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In the Parliament

Parliament Reconvened on January 29



The 44th Parliament (November 22, 2021 -- Present) reconvened its First Session on January 29. The Liberal Party continues to preside over a minority parliament, supported by the NDP through a Supply and Confidence agreement which it claims "holds the feet of the Liberals 'to the fire.'" While the agreement could keep the Liberals in power until the next fixed election date in October 2025, nothing is certain because of the factional fighting between the cartel parties which form the governing party and what is called the Loyal Opposition.

Put together, the factional fighting, competition, accusations and counter-accusations among the cartel parties continue to dominate the airwaves to divert attention away from the government's pay-the-

rich schemes, corruption and attempts to change laws to concentrate more and more power in the executive. These are prerogative powers, powers at the discretion of the Prime Minister and other Ministers which claim they are lawful because they have passed laws to remove any limitations on these prerogative, police powers. In fact, these powers to make policy -- hence the term police powers, have been usurped by the oligopolies which have been permitted to occupy the decision-making positions as concerns the main portfolios of the economy, foreign affairs and all matters related to war and peace, crime and punishment.

All of it shows the extent to which the neo-liberal anti-social offensive has also taken its toll on the political institutions themselves. Decades upon decades of refusal on the part of ruling elites to renovate the political and electoral process has brought us to this point at which former methods that the ruling elite could deploy to turn public opinion into a social factor are not functioning.

Parliament is what it is -- a facade to cover up where decisions are being made. Rule by decree through Cabinet regulatory powers and orders-in-council and various government agencies whose constituencies are comprised of corporate lobbyists has become the norm. Parliament has lost credibility, legitimacy and trust as it can no longer claim to be governing with the consent of the people; it is broadly and accurately perceived as working for private interests and not the public good. It has lost any capacity to serve as a focal point for the people.

Canada pretends to be in conformity with international rule of law and conventions, long since incorporated into Canadian law, but the self-serving interpretations of the cartel parties which form the government and sit in the opposition benches set the stage for a sitting of Parliament that further deepens the crisis of legitimacy of the democracy, the democratic institutions and the direction they set for the country. It also further intensifies the conviction amongst the people that they are not represented by Members of Parliament nor by the institutions of governance which are self-serving and more and more act in the interests of, and under direction of, the U.S. administration and Pentagon.

None of the serious political, social and economic problems making life impossible for more and more people are on the agenda. Nor is the question of how Canada can be a force for peace in a world in which the U.S. and its allies threaten to destroy entire peoples on every continent. Many decisions announced in the fall and government actions on international affairs, including support for the ongoing Israeli slaughter in Gaza and its genocidal war against the Palestinian people, are not even discussed in Parliament. Thousands of Canadians have addressed the government and individual MPs through demonstrations, petitions, letters and phone calls, with hundreds of thousands rallying across the country demanding that Canada uphold its duty under international rule of law, to which it is the signatory of Conventions and Treaties, by calling for a ceasefire and making sure it is enforced. It was not until December 12 that Canada's Ambassador to the UN finally voted in favour of a resolution of the UN General Assembly calling for a ceasefire, but today it continues to defend Israel's "good intentions" every step of the slaughter it carries out.



The personal attacks and factional fighting which reached epic proportions in the final days of the fall session set the tone for more of the same when Parliament reconvened on January 29. The ever-widening gap between the demands of Canadians for a say in matters that affect their lives and the self-serving agenda presented by the cartel parties and the fraud of their "representation" serves to highlight the need for the renewal of the political process and the creation by the people themselves of new arrangements for their empowerment.

Auditor General's Report on Corruption in Work of Canada Border Services Agency

On February 12, Federal Auditor General Karen Hogan released her report on the procurement of what is called the ArriveCan app. The ArriveCan app was used to require travellers to Canada during the pandemic to electronically submit travel information in advance, including vaccination status and COVID-19 test results, names and addresses of who they were visiting, and more. It

greatly increased personal data collection and connections by the government and the private contractors managing the information. It was launched in April 2020 and was mandatory until October 2022 at border crossings and has been optional since then.

Hogan's department carried out an investigation as called for in a motion in the House of Commons on November 2, 2022, following allegations of irregularities in how contracts to develop the app were awarded, as well as concerns about subcontracting and rising costs. At the same time investigations were started by the Canada Border Services Agency (CBSA) and RCMP after complaints about how and to which companies CBSA was awarding contracts were received from a Montreal-based software company that had had dealings with those companies.

The original cost for the ArriveCan app estimated by the CBSA was \$80,000. In her report the Auditor General estimated a total cost of \$59.5 million, higher than the CBSA's estimated final cost of \$54 million. The Auditor General said that she was unable to determine the exact cost because of the CBSA's "poor documentation and weak controls." The report says that 18 per cent of invoices submitted by outside contractors lacked "sufficient supporting documentation" and that the CBSA itself has estimated that \$12.2 million of the cost could have been unrelated to ArriveCan. Hogan told the House Public Accounts Committee that "There could be amounts there that should not be linked to ArriveCan, but there also could be amounts that are linked to ArriveCan that were not flagged in the books."

The use of subcontractors at the start of the process to create and manage the app was deemed reasonable as there was an urgent need to facilitate border crossings in the early stages of the pandemic, but it was expected that the public service would take over which did not happen. The report estimates that the per diem costs for external ArriveCan contractors was \$1,090, while the average daily cost of an equivalent internal position is \$675.

It once again shows that the practice adopted by governments to pay narrow private interests to carry out work which falls in the sphere of the public service is socially irresponsible and corrupt. More importantly, given the corruption all around, there is certainly doubt about how the data collected was shared, or sold or utilized, by contractors and the government. No mention has been made of this central problem of data collection.

The report also flagged that the biggest contractor GC Strategies -- a two-person consulting firm -- was given a sole-source contract in April 2020 despite a lack of evidence that the firm even provided a proposal document for the project, let alone whether it had the ability to carry out what was required. CBC News reports that the Auditor General could not determine which government official made the final decision to select GC Strategies for the April 2020 contract. CBC also reported that GC Strategies was involved in establishing requirements that bidders would have to meet for a subsequent competitive contract worth \$25 million, which was then awarded to GC Strategies itself, an apparent "conflict of interest."

Canada's procurement ombudsman had previously reported that the criteria used in awarding the \$25 million contract were "overly restrictive" and "heavily favoured" GC Strategies. It was also reported that GC Strategies copied and pasted government-listed requirements for subcontractors on numerous occasions when submitting proposals to CBSA officials.

Other examples of corruption, euphemistically called "possible conflicts of interest," include that CBSA officials accepted gifts from certain contractors that were not disclosed to their supervisors. These were not taken up by the auditor general because they are subject to the ongoing investigations by the CBSA and RCMP. CBSA President Erin O'Gorman told the House government operations committee in January that so far the CBSA investigation has found "a pattern of persistent collaboration between certain officials and GC Strategies. They show efforts to circumvent or ignore established procurement processes and roles and responsibilities." This whole situation again calls into question a key issue, which is what was done with all the data collected

and how did ignoring "established responsibilities" impact this issue of great concern to the public.

While this may be true, it appears that the federal ministers themselves, responsible for awarding pay-the-rich schemes in the first place, will be let off scot-free. Hiding the depth of the corruption which is integral to the anti-social offensive and takeover of functions which rightfully belong to public servants and the public sector has become par for the course. It underscores the urgent need to change the direction of the economy to one which is human-centred and carry out democratic renewal so that private interests can no longer usurp the positions of power and decision-making.

Unscrutinized Regulatory Powers Permit Government to Act Without Legal Authority

Various mechanisms that are supposed to ensure accountability and guarantee the rule of law are not doing so, a January 17 *Hill Times* article pointed out. The article was written by Penny Becklumb, a legal advisor for the Office of the Law Clerk and Parliamentary Counsel of the House of Commons.

Becklumb looks at the Standing Joint Committee for the Scrutiny of Regulations and its duty to ensure that regulatory powers comply with enabling legislation enacted by Parliament. She uses the 2017 sanctions imposed on Venezuela by the Liberal Cabinet as an example of a regulation enacted without legal authority.

She writes: "Under the *Special Economic Measures Act*, Canada may impose economic sanctions against a foreign state in specific circumstances, including when called upon to do so by an "international organization or association of states" of which Canada is a member. However, earlier in [2017], the Association of American States, of which Canada is a member, had been unable to agree on what action to take against Venezuela."

To get around the lack of legal authority, she says, "the government created the circumstances to justify imposing sanctions. It joined with the United States to create a new international association consisting of just two members -- Canada and the U.S. -- for the express purpose of 'calling on' its members to impose economic sanctions against Venezuela." Since the United States had already imposed such sanctions, she writes, "the association was really only calling on Canada to follow suit, which it promptly did."

"Ironically," she adds, "the statement accompanying the Canadian sanctions noted 'these measures demonstrate to Canadians that the government is prepared to take action when international norms of democratic good governance are flouted.'" These sanctions are still in force today.

Becklumb writes that the Joint Committee tasked with reviewing regulations has met 14 times since 2020. "The backlog of regulations waiting for the committee's review ... is enormous." In addition, she notes that "on the rare occasion when the committee meets to discuss a problematic regulation, it almost never exercises its legal powers [...] Only once in the past 20 years has the committee attempted to use the power given to it by Parliament to seek a regulation's revocation. That attempt failed." In the case of the sanctions against Venezuela, Senators recognized and questioned the U.S.-Canada "organization" but did not take action.

A second example relates to First Nations leadership elections being postponed through regulatory powers in 2020, shortly after the COVID-19 pandemic was declared. The legality of the regulation was challenged by an individual who had planned to run in the elections. The presiding judge agreed, stating, "In a nutshell, the government is asking me to tolerate an invalid exercise of power because it was done for a good reason. This is simply incompatible with the rule of law, which requires that every exercise of state power find its source in a legal rule." Consequently, the

regulations were "validated" retroactively through a budget implementation act in June 2021.

The Government's website defines regulatory powers and the legal framework for their use. The Government states: "Regulations are a form of law, often referred to as delegated or subordinate legislation. Like Acts, they have binding legal effect [...] However, regulations are not made by Parliament. Rather, they are made by persons or bodies to whom Parliament has delegated the authority to make them, such as the Governor in Council, a Minister or an administrative agency. Authority to make regulations must be expressly delegated by an Act. Acts that authorize the making of regulations are called enabling Acts." It adds that "a regulation-making authority does not have a free hand in making regulations. There are a number of legal constraints, including the Constitution and other generally applicable laws..."

The *Statutory Instruments Act* and the *Statutory Instruments Regulations* set out three requirements for making regulations: legal examination; registration; and publication in the *Canada Gazette*. After the fact, they are reviewed by the Standing Joint Committee for the Scrutiny of Regulations.

Becklumb writes: "The committee's dysfunction has also resulted in government disregard for the supremacy of Parliament, as represented by the committee. The Department of Justice, which drafts regulations on behalf of other government departments, does not consider prior decisions of the standing joint committee when it assesses the legal risk that the regulations it drafts might be unlawful. After all, the likelihood that the committee would both detect that the government has abused its power and effectively hold the government to account is slim to none."

Prime Minister's Department of Branding and Microtargeting Made Ready

Did you know that the Prime Minister's Office (PMO) has a whole department dedicated to branding and microtargeting? This comes as no surprise to most Canadians who abhor the 24/7 spin which comes out of the mouth of the Prime Minister, no matter which party forms government. The official name of this department is PMO Communications Office, and it is now bolstering its branding machine with a reorganization.

According to the *National Post*, "a recent Abacus Data survey revealed that Millennials are now almost twice as likely to support Conservatives over Liberals, while 32 per cent of Generation Z currently favours Conservatives, compared to 24 per cent for Liberals.

"Max Valiquette will likely be tasked with trying to reverse those trends."

It certainly confirms that elections in Canada are not held so that the people choose their representatives and mandate them with the agenda they want for the country. On the contrary, branders and marketers in competition with one another make the choices.

Max Valiquette was hired in December to serve as Executive Director of PMO Communications. Media reports say Valiquette is "a marketing guru with self-described expertise in 'understanding Millennials and Generation Z.'" They add that Valiquette was president and founder of the now defunct Youthography (2001 to 2010), which claimed to be "North America's first youth-market focused research and marketing firm." Its website described Valiquette as "a specialist in understanding the pop-culture landscape, consumer habits, brands and youth culture. Over the course of his career, he has worked on brands as diverse as Budweiser, Beer.com, Hershey, Taco Bell and Ford of Canada." [1] Valiquette also worked with Toronto-based Bensimon Byrne, one of Canada's largest independent advertising agencies, which has "counted both the Liberal Party of Canada and the Liberal Party of Ontario as clients."

Valiquette's LinkedIn page boasts that *Marketing Magazine* called him "one of 'Canada's Most Influential Marketers' [and] one of the country's best known marketing leaders, strategists and presenters, with a 20-year career focusing on brand building, marketing, innovation, and understanding Millennials and Generation Z." [2]

In January, Supriya Dwivedi, a political pundit featured on CBC's *Power and Politics* and CTV's *Question Period*, started as senior advisor in the PMO. Most recently she was director of policy and engagement with McGill University's Centre for Media, Technology and Democracy, and a former consultant with Crestview Strategy.

Writing in the *Toronto Star* about her decision to take on the job, Dwivedi wrote that while she is "not an overtly partisan person" and would normally avoid the "toxic hyperpartisanship that plagues Ottawa," she believes there is "too much at stake not to get directly involved." She cited a "digital information ecosystem ... not attuned for truthful or factual information."

According to Dwivedi, the digital information system "has all sorts of implications for our society, including how we relate to one another as algorithms try to wedge us apart." The Liberals have mastered the art of deploying "wedge politics." Indeed, use of divisive "wedge politics" of all kinds by the cartel parties is widespread. This was seen during the 2021 Federal Election where vaccine mandates were used as a wedge issue. It is all part of disinformation to keep the polity embroiled in this discussion rather than discussing an agenda based on the vantage points it establishes for itself.

The new members of the PMO's Communications Department are individuals referred to as "exempt staff." They are political appointees who report directly to the Prime Minister, exempt from the legislation governing civil servants and the hiring procedures that are supposed to be based on a merit system. A 2006 Library of Parliament backgrounder explains: "In addition to staff allotted to Members of Parliament and Senators for their parliamentary and constituency offices, ministers of the Crown can hire political staff [...] They are expected to provide ministers with the political support and advice that the non-partisan public service cannot."

Notes

1. Captured on Wayback.com.

2. According to the *National Post*:

"In a career spanning two decades, Valiquette has also worked with brands like Nike, Budweiser and Coca-Cola and earned accolades for his anti-smoking campaign, Stupid.ca. The University of Ottawa educated Valiquette was named one of *Marketing Magazine's* 100 Most Influential People in Canadian Communications in 2005.

"Valiquette is also a lauded keynote speaker, covering topics like adapting to the future of work and decoding the potential of Generations Y and Z. Trudeau has called him a 'don't miss' speaker.

"I write and consult, run focus groups and workshops, conduct and (analyze) research and create brand plans,' Valiquette's personal website previously noted. 'I've worked with big brands and tiny companies, governments and not-for-profit. I focus on modern consumers, the youth market, and new media.'

"The Director of Communications in the Prime Minister's Office is one of the most senior roles in the PMO, reporting directly to the prime minister and their chief of staff.

"The role includes speech writing, creating communication packages and responding to government controversies, among other duties.

"Directors of Communications in the PMO rarely stay in the role beyond a year.

"While there's no publication information about the executive director's salary, the typical salary for directors of communications in the PMO is about \$131,500 per year but can range from about \$103,000 to more than \$166,000 annually.

For Your Information

Bills and Government Announcements in the Fall Session

At the outset of the fall session of Parliament, media reported that it would focus on five issues:

- affordability, including soaring housing and grocery prices, interest rates and inflation;
- legislation on a framework for a national pharmacare plan, part of the Confidence and Security Agreement with the NDP, along with anti-scab legislation and a foreign interference inquiry;
- crime prevention, particularly changes to bail eligibility for certain offenders;
- the government's long promised Online Safety Bill which would "crack down on social media platforms to curb the spread of dangerous content like hate speech and inciting terrorism;" and
- addressing climate change, including legislation to support workers in the transition from fossil fuels to cleaner energy and plans to cap emissions from the oil and gas sector.

On September 19, Finance Minister and Deputy Prime Minister Chrystia Freeland tabled Bill C-56, *An Act to amend the Excise Tax Act and the Competition Act*, also known by the short title *Affordable Housing and Groceries Act*. The legislation amends the *Excise Tax Act* to allow the rebate of GST on construction of new apartment buildings for renters and amends the *Competition Act* to allow the Minister to direct the Commissioner of Competition to conduct an inquiry into the state of competition in a market or industry. To this end the Finance Minister and Industry Minister convened a meeting of the five major grocery monopolies on September 18 to discuss stabilizing prices without any tangible results. Statistics Canada reported in December that the annualized rate of food inflation in November was 4.7 per cent and the annual Food Price Report predicted that food prices will rise between 2.5 and 4.5 per cent in 2024.

Bill C-50, the *Canadian Sustainable Jobs Act*, was tabled June 15, 2023, which would mandate the federal government to create five-year plans to transition energy sector workers into green energy jobs. The Bill completed second reading in the House on October 23 and is currently at report stage with no date set for Third Reading.

On October 31, the government announced a \$1.5 billion Critical Minerals Infrastructure Fund "to support clean energy projects that drive environmental performance while enabling critical minerals development, such as the generation, storage and transmission of non-emitting renewable or alternative energy, as well as grid connectivity; and support transportation projects that will directly enable the development or expansion of critical minerals resources, such as roads, rail and marine transportation. "This was followed by a spate of huge pay-the-rich schemes.

The auto manufacturer Stellantis along with Korean tech cartel LG openly demanded the Canadian government match the pay-the-rich subsidies it gave to Volkswagen to establish battery production in Canada. The public subsidy for German-based Volkswagen was said to match those the U.S. government offered through its *Inflation Reduction Act* (IRA). Stellantis and LG demanded similar amounts. Stellantis is owned by the French PSA Group in a 50-50 partnership with Italian-based Fiat while LG is based in south Korea. These global companies alleged the Canadian and Ontario governments promised to "close the gap" with any U.S. subsidies, which had yet to be announced at the time of their deal for a Windsor battery plant.

While this was going on, U.S. Ambassador to Canada David Cohen delivered the keynote address

at the Canadian Club of Ottawa luncheon in which he said that Canada and the U.S. must build up their mining, refining and battery-making capacity quickly to compete with China. This is open propaganda pushing for deeper Canadian integration into the U.S. war economy which needs critical minerals from Canada. He said, "the status quo will not provide the energy security that Canada, the United States, or our democratic friends and allies need for our cleaner energy future." He gave the examples of the U.S.\$37.5 million investment given by the U.S. Department of Defense to a Canadian company, and the three Canadian companies -- Enbridge, TC Energy Corp and AltaGas Ltd -- that are benefiting from U.S. funding for developing clean hydrogen. The *Globe and Mail* reported that "Mr. Cohen celebrated the Canada-U.S. relationship." According to Cohen, both countries are at the forefront of efforts to support Ukraine and Israel.

On November 9, Minister of Labour Seamus O'Regan Jr. introduced Bill C-58, *An Act to amend the Canada Labour Code and the Canada Industrial Relations Board Regulations, 2012*. Second reading discussion on the government's anti-scab legislation in the House continued November 22, 24, 27 and December 14, 2023 and it has not been debated since.

The government's fall economic statement was delivered on November 21 by the Finance Minister. It was used to loudly claim that the Trudeau government is supporting the demand for housing. It was basically a pay-the-rich scheme for developers who are the ones profiting from the housing crisis in the first place. It included \$15 billion for low cost loans to developers for housing starting in 2025-26 (for 30,000 new homes), \$1 billion toward affordable housing to support non-profit, co-op and public housing providers to build 7,000 new homes by 2028, expanding the removal of GST to include co-op rental housing, cracking down on short-term rentals and tying federal infrastructure dollars to housing action by local governments. The Office of the Federal Housing Advocate released an analysis of Canada's housing supply shortage on November 2, 2023 which estimated that Canada is missing 4.4 million homes that are affordable for people in housing need.

Bill C-57, *Canada-Ukraine Free Trade Agreement Implementation Act, 2023*, passed clause-by-clause consideration at the House International Trade Committee on November 28. With the exception of the Conservatives who objected to the inclusion of a reference to carbon tax, all the other cartel parties supported the Bill which was passed by the House of Commons on February 6 and is now under consideration by the Standing Senate Committee on Foreign Affairs and International Trade.

On November 24, the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, Dominic LeBlanc, and the Minister of Justice and Attorney General, Arif Virani, launched what they called "additional public consultations on foreign interference." According to them, this new round was "based in part on the feedback received through Public Safety's previous consultations to guide the development of a Foreign Influence Transparency Registry." These alleged public consultations are a fraud from A to Z. (See section on "Measures Strengthen Police Powers Over Polity" below.)

Included in the government's proposals are changes to the *Canadian Security Intelligence Service (CSIS) Act*. CSIS issued a statement saying that "The launch of the public consultation on the *CSIS Act* is for Canadians to share their views on how CSIS should continue to protect Canada's national security, while also continuing to protect the rights and freedoms of people in Canada. As pernicious national security threats, including foreign interference, affect all Canadians, we want to hear from you. Canadians are encouraged to participate and share their perspectives through the consultation webpage." The entire presumption that CSIS protects Canada's national security diverts attention from the government refusal to discuss what that even means. Everyone can have their own interpretation and belief while the government and CSIS implement their own derived from nobody knows where.

On December 9, during COP28 in Dubai, the Minister of Environment and Climate Change announced a cap on all greenhouse gas emissions from the oil-and-gas sector. He said this was the

first emissions cap from a major oil and gas producing nation in the world. *TML* will soon devote a supplement to COP28, the aims the peoples of many countries put forward there, and the stands taken by various countries including what lies behind Canada's claim.

National Pharmacare

The framework for a National Pharmacare Plan, a key point of the Liberal-NDP agreement, has yet to materialize. The NDP, which pushed for the framework to be delivered before the end of the year, conciliated with the government and agreed to a delay to March 1, 2024 for the government to introduce legislation. NDP spokesperson Charlie Angus said: "What's very important is that we get it right -- if that takes a little bit more time, then so be it. We think what's more important is [that] we get such a fundamentally important advance in our public health system correct, rather than meet an artificial deadline."

What is obvious to most Canadians is that what the NDP and Liberals think constitutes a public health system and getting it correct pays no heed to the demands of those who work in the health care system. They are not guided by what Canadians need on the health care front and how these needs can be met based on the ample Canadian resources which exist. All the schemes become pay-the-rich schemes for the big players in the health care sector.

Government's Carbon Tax

In a bid to force more exemptions and ultimately the elimination of the government's carbon tax, the final days of the fall sitting saw the Conservative Party present thousands of procedural motions seeking to block the government's economic statement. On December 15, the House adjourned after a marathon session in which the Conservatives forced 135 votes. They say they want the Liberals to lift the carbon tax from all home-heating energy sources, pass a bill to grant carbon tax relief to some farmers and exempt all First Nations from the carbon levy. The Conservatives likewise put forward almost 20,000 amendments to Bill C-50, the *Canadian Sustainable Jobs Act* in Committee on December 6.

Bills which Received Royal Assent

The following bills received Royal Assent during the fall session of Parliament: Bill C-60, *Appropriation Act No. 4, 2023-24* (funding for federal public administration); C-21, *An Act to amend certain Acts and to make certain consequential amendments (firearms)*; C-56, *Affordable Housing and Groceries Act*; C-48, *An Act to amend the Criminal Code (bail reform)*; C-42, *An Act to amend the Canada Business Corporations Act and to make consequential and related amendments to other Acts*; and S-12, *An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act*.

Measures Strengthen Police Powers Over Polity

"Whole-of-Government Approach" to Threat Posed by "Enemy and Hostile States"

– Anna Di Carlo –

The claim by the U.S.-led NATO forces and Five Eyes (U.S., UK, Canada, Australia and New Zealand) intelligence agencies is that Canadian national security and democracy are threatened by what they call "enemy and hostile states" -- today identified primarily as China, Russia and Iran. This threat, they say, requires the development of what is called a "whole-of-government" approach to fighting foreign interference in Canada's electoral and political process. It has given rise over time to a warmongering agenda and, in the name of Canadian values, an assault on the right to conscience, freedom of speech, organization, assembly and other civil liberties which are quickly becoming a thing of the past.

Besides affecting all of life and destroying the fabric of the society, its cohesion based on rule of law, this is affecting the electoral process itself, considered to be the cornerstone of the democracy because it is designed to give the democratic institutions legitimacy and form public opinion to accept their authority over the decision-making process. The "whole-of-government approach" towards what is called "foreign interference by enemy and hostile states" affects both the monitoring of elections and proposed amendments to the electoral law.

Keep in mind that the political police (the various intelligence and security agencies, including from the U.S.) monitoring and interfering in elections, candidates and the political movements of the people is not new. In 1972, for instance, the media carried a sensationalist report quoting an "RCMP informant" who suggested that Communist Party of Canada (Marxist-Leninist) candidates were running in the elections "incognito." The informant wanted to "expose" the political affiliation of CPC(M-L) candidates. This was shortly after the party registration regime had been enacted and CPC(M-L) had not yet registered. In the May 1979 election, the RCMP Superintendent announced that the names of candidates would be checked against RCMP files for a history of "subversive activity" and that if any "subversives" were discovered, he said, their candidacy would be added to their dossiers. The RCMP said it wanted to make sure there were no "spies or enemies of the state" amongst the candidates.

We have now come full circle in terms of the methods used in the ruling elite's hopeless attempt to exercise control over the polity.

As CPC(M-L) has pointed out, when we speak about governments of police powers, we are not referring only to the aspects that constitute the usurpation of powers by narrow private interests via ministerial intervention in affairs related to the strike struggles of the workers and people when the aims of the state are opposed. Our main concern is how the police powers are destroying public opinion which means the political institutions and the legitimacy of laws passed by duly elected legislatures and due process and other organized initiatives of collectives on all matters of concern.

Police powers are by definition arbitrary prerogatives which is partly why a civil society was created to help limit them by law so that heads of state and those who wield the executive powers are not able to do so with complete impunity. Rule of law refers to the decision-making taking place in legislatures comprised of those elected to represent constituents of ridings equally apportioning the population, which is said to be represented by its elected representative. If the system of elections is not seen to credibly involve the citizenry in choosing and electing their representatives in a process seen to be free and fair, what is left if not a self-serving system for narrow private interests. The cartel parties have usurped the selection and election process to achieve results demanded and decided by narrow private interests. Today, instead of addressing this serious issue, political police are directly intervening in the electoral process on the most outrageous anti-democratic basis. They are blaming "foreign actors" and demanding that the state

be able to scrutinize party members, party decisions, party records and intervene in electoral campaigns in the name of controlling hate propaganda and "foreign interests."

Once governments of police powers and impunity take over, the people become dispensable not only in the economy but also in the polity itself. Hence the significance of the activity of CPC(M-L) for the renewal of the political process by involving the polity in discussion. It is when people from all walks of life are organized to speak out amongst their peers, in their own name, without recriminations that freedom of speech is expressed in the form of actions which open a path to progress. Freedom of speech is not only a civil right, it is a human right. It is the antidote to permitting police powers to take over Canada and wreak havoc at home and abroad.

Interference of Political Police in the Democratic Process in the Name of Defending It

The ruling elite are working overtime to blame foreign interference in the democratic process to divert attention from the people's ever more profound discontent, mistrust and opposition to the party-dominated system called a democracy. It is something this government is increasingly fueling as the divide between the concerns and problems of the people and those of the ruling elite grows. Former governments, both Liberal and Conservative, have done the same. The people's absence of power to deal with the problems plaguing the society is more evident than ever to all.

Impunity and arbitrariness abound these days. For instance, the Liberal Budget 2023 (March), supported by the cartel parties, included an amendment to the *Canada Elections Act* for a "uniform federal approach in respect of federal political parties' collection, use, and disclosure of personal information in a manner that overrides overlapping provincial legislation." This is not just arbitrary because it uses the budget to amend the electoral law, but the Liberals, Conservatives and NDP are actually in the middle of a legal dispute with the BC Privacy Commissioner who contends that when federal parties operate in BC they are subject to the provincial privacy laws, which are more robust when it comes to the use of electors' data by political parties.

This makes it a basic problem of the relations between the federal power and laws and those of the provinces because the constitutional arrangements are no longer adequate to deal with today's concerns. Rather than let the legal battle play out, the cartel parties see fit to simply change the federal law through an amendment to the *Canada Elections Act* hidden within the more than 700 pages of the 2023 budget.

At present, according to federal law, political parties are not even subject to the country's privacy laws. They are free to use elector's data in the most self-serving ways without consent.

What is new about the political police and elections is their open and flaunted integration into the workings of the political institutions. This is making many of the tenets of liberal democracy and debates about the role of police in a democratic society obsolete. Prior concerns about the role of police in government, how police should be monitored and so on, are to be replaced by openly accepting political police in our lives in the name of protecting national security. The debate about the political direction provided by the political police and the separation of the powers of the state becomes an absurdity when 1) the people have no role in setting the direction of the economy, politics and everything else, and 2) the distinction between street cops and political police is confounded and political police are integrated into the governing bodies, including the body that is supposed to be the impartial administrator of what are called free and fair elections. It blows out of the water the prior norm that legislative bodies adopt the laws which the police and ministers are then supposed to apply with neutrality without political interference.

Now, in the name of a "whole-of-government approach," the political police are openly involved in monitoring elections. "Whole-of-government approach" is a term which was introduced during the pandemic when governments took over the decision-making powers above the rule of law because

they declared the circumstances were exceptional. Such states of exception have now become permanent despite the rulings of this or that court declaring them unconstitutional and the amounts of penalties the government is told to pay out for transgressing people's fundamental rights.

The 2019 federal election was the first where this "whole-of-government approach" was manifest. At the beginning of 2019, Elections Canada informed about its preparations for the election, and "Strengthening Election Security" was one of the areas of focus. It spoke of a "changed environment" that it had to respond to in which "Experts [*read the political police*] continue to identify threats to Canada's democracy, ranging from foreign interference and influence efforts to cyber-attacks and attempts at disinformation. Elections Canada is paying careful attention to these threats to democracy."

But Elections Canada has no legislated authority to deal with such matters. It pointed out that its only role is to make sure Canadians can exercise their right to register as voters, to vote or to be candidates. It said it had no responsibility to "regulat[e] the Internet or social media; polic[e] truth in political advertising; -- correct inaccurate or misleading information related to political party platforms or policies." It listed the police bodies that would be overseeing elections on matters beyond its authority: this included Canada's National Security Advisor (advisor to the Cabinet/ Privy Council), the Communications Security Establishment (CSE) and its subgroup called Canadian Centre for Cyber Security (CCCS), the Canadian Security Intelligence Service (CSIS), the Royal Canadian Mounted Police and Public Safety Canada.

The dictate of the political police that the U.S. foreign interference agenda must be taken up is evident every time the expression is used. For the second time since all the talk about foreign interference began in 2015-16, at this year's annual Advisory Committee of Political Parties (ACPP) which was held in September, representatives from CSIS and CSE attended the AGM to brief the participants. CSIS was represented by the "coordinator of the fight against foreign interference." CSE was represented by an individual from the Privy Council Office which houses the Ministry of Democratic Institutions, for which Minister of Public Safety Dominic LeBlanc is responsible, who presented on behalf of CSE subdivision the CCCS.

The information presented to the registered parties added nothing to the information previously published in the now annual reports on foreign interference given to the Parliament which have repeated the same thing: "through their activities foreign malicious actors, whether foreign states or non-state organizations, attack the democratic process in Canada." The aim of these foreign actors is said to be to sow distrust in our institutions, amplifying divisions in the society and so on. Nothing is said about the actions of the governments and cartel parties themselves which discredit the liberal democratic institutions.

The only addition to this information touted today relates to Artificial Intelligence (AI). The Privy Council informed: "Online disinformation is now ubiquitous in all national level elections globally and generative AI is increasingly being used to influence elections."

It is beyond farcical to attribute the use of AI to foreign interference which endangers Canada's democracy given that it is used by marketing agencies worldwide, including those hired by the cartel parties to run elections.

Notwithstanding the obfuscating character of the information CSIS is providing, it claims only those with high levels of security clearance can have access to the information which "is not public," "is not declassified," etc. Besides giving the impression that only those with privilege can have access to state secrets, it should be noted that this is the same "information" constantly "leaked" through legacy media and by journalists intent on scandal-mongering, not informing the public on matters of concern, how they pose themselves, what is relevant and what is not, etc. The new normal has become to repeat police "media leaks" that there have been cases where candidates were funneled money from China surreptitiously and create utter confusion over what is at stake, as well as target citizens and residents of the so-called enemy states. The Marxist-Leninist Party has

pointed out that if this is the case, why has the CSIS not turned over the information to the RCMP or reported it to the Commissioner of Elections, the body to which by right such things should be reported. It is already known that the Commissioner of Elections received no such information.

Not a shred of evidence or factual information had been presented about foreign interference, either during the presentations made by the political police to parliamentary committees or in the copious media reports based on "police leaks." In the case of MP Michael Chong who it is said was the target of foreign interference, Chong himself complained that he was not briefed sooner about being targeted. But no evidence of such funnelled money has been provided.

One example of the ongoing farce is a statement of the representative of the Canadian Centre for Cyber Security who said there were several documents from the Government of Canada outlining the facts, in particular the *2019 Alberta Election Analysis* report. They must not have even read their own reports because the *2019 Alberta Election Analysis*, which was meant to be a dry run for the G7 Rapid Response Mechanism to monitor the 2019 federal elections, found that in the Alberta election there was no foreign interference, even though they had predicted there would be because of the oil factor in Alberta. It reported: "The Alberta election provides an example of a situation where there may be evidence of coordinated inauthentic behaviour undertaken by Canadian actors, making the identification of foreign interference more difficult."

One of the questions the Liberals have posed is whether there is a way to remove false information or malicious ads from social networks. They were told that it was virtually impossible, but parties should avail themselves of police help in securing their computers.

A common response of the political police when any question of importance is asked of them is to say: "We do not comment on ongoing investigations and operational methods. All our investigations are carried out within the framework of the law."

When asked how people are to distinguish between truth and falsehood and what CSIS does to do so, CSIS responded that they seek to detect disinformation through their investigations, taking threat reduction measures and by repeating: "We do not comment on ongoing investigations and operational methods. All our investigations are carried out within the framework of the law."

Elections Canada cogently points out that the most important thing is for political parties themselves to provide a place where people can get the real information. It says that is the best way to counter false news. Elections Canada's official report to Parliament recommends that "To achieve improved transparency and help prevent foreign funding of third parties, the Act should provide that third parties other than individuals who wish to rely on their own funds to finance regulated electoral activities need to provide Elections Canada with audited financial statements showing that no more than 10 per cent of their revenue in the previous fiscal year comes from contributions."

Of course, none of the recommendations deal with the problem the people face of cartel parties which pride themselves for winning elections on the basis of the disinformation of marketing agencies hired for precisely that purpose. Most importantly, the takeover of the political power by political police in the service of foreign interests continues apace.

It is a matter for serious concern.

Proliferation of Self-Serving Surveys and "Public Consultations"

The Liberal Government has informed that it is planning to strengthen its police powers by amending the *Canadian Security Intelligence Service Act*, the *Criminal Code*, the *Security of Information Act* and the *Canada Evidence Act*. Amending these laws is an exercise in expanding the definitions of what the police can do, making legal what was previously illegal. Towards this end, on November 24, it launched what it calls an online consultation on the topic "Modernizing Canada's Toolkit to Counter Foreign Interference."

The government's declaration is worded in a manner that *ipso facto* deprives the people of their right to express their opinions on how serious matters of war and peace, and crime and punishment, are dealt with. It starts with the conclusion presented to it by the international intelligence agencies which have created the bogey of "foreign interference" in the electoral processes of democratic countries. The foreign interference considered is from the states which, in lock step with the U.S., it has declared "autocracies" that are waging a brutal battle to take over "democracies."



The government of Canada declared: "As the threat of foreign interference evolves, Canada's response needs to adapt. Domestic and international experts have noted that Canada needs to modernize its tools to counter the threat of foreign interference. Canada's closest allies and like-minded partners have also brought forward legislative initiatives to modernize their counter-foreign interference toolkits."

To cover-up its imposition onto Canadians of whatever changes it wants, the government says that "consulting with Canadians is an important step in this effort ... so that potential solutions are aligned with our national values, capture a wide range of expertise, perspectives, views and opinions, and respect Canadian fundamental rights and freedoms. The Canadian public has expressed interest in greater transparency, as well as deeper engagement with the Government of Canada on national security issues, including foreign interference."

We hear the term "Canadian public" used as an amorphous category -- something without a definite character or nature; unclassifiable. It would be more accurate if the government replaced this with the term "Canadian private" by which Canadians would readily comprehend that it is talking to the private interests which have usurped the decision-making power in this country.

The fact is that the U.S.-led Five Eyes spy agencies, NATO and NORAD officials and the "national security community" have put forward this agenda, but the government wants to pin it on the people. It goes so far as to say that Canadians should participate in the consultations because "together, we can protect Canadian values, principles, rights and freedoms from those who seek to harm our way of life." It is all to hide increasing police powers using government jargon for which Canadians pay millions of dollars every year.

Strengthening the powers of the political police is not the agenda established by Canadian citizens and residents, and bogus surveys called "public consultations" are a fraud. The suggestion that Canadian citizens and residents want to further divide the polity between good people and bad people, and that it is the political police who will decide who is good and who is evil, is beyond

ridiculous. This is what the U.S. did through its secret torture sites following 9/11 with devastating results. It is what Canadians have already rejected when they rejected the discredited security certificate process after 9/11. By reinventing this division of the people once again in the name of protecting Canadian values, even more "reasonable limits" are imposed on their rights and freedoms while more and more the limits on the powers of the executive are lifted using self-serving laws which make doing both legal.

Canadians know full well how the police trample the just struggles of the people -- the Indigenous Peoples, the workers, environmental activists, anti-war fighters, the people of Quebec and many others. Trying to pass off the strengthening of police powers in the name of the people's wishes as revealed through self-serving "surveys" will not wash.

Among the expanded police powers wanted by the government are:

"-- modernizing the criminal code, including by introducing new foreign interference-related offences to better capture the evolving threat;

"-- providing Canada's national security agencies with the legal ability to share threat information with a wider set of Canadian partners than the federal government (e.g., Sharing information with Canada's private stakeholders to protect Canada's critical infrastructure);

"-- improving the ways that the legal system deals with intelligence information in administrative and criminal proceedings; and

"-- making sure that the Canadian Security Intelligence Service has modernized authorities to be able to adequately protect Canadians and Canadian institutions in a digital world (e.g., Amending intelligence collection authorities which are currently limited to information located within Canada)."

Bogus Survey Used to Justify Establishing "Foreign Influence Transparency Registry"

In its 2015 election campaign, the Liberal Party promised it would "involve Canadians in policy-making." Under the heading "Your Voice," its election platform said, "Technology makes it easier for citizens and government to share ideas and information. We will explore new ways to use technology to crowdsource policy ideas from citizens."

Since then, it has become common practice for governments at both the federal and provincial levels to use bogus surveys, masqueraded as "public consultations," to justify taking all kinds of decisions which go against the public interest. The anti-social direction in which ruling elites have been taking the country is all about narrow private interests usurping power and taking decisions which pay the rich. They have spawned private marketing companies, consulting companies and companies which do "surveys" which they pay handsomely to then declare that self-serving policies have the support of "the public." They provide an indication of how mechanisms are being created to facilitate a government of police powers that claims its decisions are based on democratic consultation despite the low level of participation of "the public" and the nonsensical questions asked. Not surprisingly, the process itself is anything but transparent, all controlled by the companies hired to carry out the surveys.

These surveys in fact constitute one of the ways that the political mechanisms once used by the party-dominated system called a representative democracy have been systematically destroyed. Whatever vestiges remain of the participation of the members of the polity in the political process are being/have been eliminated. The civil society constituted on the basis of the rule of law for all

intents and purposes no longer exists.

A case in point is the online survey conducted by Public Safety Canada from March to May of last year about a possible Foreign Influence Transparency Registry (FITR). Called a "public consultation," it serves as one example of many such surveys and consultations which hide another aim. Its significance can be seen when one considers how Canada's political police are staging their takeover of Canada's executive powers in the name of protecting the democracy from foreign interference. While the survey about the FITR has been used as proof that Canadians want greater powers given to the police, it precedes another consultation, announced on November 23 to seek more input from Canadians who say they want "deeper engagement with the Government of Canada on national security issues, including foreign interference."

In the FITR survey, Public Safety posted five prompted questions, with the sixth asking for additional comments. The total number of individual responses received was reported to be 932. As a percentage of 35 million registered voters, this amounts to .0026 per cent. Of these, 51 per cent, or about 440 people, identified themselves as "member of the public." The remaining respondents came under the categories described as: business (17 per cent); academic (8 per cent), "member of the Canadian government" (8 per cent), non-governmental organization (6 per cent); "community representative organization," (2 per cent); religious organization (1 per cent); while the remaining 7 per cent self-identified in the category "other."

It may be that the private interests who designed the survey have some explanations for the categories cited but these are not self-evident. What these categories are is anyone's guess. It is also a fact that a modern democracy is understood as a polity comprised of citizens and residents each with rights and duties and equal recognition on this basis. "Member of the public" does not even begin to cut it, let alone the other categories. Presumably one could be a member of several at once!

The conclusion drawn from this "consultation" is that the "consultations ... yielded a large number of responses from across Canada [that] demonstrated broad support for the introduction of a Foreign Influence Transparency Registry in Canada."

Having also consulted separately with non-disclosed "stakeholders," Public Safety adds that "one of the main themes that emerged [is] that a registry is not a universal solution, and should be accompanied by other legislative amendments to address other aspects of foreign interference."

Based on what any reasonable person would call a fraud, Public Safety Canada is now claiming that its consultations show not only that Canadians support the creation of an FITR, but that they also want more to be done to thwart "foreign agents."

Any objective consideration of the number of respondents, let alone who they might be, would have to conclude that this survey is a fraud from A to Z. It shows the abject failure of the ruling elite's ill-advised attempt to line Canadians up behind the warmongering agenda of turning international relations into potential crime and to incite hatred, fear and suspicion against purported "hostile states."

These surveys masqueraded as "public consultations" constitute one of the ways that the political mechanisms once used by the party-dominated system of representative democracy have been systematically destroyed because the anti-social direction of the ruling elite cannot withstand the participation of the members of the polity and the public scrutiny and opinion that emerges from it. They provide an indication of how mechanisms are being created to facilitate a government of police powers with a veneer of democratic process.

Use of Artificial Intelligence by Native Actors to Justify State Interference in Political Process

One of the matters Canada's political police say Canadians should be very concerned about is the use of Artificial Intelligence (AI) by foreign actors who seek to infiltrate and undermine Canada's democracy. The same political police then use AI to undermine Canada's democracy such as by designing surveys which masquerade as public consultations to draw unwarranted conclusions about whatever they like.

The "survey" recently posted by Public Safety Canada about a possible Foreign Influence Transparency Registry (FITR) is an example of precisely this. The survey prompts answers to five questions and leaves one open question. AI was used to compile and summarize the answers given as well as the "sentiment" and "emotions" of each respondent. Why this measure of sentiment is required is not explained, let alone how "sentiment" is gauged.

Public Safety Canada said the following: "Quantitatively, a computer program read each response and scored the sentiment of each response. [...] Scores were given on a scale of -1 to 1, where scores closer to 1 indicate positive emotions and scores close to -1 indicate negative emotions. Sentiment analysis indicates that overall response sentiment includes largely neutral language. ... A qualitative analysis shows that a majority of respondents support the registry."

To further explain its findings, it says: "-1 = 100% negative; 0 = neutral; 1 = 100% positive," noting that "The score of a document's sentiment indicates the overall emotion of a response, not whether or not the respondents support a registry."

Question 1 Prompt: A foreign principal might include a foreign power, economic entity, political organization, or individual/group that is owned or directed, in law or in practice, by a foreign government.

Question: Do you agree that these types of organizations or entities should be included in the definition of "foreign principal"? In your view, are there others that should be included?

Respondents: 861
Sentiment Score: 0.09

Question 2 Prompt: Registrable activities might include parliamentary lobbying, general political lobbying and advocacy, disbursement, and communications activity.

Question: Do you agree that these activities should be registrable? Are there any other types of activities and/or arrangements that should be registrable?

Repondents: 869
Sentiment Score: 0.11

Question 3 Prompt: Registration exemptions could include legal advice and representation, diplomatic and consular activities by accredited officials, and situations where it's already transparent/clear that the individual or organization is working on behalf of a foreign government.

Question: Do you agree that these activities should be exempt from registration obligations? What other activities (if any) should be exempt?

Respondents: 850
Sentiment Score: -0.17

Question 4 Prompt: Anybody who registers could be required to disclose personal details, such as activities undertaken, dates of the activities, and the nature of the relationship with the foreign

principal.

Question: In your view, what kinds of information should registrants be required to disclose regarding their activities? To what extent should this information be made public?

Respondents: 831

Sentiment Score: -0.12

Question 5 Prompt: Compliance enforcement mechanisms could include administrative monetary penalties (AMPs), as well as criminal penalties.

Question: Do you agree that there should be penalties for non-compliance? If so, should these be scalable, including both AMPs and criminal penalties?

Respondents: 867

Sentiment Score: -0.05

Question 6: Do you have other views you wish to provide in relation to this consultation?

Respondents: 758

Sentiment Score: -0.29

A New Direction Is Needed for the Economy!
Crisis in Health Care Sector Deepens
– K.C. Adams –



Rally for public health care at opening of Ontario legislature, September 25, 2023.

Reports from health care workers and their organizations reveal an escalating crisis of lack of funding and official support for the sector. For example in Ontario, Zaid Noorumar, a spokesperson for CUPE, says the Ontario government must immediately commit \$1.25 billion to avoid "a crisis of epic proportions."

Zaid comments: "The fact we (Ontario) had about 1,200 hospital service closures in 2023 -- including close to 800 ER shutdowns -- shows there is ongoing degradation of care with great suffering for people trying to access these services. One ER closure is one too many, and completely unacceptable; hence, we are calling for a \$1.25 billion increase (over four years and on top of an amount to cover price inflation) to restore the quality of our public hospitals through the addition of staff and staffed beds. Government inaction will only exacerbate staffing shortages and

lead to longer wait times, delayed treatments, higher risk of medical errors, and subsequently more suffering for patients and their families."

The conditions in the health care sector are in contradiction with the political authority that dictates funding and operational matters. The conflict points to fundamental matters of organization and relations for the working class to address in order to bring the political authority into conformity with the modern socialized conditions.

In the constant battles working people engage in for wages, improved working conditions and for increased funding for health care and other universal social programs, two issues stand out for consideration:

1) Health care workers and their organizations who know the conditions from direct experience do not have the political authority to direct and enforce change. In fact, the current political authority and institutions block health care workers and their organizations from participating in governing the sector and resolving its problems through action. This fundamental issue within the battle for wages and increased funding for social programs must be taken up for consideration. Without political authority the working class is not able to resolve in a definitive manner the economic, social and environmental problems that plague society.

2) The health care system and its relations within the imperialist economic system of privately-owned socialized means of production and distribution are not viewed objectively as a producer of social value. This distorted viewpoint regards the health care system as a consumer of social value requiring public tax funds to operate. This results in other businesses and institutions within the economy not having proper economic relations with the health care system, which require them to realize (buy) the social product the health care system produces just as they must buy material means of production to function.



The social product the health care sector produces is an enriched capacity to work of a healthy working class, the human means of production. Businesses and institutions within the socialized economy must directly purchase their human means of production just as they must purchase material means of production if they are to function. The purchase is enacted with workers as wages and certain benefits, and should be likewise enacted with health care institutions in direct payment to them for the social value they put in the capacity to work of healthy workers. The working class reproduces this value as new value in the course of its production of social product.

The working class must take stock of the situation, principally the contradiction between the conditions and authority. This requires organization, action and the necessary theory to resolve the contradiction and bring into being a new political authority with modern structures whereby working people are empowered to discuss the conditions they face, assess what needs to be done and act accordingly with authority.

A step in that direction is to demand an immediate increase in funding for social programs in general and health care in particular, as CUPE Ontario has done, without neglecting the necessity for objectivity of consideration of the underlying social class contradiction between the conditions and authority and the necessity to resolve it for society to move forward.

Health care workers and their organizations must empower themselves to discover the needs of the

system in their area and the required funding to provide free health care for all without exception given the overall conditions of the economy and its productive forces, and demand proper funding and payment from enterprises in the economy. All businesses and institutions with over 50 workers on their payroll should pay directly to health care institutions a prorated amount that covers the price of production of the health care portion of their workers' capacity to work from birth to passing away.

The key for working people is to become active thinking political Canadians who unite with their fellow workers and allies to more deeply involve themselves in the economic and political affairs of the nation.

Unacceptable Cartel Arrangement to Control Drug Prices and Distribution

On February 5, Manulife announced that it was rescinding an arrangement to force the sale of Manulife-insured specialty drugs exclusively through Shoppers Drug Mart and other Loblaw-controlled pharmacies which came into effect January 22. Manulife said that patients who require speciality drugs will be able to fill their prescriptions at any pharmacy and home delivery will continue to be an option. The Manulife insurance and Loblaw retail monopolies along with unknown pharmaceutical manufacturers had formed a cartel to control certain drug prices to their advantage and bring more customers into Loblaw stores. The Manulife/Loblaw cartel arrangement affected around 260 medications under the insurance company's Specialty Drug Care program. Drugs in this class are meant to treat complex, chronic or life-threatening conditions such as rheumatoid arthritis, Crohn's disease, multiple sclerosis, pulmonary arterial hypertension, cancer, osteoporosis and hepatitis C.

This type of cartel drug deal is called a "preferred pharmacy network arrangement" (PPNA). It means Canadians with pharmaceutical insurance through Manulife had to pick up their specialty drugs through a Loblaw retail pharmacy, except in Quebec where PPNAs are outlawed. In the U.S., PPNAs dealing with all manner of drugs are commonly organized by cartels of private insurance companies, major pharmacy retailers and drug manufacturers.

The Manulife/Loblaw cartel PPNA was not the only one in Canada. Insurance provider GreenShield also has a PPNA for specialty drugs through HealthForward, which is owned and controlled by global drug manufacturer and distributor Cencora. Legislative entities throughout the U.S. have accused Cencora of contributing to the opioid crisis and in one case have won a \$25 billion settlement. Cencora has an extraordinary annual global gross income of over one-quarter of a trillion dollars.

The private insurance companies and pharmaceutical monopolies are the loudest opponents of public control of the pharmaceutical healthcare industry. Smaller pharmacy retailers in fact would benefit not only from outlawing PPNAs but even more from a publicly-controlled drug industry both for production and distribution. Free publicly produced and wholesale distributed drugs would greatly increase their customer base. A publicly-controlled drug industry would also open a path toward more public input into drug manufacturing and distribution.

Kyro Maseh, who owns Lawlor Pharmasave in Toronto, denounced the Manulife/Loblaw cartel saying it would destroy his and others' personalized care for patients who have a longstanding relationship with their local pharmacist. "What it means for the patient at the end of the day is that they're going to be picking up their medications from a high-volume pharmacy, or mail-order pharmacy for that matter, thus eliminating any sort of personal care in the process," Maseh told CBC News. "We're slowly moving towards the American model where it's all going to be just high-volume pill factories," Maseh added.

"The very big and very powerful insurance companies essentially are exercising some of their

market power in the pharmacy business," Stephen Morgan, a professor at the University of British Columbia told CBC. He said Canadians in various ways spend about \$10 billion per year on specialty drugs, which are medicines that cost more than \$10,000 per patient annually. The markups on those drugs amount to about \$600-\$800 million a year. Morgan suggests the Manulife/Loblaws cartel wanted to use the power of directing those customers to particular pharmacies in exchange for "kickbacks."

Marc-André Gagnon, a professor at Carleton University, told the CBC that pharmacy markups on specialty drugs, which are costly to begin with, can play a key role in "shadowy" agreements with insurance companies. "There's a lot of money for these specific drugs, which means there's a lot of leeway to organize a system of rebates between the drug manufacturer, the patient support programs, the insurer and the pharmacies. You end up with these very shady deals that are completely under the table, basically, in a system where there's no transparency and we just don't know anything about what's going on." Gagnon said.

The power and control of these drug, insurance and retail oligopolies point to the necessity to shut them down. They essentially produce very rich people, a global aristocracy that has gained control over the lives of Canadians.

The situation reveals a modern economy that is completely socialized but contrary to this socialized condition is owned and controlled by a small number of very rich people, an economic and political ruling private authority. The people must organize to resolve this antagonistic contradiction between a socialized condition and private authority. The time is now for a new economic and political direction for the country.

Alarming Reports of Food Insecurity and Homelessness in Canada

All regions of the country are reporting an increase in food insecurity and homelessness. Teachers speak of hunger among schoolchildren and food banks have announced unprecedented demand. The question arises as to why a very large developed country with advanced productive farming technique, machinery and methods of distribution cannot feed its people. A similar question surrounds the crisis in housing.

An answer lies in the overall aim and direction of the economy of money-profit for a few rather than meeting the needs of the people. Under the current aim and direction of the economy, food and housing are produced not for their use-value or utility but for the prospect of turning the commodities into money-profit. Food and housing cannot produce money-profit without first transforming the commodities into exchange-value to be sold in a marketplace. In a system centred on making money-profit, the use-value of food and housing holds no value for the private owners and distributors, only its negation into exchange-value and subsequent realization and transformation through sale into money and profit. Therein lies a basic problem of the current aim and direction of the economy which gives rise to inequality and intractable social and environmental problems.



Various reforms such as food banks and social housing can alleviate the problem somewhat but cannot solve it. Only a change in the aim and direction of the economy to a human-centred one of serving the people can put the issues of food insecurity and homelessness behind us as a modern people.

In related news, information provided to the public indicates that the federal government is strengthening U.S. control of Canada's food production and distribution

Transport Canada announced a major public payment to the U.S. imperialist enterprise Archer Daniels Midland Company (ADM) on January 11. ADM controls a sizeable portion of global food production and distribution with annual gross income over \$100 billion.



Montreal demonstration for the right to housing, September 16, 2023

The government will pay \$26.3 million to expand ADM's control over Canadian food production and distribution, specifically its hold on Port Windsor which is the third largest Canadian Great Lakes' port. The payment will come from the National Trade Corridors Fund designed to strengthen U.S. imperialism's command of Canada's international trade.

The announcement says public money will be used to construct new grain drying equipment for ADM, expand its grain storage capacity, shipping and receiving conveyor loading capacity, and to develop an automated truck kiosk system. Kevin Wright, ADM Great Lakes Manager, praised the public payment to his global company saying it allows "ADM to maintain and grow our operations."

The owners of ADM are among the richest in the world. Their control of food production and distribution gives them enormous global power to wield events in favour of their narrow private interests. This private control and aim for maximum profit comes at the expense of the people and worsening food insecurity in Canada and elsewhere. Canadians must challenge this outmoded aim and direction of the economy and break the stranglehold of U.S. imperialism over the country.

The demand of the people is to:

***Stop Paying the Rich! Stop Paying the Debt!
Increase Investments in Social Programs!
All Out for a New Aim and Direction for the Economy to Serve the People!***



Police evict homeless people from encampment in Oppenheimer Park, January 24, 2024.



Police sweep in homeless encampment in Crab Park, Vancouver, January 25, 2024.



In frigid weather, police evict residents from homeless encampments in Edmonton, January 7 and 10, 2024.



Residents of homeless encampment outside St. Stephen's church, Toronto, evicted November 23, 2023.



Homeless encampment in St. Johns, November 22, 2023

Overburdened Food Banks

Food banks throughout the country say they are strained beyond their capacity to deliver food to the growing numbers who need their service. Food Banks Canada (National Network) counted 1,935,911 visits to food banks across Canada in March of 2023 alone, which represents a 32.1 per cent increase from March 2022 and a 78.5 per cent jump from March 2019. In Ontario, visits surged 36 per cent -- to 5,888,685 -- for the year between April 2022 and March 2023 compared to the previous full year, according to a November release from Feed Ontario.

Food bank spokespeople across the country say demand is so high that they are unable to build up food reserves. Food being donated to them is almost immediately distributed. "Every year we seem to be feeding more and more people," a spokesperson said.



UBC student walkout protesting food insecurity, October 27, 2022

Food Banks of Quebec executive director Martin Munger says in 2023 his organization distributed fully twice the number of aid packages it handed out in 2019. It gave out tens of thousands of food baskets in the run-up to Christmas alone, he said. Now, stocks are low. Demand, he said, has "been high all year long and it's also been higher during the holiday season than in previous years." Food banks now serve one in 10 Quebecers, he added.

One in 10 people in Toronto as well are now relying on food banks, twice as many as the year prior, a new report finds. Food bank usage across Toronto smashed another record in 2023, with more than 2.5 million visits between April 2022 and March 2023, a 51 per cent increase, and there are no signs of slowing down, according to this year's *Who's Hungry* report from Daily Bread and North York Harvest food banks.

Dan Huang-Taylor, executive director of Food Banks BC, said 2023 has seen the highest level of demand for food banks since they started operating in British Columbia in the early 1980s. One in ten households in Vancouver is struggling with food insecurity along with homelessness. He reports the number of new clients accessing services across the province rose 62 per cent in 2023 compared to the previous year.

The Fraser Valley Regional Food Bank in BC typically sees about 25 more families register for help during the holiday season, according to director Matthew Campbell -- but the records show that during the 2022 holiday season and into the first weeks of 2023, the number ballooned to about 75 more families. "We're worried and very concerned," Campbell said. According to him the weekly number of families coming to the food bank has gone up dramatically from roughly 200 a week to nearly 600. "This is almost an overwhelming increase," he said.

Food Systems Lab at Simon Fraser University says food insecurity is widespread not only in Vancouver, but across the country. The latest full report from 2021 puts the number of Canadians affected in some way from food insecurity at 5.8 million, including 1.4 million children.

Food banks started in Canada 40 years ago as a response to a recession and the beginning of the deliberate destruction of the post-war social welfare system. The ruling elite pushed the ending of post-war reforms without the people's say or consent. The absence of economic and political control of the people over issues that directly affect their lives is a feature of the ruling elite's party-controlled parliamentary system where representatives of the elite rule. The people are excluded from any direct control over decisions and blocked from developing modern forms of government where they could directly have a say and control over the affairs of state and the economy. The people are resisting being limited to waging extra-parliamentary pressure campaigns and lodging complaints. The people did not agree to end the post-war social welfare reforms, which in effect worsened the lives of everyone except the rich. They are speaking out in their own name and demanding a say.

Gisèle Yasmeen, a senior fellow who researches food insecurity at the University of British Columbia's School of Public Policy and Global Affairs, says food banks were meant to be a temporary "Band-Aid solution" during the crisis, not a permanent phenomenon. "If we don't get to the root of the issue, and we still go back to this idea that somehow charity is going to solve this conundrum, we're dreaming in technicolour," Yasmeen added. For years the primary reason people were coming to food banks was illness and injury, she said. Now the primary reported reason is the high cost of housing.

Other reports point to the stupendous inefficiency of the current food production and distribution system for money-profit, which relies on commodities being purchased in a marketplace. A 2019 study by Second Harvest, a Canadian food rescue organization, found that around 58 per cent of all food produced in Canada -- about 35.5 million tonnes -- is wasted before it even hits grocery store shelves.

"Food manufacturers are having to do everything. They are doing all the collecting, processing, grading at their facilities, which is very costly for them and thus it's cheaper for them to simply throw waste away," Second Harvest said.

(With files from CBC News and Canadian Press)

Rulers Target Toronto Workers and Small Businesses

Denounce proposals of Toronto ruling elite to make the people pay!

Led by new Toronto Mayor Olivia Chow, the ruling elite have prepared a wide range of measures to pass the burden of problems of the imperialist economy onto the working class and small businesses. The monopoly-controlled mass media contend that if the present anti-social direction of the economy and rule of the rich are to be maintained and strengthened then vast sums of additional social wealth must be expropriated from the working class and small- and medium-sized businesses and handed over to the global cartels and their billionaire owners.

The measures that have been discussed and organized for implementation in themselves and taken together will drain social wealth away from the working class, small-businesses and social programs, and put it in the coffers of the rich to use as they wish. The intensified anti-social offensive will generally reduce the standard of living of working people and the middle strata, worsening the living and social conditions of many.



The ruling elite have instituted as regular practice massive subsidies in handouts to global cartels and for war preparations in concert with U.S. imperialism. They are starving social programs of needed investments to instead pay the rich and their self-serving destructive war economy. The proposed Toronto anti-social measures do nothing to solve the problems the city faces but in fact will make the situation worse. Inequality will continue to increase along with the attendant social and natural problems.

Under the "strong mayor" legislation introduced last year by Ontario Premier Doug Ford, Mayor Chow has the political power to push through an anti-social budget without official opposition. In

defence of the people's interests and their socialized economy, working people and their allies are called to duty to oppose in actions with analysis all these measures and struggle for a new pro-social direction of the economy that defends their claim on the social wealth they produce and opens a path forward to having the political power necessary to decide all those matters that affect their lives.

Some Anti-Social Measures the Ruling Elite Are Preparing to Impose on Torontonians

City staff in January floated a "double digit" property tax increase of 10.5 per cent (almost \$400 per year on average) to be added to the existing tax bill of the average home. Mayor Chow and her entourage had warned darkly that without additional federal money for the city that percentage could climb as high as 16.5 per cent resulting in a \$600 average property tax increase.

The City Budget passed on February 14 included a 9.5 per cent property tax increase which, while less than the increase threatened, still amounts to approximately \$372 per year. This is the highest increase since amalgamation in 1998 and follows on the seven per cent increase approved last year. The property tax increase will not only punish homeowners but renters as well, as the increase will be passed on in higher rent. Small-businesses in particular will be directly affected and it could be the final nail in a bankruptcy coffin for many. The disappearance of yet more small- and medium-sized businesses accelerates the imperialist trend of the concentration of ownership, control and power over the economy and politics in the hands of a few.

In the lead-up to the Mayor's budget presentation, proposals to introduce vehicle tolls on the city's main thoroughfares were discussed. This would have been a medieval attack not only because of its regressive nature against equality before the law and regulations but a move that would result in restriction of trade and movement similar to feudal tolls on the movement of people and goods. The measure would do nothing to decrease vehicular gridlock on city streets and highways as the ruling elite are conversely pushing vehicle ownership and use by doling out billions to the rich for electric vehicle production and road infrastructure. Meanwhile they refuse to make mass transit throughout the city more efficient, comfortable and free for everyone.

Another anti-social measure pushed but ultimately not included in this budget was a municipal sales tax that would have been on top of the hated HST.

The major city expenditures are for the Toronto Transit Commission (TTC), general infrastructure, and police, fire and emergency services. The fact that the city is forced to pay for the price of production of the TTC and to tax residents to raise the funds belies the modern reality that mass transit produces social wealth for the city's economy and its principal owners. Those billionaires in control and ownership of the most significant parts of the city's economy do not pay for the use of mass transit by their operations yet benefit from it economically and in fact could not operate without it.

The TTC should not be a city expenditure but instead be considered objectively as means of production for the major parts of the city's economy. The largest enterprises and institutions of the city require the TTC to bring their workers to and from work, shoppers to and from their businesses and students to and from their educational facilities. They should pay for this service according to the number of their employees, customers and students in the same manner they must pay for other means of production and distribution they use in the operation of their businesses.

Aside from a property tax increase, tolls and a municipal sales tax, the ruling elite and mass media want higher fees for all manner of city services including parking as well as cuts to city services, including reduced snow plowing and sheltering of the homeless. Service cuts would leave unresolved pressing problems such as the lack of childcare and long-term care, and the mental health and opioid overdose crisis. This must not pass!

***Organize and Demand a New Pro-Social Direction for Toronto's Economy!
Stop Paying the Rich!
Increase Investments in Social Programs and Infrastructure that Serve the People!
Make Toronto a Zone for Peace!
Our Security Lies in Our Defence of the Rights of All Not in a Militarized Police Force!***

Federal Agency Empowered to Dole Out Money to Private Enterprise

The Federal Economic Development Agency for Southern Ontario (FedDev Ontario) is one of the agencies doling out money to private enterprises. Other regions are covered with similar pay-the-rich agencies. It alone has doled out billions of dollars to private interests since its inception in 2009. FedDev only releases general figures while mostly redacting specific amounts and recipients. [1] The payments from FedDev are separate from specific large public amounts from federal and provincial governments to identified recipients such as the global cartel auto and steel enterprises receiving billions for transition to more advanced means of production and cheap infrastructure.

FedDev Ontario's most recent handout on January 11 was \$2 million going to the owners of Amino North America Corp. (Amino), an automotive body panel and components private enterprise in St. Thomas near London. The announcement says this payment to private owners of the collective socialized economy brings the recent total of FedDev handouts in the London area alone to \$60 million.

The federal government payments to private enterprises occur while all levels of government are starving social programs of needed investments to hire additional staff and improve and expand their outdated means of production. Social programs such as education and health care are faced with unprecedented population growth and demands on their services from working people whose standard of living is constantly being eroded.

The larger FedDev Ontario announcements of payments, as well as the other more spectacular ones, are accompanied with lavish praise of how they will save the economy and provide employment. Why the funding should happen at all is never discussed nor the consequences of strengthening the trend towards the rich becoming richer and more powerful while working people face a constantly lower standard of living and punishing insecurity. The handouts to those in control of private enterprise strengthen their positions vis-à-vis those they employ from the working class, the governing political system and their expropriation of profit from the new value workers produce. In this way the rich assert their rule with more authority in contradiction with the conditions of a modern collective socialized economy and life that cry out for a new economic and political authority of those who do the work.

The working people of Ontario and the rest of Canada demand control over their lives and in particular over politics and the socialized economy where they are the producers and on which they depend for their existence. The people demand a stop to these pay-the-rich schemes. Public payments should go towards increased investments in social programs and towards strengthening public control and ownership of the socialized economy and not private property and the power of the ruling oligarchs.

***Stop Paying the Rich! Stop Paying Government Debt and Borrowing
from Private Moneylenders!
Increase Investments in Social Programs!
Working People Require a New Pro-Social Direction for the Economy Under the Control of
Those Who Do the Work and Who Depend on the Socialized Work for Their Existence!***

Note

1. See page 12 of the Federal Economic Development Agency for Southern Ontario -- Agency Overview 2021 -- where virtually all significant information is redacted.

(feddevontario.gc.ca)

Destruction of Quebec's Economy Continues Under "Nationalist" Legault Government

– Georges Côté –

The Quebec National Assembly resumed its work on January 30. The characteristic feature of this resumption is the squandering of public assets in the service of narrow private interests which form oligopolies and the placing of decision-making solidly in their hands as they continue to usurp natural resources and engage in nation-wrecking. It includes spending nearly \$3 billion of public funds for a battery plant that is completely dependent on the ups and downs of the U.S. economy, Biden's "Build Back Better" plan or Trump's "Make America Great Again" plan, both of which feed the U.S. war machine. It also includes further delivering the education and health care sectors to those whose priority is profit-making and introducing arrangements which further remove the citizens and residents from taking decisions which affect their lives.

Pay-the-Rich Schemes in Energy Sector

By March, the Quebec government intends to table a bill to legalize the direct sale of electricity from one company to another, opening the door to the privatization of electricity and Hydro-Québec. Minister of the Economy, Innovation and Energy Pierre Fitzbiggon wants to amend Quebec's *Energy Board Act* to allow a company to not only generate electricity for itself, which is already legal, but also to distribute and resell it to customers by using their own private power lines or the ones that belong to Hydro-Québec.

Quebeckers have always been told that the nationalization of privately-owned electricity companies 60 years ago was done with the aim of being "masters in our own house." Today, the government wants to put the final nail in the coffin of that *Maîtres chez nous* slogan. Pay-the-rich schemes have followed one after the other and many all at once, particularly since the early 1990s, to the detriment of the people, society and nation-building. Within this situation, how to privatize Hydro-Québec has been a constant interest of the ruling elites.



Fitzgibbon's argument to justify increased power generation through privately-owned power utilities in Quebec is that "there are not enough megawatts for all the industries" that are setting up shop in Quebec. This includes the 2022-2023 announcements of U.S./south Korean plants for producing battery components for electric vehicles (EVs) in Becancour, Quebec and last September's announcement of the Swedish Northvolt megaplant for assembling batteries for EVs, at McMasterville, 35 kilometres from Montreal.

Although the government claims that regulation of new privatized power utilities will only allow

for surpluses to be sold in small quantities, many are pointing out that this in fact opens the floodgates. Fitzgibbon is on the record as saying that "the private sector is more efficient than the state, in general, by definition." Also, the smaller generating stations are precisely how Quebec's hydro reserves are being parceled out to the detriment of nation-building. The Quebec government in 2012 already decided to abandon small scale power plants to private producers "so as to concentrate on bigger projects" which require huge funding.

Returning Quebec to its economic role of "hewer of wood, drawer of water" is the order of the day of the "nationalist" government of the Coalition Avenir Québec (CAQ). Resources for batteries may have replaced wood and water to some extent, but the framing of economic development in favour of narrow private interests engaged in nation-wrecking all over the world is evident.



In the name of a "green economy," the government made the largest investment in Quebec's history when it committed to the construction and production of the Northvolt plant in September 2023. It will be 80 per cent financed by the governments of Quebec (\$1.37 billion) and Canada (\$1.34 billion). Added to this start-up package are "production incentives," to be made available to Northvolt once it is up and running. These incentives represent another \$4.6 billion -- a third of which (\$1.5 billion) is to be paid by the Quebec government. In total, the bill for the Quebec government could rise to \$2.9 billion in public funds over the next few years.

The project is causing a great deal of concern even within the ruling circles because the need for lithium-ion electric batteries is seen as less urgent with the onset of a recession in the U.S. and the lower predictions of sales of EVs. Another reason is Northvolt's subsequent announcement that it is now focusing on sodium-ion batteries for energy storage. In any case, there is widespread opposition from hundreds of citizens, environmental organizations and Indigenous Peoples who point out that a battery plant will contribute to the destruction of already scarce wetlands besides other environmental damage. To avoid holding Environmental Public Hearings (BAPE), the government has modified the criteria so that Northvolt is not subject to it.

Handover of Health and Social Services Sector to Private Interests

In the health sector, opposition continues to Bill 15, *An Act to make the health and social services system more efficient*, adopted under a gag order on December 9, 2023, right in the middle of negotiations with public and parapublic sector workers. The 300-page bill tabled by Health Minister Christian Dubé contained 1,180 articles and amended 37 laws. The main aim of the "reform of health care" is to further centralize and privatize all decision-making in this sector through a new agency Santé Québec established by the bill. Dubé asked executives from companies such as IBM Canada, Google Canada, Energir, Accenture, Pharmaprix and KPMG to recommend candidates from their networks to join Santé Québec's Board of Directors as "top guns." The salary of the top gun in charge of the new agency, Santé Québec, has been announced to be \$652,050 for his first two years at the head of Santé Québec, making him one of the highest-paid heads of Crown corporations in Quebec.

It is never too late to remind ourselves that at least five of the "top guns" of SCN-Lavalin put in charge of the construction of Montreal's mega-hospitals did jail terms on charges of rigging bids, breach of trust, forging documents, bribery, money-laundering and other illegal means to transfer public funds to private interests.



Health care workers protest Bill 15 outside the Quebec National Assembly, December 2, 2023.

By establishing Santé Québec as a single employer in the health and social services sector, the Minister of Health is imposing a restructuring of the unions. With the reduction of union certifications from 136 to 4, several union organizations risk simply disappearing. Santé Québec will report to the Minister, not to the National Assembly on behalf of the public. The neo-liberal mantra guiding the government is that to develop society, all the nation's resources must be made available to the narrow private interests which have also usurped the decision-making power. The office of the Premier and his cabinet act to increase police powers to remove barriers to the demands of the narrow private interests while increasing impunity against the peoples. Laws that get passed then give it all a legal stamp. The plunder of public funds by private interests is revealed once again.

Meanwhile, the irony is that a consultation is underway led by Quebec's Chief Electoral Officer aimed at sparking discussion on the issues facing the electoral system. However, the 172-page consultation document, entitled *For a New Vision of the Electoral Law*, contains not a single word about the crucial problem posed by the *Electoral Act* and the process that keeps citizens disempowered. At present the people exercise no control over the narrow private interests which have usurped power. This problem of people's empowerment needs to be addressed, to develop a new vision of the electoral law.



Government has lost moral authority and legitimacy to govern, given that citizens' rights are subject to limits, workers are considered disposable, and the demands of the rich are guaranteed and subject to no limits. This authority is at odds with the people's plans for a modern Quebec. The massive support of the people of Quebec for the struggle of health and education workers reflects their aspirations for human-centred public health care and education systems.

It is the political struggle of workers and the broad masses of the people from all walks of life that is decisive in changing the direction of the economy and renewing the political process to ensure that it is they who decide on all issues that concern them and affect their daily lives, and to put an end to the squandering of natural and human resources for the benefit of a tiny minority. The Quebec working class opposes the nation-wrecking of the rulers and is organizing its own nation-building project so as to constitute itself the nation and vest sovereignty the people.

**Constitutionality of Act Respecting First Nations, Inuit and
Métis Children, Youth and Families**

Favourable Supreme Court of Canada Ruling



Assembly of First Nations, Quebec and Labrador press conference announcing the decision of the Supreme Court, February 9, 2024.

On February 9 the Supreme Court of Canada issued its unanimous decision upholding the constitutionality of the *Act respecting First Nations, Inuit and Métis children, youth and families*. The Act came into effect on January 1, 2020 and its constitutionality was challenged by the Quebec government.

APTN reports that "the law affirmed the right of Indigenous Peoples to run their own child protection services and included sections that said Indigenous legislation had the force of federal law and could supersede provincial law. It was developed after the Canadian Human Rights Tribunal ruling that Canada discriminated against First Nations children on reserve by underfunding the services that were supposed to help them.

"In October 2023 the federal government agreed to a \$43 billion settlement with two class actions against it for that discrimination with \$23 billion being paid out as compensation and another \$20 billion to fix the system."

Pointing out that the Act "is intended to address the harmful impacts of the child welfare system on Indigenous families," the Union of BC Indian Chiefs in a February 9 press release said: "This decision upholds the constitutionality of the entirety of the Act, including: the national minimum standards, Parliament's affirmation that the inherent right to self-government includes jurisdiction over Indigenous children and families, and the scheme Parliament designed to facilitate the ability of Indigenous communities to exercise that right."

The First Nations Leadership Council and the Our Children Our Way Society welcomed and applauded the decision saying that it "represents a giant leap forward in the implementation of Indigenous jurisdiction over children and families."

"This decision ends the colonial era of Canada and the provinces controlling Indigenous child

welfare. Our inherent right to protect our children and to hold them within their families and communities is reaffirmed," says Grand Chief Stewart Phillip of the Union of BC Indian Chiefs.

Cheryl Casimer, First Nations Summit Political Executive, said: "This is one of the most important pieces of legislation for Indigenous peoples: it calls for strengthening and keeping families together rather than ripping our children away from their families and their cultures."

The Carrier Sekani Family Services Society, along with four Carrier Sekani nations, argued that the case-by-case approach has created unreasonable barriers to self-government. In its decision, the Supreme Court relied on this argument, noting that: "Avoiding a whole cycle of litigation allows Indigenous groups and the Crown to use their time and resources to focus on the actual substance of the issue: caring for children."

Mary Teegee-Gray, Chair of the Our Children Our Way Society, said: "We have always had our own laws and we have always had the right to care for our own families in our own ways. We never gave that up and Canadian laws can never change that. What the Act did was to provide space to focus on how we breathe life into those laws. Today's decision from the Supreme Court holds that space open and we will carry on with our work."

In its intervention in the case, BC's First Nations Leadership Council argued that the UN Declaration on the Rights of Indigenous Peoples affirms the Indigenous right to self-determination, and that the Declaration represents binding international law. As a result, section 35 of the Constitution should be interpreted broadly as including the right to self-determination.

Terry Teegee, Regional Chief of the BC Assembly of First Nations, said: "This decision reaffirms that Canada has an obligation to uphold international law and to act in ways that maintain the honour of the Crown. Under those obligations, Canada must fully recognize our inherent Indigenous right to self-determination."

Federation of Sovereign Indigenous Nations (FSIN) in Saskatchewan first vice chief David Pratt urged Canada to "properly and adequately fund First Nations child welfare reform."

"We're bringing our children home. We can't bring them home if there's no housing if there's no infrastructure for them to be able to be supported -- when we have communities in crisis right now with policing, addictions, and gangs," Pratt said. "We can't bring them into that type of environment. There's a lot of work we have to do," he said.

The FSIN said 58 out of 74 First Nations in Saskatchewan are already in the process of implementing their own child welfare systems.

David Chartrand, President of the Manitoba Métis Federation (MMF), in a statement posted to their website, said: "It gives us great relief to know that our children will be safe in our care and in our arms. Our families will be rejoicing that we will never lose our children to outside forces again. Never will we have to face the external creation of laws and policies that are racial and discriminatory and have created so much devastation."

Alvin Fiddler, grand chief of Nishnawbe Aski Nation, which represents 49 First Nations in northern Ontario, said: "the decision confirms what NAN First Nations have always known -- our children are our jurisdiction, wherever they may reside.

"This decision means the federal and provincial governments will have to accept and respect our laws when it comes to our children, youth and families. Today is a good day for Indigenous sovereignty and all First Nations who are developing and asserting their own child welfare laws."

Aluki Kotierk, President of Nunavut Tunngavik Inc. (NTI) in a February 9 statement applauded the decision. "The Court's decision is encouraging in light of our desire for self-determination for

Nunavut Inuit," Aluki Kotierk said. "Governments have continually failed vulnerable Inuit children, youth and families. Child welfare in Canada is heavily centred on responding to emergencies, with little to no support for efforts to prevent such emergencies from happening in the first place. NTI is committed to working to better the lives of Inuit children to address the effects of residential schools, colonial policies and intergenerational trauma, and the Court's decision confirms our right to help lead these endeavors in Nunavut," she said.

The Inuit Tapiriit Kanatami (ITK) that represents Inuit in Canada said the judgement "affects child welfare laws but also every aspect of Inuit jurisdiction and the right to self-determination."

"Today, Canada's highest court has unanimously reaffirmed our inherent right to self-govern, including the power to care for our children and youth. As a result of colonial systems, many of our families have been torn apart and have suffered devastating intergenerational trauma," said Natan Obed, president of the ITK.

"This landmark decision, grounded in the UN Declaration on the Rights of Indigenous Peoples, signals an incredible opportunity to transform socio-economic outcomes for Inuit and upholds our right to self-determination, a right that was never surrendered."

Obed spoke about the ongoing tragic reality of the over-representation of Inuit children in care across the country. "Bill C-92 pushes back against those realities, pushes back against colonial attitudes towards taking children away from their families, and pushes the Canadian state to recognize representatives of Indigenous Peoples, Inuit rights-holding institutions and organizations along with First Nations and Metis to take care of our children and to implement self-determination in this field," Obed said, speaking to reporters outside the House of Commons on February 9.

Assembly of First Nations National Chief Cindy Woodhouse Nepinak said: "First Nations have never surrendered their jurisdiction over their children and families, which has existed since time immemorial. First Nations continue to have the inherent and constitutional right to care for our children and families, along with our sacred rights from the Creator to raise our children surrounded by our cultures, languages, and traditions."

Respected child advocate Cindy Blackstock, executive director of the First Nations Child and Family Caring Society, said in a statement: "Today, the ancestors, the children and youth who went to residential schools and those who did not make it home, the 60s Scoop survivors, the children and youth in and from care today, and the Indigenous adults who love them, inspired the Supreme Court to ask more of itself and it delivered," she said.

"Now it is up to the provincial, territorial and federal governments to make sure they provide the resources and supports needed for First Nations, Métis and Inuit children and youth to grow up safely at home, get a good education, be healthy and proud of who they are."

Kirsten Barnes, a lawyer with the BC First Nations Justice Council, said that while the Act itself is imperfect, it does offer a pathway for Indigenous communities to assert their right to self-determination regarding the well-being of their children and families.

"What we are dealing with is a brand new landscape whereby multiple laws are being revitalized and no two Nations' laws, needs, and solutions look exactly the same," she said.

"The Supreme Court of Canada's unanimous decision to uphold the Act ensures that the work already started by many First Nations toward jurisdiction can continue," Barnes added.

(APTN, indiginews.com)

Information on Quebec's Case Before Supreme Court

The constitutionality of the *Act respecting First Nations, Inuit and Métis children, youth and families* which came into effect on January 1, 2020 was questioned by Quebec on the grounds that ss. 21 and 22(3) of the Act gave the laws of Indigenous groups, communities or peoples priority over provincial laws and the Act was thus ultra vires (unconstitutional).

Quebec said that its disagreement was with the federal government and not First Nations or Inuit and that:

"Quebec had argued that Ottawa in effect amended the Constitution on its own, illegally, by recognizing self-government as a constitutional right, and by giving primacy to Indigenous laws over provincial ones.

"That set the stage for a precedent-setting battle over the meaning of self-government in Canada's 1982 Constitution. The broadly worded Section 35 protects Indigenous and treaty rights that existed prior to 1982; its scope has evolved slowly over its four decades.

"But the Supreme Court, in a seemingly paradoxical ruling, chose not to make a pronouncement on its view of the right to self-government under Section 35. Instead, stressing pragmatism, it said only that Ottawa has the authority to assert its view of the meaning of the right. That it took the court 14 months to issue its ruling from the time it heard the case -- the average is six months -- suggested to court watchers and participants in the case that the court chose consensus over a more far-reaching, but divided, ruling.

"The court said its practical approach was intended to protect Indigenous children and families now, while avoiding slow and uncertain constitutional and treaty negotiations and court settlements.

The Supreme Court said that "The Attorney General of Quebec referred the question of its constitutional validity to the Quebec Court of Appeal, asking whether the Act is ultra vires Parliament's jurisdiction under the Constitution of Canada. The Court of Appeal held that the Act is constitutionally valid except for sections 21 and 22(3), provisions that give the laws of Indigenous groups, communities or peoples priority over provincial laws. In its view, these provisions exceed Parliament's jurisdiction because they impermissibly alter Canada's constitutional architecture. The Attorney General of Quebec and the Attorney General of Canada appeal from the opinion given by the Court of Appeal."

The court dismissed the appeal of the Attorney General of Quebec and allowed the appeal of the Attorney General of Canada and said that "The Act as a whole is constitutionally valid. The essential matter addressed by the Act involves protecting the well being of Indigenous children, youth and families by promoting the delivery of culturally appropriate child and family services and, in so doing, advancing the process of reconciliation with Indigenous peoples. The Act falls squarely within Parliament's legislative jurisdiction over 'Indians, and Lands reserved for the Indians' under s. 91(24) of the Constitution Act, 1867."

In an article in the *Globe and Mail* on February 9, journalist Sean Fine reported that more than half of the children in foster care in private homes are Indigenous, though Indigenous children make up under eight per cent of all children in Canada according to 2016 census data cited by the Supreme Court, and that "the court quoted the National Inquiry into Missing and Murdered Indigenous Women and Girls, which said child welfare has become, like residential schools, a site of assimilation and colonization, by forcibly removing children from their homes."

Women's Memorial Marches

Marches Honour Missing and Murdered Indigenous Women, Girls and Two-Spirited People

– Janice Murray –



Memorial March, Vancouver, February 14, 2024

On February 14, memorial marches and ceremonies took place in more than 17 towns and cities across Canada, in the main organized by the friends and families of missing and murdered Indigenous women, girls and two-spirited people. Marches were held in Nanaimo, Victoria, Vancouver, Terrace, Merritt, Prince George, Lethbridge, Edmonton, Calgary, Winnipeg, Kenora, Thunder Bay, London, Hamilton, Toronto, Montreal, Halifax and other places.

These marches honour the lives of those murdered and missing, as well as demand justice and an end to state-organized violence against Indigenous Peoples.

The first Women's Memorial March, in Vancouver in 1992, began out of anger at the refusal of the government and its agencies to act to stop the murder and disappearance of Indigenous women and girls from the Downtown Eastside neighbourhood of Vancouver and in response to yet another brutal murder in the area. The scale of this genocide against Indigenous women and girls can be measured by the fact that between 1992 and 2019 there have been 970 women and girls who have been murdered or gone missing in the Downtown Eastside alone.

From November 2015 -- when the Trudeau government came to power with its promises to end the violence and establish a new relationship with Indigenous Peoples -- to the end of 2021, at least 227 Indigenous women and girls have been murdered. In 2022, Aboriginal Alert alone posted over 600 missing alerts for Indigenous women and girls, 76 of whom were still missing a year later and 15 of whom were reported deceased. The number of those missing and murdered is a damning indictment of the government's refusal to act.

The dehumanization which makes this violence possible is clearly illustrated in Winnipeg, where families have now been camping for more than a year at the Brady landfill, seeking justice for their loved ones whose bodies have been disappeared amongst the garbage there, demanding the landfill be searched.

These killings and disappearances take place under conditions of state-organized racist violence and genocidal violation of treaty and hereditary rights carried out under the guise of lofty ideals. Genocidal aims have imbued the official colonial policy towards Indigenous Peoples since the

creation of Canada, in which Indigenous women in particular are considered easy prey. These crimes must end and Canada must redress them and uphold nation-to-nation relations with Indigenous Peoples.

Vancouver

In Vancouver thousands took to the streets for the 33rd annual march. This year the march was led by the youth. The march began at Main and Hastings and made its way through the Downtown Eastside, making stops and laying flowers where missing and murdered women and girls were last seen or where their bodies were found. The march closed with speeches and a healing circle at Oppenheimer Park, followed by a community feast.



Victoria

Some 600 people took part in the 14th annual Stolen Sisters Memorial March held on February 10, gathering at Our Place and marching to the BC Legislature.

Speaking to the violence against Indigenous women and girls Gina Mowatt, from the Gitksan nation, said: "We have to look at the root of this violence in the face ... Part of the goal [of colonization] is to destroy our knowledge systems, our kinship systems, our legal orders, our governance systems, our sovereignty. And gender-based violence plays a huge role in that."



Prince George

On a cold and windy winter afternoon, hundreds of community members from all walks of life marched from the Prince George Native Friendship Centre through downtown to the Courthouse, raising their voices in a powerful Women's Memorial March and Healing Fire calling for justice for missing and murdered Indigenous women and girls and for all women, children, men and everyone facing violence. Drumming, singing and moving presentations were accompanied by sharing food, clothing and other necessities with those experiencing homelessness, poverty and other life challenges.





Toronto

In Toronto some four hundred people gathered outside Toronto Police headquarters for the 19th annual strawberry ceremony. The ceremony takes place at police headquarters, "the epicentre of the enactment of colonial violence on Indigenous peoples," the callout for the event says.

The ceremony, organizers state, "is to honour, grieve and remember missing and murdered loved ones who have otherwise been made invisible," with family members of women who have been murdered or gone missing recounting their stories. As this year's ceremony began, an organizer spoke to the genocide taking place against the Palestinian people, saying "genocide takes different forms" here and in Palestine and that "our hearts are with our cousins in Palestine."



Calgary



Montreal





Stand with Wet'suwet'en Land Defenders!

**Support Wet'suwet'en Court Challenge!
Stop the Criminalization of Land Defenders!**



Land defenders (left to right) Shay Lynn Sampson, Corey Jocko "Jayohcee" and Sleydo' Molly Wickham outside Smithers courthouse during the first week of the trial, January 8-12, 2024.

An important hearing on Indigenous land defenders' application for a stay of criminal contempt charges due to RCMP violation of their rights during raids on two camps on Wet'suwet'en territory in November of 2021 began January 15 in a Smithers, BC courtroom.[1]

The hearing of the application for stay follows the conviction of three land defenders -- Sleydo' Molly Wickham, Shay lynn Sampson and Corey Jocko "Jayohcee" -- of criminal contempt on January 12. Following the guilty verdict, on January 15, the trial moved into hearing the defendants' application for a judicial stay of proceedings based on their claim that the RCMP used excessive force and other *Canadian Charter of Rights and Freedoms* violations, a process that was expected to take a week.

On January 22, Gidimt'en Checkpoint reported on Facebook the court proceedings from January 15 to 19:

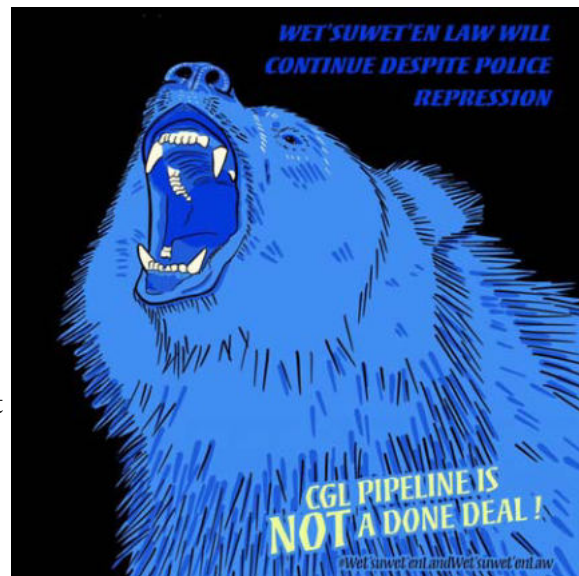
"Last week's proceeding of Sleydo' Molly Wickham, Shay lynn Sampson, and Corey Jocko 'Jayohcee's' trial addressed the defendants' abuse of process applications. The application is based on the defendants' experience of widespread *Charter* violations stemming from the RCMP's disproportionate and excessive use of force.

"The court heard audio recordings taken after the RCMP's raid on Coyote Camp and Gidimt'en Checkpoint on November 18-19, 2021. The recordings caught officers referencing 'gassing' people in the tiny home, referring to a man as an 'ogre' and laughing about how multiple officers 'beat the shit out of him,' and referring to Indigenous women as 'orcs' for wearing red paint symbolizing Missing and Murdered Indigenous Women and Girls. Another audio recording revealed an officer saying 'Here's Johnny,' comparing the scene from *The Shining* to the officers' use of axes to break into the cabins. RCMP Superintendent Elliott agreed that the recordings were not in accordance with his mission to comply with the *Charter* and called the officers' behaviour 'unprofessional and unacceptable.'

"Testimony confirmed that Emergency Response Team (ERT) members armed with rifles and canine units -- but without warrants or negotiators -- barged into tiny homes where land defenders stood, with their arms up."

The judge determined that more time was needed to hear the case, at least one and possibly two more weeks. The hearing has been scheduled to continue June 17-21 with additional dates to be determined, and will hear testimony from Sleydo', Sampson and Jocko as well as more RCMP officers.

The current case arises from a November 2021 RCMP raid of two camps established on Wet'suwet'en territory to block access by Coastal GasLink (CGL), which is building a pipeline without the consent of the Wet'suwet'en Hereditary chiefs and in violation of Wet'suwet'en rights and title. Twenty-seven people were arrested at Gidimt'en Checkpoint and Coyote Camp and charged with civil contempt for violating an injunction issued to CGL by BC Supreme Court Justice Marguerite Church in 2019. Subsequent to the civil contempt charges the BC Prosecution Service, at the invitation of Justice Church, charged 19 of those arrested with the more serious offence of criminal contempt. Justice Church said: "It is clear from the evidence before me that there is an



important public interest in fostering a respect for the rule of law. The conduct alleged is defiant of

the rule of law, and such conduct depreciates the authority of the court."

The land defenders' application to the BC Supreme Court for a stay of the criminal contempt charges was filed in February 2023. A press release issued at the time highlights the RCMP's "disproportionate and excessive use of force" against peaceful land defenders and quotes Sleydo': "Society is rightly concerned with how a special unit of RCMP (C-IRG) acts with impunity, using racist language and violence against unarmed Indigenous women. Now it's in the court's hands to decide if this is acceptable in 2023."

The applications allege that arrestees were denied their right to security of person, subjected to unreasonable search and seizure, arbitrarily detained and imprisoned, and denied reasonable bail without just cause. Court documents say: "The RCMP/C-IRG's enforcement tactics impaired the Applicant's individual *Charter* rights, but the police misconduct also displays a systemic disregard for Indigenous rights and sovereignty and the *Charter* more generally."

A lawsuit for damages, wrongful arrest, wrongful detention and violation of *Charter* rights has also been launched by *The Narwhal* over the arrest of their journalist, Amber Bracken. Bracken was arrested with another journalist, Michael Toledano, in the November 2021 raids.

Since its establishment in 2017 by the RCMP in BC as a special force to protect the interests of industry against protests by Indigenous Peoples and others, the C-IRG has faced lawsuits and hundreds of individual complaints to the RCMP's Civilian Review and Complaints Commission (CRCC), alleging excessive force, illegal tactics, unprofessional behaviour, racism, discrimination and various *Charter* violations.

TML condemns the ongoing state attacks on the Wet'suwet'en and Indigenous land defenders across Canada and wholeheartedly supports the court challenge to the criminal contempt charges. The courage and persistence of Wet'suwet'en land defenders and the justness of their cause deserves the broadest possible support. To contribute to the Wet'suwet'en Yintah Defence Fund [click here](#).

Note

1. Gidimt'en Checkpoint provides the following background:

In response to CGL's violation of the Wet'suwet'en law of trespass, Wet'suwet'en hereditary chiefs issued an eviction notice to CGL on November 14, 2021.

Coyote Camp was established at the CGL drill pad site on September 25, 2021. On November 18 and 19, 2021, in response to these acts of Wet'suwet'en sovereignty, heavily-militarized RCMP officers invaded the yintah for the third time and arrested 32 people, including several journalists and legal observers. Land defender Sabina Dennis (Dakelh) was arrested on November 18 at Gidimt'en Checkpoint. Land defenders Sleydo' Molly Wickham (Wet'suwet'en), Shay Lynn Sampson (Gitksan), and Corey "Jayohcee" (haudenosaunee) were arrested on November 19 at Coyote Camp.

BC Prosecution Service brought criminal contempt charges against 19 of the people arrested in November 2021 for violating an injunction issued by the B.C. Supreme Court that "prevents anyone from blocking access to roads or work sites used for the construction of the Coastal GasLink pipeline."

Sabina Dennis and Wet'suwet'en Hereditary Chief Dinī ze' Dsta'hyl Adam Gagnon have completed their trials. Sabina was acquitted [on November 29] and Dinī ze' Dsta'hyl will receive the decision for his trial on February 20.

(With files from *APTN*, *Gidimt'en Checkpoint*, *CBC*, *The Tyee*)