997; Toner and Conway 1996). Similar policy challenges (e.g., patterns of urbanization and industrialization, new technological impacts, or the emergence of social movements) may evoke similar policy responses. Specific to environmental policy, Hoberg (1997) finds that domestic pressures can be forces for convergence (e.g., similar levels of public concern) or divergence (e.g., different economic and political interests result in different types and levels of trade-offs between environmental protection and the economy). For environmental policy issues, the process of industrialization is frequently seen as having a harmonizing and converging effect on policy due to the need to address similar environmental problems arising as a result (Adolino and Blake 2001; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997). In examining environmental policy in a comparative context, Adolino and Blake found a “shared set of environmental issues” in the seven industrialized countries they examined and, as an example, state that “the process of postwar industrialization and a general reliance on fossil fuels for energy meant that by the late 1960s most industrialized countries began to experience significant air pollution problems” (Adolino and Blake 2001, 317).

International Pressures

International pressures can influence policy convergence in a variety of ways including through legal aspects (e.g., bilateral and multilateral treaties), economic aspects (e.g., economic integration, concerns about the mobility of factors of production in a globalized world, and increased competitiveness in the international economy), political forces, or environmental factors (Adolino and Blake 2001; Banting, Hoberg, and Simeon 1997; Bennett 1991; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997; Toner and Conway 1996). Bennett (1991) identifies two aspects of such international forces for policy convergence. First, harmonization can occur through international regimes with interdependence as a central feature of this convergence mechanism (e.g., environmental

policy-making for transnational pollution problems). Policy convergence is seen to emerge from “the coincident recognition and resolution of a common problem through the pre-existing structures and processes of an international regime” (Bennett 1991, 227) and differs from elite networking because it is a more formal process as a result of an existing international regime and also differs from emulation in that it is more cooperative. The second international force for policy convergence identified by Bennett is termed “penetration” where “states are forced to conform to actions taken elsewhere by external actors” (Bennett 1991, 227). Rosenau also refers to this force where “members of one polity serve as participants in the political processes of another” (Rosenau 1969, 46). As an example, Bennett suggests that “most evidence of convergence through penetration lies in the role of multinational business in successfully securing, for example, a common regulatory framework for its products” in their economic interest (Bennett 1991, 228).

Elite networking and transnational policy communities are also seen as international forces of policy convergence (Bennett 1991; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1986). Bennett observes that convergence occurs as a result of transnational policy communities with the “existence of shared ideas amongst a relatively coherent and enduring network of elites engaging in regulator interaction at the transnational level” and “unlike emulation, the policy community engages in a shared experience of learning about the problem” (Bennett 1991, 224). Common professional concerns and professional ideology help tie these policy communities together (Bennett 1991; drawing on Kelman, Hoberg 1986). Brickman, Jasanoff, and Ilgen (1985) similarly observe that transnational communication among a scientific community works toward policy convergence.

Specific to environmental policy, international influences (globalization of environmental problems, economic integration, emulation, and cross-border lobbying) are expected to influence policy convergence (Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997; Toner and Conway 1996). Brickman, Jasanoff, and Ilgen, like Bennett, find that interdependence plays a significant role in policy convergence in modern industrialized nations (Brickman, Jasanoff, and Ilgen 1985). Brickman, Jasanoff, and Ilgen also observe two important components of the convergence process in the areas of environmental and chemical control policy. First, formal international organizations and international cooperation are used to reduce national differences in policy-making. Second are the more informal non-governmental forces including international economic pressure of industry “seeking open foreign markets and international

competitive advantage,” public interest groups seeking “domestic political advantage,” and a “scientific community, forming a common international base for hazard assessment and stretching consensus to the frontiers of science” (Brickman, Jasanoff, and Ilgen 1985, 298). Toner and Conway, in examining the internationalization of Canadian environmental policy, point to the significant effects on Canadian policy-making of international forces such as an increasingly competitive international economy, emergence of free trade as a dominant global economic strategy, international agreements, international institutions, which are seen to generate environmental policy ideas and set the themes of national environmental debate, and changes in “telecommunications [which] have added to our knowledge of the transboundary dimensions of the problems and placed greater pressure on the international community to respond. . . . This has led to the internationalization of domestic policy as more and more domestic policies are subject to international forces and agreements” (Toner and Conway 1996, 140–141).

Emulation

Emulation can cause convergence to occur as a result of the exchange of ideas and related learning processes (Banting, Hoberg, and Simeon 1997; Bennett 1991). In this mode, one country may choose to adopt policies similar to those of another country. Bennett states that a “central characteristic of emulation is the utilization of evidence about a programme or programmes from overseas and a drawing of lessons from that experience. This process of lesson-drawing then produces a convergence on some dimension of policy effort. In terms of the taxonomy of policy convergence . . . , emulation might explain a convergence of policy goals, of policy content or of policy instruments. Logically, it cannot account for policy outcome or style” (Bennett 1991, 221). In this way, policy dimensions are linked to a specific policy convergence force.

Distinctive National Features

Distinctive national features are indicated by the literature to be forces for policy divergence (Adolino and Blake 2001; Banting, Hoberg, and Simeon 1997; Howlett 1994; Toner and Conway 1996; Vogel 1986). These features can include culture, distinctive national values, and differences in the domestic economy and social cleavages. Another important explanatory factor of divergence in this category includes the legacy of past policies of a nation, which influences decision-making in the present and future and different legal, political, and social historical paths. Specific to environmental policy, Adolino and Blake suggest that social values are important as part of a cultural explanation of policy dynamics because

“environmental policy reforms often reflect public opinion and priorities” and that political explanations of environmental policy dynamics can include the “ideology of the governing party in a country” (Adolino and Blake 2001, 322–323).

Political Institutions

Differences in political institutions including institutional structures and policy regimes have been found to be one of the most important explanatory factors of policy divergence in much of the literature on comparative environmental policy (Adolino and Blake 2001; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997; Howlett 1994; Vogel 1986). Howlett's (1994) work highlights the significance of meso-level political institutions in policy convergence, especially legal and constitutional structures and processes. In explaining environmental policy dynamics, Adolino and Blake assert that “existing analytical work points primarily to the importance of institutional factors in explaining both policy reform and outcomes” (2001, 322). They find that the nature of a nation's political systems, a nation's system of interest representation, and policy networks are significant in directing the development of environmental policy.

The State of Science and Technology and the Nature of the Problem

Specific to environmental policy, the state of science and technology and the nature of the problem can influence policy convergence (Adolino and Blake 2001; Brickman, Jasanoff, and Ilgen 1985; Hoberg 1997). Science and technology may act as a harmonizing force depending upon the degree of uncertainty; the larger the uncertainty, the greater role played by values, economic interests, and political factors in policy-making. The nature of the problem can influence policy convergence; common problems (including, for example, similar levels of pollution) tend to promote convergence. Brickman, Jasanoff, and Ilgen (1985) put forth that regulatory policy convergence between U.S. and European chemical regulation “can be explained partly in terms of technological and economic determinism. Evidence generated about specific substances in any one country is quickly available to all and where the hazards are clear, different procedural arrangements do not lead to different interpretations of the scientific data. The chemical industry's desire to minimize differential treatment for products across national lines provides a powerful economic impetus for the selection of common regulatory targets. By collecting, storing, and disseminating scientific evidence, and by making limited standard-setting efforts, international organizations also contribute to the uniformity of response” (Brickman, Jasanoff, and Ilgen 1985, 302–303). Adolino and Blake suggest that the nature of the problem in global environmental

problems can promote convergence given that such problems cross borders, prompting common interest in actions to find solutions.

MMT Policy-Making

A Brief Chronology of MMT Policy Change in Canada and the U.S.

Canada

The phase-out of lead in Canadian gasoline began in the mid-1970s with a lead reduction mandated in 1987 and elimination of leaded gasoline effective as of 1990. With the impending phase-out of lead, in the late 1970s, MMT began to be added to automotive gasoline in Canada as an alternative to tetraethyl lead (TEL) for boosting gasoline octane ratings and reducing engine knock to help ensure fuel burning without engine damage. At this time, the Canadian General Standards Board (CGSB) (then the Canadian Government Specification Board), a standard setting organization of the Government of Canada, established a voluntary standard limiting MMT to 18 mg manganese/L of unleaded gasoline, which was adopted by some provinces in their regulations (Canadian Government Specifications Board 1979).²

Environment Canada announced intentions to introduce a bill to regulate MMT in gasoline in 1993 and did so in 1995 in light of concerns about negative impacts on health and auto emission controls. Significant obstacles to regulating fuel formulations under the department's jurisdiction at the time (discussed further below) resulted in a decision by the Canadian government to use its federal powers to regulate trade in MMT policy-making. In 1997, major changes to the Motor Vehicle Safety Act (MVSA) regulation of automotive exhaust emissions were introduced as Transport Canada sought to harmonize more fully with the U.S. Environmental Protection Agency (EPA) federal standards and test procedures. These amendments, directed at model year 1998 vehicles, generally increased the stringency of the emission standards and required on-board emission control diagnostic systems (OBD-II). These regulatory changes occurred essentially in parallel with the passing of the MMT law and, with links to the MMT law (the need to ensure auto emissions control to meet the emission standards), could be seen to be the “shadow” policy of importance to the federal government. In June 1997, the federal Manganese-Based Fuel Additives Act came into force, which prohibited the importation of, and interprovincial trade in, MMT (“Manganese-Based Fuel Additives Act.” 1997). In the same year, the U.S.-based Ethyl Petroleum Additives, Incorporated (Ethyl, now Afton Chemical Corporation), the sole manufacturer of its proprietary fuel additive, MMT

(marketed as HiTEC 3000), filed a claim against the Canadian government for violating the North American Free Trade Agreement (NAFTA) and Ethyl Canada, Ethyl's Ontario-based subsidiary, filed a lawsuit in a Canadian court claiming that the bill contravened provincial rights. A third challenge to the law, also in 1997, came from the government of Alberta, which submitted its concerns, on behalf of Alberta oil refiners, to a dispute resolution panel of Canada's Agreement on Internal Trade (AIT). A fourth challenge under NAFTA's Chapter 20, which involves state-to-state disputes, was not supported by the U.S. government and did not move forward. In June 1998, the AIT's dispute resolution panel ruled against the internal trade portions of the ban. In July 1998, the ban on trade in MMT was effectively rescinded by the Canadian government (a regulatory amendment removed MMT from the list of substances to which the law applied), which settled with Ethyl Corporation for US\$13 million thus foregoing a NAFTA final decision in the case.

The United States

In the United States in 1973, the EPA took steps to reduce lead in gasoline with a phase down to 0.1 gram per gallon by 1986 (EPA 1995b). As of January 1996, the U.S. Clean Air Act Amendments (CAAA) of 1990 officially banned leaded fuel from on-road vehicles although in 1975 passenger cars had begun to be manufactured with catalytic converter emission controls that required unleaded gasoline. To help accommodate the move to lower lead and ultimately unleaded gasoline, gasoline was modified to make up for octane loss and engines were redesigned to handle octane levels lower than those achieved with TEL (Colucci 2004; EPA 1993c).

In the late 1970s, MMT began to be added to unleaded gasoline in the U.S. Concerns over the lack of emissions data on fuels containing MMT led to a 1977 U.S. EPA requirement that MMT be included in vehicle certification fuel beginning with the 1979 model year. This EPA requirement was later withdrawn with the beginnings of a study in mid-1977 conducted by the Coordinating Research Council (CRC), a U.S. auto and oil industry cooperative research organization, the U.S. Motor Vehicle Manufacturers Association (now the Alliance of Automobile Manufacturers), and the American Petroleum Institute to determine the emission effects of MMT in automotive gasoline (Benson, Campion, and Painter 1979; Colucci 2004). The auto industry was concerned about meeting hydrocarbon (HC) standards required by 1980. Results of the study concluded that MMT caused negative effects on HC and oxygen sensor life, and no significant effect on catalyst plugging, or on carbon monoxide or nitrogen oxide emissions. The U.S. Congress banned MMT use in gasoline

under the U.S. Clean Air Act Amendments (CAAA) of 1977 but authorized EPA to issue waivers to allow its use. Starting in 1978, Ethyl applied to EPA several times for a waiver to allow use of MMT in gasoline in the U.S. Until 1995, these waiver applications were denied. Use of MMT is currently legal in the U.S. except in California but has not been in widespread use among major U.S. oil refiners. This apparent hesitance by major U.S. oil refiners to begin using MMT may have been for environmental reasons, due to on-going controversy, and/or because of excess octane availability on the U.S. market.

In November 1990, the U.S. federal CAAA of 1990 were signed into law. Among key changes to the law were the introduction of requirements to install OBD-II systems in motor vehicles, reformulated gasoline (RFG) requirements, and provisions to reduce acid rain. Based on requirements of the 1990 CAAA, EPA ruled, in February 1993, that OBD-II systems were to be installed in automobiles beginning in the 1994 model year and fully implemented by 1996 model year. This requirement affected Canadian automakers, given the North American integration of the auto industry and the Canadian government policy of auto emissions standards alignment, and, in turn, the MMT policy process given that automakers argued that MMT interfered with these OBD-II systems.

Recent Actions

Since 1998 when the MMT law in Canada was effectively rescinded, Environment Canada initiated a proposal of a framework for an independent third party review process for new information on the effects of MMT on vehicle emissions (in 2003), major Canadian petroleum refiners voluntarily ceased use of MMT to await the results of Environment Canada's third party review, a coalition of automakers from both sides of the border (the U.S. Alliance of Automobile Manufacturers, the Canadian Vehicle Manufacturers Association, and Association of International Automobile Manufacturers of Canada) released a new study on the effects of MMT on vehicle emissions (in 2002), and, in the U.S., EPA requested Ethyl (in 1999) to conduct additional tests on health effects of MMT to be submitted in late 2004 for subsequent review by EPA. Review of the MMT issue is currently ongoing with no further definitive regulatory policy action taken by environmental agencies in Canada or the U.S.

MMT Policy in Canada and the U.S.: The Main Policy Actors

Canada

In Canada, the MMT issue positioned those with health and environmental concerns and the automakers in opposition to the oil refiners and the

manufacturer of MMT. Government policy-making was influenced by the assertions and arguments of these groups, the uncertainties surrounding the effects of MMT on health and vehicle emissions control technologies, their own regulatory agenda, and the obstacles and assistance of various institutions and policy instruments.

The auto industry in Canada, in concert with that in the U.S., was opposed to the use of MMT in gasoline and argued that use of MMT causes manganese to accumulate in the exhaust system and increases hydrocarbon emissions, causes spark plugs to misfire, and interferes with the operation of the new generation of emissions control equipment, including catalytic converters and those systems that monitor fuel combustion and exhaust emissions such as on-board diagnostic systems. The economic importance of the Canadian auto industry in Canada is significant with: 1) major contributions to GDP (Canada's largest single contributor to manufacturing GDP), employment (nearly 5 percent of total employment in Canada), exports (vehicle exports from 1991 to 1996 accounted for over 20 percent of total export shipments from Canada), and investment (the auto sector has the highest foreign direct investment concentration in the Canadian economy); 2) extensive links to other parts of the economy (as a significant consumer of steel, iron, aluminum, copper, rubber, plastics, textiles, glass, chemicals, machine tools, machinery, electrical products, and semi-conductors); and 3) an important role in the development of high technology goods and services (Adams and Brock 1995; Federal Task Force 1983; Industry Canada 1996a; Industry Canada 2001; Kumar and Holmes 1998; Molot 1993). Given the contributions to the economy of the auto industry as noted above, the sector has the potential to wield substantial political power within Canada.

The Canadian petroleum refining industry maintained that MMT is a good product as an octane enhancer and anti-knock additive. Furthermore, MMT was argued to be an inexpensive fuel additive and use of alternatives to MMT would not only require excessive investment to retool refineries, but also potentially take up market share (e.g., ethanol works as an anti-knock additive, but may take up to ten percent of the gasoline tank, this in contrast to a much smaller amount of MMT) (Industry Canada 1996b; Traynor 1998). Like the auto industry, the refining industry is of significant economic importance in Canada. It is a net exporter, a major contributor to GDP (one percent of manufacturing sector GDP in 1993 and 1994), and a major employer (in 1995, there were 105,000 people employed in the petroleum industry of which 10,900 were in refining) (Industry Canada 1996b). The refining industry has a significant role in Canada's wealth and security (unlike the U.S., Canada is self-sufficient in petroleum products)

(Industry Canada 1996b). The petroleum products industry has been asserted to be a “strategic infrastructure industry” in that it provides essential inputs to other major businesses such as petrochemicals, transportation, power utilities, chemicals, chemical products, agriculture, and mining. Canadian refining is a mature industry with little demand growth and low profitability. The industry is highly competitive, very capital-intensive, and has a strong domestic market focus (more than 90 percent of gasoline sold in Canada is domestically refined) (Geddes 1996b; Industry Canada 1996b). As for the auto industry, the Canadian refining industry has the potential to wield substantial political power within Canada.

As the sole manufacturer of MMT, Ethyl was strongly opposed to policy initiatives to restrict the use of MMT and argued that use of MMT in automotive gasoline reduces air pollutants such as nitrogen oxide and does not harm automotive emission systems or present any significant risks to human health or the environment. To support its position, Ethyl pointed to a 1994 Health Canada study that concluded that combustion of MMT in gasoline poses no additional health risk to Canadians as well as a study in 1998 by Research Triangle Institute of North Carolina (funded by Ethyl). In addition, Ethyl indicated that MMT had been used safely in Canada for over twenty years without vehicle problems. All of the MMT sold in Canada is manufactured in the U.S. and transferred to a plant in Ontario. This plant is Ethyl Canada, Ethyl’s Canadian subsidiary, which blends the MMT with a solvent prior to distribution to Canadian refineries.

Environment Canada adopted as general policy that “continuing to align Canada’s national vehicle emission standards with stringent U.S. federal standards represented the preferred approach” (Environment Canada 2000c, 6) because it is the most cost-effective strategy, the U.S. standards are some of the most stringent in the world, and the auto industry is highly integrated in North America, so “a harmonized approach to setting vehicle emission standards has, over the years, provided Canadians with advanced emission control technology at a low cost.” (Environment Canada 2000c, 7). Environment Canada also indicated that gasoline reformulation in Canada, including removal of certain components such as MMT, prevents dumping of lower quality fuel in Canada (a concern about the U.S. acting first on RFG), maintains the competitiveness of the Canadian refining industry, assures the performance of auto emission control devices given the integration of the North American auto industry, and reduces risks of trade sanctions by countries with more stringent requirements (Energy, Mines 1992; Environment Canada 2000d; Monenco Engineers and Constructors Inc. 1984).

Environment Canada found the evidence regarding the effect of MMT on the latest vehicle emission controls to be inconclusive but decided to invoke “the precautionary principle which this government signed on to at Rio, with Agenda 21, back in 1992” and proceed with the introduction of the bill to regulate MMT (Standing Senate Committee 1997, 19). The Canadian Standing Senate Committee on Energy, the Environment and Natural Resources, which held hearings on the proposed law supported that decision and also included a section in their interim report on the bill report summarizing the U.S. experience with MMT given that many stakeholders from both sides of the issue had referred to activities in the U.S.

A Task Force on Cleaner Vehicles and Fuels (Task Force) established in 1994 by the Canadian Council of Ministers of the Environment (CCME) helped support a push for harmonization with U.S. auto emissions control standards (and, for Environment Canada and the auto industry, by implication, a removal of MMT from Canadian gasoline). In 1990, the CCME endorsed a national management plan for nitrogen oxides (NO_x) and volatile organic compounds (VOC) (Phase 1) with the intention of resolving the smog problem in Canada by 2005 through stricter vehicle emission standards and cleaner gasoline standards. CCME later (in 1995) committed to development of a Phase 2 Federal Smog Management Plan (completed in 1997), which emphasized Canada’s ongoing concerns about further reducing emissions from autos, the single largest contributor to smog in Canada. Objectives of this plan included implementing “a strong domestic national smog reduction program, *enhancing the effectiveness of Canada’s position regarding the transboundary flows of smog-forming pollutants from the U.S.*” (Environment Canada, Natural Resources Canada, and Transport Canada 1997, Foreword, emphasis added) and to meet international commitments (including the Canada–U.S. Air Quality Agreement and NO_x, VOC and Sulphur Long-Range Transboundary Air Pollution Convention, LRTAP, Protocols).

Health and environmental concerns raised by the advocate sector included the neurotoxicity of manganese at high concentrations, potential for manganese bioaccumulation, the unknown effects of manganese on sensitive populations and of chronic, low-level exposure to manganese, and the potential for increased automotive combustion emissions of more traditional motor vehicle pollutants (e.g., HC, which include PM, CO, and NO_x) associated with the persistent smog problem in Canada from the malfunction of auto emission controls. The advocate sector was able to mobilize public support for the MMT bill due to increased public concern about environmental protection at the time.³ Heightened attention to environmental accidents and global environmental problems leading up to

the 1990s increased general public support for environmental protection, especially in the early 1990s. These included the toxic gas release in Bhopal, India in 1984, the Chernobyl nuclear reactor accident in 1986, and the 1989 Exxon Valdez incident in Alaska.

The United States

The U.S. Congress banned MMT use in gasoline under the Clean Air Act Amendments of 1977 but authorized EPA to issue waivers to allow its use. Since that time, Ethyl applied to EPA several times for a waiver to allow use of MMT in gasoline in the U.S. EPA denied Ethyl's initial waiver application due to concerns about an increase in hydrocarbon emissions. Subsequent applications were denied based on lack of data and then due to potential health concerns. In 1995, as a result of a court-order, EPA granted Ethyl a waiver for MMT use.

Upon the 1995 change in policy regarding MMT use in gasoline in the U.S., environmental activists, led by the Environmental Defense Fund, asked U.S. oil companies to avoid using MMT. A survey of major U.S. refiners indicated that, at the time, they had no plans to begin using MMT. In response, Ethyl launched a national advertising campaign in the U.S. citing MMT's use over more than twenty years in Canada as evidence that their product is safe. A subsequent survey in 1998 by the Environmental Defense Fund also showed little usage of MMT by major U.S. refiners.

EPA completed a risk evaluation in 1994 on the use of MMT in gasoline and was unable to determine whether there was a risk to public health from such exposure. EPA also concluded that it was not "possible to conclude that adverse health effects will not be associated with such exposures" and asserted that more research was needed (EPA 1994, 42260). Aside from EPA's unease about potential health impacts, EPA had other concerns that factored into its hesitance to allow use of MMT (EPA 1992). First, the test fuel used by Ethyl was not comparable to typical "in-use" fuel as no additives except MMT were used. Second, Ethyl's test models were not completely representative of newer technology introduced in the 1994 model year. Third, while Ethyl argued that the test hurdles only included certifying to the ability to meet current auto emissions standards, EPA felt it was necessary to ensure that Ethyl's tests were able to clear certification to near-term future standards not in effect at the time of the waiver application (1991) such as those contained in the CAAA 1990 for 1994 model years (requiring that the standards be met for double the time and mileage accumulation of existing standards at the time of the waiver application).

Political, Economic, Legal, and Other Context

Canada–U.S. Differences in Political Institutions and Policy Regimes

Hoberg notes that international factors “affect both the United States and Canada, but the vulnerability to external forces is much greater in Canada because of its smaller size and more open economy. In addition, Canada faces the unique problem of being overwhelmingly dependent on the United States” (Hoberg 1998, 317). More specifically, in examining Canadian and U.S. environmental policy, Hoberg (1998) and Howlett (1994) find that although there is some apparent convergence (since the late 1980s) between U.S. and Canadian policy styles, political structures have limited the degree to which these systems have come together. Due to the separation of powers in the U.S., the U.S. Congress does not trust the executive to implement its policies as intended, so legislators write explicit statutes to force compliance. In contrast, the Canadian parliamentary system holds few incentives to limit executive discretion in policy-making. The legislature and executive are joined in cabinet government and a norm of tight party discipline prevails and thus, adequate executive authority (ministerial discretion) rather than specific statutes are sought. Where the “institutional fragmentation and a culture of distrust militate against the emergence of cooperative bargaining” in the U.S. (Hoberg 1998, 312), the parliamentary system in Canada “militates against legalism” (Hoberg 1998, 313). The difference in the degree of specificity of regulatory laws is identified as the primary explanation for the “different roles of the courts in environmental policy in the two countries” (drawing on Howlett, Hoberg 1998, 313). In sum, the U.S. system is more open, formal, legalistic, inflexible, and adversarial with significant restrictions on regulator discretion (Hoberg 1998; Wallace 1995). In Canada, policy-making is more informal and cooperative and regulators are relatively more autonomous.

Although Canada and the U.S. are both federal states, Canada is significantly more decentralized and this is reflected in the less significant federal role in environmental protection where Environment Canada’s focus has tended towards research and development of national guidelines agreed upon and largely enacted as regulations and enforced by the provinces (Doern and Conway 1994; Hoberg 1998; Lundqvist 1974). Environment Canada has also been seen as unprepared and somewhat unwilling to be a political actor (Conway 1990). In contrast, the U.S. federal government has taken on a leadership role and considerably expanded its authority over the states since 1970 (Hoberg 1998; Lundqvist 1974).

The potential for U.S. to influence Canada through economic integration and international trade agreements raises concerns about domestic power to make and implement environmental policy (Toner and Conway 1996). However, Hoberg draws attention to the benefits for Canada of having its major trading partner as the U.S. whose environmental regulations are at least as stringent as Canada's (Hoberg 1998). Concerns about stringent standards across the border making Canada a pollution haven have, in the past, spurred new legislation. However, in the absence of capacity to develop new regulations, Canada has to a certain extent, been a free rider on U.S. laws. Specific to automotive air pollution control policy in Canada and the U.S., Hoberg (1997) notes that auto emissions regulations are generally more stringent in the U.S. than in Canada but that convergence is occurring with U.S. leadership in this regulatory area. Hoberg also states that "Canada is highly vulnerable to U.S. policies and action when markets are integrated and economies of scale exist. For instance, in the case of automobile emissions, the highly integrated market for cars and scale economies in the production process significantly reduced the cost to Canada of following the U.S. lead on tailpipe controls" (Hoberg 1991, 125).

Political-Economic Context

The early 1990s were economically difficult times for Canada with a recession through at least 1992. With 1996 a turnaround year, by 1997, Canada returned to stronger economic times, helped largely by growth in international trade. Canadian exports to the U.S. grew double that of exports to other countries during the 1990s with major exports of goods through most of the 1990s in motor vehicles and parts, machinery and equipment, and forest products (with petroleum products fourth in rank order) (Transport Canada 1999). This indicates the relative economic and thus political significance of refining relative to the auto sector with respect to trade during this time period.

The auto industry's North American integration tied the Canadian auto industry even more strongly into international coalitions than its major industrial opposition under this bill, the Canadian refiners, and allowed them, in the MMT policy process, to draw on the international backing of, not only the U.S. auto industry, but also formal automotive sector institutions that supported the harmonization of the industry worldwide including auto emissions control systems, standards, and vehicle fuels. The United Nations Economic Commission for Europe (UNECE) Global Agreement (Agreement Concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, or Global Agreement), which concluded in 1998, was established to facilitate international regulatory harmonization for motor vehicles. Canada actively participated in the

development of this agreement and signed it in 1999 along with several of the world's most advanced economies. The World-Wide Fuel Charter, established in June 1998 by auto and engine manufacturers from around the world (European Automobile Manufacturers' Association, U.S. Alliance of Automobile Manufacturers, Engine Manufacturers Association, and Japan Automobile Manufacturers Association), was "to promote greater understanding of the fuel quality needs of motor vehicle technologies and to harmonise fuel quality worldwide in accordance with vehicle needs" (Alliance of Automobile Manufacturers 2002b). The charter specifically recommended that the "use of any metal-based additives" (e.g., manganese) be avoided for potential health reasons and catalyst damage.

Canadian refiners felt the economic difficulties of the early 1990s more keenly than the auto industry and were economically more fragile than the auto sector at this time with a consolidation of the industry, layoffs, and shutdowns in the prior decade (although the automakers did have concerns about a shrinking new vehicle market by the mid- to late-1990s). This perhaps translated into less political leverage for the Canadian refiners relative to Canadian automakers in the MMT policy process.

The Canadian auto industry's integration with that of the U.S. was also a notable contrast to the domestic focus of the Canadian petroleum refining sector. The much greater economic significance of international trade (especially that of autos) in contrast to internal trade during this period likely weighted the Canadian auto industry (an export heavyweight in Canada) over the Canadian refining industry (domestically-oriented) and over the MMT manufacturer (a single U.S. importing firm). The international trade benefit to Canada of the auto industry during the time period of interest is perhaps the greatest distinguishing factor between these two industry "giants" although the auto sector is also seen to be significant as an engine of economic growth and a source of highly skilled jobs, which likely also helped tipped the balance in the sector's favour over refining when it came to the politics of MMT policy-making.

Legal Context

Canadian Domestic Legal Context

Unlike the U.S., jurisdiction for auto emissions policy within the Canadian state was shared and overlapping. Environment Canada provided environmental policy input and environmental impact assessment to support motor vehicle emissions regulations under the authority of Transport Canada through the MVSA. Health Canada studies of human health effects of emissions and the reaction products were important

determinants of substance toxicity designations, which in turn affected Environment Canada's ability to regulate under the Canadian Environmental Protection Act (CEPA). Natural Resources Canada considered the effects of new standards on fuel supply, demand quality, and the fuels producing industry. Furthermore, provincial jurisdiction over aspects of fuel formulation affected auto emissions and their associated regulation. Under the Canadian Constitution, the federal government has responsibility for interprovincial and international transport. Specifically for private passenger vehicles, this has meant that regulation of *in-use* vehicles (e.g., vehicle and driver licensing and fuel formulation) came under provincial and territorial responsibility. In contrast, under powers to regulate interprovincial and international commerce, the federal government established requirements for *new* vehicle safety, emissions, and fuel efficiency. Therefore, vehicles manufactured and imported were required to comply with Transport Canada regulations under the MVSA "as a condition of importation or interprovincial shipment of new motor vehicles" (Transport Canada 1997).

Environment Canada encountered multiple difficulties in trying to regulate fuel formulations under the department's jurisdiction at the time. Prior to the assent, in 1999, of the revised CEPA, responsibility for fuel formulations rested primarily under provincial jurisdiction. Under the original CEPA of 1988, Environment Canada could act to regulate MMT only if its combustion would cause a significant contribution to air pollution or if it could be designated a "toxic substance" as recommended by both the Minister of the Environment and Minister of Health. This second option faltered against a 1994 Health Canada study asserting that "the combustion products of MMT in gasoline do not represent an added health risk to the Canadian population" (Wood and Egyed 1994, 69). Furthermore, other studies had not been conclusive regarding the low-level, chronic exposure to manganese from the combustion of MMT. The Canadian government therefore decided to make use of federal power to regulate trade. In attempts to meet NAFTA requirements of treating foreign and domestic firms equally, the government prohibited both the "interprovincial trade in or import for a commercial purpose" of MMT (Manganese-Based Fuel Additives Act 1997, 1). The MMT bill paralleled the MVSA in this regard, which may have been viewed as a means of defense against potential questions about jurisdiction and constitutionality that ultimately arose. In 1997, Ethyl Canada filed a lawsuit in a Canadian court arguing that the bill was unconstitutional and intruded into an area of provincial jurisdiction. This challenge was ultimately dropped when the MMT law was rescinded.

International Environmental Legal Context

The Canada–U.S. Air Quality Agreement of 1991 included commitments to reduce emissions contributing to acid rain (sulphur, SO₂, and NO_x) by both countries (although primarily stationary emission source-related as opposed to mobile sources such as vehicles) and provided a framework to expand the agreement to address ground-level ozone and PM, which contributed to smog through a Joint Plan of Action and subsequent Ozone Annex. The LRTAP Convention was signed by both the Canada and the U.S. in 1979 and includes sulphur dioxide (SO₂), NO_x, VOCs, and lead (among other pollutants). The LRTAP Convention included “a process for negotiating concrete measures to control pollutants through specific agreements called protocols. It also coordinates efforts on research, monitoring, and the development of emission reduction strategies on regional air pollution” (Environment Canada 2004). Although Canada implements the LRTAP provisions through bilateral agreements with the U.S. such as the 1991 Canada–U.S. Air Quality Agreement, the Acid Rain Annex to reduce SO₂ (and subsequent Ozone Annex to reduce NO_x and VOC), Canada has also used the LRTAP convention as “a forum where ... support for Canada’s positions from European nations can be brought to bear on the United States” to push for emission reductions (Environment Canada, Natural Resources Canada, and Transport Canada 1997, 44).

U.S. Domestic Legal Context

As part of the U.S. federal CAAA of 1977, the U.S. Congress made it illegal to sell gasoline that exceeded 1/16th (0.0625) g Mn/gal of fuel but authorized EPA to waive this requirement if the fuel or fuel additive “will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified” (U.S. Clean Air Act, Section 211(f)(4)). The date of this effective ban on the use of MMT in automotive gasoline in the U.S. was September 15, 1978. Starting in 1978, Ethyl Corporation, the sole manufacturer of MMT, applied several times through the 1970s, 1980s, and 1990s for waivers to allow use of MMT in U.S. gasoline. EPA originally denied Ethyl’s waiver application (submitted in 1978) due to concerns about an increase in HC emissions. A second application in 1981 for a waiver by Ethyl involved a reduced concentration of MMT in gasoline, but EPA denied this application based on the lack of data at this lower concentration. Ethyl submitted a third application in May 1990 subsequently withdrawn in November due to technical disputes over test results. Ethyl then submitted a fourth waiver application in 1991. In January 1992, EPA rejected Ethyl’s application due primarily to data submitted by

the Ford Motor Company, which suggested that factors not taken into account by Ethyl's vehicle emissions tests could adversely affect emissions due to MMT. Note that although Ford's data played a key role here, EPA also had concerns about test fuels, test automotive models, and test hurdles discussed previously. Ethyl petitioned the waiver denial in court and, as part of discussions with EPA towards settling the case, submitted new test information generated in attempts to resolve questions including those surrounding the Ford data. Although a settlement on the case was not reached, EPA was granted, in April 1993, its request to the U.S. Court of Appeals to remand the case to the EPA to reconsider its denial of the waiver application based on Ethyl's new data. By late 1993, EPA had determined that MMT (at a concentration of 1/32 g Mn/gal) would not "cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified" (EPA 1993a, 64763). At this time, EPA indicated that it considered the issue, argued by automakers, of MMT interference with OBD-II systems to be important but had received no data to support this contention and thus provided no basis to deny Ethyl's waiver. However, EPA had also just established a new reference concentration (safe upper limit) for manganese in air (to 0.05 ug/m³ from 0.4 ug/m³ established in 1990) and requested that Ethyl resubmit its application to allow for health effects discussions around this issue (EPA 1993a, 1994). As part of these ongoing health discussions, Ethyl subsequently provided EPA with additional data on ambient manganese concentrations in some Canadian cities. Ethyl resubmitted its application and, in July 1994, EPA denied the waiver application based on health concerns. EPA concluded that there was "a reasonable basis for concern regarding potential adverse effects on public health which could result from the emissions of manganese particulates associated with MMT use" (EPA 1995c, 36414). Ethyl appealed EPA's decision on its fourth waiver application through the U.S. Court of Appeals for the District of Columbia Circuit, which subsequently ruled in Ethyl's favour. The Court found that the U.S. Clean Air Act (CAA) Section 211(f)(4) "does not afford [EPA] the discretion to consider factors other than the mandatory 'cause or contribute' determination in deciding whether to issue a fuel additive waiver" (EPA 1995c, 36414). Effective July 11, 1995, EPA granted Ethyl a waiver for MMT use in unleaded gasoline at a maximum allowable concentration of 1/32 g Mn/gal (8.3 mg Mn/L).

U.S. actions on the introduction of RFG early on in the 1990s gave impetus to Canadian discussions about fuel formulation compatibility with the U.S. due to fears of low-quality fuel dumping in Canada and arguments

about maintaining the competitiveness of Canadian refineries. This issue was linked to increased interest in MMT removal from Canadian automotive gasoline and provided an opportunity to highlight MMT as a significant difference between U.S. and Canadian vehicle fuel formulation, to contrast the difference in innovation efforts made historically by the auto and refining industries in addressing auto emissions, and to emphasize the need for common U.S. and Canadian fuel given the North American auto industry integration. These positions, in combination with a general increasing focus on fuels as a source of auto emissions reduction, strengthened the case for passage of the proposed Canadian MMT legislation.

EPA revised the U.S. National Ambient Air Quality Standards (NAAQS) for PM and ozone in July 1997 to make them more stringent. Canada formally supported EPA in its efforts to tighten these standards, however, increasing stringency of U.S. air pollution regulatory standards obliged Canada to show progress within its own borders if it wanted to push the U.S. on transboundary air pollution issues. The Phase 2 Federal Smog Management Plan stated that “Canada’s greatest concern internationally is transboundary flows of pollutants from the United States” including NO_x, VOC, ground-level ozone, SO₂, and PM (Environment Canada, Natural Resources Canada, and Transport Canada 1997, 44).

Trade-Related Legal Context

Three trade-related factors framing the legal context had the most direct and significant influence on the MMT policy process. These included the Canada–U.S. Auto Pact, the AIT, and NAFTA.

The high level of integration of the Canadian auto industry with that of the U.S. dating to the 1965 Canada–United States Automotive Products Trade Agreement (Auto Pact) is one of the most significant and distinctive factors that has since moulded the Canadian auto industry.⁴ The Auto Pact has integrated the North American auto industry such that “harmonization of standards and regulations [are] critical to the long term competitiveness of the auto industry” (Energy, Mines, and Resources Canada 1992, 35). The historical weight of the Auto Pact agreement had a large influence on the drive to harmonize Canadian with U.S. auto emission standards, which, in turn, gave rise to concerns about making full use of the newest auto air pollution control technology being installed in motor vehicles throughout Canadian and U.S. markets.

A tool of the Canadian MMT law’s opposition, the AIT provided an opportunity to challenge the MMT bill on a trade basis and additionally

aggravated the intergovernmental jurisdictional tension over fuel formulation raised by the proposed law. The Canadian constitution, which originated in the form of the British North America (BNA) Act in 1867, made no reference to environmental protection or associated jurisdictional authority. Constitutional ambiguities, in combination with a federal structure, contribute to conflict between levels of government in protecting the environment. However, the intense legalism of the U.S. is somewhat restrained by a history and culture of cooperation and has resulted in many cases in intergovernmental bargaining rather than constitutional litigation. The government of Alberta, supported by Quebec, Saskatchewan, and Nova Scotia, submitted its concerns, on behalf of Alberta oil refiners, to a dispute resolution panel of Canada's AIT, the first such case under the AIT. The objective of the AIT as stated in Article 100 is "to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services and investments within Canada and to establish an open, efficient and stable domestic market" (Agreement on Internal Trade 1995, Article 100). Alberta argued that the MMT law contravened the AIT and could not be justified by AIT provisions for legitimate objectives and initiated dispute resolution proceedings in April 1997, the same month that the Manganese-based Fuel Additives Act received Royal Assent. The AIT Article 1505(7) requires that "an environmental measure shall not be considered to be more trade restrictive than necessary to achieve a legitimate objective" (Agreement on Internal Trade 1995, Article 1505(7)). In June 1998, the AIT dispute resolution panel ruled against the "internal trade" portions of the ban, thus in Alberta's favour. In July 1998, the ban on trade in MMT was effectively rescinded by the Canadian government, which settled with Ethyl Corporation for US\$13 million thus foregoing a NAFTA final decision in the case. In a press release issued jointly by Environment Canada and Industry Canada, the AIT ruling was specifically cited as the reason for the regulatory change (Environment Canada 1998).

While the AIT challenge and ruling presented the Canadian federal government with a political threat, especially given its implications for federal-provincial relations, the NAFTA challenge was a significant economic threat to the Canadian government. Trade-related opposition to the MMT bill was thus magnified by the opportunities taken under NAFTA's Chapter 11 to challenge the proposed law (like the AIT challenge, this was also the first of its kind). In 1997, Ethyl filed a claim for US\$251 million against the Canadian government under NAFTA's Chapter 11 provisions for investment. Ethyl's claim under these provisions related primarily to unfair treatment (domestic favouritism), within Canada, of Ethyl and its investors. Because the ban was on importation and international trade, not on use of MMT, it would have required Ethyl to

establish MMT manufacturing plants in each province in which it wished to sell MMT, rather than the current practice of manufacturing MMT in the U.S. for export to sell in Canada. In the initial NAFTA arbitration process, the Government of Canada argued that the NAFTA tribunal did not have jurisdiction to hear Ethyl's claim due to failure to meet certain procedures to bring the claim to the tribunal and that the claim was outside of NAFTA provisions. Prior to the settlement between Ethyl and Canada, the NAFTA tribunal did rule on jurisdiction (finding that it had jurisdiction in the case) but also went beyond that decision to address Canada's defence related to the scope and application of NAFTA, finding them to be, at first review, inadequate (NAFTA Dispute Settlement Tribunal 1998; Weiler 2000). Weiler notes that although the NAFTA tribunal only needed to argue that it had jurisdiction, "one wonders whether the tribunal was attempting to send a signal to Canada that it might think better of raising the issue later" (Weiler 2000, 198). Perhaps this also encouraged Canada to move towards a settlement with Ethyl.

Other Issues Related to Context

A study of manganese emissions in Canada in the late 1980s revealed that such emissions primarily resulted, in rank order, from manganese-bearing alloy production, iron and steel production, and gasoline-powered motor vehicles (Jaques 1987). Thus, opponents of the MMT bill pointed to the need to look first at metal production rather than motor vehicles to address manganese emission concerns. Ingested manganese is known to be important in the human diet for bone development, carbohydrate metabolism, and reproduction, however, relatively high levels of airborne manganese have been known to lead to speech and movement disorders (Black 1998). There have been numerous studies on the impact of MMT on health and automotive emission controls and exhaust emissions (which include consideration of manganese) both in Canada and the U.S. as well as internationally and by those from both sides of the Canadian-U.S. border working jointly (e.g., EPA had a representative who was a peer reviewer on the Health Canada's 1994 MMT study, Canadian and U.S. auto industry associations jointly produced an MMT study).⁵ Much uncertainty surrounded the effects of MMT in both these types of studies and they were therefore questioned on several fronts for applicability to policy-making including: 1) exposure versus health effects; 2) the effects of low-level, chronic exposures versus high-level, acute exposures; 3) the location of the studies; 4) the source of the manganese being studied (auto exhaust, subway rails, subway area as auto exhaust sink, and soil, water, and air from industrial sources such as steel mills); 5) the population on which the studies have been performed (occupational white male versus fetuses,

children, or other populations); and 6) impact on prior OBD technology versus newest generation OBD-II; and 7) alternative explanations for emissions control system failure than MMT (including the natural process of refining a new technology, the OBD-II).

Bearing on the MMT policy process was also the transboundary contribution to Canada's most severe air pollution problems. The areas most affected by smog were the Windsor–Quebec City (WQC) corridor, the Southern Atlantic Region (SAR) of southern New Brunswick and southern Nova Scotia, and the Lower Fraser Valley (LFV) of British Columbia with transborder pollution from the U.S. estimated to be responsible for about 50 percent of the ozone in southwest Ontario, 50 to 90 percent of ozone in SAR, and 15 to 20 percent of ozone in LFV (Canadian Council of Ministers of the Environment 1990; Environment Canada 1984, 2000a, 2000b; Environment Canada, Natural Resources Canada, and Transport Canada 1997).

MMT Policy Convergence: Analytical Results

Domestic Pressures

In both countries, the automotive and petroleum industries carried significant economic weight that could be brought to bear as political pressure to further their interests. However, although MMT was a very divisive issue in Canada in the 1990s, it does not appear to have been as much so in the U.S., as MMT had already been prohibited from use for approximately as long as Canada had been using it (since the mid-1970s). U.S. refiners had already made adjustments to alternatives to MMT and the fuel additive was not in widespread use even immediately after the lifting of EPA's effective ban. U.S. automakers thus did not appear to have as much cause for alarm. However, Ethyl's actions which put pressure, through legal means, on governments on both sides of the border represents a form of "parallel domestic pressure" acting as a force for convergence. One significant difference between Canada and the U.S., however, appears to be the role of oil refiners on this issue, in large part determined by their histories. U.S. refiners had already made technological changes to refineries to adapt to octane enhancing alternatives to MMT several years prior to the 1995 reversal of EPA's policy banning MMT. Although at least some U.S. refiners generally supported the use of MMT (Environmental Protection Agency 1993a), they may have had less interest in becoming actively involved in the controversial MMT policy issue (including the formation of a coalition with Ethyl) than their Canadian counterparts who were facing potentially significant capital investments to adjust to the substitution of MMT. The fact that Canadian refiners served mostly

domestic markets (and not the U.S. market) also further reinforced differences in position on MMT policy between Canadian and U.S. refiners.

Emulation

Canadian policy actors involved in the MMT case looked regularly across the border and made use of U.S. information and activities in evaluating alternatives in formulating its MMT policy. U.S. policy actors involved in the MMT issue have also made use of Canadian science and information on activities in the U.S. MMT policy process although perhaps less explicitly and with relatively less influence. Both in the political aspects of the Canadian policy process and in the scientific research processes on the impacts of MMT, links to the U.S. were evident.

At the time of assent of the Canadian MMT law (1997), EPA had already been forced to allow use of MMT in gasoline in the U.S. (except California where it is banned). However, Canadian harmonization concerns (related to automotive air emissions which in part pushed the bill forward) were perhaps focused on an expectation that widespread use of MMT in the U.S. was not imminent.

Hoberg (1991) suggests that the most important force behind Canadian emulation is value consensus. In light of this, it is interesting to note that both Environment Canada and the EPA attempted to invoke the precautionary principle under the uncertainty associated with the impacts of MMT in gasoline. However, both agencies ended up with similar resulting policies (allowing use of MMT in gasoline) due to disagreements lost with the courts, trade agreements, existing policies, sub-national governments, and/or stakeholders over the limits of their jurisdictions.

International Pressures

International Economic and Trade Constraints

The use of NAFTA by Ethyl, especially in combination with Canada's own AIT and its dispute resolution panel findings, was a major international constraint in the MMT policy process. This may be considered a case of "penetration" (per Bennett 1991) whereby Ethyl, an actor external to Canada, made use of NAFTA to enter the Canadian MMT policy process. A force for convergence, Ethyl's pressure to allow continued use of MMT in Canada was part of its broader concerns of a negative Canadian precedent for other markets for its product including the newly "opened" U.S. market for MMT. Due to integration of the auto industry across the border, U.S. auto industry interests also made themselves felt in the Canadian MMT

policy process. Although, in its claim, Ethyl did draw attention to the fact that, since December 1995, MMT was allowed for use in gasoline in the U.S., NAFTA did not itself necessarily make a major contribution to convergence between MMT policy in Canada and the U.S. NAFTA was not used to force EPA to reverse their MMT ban and the EPA MMT ban was not a direct consideration in the claim levelled by Ethyl. Three other trade-related constraints that did encourage convergence included the Auto Pact agreement which integrated the Canadian and U.S. auto industries, Canadian concerns about fuel dumping from the U.S. into Canada if the U.S. acted first and alone on RFG, and concerns about maintaining the international competitiveness of the Canadian refining industry if the more stringent fuel standards of major trading partners were not applied in Canada. Also, at the time that Canadian automakers began putting pressure on the government to harmonize the regulation of MMT with the U.S. in the late 1980s and early 1990s, the U.S. EPA had continued to deny Ethyl a waiver for use of MMT in U.S. gasoline. This was essentially part of a broader pattern of Canadian convergence on U.S. policy in other auto emissions standards.

Elite Networking and Transnational Policy Communities

Although elite networking can be seen to have played a significant role in contributing to policy convergence, the existence of a broader transnational policy community is less apparent on the MMT issue as a force of policy convergence between Canada and the U.S. Through the World-Wide Fuel Charter, the UNECE Global Agreement, and later the study by Canadian and U.S. auto industry representatives on the impact of MMT on vehicle emissions, the global auto industry developed widespread consensus on this issue within the sector. A common professional concern and precautionary approach shared by Environment Canada and the EPA also was a force for MMT policy convergence within Canada and the U.S. Cross-border information sharing by health professionals (in Health Canada, EPA, and the World Health Organization among others) was less of a force for convergence (in the sense of building consensus among these professionals on this issue), however, due to the uncertainty of the data and lack of conclusiveness of the science.

International Environmental Pressures

The most significant international environmental pressures that encouraged policy convergence in the MMT case included transboundary pollution issues and harmonization of automotive emissions control regulatory standards by Canada with U.S. standards. International institutional structures gave rise to both of these pressures. The Auto Pact compelled use of common automotive emissions control technology and

emissions standards. Transboundary pollution reflected an interdependence between the two countries who, in response, developed the Canada–U.S. Air Quality Agreement and Ozone Annex. This, in turn, pushed Canada to show air quality progress within its own borders so as to better pressure the U.S. to reduce air pollution crossing the border into Canada. In addition to Auto Pact and the Canada–U.S. Air Quality Agreement and Ozone Annex, international policy processes to address climate change, and international protocols to address NO_x, VOC, and sulphur air pollutants (Long-Range Transboundary Air Pollution Convention, LRTAP), in combination with other factors (elite networking and common professional concerns and precautionary approach), might be seen to have formed a web of initiatives encouraging MMT policy convergence.

Political Institutions

As discussed previously, differences between the Canadian parliamentary system of government and the U.S. balance of power structures are argued to be a factor for policy divergence. These institutional differences are expected to lead to a difference in the environmental policy regimes including the role of the courts and of the lead environmental agencies. The Canadian environmental regulatory approach tends to be more informal and cooperative with relatively more autonomous regulators and closed state-business bargaining with the U.S. approach being more open, formal, legalistic, inflexible, and adversarial with significant restrictions on regulator discretion (Hoberg 1998; Howlett 1994; Wallace 1995). The difference in EPA and Environment Canada roles and regulatory styles can be seen in the MMT case. Environment Canada originally attempted to get Canadian automakers and oil refiners to reconcile the MMT issue without government intervention whereas the U.S. had banned MMT outright and EPA had refused repeated Ethyl requests for permission to sell MMT. Environment Canada, less accustomed to the judicialization of environmental policy-making than the EPA and in keeping with their more cooperative approach, settled with Ethyl prior to a NAFTA final ruling (although the department did await the AIT ruling). In contrast, the U.S. EPA's ongoing struggle with Ethyl over permission to allow MMT use in U.S. gasoline was decided through the court system.

Furthermore, fragmentation in the U.S. is said to be horizontal and in Canada, vertical (Hoberg, 1997). Although both countries are federal states, Canada is seen to be the more decentralized of the two, which, in the case of fuel additive policy-making, is reflected in the following statements issuing from a government and industry workshop on gasoline

reformulation: “unlike in the U.S. where the U.S. EPA takes the lead role and has regulatory powers on a national basis, there is a lack of strong leadership on this issue [gasoline reformulation including possible removal of MMT] in Canada. There are many jurisdictions, which makes it difficult to set national standards” (Energy, Mines, and Resources 1992, 26). The “many jurisdictions” included Environment Canada, Health Canada, Transport Canada, Natural Resources Canada (formerly Energy, Mines, and Resources Canada), and the provincial governments. At the time of the MMT policy-making in Canada, regulating fuel formulations was a provincial responsibility and automotive emissions regulations were established by Transport Canada. In addition, Health Canada had a large role in determining the risk to public health of potentially toxic substances. This fragmentation made it more difficult for Environment Canada to choose a stronger position in regulating MMT although uncertainty about its toxicity and impact on auto emissions control also contributed to difficulties in policy-making on this issue. However, despite less fragmentation and a greater leadership role for EPA than Environment Canada, both countries arrived at a similar resulting policy on MMT, although EPA’s leadership can be seen to have resulted in a maximum limit being established for MMT along with its use, which was not the case in Canada. Hoberg (1997) cautions that environmental policy regime differences may not necessarily be forces for divergence in policy outcomes but depend on case-specific circumstances as well as on other factors. However, in this case, differences in environmental policy regimes tended to be divergent forces, in part because of differences in jurisdiction and the regulatory styles of the lead environmental agencies in each country.

In contrast to work by Vogel (1986) and Brickman, Jasanoff, and Ilgen (1985), which identifies the government-business relationship as a prominent source of policy difference between countries, significant in this case as a force of policy divergence was the intergovernmental relationship and specifically the tension in the federal-provincial relationship between norms of federal-provincial cooperation and conflict borne of constitutional ambiguities and a federal structure. Ultimately, the political significance of internal trade and federal-provincial cooperation, given strength by the AIT, proved to be one of the most successful direct weapons used in opposition to the MMT bill.

Distinctive National Features

The economic importance of the MMT manufacturer, Ethyl, paled in comparison to the other economic interests with which it was competing in this policy issue area. The auto industry and petroleum industries in Canada

and the U.S. are of significant economic importance and carry the associated political weight. This factor did not appear to be of significance as a force for policy divergence in the MMT case because the relevant economic cleavages were similar.

The MMT policy process in Canada was significantly influenced by the design of past policies with their associated mandates, jurisdictions, and requirements. First, the original decision in Canada to permit the use of MMT in gasoline in the 1970s bore the weight of inertia on the MMT policy process of the 1990s including the fact that it could be argued that no harm had been done in the intervening years. Second, the CEPA of 1988 did not facilitate regulation of MMT in gasoline as it neither allowed Environment Canada to regulate MMT as a toxic substance (given Health Canada's analysis of MMT) nor provided it the authority to regulate fuel formulations more directly. Third, because of the difficulties regulating MMT under CEPA, the regulatory route chosen (prohibiting the importation and interprovincial trade of MMT) triggered responses under Canada's AIT and NAFTA, which in turn shaped the policy process and outcomes, pushing environmental and health concerns to face a direct challenge by trade interests. Furthermore, the high-level of integration of the Canada-U.S. auto industry and the past policies of the Government of Canada of harmonizing auto emissions control regulations with those of the U.S. also influenced the policy process, with the evolution of the automotive emissions control technology playing no insignificant role in this, encouraging policy convergence with the U.S.

In the U.S., since MMT was banned years ago, U.S. refiners implemented technologies other than MMT for octane enhancement. Therefore, the policy reversal in the U.S. in 1995 (which allowed MMT use) did not affect U.S. refiners to the extent that the policy change restricting trade in MMT in Canada in 1997 affected Canadian refiners.

Science and Technology and the Nature of the Problem

The state of science and technology played a significant role in the MMT policy process. Health and automotive vehicle emissions studies have proceeded on both sides of the border, with information sharing and ideas exchange taking place in both directions. The uncertainties and bases of questioning of the studies were similar on both sides of the border, so science can be seen to play a converging role here. With the science being inconclusive, it was more difficult for both U.S. and Canadian environmental regulators to support their intentions to restrict use of MMT. Uncertainty here provided for a relatively large political role by automakers and others but given that the economic importance of the most prominent

industrial stakeholders were similar in both countries, this also reinforced policy convergence. The role of technology mostly encouraged convergence through auto industry integration, and harmonization of vehicle emission standards and thus vehicle air pollution control systems in both Canada and the U.S. Furthermore, the fact that the technology to produce octane without the use of MMT existed and had been proven was a force for policy convergence as was a general increase in focus on fuels (including fuel formulations and alternative fuels) as a source of auto emissions reduction over the course of the 1990s in North America (and elsewhere) including the view that vehicles and fuels were not separate technologies but together made up an integrated system. However, lesser diverging forces of technology were in operation with respect to differences in the state of technology at Canadian versus U.S. oil refineries.

Although it has been suggested that “the impact of MMT may be different in the U.S. . . . in part because of the vastly greater number of cars on the road” in the U.S. in contrast to Canada (Consumer Reports 1996, 8), the nature of the problem (automotive air pollution and the persistent and significant problem of smog due to automotive air pollution in major urban areas) was similar enough in both countries to be considered a converging force in MMT policy-making.

Conclusion

Canada–U.S. MMT Policy Convergence: Nature, Extent, and Critical Factors

Although the content of MMT policies of Canada and the U.S. have converged to a large extent (use is currently permitted in both countries), there remain important differences between the design of these policies and their outcomes. EPA initially banned MMT use in gasoline, however, its change in policy permitted use of MMT in gasoline with a maximum limit of 1/32 g Mn/gal (8.26 mg Mn/L). After over twenty years of allowing use of MMT in gasoline, Canada banned the trade in MMT but its subsequent policy reversal established no national standard for MMT use (the CGSB’s voluntary standard allows MMT up to 18 mg Mn/L—note that this is more than twice the U.S. limit) (Canadian Vehicle Manufacturers’ Association 2002; Wood and Egyed 1994). It is also interesting to note that although both Canada and the U.S. ended up with similar policies by 1998, which allowed MMT, use of MMT in gasoline has since been generally avoided in both countries. In both countries, policy process convergence has occurred to the extent that review of the MMT issue is ongoing with no further definitive regulatory policy action by environmental agencies on either side of the border.

Contributing most significantly to convergence in Canadian and U.S. MMT policy outcome were the international constraint of economic integration, the uncertainty of the science associated with the policy problem, and the technology associated with a sector (the auto industry) very much economically integrated between the two countries. Furthermore, emulation played an important role in this policy convergence, in significant part, because the countries' auto sectors are economically integrated (due to trade agreements such as Auto Pact) as well as the legacy of past policies. Because trade agreements such as Auto Pact encouraged harmonization of auto emission standards in Canada with those of the U.S., convergence pressure was placed on the Canadian MMT policy to be consistent with the situation in the U.S. (MMT not in widespread use) such that advanced auto emission control technologies could be used in Canada. International trade agreements had a dual role; as a force for policy convergence in one case (the Auto Pact) but not in another (NAFTA). Parallel domestic pressures on both sides of the border and both sides of the issue from Ethyl and from the auto industry worked towards policy convergence. An initial policy action in the auto industry's favour, policy convergence on regulation of MMT resulted primarily from economic integration and a legacy of past policies. A subsequent policy convergence on removal of restrictions on MMT was due to the ability of Ethyl to make use of the state of the science (highly uncertain in both health and auto impact respects) in combination with political institutions and policy regimes (including legalism in the U.S. and Canadian norms of federal-provincial cooperation) and significant contextual factors (the existence of the AIT in combination with NAFTA), which interacted with the nature of the policy design (a trade bill). Note that convergence in this case was essentially Canadian convergence on U.S. policy. The disconnect in Canadian and U.S. policy convergence in this area can be arguably attributed to a lagged response by Canada to U.S. policy initiatives, in part, given the historical policy of harmonizing auto emissions standards with those of the U.S. As suggested by Kerr (1983), the important aspect is the direction of movement of the policy and not necessarily the similarity at a given point in time.

Policy divergence in the MMT case emerged from multiple sources. First, policy regimes and political institutions influenced the jurisdictions and mandates of the environmental agencies attempting to regulate MMT use. EPA had the authority to set a standard for the use of MMT where Environmental Canada had to defer to the sub-national level for fuel formulation requirements. Second, the difference between the two countries in the interests and role of the oil refiners in combination with the legacy of the past policies fostered divergence in MMT policy. In addition,

the difference in the extent of economic integration between Canada and the U.S. of the auto industry and the oil refining industry in combination with the legacy of the past policies was also a force for divergence in the policies of the two countries.

The Analytical Framework and Further Research

Within the literature on environmental policy convergence and policy autonomy, there is some debate surrounding the significance of international pressures relative to other pressures including those that arise domestically. Hoberg (1997) and Hoberg, Banting, and Simeon (2002) are more skeptical of the demands of international pressures and foreign policy as opposed to the factors of emulation and parallel domestic forces on policy convergence than Toner and Conway (1996) who have a more strongly held view that international agreements impinge (not only emulation but also constraint) on Canadian domestic policies. From analysis of the MMT policy case, it would appear that these two positions can be reconciled in that these factors are often linked. A significant finding of this study is that there are several instances of interactions between sources of policy convergence including: 1) that emulation is sought, in part, because economic integration exists or trade agreements are in place; and 2) that the state of science and technology can be associated with economic integration, trade agreements and the legacy of past policies (the Auto Pact affected decisions to harmonize Canadian with U.S. auto emissions standards, which then further influenced MMT policy due to concerns about the state of automotive air pollution control technologies). Policy convergence in this case is significant because it reveals not only the interactions between meso-level factors of convergence, but also the importance of relationships between policy dimensions in convergence. Different policy designs (trade bill in Canada, ban with waiver process in U.S.) in combination with distinct policy processes and style (legalistic in the U.S., cooperative inter-governmental norms in Canada) and distinctive contextual aspects (NAFTA and AIT) provided opportunities to influence policy to promote convergence.

Where Howlett (1994) proposes a vertical relationship between the macro-, meso-, and micro-levels in analyzing policy convergence and Bennett (1991) links policy dimensions to policy convergence forces (e.g., emulation can explain policy goals, content, or instruments but not policy outcome or style), Hoberg, Banting, and Simeon (2002) acknowledge the existence of connections between different convergence factors at the meso-level but do not pursue extensive examination of these links. Further research might more closely consider the implications for policy convergence of each of these relationships.

Notes

I am grateful to two anonymous reviewers for their helpful and insightful comments.

1. Howlett (1994) proposes a tentative relationship between significant variables at each level to policy convergence with socio-economic systems a prominent variable at the macro-level, political institutions at the meso-level, and transnational policy community at the micro-level.
2. The CGSB standard-setting process for gasoline specifications was an ongoing, consensus-based process, driven mostly by Canadian refiners and fuel additive manufacturers with input also from government and others such as the auto industry and consumers.
3. Most active in the advocate sector were the Sierra Club of Canada, Pollution Probe, the Learning Disabilities Association of Canada, Sierra Legal Defense, and the U.S. Environmental Defense Fund all of whom strongly supported the MMT bill.
4. The Canada–U.S Free Trade Agreement (FTA) in 1989 led to deeper integration of the auto industry in the U.S. and Canada. The NAFTA of 1994 served to rationalize the auto industry across North America (most significantly by integrating Mexico) but did not significantly affect the Canadian auto industry which was more radically changed by the Auto Pact.
5. On testing related to MMT impact on automobiles, see: Standing Senate Committee, “First Meeting,” “Fourth Meeting,” “Eighth Meeting”; Alliance of Automobile Manufacturers, The Association of International Automobile Manufacturers and The Canadian Vehicle Manufacturers Association; Huang 2002; “Latest Shot in MMT War.”; Pole 1997; Environmental Protection Agency 1994.
On health impacts testing of MMT, see: Afton Chemical 2004c and 2004e; Black 1998; Hileman 1998; Huang 2002; Jaffe 1990; McCarthy 1998a; McKinsey 1998; Stewart 1999; Standing Senate Committee “Fourth Meeting” 1997.

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Gary Sands

Core Areas of Mid-Size Cities in Ontario and Michigan

Abstract

Over the past 50 years, the general patterns of urban development in North America have been predominantly suburban in form. One consequence of this has been increased stress on the core areas of cities in both Canada and the United States. The city centers of mid-sized urban areas (those with metropolitan populations ranging from 100,000 to 250,000) in both countries have, with few exceptions, lost their dominant role in their local markets. This study examines city center conditions and economic development strategies in four mid-sized cities, two in Ontario and two in Michigan. One city in each country (Oakville and Ann Arbor) is generally considered to have a successful core area; in the other pair, Brantford and Saginaw, there has been little progress towards revitalization, despite extensive efforts. Both the overall trends in these city centers suggest that public policy initiatives may have only limited potential for achieving revitalization goals.

Résumé

Au cours des 50 dernières années, le développement urbain en Amérique du Nord s'est généralement produit dans les banlieues. Les pressions accrues exercées sur le centre des villes au Canada et aux États-Unis ont été une des conséquences de ce phénomène. Le centre des villes de taille moyenne (dont le nombre d'habitants varie de 100 000 à 250 000 habitants) dans les deux pays ne joue plus, à quelques exceptions près, un rôle dominant sur leurs marchés locaux. Cette étude porte sur les conditions du centre-ville et les stratégies de développement économique de quatre villes de taille moyenne, deux en Ontario et deux au Michigan. Une ville de chaque pays (Oakville et Ann Arbor) est généralement considérée comme ayant un centre prospère; dans les deux autres (Brantford et Saginaw), la revitalisation a enregistré peu de progrès malgré les efforts soutenus déployés. Selon les tendances générales observées dans le centre de ces villes, il se peut que les initiatives dans le domaine de la politique publique ne permettent d'atteindre les objectifs de la revitalisation que d'une façon limitée.

Planners and public officials in both Canada and the United States place a high priority on restoring and maintaining the health of the core areas of their cities. Although economic and social changes over the last fifty years, especially in employment and retailing, have significantly changed the functions of most downtown areas, the central business district continues to

have symbolic value as one of the most important places in the community. Indeed, many suburban communities are consciously attempting to create downtown developments that will offer a sense of place and identity to their communities.

The special characteristics of core areas in North American cities are related in part to their physical form. Downtowns that emerged in North American urban areas during the last decades of the 19th century were relatively compact, even in the largest cities. Their pedestrian orientation favoured vertical rather than horizontal expansion. Market forces, in particular high land values in the city centre, contributed to a downtown skyline with relatively tall buildings. Because a substantial portion of a metropolitan area's (middle and upper class) population came to the city centre on a regular basis, congestion was a dominant feature of the core area (Fogelson 2001).

The dominance of downtown as the primary (central) business district in metropolitan areas has been relatively short lived. By mid-20th century, changes in transportation and communication technologies, along with rising incomes, made lower density development the norm in most North American metropolitan areas (Filion, Bunting, and Warriner 1999). The post-WW II suburban boom created new competition for downtown retail and office activities (Sikora 1988). Suburban shopping malls now provide the lion's share of sales in most metropolitan areas (Fogelson 2001). Suburban office stock now exceeds that of the downtown core in many North American metropolitan areas (Lang and LeFurgy 2004).

Nevertheless, civic leaders continue to regard the city core as one of the most important parts of the urban area for a number of reasons (Whyte 1988). The city centre represents a substantial historic investment in infrastructure, both public and private. In many communities, the city core constitutes a large portion of the municipal property tax base and is the focus of the transportation system and network. The core may have retained a distinct historic character. It continues to be a major employment centre in some urban areas. As a result, city centre revitalization strategies are a high priority in many urban areas (Ontario Ministry of Municipal Affairs and Housing 2002; Salvasen 1999; McMahon and Cohill 2003).

City centre revitalization strategies have reflected several different phases over the past half century (Filion *et al.* 2004; Abbot 1993; Robertson 1999). While many American cities sought to improve access to their cores through freeway development, many Canadian metropolitan areas sought to achieve the same end through transit improvements (Sewell 1993). By the 1960s, the dominant paradigm for downtown planning had shifted from

regulating development and reducing congestion to ensuring that downtown remained competitive with suburban business centres (Gruen 1964; Sikora 1988; Gad and Matthew 2000). Planners recognized the advantages of plentiful parking and enclosed shopping malls and many communities sought to introduce both to the city centre (Hodge 1998). Such developments took the form of large multi-use developments in larger Canadian cities (Collier 1975); however, even relatively small Canadian urban areas sought to strengthen their downtowns through construction of enclosed malls (Hodge 1998). This emphasis on replicating suburban models of development in the core areas met with limited success, however, particularly in mid-size urban areas (Wells 2000; Burayidi 2001; Teaford 1990). Core areas that offer chain retail opportunities but lack free parking have been unable to serve a suburban customer base that is increasingly distant (Yeates 1998).

By the 1980s, local government and private interests sought to revitalize city centres by pursuing new functions and activities. Development of convention centres and sports venues was a common approach to downtown revival (Turner and Rosentraub 2002; Filion and Hoernig 2003). Residential development was encouraged in many areas to extend the level of activity in downtown beyond the Monday through Friday workweek (Suchman 2002; Knack 1998; Birch 2002). Other communities sought to promote their downtown as the leading entertainment centre in the metropolitan area (Hannigan 1998; Beyard 2001). The success of these strategies is, at best, mixed (Robertson 1999).

Current downtown revitalization schemes give high priority to increasing the number of residents in the core and to the marketing of downtown as an entertainment centre for the metropolitan area (Haque 2001; Keating and Krumholz 1991). Design considerations, including the preservation of historic properties, street furniture, and other amenities are also important (Holdsworth 1985; Paumier 2004). Business associations or quasi-public authorities are often seen as an essential ingredient of success (Alexander 1986). The use of financial incentives to attract private investment is another common strategy (Ontario Ministry of Municipal Affairs and Housing 2000).

Offsetting city centre decline is particularly difficult in small and medium-sized urban areas with populations between 75,000 and 350,000 (Haque 2001; Wells 2000; Palma 2000; Filion *et al.* 2004). While cities in this size range typically have an identifiable downtown business district, they are unlikely to have fully developed public transit systems common in larger communities (Filion and Hoernig 2002). The office employment

base of core areas in this size range has also historically been relatively limited. The small population base in these market areas often limits the potential of specialty retailing.

A recent survey of planners and other urban professionals asked respondents to identify those features of a city centre that contributed to an image of success (Filion *et al.* 2004). The most important attributes identified were a pedestrian-friendly environment with people on the streets; active, street-oriented retail; cultural events; and employment. Green spaces, civic events, tourist activities, historic character, strong neighbourhoods, and architectural quality were also considered to be important. In addition, the successful city centres were often found in provincial capital cities, incorporated waterfront developments, and benefited from the location of a large university close to the core. Not all of these core area attributes can be addressed by public policies and revitalization efforts, however.

The following sections of the paper will consider the role that policy plays in revitalization efforts in four case study communities. These communities have been selected to represent a range of viability, as well as differences in strategies. The next section provides an overview of the communities, followed by a description of current conditions and strategies in these core areas. The concluding section assesses the strategies and makes recommendations about which might be successful in a number of different locations.

Community Profiles

The four urban areas included in this study represent two city centres that are not highly regarded and two that are. The two poorly regarded core areas were identified as such in a 2004 survey by Filion, Hoernig, Bunting, and Sands. Brantford, Ontario, and Saginaw, Michigan, were ranked near the bottom in this survey. The two successful mid-sized urban area cores, Ann Arbor and Oakville, were excluded from the original survey because they are part of larger consolidated metropolitan areas. Nevertheless, survey respondents volunteered them as examples of successful cores. Since each is located in close proximity to one of the struggling cores and in the same state/province (ensuring comparability of regulations and enabling statutes), they seem to provide a reasonable basis for comparison.

Table 1 summarizes some demographic and economic characteristics of these four cities. Substantial differences are evident between the communities with well- and poorly-regarded cores, as well as between the Canadian and American cities. Both cities with successful core areas,

Figure 1: Case Study Cities



Oakville and Ann Arbor, are part of prosperous urban areas. The population in Oakville is growing much more rapidly than that of Ann Arbor. The substantial university population in Ann Arbor accounts for the relatively low average household size, a low proportion of elderly residents, and a higher proportion of renter households than in Oakville. The student population also contributes to the lower median household income in the Michigan city. Although Ann Arbor has some of the highest rents and housing values of any central city in Michigan, the figures are well below those of Oakville. The high proportion of Oakville public transit commuters largely reflects intercity commuting, primarily to Toronto.¹

Table 1: Selected Characteristics, 2000/1²

	Ann Arbor	Brantford	Oakville	Saginaw
Population	114,024	86,417	144,738	61,799
Change in 1990s	+3.9 %	+4.2 %	+20.8 %	-11.1 %
Households	45,693	33,850	49,260	23,182
% 65 +	7.4 %	10.3 %	10.9 %	11.2 %
Median HH Income	\$46,300	\$43,900	\$84,000	\$26,500
Unemployment Rate	4.0 %	6.8 %	4.5 %	12.7 %
Public Transit Commuters	6.6 %	3.2 %	13.3 %	2.5 %
% Home owners	45 %	67 %	81 %	56 %
Median Home Value	\$178,500	\$136,500	\$306,200	\$47,000
Median Rent	\$696	\$620	\$1,019	\$347

Source: Statistics Canada, U.S. Census.

Brantford and Saginaw generally compare unfavourably with these other two cities on most economic indicators. Unemployment rates are higher in these communities, while household incomes, home values, and rents are lower. On each of these indicators the results are substantially more favourable for Brantford. Saginaw is also the only one of the four municipalities that actually lost population during the 1990s. Few residents in either Brantford or Saginaw commute to work by public transit, while the cities with successful cores have substantially higher proportions of transit commuters.

The Healthy Cores

Ann Arbor

Ann Arbor is a city of just over 100,000 located about 65 kilometres west of Detroit. The city is home to the University of Michigan and the University of Michigan Hospitals, providing a substantial base of white collar and professional employment. The University of Michigan contributes both residents and activities that attract residents to downtown. Ann Arbor and its suburbs include a number of high tech firms that have been attracted by the university. There is substantial commuting into the city from adjacent communities, including Detroit's western suburbs. The city is also in close proximity to the major Detroit airports, which provide both passenger and freight services.

The city's central business district, as defined by the Downtown Development Authority, is quite extensive, covering all or part of 67 blocks (a total of about 271 acres). The DDA District abuts the central campus of the University of Michigan. The DDA area is comprised of four local business associations, each of which has a distinct "personality" and tends to serve distinct niche markets. Although recent developments in the core area have been predominantly mid- to high-rise structures, downtown Ann Arbor retains a number of older and historic buildings that contribute to a human-scale, pedestrian-friendly environment.

The central business district has lost much of its retail activity, including two department stores and numerous smaller shops, to suburban shopping malls. Currently the downtown defines itself as a cultural and entertainment centre, including museums, concert halls, and galleries. Both city and county offices, including courts, are located in the downtown area. Numerous professional offices and the headquarters of financial institutions are also located in the core. Downtown Ann Arbor also includes substantial residential development. Four out of every five blocks have some resident population. There are also several hotels in the downtown

area, contributing to the area's population base and helping to promote downtown as a round-the-clock activity area.

Oakville

The Town of Oakville is located on the north shore of Lake Ontario, about halfway between Toronto and Hamilton, some 35 kilometres west of Toronto. With a population of more than 100,000, Oakville has grown rapidly in recent years, fuelled in part by Toronto households seeking less expensive housing alternatives. While the original business district in Oakville is close to the lake, new commercial districts have emerged with the suburban growth of recent decades.

The downtown core of Oakville, as defined by the Business Improvement Association, consists of a dozen blocks on either side of Lakeshore Road, encompassing about 20 acres. Additional businesses are located on some of the cross streets. Surface parking and public parking structures are outside of the BIA area, leaving the primary shopping street with an unbroken façade of pedestrian-oriented retail. Most of the streetscape consists of vintage buildings, with the exception of Towne Square at George Street, which provides space for outdoor cafés and seating areas, as well as a link to the historic residential area that lies between the downtown and the lakefront. It also serves as a focal point for the linear business strip.

The tightly drawn BIA area is surrounded by other developments that might have been included in the core. A number of public facilities (library, theatre) and some office development are located immediately west of the BIA area. New high- and mid-rise residential is located south and west of the BIA area.

The core formally terminates at Sixteen Mile Creek, which is the location of a large marina and parklands that extend to the lakefront. A number of historic buildings and museums are located along Navy Street, parallel to the creek on the east. High-density residential development is located to the west of the creek. The adjacent heritage neighbourhoods, lakefront, and marina areas attract some tourists.

Downtown Oakville provides specialty retailing, restaurants, and entertainment venues. There are some 400 businesses in the downtown area, including clothing and specialty shops, restaurants and cafés, professional offices, personal services, and financial institutions.³ Table 2 presents summary statistics for the Ann Arbor and Oakville cores, comparing each to their respective city-wide figures.⁴ The index number represents the ratio between the value for the core area and the city-wide

figure, with 100 representing equivalent figures for the two areas. For example, the unemployment rate for Ann Arbor core area residents is about 30 percent higher than the city of Ann Arbor average.

Table 2: Demographic Profiles of Successful Core Area

	Ann Arbor		Oakville	
	Value	Index	Value	Index
Population Change	+2.6 %	65	+12.6 %	26
% 65+	8.9 %	120	25.8 %	237
Household Change	+6.8 %	70	19.9 %	67
Median HH income	\$11,232	24	\$59,157	70
Home Ownership	18.6 %	41	18.6 %	52
Median Home Value	\$350,000	196	\$549,485	179
Median Rent	\$642	92	\$1,057	104
% Built in 1990s	6.8 %	158	4.0 %	17
% Transit Commuters	1.7 %	26	10.5 %	87
% Unemployed	5.2 %	130	2.0 %	44
% Knowledge Workers	73.3 %	93	69.8 %	107

Sources: U.S. Census, Statistics Canada.

Both Ann Arbor and Oakville record high index values for median home value and the proportion of elderly residents. Ann Arbor's core has a much higher proportion of new housing than is typical for the city. In Oakville, the core surpassed the city-wide figures for median rent. Single person and non-family households are much more common in downtown than in the rest of the city.

Ann Arbor city centre residents are less likely to be in the labour force than other Ann Arborites, largely because of the student population concentrated there. Both cities have high proportions of their resident employment in knowledge-based occupations, including managerial and professional occupations, education, health care, and the arts.⁵ In excess of 75 percent of all employed residents in both Ann Arbor and Oakville are in this classification. (Nationally, the comparable figures are 49 percent for Canada and 59 percent for the United States.) The core areas of both cities have high proportions (roughly 70 percent) of their residents employed in knowledge-related occupations.

Oakville and Ann Arbor each have a long-standing commitment to growth management and quality development. Both communities have stringent standards for new development and are regarded by the development community as difficult to work in. According to the Oakville

Economic Development Alliance (2000) “Oakville prides itself on meticulous planning to insure a promising future.” Individual developments are subject to extensive review and substantial changes are often required as a result of the public review process. To some extent, the strict controls imposed on peripheral development can be expected to support downtown development.

There are a number of significant differences, however. Ann Arbor has adopted a planning strategy that emphasizes increasing densities in the downtown core area. The plan favours mixed use developments with substantial residential components. The city has also invested heavily in structure parking. Congestion levels in the core area are not seen as a major problem.

Oakville, on the other hand, sees Old Oakville as a location for small scale development, with locally-owned shops and services that offer a variety of unique shopping and dining opportunities. While two parking structures have been built, these do not disrupt the walkability and pedestrian scale of the street. Plans do not contemplate increasing the density of either the commercial core or the adjacent residential areas.

The Struggling Cores

Saginaw and Brantford are located over an hour away from Detroit and Toronto, respectively. Manufacturing industries played a dominant role in both communities throughout the 20th century. The long-term decline in domestic manufacturing over the past three decades has contributed to high unemployment but with relatively high wages for some residents who still have a manufacturing job. Population and household growth is slow.

Saginaw

Saginaw is an industrial city of about 60,000 located about 150 kilometres north of Detroit. The city has been the location of a number of General Motors facilities, several of which have closed in recent years. Despite efforts to diversify the economy by promoting health care services and manufacturing of medical devices, both the city and metropolitan area have experienced population declines since the mid-1980s. Unemployment is well above the state average (three percentage points for 2003) and the number of employed county residents has decreased steadily over the past five years.

The downtown area of Saginaw covers a 25 block area on the east side of the Saginaw River. Direct access to the river is limited. Historically, retail has been concentrated on Washington Street. Retailing activity has all but

disappeared from the downtown, however, with the last downtown department store closing in 2001. Revitalization projects from the 1970s, including an enclosed mall, major hotel, and new federal office building have all closed or been converted to other uses. Downtown residential development has been limited to a small amount of subsidized housing.

Downtown Saginaw faces a highly competitive situation, with Saginaw Charter Township being the locus of most of the commercial and retail development activity over the past three decades. North Saginaw Township has absorbed most of the commercial development in the past two decades, including substantial retail development as well as hotels and offices. In effect, virtually all of the downtown functions have been rebuilt in the suburbs. A large outlet mall about ten miles north of the city also weakens the development potential of the city of Saginaw's core area.

Brantford

Brantford is located 30 kilometres west of Hamilton and 90 kilometres southwest of Toronto. The city has a population of 86,000. It has a long tradition as an industrial centre, with almost one-third of all employed persons in manufacturing industries, double the provincial average. Brantford has witnessed the closure of a number of heavy manufacturing firms in recent decades.

The core area of Brantford covers a 36 block area. Victoria Park provides a large gathering space that is used for concerts and other public events. Both Eaton's and Woolworth's have closed their downtown stores⁶. Retail uses formerly were located along Colborne and Dalhousie streets, but what little retail there is now is largely concentrated in an enclosed mall, built on the site of the former Eaton's department store. The Woolworth building is now the public library. Downtown remains a major employment centre, however, as the result of the introduction of a number of call centre operations that have located in the unused retail space in the downtown mall. There is no identifiable pedestrian-oriented retail street in the core area.

Brantford has adopted virtually the full range of downtown revitalization strategies. In addition to the enclosed mall and a short pedestrianized street, there is a large parking deck. The municipal government has been quite active in downtown promotion efforts. It has promoted the establishment of a downtown campus for Wilfrid Laurier University (based in the nearby city of Waterloo) and supported the renovation of an historic theatre for live performances. The city government also has provided demand for considerable amounts of space, particularly the vacant retail facilities.

Over the past three decades, both Saginaw and Brantford have pursued aggressive core area revitalization strategies. These include the creation of downtown authorities and the development of enclosed malls in the core area, new government offices, sports arenas, and farmers' markets. Saginaw has attempted to attract development to downtown by including it in a tax-free Renaissance Zone and embarking on an ambitious riverfront development effort. Downtown Brantford has a charity casino close to downtown (but not well connected to the core). Metropolitan Brantford has undergone municipal consolidation in recent years so that most peripheral development is now included in the central city tax base.

The data in Table 3 suggest that both Brantford and Saginaw have downtown residential cores that compare unfavourably with their respective city-wide statistics. Not only did Brantford's core lose population during the 1990s (while the city experienced a slight gain), but the core has substantially higher unemployment, lower housing values, and lower home ownership. The median income of downtown residents is less than half the city-wide median.

Table 3: Demographic Profiles of Struggling Cores

	Brantford core		Saginaw core	
	Value	Index	Value	Index
Population Change	-7.9 %	NA	-19.6 %	-177
% 65+	10.3 %	76	6.9 %	62
Household Change	+6.1 %	55	18.8 %	165
Median HH income	\$21,458	49	\$20,839	79
Home Ownership	4.3 %	6	55.5 %	87
Median Home Value	\$96,045	70	\$32,800	70
Median Rent	\$532	86	\$352	101
% Built in 1990s	6.2 %	68	1.1 %	183
% Transit Commuters	17.6 %	550	2.5 %	167
% Unemployed	14.6 %	215	18.1 %	183
% Knowledge Workers	47.7 %	115	30.5 %	106

Sources: U.S. Census, Statistics Canada.

Downtown Saginaw presents a somewhat less gloomy picture. While losing population much more rapidly than the city as a whole, the population of the core area of Saginaw is, for most variables, closer to the local average than is the case for Brantford. For example, the index value for median household income in Saginaw is a full 30 points higher than Brantford's and for home ownership it is more than 60 points higher. Rents

in Saginaw's core are close to the city average and there was some new residential construction during the 1990s.

It is interesting to note that both of the struggling downtowns have a higher proportion of resident knowledge workers than do their respective cities. In part this appears to be because of the relatively low proportions of knowledge workers city-wide and in part because of the relatively low labour force participation among core area residents. The majority of the core area residents in both cities hold technical and support positions rather than professional or managerial jobs.

Core Area Development Strategies

The four communities have each adopted a number of similar revitalization strategies. Streetscape improvements, cultural facilities, promotion of entertainment activities, creation of a downtown plan, and a targeted business development organization are strategies that have been pursued in all four cities. Struggling core areas are more likely to have relied on large-scale investments – retail malls, sports facilities, and convention centres – than the more successful cities. While most of the housing in the Saginaw and Brantford cores is publicly assisted, Ann Arbor and Oakville have predominantly market-rate housing in their cores.⁷

Ann Arbor

The Downtown Development Authority, which is responsible for administering the district, has formulated a plan to maintain the character and the quality of the core area that includes public improvements, design guidelines for private development and historic preservation, and promotional activities. (The latter is primarily the responsibility of the four business associations.) The DDA has direct responsibility for constructing and maintaining a range of public improvements, including street furniture, sidewalks, landscape improvements, parking structures, transportation, and other infrastructure improvements. The revenues from the tax increment financing district that is coextensive with the DDA support these activities.

Mixed-use new development is encouraged by the DDA, with a particular emphasis on street-level retail uses and increasing the residential base of the downtown. Priority is given to retail that meets the needs of core area residents and promotes interaction between merchants and residents. A broad range of housing, to meet the needs of a variety of household types and incomes, is to be encouraged. Developing linkages between downtown residents and the surrounding neighbourhoods is another priority of the DDA.

Oakville

The overall planning for Oakville identifies three major commercial centres: Old Oakville, Midtown, and Uptown. These retail centres each have distinct roles and future developments should reinforce them. New retail commercial development in North Oakville will primarily serve the new population in that area and will not include major retail facilities that would compete with these existing centres. The Town of Oakville continues to see the Old Oakville downtown as a primary location for specialty (primarily upscale) retailing and restaurants. Several strategies have been identified to strengthen the downtown core, including (Randolph Group 1997; Oakville 2002):

- Promoting tourist activities;
- Promoting the upscale heritage theme of the core;
- Improving the connections between the commercial core and the waterfront;
- Improving traffic patterns and parking; and
- Strengthening neighbourhoods adjacent to downtown.

In addition, the city-wide policies related to heritage preservation, urban aesthetics and environmental management also implicitly contribute to strengthening the core.

Brantford

Brantford has embarked on a second phase of core area revitalization with a number of developments occurring in the downtown area. Perhaps the most important of these is the development of a new campus for Wilfrid Laurier University, which presently occupies several buildings scattered through the downtown area. Additional development, including new construction and rehabilitation of existing structures, will increase both classroom and residential facilities to serve an eventual student population of 1,800 to 2,000. The city will also develop a new civic square to complement the existing Victoria Park, which many consider to be overused. The city has tentatively offered to purchase the shopping mall in order to convert it to municipal offices, although financial limitations may delay this effort (Marion 2004). The city is willing to waive development charges in the downtown and will make grants to encourage investment that will advance municipal objectives (Brantford Economic Development Commission 2003). While these strategies have met with some success, there is little indication that private capital is being attracted.

Saginaw

Like Brantford, Saginaw has attempted to utilize a number of different revitalization strategies. These have included urban renewal projects, affordable housing development, street improvements, historic renovations, an enclosed shopping mall, and extensive use of tax abatements to attract development. These efforts have generally met with only limited success in stopping the suburban migration of most of the downtown businesses.

Saginaw is currently pursuing a number of revitalization strategies for its core. These include improvements to the riverfront that will provide opportunities for both active and passive recreation. The expansion of the medical campus into downtown is a key element in the strategy. The reopening of the municipal sports/convention complex and the restoration of the historic theatre are part of the strategy to make the core area the focus of entertainment activity.

Discussion

These case studies provide a rather mixed picture with respect to the potential of public policies and economic development strategies to contribute to healthy core areas. These communities have pursued a variety of strategies to maintain or revitalize their downtown core areas. Brantford has pursued each of the strategies with seemingly little success. Saginaw has also adopted most of the revitalization strategies that have been in vogue in recent years. The more successful core areas, Ann Arbor and Oakville, have adopted a more limited range of strategies. These latter cities have also been more selective in allowing private developments, emphasizing design and growth controls.

So, is the potential for a successful downtown area simply a matter of “place luck,” of being located in a prosperous urban area? Or are there specific actions and policies that will make a significant difference in the prospects for the downtowns of mid-sized urban areas? The evidence from these case studies suggests that place luck is likely to be a significant factor. The thriving mid-size urban cores are both located in prosperous metropolitan areas; the struggling cores are in urban areas that are experiencing relative and, in some instances, absolute declines. Filion and his colleagues (2004) found similar results in their larger sample. Although the direction of causation is not clear, there is a definite relationship between core area health and metropolitan health.

But many of the factors that contribute to place luck can also be addressed by public policies. Even though many successful city centres

have a waterfront location, this seems more a matter of place luck than something amenable to revitalization initiatives. Public policies, however, can substantially improve the accessibility, appearance, and quality of an existing waterfront. A location adjacent to a major university (as in Ann Arbor, for example) may be viewed as part of the overall context of the downtown. But Brantford's efforts to create a downtown campus for Wilfrid Laurier University may prove that it is possible at least to improve one's luck in this regard.

The case studies suggest a number of principles relevant to the design of successful core area revitalization strategies:

Downtown revitalization efforts cannot rely on a "quick fix" or "magic bullet" to resolve long-standing and complex problems. Rather, a range of strategies, applied over a long period of time, is likely to be necessary to initiate the virtuous cycle leading to a healthy core area. The public sector can play an important role in revitalization efforts. But the long-term sustainability of downtown requires the interest and participation of the private sector—investors, residents, businesses, employees, and shoppers. The ability of struggling cities to revitalize their cores is limited by their resources. Distressed downtown areas, like those in Brantford and Saginaw, are likely to experience more failures than successes in implementing their revitalization strategies. Even when successes are achieved, the costs may be high relative to the benefits gained (see also Gilman 2001).

A successful core area is likely to be one that has a distinct physical appearance, regardless of its market niche. A downtown that retains its historic character is more likely to be successful than one that resembles a suburban landscape. Street and building patterns in downtown help to identify the area as a special place (Filion and Hoernig 2003). Well-designed buildings and public spaces contribute to an attractive environment (Paumier 2004). Both Oakville and Ann Arbor have made conscious efforts to retain the distinct character of their downtowns. In Brantford and Saginaw, redevelopment has removed many historic buildings and those remaining are isolated.

Avoiding detrimental policies (such as urban renewal projects that remove historic structures, traffic schemes that discourage pedestrian activity, retail districts interrupted by surface parking) can also contribute to downtown success. Planning initiatives that attempt to create a suburban environment in core areas are generally inimical to success. Both Saginaw and Brantford have pursued such strategies.

Downtowns are more likely to be successful if they are able to serve multiple market segments. Markets vary by time of day, day of the week, and season of the year. Downtown workers, metropolitan area residents, and tourists represent distinct market segments that have complimentary requirements. Downtowns that serve a range of populations and markets, offering a variety of land uses and activities, will be more sustainable and have a greater potential for success than more narrowly-focused core areas.

Downtown revitalization efforts must be approached at an appropriate scale. The traditional definition of the core may represent too large an area to be successfully revitalized. Particularly in a core that has experienced a lengthy period of decline, there may simply be too much downtown to revitalize. Strategic choices must be made to ensure that a critical mass can be attained. Particularly in slow-growing areas, strategies based on filling in the spaces between viable nodes may be overly optimistic. In Saginaw, for example, the distance between the medical centre development and the entertainment centre is over a kilometre. In Brantford the casino and sports arena are well outside the core. The amount of new development and activity required to link either of these seems unlikely to occur in the foreseeable future.

Large-scale revitalization projects may not be as effective in promoting the success of downtown as more modest efforts. At a minimum, major investments in parking structures or sports arenas need to be well-integrated into the downtown fabric, by the inclusion of street-level shops and pedestrian linkages. Inward facing shopping malls, as in Brantford and Saginaw, contribute little to vitality of these cores. Modest public investment in landscaping and seating can help achieve integration of major facilities with their surroundings.

An organization that effectively advocates for downtown is probably a prerequisite for success. Business Improvement Associations, Downtown Development Authorities, or other types of public/private partnerships can be more effective than independent efforts by public agencies or merchant associations. While core-area advocate organizations differ considerably in their membership (property owners, businesses), funding (dues, tax levies, contributions), and activities (promotion and event programming, capital improvements), no one model seems inherently more appropriate.

There are, however, limits to what can be achieved through public revitalization initiatives. Only marginal changes can be made in place luck:

More successful downtowns, such as Ann Arbor and Oakville, are able to be more discriminating and insist on higher quality developments. A struggling core area is unlikely to have this luxury. Few development opportunities are likely to be presented and these may be of poor quality. Any development proposal may be considered worthwhile, even if it does not serve long-term objectives. As a result, the short-term gains from development may inhibit the long-term sustainability of the core.

Healthy core areas typically benefit from favourable demographics. Middle- and upper-income residents contribute more to success than simply having people living in downtown. A core-area employment mix that includes a high proportion of knowledge workers also seems to be desirable. While having a favourable mix of residents and workers is not a guarantee of success, their presence is likely to make a positive contribution to desired retail and entertainment activities.

Public perceptions of downtown play an important role in its success. Any improvement or activity that contributes to a more positive image of the downtown may thus be desirable, even if the actual impacts are minor. But land and investment dollars are always limited. Downtown revitalization efforts require the strategic use of these resources to ensure that long-term goals are not sacrificed to short-term expediency.

Further Research

These case studies suggest a number of topics for additional investigation, especially research that includes a broader range of communities. Examination of the relationship between the health of core areas and the municipality and broader urban area could be useful. Urban areas with successful core areas also tend to have higher incomes, better educated residents, and higher levels of economic growth, along with more stable and diverse economies. These metropolitan attributes have greater potential to support downtown locations for restaurants, entertainment venues, and cultural activities. In turn, these can foster the success of other downtown activities, such as specialty retail or market-rate residential development. If healthy core areas are unlikely to occur except in healthy metropolitan areas, then different strategies might be called for in struggling metropolitan areas.

The relative effectiveness of large- and small-scale investments on core area revitalization should also be given more consideration. “Big ticket”

items, such as enclosed malls or sports and convention centres, may produce relatively less benefit than lower cost initiatives, such as streetscape improvements or promotional activities. While strict cost-benefit calculations may not be possible, a structured analysis might provide some useful guidelines.

Perhaps the least well-understood core area revitalization strategy is the relationship between downtown health and the presence of knowledge or “creative class” workers (Florida 2005). Despite a lack of empirical evidence, communities have explicitly adopted strategies designed to attract this population (Michigan 2005). Research that quantifies the potential benefits of attracting this population, as well as identifies the most effective means of doing so, would be of considerable value.

Finally, an examination of the role of downtown associations in successful revitalization activities would be of particular interest. Business Improvement Associations in Ontario and Downtown Development Authorities in Michigan have different funding structures and different responsibilities. A careful review of these differences, as well as the relationship of these organizations to the local government, may provide useful insights on how best to facilitate core area revitalization.

Notes

1. About 15 percent of Oakville workers commute to Toronto.
2. Throughout this paper, dollar amounts are given in local currency. At the time the figures were collected the Canadian dollar was trading at about 70 cents U.S.
3. The Kerr Street commercial area, located just west of the core, provides grocery and other neighbourhood commercial facilities.
4. The core area of each city is defined in terms of census tract boundaries. The result is, at best, a rough approximation of the core and does not necessarily correspond to the core as defined by local organizations.
5. The specific occupational categories from the U.S. Census are management, business, financial operations, professional, and related occupations; the equivalent categories from Statistics Canada are management, business, finance, natural and applied sciences, health, social science, education, government, arts, culture, recreation, and sports occupations.
6. The Eaton's chain of department stores, founded in 1869, went bankrupt in 1999 and was bought out by Sears. The Woolworth's chain, founded in 1878, closed its stores in 1997 and eventually became the Foot Locker.
7. Ann Arbor makes the provision of some affordable housing a condition for approval of new market-rate housing in the downtown area.

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*The West as the New Political and
Economic Axis in Canada*

*L'Ouest comme nouveau vecteur
politique et économique du Canada*

Frédéric Boily, Natalie Boisvert et Nathalie Kermoal¹

***Portrait intellectuel de l'école de Calgary.
Définition et influence***

Résumé

Cet article procède à l'examen d'un groupe d'intellectuels de l'Ouest canadien que l'on désigne par le nom « d'école de Calgary », notamment Barry Cooper, Frederick Morton, Rainer Knopff et Tom Flanagan. Dans un premier temps, on se demande jusqu'à quel point on peut parler d'école à leur sujet. En effet, s'il est généralement admis que ces auteurs, qui influencent le Parti conservateur de Stephen Harper et qui se sont aussi distingués avec d'importants travaux sur la politique canadienne, forment ce que l'on appelle une école, il faut mieux préciser ce que l'on entend par là. Dans un second temps, on examine quelles sont les influences intellectuelles qui alimentent leur façon de voir certaines questions canadiennes, comme le rôle de l'État, le nationalisme québécois et la place des Autochtones. Nous mettons en lumière que leur pensée, de manière générale, puise à plusieurs sources, dont le philosophe conservateur Eric Voegelin et Alexis de Tocqueville. La pensée de certains auteurs libéraux comme John Locke et Friedrich Hayek constitue également une ressource intellectuelle fondamentale pour comprendre la vision de l'école de Calgary.

Abstract

This article examines the philosophical provenance and orientation of a group of intellectuals from Western Canada whose members are Barry Cooper, Frederick Morton, Rainer Knopff and Tom Flanagan and who shall be referred to as the "Calgary School." The article begins by asking whether it is apposite to refer to this group as a "school." Essentially, if it can be widely accepted that these writers, who exercise such an influence on the Conservative Party of Stephen Harper, and whose careers have been marked by the publication of important works in Canadian politics, constitute what is referred to as a school, it would be well to gain a clearer understanding of what that term means. The article proposes a definition of the term "school," and seeks to gain a keener appreciation of the intellectual winds and currents that have helped shape their conception of a number of made-in-Canada issues such as the role of the State, Quebecois nationalism and the role of Aboriginal peoples. It then discusses how their thought, generally speaking, draws on a variety of sources, notably the conservative philosopher Eric Voegelin and Alexis de Tocqueville. It should also be noted that the writings of certain liberal thinkers such as John Locke and Friedrich Hayek constitute an intellectual resource that will help gain clearer insight into the structure and the raison-d'être of the Calgary School.

On compte plusieurs travaux examinant les principaux courants idéologiques qui structurent la vie politique canadienne². C'est ainsi que l'on dispose d'études historiques consacrées à l'examen des idéologies politiques de l'Ouest canadien³, plus particulièrement à l'émergence du *Reform Party* et de son ancien chef Preston Manning⁴. Ces études ont notamment mis en relief le caractère populiste des réformistes. Toutefois, les idéologies politiques de l'Ouest canadien demeurent une réalité qui demande encore à être explorée, surtout en ce qui concerne le développement des courants idéologiques *récents* ou, plus exactement, de la pensée politique *actuelle* de l'Ouest.

À cet égard, lors de l'avant-dernière campagne électorale fédérale, celle du printemps 2004, les médias et observateurs de la scène politique ont mis l'accent sur un groupe d'intellectuels que l'on appelait l'école de Calgary⁵, un groupe formé de professeurs en sciences sociales issus principalement, mais pas exclusivement, du département de science politique de l'Université de Calgary – soit, entre autres, Tom Flanagan, Barry Cooper, Ted Morton, David Bercuson, Rainer Knopff et Ian Brodie.

Ce que nous souhaitons ici, c'est poursuivre dans la foulée du travail de David J. Rovinsky, probablement le premier à avoir parlé d'une école de pensée propre à l'Ouest canadien et à en avoir proposé une analyse⁶. À la suite de cet auteur, il s'agit d'offrir ce que l'on peut appeler l'équivalent d'une sorte de topographie intellectuelle de la pensée des principaux auteurs de l'Alberta. Jusqu'à quel point peut-on parler d'école à leur propos? Quels sont les auteurs qui les guident et, de façon plus importante, comment s'en inspirent-ils pour examiner la réalité canadienne et porter un jugement sur elle? En d'autres termes, on cherche à tracer les limites et les contours de cette nébuleuse, de cette constellation d'intellectuels afin d'identifier ce qui pourrait en être l'idéologie commune.

Certes, l'idéologie, terme des plus utilisés en sciences sociales, se prête à de multiples interprétations et définitions. La philosophe Hannah Arendt par exemple, disait que l'idéologie est « la logique d'une idée en marche⁷ », alors que d'autres diront tout simplement qu'il faut plutôt parler de la « fin de l'idéologie⁸ », surtout depuis la défaite du communisme et la victoire du bloc capitaliste. Néanmoins, on peut comprendre l'idéologie comme une même vision du monde, laquelle permet la concertation en vue de l'action politique. « Ideology is a word commonly used in the social sciences to refer to more-or-less articulate and generally coherent belief systems that are said to motivate political action⁹. » L'idéologie ainsi comprise, il s'agit d'identifier la vision du monde qui est commune à ces penseurs sans exclure, bien entendu, leurs divergences de pensée.

Cela dit, il nous faut faire preuve d'une certaine modestie quant à nos ambitions, notre objectif de départ étant tout simplement trop considérable pour être atteint dans le cadre limité d'un article. C'est pourquoi nous nous contenterons d'un premier coup de sonde en nous limitant à quelques auteurs qui nous apparaissent représentatifs de cette école (nous les présentons plus loin), au sens où chacun a écrit sur des sujets importants de la politique canadienne (la question du Québec, le rôle de la Cour suprême et la place des Autochtones). Cependant, nous nous demanderons dans un premier temps jusqu'à quel point on peut considérer que les intellectuels de Calgary forment une école. Comme nous le verrons, cette notion n'est pas bien définie, ce qui entraîne une certaine confusion. Dans cette même section, nous nous pencherons également sur l'importante question des influences intellectuelles qui alimentent la pensée de ces auteurs, plus particulièrement en ce qui concerne l'influence présumée de Leo Strauss. C'est ce qui nous amènera, dans un second temps, à examiner plus attentivement la pensée de nos auteurs pour proposer une lecture insistant sur d'autres références intellectuelles. Nous soulignerons essentiellement l'influence de Friedrich Hayek, Eric Voegelin ainsi que celle d'Alexis de Tocqueville. Sans prétendre que ces auteurs soient les seuls à être dignes de considération pour définir l'école de Calgary, nous croyons qu'ils sont importants pour comprendre la vision qu'a cette école de l'expérience politique canadienne.

Une école de Calgary?

L'expression d'école de Calgary serait apparue pour la première fois, en mai 1996, sous la plume du chercheur David Rovinsky¹⁰. Plus précisément, c'est surtout au moment de la campagne électorale fédérale du printemps 2004 que les médias et observateurs de la scène politique ont mis l'accent sur un groupe d'intellectuels que l'on désignait comme appartenant à l'école de Calgary. La question de son influence a refait surface vers la fin de la plus récente campagne (janvier 2006), entre autres dans certains médias nationaux comme *The Globe and Mail*¹¹ ou encore *The Current* (CBC Radio) où on a dressé un portrait de Tom Flanagan quelques jours seulement avant la fin de la campagne¹². À cet égard, s'il y a un moment plus important qu'un autre concernant la révélation de cette école au grand jour, c'est probablement celui où est paru un article de Marci McDonald dans la revue *The Walrus*. L'article en question, publié après la campagne électorale de juin 2004, a notamment brossé un portrait plus étoffé de l'existence de cette école¹³. Mais a-t-on vraiment affaire à une école en bonne et due forme? Ne s'agit-il pas plus simplement d'une tendance ou d'un courant politique comme on en trouve fréquemment au sein des universités et des milieux intellectuels?

Par exemple, Barry Cooper, professeur de sciences politiques à l'Université de Calgary et lui-même désigné comme un des acteurs importants de cette école, soutient que l'existence de celle-ci relèverait tout simplement du mythe¹⁴. Flatté, Cooper affirme que ses collègues et lui étaient surpris d'apprendre qu'ils formaient une école. Certes, reconnaît-il, ils entretiennent des liens, mais pas au point de former une véritable école de pensée. Cooper a-t-il raison de s'insurger contre une telle caractérisation et d'affirmer que ses collègues et lui ne forment pas une école?

Il est vrai qu'une telle affirmation (ou supposition, dirait Cooper) peut avoir quelque chose de réducteur, voire d'un peu trompeur dans la mesure où elle laisse entendre que tous ces auteurs partagent les mêmes vues. On doit également se demander si le caractère institutionnel du groupe est assez développé pour parler d'école au sens fort du terme. Certains chercheurs, comme on le verra, affirment en effet que pour parler d'école, il faut en quelque sorte des institutions permettant la dissémination des idées du groupe.

Voilà pourquoi il est nécessaire de définir ce concept. Mais la chose n'est pas aussi aisée qu'elle peut le sembler de prime abord. D'abord, l'existence d'une école, bien souvent, apparaît seulement a posteriori, comme l'école de Chicago, nommée ainsi une quinzaine d'années après son commencement¹⁵. Ensuite, même les Écoles dont l'existence paraît pourtant difficilement contestable sont parfois remises en doute, ce qui est le cas, par exemple, pour l'école de Francfort¹⁶. Enfin, certains chercheurs proposent une définition un peu triviale du concept au sens où, pour constituer une école, il suffit de quelques intellectuels partageant les mêmes vues. C'est ainsi qu'au Québec on parle couramment de l'école historique de Montréal, alors que celle-ci comprend au total trois historiens, dont un, Maurice Séguin, a peu publié de son vivant (les deux autres étant Michel Brunet et Guy Frégault). Dans ce cas précis, on parle d'école pour signifier que ces trois historiens, qui ont tous eu le même mentor (l'historien Lionel Groulx), partagent une vision semblable de l'histoire nationale québécoise. D'autres chercheurs proposent toutefois une définition plus rigoureuse du concept. Ainsi, dans son étude sur l'école de Chicago, Martin Bulmer définissait une école de la manière suivante :

Schools flourish in settings with an institutional affiliation, typically an academic site of general excellence in a great metropolitan area. A journal, review, or other means of regularly publishing research is required to communicate with a wider scholarly public, as well as to integrate the activities of dispersed members of the school. A school is thus considerably more than a

collection of distinguished individual scholars working a leading department. It implies the existence of collaborative scholarly activity integrated through the work of one or more leading figures in the school¹⁷.

D'aucuns ajouteront aussi que, pour former une école, il faut qu'une ou plusieurs personnalités fortes, presque charismatiques, fédèrent l'ensemble des travaux que produisent les membres du groupe. En d'autres termes, il faut qu'un penseur agisse un peu comme un astre autour duquel gravitent les autres intellectuels qui lui sont associés. On peut penser ici à titre d'exemple à Theodor Adorno et Max Horkheimer agissant comme chefs de file et catalyseurs de l'école de Francfort. En outre, il faut trouver une sorte de centre institutionnel permettant la diffusion des travaux du groupe, une école ayant la volonté de diffuser ses travaux au grand public. Ici, en ayant toujours à l'esprit l'école de Francfort, on peut penser à l'Institut de recherche sociale, qui fut créé en 1923, à Francfort, et qui se voulait un centre regroupant des travaux d'obédience marxiste que rejetait l'université.

Toutefois, il ne faut pas s'enfermer dans une définition trop stricte et rigoriste du terme, ne serait-ce que parce qu'une approche trop rigide pourrait nous faire perdre de vue qu'à partir du moment où on croit avoir affaire à une école, c'est-à-dire à partir du moment où les acteurs sociaux disent qu'elle existe, il faut prendre en considération cet aspect subjectif. Négliger cette dimension pourrait nous conduire sur les chemins d'une définition presque essentialiste du phénomène, qui nous rendrait aveugle aux Écoles existantes. Compte tenu de ces remarques, peut-on parler d'école pour décrire les intellectuels de Calgary?

Il faut d'abord se demander si on trouve au sein du groupe de Calgary, un intellectuel ayant la stature d'un fondateur d'école. Celui qui vient immédiatement à l'esprit est Thomas Flanagan, qui apparaît comme le chef de file du groupe. Flanagan est très certainement l'intellectuel le plus influent du groupe, notamment si on considère l'ensemble de ses travaux et de son rôle auprès de Preston Manning et de Stephen Harper, le chef du Parti conservateur. En ce sens, si on devait désigner le fondateur de l'école de Calgary, c'est à lui qu'il faudrait d'abord songer.

En effet, en 1968, après des études aux États-Unis, d'où il est originaire, Flanagan reçoit une invitation pour se joindre au département de sciences politiques à Calgary. Par la suite, il fait son entrée dans le monde politique de l'Ouest canadien. Après la naissance du Parti réformiste en 1987, Preston Manning fait appel à ses services. Flanagan devient alors un de ses conseillers, de 1991 à 1993, année où il perd son poste. Dès le début, il se dit

mécontent de travailler pour le chef réformiste : « I felt trapped in a confused organization that had no clear lines of authority¹⁸. » Selon David Rovinsky, il était certainement le plus conservateur de tous les conseillers de Manning¹⁹. Toutefois, sa carrière politique ne s'arrête pas là. En effet, Flanagan est aujourd'hui considéré comme l'éminence grise derrière Stephen Harper, le *Globe and Mail* l'ayant décrit à un certain moment comme son bras droit. Flanagan paraît être à la fois une sorte de Raspoutine des temps modernes et un parrain. Selon Ezra Levant, éditeur du *Western Standard* : « I call him Don Tomaso. He is the master strategist, the godfather – even of Harper²⁰. » Flanagan s'est surtout fait connaître par son analyse du « problème » autochtone, un sujet qui l'occupe depuis plusieurs années. Cela dit, certains feront remarquer que si Flanagan apparaît comme l'intellectuel le plus prolifique du groupe et celui qui a plus d'influence sur la scène politique, il ne constitue pas une référence obligée pour les autres intellectuels associés à ladite école de Calgary.

Autour de Flanagan, on trouve d'autres intellectuels, comme Barry Cooper²¹. Ce dernier, qui a connu Flanagan aux États-Unis au moment de ses études, est un penseur important qui s'est notamment distingué par des travaux de philosophie politique de renommée internationale. De tous les penseurs de Calgary, il est celui qui, d'une part, présente la pensée la plus sophistiquée. C'est à juste titre qu'on trouve un texte de sa part dans *Canadian Political Philosophy*²². D'autre part, il est probablement celui qui connaît le mieux le Québec et qui a le plus écrit sur la politique québécoise. Il a notamment écrit des ouvrages que l'on peut qualifier d'engagés avec son collègue David J. Bercuson. En effet, ils ont examiné en détail l'expérience politique canadienne et québécoise dans *Deconfederation* (1991) et dans *Derailed* (1994)²³. Il faut cependant préciser que ces ouvrages sont parus dans un contexte particulier, marqué par le « borbier constitutionnel » — comme certains se plaisent à décrire la période allant de l'Accord du Lac Meech au référendum de Charlottetown — et par un contexte économique sombre, certains affirmant que le Canada du début des années 1990 s'apparentait alors à un pays du tiers-monde. En ce sens, et considérant le contexte dans lequel ils sont parus, on doit les considérer comme l'expression du sentiment d'impatience des intellectuels albertains à l'égard de la politique fédérale, pour le dire à la façon de Philip Resnick.

Quant à Frederick Morton et Rainer Knopff, lesquels sont aussi fréquemment associés à cette école, ils se sont essentiellement fait connaître avec des ouvrages, remarquables doit-on dire, qu'ils ont consacrés à la *Charte canadienne des droits et des libertés*. Les deux auteurs, tout particulièrement Morton, comptent parmi les chefs de file qui critiquent la

politisation du judiciaire au Canada. Morton est également un acteur connu de la vie politique albertaine. Ancien sénateur en attente, il est signataire de la fameuse « *Firewall letter* », lettre dans laquelle on défendait l'idée d'une plus grande autonomie pour le gouvernement albertain : remplacement du Régime de pensions du Canada par un régime provincial, perception des impôts provinciaux, remplacement de la GRC par une police provinciale, rétablissement de la juridiction exclusive en matière de santé et réforme du Sénat. Il est maintenant député à l'Assemblée législative albertaine, et son nom est fréquemment évoqué lorsqu'on songe à désigner un éventuel successeur à la tête du Parti conservateur albertain. Comme on le voit, certains d'entre eux écrivent à quatre mains, encore que de manière générale on publie plutôt en solo, chacun ayant des champs d'intérêt qui lui sont propres. À cet égard, il paraît y avoir une sorte de partage des tâches entre eux au sens où chacun travaille sur un sujet de prédilection : Flanagan est spécialiste de la question autochtone, Cooper du Québec, Morton de la Charte, etc.

Sur le plan institutionnel, les intellectuels de Calgary disposent de certains lieux de diffusion pour leurs thèses. On peut penser au *Canada West Foundation*, dirigé par Roger Gibbins, dont le but principal est, depuis sa fondation, de faire en sorte que les perspectives de l'Ouest soient prises en compte dans les débats politiques canadiens. Mais, à vrai dire, c'est surtout l'Institut Fraser qui apparaît comme le lieu de prédilection où les penseurs de Calgary peuvent faire entendre leurs voix. L'Institut Fraser est une des organisations canadiennes qui, selon William K. Carroll et Murray Shaw, se sont donné pour mission de propager la pensée néo-libérale : « Ideologically, the FI [Institut Fraser] draws upon a combination of neoclassical economics and libertarian rhetoric [...] as in the works of Milton Friedman and Friedrich Hayek²⁴. » Plus précisément, Barry Cooper dirige l'Alberta Policy Research Centre, centre rattaché à l'Institut Fraser. Tom Flanagan ainsi que Rainer Knopff et Ted Morton y sont tous chercheurs attitrés (*Senior fellows*). En ce sens, l'Institut Fraser peut être considéré comme un véhicule important de dissémination de leur pensée.

Ainsi, à l'aide d'une approche assez souple, on peut considérer qu'il s'agit bien d'une école. Certes, les frontières de cette dernière sont mouvantes, les intellectuels censés en faire partie variant selon les points de vue des observateurs. Roger Gibbins et Ian Brodie sont parfois vus comme membres du groupe, et parfois non. À vrai dire, Brodie apparaît plutôt comme un penseur de la seconde génération de Calgary. En outre, Flanagan, même s'il est indéniablement le chef de file du groupe, ne peut probablement pas être considéré comme un véritable chef d'école.

Cela dit, si l'on entend par école, comme on le fait en histoire de l'art, un groupe partageant un certain style et des techniques similaires, et dont les membres ont en commun un ensemble d'expressions symboliques, alors, on a bien affaire à une école de Calgary.²⁵ Car on peut identifier chez ces intellectuels, qui entretiennent d'indéniables liens entre eux, une sensibilité commune à propos de questions importantes : même dépit à l'égard des élites d'Ottawa, une critique similaire de la façon dont la politique canadienne a été menée en ce qui concerne la gestion des questions québécoises, même façon d'aborder la question autochtone et, enfin, l'espoir d'un retour de la droite. Bref, une vision commune se dégage quant à l'avenir du pays. Cela ne veut pas dire pour autant que les membres forment un courant de pensée homogène. Mais ils représentent ou symbolisent, si l'on peut dire, la même expression d'impatience de l'Ouest à l'égard du centre politique. On peut donc parler d'une école si on garde à l'esprit qu'il s'agit d'un groupe de penseurs ayant des liens entre eux, qui partagent une vision plus ou moins commune, mais non totalement semblable des problèmes politiques, et qui expriment un point de vue, celui de l'Ouest et plus particulièrement de l'Alberta.

L'influence de Leo Strauss

Toutefois, au-delà de la réalité de cette école, une question centrale demeure à propos des intellectuels qui la composent : quels sont les auteurs qui les guident et surtout, comment ces guides influencent-ils le jugement d'ensemble que portent les membres de cette école sur la réalité canadienne. À cet égard, on évoque souvent une thèse. Pour certains, et c'est le cas de Marci McDonald dans l'article cité précédemment, l'école de Calgary constituerait tout simplement une sorte de « clone » du néo-conservatisme américain. L'auteure insiste notamment sur l'idée que Leo Strauss serait, comme c'est le cas des néo-conservateurs américains, le pilier intellectuel de leur pensée. À vrai dire, cette interprétation provient surtout de Shadia Drury, auteure d'un ouvrage sur Strauss. Selon elle, l'école de Calgary constitue une école néo-conservatrice s'inscrivant dans la veine straussienne.

But Shadia Drury, a member of the U of C department until last year, accuses her former colleagues of harbouring a more sinister mission. An expert on Leo Strauss, the philosophical father of the neo-conservative movement, Drury paints the Calgary School as a home-grown variation of American Straussians like Deputy Defense Secretary Paul Wolfowitz, who share their teacher's deep suspicion of liberal democracy. Strauss argued that a ruling elite often had to resort to deception – a noble lie – to protect its citizens from themselves²⁶.

Drury, qui a enseigné la science politique à l'Université de Calgary et qui est professeure à l'Université de Regina, avance la thèse selon laquelle les penseurs de Calgary sont fortement inspirés par Strauss et, tout comme leurs homologues néo-conservateurs américains, ils ne croient guère à la démocratie représentative. Surtout, ils auraient en tête de s'attaquer à l'État-providence et de démanteler l'édifice juridique protégeant les minorités. Voilà ce qu'elle confie, au terme de la campagne électorale de 2004, au chroniqueur du *Globe and Mail*, John Ibbitson :

The Calgary School “is a Canadian appropriation of American neo-conservatism,” warns Shadia Drury, who taught with and fought with the Calgary School for 27 years before leaving the University of Calgary last year for the Canadian Research Chair in Social Justice at the University of Regina. [...] She sees the Calgary School as the new vanguard of the proletariat, offering simple and soothing nostrums that resonate with the public, especially recent immigrants from socially conservative and undemocratic countries. But once the vanguard has power, she fears, it will exploit populist sentiment to strip away the rights of minorities and dismantle what is left of the welfare state. “They want to replace the rule of law with the populism of the majority²⁷.”

Toutefois, on se doit de relever l'imprécision qui entoure la recherche des racines intellectuelles de cette école, le flou régnant en ce qui concerne les principales influences du groupe. En effet, en ce qui concerne Strauss, on se contente bien souvent de reprendre la thèse de Drury, mais sans vraiment l'appuyer sur une confrontation rigoureuse entre les textes straussiens et ceux des intellectuels de Calgary. C'est à juste titre qu'un journaliste a pu écrire, à propos du texte de Marci McDonald, que l'analyse manquait de rigueur. « Unfortunately, despite all her research, McDonald does not offer even a cursory analysis of his arguments or those of any of the other Calgary School members²⁸. » Pour ne prendre qu'un exemple, il nous paraît difficile, à première vue du moins, de déceler une influence nette et franche de la pensée straussienne dans les ouvrages qu'a consacrés Tom Flanagan à la politique autochtone. Certes, les auteurs de l'Ouest s'inspirent parfois de Leo Strauss, notamment en ce qui concerne Barry Cooper, qui a publié la correspondance de Strauss avec Eric Voegelin²⁹, ou encore l'ouvrage que Cooper a consacré à Alexandre Kojève. Mais dans le même ouvrage, on remarque qu'il cite également Jacques Ellul, un penseur français très critique à l'égard de la technologie³⁰. Dans ces conditions, jusqu'à quel point Strauss est-il dominant pour comprendre la position de l'école à propos de l'État?

À cet égard, pour comprendre la conception politique des penseurs de Calgary concernant le Canada, et sans nier totalement l'influence de Strauss chez eux, il faut voir que bien d'autres auteurs les influencent, et peut-être des auteurs plus importants que le philosophe américain. Il s'agit surtout d'auteurs dont les intellectuels de Calgary se réclament explicitement, comme c'est le cas pour Friedrich Hayek, Eric Voegelin et Alexis de Tocqueville. Dans ce contexte, et sans prétendre que c'est là résumer l'ensemble de leurs influences intellectuelles, nous allons maintenant examiner comment ces auteurs modèlent leur vision de la politique canadienne en tant qu'école. Notons cependant que les auteurs de Calgary s'inspirent, chacun à des degrés divers, de ces penseurs libéraux et conservateurs pour réfléchir à la situation canadienne.

Nous verrons d'abord que la critique hayékienne de l'État sert de fondement intellectuel tant aux travaux de Flanagan sur la question autochtone qu'aux travaux de Bercuson et de Cooper sur le Canada et sur la question québécoise. Par la suite, nous montrerons l'influence d'Éric Voegelin ainsi que celle d'Alexis de Tocqueville à travers les travaux de Barry Cooper et de David Bercuson ainsi que ceux de Ted Morton et de Rainer Knopff.

Quelques influences intellectuelles de l'école de Calgary

Friedrich Hayek et le libéralisme classique

Friedrich von Hayek est un des auteurs les plus influents de la galaxie intellectuelle conservatrice, et sa pensée influencerait notamment une partie des néo-conservateurs américains³¹. À vrai dire, il est plutôt perçu comme le père du néo-libéralisme, tout comme on le voit à l'origine de la pensée économique et sociale qui a marqué l'ère Reagan-Thatcher au début des années 1980. La pensée de Friedrich Hayek, et plus particulièrement sa critique de ce qu'il appelle le « planisme », constitue une importante ressource intellectuelle pour les penseurs de l'école de Calgary.

Essentiellement, Hayek pense que la société constitue une sorte « d'ordre spontané », c'est-à-dire un ordre si complexe qu'aucun gouvernement ne peut prétendre le maîtriser. Ainsi, les flux économiques et sociaux ne peuvent faire l'objet d'une planification de la part de l'État, toute tentative en ce sens étant, à plus ou moins long terme, vouée à l'échec. Telle est en substance la thèse qu'avance l'économiste dans un de ses ouvrages les plus connus, *La route de la servitude* (1944), qui appartient au panthéon intellectuel de l'antitotalitarisme. Plus précisément, cet ouvrage formule une critique féroce de ce que Hayek appelle le « planisme » socialiste, lequel constitue la voie menant au totalitarisme allemand et au fascisme

italien. Selon Hayek, les fascistes de toutes sortes avaient eu bien peu de choses à inventer, les socialistes ayant déjà préparé le terrain à l'invasion de la vie économique et sociale par l'État en prétendant planifier l'économie.

Hayek définit le planisme comme « la direction centralisée de toute l'activité économique conformément à un plan unique³² ». Selon Hayek, le planisme est intrinsèquement mauvais ou néfaste lorsqu'il prétend se substituer à la concurrence, l'État devant se contenter d'établir les règles qui assureront une saine concurrence³³. C'est pourquoi, aux yeux de Hayek et de ceux qui s'inspireront de son œuvre, l'État doit se contenter de fixer des règles, tout en se gardant du « planisme ». Vouloir planifier l'économie, c'est emprunter une voie qui mène ultimement au totalitarisme. Si, comme le précise Enzo Traverso, cette critique apparaissait plutôt « irrecevable à la veille de Yalta et de la mise en place du *Welfare State* en Grande-Bretagne³⁴ », elle revient, après les « trente glorieuses » (1945-1975), sur l'avant-scène politique.

Les idées hayékiennes se trouvent d'abord chez Tom Flanagan, lequel reconnaît de manière tout à fait explicite la dette intellectuelle qu'il a contractée à l'égard de l'économiste ainsi que du libéralisme. Flanagan croit en effet avec « ferveur aux vertus de l'individualisme, de l'État minimum et de l'égalité formelle devant la loi³⁵. » Déroger de ces principes fondamentaux aurait, selon lui, des répercussions terribles pour le pays, affaiblissant ainsi les institutions canadiennes. Il faut bien voir que ces idées s'inscrivent dans le sillage de *La route de la servitude*. En effet, au début de *Premières nations, seconds regards*, où Flanagan critique ce qu'il appelle l'orthodoxie autochtone, il explicite son propre point de vue en disant ce qu'il tient pour vrai : « La société est un ordre qui émerge spontanément des choix faits par chaque être humain, écrit-il en se référant à Hayek. Le rôle du gouvernement consiste à formuler et à imposer des règles de conduite qui permettent à la société de fonctionner³⁶. »

L'influence de Hayek se trouve bien présente chez Flanagan, notamment dans la critique qu'il fait de la politique économique menée pour soutenir et aider les Autochtones. En effet, Flanagan croit que les politiques mises en place pour venir en aide aux Autochtones se révèlent particulièrement inefficaces. Il fait entre autres remarquer que l'aide sociale est devenue un mode de vie dans les réserves³⁷. Tout au long de son ouvrage, il cherche à débusquer les effets des politiques mises en place pour aider les Autochtones.

Par exemple, il met l'accent sur le fait que l'État canadien, en voulant se substituer à la concurrence économique et au marché afin d'aider les entreprises autochtones, a tout simplement entraîné la création d'une sorte de « capitalisme des copains » qui a peu à voir avec la concurrence du marché : « Les entreprises autochtones sont rarement en situation de concurrence sur le marché; la plupart de leurs activités consistent à exécuter des contrats sans soumission obtenus des gouvernements ou des sociétés exploitées dans un environnement sévèrement réglementé³⁸. » Ce faisant, on a tout simplement créé une « élite d'entrepreneurs » avec une dépendance et un taux de chômage importants pour le reste de la population autochtone. Aux yeux de Flanagan, on n'a pas su en quelque sorte tirer leçon de *La route de la servitude* : on a voulu « planifier » le devenir économique autochtone. On n'a pas compris que l'on se substituait aux forces de la concurrence et du marché, ce qui entraîne, selon lui, de nombreux problèmes dans les réserves.

Or, cette politique de la reconnaissance accordant un statut spécial aux Autochtones — perçue comme une évolution nécessaire vers une démocratie de plus en plus inclusive —, dérange Flanagan. L'auteur indique clairement qu'il perçoit les Autochtones comme de simples immigrants ayant quitté la Sibérie pour venir s'installer au Canada. Malgré les milliers d'années qui séparent les différentes vagues d'immigration, il n'y a en fait pas de grande différence entre ces premiers immigrants et les autres qui suivront (Français, Britanniques, Américains, Ukrainiens, etc.). De ce fait même, l'utilisation des mots « Premières nations » et « droit inhérent à l'autonomie gouvernementale » n'est nullement justifiée. Dans un chapitre intitulé « Qu'est-il advenu de la civilisation? », il revient sur la distinction civilisé/non civilisé, cette dichotomie ayant « disparu du débat contemporain sur les affaires autochtones³⁹. »

Cependant, le cadre théorique avancé par Flanagan s'inspire aussi, mais pas exclusivement, des idées de John Stuart Mill, de John Locke et d'Émeric de Vattel. Sans revenir en détail sur les écrits de ces trois théoriciens, il importe de souligner qu'ils croyaient que les Autochtones n'investissaient pas dans leur travail d'une manière appropriée, car ils ne cultivaient pas le sol, justifiant ainsi la prise de possession du territoire par les nouveaux arrivants. Ils soulignaient aussi les bienfaits de la propriété privée, du commerce, de la chrétienté et de la loi. Selon Flanagan, dans la mesure où le colonisateur a apporté avec lui les bénéfices de la civilisation, lui résister n'est, en somme, pas une bonne chose. En outre, l'assimilation était et reste encore la seule et unique solution au problème autochtone. En fait, tous les concepts avancés par les chefs autochtones et par la Commission royale sur les peuples autochtones, depuis les 20 dernières

années, y passent. Flanagan les discrédite les uns après les autres, insistant sur le fait qu'aucune preuve historique et tangible ne corrobore les dires des chefs autochtones.

Pour revenir plus spécifiquement à l'influence de Hayek, notons qu'elle est également bien perceptible chez Bercuson et Cooper lorsque les deux intellectuels avancent que les politiques mises sur pied par les gouvernements canadiens ont été tout simplement désastreuses dans la mesure où on a voulu planifier le développement économique en faveur du Québec et des Maritimes. Ainsi, de nombreuses politiques économiques ont été conçues pour retenir le Québec au sein de la Confédération. « Virtually every political event over the past couple of years in Canada has been tied to Quebec⁴⁰. » Or, cette stratégie du gouvernement fédéral qui a consisté, depuis les années 60, à vouloir acheter, si l'on peut employer cette expression, la loyauté des Québécois, constitue en quelque sorte une forme de planification économique obéissant non plus à une logique hayékienne, mais à une logique de planification économique et sociale de *nation-building*, ce que dénonçait Hayek à titre de « planisme ».

Ainsi, nous disent les deux auteurs, l'omniprésence du problème québécois — qu'il fallait régler à tout prix — a conduit le Canada à adopter de mauvaises politiques économiques puisque l'on croyait pouvoir ainsi planifier le développement économique à l'avantage du Québec. « We believe one of the major reasons the government of Canada has done such a bad job managing the economy is because it has had to devote so much energy, talent, and, yes, money to the Quebec problem⁴¹. » Selon eux, la mauvaise situation économique ainsi que l'importante crise des finances publiques dans laquelle se retrouve le Canada au début des années 90 sont alimentées par la saga et la querelle constitutionnelles avec le nationalisme québécois, et y trouvent même peut-être leur origine.

En voulant satisfaire l'insatiable appétit des élites québécoises et en oubliant le fait qu'il est impossible de planifier l'économie, le gouvernement fédéral a perdu de vue son intérêt économique, qui était de laisser jouer la concurrence et le marché. À cet égard, l'évolution du Department of Regional Economic Expansion (DREE lequel devient le DRIE ou Department of Regional Industrial Expansion) constituerait une illustration des effets pervers engendrés par une politique guidée par des idéaux (utopiques, à leur avis) de justice sociale. Mise sur pied de manière temporaire pour aider les régions, cette politique s'est transformée en instrument d'unité nationale et s'est révélée inefficace. À l'origine, expliquent-ils, le DREE, dirigé par Jean Marchand, devait désigner certaines régions comme spéciales, et ce, pour une durée de deux ans. Mais

les choses ont changé à partir du moment où le Parti québécois, gagnant aux élections, fait élire sept ministres dans la région de Montréal et que le chômage reste élevé dans cette région. Montréal doit donc garder son statut particulier. Éventuellement, selon nos auteurs, le programme articule ses dépenses au nom de la politique et non du besoin. Surtout, le développement régional se fait au bénéfice du Québec et de l'Ontario. « By 1985, 70 per cent of DRIE funds were spent in Ontario and Quebec⁴². » Ainsi, la logique perverse du « planisme » keynésien se transforme en instrument politique dans les mains d'élites désireuses de se lancer dans une opération de *nation-building*. Mais cette opération, coûteuse, est en plus inefficace, puisque le Québec demeure éternellement insatisfait⁴³. Le même raisonnement vaut pour la fameuse National Energy Policy (NEP) ou encore, mais dans une moindre mesure, pour les contrats concernant les CF-18, qui sont accordés à Montréal plutôt qu'à Winnipeg. Ici aussi, ce n'est pas la raison économique qui a prévalu comme cela aurait dû être le cas. Oubliant la leçon hayékienne, le gouvernement canadien s'est lancé dans une série de dépenses incontrôlées, lesquelles ont conduit à l'expansion d'un État-providence, toujours plus vorace sur le plan fiscal, afin de satisfaire les caprices du Québec.

Mais ce ne sont pas seulement les idées du libéralisme classique qui influencent le groupe d'intellectuels, car leur panthéon intellectuel compte aussi des conservateurs plus classiques ou traditionnels. En effet, certains des penseurs de Calgary s'inspirent de la pensée d'Alexis de Tocqueville pour critiquer la *Charte* ainsi que de la pensée d'Éric Voegelin pour jeter un regard sur le nationalisme.

Éric Voegelin et les religions politiques

Barry Cooper connaît bien l'œuvre, immense, du philosophe allemand Eric Voegelin. L'un des textes que consacre Cooper à Voegelin se révèle particulièrement pertinent pour notre propos dans la mesure où le professeur de sciences politiques de Calgary propose une lecture du nationalisme québécois irriguée par la pensée du philosophe. Plus précisément, Cooper s'approprie le concept voegelinien de religion politique pour analyser la politique canadienne et, en particulier, le nationalisme québécois⁴⁴. En ce sens, les thèses de Voegelin constituent une importante clé pour comprendre les racines intellectuelles de sa compréhension du phénomène national au Québec.

À partir de 1929, après des études de droit et de sociologie, Eric Voegelin (1901) enseigne à l'Université de Vienne⁴⁵. Il a notamment publié un ouvrage, *Les religions politiques* (1938), que les nazis ont aussitôt fait saisir par la Gestapo. Après avoir été interdit d'enseignement, Voegelin fuit le

nazisme et vient grossir les rangs des intellectuels européens en exil aux États-Unis, où il enseigne à l'université de Louisiana State Baton Rouge, en Louisiane. Cooper aura l'occasion de rencontrer le philosophe à quelques reprises de la fin des années 1960⁴⁶ jusqu'au décès de celui-ci, en 1985, et surtout de devenir un spécialiste de son œuvre⁴⁷.

Ce qu'emporte Voegelin aux États-Unis, c'est une compréhension du caractère profondément religieux de la politique, une conception qu'il a développée notamment dans *Les religions politiques*⁴⁸. Selon Voegelin, le nazisme devait essentiellement se comprendre comme une conséquence ultime du mouvement de « sécularisation de l'esprit », processus dont les racines étaient lointaines⁴⁹. C'est en ce sens qu'il parlait de « religion politique ». Aux yeux de Voegelin, le nazisme a tout simplement pris la place laissée vacante par Dieu, en proposant un substitut religieux à la perte de la foi qui accablait le monde. Le nazisme, ainsi compris, devient l'aboutissement ultime et macabre d'un long processus de sécularisation qui a entraîné le politique sur la pente du religieux, le transformant lui-même en religion. Toutefois, le nazisme ne serait pas le seul mouvement politique à se comporter comme une religion, les mouvements nationalistes utilisant eux aussi le carburant religieux pour se légitimer. Une notion, celle d'*ecclesia* est tout particulièrement importante pour comprendre comment un mouvement politique peut aussi être qualifié de religieux.

Cette notion renvoie, chez Voegelin, à « [l]a clôture d'une communauté organisée souverainement[, ce qui] nécessite avant tout le fait que la communauté soit vécue en unité avec un centre d'existence qui repose en elle-même⁵⁰. » C'est dire que le groupe doit être compris comme trouvant son unité originelle en lui-même, les membres étant organiquement liés entre eux. Ce rapport, explique Voegelin, s'est historiquement traduit de diverses manières, par exemple dans l'idée d'*ecclesia* chrétienne du corps mystique du Christ. Ce qui importe, c'est que l'idée a été transposée à d'autres secteurs, dont la politique : « Nous sommes dans la continuité de l'*ecclesia*, écrit Voegelin, partout là où des communautés particulières devenues intramondaines reconnaissent l'égalité et la fraternité de tous les membres de la communauté [...]»⁵¹.

Or, la vision que développe Cooper du nationalisme au Québec s'inscrit dans la réflexion voegelinienne de la politique. Certes, reconnaît Cooper, le nationalisme québécois n'a rien en commun avec la « substance satanique » du nazisme, comme il l'écrit dans l'article où il analyse spécifiquement le nationalisme québécois à la lumière des thèses de Voegelin⁵². Néanmoins, dans la foulée du philosophe autrichien, Cooper affirme que le mouvement national québécois peut-être pensé sur le mode d'une religion politique :

« Quebec nationalism does [...] have a substance, and using the approach developed by Voegelin in *Political Religions* one may describe it⁵³. »

Sans reprendre dans les moindres détails la thèse de Cooper, on peut dire que, pour lui, le nationalisme québécois constitue une religion politique au sens où il repose sur l'idée d'*ecclesia*. Dans le même esprit, Cooper pense que le nationalisme québécois doit être compris à partir de l'idée de celle-ci. « Within the particularist Quebecois community, écrit Cooper, there is an implicit acknowledgment of the equality and brother-and-sisterhood of all members⁵⁴. » Ainsi, le caractère de religion politique du nationalisme québécois se reconnaît, selon Cooper, à l'idée que le projet national s'articule essentiellement autour des descendants des colons français. « For this reason we think it is accurate to speak of "the French" rather than francophone Quebecers⁵⁵. » Cooper s'oppose ici à l'idée, aujourd'hui en vogue, voulant que le projet national soit articulé pour tous les Québécois, peu importe leurs origines pourvu qu'ils parlent français⁵⁶.

On peut même avancer que l'analyse voegelinienne constitue aussi le soubassement intellectuel de l'ouvrage *Deconfederation* qu'a écrit Cooper en collaboration avec David Bercuson, comme nous l'avons mentionné plus haut. À vrai dire, l'influence de Voegelin est passée inaperçue au moment où est paru cet ouvrage. Or, avec les thèses de Voegelin en tête, la lecture de *Deconfederation* s'éclaire sous un jour nouveau, puisque l'entreprise intellectuelle de l'ouvrage consiste à montrer non seulement que le Québec est antilibéral, mais aussi qu'il est sous l'emprise d'une religion politique. En effet, malgré l'absence de références explicites à Voegelin dans *Deconfederation*, l'idée du nationalisme québécois compris comme une forme de religion politique irrigue en profondeur la thèse de Cooper et Bercuson. Selon ces derniers, on se retrouve, au Canada, avec un profond conflit de valeurs, plus exactement entre deux visions de la chose politique. Il s'agit d'un choc entre une conception libérale de la société, commune au Canada, et la vision nationale/religieuse propre au Québec.

Là où la conception de la politique propre à Voegelin se montre peut-être la plus manifeste, c'est lorsque Cooper et Bercuson expliquent que le nationalisme québécois va à l'encontre d'une distinction essentielle du libéralisme, celle de la séparation du religieux et du politique. On se souviendra que, pour le libéralisme, la séparation du religieux et du politique se révèle cruciale parce qu'elle permet la pacification du monde politique en rejetant les croyances religieuses, source de tensions, dans le domaine du privé. Et ce qui est vrai pour la religion, écrivent Cooper et Bercuson, devrait l'être aussi pour la culture⁵⁷. Or, ce n'est pas le cas pour le nationalisme québécois, qui propose la fusion non plus du religieux et du

politique, mais de la culture et du politique, comme le montrent, disent-ils, les lois 101 et 178 sur la langue. Et à partir du moment où l'État laisse tomber le principe de la neutralité, celui de l'égalité des citoyens, qui est à la base du libéralisme, se trouve mis à mal⁵⁸. Selon eux, le nationalisme québécois ne parvient donc pas à effectuer cette distinction fondatrice de l'ordre politique occidental. En ce sens, le nationalisme québécois est *illibéral* parce qu'il s'est donné pour mission d'être au service des Canadiens français du Québec⁵⁹ ou, pour le dire comme Voegelin, au service de l'*ecclesia* canadienne-française.

C'est ce caractère de religion politique qui amène les deux auteurs à conclure que l'on ne peut s'entendre avec les nationalistes, le mouvement national étant dominé par ce qu'ils appellent « l'esprit de Papineau » (un esprit fait de confrontation) ou encore ce que Cooper appelle ailleurs, à la suite de Northop Frye, « l'esprit de garnison⁶⁰ ». Cooper croit donc que chaque société repose sur des visions différentes, l'une religieuse, l'autre politique. Voilà pourquoi il est temps, grand temps même, aux dires des deux auteurs, de reconnaître cet état de fait et de briser la bouteille dans laquelle sont emprisonnés depuis trop longtemps les deux scorpions, image éloquentes que l'on trouve au début de *Deconfederation*. Libérés, les deux frères ennemis pourront poursuivre leur route et s'épanouir selon la logique qui leur est propre. « In simple and distinct terms, we are very much in favour of the independence of Quebec⁶¹. » La solution proposée, doit-on admettre, a le mérite d'être claire (encore que dans un texte plus récent, il affirme que le Québec a trop en commun avec le Canada pour s'en séparer⁶²). Surtout, elle traduit l'idée que l'on ne peut transiger avec une religion politique. Alors que le Canada se range, selon Cooper, dans le camp des démocraties libérales, tel n'est pas encore le cas pour le Québec; cela ne deviendrait le cas qu'avec l'indépendance⁶³. Pour l'instant, le Québec pose plutôt un défi à la démocratie libérale canadienne parce qu'il montre le visage d'une religion politique.

Si la référence à Voegelin est prédominante pour comprendre la façon dont Cooper et Bercuson comprennent le « problème » québécois, ces derniers ne sont pas les seuls à subir son influence, Flanagan ayant également été attiré par l'auteur des *Religions politiques*. Certes, cette influence ne paraît pas aussi déterminante pour Flanagan, mais il n'empêche qu'on la voit à l'œuvre dans ses écrits sur la question autochtone, ce qui ne doit pas surprendre puisque Flanagan découvre, lors de ses études, l'œuvre de Voegelin. En effet, après avoir étudié au collège Notre Dame en Indiana et poursuivi sa formation à l'Université Duke en Caroline du Nord pour y faire son doctorat, il rencontre John Hallowell, un des disciples de Voegelin. Selon Marci McDonald, « he confided [...] that

he felt he'd been drifting leftward. Suddenly, Voegelin pulled him back from that perilous course⁶⁴. » C'est probablement dans son analyse de Louis Riel que cette influence s'avère la plus manifeste. Intrigué par les idées de Louis Riel et influencé par Voegelin, Flanagan verra en Riel une sorte de prophète du nouveau monde et surtout un homme dangereux qui a mené son peuple à sa perte. Il insiste notamment sur la dimension politico-religieuse qui guide le chef métis, lequel considère les Métis comme un « peuple élu »⁶⁵. Le cadre voegelinien utilisé par Flanagan permet de révéler certains aspects de la personnalité de Riel que les historiens avaient jusqu'ici laissés dans l'ombre. Dans *Riel and the Rebellion: 1885 Reconsidered*, Flanagan introduit certains éléments qui mettent en doute les véritables intentions de Riel⁶⁶. Se battait-il vraiment pour le bien de son peuple ou pour son bien propre? Avec le temps, Riel fera figure de séparatiste invétéré, et les revendications métisses ne seront pas, par conséquent, légitimées par l'auteur.

Même si elles ne sont pas les plus explicites, des traces de l'analyse de Voegelin peuvent aussi être décelées dans son ouvrage *Premières nations? Seconds regards*. En effet, lorsqu'il critique à la toute fin ce qu'il appelle l'orthodoxie autochtone, il semble bien que Flanagan reprend, sans le dire explicitement, l'idée que la politique autochtone se fait sous un registre religieux. Plus exactement, le politologue de Calgary considère que la politique autochtone comporte sa part de dogmes indémontrables et de tables de la loi qu'on ne peut remettre en cause. À vrai dire, la critique de Flanagan est similaire à celle qu'adresse Cooper au nationalisme québécois. Accorder l'autonomie gouvernementale équivaldrait donc à la mise en place d'enclaves qui pourraient mener à une forme d'apartheid et vers l'anarchie. Flanagan affirme donc vouloir protéger l'individu autochtone du fardeau des pratiques et des institutions de sa communauté⁶⁷. En effet, Flanagan dépeint les Autochtones comme autant d'*ecclesiae*, ce qui, par conséquent, rend difficile, voire impossible, toute négociation dans la mesure où leur discours repose sur certains éléments non négociables, comme c'est le cas avec l'idée de premières nations.

Knopff et Morton : une critique tocquevillienne de la Charte

Dans la constellation des intellectuels de Calgary, Rainer Knopff et Frederick « Ted » Morton sont connus comme très critiques de la « chartisation » du système politique canadien. Ils ont notamment publié conjointement deux ouvrages sur la *Loi constitutionnelle de 1982* — c'est-à-dire la *Charte des droits et libertés* — en plus de nombreux articles dans les revues savantes et, chez Morton surtout, des commentaires dans les revues populaires et les quotidiens.

Au diapason de bien des critiques du pouvoir judiciaire, *Charter Politics*⁶⁸, comme le suggère son titre, en décrit la politisation. La thèse des auteurs est que le Canada est devenu une sorte de *Charterland* (expression qu'ils empruntent à Peter H. Russel) au sens où les juges de la Cour suprême ont profité des pouvoirs accrus que leur conférait la Charte pour s'arroger une part démesurée du terrain politique. Leur position s'affirme plus avant dans leur second volume, *The Charter Revolution and the Court Party*, publié en 2000. Selon ces auteurs, la « révolution chartiste » est tout simplement devenue antidémocratique au sens fort du terme parce qu'elle a érodé les « habitudes et le tempérament de la démocratie représentative⁶⁹ ». « The kind of courtroom politics promoted by the Court Party, in short, is authoritarian, not just in process but, more dangerously, in spirit⁷⁰. »

Certes, la *Charte* canadienne ne manque pas d'opposants ni de gauche ni de droite, mais à peu près tous reconnaissent l'aspect profondément transformateur, ou révolutionnaire, diront certains, de son avènement. Il faut souligner que ce n'est pas la *Charte* elle-même que déplorent Morton et Knopff, mais plutôt la « révolution chartiste ». À leur avis, la « révolution » qu'on doit déplorer est l'instrumentalisation de la *Charte* au profit de divers intérêts publics et privés et la prolifération des droits individuels et collectifs qui en a résulté. Morton et Knopff trouvent particulièrement troublant que ceux appartenant à des minorités désavantagées puissent bénéficier de protections constitutionnelles particulières ou puissent espérer en obtenir. Fort de son nouveau mandat, le pouvoir judiciaire aurait ainsi développé, de concert avec les groupes minoritaires, une sorte de symbiose pernicieuse où les intérêts de chacun se renforcent mutuellement et grâce à laquelle la Cour suprême justifie sa présence accrue dans l'arène politique⁷¹.

Là où les auteurs font preuve d'une certaine originalité, c'est lorsqu'ils illustrent, dans *Charter Politics*, le rôle idéal du contrôle judiciaire dans une démocratie libérale en s'inspirant d'Alexis de Tocqueville, un penseur politique dont la présentation n'est plus à faire⁷². L'analyse qui suit ne vise pas à suggérer que Tocqueville influence à lui seul les deux auteurs. Son influence est centrale, cependant, en ce que le modèle dégagé par l'observateur français représente, pour les Calgariens, une vision idéale du pouvoir judiciaire. Pour notre propos, précisons qu'entre autres choses, Tocqueville a souligné avec force et subtilité les dangers d'un égalitarisme débridé, tout comme d'ailleurs les dangers d'un individualisme laissé à lui-même⁷³. Il faut bien voir cependant que l'utilisation par Morton et Knopff de Tocqueville peut sembler paradoxale dans la mesure où, si Tocqueville a mis en lumière les dangers que peut faire peser sur la société démocratique un attachement excessif à l'idée d'égalité, il s'est fait aussi,

dans son ouvrage sur l'Amérique, le défenseur du contrôle judiciaire auquel seraient soumises les lois du pays. Nous verrons que c'est justement la perversion de l'idée d'égalité telle que l'entendait Tocqueville que reprochent Morton et Knopff à la version canadienne du contrôle judiciaire.

Rappelons que l'aristocrate français, bien que convaincu de la supériorité du modèle démocratique, n'en demeurait pas moins soucieux de ce qu'il percevait comme « les écarts de la démocratie ». Caractérisée par l'égalité des conditions et la souveraineté du peuple, la société démocratique tend à favoriser, contre la grandeur et le génie de la société aristocratique, les préoccupations matérielles et le bien-être de chacun. Dans ses propres mots :

S'il vous semble utile de détourner l'activité intellectuelle et morale de l'homme sur les nécessités de la vie matérielle, et de l'employer à produire le bien-être; si la raison vous paraît plus profitable aux hommes que le génie; si votre objet n'est point de créer des vertus héroïques, mais des habitudes paisibles; si vous aimez mieux voir des vices que des crimes, et préférez trouver moins de grandes actions, à la condition de rencontrer moins de forfaits; si, au lieu d'agir dans le sein d'une société brillante, il vous suffit de vivre au milieu d'une société prospère; si, enfin, l'objet principal du gouvernement n'est point, suivant vous, de donner au corps entier de la nation le plus de force ou le plus de gloire possible, mais de procurer à chacun des individus qui le composent le plus de bien-être, et de lui éviter le plus de misère; alors égalisez les conditions, et constituez le gouvernement de la démocratie⁷⁴.

Ce passage résume bien l'essence-même de la démocratie selon Tocqueville et les choix qu'elle implique. Cependant, la passion égalitaire de l'esprit démocratique, sans autre balise, aura tendance à sacrifier la liberté au profit de l'égalité (on reconnaît déjà le langage de Morton et Knopff). Cette passion, poussée à l'excès, amène au despotisme démocratique, c'est-à-dire à l'asservissement de la population à une idéologie égalitaire centralisée et à la soumission des élus aux élans irréflectifs du peuple. Selon Tocqueville, la passion pour l'égalité peut s'exprimer de deux façons : ou bien comme une « passion mâle et légitime », celle qui entraîne les individus à vouloir être « forts et estimés », ou bien comme « un goût dépravé » qui se traduit par un nivellement par le bas⁷⁵.

C'est dans l'égalité du deuxième type que se manifestent les dangers de la démocratie. Toutefois, selon Tocqueville, c'est justement en soumettant les actes des élus au contrôle judiciaire que l'on peut éviter les pires excès

démocratiques, et ce, par l'émergence de « l'esprit légiste ». Chez le légiste vu par Tocqueville, la naissance humble et les valeurs aristocratiques se marient de façon idéale : « le légiste appartient au peuple par son intérêt et par sa naissance, et à l'aristocratie par ses habitudes et ses goûts; il est comme la liaison naturelle entre ces deux choses, comme l'anneau qui les unit⁷⁶ ». Ainsi, c'est au pouvoir judiciaire que revient la tâche de mettre un frein aux excès démocratiques, puisque « dans une société où les légistes occuperont sans contestation la position élevée qui leur appartient naturellement, leur esprit sera éminemment conservateur et se montrera antidémocratique⁷⁷ ». Le terme « antidémocratique » ne doit pas être compris dans le sens péjoratif, mais indique plutôt la tendance du juriste à résister aux pressions excessivement égalisatrices des passions populaires. Parlant des États-Unis, Tocqueville écrit :

[L]e corps des légistes forme dans ce pays le plus puissant, et, pour ainsi dire, l'unique contrepoids de la démocratie. [...] Lorsque le peuple américain se laisse enivrer par ses passions, ou se livre à l'entraînement de ses idées, les légistes lui font sentir un frein presque invisible qui le modère et l'arrête. À ses instincts démocratiques, ils opposent secrètement leurs penchants aristocratiques; à son amour de la nouveauté, leur respect superstitieux de ce qui est ancien; à l'immensité de ses desseins, leurs vues étroites; à son mépris des règles, leur goût des formes; et à sa fougue, leur habitude de procéder avec lenteur⁷⁸.

Ainsi, selon Tocqueville, doivent s'équilibrer d'un côté la passion du peuple pour l'égalité, la nouveauté et le changement social, de l'autre, la modération, l'ordre et la tradition que seul sait défendre le corps des légistes. Alors que ce postulat constitue aux yeux de Tocqueville la raison d'être du contrôle judiciaire, ce même constat, doit-on noter, est à la base des critiques contemporaines dirigées vers la Cour suprême par ses adversaires de gauche. Nombreux sont les commentateurs qui affirment que la Cour suprême, vu son caractère fondamentalement conservateur et traditionaliste, ne peut que reproduire les structures existantes du pouvoir et, par le fait même, qu'elle se montre incapable de servir d'instrument pour amorcer un changement social ou pour faire avancer un programme politique progressiste.

À l'inverse, c'est précisément cette sorte d'activisme novateur que reprochent à la Cour Morton et Knopff. C'est que, selon eux, la *Charte* de 1982 opère une rupture draconienne avec le patrimoine légal canadien et avec l'esprit légiste anglo-américain tel qu'il est défini par Tocqueville, contrepoids que Morton et Knopff considèrent aussi comme étant essentiel à la bonne marche de la société démocratique.

Ils soulignent, comme l'avait fait Tocqueville, que le constitutionnalisme anglo-américain était, historiquement, profondément hostile à la codification des droits. Comme le remarquait d'ailleurs l'auteur français : « Les Anglais et les Américains ont conservé la législation des précédents, c'est-à-dire qu'ils continuent à puiser dans les opinions et les décisions légales de leurs pères, les opinions qu'ils doivent avoir en matière de loi, et les décisions qu'ils doivent prendre. Chez un légiste anglais ou américain, le goût et le respect de ce qui est ancien se joignent donc presque toujours à l'amour de ce qui est régulier et égal⁷⁹. » Or, selon Morton et Knopff, les légistes canadiens, depuis l'avènement de la *Charte*, ont endossé les valeurs « démocratiques », l'« amour de la nouveauté », et remplacé « le respect superstitieux de ce qui est ancien » par un activisme sans bornes. Dans leurs propres mots : « Far from counteracting the result-oriented tendencies of the democratic mind, the legal mind seems to have been infected by democratic tendencies⁸⁰. »

Ainsi, le modèle tocquevillien du pouvoir judiciaire ne tient plus, selon Morton et Knopff, car l'aristocrate n'a pas su prévoir les jeux politiques auxquels les juristes seraient tentés de se livrer et qui, dans le cas qui nous intéresse, ont été attisés par l'avènement de la *Charte*. En interprétant la notion d'égalité comme ils l'ont fait et en encourageant les contentieux de groupes d'intérêt, le pouvoir judiciaire se serait asservi aux passions démocratiques, croient les deux auteurs, afin de mousser son propre intérêt en s'arrogeant une part du pouvoir politique. Ainsi, loin de faire contrepoids aux passions irréfléchies de la démocratie, le pouvoir judiciaire en serait devenu le principal moteur. Ce qui est plus grave, toujours selon Morton et Knopff, c'est qu'en remplaçant, pour des motifs idéologiques, l'égalité formelle par l'égalité substantive, la Cour suprême a créé des droits particuliers à certains individus et inaccessibles à d'autres, entraînant la formation de plusieurs « types » de Canadiens. Selon Morton et Knopff, c'est en remplaçant la notion d'égalité formelle ou égalité des conditions, par l'idée d'égalité substantive ou égalité des résultats, que la Cour se serait mise à la remorque des minorités, au grand plaisir d'une certaine élite intellectuelle.

Par conséquent, le Canada ne peut devenir un véritable État démocratique souverain, puisqu'une part du pouvoir politique sera toujours remise entre les mains de minorités qui, au nom de l'égalité substantive, refusent de se soumettre aux décisions des dirigeants élus par la majorité. Aux yeux des deux auteurs, le Canada constitue l'exemple des perversions démocratiques entraînées par un idéal égalitaire qui va trop loin. En somme, l'harmonie qui caractérisait les États-Unis, mais pas la France, selon Tocqueville⁸¹, se trouve également brisée au Canada, parce qu'ici aussi le

pouvoir judiciaire s'est mis à la solde des appétits démesurés de la démocratie en faveur d'une égalité accrue.

Conclusion

Au terme de cette étude, abordons la question suivante : peut-on déceler l'influence des intellectuels de Calgary sur le nouveau gouvernement conservateur de Stephen Harper? Le cas échéant, à quel point cette influence se fait-elle sentir sur les politiques mises de l'avant par l'actuel gouvernement? Redoutable interrogation à laquelle il est difficile de répondre, et ce, pour au moins deux grandes raisons. D'une part, au moment même où nous finissons de rédiger cet article, le gouvernement conservateur en est seulement à ses premiers balbutiements, et, qui plus est, dans un contexte minoritaire à la Chambre des Communes, ce qui limite sa capacité de mettre en place les politiques qu'il veut. Dans ces conditions, il est encore difficile de voir l'influence de l'école de Calgary sur le gouvernement actuel. D'autre part, il est toujours malaisé de dire à quel point un homme politique est influencé par les idées de certains penseurs. C'est qu'à partir du moment où il parvient à la plus haute fonction, les rigueurs de cette dernière font en sorte que, même s'il en avait l'intention, il ne pourrait appliquer ses idées telles quelles. Soumis aux aléas du « prático-pratique », tout homme politique doit faire preuve d'une certaine souplesse. Cela dit, il demeure possible de s'interroger sur l'orientation globale des conservateurs pour voir si elle correspond, de manière générale, avec les idées identifiées chez les auteurs de Calgary.

D'abord, on remarque une indéniable influence de la vision de Morton et de Knopff sur la façon dont les conservateurs définissent le pouvoir judiciaire. En effet, tant lors de la campagne électorale que pour les premiers mois de gouverne des conservateurs, certains incidents rappellent que le pouvoir judiciaire fait partie de leurs préoccupations. Ainsi, pendant la campagne électorale, M. Harper s'est commis avec quelques déclarations sur le pouvoir judiciaire qui ont été l'objet de nombreux commentaires. Peu de temps après avoir pris le pouvoir, le gouvernement de Stephen Harper s'est empressé de faire comparaître publiquement le nouveau juge de la Cour suprême devant un comité de la Chambre, alors qu'auparavant, les juges n'avaient pas besoin de se soumettre à un tel exercice. En fait, la méfiance des intellectuels de Calgary est bien présente chez plusieurs députés conservateurs, qui sont prompts à dénoncer l'influence indue des juges, par exemple chez Maurice Vellacot, qui a dénoncé de manière virulente l'influence présumée de la juge en chef de la Cour suprême.

Peut-on déceler l'influence de Cooper (et Bercuson) sur la conception du « fédéralisme d'ouverture » véhiculée par Stephen Harper et qui s'est soldée (le 7 mai 2006) par la reconnaissance, pour le Québec, d'un représentant permanent au sein de la délégation canadienne à l'UNESCO? Cela ne va-t-il pas à l'encontre de ce que les intellectuels de Calgary pensent des relations qu'entretient le Canada avec le Québec? Au premier coup d'œil, cela paraît bien être le cas. Mais il ne faut pas oublier que cette ouverture pour le Québec sur la scène internationale n'est pas limitée au cas du Québec, et que d'autres provinces pourront aussi s'en prévaloir. Surtout, cette ouverture se fait sans que M. Harper ne parle de reconnaissance de la nation, le premier ministre refusant d'engager le débat sur les rails du nationalisme. À vrai dire, on peut penser que le fédéralisme d'ouverture s'inscrit encore dans la conception élaborée par Cooper et Bercuson au sens où on ne transige pas avec le nationalisme (toujours compris comme une religion politique), mais avec une simple province fondatrice de l'aventure canadienne. Le gouvernement conservateur traite avec des provinces et non avec des nations, et rien n'indique pour le moment que les conservateurs vont s'engager à reconnaître ce que d'aucuns nomment le caractère multinational du Canada. (Mais, en novembre 2006, le gouvernement conservateur a déposé une motion reconnaissant l'existence de la nation québécoise.)

Il se pourrait bien que la griffe de Friedrich Hayek soit la plus manifeste sur les politiques du gouvernement conservateur. Nous avons vu que l'idée hayékienne d'un État limité à certaines fonctions régaliennes constituait une idée forte pour les intellectuels de Calgary. Or, lorsque le ministre des Finances Jim Flaherty a dévoilé son premier budget (le 2 mai 2006), plusieurs observateurs et journalistes ont parlé d'un changement majeur concernant l'orientation générale des façons de faire et des politiques. Par exemple, dans un article au titre évocateur, le journaliste bien connu John Ibbitson a parlé d'un premier budget qui, surtout dans l'éventualité où les conservateurs demeureraient au pouvoir, restreint profondément la marge de manœuvre du gouvernement fédéral : « Seldom, if ever, has a federal budget explicitly declared its determination to retreat from involvement in the lives of its citizens⁸². » Certes, il est fréquent de lire ou d'entendre, au début d'un mandat, de telles affirmations laissant entendre qu'il y aura de profonds bouleversements, les attentes ou les craintes (selon le point de vue) à l'égard d'un nouveau gouvernement étant très grandes. Il serait donc exagéré de parler de la fin de l'État-providence canadien, et, en ce sens, Keynes n'a pas encore été vaincu par Hayek.

Cela dit, de manière générale, on assiste en effet à un certain arrêt de ce que Hayek appelait le « planisme ». Certes, il ne s'agit pas d'un retrait total

ou généralisé de l'État, mais à tout le moins peut-on parler d'une sorte de freinage dans la place que prend l'État dans la sphère publique. Par exemple, le gouvernement conservateur a annoncé la fin du programme de garderie qu'avait mis sur pied l'ancien gouvernement libéral, et ce, au nom de l'idée selon laquelle le gouvernement doit se retirer au profit des individus. « In our budget, dit Stephen Harper, all parents with pre-school children will now receive a Universal Care Benefit of \$1,200 directly. Because we believe parents, not governments, should make their child care choices⁸³. » Aux yeux des conservateurs, il n'appartient pas à l'État de s'occuper de ce domaine, mais bien aux parents, lesquels sont considérés comme les meilleurs juges en la matière. C'est pourquoi le gouvernement remettra aux parents un chèque de 1 200 \$ par année, qu'ils pourront dépenser comme ils l'entendent plutôt que de mettre en place un système de garderie national. Dans le même sens, celui d'un désengagement de l'État, le gouvernement a également annoncé qu'il laissait tomber un important accord (l'Accord de Kelowna) entre le gouvernement fédéral et les chefs autochtones, qui prévoyait des sommes de cinq milliards de dollars pour aider les Autochtones. On constate également que les conservateurs adoptent certaines politiques qui confortent l'État dans ses fonctions de police, comme le renforcement des lois pour les jeunes contrevenants (peines minimales) ainsi que des investissements considérables (15 milliards de dollars pour l'achat de navires, de camions et d'avions) pour l'armée canadienne⁸⁴.

Ces quelques exemples montrent, d'une part, une volonté de restreindre l'État en matière sociale et, d'autre part, de le conforter dans ses fonctions de protection et de police. En ce sens, on sent une influence certaine des intellectuels de Calgary sur les politiques du gouvernement conservateur : il reste à voir si cette influence ira en s'accroissant ou, au contraire, en se dissipant.

Notes

1. Note de la rédaction : Bien que la date de parution du présent numéro indique 2005, la date de production est de fait 2006. Nous avons décidé d'accorder une mise à jour, anachronique il va sans dire, au-delà de 2005 par souci d'équité et de respect envers le travail de recherche des auteurs.
Note des auteurs : d'un commun accord, les noms apparaissent dans ce texte par ordre alphabétique et non par ordre d'importance.
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 11. Lawrence Martin, « Your attention, please: The East's great power rip-off is over », *The Globe and Mail*, p. A17.
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 16. Emmanuel Renault et Yves Sintomer, « Introduction », *Où en est la théorie critique*, Éditions La découverte, Paris, 2003, p. 7.
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 18. Thomas Flanagan, *Waiting for the Wave ...*, p. vi.
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38. *Ibid.*, p. 194.
39. *Ibid.*, p. 37.
40. *Deconfederation*, p. 19.
41. *Ibid.*, p. 35.
42. *Ibid.*, p. 55.
43. *Ibid.*, p. 62.
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45. Pour les renseignements biographiques, voir la préface de Jacob Schmutz dans *Les religions politiques*, Paris, Éditions du Cerf, 1994, p. 7-22; et Enzo Traverso, *Le totalitarisme. Le XX^e siècle en débat*, Paris, Éditions du Seuil, 2001, p. 436-437.
46. C'est ce que Cooper confie dans un texte à saveur autobiographique, « Weaving a Work », *Canadian Political Philosophy. Contemporary Reflections* edited by Ronald Beiner and Wayne Norman, Oxford, Oxford University Press, p. 381-382.
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49. *Ibid.*, p. 25.
50. *Ibid.*, p. 59.
51. *Ibid.*, p. 62.
52. Barry Cooper, « Quebec Nationalism and Canadian politics in light of Voegelin's *Political Religions* », p. 210.
53. *Ibid.*, p. 210.
54. *Ibid.*, p. 223.
55. David J. Bercuson et Barry Cooper, *Deconfederation, op. cit.*, p. 9.
56. « Quebec nationalism is a modern form of ethnic self-determination. » *Ibid.*, p. 8.
57. Barry Cooper, *Deconfederation*, p. 13.
58. *Ibid.*, p. 14-15.
59. *Ibid.*, p. 14-15.
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69. Rainer Knopff et F. L. Morton, *The Charter Revolution and the Court Party*, Peterborough, Ontario, Broadview Press, 2000.
70. *Ibid.*, p. 149.
71. Une étude du sociologue Paul Eid analyse l'interprétation judiciaire de l'article 15 (clause de non-discrimination) afin de dégager la tendance de la Cour à reconnaître les protections constitutionnelles soit aux individus, soit aux groupes (Paul Eid, « Entre modernité et postmodernité » in *Sociologie et sociétés* 33, 1, 2001, 205-229). Le politologue Ian Brodie a publié une analyse beaucoup plus polémique de la même question. Il s'agit d'une thèse de doctorat rédigée sous la direction de Frederick Morton, devenue l'ouvrage *Friends of the Court. The Privileging of Interest Group Litigants in Canada* (Albany, NY, SUNY Press, 2002, 161 p.), cité abondamment par Morton et Knopff dans *Charter Politics*.
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74. Alexis de Tocqueville, *De la démocratie en Amérique*, Flammarion, Paris, 1981, I, p. 342.
75. *Ibid.*, p. 115. Cité par Morton et Knopff dans *Charter Politics*, p. 237. Plusieurs passages reproduits ici sont cités ou mentionnés par Morton et Knopff. Nous nous permettrons dans ce qui suit de reproduire le texte original de Tocqueville afin de rendre justice à la pensée de son auteur.
76. *Ibid.*, p. 366.
77. *Ibid.*, p. 365. Cité par Morton et Knopff.
78. *Ibid.*, p. 369.
79. *Ibid.*, p. 367.
80. Rainer Knopff et F. L. Morton, *Charter Politics*, p. 241.
81. Jean-Claude Lamberti, « La liberté et les illusions individualistes selon Tocqueville », *Tocqueville et l'esprit de la démocratie. The Tocqueville Review/ La Revue Tocqueville*, p. 165.
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David McGrane

***Western Alienation or Mere Critique of Federal
Government Policies? Saskatchewan Social
Democrats' View of Federalism from 1900 to
Present¹***

Abstract

This article examines the views of Saskatchewan social democrats on federalism from the province's first agrarian protest movements, such as the Territorial Grain Growers Association, to the current NDP provincial government. The article illustrates that there has been an historical connection between Western alienation and social democracy in Saskatchewan, which was strongest from 1900 to 1944 and during the Blakeney government in the 1970s, but considerably weaker during the Douglas and Romanow governments. It is argued that the oscillation of Saskatchewan social democrats between Western alienation and mere criticism of federal government policies is due to changes in Saskatchewan's political economy throughout the 20th century. The article concludes by analyzing the current relationship between social democracy and Western alienation within the Saskatchewan NDP, examining the relationship between left-wing and right-wing versions of Western alienation, and questioning the assumption that Canadian social democracy has an irrevocable centralizing bias.

Résumé

Cet article examine la pensée sociale démocratique envers le fédéralisme de la Saskatchewan des premiers mouvements agricoles (comme les Territorial Grain Growers Association) jusqu'au gouvernement NPD contemporain. L'article démontre qu'il y a un lien historique entre le sentiment d'aliénation de l'Ouest canadien et la démocratie sociale en Saskatchewan. Celle-ci était plus forte entre 1900 et 1944 et pendant le gouvernement Blakeney des années soixante-dix, mais était considérablement plus faible pendant les époques des gouvernements de Douglas et de Romanow. L'article argumente que l'oscillation des social-démocrates de la Saskatchewan entre l'aliénation de l'Ouest et la simple critique des politiques du gouvernement fédéral est causée par les changements dans l'économie politique de la Saskatchewan à travers le 20^e siècle. L'article conclut en analysant la relation actuelle entre la démocratie sociale et l'aliénation de l'Ouest à l'intérieur du NPD de la Saskatchewan, en examinant la relation entre les versions de droite et de gauche de l'aliénation de l'Ouest et en questionnant l'affirmation que la démocratie sociale canadienne a une tendance centralisatrice irrévocable.

The relationship between social democracy and federalism has been generally unappreciated in literature concerning social democratic parties in Canada and around the world. Most European literature on social democracy, particularly literature emanating from Great Britain and France, assumes a unitary state and therefore does not deal with the question of federalism. Research does exist on both the German and Australian cases, which argues that the *Sozialdemokratischen Partei Deutschlands* (SPD) and the Australian Labour Party are very centralist in their outlook and that the federal system constitutes a limitation on the power of national social democratic parties to enact broad-sweeping reforms when they take power (Busch and Manow 2001; Parkin and Marshall 1994). However, in both of these cases, the effect of federalism on sub-national social democratic governments (the only kind to have existed in Canada) seems not to be a subject of academic interest. In Canada, most analysts follow Walter Young's argument in his seminal work *The Anatomy of a Party* that the CCF-NDP is invariably centralist in its thinking (Young 1969, 213–215; Penner 1992, 106; Whitehorn 1992, 3). In terms of Saskatchewan social democracy, both Seymour Lipset and David Laycock note that sentiments of Western alienation were part of the ideas of the early CCF in Saskatchewan before it took power (Lipset 1968; Laycock 1990). However, only passing reference to the views of Saskatchewan social democrats on federalism has been made in the works relating to the Saskatchewan CCF-NDP in the time period from when it first formed government in 1944 to present (Gruending 1990; MacKinnon 2003; Johnson 2004).

Using an approach that combines intellectual history and political economy, this article seeks greater understanding of the relationship between federalism and social democracy on a sub-national level through the exploration the attitudes towards Canadian federalism within the ideas and activities of social democratic movements, parties, leaders, and governments in Saskatchewan from 1900 to 2005. It is illustrated that, during the 20th century, the discourse of Saskatchewan social democrats has oscillated between a moderate critique of federal government policies to full-out sentiments of Western alienation due to alterations in the political economy of the province. I begin by arguing that Western alienation, particularly discontent caused by the National Policy, was the primary stimulus to the creation of Saskatchewan agrarian protest movements in 1900 to 1932. These agrarian movements transferred their combination of social democracy and Western alienation to the early Saskatchewan Co-operative Commonwealth Federation (CCF) who used the threat of Eastern mortgage companies' foreclosure on farmland as an effective electoral weapon leading to their electoral victory in 1944.

However, sentiments of Western alienation were not very prominent within the T.C. Douglas CCF government from 1944 to 1964. Instead of Western alienation, the Douglas government displayed a gentle critique of federalism that was confined to disapproving of federal government policies in the field of agriculture while endeavouring to promote enlarged federal jurisdiction in the areas of income taxes and social policy in return for federal financial assistance to build Saskatchewan's welfare state. The Allan Blakeney New Democratic Party (NDP) government from 1971 to 1982 renewed the tradition of Western alienation within Saskatchewan social democratic thought by strongly condemning the Liberal federal government for abandoning rural Saskatchewan, impeding the economic development of Western Canada, and attempting to gain control over the provincial jurisdiction of natural resources. Conversely, the Roy Romanow NDP government from 1991 to 2000 was less strident with the federal government than Blakeney had been. The Romanow government still attacked Ottawa for its lack of funding for agriculture, abandoning the Crow Rate, and not funding highway construction, but decided to follow a conciliatory approach in relations with the federal government and sought to work with Ottawa towards the achievement of common policy objectives, such as the national Child Tax Benefit Program, Social Union Framework Agreement, and the Charlottetown Accord. The article ends by arguing that recent action on the part of the federal government with regards to equalization has reignited Western alienation within the Saskatchewan NDP. I also contend that differences between right-wing and left-wing versions of Western alienation make it difficult to establish alliances between Western Canadian provincial governments in federal-provincial relations and reject Young's assumption that Canadian social democracy has an irrevocable centralizing bias.

Western Alienation Versus Critique of Federal Government Policies

Undoubtedly, the study of Western alienation over the last 25 years has been most associated with the work of Roger Gibbins. In one of his most recent works, Gibbins defines Western alienation as a "political ideology based on discontent with the West's subordinate position in the nation's cultural, economic, and political fabric" (Gibbins and Berdahl 2003, 4). For Gibbins, this ideology of Western alienation has several inter-related characteristics. First, beginning with the National Policy and the creation of a grain-based economy, the West has felt that it has been placed in an economically exploitative and even colonial relationship to central Canada. Second, Western Canadians feel that the Canadian political system operates in favour of Eastern provinces because institutional arrangements,

such as the Senate, diminish the West's voice in Ottawa and because traditional political parties, such as the Conservatives and Liberals, are beholden to Eastern voters who control a majority of the seats in the House of Commons. Since the 1970s, the call to reform the Senate to be elected and to guarantee an equal number of seats to each province has been an important hallmark of Western alienation. Third, Western alienation contains a populist impulse that leans towards giving power directly to average citizens—through the mechanisms of referendums, recall, and plebiscites—in order to counteract the entrenched bias towards Eastern Canada within the political system. Fourth, since the three prairie provinces received jurisdiction over natural resources in 1930, the Canadian West has generally wanted to ensure that provincial jurisdiction is respected and has not aimed at modifying the division of powers to give either the federal or provincial governments more power. Fifth, Western alienation involves the broad belief that federal program spending is consistently skewed in Quebec's favour and the West has given little support for official bilingualism or French-language rights. Finally, Gibbins notes that Westerners are frustrated Canadian nationalists who, with the exception of a small fringe group of Western separatists, want to reposition the West in Canadian political life in order to reflect its demographic and economic weight and allow it to fully contribute to the Canadian nation.

Recently, Gibbins' conceptualization of Western alienation has been challenged by Robert Lawson and by Shawn Henry. Both authors argue that feelings of regional alienation are not unique to Western Canada but are shared by other peripheral regions in Canada and question whether Gibbins mistakes Western alienation for political alienation in general as citizens become more cynical about political institutions (Henry 2002; Lawson 2005). Contrary to these critiques of Gibbins' definition of Western alienation, my analysis illustrates that Western alienation, within the context of Saskatchewan, is a reaction to the unique circumstances of the province's political economy since its inception in 1905. Therefore, Western alienation is a phenomenon that is rooted in Saskatchewan historical experience and goes well beyond the cynicism of recent Canadian political history.

It is my view that Gibbins' conceptualization of Western alienation is useful for my study of social democratic views towards federalism in Saskatchewan with two important qualifications. First, unlike Gibbins, I am not attempting to find congruence between public opinion in Saskatchewan and attitudes of Western alienation. Rather, I am applying Gibbins' definition of Western alienation to the discourse of social democratic political activists and leaders. Second, Gibbins'

conceptualization of Western alienation is generally insensitive to the ideological and spatial diversity within Western alienation. Gibbins presents Western alienation as a cohesive “political ideology of regional discontent” that embodies a certain set of beliefs and attitudes shared by Western Canadian citizens and their political elites (Gibbins 1980, 169). However, it is inappropriate to define Western alienation as an ideology. Rather, I would argue that Western alienation is a disposition that is compatible with more than one ideological position.² Therefore, there can be both left-wing and right-wing versions of Western alienation—a possibility that does not seem to be allowed by Gibbins’ conceptual framework. Further, Gibbins presents Western alienation as an ideology that is fairly uniform in its composition throughout the four Western Canadian provinces. By examining Western alienation in relation to Saskatchewan social democrats only, I illustrate that it is a concept that can be both ideologically and spatially confined to a single province. As such, I see Western alienation as a disposition that can vary both by place and by ideological orientation instead of being the common ideology of Western Canada.

Finally, as we will see, Saskatchewan social democrats’ view of federalism does not always meet the criteria of Western alienation as set out by Gibbins. As such, it was necessary to create the category of “critique of federal government policies” as an alternate description of the discourse of Saskatchewan social democrats concerning federalism. A critique of federal government policies is shallower and tamer than Western alienation in that it does not attempt to recall past injustices and call up feelings of alienation specific to the Canadian West. Rather, it is a criticism of federal government policies that stresses only fairness and is unafraid of the consequences of centralization and greater power exercised by the federal government.

Western Alienation and the Advent of Saskatchewan Social Democracy (1900 to 1933)

Saskatchewan produced a bumper crop of wheat in 1901 but the Canadian Pacific Railway (CPR) did not have the capacity to ship it and over half the crop spoiled. In response, a group of farmers at Indian Head founded the Territorial Grain Growers’ Association (TGGA) in December of that year for the purpose of lobbying governments and educating farmers. Like other agrarian protest movements that have emerged in North America since the 1880s, the TGGA was strongly against monopoly control of railways and the grain trade. In his presidential address to the 1903 convention, William Richard Motherwell claimed that the “elevator monopoly reigned supreme” and a delegate stated that farmers must work together to “show

the railway companies and the combines that we would have our rights” (TGGA 1903, 3–4). The TGGA’s anti-monopoly sentiment was galvanized by feelings of Western alienation. As one delegate stated “The officials in Montreal do not appreciate our position. They think that the people in the West are asking too much and therefore they do not intend to give what we ask” (Ibid. 11). The TGGA also passed a resolution calling for the immediate granting of province-hood to the Northwest Territories—full provincial powers would mean control over natural resources and Crown lands, as in British Columbia and the Eastern provinces. The TGGA’s main suggestion for reducing the power of Eastern monopolies over Saskatchewan’s wheat economy was the regulation of the railway and elevator companies by the federal government to ensure free competition. However, the TGGA suspected that government regulation would be insufficient to curb the power of Eastern railway and elevator companies over Western farmers’ lives. Therefore, merging sentiments of Western alienation with the social democratic goal of public ownership, the TGGA decided to explore the feasibility of co-operatively-owned elevators and government-owned railways.

The TGGA was renamed the Saskatchewan Grain Growers’ Association (SGGA) upon the creation of Saskatchewan as a province in 1905. By 1910 the SGGA had a growing social democratic tendency within it. E.A. Partridge, an important activist within the SGGA, was the first social democratic thinker of significance in Saskatchewan. Partridge was concerned about the unequal distribution of wealth within society. As early as 1905 he stated that “unless the present opportunities of those who are already wealthy be in some way restricted, a quarter of a century will see ninety-nine percent of the wealth of North America the private property of one percent of the population” (Quoted in Knuttila 1994, 19). Ultimately, Partridge realized that farmers could only prosper under a mixed economy, with co-operative and government-owned enterprises existing alongside private businesses and farms. Resolutions passed at the 1907 and 1909 SGGA conventions, calling for state ownership of telephones and certain natural resource industries, attest that Partridge was not alone in his social democratic beliefs within the early Saskatchewan agrarian protest movement.

Starting in 1910, resolutions were presented at every SGGA convention calling for the SGGA to form a farmers’ political party to run against the “old-line” parties of Eastern Canada. However, the SGGA executive was consistently able to convince a sufficient number of delegates that co-operation with the Liberal party was a better avenue to take. In 1913, after the narrow defeat of a resolution on the entry of the SGGA into politics,

Partridge invited those delegates interested in forming a new political party to meet at a local church. The outcome of this meeting was the formation of the No-Party League under a manifesto written by Partridge. If Partridge was the first social democratic thinker in Saskatchewan, the unsuccessful and short-lived No-Party League was the first social democratic party in Saskatchewan. Its manifesto links the social democratic goal of economic equality with Western alienation by arguing that the concentration of wealth and capital within a small group of Eastern companies, prospering behind a tariff wall, was responsible for the excessive freight rates and low grain prices that impoverished Western farmers (Partridge 1913, 1). The No-Party League's solution to this situation was a farmer-labour party that advocated populist measures, such as recall and referendum, and promoted public ownership, graduated taxation, and the institution of an advanced welfare state.

The 1920s saw the rise of a rival farmer organization to the SGGA in Saskatchewan. Disappointed with the conservatism of SGGA leadership and their continued support of the Liberal Party, a group of farmers in Ituna came together to form the Farmers' Union of Canada (FUC) in 1921. The FUC argued that it was useless to lobby governments or form farmer political parties in order to reduce the exploitation of farmers by Eastern business interests (Spafford 1978, 255). Rather, the solution was for farmers to assume control of their own affairs through the co-operative marketing of Canadian wheat so that Western farmers, not Eastern grain companies, would set grain prices. The FUC succeeded in organizing a co-operative grain company named the Saskatchewan Wheat Pool and the SGGA merged with the FUC to create the United Farmers' of Canada (Saskatchewan Section) or UFC (SS) in 1926.

With the depression and difficulties experienced by the Wheat Pool in the 1930s, the resistance to more radical solutions within Saskatchewan's farmers' movement evaporated and the 1931 UFC (SS) convention passed a resolution stating that the UFC (SS) would enter into provincial and federal politics as a political party. The UFC (SS) joined with the small Independent Labour Party of Saskatchewan in 1931 to form the Farmer-Labour Group (FLG) to run in federal, provincial, and municipal elections. A platform was adopted by the FLG in 1932 containing many ideas that had already been put forth by Partridge, the FUC, and the UFC (SS) from 1921 to 1931. The FLG program began by contending that Western Canada was being treated as a colony of the East and that "the present economic crisis is due to the inherent unsoundness of the capitalist system, which is based on private ownership of resources and the capitalistic control of production and distribution" (Saskatchewan FLG 1933, 22). The rest of the program relied

on familiar ideas of the agrarian movement such as nationalization of railways, fixed prices for grain, lower freight rates, promotion of agricultural co-operatives, and state health insurance. Other parts of the program reflected the immediate circumstances of the depression, such a moratorium on foreclosures, seizures, and evictions of farmers from their land, crop insurance, and adjustment of farm debt. The most radical proposal was a “use-lease” system of land tenure whereby, upon the request of the landowner, the government could hold the title to the land and lease it to farmers who could pass their leases on to their children.

By 1932, Saskatchewan social democracy had clearly defined itself both organizationally and intellectually. As we have seen, this social democracy began with Partridge’s ideas in 1905 and went through the No Party League, FUC, and the UFC (SS) until it achieved its fullest expression in the formation of FLG in 1932. Within this social democracy, there was a convergence of Western alienation and social democratic goals that was shaped by the structure of Saskatchewan’s political economy in the early part of the 20th century. The foundation of early Saskatchewan social democracy was the exploitation of the prairie farmer by Eastern Canadian business interests represented by the CPR, grain company monopolies, and tariff-protected manufacturers. This monopolistic exploitation created not only economic hardship for farmers but an unequal distribution of wealth within society and a division between “those who produce and do not possess and those who possess and do not produce.” Thus, the problem was not a lack of competition, as some of the Liberals in the early SGGA had supposed, but the private ownership of *certain parts of the means of production* (railways, banks, grain elevators, public utilities, and natural resources) under a competitive economic system. Moreover, this unjust economic system was propped up by traditional parties and daily newspapers that were financed and controlled by the very Eastern companies that benefited from the exploitation of Western farmers.

The solution to this situation was the creation of a co-operative economic system or a “Co-operative Commonwealth” consisting of a mix of public, co-operative, and private ownership. In terms of social policy, the state was to socialize health services and provide old age, unemployment, and accident insurance to all of its citizens. The new activities of the state would be paid for by a graduated income tax system so that the government would not be plunged into debt. The vehicle for the attainment of this social transformation was a farmer-labour party that was not financed by Eastern companies, was more democratic than traditional parties, and was dedicated to educating and organizing citizens towards achieving a Co-operative Commonwealth. Many early Saskatchewan social democrats

also believed in critiques of “partyism” and supported reforms such as recall, referendums, the abolition of the Senate, and proportional representation.

The FLG/CCF and the Use of Western Alienation to Get Elected (1933–1944)

The FLG joined the Co-operative Commonwealth Federation (CCF) when it was created in 1932 in Calgary. The CCF met in Regina in 1933 and adopted the historic “Regina Manifesto.” The Regina Manifesto has been analyzed at length in other works (Young 1969, 38–67; Whitehorn 1992, 38–45). For our purposes it will suffice to note that the manifesto’s ideas were similar in many respects to themes that had already appeared within Saskatchewan social democracy. However, the manifesto proposed the amendment of the BNA Act to create a greater centralization of powers in the federal government, which did not fit well with Saskatchewan social democracy’s sentiments of Western alienation.

Just over a year after the adoption of the Regina Manifesto, the Saskatchewan CCF faced their first electoral challenge in the form of a provincial election that they contested under the FLG name and the leadership of M.J. Coldwell. Using the slogan “Humanity First,” FLG party leaders stressed debt adjustment, a planned economy, nationalization of banks, higher corporate taxes, and the socialization of health services (Hoffman 1983, 51). Further, using the example of Sweden, the FLG argued that it would develop Saskatchewan natural resources such as forests, clay, and coal under government ownership in order to finance debt adjustment for farmers and create a more advanced welfare state. The Liberals, the Conservatives, and the press heavily attacked the FLG’s use-lease land policy as the nationalization of land, the Sovietization of the province, and the condemnation of farmers to serfdom. The FLG insisted that, without the use-lease policy, the independent farmer would turn into a tenant farmer for Eastern mortgage companies. The FLG attempted to portray itself as defending farmers’ private property against Eastern mortgage companies and financial interests. It declared “What do you need at this time? First, to retain your home and land for your use, and prevent its confiscation by the financial interests ... The Farmer-Labour Group (CCF) pledges itself to enact immediately when returned to power, all the legislation necessary to secure to you the use and possession of your home and land” (Saskatchewan FLG 1934, 2). The call for the protection of the family farm from foreclosure was wrapped in a cloak of Western alienation as the FLG urged voters to “Strike a blow against the financial and industrial exploiters of Western Canada by voting Farmer-Labour” (Ibid. 3). The FLG’s appeals to

Western alienation were successful and it won five seats in the legislature with twenty-four percent of the total vote.

After the 1934 provincial election, the FLG officially changed its name to the Co-operative Commonwealth Federation (CCF) and George Williams became its leader. The 1938 Saskatchewan provincial election was a four-way fight between the Conservatives, Social Credit, the CCF, and the Liberals. As an alternative protest party to the CCF, Social Credit argued that it would end the depression using a monetary reform scheme that would give farmers the money they needed to get out of debt. The CCF ran almost no urban candidates in 1938 and again concentrated on portraying itself as the party that would force Eastern mortgage and land companies to adjust farm debt and not foreclose on farmers' land. It dropped its controversial use-lease policy claiming instead that it would enforce a debt moratorium that would "protect the people against the imposition of usury, until the powers of entrenched finance give a square deal to the Farmers and Home Owners of this province" (quoted in Conway 1983, 141). Through portraying itself as the party that would protect farmers' private property from Eastern finance capital, the CCF was able to withstand the challenge of Social Credit and win ten seats in the election. With the poor results of the Social Credit and Conservative parties, the CCF emerged from the 1938 election as the only possible alternative to the governing Liberals.

When Williams went overseas to fight in World War II, the Saskatchewan CCF party united behind T.C. Douglas' leadership. Though more understated, Western alienation was still part of the Saskatchewan CCF's ideology and electoral appeal in the early 1940s. In 1942, as the official opposition in the Saskatchewan Legislature, the CCF put forth motions for supporting free trade and a state-owned railway to Hudson's Bay as ways to circumvent the power of Eastern manufacturers and railway companies (Saskatchewan CCF 1942). In 1944, Douglas declared that banks should be nationalized because Eastern banks operating in Western Canada "generally loan money when we least need it, and call it in when we most need it" (Douglas 1944, 2). Further, the 1944 provincial CCF platform dropped the Regina Manifesto's insistence on giving more powers to the federal government. Instead, the platform was steadfast in its promise to use the powers of the provincial government to the fullest in order to achieve the Co-operative Commonwealth. The platform further stated that a CCF government would press the federal government for more money to develop the provincial welfare state because "if Confederation is to continue and Canadian unity is to be realized, there will have to be a redistribution of income between the Federal and Provincial Governments

to enable the Provinces to maintain and expand essential services” (Saskatchewan CCF 1943, 19).

The structure of Saskatchewan’s political economy again played an important role in the CCF’s use of Western alienation. While Saskatchewan’s farm economy had returned to prosperity due to wartime demand for wheat, the experience of the depression had convinced farmers of the need for government action to ensure that their land could not be foreclosed upon by Eastern mortgage companies if depression were to return. Douglas made masterful use of this latent fear of foreclosure among farmers by promising that he would resign as premier if a single farmer was forced off their land due to foreclosure. Further, the CCF’s promise of an expanded welfare state, to be partially paid for by the federal government, would provide security to both urban and rural voters if there was an economic downturn after the war ended. On the strength of an improved total vote in both urban and rural areas, the CCF won a massive victory in the 1944 provincial election taking 47 out of 52 seats.

The high prevalence of prosperous farmers within early Saskatchewan agrarian movements and the early Saskatchewan CCF has led some researchers to claim that the party was an expression of the *petite bourgeoisie* class fighting against the threat of industrial modernization for their own economic benefit (Naylor and Teeple 1972; Sinclair 1975; Conway 1978; Richards and Pratt 1979). These researchers argue that the farmers’ *petite bourgeoisie* class position determined their political behaviour. Under this analysis, the early Saskatchewan agrarian movement was made up of small capitalists defending their private property, contained in the family farm, against the exploitation of large capitalists concentrated in central Canada. Thus, the conclusion of these authors is that the political party that came out of the Saskatchewan agrarian movement—the CCF—was a populist party that was not dissimilar to Social Credit in Alberta.

In contrast to these arguments, I agree with David Laycock’s characterization of the agrarian protest movement and early CCF in Saskatchewan as “social democratic populists” and concur with his statement that “Class attachments do not necessarily produce all-embracing class logics ... the class basis of an organization should not be granted inordinate explanatory power” (Laycock 1990, 267). Early Saskatchewan social democracy was more of a populist movement than a class movement. While early Saskatchewan social democracy was interested in obtaining a better economic situation for farmers, it was also attempting to create a better society for all. In its advocacy of the reform of

capitalism, Saskatchewan social democracy displayed characteristics that were distinctly populist, such as stressing the worth of the people and their political supremacy, rejection of an intermediary between leaders and the masses, and directing an attack of the whole people against an enemy external to society (Richards 1981, 5–8). The difference between the social democratic populism of the Saskatchewan CCF and the other populisms that grew up on the prairies during the same time period was that it advocated the use of the state to protect farmers from monopoly capitalism through public ownership. The other populisms on the prairies in the first half of the 20th century focused on government regulation of the grain trade (crypto-liberalism), monetary reform (social credit) or direct legislation (radical democratic) as means to protect farmers from monopolistic exploitation (Laycock 1990). In their focus on using the state to reduce economic inequality through public ownership and the construction of a welfare state, Saskatchewan social democrats transcended their immediate class interests to move toward a vision of growing equality within society as a whole. It was this vision as much as the ideas of a mixed economy and a welfare state that the Saskatchewan agrarian protest movement had passed onto the CCF and that the CCF aimed to achieve upon being elected to government.

The Douglas Government's Support of Centralization (1944–1964)

Before 1944, the Saskatchewan CCF had an undeveloped and even contradictory vision of federalism. It had signed on to the Regina Manifesto with its centralist vision of federalism but had maintained in its 1944 election platform that it would use the powers of the provincial government to their fullest in order to achieve a Co-operative Commonwealth and had frequently expressed sentiments of Western alienation that it had inherited from early Saskatchewan agrarian movements. However, once in power, the federal–provincial relations inherent in governing a Canadian province forced the CCF to quickly develop a more comprehensive approach to federalism. The Saskatchewan CCF government articulated its complete and coherent vision of Canadian federalism at the Dominion– Provincial Conferences on Reconstruction in 1945 and 1946 where it argued for a quite centralist system of federalism. For the most part, the Saskatchewan position at the reconstruction conferences supported the federal government's vision of social security contained in the *Green Book on Reconstruction*, which sketched a centralized welfare state where the federal government would provide unemployment assistance and health insurance to all Canadians. In fact, Douglas was the only premier to support

the *Green Book* that other provinces, particularly Quebec and Ontario, saw as an unjustified intrusion on their provincial jurisdiction.

The Douglas government orientated its federal–provincial relations from the premise that provinces did not have the financial resources to effectively discharge their constitutional responsibilities. The solution to this asymmetry was for provinces to surrender their jurisdiction over personal and corporate income taxes to the federal government. The federal government could then redistribute personal and corporate income tax revenue in such a way as to help poorer provinces, like Saskatchewan, in addition to distributing federal grants to assist all provinces in providing improved health and social services that would meet “a minimum standard across Canada” (Government of Saskatchewan 1945, 504). The CCF was even willing to accept minimum standards in the field of education in exchange for federal grants and proposed a national labour code to “eliminate inter-provincial legislation competition for industry at the expense of labour” (Government of Saskatchewan 1946, 77). With the federal government leading the construction of the welfare state, the Saskatchewan CCF government argued every Canadian would come to enjoy comprehensive services regardless of whether they lived in a rich or poor province.

The Douglas government’s proposals to the reconstruction conferences illustrated that the Saskatchewan CCF government definitely did not hold a provincial rights position concerned with maintaining and expanding provincial jurisdiction. Further, populist proposals such as recall and referendum, which had been waning in influence over Saskatchewan social democracy since 1930, were now finally put to rest as the CCF embraced cabinet-dominated government. The last vestige of populism in the Saskatchewan CCF constitution was eliminated when the clause authorizing the recall of CCF MLAs by their constituency association was abolished in 1945.

Yet, the Saskatchewan CCF’s view of federalism was not devoid of concerns emanating from the tradition of agrarian protest within Saskatchewan social democracy. The Saskatchewan CCF remained in favour of abolishing the Senate. It also harshly criticized the federal government’s inactivity on agricultural issues, such as the provision of seed grain and price supports for wheat. Further, while willing to accept centralization in terms of social and agricultural policy, the CCF government defended provincial jurisdiction over natural resources when the federal government, prompted by the CPR, threatened to disallow the CCF’s Mineral Taxation Act, which imposed levies on formerly tax-free

subsurface mineral rights. The CCF argued that natural resources were a provincial jurisdiction, urged Saskatchewan citizens to write letters to the federal government, and held massive rallies around the province to denounce the federal government's action, which forced the federal government to back away from its threat of disallowance. Thus, the Saskatchewan CCF's approach to federalism under Douglas could be best described as support for centralization in exchange for financial resources to build a Canada-wide welfare state coupled with a critique of federal agricultural policy and the defence of provincial jurisdiction over natural resources.

The Saskatchewan CCF's vision of federalism in the 1950s remained very similar to the model that it argued for at the 1945 and 1946 reconstruction conferences. The CCF government consistently expressed their satisfaction with federal government collection of corporate and personal income tax while urging the federal government to set up a national welfare state comprising health insurance, unemployment insurance, old-age pensions, and federal grants for education (Douglas 1955). Douglas viciously attacked the granting of corporate and personal income taxing powers to Quebec in 1955 because he thought that it undermined the ability of the federal government to direct the economy through fiscal policy and to build a country-wide welfare state (Shackleton 1975, 222–223).

While the CCF government was willing to co-operate with the federal government in terms of social policy, agriculture would continue to be an area of major friction between the CCF and federal government during the 1950s. After CCF legislation stipulating that payment on the principal of a farmer's mortgage be suspended for one year in the event of a crop failure had been found *ultra vires* by the Judicial Committee of the Privy Council in 1948, the CCF government introduced another piece of legislation intended to protect insolvent farmers. However, the Canadian Bankers' Association, the Dominion Mortgage and Investments Association, and the federal government brought the legislation before the Supreme Court of Canada where it was found to be unconstitutional as well. The largest issue in agriculture in Saskatchewan in the 1950s was the negotiation between the federal and the provincial governments for the building of a dam along the South Saskatchewan River to provide irrigation. Discussions had actually begun as early as 1946 but the new federal Liberal government in 1948, under Louis St-Laurent, refused to move on the issue even though the Saskatchewan government agreed to pay over half of the costs. The Saskatchewan CCF government argued that St-Laurent's position was unfair since the federal government was constructing the St. Lawrence

Seaway at no cost to Quebec or Ontario. It was not until Diefenbaker became Prime Minister in 1958 that an agreement for a dam was concluded.

The end of the fourth term of the Douglas government bought about two important innovations in the Saskatchewan welfare state that were made possible by increased federal transfer payments, which the CCF government had been pushing for since 1945. First, increased federal financial support led the CCF government to pass the Social Aid Act in 1959, which modernized social assistance in Saskatchewan and increased welfare rates. The second and more significant innovation was the expansion the province's hospitalization insurance program into Medicare. In 1957 the federal government under Diefenbaker committed to sharing the costs of any provincial hospitalization plan that offered universal coverage. The CCF had stated in its 1944 election platform that socialized medicine would take "considerable time" to implement and this increased federal support finally freed up the necessary fiscal resources for the CCF government to proceed with Medicare, which it did after the provincial election in 1960.

Alterations within the political economy of Saskatchewan were responsible for the toning down of the CCF's Western alienation rhetoric under Douglas. First, stable demand for grain in the postwar era combined with the orderly marketing practices of co-operatives and the Canadian Wheat Board to provide high and steady wheat prices. The discovery of oil, uranium, and potash and their development by private capital diversified Saskatchewan's economy and provided employment, increased government revenues, and had positive economic spin-off effects. The expansion of Saskatchewan's public sector, welfare state, and infrastructure also provided employment and positive economic growth. Under such favourable economic circumstances, Saskatchewan farmers had little to fear from Eastern mortgage companies concerning foreclosure on their land. Second, with the diversification of the Saskatchewan economy, the province's urban population had increased from twenty-one percent of the population in 1941 to forty-three percent in 1961 (Archer 1980, 361–362). These new urban voters were less concerned with traditional agrarian grievances concerning freight rates, tariffs, and grain prices.

Finally, with the Canada-wide postwar economic boom and popularity of Keynesianism, the federal government metamorphosed from a force protecting the unfair monopolies of Eastern grain companies and railways to a possible source of cash to fund the expansion of the Saskatchewan welfare state. The construction of "modern federalism," in which the

federal government took the lead on the construction of the Canadian welfare state, led the Saskatchewan CCF to emphasize the positive role that central government could play in the creation of innovative social policy (Simeon and Robinson 1990, 129–153). Thus, the Douglas CCF government moderated its Western alienation rhetoric concerning the use of provincial powers to the fullest in order to enhance access to federal money that it could use to build its social programs. Instead of Western alienation, the Douglas government approach to federalism could well be described as one of critique of federal government policies, particularly in the areas of agriculture and natural resources, which did not recall past injustices or grievances specific to the West and instead focused on basic issues of fairness.

The Blakeney Government and the Fight for the Crow Rate and Control of Natural Resources (1971–1982)

The NDP government from 1971 to 1982, under the leadership of Allan Blakeney, renewed the tradition of Western alienation within Saskatchewan social democracy that had faded away under Douglas. Blakeney adopted the rhetoric of Western alienation in four primary areas: agriculture, resource taxation, economic policy, and the constitution. The platform with which the Saskatchewan NDP was elected in 1971 strongly criticized the federal Liberal government on its agricultural policy. It stated that the federal government's policies will "lead to the take over of Saskatchewan by agribusiness. Instead of family farms, there will be huge corporate enterprises run by a few hired hands" (NDP 1971, 3). The platform went on to promise that an NDP government would urge the federal government to institute guaranteed grain prices, provide capital grants to farmers, pass legislation to allow the creation of producer-controlled national marketing boards, and convert a substantial part of the national defence budget into food aid for Third World countries. The platform also attacked the federal Liberal government for abandoning rural Saskatchewan by closing post offices, allowing the shutdown of railway stations and branch lines, and reducing grain delivery points.

In late 1974, the Saskatchewan NDP government became increasingly concerned about suggestions emanating from Ottawa concerning the elimination of the Crow Rate—a subsidy that had been paid to railway companies by the federal government since 1897 in order to reduce freight rates on eastbound grain. Throughout the rest of its time in office, the Blakeney government fought hard against the federal government's proposed changes to the Crow Rate, which would have eliminated fixed freight rates for grain. The Saskatchewan NDP government declared that the Crow Rate must be maintained because it was part of the bargain of

Confederation whereby Saskatchewan agricultural producers accepted inflated prices caused by tariff walls in exchange for low freight rates for grain and quality railroads. The NDP argued for public investments by the federal and provincial governments to make improvements to the rail system, such as increasing main line capacity, branch line rehabilitation, and equipment replacement. The Blakeney government even put these principles into practice by purchasing 1,000 hopper cars to be used by the railways free of charge to move grain within their Western division. The government argued that such public investments would give governments equity in the railway system and “should ultimately lead to a total public utility rail system, where the only goal would be to increase Canadian exports, not to fatten the pocketbooks of corporate shareholders” (Saskatchewan Department of Agriculture 1982, 4). In language that closely resembled early Saskatchewan social democrats, a pamphlet, widely distributed in February of 1982, stated:

The railways hold a powerful monopoly position over the movement of grain to port from Canada's land-locked prairies. What is needed is a national transportation policy which looks beyond the interests of the railway companies, to the national interest. What we need is a transportation policy which recognizes that the crucial question is not whether the CPR can afford the Crow Rate, but whether Canada can any longer afford the CPR. (Ibid. 5)

The Saskatchewan NDP also was involved in an on-going fight with the federal government concerning resource taxation throughout its time in office in the 1970s. In the autumn of 1973, the federal Liberal government introduced a freeze on the price of domestic oil and a tax on exported oil in reaction to the emerging OPEC crisis—a move that Alberta and Saskatchewan regarded as direct interference in provincial jurisdiction over resources. The federal government's actions prompted Blakeney to become a defender of provincial rights and autonomy using Western alienation rhetoric. Soon after the federal policy was announced, Blakeney did a provincially televised address to emphasize that oil and gas resources clearly belong to provinces and that his government would “capture for the people of Saskatchewan the full benefit of all future windfall profits” (Blakeney 1973, 2). He also wrote an article in the *Globe & Mail* arguing that Canada was facing a “crisis of regional inequality” in which the comfort of residents of the Eastern provinces was being prioritized over the prosperity of Saskatchewan (Blakeney 1974, 6). Aside from rhetoric, the Blakeney government responded to the federal government's proposal with legislation of its own that nationalized, with compensation, oil and gas freehold rights of twenty-five companies to gain more complete public

control of the province's oil reserves and placed a royalty surcharge on oil in order to recoup royalties that were currently going to the federal government. Shortly after its passage, the legislation was challenged in courts by the federal government and a Calgary-based oil company on the basis that it violated the federal-provincial division of powers as set out in the constitution. Appreciating the significance of the case to provincial rights over resources, the Alberta, Manitoba, and Quebec governments intervened on the side of Saskatchewan.

During its first term, the Saskatchewan government was also sued by a potash company and the federal government on the grounds that its potash policies were unconstitutional. Just five days before the 1975 provincial election, a Saskatchewan judge ruled in favour of the potash company and the federal government. Blakeney promised that Saskatchewan would appeal the ruling and said that the federal government's intervention in the case was part of a "federal campaign to obtain control over Saskatchewan resources" (Anonymous 1975, 1). As such the NDP's 1975 election platform claimed that the most important issue of the campaign was ensuring that "the people of Saskatchewan" benefit from the extraction of the province's natural resources instead of foreign multinational corporations and the federal government (NDP 1975, 1-2). During the campaign, Blakeney repeatedly stressed that his government needed a new mandate in order to fight Ottawa to retain provincial control of natural resources.

During its second term, the Blakeney NDP government made the boldest move of its time in power. After a variety of legal battles had made it clear that the collection of potash royalties in the future was becoming uncertain, the NDP government introduced a law allowing it acquire by purchase or expropriation any relevant potash assets in Saskatchewan. With both the federal government and potash companies anxious to avoid expropriation, several companies voluntarily sold their holdings to the NDP provincial government. What is interesting in both the oil and potash examples was that Western alienation arguments of unjust intrusion of the federal government into provincial jurisdiction were used to justify the social democratic policy of nationalizing certain parts of the province's resource extraction industry. Similarly, the Saskatchewan NDP argued that increased resources royalties were to be used to pay for the expansion of Saskatchewan's welfare state and therefore federal government intrusion into provincial jurisdiction was standing in the way of creating a more equal society in Saskatchewan. Thus, the assertion of provincial autonomy was necessary for the achievement of the social democratic goals of a more equal society and nationalization.

Throughout its first mandate, the Blakeney government criticized the federal government for not controlling inflation, which was eating away at citizen's purchasing power and allowing corporate profits to soar while worker wages stagnated. The NDP Finance Minister in his 1973 budget address argued that responsibility for the twin problems of unemployment and inflation "rests with the Federal Government, since it has the fiscal and monetary capacity to alter this situation in a significant way" (Saskatchewan Department of Finance 1973, 10). The Saskatchewan government denounced the federal government for creating "Corporate tax loopholes," particularly for large foreign companies, at the expense of the "average taxpayer" (Saskatchewan Department of Finance 1974, 5-6; Saskatchewan Department of Finance 1975, 5-6). The NDP was also critical of the federal government's lack of initiatives to create secondary manufacturing in Western Canada. In his 1974 budget address the Finance Minister stated that "The assumed 'natural' advantage of the East which attracts industry is by no means natural. Rather, it is the result of the discriminatory national policies which have been pursued over the past 100 years" (Saskatchewan Department of Finance 1974, 8). Reminiscent of early Saskatchewan social democrats in the SGGG or UFC (SS), the Finance Minister went on to declare: "We need a national development policy which neutralizes the historic advantages awarded by successive old-line party governments to Central Canada" (Ibid.).

Blakeney's final two terms in office were also characterized by considerable animosity between the federal government and the Saskatchewan government over economic policies. The Blakeney government severely criticized the federal government's "tight" monetary policy of high interest rates by the Bank of Canada in order to keep inflation down (Government of Saskatchewan 1982). The Blakeney government held that high interest rates choked economic growth leading to higher unemployment while not substantially lowering inflation and benefiting banks instead of "average" Canadians. Moreover, the monetary policy of the federal government hurt the West and its dynamic and growing economy based on resource extraction. Instead of monetarist economic policy, the Saskatchewan government proposed Keynesian solutions, such as low interest rates and direct government investment in the economy to boost economic growth.

Finally, in its last term in government, the Blakeney administration took an antagonistic approach to the federal government during the negotiations leading up to the repatriation of the Canadian constitution. The Blakeney government joined the "Gang of Eight" and opposed Trudeau's initial package of constitutional changes and unilateral patriation of the

constitution. The Saskatchewan NDP government pushed for a clear provision in the new constitution to give provinces full control over their resources and ensure a very limited role for the Senate in constitutional amendment since the Blakeney government was officially in favour of abolishing the Senate (Government of Saskatchewan 1981). The Blakeney government was also against an entrenched federal Charter of Rights because it would give the courts too much power over public policy and it did not support a constitutional veto for the provinces of Ontario and Quebec. In the end, Saskatchewan succeeded in getting a constitutional amendment securing provincial control over resources, an amending formula that did not contain a veto for any province, and limited the role for the Senate in exchange for its support of an entrenched Charter.

We can see from the above discussion that, along with its social democratic commitment to the expansion of the welfare state and public enterprise, the Blakeney government displayed a consistent sentiment of Western alienation as it argued against the federal government's agricultural, economic, and constitutional policies and fought to establish complete provincial control over natural resources. It is clear that the Blakeney government relied much more on appeals to Western alienation in its political rhetoric and was more protectionist of provincial jurisdiction than the Douglas government had been. As such, the Blakeney government of the 1970s harkened back to the era of early Saskatchewan social democracy, which used Western alienation as a motivating force for the accomplishment of economic and social reforms, such as nationalization of resource industries and the use of resource royalties to expand the provincial welfare state.

Alterations in the political economy of Saskatchewan were important in stimulating the renewal of Western alienation as a part of Saskatchewan social democracy. The Blakeney government had three problems that the Douglas government did not face that accounted for Blakeney's heightened sense of Western alienation: world economic depression, a weak farm economy, and sustained federal intrusion in the jurisdiction of natural resources. The world economic depression in the 1970s created the impetus for the federal government's modest steps towards monetarism and subsequently opened it up to criticism from the Saskatchewan government, which still followed a more Keynesian outlook. The declining world demand for grain led to low prices and overproduction of wheat, which created a weak agricultural economy within Saskatchewan, leading to calls from farmers and the provincial NDP government that the federal government was not doing enough to help rural Saskatchewan. The increasing reliance of the Saskatchewan economy on mineral extraction

combined with the threat of federal intrusion on provincial control of resources at a time of rising world oil and potash prices to make the Blakeney government very protective of the natural resources it believed were the key to the province's future prosperity. The Blakeney government saw resource revenue, not federal cash, as the means to expand the province's welfare state. It is notable that the additions to the Saskatchewan welfare state in Blakeney's time, such as free dental care for children under 12 and a prescription drug plan, were not cost-shared with the federal government nor were they part of any Canada-wide initiative.

In many ways, the Blakeney government was part of the "province-building" agenda embraced by several provincial governments in the 1970s that was contrary to the nation-building agenda of an activist federal government under Trudeau (Black and Cairns 1966). The Blakeney government wanted to collect resource revenue and distribute it fairly within the province through universal and free social programs while the Trudeau government wanted resource revenue to reduce its deficit, pursue its own national social programs, and keep the price of energy low for Eastern residents. Moreover, the emergence of a thriving resource sector made Saskatchewan part of the booming Western Canadian economy of the 1970s that challenged the traditional industrial base of Central Canada, which was dependent upon cheap Western oil. Indeed, after the OPEC crisis, the Canadian West experienced high economic growth and near full employment while the Eastern Canadian economy was mired in a recession and saw a dramatic rise in unemployment. In such conflict between heartland and former hinterland, clashes between the Saskatchewan NDP and the federal government were inevitable.

The Romanow Government's Conciliatory Approach to Federalism (1991–2000)

The Saskatchewan NDP government, under the leadership of Roy Romanow, was definitely less strident with the federal government than the Blakeney government had been. In constitutional matters, its positions often mirrored those of the federal government. The Romanow government came out strongly in favour of the federal government-sponsored Charlottetown Accord, which the Saskatchewan NDP argued struck the right balance between a strong central government and limiting the federal government's spending power, created an effective and elected Senate, protected existing provincial jurisdiction, recognized Aboriginal rights, and strengthen the federal commitment to equalization (Saskatchewan Justice Constitutional Unit 1992). The closeness of the 1995 Quebec referendum result motivated Romanow to help spearhead the process whereby premiers outside of Quebec agreed to the Calgary Declaration that

recognized the “unique character of Quebec society” but followed the “equality of provinces” line of thinking in insisting that if any future constitutional amendment conferred powers onto Quebec that these powers must be available to all provinces (Marchildon 2004, 383). The Saskatchewan NDP government was strongly supportive of the Calgary Declaration and, after holding consultations with the Saskatchewan public, passed a resolution in favour that was supported by all opposition parties. The Calgary Declaration was intended to be supportive of the federal government’s Plan A approach of constructive efforts to keep Quebec in Canada. On the other hand, Saskatchewan was one of only two provinces to intervene in the federal government reference to the Supreme Court over Quebec’s right to secede from Canada. Saskatchewan took a very hard line, or Plan B approach, by agreeing with the federal government that Quebec has no right to secede unilaterally under Canadian constitutional law or international law (Attorney General of Saskatchewan 1997; Whyte 1997). Similarly, the Saskatchewan NDP government was vocally supportive of the federal government’s 1999 Clarity Bill that gave the federal Parliament the power to set the terms under which Quebec could secede from Canada.

The Romanow government maintained this conciliatory tone with the federal government on matters of social policy. Saskatchewan successfully lobbied the federal government to create the national Child Tax Benefit Program in 1997 and played a critical role in creating a consensus among the provinces during the negotiations on the benefit’s implementation (Government of Saskatchewan 2001, 17–18). The Saskatchewan NDP government hailed the federal program as the first addition to the Canadian welfare state in 30 years and sought to take credit for its creation. The Saskatchewan government also strongly supported the federal government’s efforts to establish the Social Union Framework Agreement (SUFA) and acted as the provincial co-chair of the negotiations. In particular, Saskatchewan led the fight against Ontario’s and Alberta’s advocacy of Thomas Courchene’s ACCESS proposal, which made the case that all responsibility for social policy should be handed over to the provinces and that transfer payments should be replaced with greater provincial taxation powers (Marchildon and Cotter 2001, 373). As part of this decentralist proposal, national standards would be eschewed in favour of provinces formulating their own guidelines.

Unlike the ACCESS proposal, the Romanow government wanted the SUFA to maintain “national standards, and the federal spending power that is used to protect them” while at the same time preventing the federal government from creating social programs in isolation from provincial input, as well as making unilateral decisions to remove funding from

cost-shared programs (Romanow 1998). In the end, Saskatchewan was able to broker a deal between the provinces, excluding Quebec, and the federal government that left the federal spending power and ability to set national standards intact in exchange for increased transfer payments for health care. However, SUFA still did limit the federal government's power by allowing provinces to opt out of federal social programs with full compensation to be spent in the "same or related policy area," requiring any new federal government social policy initiative to be approved by a majority of provinces and obliging the federal government to consult with provincial governments at least one year prior to renewal or significant changes to transfer payments (McIntosh 2002). The Saskatchewan NDP believed that SUFA was representative of its co-operative vision of federalism where the federal government had the responsibility to establish frameworks that served the national interest but the decision making process remained respectful of the fact that different provinces had different needs, desires, and aspirations (Romanow 1997, vii–x). It felt that administrative changes such as SUFA would go eighty percent of the way to accommodating Quebec's desire for greater autonomy while the remaining twenty percent of the accommodation would have to come from the constitutional changes starting from the premises of the Calgary Declaration (Marchildon and Cotter 2001, 374–375).

Despite its generally conciliatory tone towards Ottawa, the Romanow government did criticize the federal government in a number of areas during the 1990s. In its first term, the Romanow government claimed that cuts to transfer payments from the federal government necessitated cuts to provincial social programs in order to eliminate its deficit (Saskatchewan Department of Finance 1992, 15). In its second term, the NDP argued that large cuts to transfer payments were impeding its ability to reinvest in vital social programs such as health care (Saskatchewan Department of Finance 1998, 14). The government was also critical of the federal government establishing the Millennium Scholarship Fund instead of increasing block transfers to post-secondary education (Garcea 1998, 212). In its 1995 and 1999 election platforms, the NDP attacked the federal government for lack of funding for agriculture, elimination of the Crow Rate, and not funding highway construction (NDP 1995, 55; NDP 1999, 15–16). Moreover, the Romanow government urged the federal government to fight against the unfair agricultural subsidies of the European Union and the United States in trade negotiations to ensure "fair market-driven prices" and called on Ottawa to come up with a \$1 billion trade equalization payment to offset the negative effect of EU/US subsidies on Canadian farm income (NDP 1999, 15). It also called on the federal government to strengthen the Wheat Board and opposed the removal of the board's monopoly over barley. Finally,

under pressure from the province's gun lobby, the Saskatchewan government supported Alberta's constitutional challenge against the federal government's gun registry initiative. However, besides these reproaches, the Romanow government never fundamentally challenged the federal government's power as the Blakeney government had done. Romanow never deployed the rhetoric of Western alienation and his government was one of the strongest allies of the federal government in federal-provincial negotiations. It is clear that Romanow decided to follow a conciliatory federalism, which merely critiqued federal government policies in the areas of agriculture and transfer payments, and sought to work with the federal government in achieving common policy objectives, such as the Child Tax Benefit Program, SUFA, and the Charlottetown Accord.

The reason for Romanow's temperate tone with the federal government compared to Blakeney was changes in Saskatchewan's political economy. First, the Romanow government was left with a large deficit by the previous Conservative government and faced decreasing transfer payments from the federal government after the 1995 federal budget. Unlike Blakeney, who funded the expansion of the Saskatchewan welfare state through resource revenues, the Romanow administration's large deficit and debt made it dependent upon negotiation with the federal government in order to receive adequate transfer payments to maintain its existing social programs. Similar to the Douglas government, the Romanow government saw federal transfer payments as the only means of attaining funding for its provincial welfare state. Even if it disagreed with provinces like Quebec and Alberta on the degree of decentralization, the Romanow government subscribed to same opinion as all other provinces in SUFA negotiations, that federal government involvement in provincial jurisdiction must take place within a predictable and mutually agreed upon fiscal framework (Prince 2003, 127). Only such a framework could prevent the repetition of the federal government unilaterally making massive cuts to transfer payments, as had happened in 1995.

Second, due to the struggles of the Blakeney government, the Romanow government had constitutional protection for its natural resource revenues, which removed a major stimulus to sentiments of Western alienation. The provincial government's resource revenues were secure and the Romanow government had no need to fight against federal intrusion in this area. Finally, the agricultural sector in Saskatchewan in the 1990s continued to decline and the Saskatchewan economy was less dependent on farming as the services, resource, and manufacturing sectors grew and the pace of urbanization accelerated. The decreasing importance of agriculture to

Saskatchewan's economy and dwindling numbers of rural voters may have made the Saskatchewan NDP government less confrontational with the federal government in the area of agriculture, which had been an area where Saskatchewan social democrats had traditionally used appeals to Western alienation.

Conclusion

As we have seen, there has historically been a connection between Western alienation and social democracy in Saskatchewan, which was strongest from 1900 to 1944 and during the Blakeney government but considerably weaker during the Douglas and Romanow governments, which were merely critical of federal government policies. It is interesting to note that one commonality within Saskatchewan social democracy's view of federalism, whether in a period of Western alienation or mere criticism, was that it defended provincial autonomy in the area of resources and was always open to federal participation in the areas of social policy and agriculture. Therefore, with the federal government removing the main source of Western alienation in the Saskatchewan CCF-NDP through ceding complete control over natural resources to the provinces in the 1982 constitution, Western alienation within the Saskatchewan NDP appeared to be waning at the end of the 20th century.

However, the bilateral agreements signed in 2005 by the Liberal federal government with the governments of Nova Scotia and Newfoundland to exempt their equalization payments from clawbacks due to their offshore oil revenues has brought the question of resources rents once again to the heart of Saskatchewan Ottawa relations. The issue of excluding revenues from oil and other non-renewable resources from the equalization formula has reignited sentiments of Western alienation within the Saskatchewan NDP. The Calvert government is adamant that Saskatchewan should receive the same deal as Newfoundland and Nova Scotia and sees "absolutely no reason for different treatment of energy revenue between provinces" (Van Mulligan 2005, 4). The election of a new Conservative federal government in 2006 has only made relations between Saskatchewan and Ottawa worse. Even though the Conservatives promised to fully exclude non-renewable resource revenues from the equalization formula, they appear to be ready a report recommendation to exclude only half of non-renewable resource revenues from the equalization formula. Reports on this impending decision caused the Saskatchewan Finance Minister to claim that the Conservatives were trying "to use Saskatchewan's oil money to buy votes in Quebec" in reference to the increased payments that Quebec would receive if non-renewable resource

revenues were partially included in the equalization formula (quoted in Brownlee 2007). This recent controversy over equalization illustrates that the left-wing version of Western alienation, represented by Blakeney and the early Saskatchewan agrarian protest movement, may be making a comeback within the Saskatchewan NDP.

Once again, it is the political economy of Saskatchewan that is driving this resurgence of left-wing Western alienation. As the price of oil has dramatically risen since 2000, the Saskatchewan NDP has increasingly come to see oil revenues as the key to financing the provincial welfare state and sustaining economic growth for the province and have therefore become very sensitive to any federal attempts to undermine the fiscal returns from rising oil prices. As another provincial election looms, the Saskatchewan NDP may try to paint themselves as defenders of Western interests in the face of an insensitive Conservative federal government, which is explicitly supported by their main opponents—the Saskatchewan Party.

As this article shows Saskatchewan social democrats have veered between Western alienation and mere critique of federal government policy throughout their history. This oscillation points towards an important reality of politics in Western Canada that is missed in Gibbins' conceptualization of Western alienation: Western alienation is a disposition that is fractured between a left-wing version, represented by the NDP, and a right-wing version, represented by the Alberta Progressive Conservative Party. The inconsistent nature of the left-wing version of Western alienation, as evidenced by the oscillations of the Saskatchewan CCF-NDP on federalism, has only increased the division between the left-wing and right-wing versions of Western alienation. As such, the Canadian West remains divided on the issue of federalism and alliances between the four provinces and two major ideological orientations (social democracy and conservatism) on relations with Ottawa remain elusive.

However, such alliances are by no means impossible, especially in times of heightened Western alienation due to certain federal government actions or alterations in Western Canada's political economy. While the Douglas government had very little co-operation with other Western Canadian provincial governments and was an ally of the federal government at the reconstruction conferences, the Blakeney government co-operated with the Alberta Progressive Conservative government and the Manitoba NDP government on the questions of federal intrusion within the jurisdiction of natural resources. Further, the Blakeney government joined with all three of the other Western provincial governments (one of which was Progressive

Conservative while the other two were NDP) to prepare common position papers in the lead-up to the Western Economic Opportunities Conference in July of 1973 (Blakeney, Barrett, Schreyer, and Lougheed 1973). The main thrust of the papers was that the federal government's transportation, industrial assistance, financial, trade, and agricultural policies were skewed in favour of Eastern Canada and were unable to meet the economic development needs of the four Western Canadian provinces. Unlike the Blakeney government and akin to the Douglas government, the Romanow government did not pursue co-operation with Alberta or other Western provincial governments, preferring to be a strong ally of the federal government in federal-provincial negotiations. In perhaps a reversal of the strategy of the Romanow government, the Calvert government has enlisted the aid of the Alberta Progressive Conservative government in its struggle to exclude non-renewable resources from the equalization formula (Brownlee 2007).

As we can see, in times of heightened feelings of Western alienation and perceived federal intrusion in the jurisdiction of natural resources, the Western Canadian political actors espousing both right-wing and left-wing versions of Western alienation can unite in temporary alliances. However, the unstable nature of the left-wing version of Western alienation and its frequent oscillation towards mere critique of federal government policies precludes any long-lasting alliances between right-wing and left-wing versions of Western alienation. Moreover, despite agreement over provincial control of natural resources, right-wing and left-wing versions of Western alienation are consistently divided on the role of the federal government in social and agricultural policy. The right-wing version is adamant that the federal government should allow provincial governments to set their own priorities in the area of social policy and that federal intervention in the agricultural economy should be circumscribed as much as possible. On the other hand, the left-wing version of Western alienation has always seen a role for the federal government in setting national standards in the area of social policy and has lobbied the federal government to maintain its intervention in agriculture through the mechanisms of the Canadian Wheat Board and the Crow Rate.

In conclusion, the existence of Western alienation within the ideas of Saskatchewan social democratic actors brings up the larger question of the relationship between federalism and social democracy. Certainly, social democracy is not an ideology that is irrevocably centralist. Indeed, both Eduard Bernstein and the Fabians saw municipal government as a key arena for the advancement of social democracy and advocated greater powers of self-determination and expropriation for local governments (Bernstein

1899, 180–184; Webb 1889, 70–76). Contrary to Young's argument that social democratic thinking in Canada is inevitably centralist, the intellectual history of Saskatchewan social democracy illustrates that social democrats have argued for greater autonomy for the provincial level of government when their political economy demanded it. Indeed, many times sentiments of Western alienation and provincial autonomy in Saskatchewan have reinforced social democratic goals, such as public ownership and the construction of the welfare state. Therefore, it is important that future research on social democracy in Canada and around the world take seriously the relationship between social democracy and federalism and be aware that social democracy can encompass both centralist and decentralist viewpoints.

Notes

1. An earlier version of this article was presented at the Canadian Political Science Association Conference in London, Ontario, on June 2, 2005. The author wishes to thank the journal's two anonymous reviewers for their comments and also wishes to thank Harold Jansen and Anthony Sayers who commented on the paper when it was presented in London.
2. Larry Johnston distinguishes between an ideology and a disposition. He holds that an ideology (such as conservatism, liberalism, or social democracy) to be a consistent set of beliefs on a variety of questions, such as the role of the Church or God in society, collectivism versus individualism, the place of tradition in society, the role of the state in the economy, human nature, and the extension of rights. On the other hand, a disposition (such as populism, nationalism, feminism, or environmentalism) is a set of ideas about society that can be infused into several different ideological outlooks. See Johnston 1996, 20–22 and 173–175.

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Pamela Banting*

***How Rural Settings Can Unsettle Prairie Critics:
Deconstructing the Politics of Location***

Abstract

This paper sets out to expose the strange critical neglect of prairie literature, particularly those texts which deal with aridity or drought; to deconstruct two recent attacks upon Sharon Butala's novels and her memoir of ranch life in the southwestern Saskatchewan apex of the arid Palliser Triangle, The Perfection of the Morning: An Apprenticeship in Nature, and thereby attempt to repair some of their potentially damaging effects on Butala's literary reputation; and to account for these sins of critical omission and commission by showing that there is a large gap within the theory of identity politics – the theory which addresses inequities related to race, class, gender, ethnicity and physical ability – namely, that the missing supplement within identity theory (also known as the politics of location) is geography, place or physical location.

Résumé

Le présent article s'attache à exposer la surprenante négligence dont fait preuve la critique à l'égard de la littérature des régions de la prairie, particulièrement des ouvrages qui parlent d'aridité ou de sécheresse. On souhaite également faire une analyse critique de deux récentes attaques visant des nouvelles de Sharon Butala et ses souvenirs de la vie sur un ranch situé dans la région de l'aride triangle Palliser dans le sud de la Saskatchewan, The Perfection of the Morning: An Apprenticeship in Nature, espérant ainsi réparer certains des effets possiblement dommageables infligés à la réputation de Butala. Il est question également de compenser ces péchés d'omission critique en démontrant une lacune importante dans la théorie de la politique identitaire – la théorie qui porte sur les inégalités en rapport avec la race, la classe, le genre, l'origine ethnique et la capacité physique; cet élément manquant dans la théorie identitaire, c'est le facteur géographique, le lieu où se passe l'action et où se trouve le personnage.

Unfortunately my family has had a very hard summer. Most of our crops were destroyed in a tornado. We had a few small fields left. And these crops were good, very good, thanks to more rain than anyone has ever seen. So not all was lost, or so we thought. But on Monday my Dad was down at that farm, literally sitting out in the field at 3:00 in the afternoon, enjoying the

warm sun while admiring his prize crop when this tiny hail cloud comes over and rains HUGE hail balls down on it. Totally unbelievable. But it gets worse. The crop was destroyed, but he swathed it hoping to sell the remains for feed. But now it has been raining for 4 days straight so the swaths will rot and are ruined. Anyway, I guess you roll with the punches.

**Kendra Mulatz, Maple Creek, Saskatchewan,
email correspondence, 7 Sept. 2002**

The West doesn't need to wish for good writers. It has them. It could use a little more confidence in itself, and one way to generate that is to breed up some critics capable, by experience or intuition, of evaluating western literature in terms of western life.

Wallace Stegner, *Where the Bluebird Sings to the Lemonade Springs: Living and Writing in the West* (p. 141)

During a dust storm in the Dirty Thirties two farmers are looking up at the blackened sky. One of them says, "Geez, there must be at least a quarter section swirling around up there." The other farmer replies, "Yeah, but where're you gonna set 'er down?"

This anecdote, attributed to novelist W.O. Mitchell but possibly apocryphal, encapsulates a farmer's complex notion of location and setting, one more nuanced than that with which some Canadian literary critics have been working for the past couple of decades. In much current critical practice, though not necessarily in the literary texts themselves, the earth is simply ignored. While race, class, and gender theory and criticism have blown a necessary, just, healthful, and invigorating breeze into the academy, the variable that scholarship on the so-called "politics of location" has ignored almost completely is that of physical, geographical location: spatial coordinates, topography, landscape, terrain, weather, bioregion, watershed, the environment. The global soul, to borrow travel writer Pico Iyer's term, is more conscious now of its historical privilege or oppression, its gender, its skin colour, the skin of the Other, the sexual proclivities skin may arouse, and occasionally of its own class allegiances (although more often or more poignantly of its class aspirations). But in much recent critical discourse, the global soul's multiple "locations" seldom extend to its position on the ground under its highly mobile and busy feet. Ironically, now that the global soul gets to see so much more of the

planet, we seem to have become less rather than more interested in geography. On one hand, this shrinkage of the physical, material world to bodies, and, on the other, its expansion to the global not only bypass the nation state and tired, outworn questions as to what constitutes the Canadian national character (which, regarding the latter, is an almost entirely good thing) but also, more dangerously, bypass the local and regional as sources of grounding, nurturance, significance, and identity. As Wendell Berry, Wallace Stegner, and many other theorists of place maintain, “If you don’t know where you are, . . . you don’t know who you are” (Berry, paraphrased in Stegner 199). In other words, in the absence of a sense of place, all theorizing of identity is rendered partial.

Although novelists and poets continue to write out of place, many literary texts that reflect upon and interrogate place have been ignored or even strongly denigrated by critics whose tacit assumption is that the teleological mission of criticism has marched on beyond the place-based studies of the 1960s and 1970s to the politics of location, also known as identity politics. However, the current omission or excision of the variable of place from identity theory was not always the case. To take one important example, in her influential 1984 essay “Notes Toward a Politics of Location,” Adrienne Rich, far from overlooking geography, refers to it several times in conjunction with race, gender, class, and the body: “I need to understand how a place on the map is also a place in history within which as a woman, a Jew, a lesbian, a feminist I am created and trying to create” (212). Two pages later she writes, “Let us get back to earth — not as paradigm for ‘women,’ but as place of location” (214). Moreover, the unexamined assumptions that theory in general, by definition and as opposed to practice, is placeless, utterly independent of spatial coordinates, and that theory is a genre not written by specific individuals in time and place and from within particular languages, histories, cultures, and bodies, are strangely Platonic notions and stark contradictions, given that it is literary theorists who exhort us to rethink precisely those subjective facets of artistic endeavour that we refer to in shorthand as the politics of location. As Robert Thacker succinctly states, “So like all writers, literary critics are ‘never completely shed’ of their place — whether it has to do with locale, interests, assumptions, intellectual debts, or the sheer expediency of shaping a piece of writing to an editor’s demand for a given length” (180).

In a previous article, “The Angel in the Glacier: Geography as Intertext in Thomas Wharton’s *Icefields*,” I theorized that the physical setting of that novel can be read intertextually with other signs therein. The present paper is also part of a larger project of rethinking the literary notion of setting from an ecocritical perspective. In the first section of this paper, I briefly survey

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A contradictory thread runs through Canadian history and literature with regard to deserts, watersheds, and the prairie landscape in general. On one hand, there is a tendency set in play by early European explorers and surveyors of the country to describe many different kinds of North American landscapes *metaphorically* as deserts or wastelands.⁴ In fact, Canada has no true deserts, just a few very localized sandy places. Neither the Carberry Desert in Spruce Woods Provincial Park in southern Manitoba⁵ nor the Athabasca Sand Dunes in northern Saskatchewan is a true desert but, rather, glacially deposited sand dunes. But we do have arid and semi-arid zones, the Palliser Triangle in southern Saskatchewan and Alberta being one. These days average annual precipitation in the Palliser Triangle is only 14 inches (355 millimetres); 18 inches (457 millimetres) are lost to evaporation. Due to the recent drought cycle and global warming, most of Alberta all the way up to and including the Peace River country in the north has experienced severe drought, and some places in Saskatchewan are undergoing progressive sand dune activity and desertification, with corresponding economic, social, and psychological consequences. Wild cacti, the botanical emblem of aridity, are not uncommon in southern Alberta and Saskatchewan.

For all its apparent dryness, and although many writers have touch on them, however, the semi-desert regions of the prairies and aridity in general have been given scant attention in our literary criticism since the heyday of national and regional identity and place studies of the late 1960s and the 1970s, the decades when such thematic studies as Laurie Ricou's *Vertical Man/Horizontal World: Man and Landscape in Canadian Prairie Fiction*, Dick Harrison's *Unnamed Country: The Struggle for a Canadian Prairie Fiction*, Margaret Atwood's *Survival: A Thematic Guide to Canadian Literature*, John Moss's *Patterns of Isolation in English Canadian Fiction*, D.G. Jones's *Butterfly on Rock: A Study of Themes and Images in Canadian Literature*, and others were published.⁶ It is not as if the dryness of southern Saskatchewan and Alberta has historically escaped detection. In his 1869 report based on his 1857 survey of what is now southern Saskatchewan and southern Alberta, John Palliser summed up the area as an extension of the Great American Desert, and recommended against future agricultural settlement. As they traversed the southern prairies from Red River to Fort Macleod in 1874 to establish law and order, the Northwest Mounted Police certainly noticed that it was an extremely thirsty zone, many of them succumbing to dysentery and some to typhoid from drinking the bad water in the few places they could find any water at all. In western Canadian

literature, prose writers as various as W.O. Mitchell, Sinclair Ross, Andreas Schroeder, Sharon Butala, Robert Kroetsch, Sid Marty, Andy Russell, and Thomas King (to name just a few) have written about aridity and its natural, historical, agricultural, cultural, political, and psychological effects.

However, despite the lived, scientific, and literary evidence, Canadians historically have been in denial about the relative lack of precipitation in the southern prairies since before settlement — for instance, the Northwest Mounted Police were not even issued canteens for their westward trek through territory previously uncharted by white people and unknown to them. The famous settlement propaganda that “rain follows the plow” is merely the most quotable emblem of this historical refusal to acknowledge the terms and conditions of climate and geography, a refusal co-signed by many of today’s literary critics.⁷

In other words, the aridity of the southern Canadian prairies is not a secret and never has been. Even today we continue to live in a strange condition of denial of aridity on one hand — from, in Alberta where I live, our extensive irrigation agriculture and the annual use of billions of litres in the oil industry to our daily running of the tap — and, on the other hand, an ill-defined fear of some kind of arid apocalypse in a country that, to most non-natives, is still so new to us that we do not know quite what to make of it.⁸ As novelist Fred Stenson says, “What we need is an urban equivalent to Sinclair Ross’s ‘The Lamp at Noon.’ We need an urban novel or short story about drought.”⁹

Ironically, a couple of writers from generally more moist and heavily urbanized provinces, Ontario and Quebec, have each set a novel in a true desert, and these two books are much better known nationally and internationally, but they are about deserts elsewhere in the world. The desert of Michael Ondaatje’s *The English Patient* is in Libya, and Nicole Brossard’s experimental, lesbian feminist novel *Mauve Desert* is set in Arizona and New Mexico. Both of these novels, by writers from central Canada, have received considerable critical attention to date, and I will not be discussing them here because they are outside the geographical parameters of this essay; however, it is worth noting that, with the exception of a conference paper by Bev Curran, “Against the Grain: The Canadian Desert” (2003), most articles on these two books pay less attention to the actual desert terrain than to its symbolic resonances.

The most obvious way in which critics have ignored the portrayal of aridity in western-Canadian fiction and non-fiction is by ignoring not all but many of the books that have been written about it and their authors. Even the

books that have attracted considerable critical discussion — partly because they have been around longer and became canonized, if precariously so, during the 1970s — have largely attracted notice for other reasons. Sinclair Ross’s classic novel *As For Me and My House* (1941), a novel that has been much taught and analyzed, is set during the dustbowl of the Depression. Articles on *As For Me and My House* have been devoted, in the main, to deftly analyzing the “hypocrisies” of small-town life (as if cities were hypocrisy-free zones), the personality and housekeeping skills of the narrator Mrs. Bentley, narrative technique, sexual imagery, paternity of the child, realism, and modernism, but the aridity of the setting is usually handled as mere historical fact, pathetic fallacy, or the symbolic backdrop mirroring the strained marriage of the two main characters. Only a few articles and books, most of them from the decade in which Laurie Ricou’s *Vertical Man, Horizontal World* (1973) and Dick Harrison’s *Unnamed Country* (1977) were published, actually deal with the terrain and climate as literal manifestations.¹⁰

Robert Kroetsch’s fiction and poetry have fared somewhat better. The majority of the critical articles on Kroetsch’s books are devoted to his frequent use of postmodern literary devices and theory. However, the sheer profusion of criticism devoted to Kroetsch’s important body of work in several genres — fiction, poetry, literary and cultural criticism — coupled with an international interest in his work (critics from other countries sometimes being more intrigued by the western-Canadian landscape than many of their homegrown counterparts), has meant that a modest but respectable number of articles acknowledge the important role of place in his work, and Kroetsch himself never fails to remember his roots and has always written out of a profound attachment to place.¹¹

For a novel which I am including in this brief overview of prairie literature pertaining to aridity, from its title and first paragraph and throughout the text, Thomas King’s *Green Grass, Running Water* (1993) is surprisingly damp. Water leaks everywhere. The first two sentences read, “So. In the beginning, there was nothing. Just the water” (1), and the novel contains many puddles, seeps, and drips and concludes with inundation. *Green Grass, Running Water* is based on native protests against construction of a dam, and I include it here because dams represent the political side of aridity. Although lack of moisture is a fact, albeit a relative one, dams are as political as the treaty language and broken promises alluded to in the book’s title and are not necessarily a panacea for low annual rainfall. The plenitude of water throughout *Green Grass, Running Water* both continually foreshadows the next plot development and the book’s ending and suggests that the dam will only wreak mischief and havoc with

the landscape, culture, and lives of the people of southern Alberta, not turn the area into a moist capitalist paradise.

However, most articles about *Green Grass, Running Water* deal, variously and productively, with King's practices of re-writing the Bible, subverting mainstream paradigms through magical realism, the text as a postcolonial puzzle, trickster discourse, poking fun at written authority, the power of myth, and intertextuality. Those that do allude to the fictional dam of the novel connect it exclusively with a major hydroelectric project in northern Quebec. For instance, Florence Stratton's essay, "Cartographic Lessons: Susanna Moodie's *Roughing It in the Bush* and Thomas King's *Green Grass, Running Water*" (1999), does have a section that discusses the politics of dams, though she does not mention the Oldman River Dam of southern Alberta where King lived for ten years spanning the dam controversy, protests, and construction. The Oldman River runs through the city of Lethbridge, and Thomas King taught at the University of Lethbridge in southern Alberta from 1980–1990 so it is surprising that the Oldman River Dam has not been explored in relation to the novel, which according to a recent survey is one of the ten most frequently taught texts in Canadian university English courses. But irrigation issues, native land rights, government corruption and law-breaking in the building of the Oldman River Dam, and the Great Whale Hydroelectric Project, upon *all* of which the Grand Baleen Dam in the novel is loosely based, are not the topic of any scholarly articles I have been able to find so far.¹²

Andy Russell's creative non-fiction narrative *The Life of a River* (1987) was written out of his activist involvement in trying to halt construction of the Oldman River Dam.¹³ One of the author's stated purposes of the book is to "make us look again at the conventional wisdom of using a river as a resource, not treating it as a living thing" (28). The book is not about aridity per se but about the natural and cultural history of the river, including the imminent building of the dam and the multiple kinds of damage it would cause. Nevertheless, it is noteworthy that the jacket blurb composed by its own publisher, McClelland & Stewart, dismisses the landscape that is the book's subject:

The Oldman River runs through all of these stories. To be swept along, you don't need to know the Oldman, which bursts out of the Rockies in Southern Alberta to become the South Saskatchewan and head for Hudson's Bay. You don't even need to know this foothills area, so well described elsewhere by Sid Marty and here by Andy Russell.

Though it must be acknowledged that even the author, in the final paragraph of his introduction, states that the story he is on the point of telling about the geology and history of the Oldman “can be transposed to any river” (29), I think that, given the content and the timing of the book, Russell’s objective in making this claim is to stir readers to action against the political machinations behind and the environmental consequences of dams, to inspire solidarity, not to posit that the Oldman, to which he has devoted 183 pages — that is, the entire book — is *merely* a representative case. Although there have been many reviews of his work, there are no academic articles published on any of Russell’s dozen books.¹⁴

Andreas Schroeder’s novel *Dustship Glory* (1986), based on a true story, is about a Finnish immigrant named Tom Sukanen in Manybones, Saskatchewan, a thousand miles from any ocean, who, during the drought of the Great Depression, begins building an ocean-going ship, a project that he continues with increasing obsession over a period of many years, causing his community to question his sanity. It is as if his mind takes literally the metaphor of the prairies as resembling the ocean. It is not that he is desperate to leave Manybones, since for the cost of his time and materials alone he could have purchased a ticket home to Finland or most anywhere else in the world or simply walked away. Rather, the novel sympathetically presents his actions as making about as much sense as breaking the land for farming in southern Saskatchewan before and during the Dirty Thirties. As the town elevator operator muses, “Oh, it all looked pretty good when the rain fell and the wind didn’t blow your summerfallow clean into Manitoba, but underneath that thin layer of sweetgrass and crocuses, of wolfwillow and wild roses, it was really nothing more than a great goddamn desert just waiting for the chance to resurface” (15). I could not find any critical articles on this book in any of the relevant article indexes.

Of course, that “dried-out, blowed-out” son of farmers in southern Saskatchewan Wallace Stegner has devoted several books and essays to the topic of aridity in both the Canadian and the American Wests, but his American citizenship and the way we typically demarcate our courses according to national boundaries may have deterred critics from taking up his work in the context of Canadian literature.¹⁵

In *Leaning on the Wind: Under the Spell of the Great Chinook* (1995), Sid Marty writes extensively about his ancestors being dehydrated out of the area around Medicine Hat, and about the preoccupation with weather and climate he inherited from them. Chapter 6, “Rain Follows the Plow,” opens this way:

I was raised in a desert among the Philistines where there were no poets to people the landscape with heroes, where history waited to be discovered in a land where few people valued what had happened before their own arrival (80).

There are two critical articles on Marty's poetry, one by poet and critic Tom Wayman, published in 1993, two years before *Leaning on the Wind*, which is divided between Marty's poetry and that of Dale Zieroth, and a more recent one by W.H. New on the poetry of Marty, Peter Christensen, and Jon Whyte (2004).¹⁶ In his introduction, Wayman explores a number of historical, institutional, and political reasons for the critical and academic neglect of Marty and Zieroth, two writers whose work he considers to be as fine as that of many canonized Canadian writers (41). Wayman posits that due to the increasing corporate commodification and homogenization of experience and the preponderance of urban and indoor experiences in our daily lives:

it probably follows that a preference would be generated for art that is unspecific as to place, concentrating instead on the constituents of the art itself (forms, language, et cetera), or on magical or other non-geographic experiences. Writers like Marty and Zieroth, whose writing is planted firmly in identifiable locales, will perhaps seem out of step with, or even in opposition to, such present trends (43).

Sharon Butala, who with her husband Peter Butala ranches near Stegner's hometown of Eastend, has, like Stegner, taken on the issues of aridity, drought, and the crisis in agriculture, most notably in her non-fiction account of the first eighteen years of her life in that country, *The Perfection of the Morning: An Apprenticeship in Nature* (1994), her novels *The Fourth Archangel* (1992) and *The Garden of Eden* (1998), the latter of which is set in both the Saskatchewan prairies and drought- and famine-stricken Ethiopia, but also in her short stories, essays, radio interviews, and talks. What relatively skimpy published scholarly attention Sharon Butala's work has garnered to date tends to focus more on psychological matters than on the landscape about which she writes. A search of the MLA bibliography for "Sharon Butala" in the title yields six scholarly articles on the work of a writer who has published more than a dozen books and has been nominated for and won many writing awards.¹⁷

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One article on Butala — Cheryl Lousley’s “Home on the Prairie? A Feminist and Postcolonial Reading of Sharon Butala, Di Brandt, and Joy Kogawa” (2001) — deals centrally with place but only through a reading that, unfortunately, pits race, class, and gender *against* place.¹⁸ The narrowness of her interpretation of identity theory either proceeds from or results in a formulaic reading of the three texts by which the more officially “Other” the writer’s biography, the better her work. As such her article illustrates very well the pitfalls of applying theories of the “politics of location” to a text without incorporating geographical location into the mix, and merits close examination on those grounds as well as to attempt redress for some of the damage that may have been done to the writer’s reputation by such blatantly unfair critical practice, especially in the international arena.¹⁹

Repeatedly throughout her article, Lousley first severely distorts and then dismisses Butala’s entire *oeuvre* for not reading like fictional and creative non-fictional applications of current identity theory. Indeed, her agenda to discredit Butala with or without evidence becomes plain right from the beginning of her Butala section when first she quotes her as having written in *The Perfection of the Morning* that “I was in a position few people, especially women, are ever fortunate enough to be in. . . . It was the first time since childhood I had experienced such freedom.”

Then, farther down the very same page, bizarrely, Lousley criticizes her for neglecting to consider class and for how her freedom to go for walks is a mark of privilege (Lousley, “Home” 76). Next, immediately after quoting Butala on her difficulties in finding a social footing in her newly adopted rural, agricultural community, a painful struggle that Butala describes at great length in the book, Lousley accuses her of failing to consider her privilege to observe the community free of any sense of responsibility and accountability to it. What Lousley calls her “privilege” is the psychologically painful condition from which Butala strives hard and ultimately effectively in her first several years on the ranch to rid herself.

Similarly, Lousley charges that Butala fails to consider the power that her representations of the rural carry due to her authority and status as “writer.” Lousley puts “writer” in quotes, as if placing Butala’s artistry and status as a writer in doubt, even while accusing Butala of ignoring her position as such and the power and authority that come with it.²⁰ If Butala is unaware of the power of her representations of the rural, then how are we to account for her outspoken activism, for her writing and publishing books and newspaper articles and giving speeches about the agricultural crisis in the rural west? Even if Lousley were merely unaware of Butala’s articles and books in addition to *The Perfection of the Morning*, it would nevertheless be wrong

of her to transfer her own lack of knowledge to the writer.²¹ She mistakes the stated purpose of her own article, which is to problematize the concept of rural, for its proof, and then makes the fantastic leap of logic to claim that therefore a prairie woman writer who writes about rural life and rural people has performed an illegitimate action. She claims that “Butala takes the geographical referent of ‘rural’ ... and essentializes it into an identity” (78) and that “Butala claims not only to be able to accurately know and depict these other lives, but also to understand the underlying principle which shapes them...” While this is often what writers do — attempt to understand and write about the lives of the people around them — and while writing about one’s own community as opposed to those about which one knows significantly less is what most advocates of identity politics and the non-appropriation of voice recommend, Lousley censures Butala for writing about the community in which she has lived for more than twenty-five years.

Obviously, for Lousley only the already sanctioned categories of identity politics — race, class, gender, sexual preference, ethnicity, and physical ability — qualify as legitimate differences. She makes the bold statement that Butala has no regard for cultural appropriation, and then immediately afterward quotes a passage in which Butala clearly states, “If I were Native, I would follow the dream’s instructions, but I am not Native” (quoted in Lousley, “Home” 79).²² Having dismissed the category of place and ridiculed Butala’s statement that her husband Peter, who has lived his whole life on the ranch, is a true rural man,²³ she berates the writer, purporting that her idea of the rural person is not inclusive, that she “neglects, indeed actively excludes, the possibility of Others, such as gays and lesbians, people of colour, and people with disabilities, within the rural as she creates her idyllic ‘home’” (77–78). Her supporting evidence for this huge generalization is that in her novel *Luna* Butala writes that a woman with mental disabilities lives in a group home in the city “full of people like herself who couldn’t manage on their own” (quoted in Lousley, “Home” 79). In order to illustrate how completely Lousley decontextualizes the foregoing phrase, it is necessary to read the paragraph of the novel in which the phrase appears:

Across the table, Sandy, a fifty-year-old woman who didn’t look more than thirty-five, served herself from the bowl of carrots and peas that Selena had canned in the fall. Sandy, whose home was a big house in the city, full of people like herself who couldn’t manage on their own in the world. Taken by her parents when she was fifteen to an institution and left there, then moved out of it into a group home. Allowed to go home only for the occasional holiday.

She felt sorry for Sandy, who would never have her own house or children. She had been sterilized when she was a teenager. It's better that way, they had all agreed (Butala, *Luna* 202).

I quote this passage in full not for its mention of Selena's sympathy for Sandy as if it might stand in for Butala's own, but instead to question on the basis of the passage itself whether Butala is dismissing the character of Sandy and advocating segregation (and sterilization) or whether, conversely, she is criticizing practices that render "home" no more than a holiday and deploying irony in the sentence "It's better that way, they had all agreed." Nevertheless, on the basis of a single abstracted phrase — and as if there were not people who benefit from or even need assisted living; indeed most humans seem to prefer living with at least one other — Lousley dismisses *Luna*, a novel devoted almost entirely to an examination of the lives of three generations of rural women and girls in a prairie community, and completely ignores the other two novels, *The Gates of the Sun* and *The Fourth Archangel*, which together with *Luna* form a trilogy about rural life in the arid west.

Lousley accuses Butala of essentializing and universalizing "home," "prairie," and "rural," in short for not providing us with the socio-economic statistics for Eastend and the district. Ironically, however, it is Lousley who fails to take into account that information, which is contained both in the preface to *The Perfection of the Morning* and throughout the main body of the text as well, and in several other published and radio broadcast articles and interviews Butala has done precisely about the drought and the associated socio-economic situation of southwestern Saskatchewan.²⁴ In yet another logical contradiction, while taking Butala to task for not supplying economic statistics, Lousley fails to explain on what basis or statistics she formed her own notion of Butala's "idyllic" home ("Home" 78) and privilege. Judging by Lousley's comments, it seems to be because Sharon Butala frequently goes for a long walk at some point in the day between the hours of nine and five; that is, during the workday of the typical urban employee.²⁵ Lousley proclaims that she wishes to undo the essentializing of the notion of place, but unfortunately and ironically her method of achieving that objective is to essentialize the writer as white, wealthy, a privileged housewife with time to go for walks on her husband's ranch, and somehow not quite a writer, despite her many published books. She overlooks or dismisses — certainly she discredits — the possibility that, like gays and lesbians, people of colour, and others whom she herself reportedly champions ("Home" 77–78 and throughout her article), "rural" might also be a denigrated or marginalized category of people in whose name Butala is speaking up. Indeed Lousley's logically unsupported attack

upon this rural woman writer would itself seem to constitute what Wendell Berry has referred to as “the prejudice against country people” because the inescapable implication of her article is that it is permissible for urban-based academics to form alliances with the less privileged and to lobby, argue, and critique on behalf of race, class, gender, sexuality, and differential abilities, but a rural non-academic (or, more accurately, an academic who abandoned the profession to ranch instead, as Butala did) or a “writer” in quotes, even one who has lived there for more than twenty-five years, is not to be permitted to speak on behalf of *her* community and locale, the often denigrated and even ridiculed rural prairies.²⁶

In an unpublished conference paper, “Writing the Rural Other: Sharon Butala Meets Trinh T. Minh-ha” (1999) Lousley pretends to speak in the voice of Trinh Minh-ha. She writes, “I have structured it [this paper] as a conversation, between feminist and postcolonial theorist and film-maker Trinh T. Minh-ha and Sharon Butala.” To my way of thinking, this structure at once constitutes appropriation of two different voices. In this essay too, speaking through Minh-ha or, more accurately, putting words into Minh-ha’s mouth, she gives Butala a stern talking to. Lousley’s ventriloquist criticism — short on the skills of research and accurate readings of texts — whereby she tries to make her points by speaking in the voice of various “international” theorists fails to recognize the placedness not only of literature but of theory, deficiencies for which neither Butala nor Minh-ha might appreciate being the unwitting mouthpieces.

This type of critical approach to texts, at least in the context of Canadian criticism and cultural history, is, in part, a latter-day version of the colonial cringe, a type of national inferiority complex denoted by, among other symptoms, the repeated appeal to the overseas expert and the derogation of local, regional, and even national culture, initiative, and achievement. Whereas in Canada, prior to and even during the 1960s and 1970s, critical apparatus and support used to be drawn routinely and almost exclusively from foreign sources, primarily Britain and the United States, now the voice of authority is that of the (usually class-privileged) continental philosopher or postcolonial theorist originally from a developing country, such as Jacques Derrida, Julia Kristeva, Hélène Cixous, Trinh T. Minh-ha, Gayatri Chakravorty Spivak, or others, most of whom have made their deservedly major careers in one of two imperial nations, or both, France and the United States.²⁷

A second article on Butala’s work that also, unfortunately, traffics in the colonial cringe and gives her work very short shrift is Smaro Kamboureli’s “The Culture of Nature and the Logic of Modernity: Sharon Butala’s *The*

Perfection of the Morning: An Apprenticeship in Nature" (2001). A thorough point-by-point deconstruction of Kambourel's argument would occupy more space than would be permissible here, so I will confine myself to raising serious doubts about the validity of her argument in the hope of neutralizing some of its most potentially damaging effects and showing why it is crucial to adduce the notion of geographical location not just to identity-based criticism but also to literary criticism that takes globalization as its central preoccupation.

In her introduction Kambourel reflects on the popularity and Canadian bestseller status of *The Perfection of the Morning* and decides that because the book has been widely read it must be ideologically conservative. She writes,

The popular success of a literary title often says more about the social and political climate of the culture in general, and cultural and literary institutions in particular, than about a title's inherent merits. . . . [Such a book] must surely communicate a message that strikes a chord in many readers (38).

Over the course of her article, Kambourel attributes its Canadian bestseller status²⁸ to the book's anti-intellectualism, its undoing of the values of the European Enlightenment,²⁹ and its author's failure at or stubborn refusal to deconstruct binary oppositions. In her introduction, she quotes two descriptions from book reviews that refer to Butala as "one of this country's true visionaries" and "a wonderful guide." Then, through a sleight-of-hand manoeuvre she tries to buffalo her reader into thinking that it is Butala — not the reviewers — who proffers herself as a "visionary," "guide," and "advocate" for a decidedly pre- or anti-Modern "return" to nature and the rural life, and her book as a kind of spiritual instruction manual.³⁰ That is, on one hand, following Michel Foucault and Roland Barthes, Kambourel purports to separate author intentionality from the text: "Contrary to Butala's authorial intentions, *the text's own intentionality*, as I hope to show, announces an uneasy alliance between nature and subjecthood" (40; emphasis added). Paradoxically, however, while eschewing author intentionality with one hand, Kambourel gives it back with the other by improperly attributing the words of the reviewers about Butala to the author herself, and then implying that Butala maintains some kind of self-assigned cult-leader status. Although Kambourel claims that the text's intentions differ from those of the author when she writes that "*The Perfection* does not want to be read as a single individual's life story," it is the author who bears the brunt of her condemnation.

In this and other ways, Kamboureli premises her argument on the logical fallacy of the straw adversary, the technique whereby one simply ignores another's actual position and substitutes instead a distorted, exaggerated, or misrepresented version of it. On the opening page of her article, she contends that on page 12 of the hardcover edition of *The Perfection of the Morning*, "Butala advocates a 'return to Nature.'" Here is the passage from that page:

By the time I was twenty I had developed contempt for those who wanted to return to Nature, believing they were all romantic dreamers, nitwits from the city, people raised in the lap of luxury who did not know about Nature's nasty side, who had never done a day's real work in their lives and thus had no idea of the grinding labor a life in Nature demanded for mere survival. I liked to look at Impressionist paintings of Nature, having once harbored the dream of becoming a painter, and I was not averse to sunsets or moonlight on water, but I was just as happy to look at pictures of them while seated on a soft couch, with my feet on a thick rug and a well-insulated wall between me and the thing itself.

While the above passage might well be irritating to some, I cannot find in it or on the rest of the page any evidence of what Kamboureli describes as "the passion and conviction with which she advocates a 'return to Nature' (*The Perfection* 12)" (Kamboureli 38). No such sentiment is expressed on that page or, allowing for possible errors in her works cited, on page 12 of the paperback edition either.³¹ She claims that Butala "promotes" (Kamboureli 39) a particular vision with "fervor" (45). In fact, Butala subtitles her book "An Apprenticeship in Nature," figuring herself not as the visionary guide or spiritual pied piper who will lead others into some simple, utopian reunification with a natural paradise³² but as an apprentice, student, or novice. If there is anything one might fault her for in *The Perfection of the Morning* it might be an overly modest sensibility and at times a seemingly excessive scrupulousness about her own lack of previous knowledge and expertise in matters natural and spiritual. Despite this, throughout her article Kamboureli freights Butala's autobiography with grandiose, even megalomaniac, intentions and ambitions:

Rather than celebrate her book as "brave" [as Helen Buss does], it would be more pertinent to wonder aloud whether the terms in which Butala's project intends to curtail, if not transform, the emerging world order of globalism are at all feasible, or just a mere re-dressing of "the local/global figure," which, as Paul Bové, among others, has argued, "is in some ways a figure of neocolonial struggle.

... This may account for the anti-intellectualism that marks Butala's text, a point I will return to below, but also begs the question as to what master narratives she seeks to unravel by relocating from the city to a rural area. That this movement is validated by the appearance of supernatural signs, by her promulgation of conceptual and mystical distinctions she offers as alternatives to what troubles urban subjectivities today, would imply that her project is intent, at least in part, on reversing the course of modernity. ... The progress that her "dream" promises is not tantamount to creating an alternative course of human development (41).

To suggest that with a single book the author "intends to curtail, if not transform, the emerging world order of globalism"; that her marriage and concomitant move to the country is motivated by a desire to "unravel" master narratives from some rural bunker; that Butala includes three or four significant dreams and her interpretation of them to validate her move to the country when in fact her interpretations more often point to her uncertainties, fears, and initial spiritual ennui in her new home; that her agenda in writing her autobiography is to provide a kind of chicken soup for the urban soul is both a striking misreading of the text and the author and a hyperbolic faith in the power of one book to transform the world.

Another of Kamboureli's fundamental premises is that what she calls the "localism" of *The Perfection of the Morning* marks it as allied with the regionalism of the 1970s in Canada. She writes,

Since that movement has ceased to be the determining force behind the recognition of western authors in the last fifteen years or so, the fact that her narrative is firmly located in one particular area, 'the extreme southwest corner of Saskatchewan, just north of the Montana border,' would suggest an instance of residual regionalism" (38).

She claims that the book has emerged from a movement that is passé — superseded by post-structuralism, most specifically deconstruction, and globalist critique. I myself would argue that rather than scrapping that work it is high time for a thorough reconsideration and critical, theoretical update of the regionalism of the late 1960s and 1970s. However, I differ with Kamboureli's unquestioned assumption about the teleological completion of history and literary criticism. In the first instance, while the regionalism of those two decades has indeed served its term as a vibrant critical paradigm and needs extensive retooling in the light of subsequent theories, including feminist theory, identity theories, post-structuralism, and

ecocriticism among others, I question the underpinnings of a belief that regionalism is a *fait accompli* while deconstruction is still living on, given that, interestingly, both movements commenced at approximately the same time in the late 1960s. Of course, it could be said that deconstruction is a globalist project and, tautologically, that Canadian regionalist criticism or even North American regionalism is, well, merely regional.³³ Perhaps it is simply that deconstruction is more heavily invested in globalization (and vice versa), and as a result there is more hay to be made through investment in it than in regionalism and local knowledge.³⁴

As one works through Kamboureli's argument and experiences the full measure of her umbrage at Butala's brief passage about her personal reasons for leaving her low-paid, exploitative sessional appointment at a university to go and live with her new husband, whose ranch is not within commuting distance of the University of Saskatchewan,³⁵ one begins to feel that some of Kamboureli's discontent with Butala is also of a personal nature. On page 1 of her narrative, Butala writes that she experienced a great deal of suspicion and misunderstanding about leaving the university for a country life. She writes,

Such is the prestige of a university job, the sense of those who make a life there as being the anointed, that my fellow graduate students and lecturers must have found my abdication from it very hard to understand" (*Perfection* 1).

While the choice of the word "anointed" may rankle for seeming to erase all those years of hard work and living below the poverty line that often go hand in hand with acquiring a doctorate, nevertheless Butala's friends and former colleagues at the University of Saskatchewan are far from alone in their sentiments about the prestige of the ivory tower. Although Kamboureli has already assumed an unequivocally elitist stance in pointing out her suspicions about the literary tastes of those readers who made the book a bestseller, nevertheless she bristles at Butala's statement that her friends and university colleagues believed that university positions are privileged ones. She glosses over the many significant differences between sessional and tenure-track or tenured positions at universities: "Many academics, be they regular or sessional faculty or teaching assistants, would certainly empathize with the frustrations she outlines" (Kamboureli 47). Without consideration of those differences and without in her turn considering the privileges of a university professor, especially relative to those of a rancher/writer who lived the first few years of her new life on the ranch without indoor plumbing (*Perfection* 54), Kamboureli counters what she views as Butala's assault on the academy by chastising her for her privileged life as a rancher (without substantiation as to the average annual

income of ranchers, acreage figures, number of cattle sold in a given year, or the like).³⁶ In any event, Kamboureli devotes much more space in her 21-page article to taking Butala to task for her views about the university than Butala herself devotes to the topic in her 221-page book. Kamboureli's urban, academic suspicion of what she perceives to be a rural woman writer's dangerous naiveté in writing within an aesthetic purported to be outdated, failure to deconstruct binary oppositions, and failure to keep up with the latest books about the university as institution is the obverse of her own corresponding faith in the necessity, power, authority, and efficacy of deconstruction, the university, and globalism.³⁷ For her, the rural is an *a priori* literary, historical, epistemological, and theoretical backwater.³⁸

Even while mounting such a strenuous case against *The Perfection of the Morning* as to in effect discredit Butala as a writer and intellectual, Kamboureli, like Lousley, goes even further and accuses her of the serious charge of cultural appropriation. To me, the difference between attempting to squelch a text and silence an author and voice appropriation is a subtle one. Here is one of Kamboureli's accusatory passages:

Instead, though she decidedly follows an itinerary which reverses modernity's progress by taking her back to a "primal" state of being, recurring statements like "This land makes Crees of us all" demonstrate Butala's intention to extract from them a universal natural law which at once annuls the Crees' specificity and discloses the complicity of her project with modernity, and colonialism as its civilizing mission (41–42).

There is simply no question that making a statement like "This land makes Crees of us all" could fairly be construed as problematical. However, in her very next sentence Butala explains what she meant by this spontaneous utterance to a friend, an explanation that is not taken up by either Lousley or Kamboureli. Butala describes going for a walk on the ranch with a visiting friend, rambling together wherever the land suggested itself to them:

In this is [*sic*] semiarid country where rain is rare and precious, walking in it is exhilarating, imbued even with a touch of magic. . . . I thought, then said, "This land makes Crees of us all." By this, I meant that it appeared to me that the Crees, for example, developed the culture they developed because it was the best fit between themselves and the land. And it was the *land* that taught them that. They adapted to the land, and not the other way around as we Europeans so stupidly did, trying to force this arid western land to be, as government propaganda had for seventy-five years and more put it, "the breadbasket of the world" (99–100).

Like Lousley, Kamboureli extracts a single sentence from its immediate context and uses it as a bludgeon.

In his article “The Terrible Truth about ‘Appropriation of Voice’” (2002) on the often unexamined complexities of the politics surrounding the issue of appropriation, Stephen Henighan concisely flags many of the issues pertinent to both the Lousley and Kamboureli articles. He writes:

Broadcasting concern for minority issues to the point of promising sanctions against “appropriators,” while actually diverting attention from their own positions of authority, established cultural figures have found in “appropriation of voice” the ideal mechanism of co-optation. . . . “Appropriation of voice” depends for its legitimacy on the assumption that there exists an undiluted, “authentic” core to each culture, reflected in its traditional art. Yet most of this century’s literary criticism, from Bakhtinian polyglossia to New Criticism to Derridean deconstructionism to Cixous’s efforts to “write the body” to Bloom’s descriptions of the “anxiety of influence” to Marxist and Lacanian approaches, has developed, in different ways, from the notion that literary language is a hybrid, impure conglomeration of coded assumptions and shadows of half-absorbed past systems of writing. One of the most bizarre spectacles induced by the “appropriation of voice” carnival has been the sight of trendy fellow-travellers of literary fashion simultaneously proclaiming their allegiance to the mutually exclusive assumptions of contemporary literary theory and “appropriation of voice” (65–67).

The risks of silencing minority writers are a genuine danger associated with voice appropriation. However, if the strict sanctions delineated in Lousley’s and Kamboureli’s arguments were imposed, they would largely foreclose on the possibility that anyone other than a First Nations person, including minority writers, could ever be or become at home here in Canada or North America.³⁹ In their terms, any implication that living for decades or even generations in a locale might lead to a non-aboriginal person’s becoming intimate with the plants, animals, climate, terrain, and people of that place may only be met with disdain and censure. Perhaps it is because, even in the face of the agricultural crisis, rural people have in some ways the best chance of becoming attached to the land and adopting and adapting cultural practices and philosophies closer to those of First Nations people than their urban counterparts that many rural writers experience either neglect or harsh treatment on the part of a professoriate almost overwhelmingly urban and urban-based. I do not know. In any case, it would not seem productive of future understanding and genuinely healthy

relations between First Nations and the rest of Canadians to forbid any and all development of knowledge of and intimacy with place and the natural world.⁴⁰

Kamboureli not only levels the charge of appropriationism against Butala, a serious, potent, and potentially career-, reputation- and income-damaging charge against which it is very difficult to defend oneself once it has been made in a public forum, but over the course of her article she also accuses Butala of an astonishing number of other “isms.” Including appropriationism, I count at least twenty-two: regionalism (38), fundamentalism (39), personalism (39), voluntarism (40), anti-Modernism (41), pro-Modernism (54), anti-globalism (41), anti-rationalism and anti-intellectualism (41 and throughout), reductionism (45), mysticism (51), visionaryism (39), ethnographism (53–54), ignoring or failing at deconstructionism (throughout), pedagogicalism (44), romanticism (46), individualism (52), localism (52+), ideological adventurism (42, 53), detailism (53), and having a Christopher Columbus complex (i.e., neo-colonialism) (54).⁴¹ While Kamboureli may very well have no good reason whatsoever to appreciate the merits of *The Perfection of the Morning*, the sheer vindictiveness of her attack upon its author is cause for serious concern.

Kamboureli’s derision builds to a climax near the end of her article where she goes so far as to mock Butala’s knowledge of her own locality. Earlier in the article, she criticizes her, as a newcomer to the Eastend/Cypress Hills area, for carrying a notebook and gathering information and knowledge about her new surroundings. While remarking that through walking, concentration, and careful observation “Butala constructs an astounding archive of local detail” that offers a “faithful record of the phenomenal world in the midst of which she lives” (52), nevertheless Kamboureli concludes that the collection of these details is “not meant so much to engage with that landscape in its own terms, but rather to facilitate Butala’s release from the immediacy of that locality, to open the road, as it were, toward the grand abstractions of Nature and Self” (52–53).⁴² The not uncommon writerly practice of keeping a notebook incurs at least three charges: localism, detailism, and ethnographism.⁴³ Ironically, Kamboureli blames “globalism-as-neocolonialism” on “localists” like Butala. She writes,

Perhaps the popular success of *The Perfection* ... is an example of the phenomenon that, as a number of intellectuals have observed, it is a certain kind of localists that prevail over globalization arguments today (55).⁴⁴

Once she has dismissed both the details themselves and Butala's right to make larger observations about nature, landscape, and sense of place, Kambourelis concludes that "it is a good thing, then, at least according to this reader, that Butala's locality is just a dream" (Kambourelis 56). Both by implication and by overt claim, Kambourelis elevates her own views, as a professor of English and a literary critic, on the farm and ranch crises of Saskatchewan and the rest of Canada to a status superior to those of a rancher.⁴⁵ She writes,

The problem with her project lies not so much in that she has no "clear vision" of how we should go about it, but in the fundamental inability of her vision to perceive that a return to the land, let alone to Nature, that is not accompanied by a radical questioning of 'the foundation of our nation' will only further solidify what is wrong with this nation's foundation in the first place (55).

She ridicules Butala's tentative suggestion of a guaranteed annual salary for small farmers in order to preserve Canada's food production and keep some of the struggling rural communities alive in western Canada, calling it a "welfare system introduced and managed by the state" (55) that "could materialize only through docile subjects or through subjects that would have to be disciplined" (56).⁴⁶

The flipside of examining, as Kambourelis purports to do but does not, the reasons for the popularity of *The Perfection of the Morning* would be to question why this particular text brings out such animosity and intolerance in these two women academics who have heavily allied themselves with so-called "international" theorists, theorists whose work is widely believed to transcend their own regional and national boundaries. Why does this text unsettle them? I cannot entirely answer that question here.⁴⁷ However, in the course of unravelling just some of the points raised by these two fraught articles, I have been drawn to the observation that one of the things *The Perfection of the Morning* upsets is the traditional division separating European and First Nations views of the natural world. Though the words that ostensibly make Lousley and Kambourelis see red are the ones like "Nature" that appear in capital letters in the book, an easy target for charges of essentialism,⁴⁸ it is at root, I think, the slightest blurring of First Nations and European world views in some rural people's perspectives that truly exercises them. SueEllen Campbell observes that one of the critical tactics shared in common between post-structuralism and deep ecology is "to question the concepts on which the old hierarchies are built" (128). Some nature writing also questions the same hierarchies, among the most cherished of which are urban versus rural and European versus First Nations. Cultures often live on, surviving individuals' uprooting and

transplantation between continents and between rural and urban, surviving even “conquest,” and what is often forgotten, perhaps because of that very resilience and tenacity, is that what constitutes the distinctive cultures of many groups are the languages, beliefs, and practices that emerged during the time when groups were relatively small, connected to and dependent upon the land; that is, when they were nomadic or rural. Culture is, at root and in many important respects, ecologically based. Though there may be exceptions, First Nations’ cultures are not among them. Place or geographical location is the missing supplement that lurks within and, unacknowledged and untheorized, confounds the arguments of both Lousley and Kamboureli. Place — physical location, the lived world — is the supplement in the Derridean sense of “an inessential extra, added to something complete in itself, but the supplement is added in order to complete, to compensate for a lack in what was supposed to be complete in itself” (Culler 103), to what is supposed by Lousley, Kamboureli, and others to be already complete in identity politics.

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In their 1997 essay “Firing the Regional Can(n)on: Liberal Pluralism, Social Agency, and David Adams Richards’s *Miramichi Trilogy*,” Christopher Armstrong and Herb Wyile write that during the past few decades of critique along race, class, and gender lines, “the politics of spatial divisions and cultural differences within nations . . . has received less emphasis, even in a country as preoccupied with geography and space as Canada, but the situation is starting to change” (1).⁴⁹ While the point of the extremely valuable work in the field of “the politics of location” has been to assert and analyze differences that had previously been ignored, suppressed, or repressed, and the notion that people who live within a given district or region may have things in common was, in many cases, rightly suspect for its potential and actual investment in the hegemony of liberal or even conservative humanism and neo-colonialism, the time has come when the variable of place can play a role in supplementing and further developing notions of agency and solidarity within and among differences, and when “the politics of location” may be and, as I have argued here, must be opened up to include geographical coordinates. The literature and politics of immigration and displacement is the literature of entering the new country, the new landscape. Contemporary immigrant literature is the new literature of settlement. It is, to put it another way, the “pioneer” or “sodbuster” literature of the urban milieu.⁵⁰ A number of critics today seem to feel that, in order to advocate on behalf of First Nations or immigrant literature or to undo the effects of marginalization, they must first clear the

land of the literature of the rural — both the older wave of sodbuster literature from the forties through the seventies and any recent literature that is also agriculturally rooted or rurally based. This kind of thinking presupposes that if someone immigrates to Canada and chooses to live in a city, he or she is not a settler. That only people who ranch, farm, or live in small-town nursing homes are or were settlers; that city dwellers and city life are diverse, while country dwellers and rural places are all the same.

However, like the geography itself, the field of Canadian literature is large and commodious and can contain multitudes, especially if one includes rather than excludes readers from outside the universities, those not confined to the narrowness of the canon and the limitations of the thirteen- or even the twenty-six-week syllabus. That is, there is room within Canadian literature not only for the literature of dis-placement but also for that of coming to terms with and acceptance of place, geography, landscape, nature, the local and regional, including the urban environment. While the language of inclusiveness I use in this paragraph could be easily assailed as nothing but liberalism, alternatively to posit an economy of scarcity — that there is no need and no room for literature from the rural parts of Canada — where there is none, and to castigate individual writers on this basis is at least equally problematic. Moreover, what I advocate is not mere inclusiveness but the pressing need to incorporate into our thinking and critical practices some recognition of the environmental conditions and crises we all face, urban and rural alike, and the many diverse places we inhabit. As ecocritic Harold Fromm reminds us, “A thought may have no weight and take up no space, but it exists as part of a stream of consciousness that is made possible by food, air, and water” (38).

Whether as an academic discourse regionalism is or is not a dead horse and whether thinking about rural places and rural literature can *only* be carried out within that discourse and no other are worthy topics for debate. However, whether the apparent death of regionalism also means that prairie writers like Sharon Butala should stop writing about rural places or be involuntarily silenced through neglect, censure, or lack of adequate critical tools and local knowledge, and whether rural people deserve as much respect as city people are questions I hope to have resolved here. What we need is a politics of location and a revisioning of literary criticism that can include rather than exclude a place to “set ‘er down.”

Notes

- * A first draft of this paper was presented in the Sonora Desert at the 2002 Western Literature Association Conference in Tucson, Arizona. I wish to thank Christine Wiesenthal for reading and commenting on the penultimate draft of the full

version of this paper and Fred Stenson for talking over with me several of the ideas presented here.

1. In addition to the Lousley and Kambourelis articles that I closely analyze in this article, see also Alan Hepburn's "Urban Kink: Canadian Fiction Shakes Off Its Rural Roots."
2. Of course, critical preoccupation with the human drama portrayed in literature and inattention to the more-than-human world simultaneously represented are by no means a phenomenon unique to Canada.
3. I myself research and publish in the fields of identity politics, post-structuralism, and ecocriticism.
4. William Cronon writes that "as late as the eighteenth century, the most common usage of the word 'wilderness' in the English language referred to landscapes that generally carried adjectives far different from the ones they attract today. To be a wilderness then was to be 'deserted,' 'savage,' 'desolate,' 'barren' — in short, a 'waste,' the word's nearest synonym" (70).
5. "Albeit the fact that surface temperatures on the dunes may reach 55 degrees Celcius [*sic*] it is not a desert, receiving twice the rainfall of a true desert. The sands are not the result of dry conditions however, but are the remaining open area of the ancient 400 square kilometer delta from 12,000 years ago, when the Assiniboine river flowed into glacial lake Agassiz" (http://www.trailpaq.ca/english/01_find_e/01_details_e.cfm?TrailID=3406).
6. This flowering of criticism was fertilized to a significant degree by the nationalist sentiments and granting programs surrounding Canada's 1967 Centennial celebrations.
7. This is in direct contrast to the critical tradition in the western United States where aridity is taken to be, in Stegner's terms, the defining feature of the West (60).
8. In some senses, the rural parts of the country are getting "newer" or at least less familiar to us all the time with the ongoing shift of population from rural to urban and little-to-no movement in the other direction.
9. Conversation with Fred Stenson, August 2005.
10. Many articles and book chapters have been published on Ross's 1941 novel. I refer the reader to the relevant webpage of the Canadian Literature Archive at http://www.umanitoba.ca/canlit/bibliographies/sinclair_ross.shtml.
11. See the Canadian Literature Archive at http://www.umanitoba.ca/canlit/bibliographies/robert_kroetsch.shtml for a list of critical sources pertaining to Robert Kroetsch's work. See also the four chapters on his poetry in my book *Body Inc.: A Theory of Translation Poetics*.
12. One exception is Laurie Ricou's roundup review of a number of books, "Other Edens," in which he refers to *Green Grass, Running Water* as "Canada's finest dam novel" and notes its connection with the Oldman River Dam (n.p.). Another is the published version of Cheryl Lousley's article on the book which, by chance, came to me to vet for publication. I added to my reader's report notes about the Oldman River Dam, the Piegan Lonefighters, and Milton Born With a Tooth, and urged the then-anonymous author to use those leads to research the novel's setting in southern Alberta.
13. The Alberta government changed the name from the Three Rivers Dam to the Oldman River Dam to make the project appear less comprehensive and therefore less controversial.
14. Generally speaking, historically Canadian literary criticism has not really dealt with creative non-fiction.

15. Writers such as Kroetsch and Butala and critics such as Ricou, Harrison, and Thacker consider Stegner's work important to the western Canadian literary tradition. In addition to viewing him as an influential literary predecessor, Butala was also very instrumental in having the Stegner house in Eastend, Saskatchewan, restored and converted to a writers' and artists' retreat.
16. I discuss Marty's creative non-fiction along with that of Don Gayton and Sharon Butala and the novel *Icefields* by Thomas Wharton in my article "The Land Writes Back: Notes on Four Western Canadian Writers."
17. A year ago there were just three scholarly articles on Butala's work. Three more have been published and added in the past year, although two of those, as I argue in this paper, are extremely problematic.
18. In her article Lousley compares Butala's non-fiction book *The Perfection of the Morning* to Brandt's essay "this land that i love this wide, wide prairie" and Kogawa's novel *Obasan*.
19. Cheryl Lousley published her article in the United States, and Smaro Kamboureli published hers in the Canary Islands, Spain.
20. Moreover, the section of *The Perfection of the Morning* Lousley is discussing at this point in her argument is about the time before Butala had begun to write, the period when she was engaged in the painful process of trying to find a suitable role and identity within her new family and new community and moving from being a visual artist to a writer. It ought to go without saying that the book is not about the time following the publication of *The Perfection of the Morning*, which garnered Butala national attention for the first time in her career and a much wider audience than she had enjoyed for her first several books.
21. Lousley's article is on three writers, not just Butala, so it may be understandable that she did not delve any further into Butala's work than she does. She lists only *The Perfection of the Morning* and *Luna* in her works cited. Nevertheless, it is irresponsible to level such broad charges unless one has done the necessary research.
22. The sheer number of times Lousley makes a claim and then attempts to support it with textual evidence which, in my reading, directly contradicts it is uncanny.
23. I realize that Lousley's quarrel with this passage is with the word "true," but the reduction of criticism to quibbles over single words, sentences taken out of context, and the use of a simple capital letter (the N of Nature, the S of Self), especially when coupled with rank condemnation, demeans its very function.
24. In addition to Butala's novels, short stories, and non-fiction, see also her essay "Field of Broken Dreams" and the interview by Allan Casey listed in my references. See also Krista Foss's account of how the Butalas donated one-third of their land and sold the rest to the Nature Conservancy of Canada. Together with the Butalas, the Nature Conservancy has turned the natural grass prairie of the former ranch into a buffalo commons. I believe that there has also been a release of swift foxes, a nearly extinct species, on the Old Man On His Back Prairie and Heritage Conservation Area, as it is now called.
25. Lousley characterizes Butala as having lived "on her husband's ranch ... for almost twenty years" (76). While the ranch was in Peter's hands before he married Sharon, I find this anti-feminist wording regarding marital property surprising. Moreover, Lousley's claim that Butala's walks betray her privilege confuses me. It is not clear, for example, whether a long walk in the city (whether for recreational purposes or to catch the subway train) would be acceptable behaviour. Presumably, if Butala went to an urban gym to work out or do yoga before 9:00 a.m. or after 5:00 p.m., her exercise and meditation would be more

- acceptable than walking on her own land. Interestingly, Smaro Kamboureli also objects to Butala's walks, though Lousley sees walking in nature writing in general as a humanist activity (Lousley 77) whereas Kamboureli finds fault with it because the walks partake of the "romanticism of detail" and valorize "the minute, the partial, and the marginal" (Kamboureli 53).
26. Compare Richard Lewontin's attack on Vandana Shiva as summarized by Berry in "The Prejudice Against Country People." Lewontin, Berry writes, criticizes Shiva for being under the influence of and appealing to "a false nostalgia for an idyllic life never experienced." Berry observes that industrial capitalists and their allies typically deploy this same anti-rural rhetoric. It is noteworthy that Lousley uses the same phrase "idyllic life" to find fault with Butala.
 27. It would be worth interrogating the assumption that it is acceptable to earn a good income from theory but not from agriculture.
 28. Labelling Butala's creative non-fiction text a "bestseller" biases her argument in advance. While the book has sold well in Canada, lumping this literary text as a "bestseller" (in with formula romances and other genre fiction) is deliberately misleading.
 29. Since the Enlightenment is associated with cultural changes that took place in Europe during the seventeenth and eighteenth centuries, Kamboureli's charge that Butala's work would cast us all back into the pre-Enlightenment is astounding. Moreover, if such a feat were possible, the book would take us back to a time prior to European settlement in Canada.
 30. If I may be permitted a short personal note, I would confess that although I have read and taught this book several times, not once did it occur to me to drop my urban lifestyle and move to the country to raise cattle. While this book has had an important influence on my own life and critical thought, and did help me to clarify my longing and strengthen my resolve to relocate geographically, I did not move to a farm, ranch, rural village, or commune but rather from a small city to one of a million inhabitants.
 31. The pagination is different in the two editions. I have used the hardcover edition of the text.
 32. It is worth reiterating at this point that Butala begins her book with a brief history of the Palliser Triangle in which her ranch is located, its semi-desert aridity and *non-paradisiacal* climate.
 33. I would question whether literary works are or ever were regional. To what exactly does the term "regional" apply: texts, author intentionality, or critical apparatus? Are literary works regional in their intention or in composition, or are they only regional once placed under the lens of the critical microscope? What dictates that a novel by a writer based in Toronto is of national and even international significance whereas one published by a writer based in, say, Medicine Hat, Saskatoon, or Edmonton is a regional text? What makes Armin Wiebe's novel *The Salvation of Yasch Siemens*, about a hired man in southern Manitoba, any more "regional" than Michael Ondaatje's novel about the builders of the Toronto waterworks *In the Skin of a Lion*? Authorial ambition? Authorial address (the geographical kind)? The larger population of Toronto as compared to that of Winnipeg? These are large issues, some of which I have addressed elsewhere. Stephen Henighan has also taken on the politics of literary reception in his provocative book *When Words Deny the World*.
 34. Obviously, I am not opposed to deconstruction: the present article could be described as a deconstruction of the articles of Lousley and Kamboureli.

- Nevertheless, there are risks in a totalizing application of this theory as with any other.
35. The Butala ranch is 280 miles (450 kilometres) from Saskatoon (email from Sharon Butala, 8 July 2003).
 36. It is possible that everyone except me knows for a fact that Sharon Butala is very wealthy. I confess I am arguing in ignorance as to her personal annual income. I do know that the word “ranch” may refer to a wide spectrum of cattle operations from something one step up from a ranchette to a massive spread like that on the old television series *Dallas*. I suspect the Butala ranch was somewhere in between those two extremes. However, even if the Butalas were prosperous ranchers, in order to be fair one would have to attack her for her ranch income rather than for her writing. It is highly unusual to see a writer attacked in print on the basis of her or his livelihood.
 37. Kamboureli is far from alone in subscribing to the view that deconstruction can only happen at universities, although as an operation of logic I would contend that it can happen anywhere at any time.
 38. See Eric Zencey on “The Rootless Professors” and the work of Stan Rowe, Wendell Berry, David W. Orr, Wes Jackson, and others on the relationship between the rural and the university.
 39. I would distinguish between being and becoming native to a place. For an informed overview of the ironies surrounding the question as to who is and is not an Indian, see chapter 5 of Thomas King’s *The Truth About Stories*.
 40. It would also seem pointless to worry about appropriation issues around First Nations’ storytelling and other artistic and cultural productions if non-aboriginal Canadians are prohibited from learning from them, if aboriginal literature and other artistic productions and performances are nothing more than an occasion for the rest of us to show off our newly-acquired listening skills and manners. Moreover, I am not sure that the kind of respect First Nations artists and cultural workers want and deserve is the kind that must be withdrawn from some other group (for example, rural Canadians) in order to be bestowed upon them. That seems more like investment than respect.
 41. Kamboureli forces her reader to question why a writer who can trace her ancestry back several generations to the Acadians is any more or less susceptible to the Columbus complex than those of us who are more recent immigrants.
 42. Given that the capitalization of terms like these is a fraught and hotly debated issue in the academy, the capitalization of the first letter of “Nature” in Butala’s text is, I think, partially responsible for the charges of essentialism levelled against her work.
 43. Aside from the fact that it is not unusual for a writer to record images, impressions, and ideas in a notebook, taking notes is a practice endorsed by First Nations and minority writers who are strongly opposed to cultural appropriation. Many writers from outside the mainstream have declared that the way to avoid voice and cultural appropriation is to do your research, consult with the people directly involved, deal in specifics not generalities, and know exactly of what you speak. Note-taking would seem to augment, not hinder, this process.
 44. In his essay “Writer and Region,” Wendell Berry suggests the opposite, that in the national or the global point of view “one does not pay attention to anything in particular” (81).
 45. Although Kamboureli concedes in her very last footnote on the final page of her article that, even as she herself is writing, farmers in Saskatchewan are organizing mass demonstrations to publicize the cycles of economic disasters they have been

facing over the past few years, she makes no mention in the rest of her article of aridity, drought, BSE, or economic problems in the west, choosing instead to accuse Sharon Butala of “localism” on one hand and of lacking local knowledge on the other.

46. Reading this startling conclusion reminded me, for all intents and purposes, of university teaching positions in Canada, where universities are largely state-supported institutions: a more-or-less guaranteed annual salary paid by the state to a subject who has been disciplined at various post-secondary institutions for producing and preserving in the classroom and on paper “food for thought.”
47. I would refer the reader, though, to Wendell Berry’s excellent essay “The Prejudice Against Country People,” which is widely available on the Internet.
48. Kamboureli writes, “Her capitalization of Nature and Self ... can only indicate that behind the particularity of personal truths there lies an essential reality” (43).
49. Things have begun to change. In 1998 the journal *Studies in Canadian Literature* published a special issue called “Writing Canadian Space”, in 2000 *Essays on Canadian Writing* did a special issue called “Where is Here Now?” and a 2001 issue of *Canadian Literature* was devoted to nature writing and ecocriticism. Newer voices such as those of Herb Wyile, Lisa Chalykoff, and David M. Jordan are beginning to rethink regionalism, and familiar voices such as those of W.H. New and Arnold Davidson have also reconsidered these matters. See W.H. New’s *Land Sliding: Imagining Space, Presence, and Power in Canadian Writing* and Dallas Harrison’s remarkable essay “Where is (the) Horizon? Placing As for Me and My House” in which he sets out to discover on which Saskatchewan town Ross may have based the fictional town of Horizon. There is also a growing interest in Canadian universities in environmental literature and ecocriticism. See the Association for Literature, the Environment and Culture in Canada at <http://www.alecc.ca>.
50. Perhaps I should call it “pavement pounder” literature to acknowledge the urban setting of most of this literature and to avoid assimilating it to the hegemony of the previous literary tradition that was almost completely dominated by Euro-Canadians.

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Accordingly, the Editorial Board welcomes manuscripts on any topic in the study of Canada. As in the past, all submissions must undergo peer review. Final decisions regarding publication are made by the Editorial Board. Often, accepted articles need to undergo some revision. The IJCS undertakes that upon receiving a satisfactorily revised version of a submission that it has accepted for publication, it will make every effort to ensure that the article appears in the next regular issue of the Journal.

Please forward paper and abstract (one hundred words) to the IJCS at the following address: 250 City Centre Avenue, S-303, Ottawa, Ontario K1R 6K7. Fax: (613) 789-7830; e-mail: gleclair@iccs-ciec.ca.

REVUE INTERNATIONALE D'ÉTUDES CANADIENNES

Soumission d'articles hors-thèmes

La Revue internationale d'études canadiennes a adopté une politique visant à modifier quelque peu son format. En effet, la Revue continuera à offrir une série d'articles portant sur un thème retenu, mais dorénavant elle publiera aussi des articles hors-thèmes.

Le Comité de rédaction examinera donc toute soumission qui porte sur un sujet relié aux études canadiennes indépendamment du thème retenu. Bien entendu comme toute soumission, celle-ci fera l'objet d'une évaluation par pairs. La décision finale concernant la publication d'un texte est rendue par le Comité de rédaction. Une décision d'accepter de publier un texte est souvent accompagnée d'une demande de révision. Une fois qu'elle aura reçu une version révisée qu'elle jugera acceptable, la Revue essaiera, dans la mesure du possible, d'inclure cet article dans le numéro suivant la date d'acceptation finale.

S.v.p. faire parvenir votre texte et un résumé (100 mots maximum) au Secrétariat de la RIÉC : 250, avenue City Centre, bureau 303, Ottawa, Canada, K1R 6K7. Téléc. : (613) 789-7830; courriel : gleclair@iccs-ciec.ca.

Call for Papers

Emerging Powers, Emerging Possibilities for Canada
(Volume 37, 2008.1)

The burgeoning economic growth of China and India is perhaps the most significant manifestation of a new global distribution of power. These “arriviste powers” and perhaps others such as Brazil, Mexico, Indonesia, and South Korea, are unsettling the old binary categories of East and West, North and South, developed and developing. While the United States remains unrivalled in such realms as military prowess, in economic, scientific, and technological terms, it is becoming less dominant in overall global terms. Within the ‘west’, an expanded European Union has emerged as a distinctive power centre. What do these major power shifts between countries and regions signify for Canada? While Canada’s next-door relationship with the United States will continue to be enormously important for Canada’s trade and international policies, the movement of the global system from uni- to multi-polarity suggests the need of Canada to develop international strategies so as not to risk being left marginalized.

How has Canada adapted to the Asia-driven shift in the global balance of power and shifts in power within Asia (e.g. the economic ascendance of China and relative decline of Japan)? To what extent has Canada seen its own global weight diminished relative to emerging powers – not only in GNP terms, but also politically, militarily, and so on? To what extent can we chart Canada’s new diplomatic realities in the context of the United States struggling to retain its own power share in global terms, and to face challenges to its legitimacy and that of its current leadership? Finally, how has the imaginary of Canada and its place in the global system shifted in the world of arts and literature because of these changed global realities?

Kindly submit your paper (20-30 pages), along with an abstract of 100 words or less, by **August 31, 2007** to the IJCS, 250 City Centre, S-303, Ottawa, Ontario, K1R 6K7, Canada. Tel.: (613) 789-7834. Fax: [1] (613) 789-7830. E-mail: gleclair@iccs-ciec.ca.

Appel de textes

*Puissances émergentes, nouveaux potentiels pour le Canada
(Volume 37, 2008.1)*

La croissance économique fulgurante de la Chine et de l'Inde est peut-être la manifestation la plus importante d'une nouvelle répartition internationale du pouvoir. Ces « nouvelles puissances » et peut-être d'autres, comme le Brésil, le Mexique, l'Indonésie et la Corée du Sud, modifient les anciennes dichotomies de l'Est et de l'Ouest, du Nord et du Sud ainsi que des pays développés et des pays en développement. Les États-Unis demeurent sans égal dans les domaines militaire, économique, scientifique et technologique, mais ils dominent de moins en moins à l'échelle mondiale. En Occident, l'Union européenne élargie est devenue un centre de pouvoir distinct. Que signifie pour le Canada cette évolution du rapport des forces entre les pays et les régions? Même si les relations du Canada avec son voisin, les États-Unis, continueront de revêtir beaucoup d'importance pour le commerce et les politiques internationales du Canada, le passage de l'unipolarité à la multipolarité du système mondial donne à penser que le Canada doit élaborer des stratégies internationales pour éviter d'être marginalisé. Comment le Canada s'est-il adapté à la modification de l'équilibre des forces imprimée par l'Asie et à la variation des pouvoirs en Asie (p. ex. l'ascendant économique de la Chine et le déclin relatif du Japon)?

Dans quelle mesure le Canada a-t-il vu son propre poids international diminué par rapport à celui des puissances émergentes – non seulement sur le plan du PIB, mais aussi sur les plans politique, militaire, etc.? Dans quelle mesure le Canada peut-il faire face aux nouvelles réalités diplomatiques dans un contexte où les États-Unis s'efforcent de conserver leur propre part du pouvoir à l'échelle mondiale et de relever les défis que posent leur légitimité et celle de leurs dirigeants actuels? Enfin, comment l'imaginaire du Canada et de sa place dans le système mondial a-t-il évolué dans le domaine des arts et de la littérature en raison de ces nouvelles réalités internationales?

La RIÉC vous invite à soumettre un texte (20 à 30 pages) ainsi qu'un résumé (maximum 100 mots) d'ici le **31 août 2007** au secrétariat de la Revue internationale d'études canadiennes, 250, rue City Centre, S-303, Ottawa, Ontario, K1R 6K7, Canada. Tél. : (613) 789-7834; télécopieur : (613) 789-7830; courriel : gleclair@iccs-ciec.ca.



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