MODES OF INFLUENCE: THE MAKING OF THE CALGARY SCHOOL

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Lay Abstract

The Calgary School was a group of conservative academics—the historian David Bercuson and the political scientists Barry Cooper, Tom Flanagan, Rainer Knopff, and Ted Morton—all of whom were professors at the University of Calgary. It has long been acknowledged by scholars, journalists, and commentators that this rather small group played an outsized role in conservative Canadian politics around the turn of the twenty-first century. This study of the Calgary School surveys the intellectual history of the group from the mid-1960s to the mid-2000s. It shows how its members developed a shared intellectual outlook that they would then go on to promote in myriad ways. By availing themselves of various "modes of influence," working not just as scholars but as vocal polemicists, advisors, and even politicians, the Calgary Schoolers took the opportunities available to them in the historical moment they confronted, in the process re-shaping the contours of political life in Canada.

Abstract

The Calgary School, a group of conservative academics at the University of Calgary including the historian David Bercuson and the political scientists Barry Cooper, Tom Flanagan, Rainer Knopff, and Ted Morton, has been recognized as an important intellectual formation on the Canadian right since the early-1990s. These Calgary Schoolers have been associated closely with the political rise of Stephen Harper, who was Prime Minister of Canada from 2006-2015. They have also been associated more generally with histories of neoliberalism and neoconservatism in Canada. This dissertation is the first comprehensive history of the Calgary School; it traces the intellectual history of the group from the mid-1960s to the mid-2000s.

The Calgary Schoolers were united most of all by their outlook on the proper role of states in socio-economic life. In their critique of the intentional state, which they inherited from various thinkers in the transnational orbit of conservative ideas, the Calgary Schoolers opposed the notion that states can purposely direct civil society towards acknowledged goals and outcomes. To seek outcomes like economic equality, for example, was to engage in what Calgary Schoolers often maligned as "social engineering."

Sharing in this perspective as they did, the Calgary Schoolers then sought to extend the influence of their views, doing so in various "modes of influence." The Calgary Schoolers established their authority as scholars, used that authority to undergird ventures into public view as polemicists, and associated themselves with people and institutions that could give practical weight to their positions. While resisting the idea that the Calgary Schoolers somehow made the neoliberal era in Canada, this dissertation shows how they made influence from within the confines of that era, recognizing the opportunities it afforded them and leveraging those opportunities for their ends.

Acknowledgements

I have many people to thank for their contributions not just to this work but more generally to my training as a historian, training to which this work, hopefully, attests in some measure. Of course, I owe thanks to friends and family, too.

I might not have trained as a historian at all if I had not had the great fortune of meeting and studying with Kristine Alexander at the University of Lethbridge. Kristine's historiography seminar in the "lair" during the winter of 2016 convinced me of my passion for history and saved me from what might have been a rather impassionate experience in law school. Since we got to know one another over the course of that enlightening seminar in the dark, Kristine has been a constant source of wisdom, guidance, and support. I am so lucky to have had the benefit of Kristine's mentorship.

At about the same time that I was in Kristine's seminar, I found my way into the "Ian McKay Section" at the University of Lethbridge's library. And if the seminar convinced me of my passion for history in general, reading Ian's books and articles convinced me that it was possible to find in Canadian history the kinds of historical questions and dynamics that I had previously only encountered elsewhere. Coming to McMaster to work with Ian, first on an M.A. project about Canadian communists and then on this doctoral project, has been a dream come true. Ian has reliably been the most incisive and intelligent reader of my work. Among many other moments, I will look back especially fondly on our eighteen-week neoliberalism reading group during the first months of the COVID-19 pandemic. I am also so grateful for Ian's willingness to include me in his pandemic-era projects, including *Syndemic* and *Crisis and Contagion*. I can scarcely imagine a better supervisor.

There are many others at McMaster to whom thanks are due. I have learned so much from John Weaver. When I teach the history of capitalism, a history that I learned most of all from John, not a lecture goes by where I don't channel some Weaverian insight that has burrowed deep into my mind. In the early stages of this dissertation, John's recollections about Duke University were especially helpful. Alongside Ian and John on my supervisory committee, I am thankful to Michael Gauvreau for his collegiality, encouragement, and insight, even as the pandemic surely kept us from getting to know one another as we might have. In the office, Debbie Lobban, Aurelia Gatto Pinto, and Andrew Folino were an administrative dream team. Tracy McDonald has been a great friend with whom to manage flooded basements and walk dogs (miss you, Ben). A special shout out is due to the pub crew, from the early days, of Graydon Dennison, Gabby Cardwell, and David Isserman. And finally, Max Dagenais, my co-captain in the Unholy Alliance, has been a friend

and a tennis partner, and I have many fond memories of watching sports late into the night in Max's living room.

At the University of Calgary Archives, on which this project depended, I owe thanks to Bonnie Woelk and, especially, to Curtis Frederick. My various research trips to Calgary, which began in 2019, stopped for a period of nineteen months during the pandemic, and then resumed late in 2021, were a genuine pleasure thanks in no small part to their labours on my behalf.

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Lastly, home in Lethbridge where I wrote the entirety of this dissertation, my deepest and least-expressible thanks are due. My parents, Roger and Jennifer, have done more for me, and meant more to me, than I could begin to describe here. My gratitude for the many ways that they have supported me is boundless. Jemma has been there every day for loving and laughing (along with Perry, Mig, Ringus, and Tritter). Austin, Kale, and Ty would find it funny if the last line of these acknowledgments said "Love you, bros."

Contents

List of Abbreviations

CBC – Canadian Broadcasting Corporation

CCF – Co-operative Commonwealth Federation

CPSA – Canadian Political Science Association

MMF – Manitoba Métis Federation

NAFTA – North American Free Trade Agreement

RCAP – Royal Commission on Aboriginal Peoples

Declaration of Academic Achievement

Mack Penner is the sole author of this dissertation.

Introduction

The Calgary School in Canada and the World

On 29 January 1992, the *Globe and Mail* columnist Jeffrey Simpson noted that "the Canadian political scene has a new intellectual 'mafia' at the University of Calgary." The Calgary mafia, Simpson perceived, was characterized by shared political values of fiscal conservatism, western frustration with the mechanisms of Confederation, and a sort of general right-wing skepticism regarding a variety of other issues including "feminism, pay equity, and the use made by interest groups of the Charter of Rights and Freedoms." Simpson went on to name the political scientists Barry Cooper, Tom Flanagan, Rainer Knopff, and Ted Morton, along with the historian David Bercuson, suggesting that they had collectively exerted a strong influence on Preston Manning, leader of the growing Reform Party movement, and on certain "elements of the wider Canadian public."[1]

Simpson's column caused some ripples, if not waves, in Calgary. On 5 February, David Bercuson responded with a letter to the editor objecting to what he regarded as Simpson's effort "to demonize people like me by shoe-horning our views into categories that any 'reasonable' person (like him) would find repugnant and to do so without any regard to the facts."[2] Additionally, an apparently never published

[1] Jeffrey Simpson, "That's not a machine gun in the violin case, it's a political manifesto," *The Globe and Mail*, 29 January 1992, A16.
[2] David Bercuson, "No regard to facts," letter to the editor, *The Globe and Mail*, 5 February 1992, A12. Indeed, the facts of Simpson's piece did not largely map onto Bercuson, who was not associated with the Reform Party (although this history will show that Reform was by no means anathematic to him) and whose political views were a little more enigmatic than those of his colleagues.

letter to the editor signed by most members of the Department of Political Science, but none of the named Calgary mafioso, pushed back against what they feared would be an overly broad public interpretation of Simpson's descriptions. "Prospective students need not fear that they will get only Reform nostrums at The University of Calgary," they wrote, "Intellectual debate is alive and well in this department."[3] And yet, even if overstatements featured in Simpson's descriptions, he was perceptive. There was indeed an increasingly influential coalition of conservative academics in Calgary, although the "Calgary mafia" moniker has not endured, and as of the early-1990s its presence on the political and intellectual terrain of Canada became difficult to ignore.[4] Typically, the group is now referred to as the "Calgary School."[5]

In 1992, the Calgary School was not quite as "new" as Simpson wanted to suggest in his mafia column. It may, at that time, have been newly influential, but 1992 was more like a midway point, if a midway *turning* point, in the intellectual-

[3] Letter to the editor of *The Globe and Mail* from Ronald C. Keith, Gretchen M. MacMillan, Mark O. Dickerson, Neil Nevitte, B. Harasymiw, Donald Barry, Stan Drabek. R. Gibbins, A. Parel, Keith Archer, Shadia B. Drury, Donald Ray, Leslie A. Pal, W. Harriet Critchley, and James F. Keeley, 3 February 1992, 98.027, box 7, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[4] It is reported that Rainer Knopff, at least, preferred the "Calgary mafia" label. See Mark Milke, "The Long Reach of the Calgary School," *C2C Journal*, 18 May 2018, https://c2cjournal.ca/2018/05/the-long-reach-of-the-calgary-school/.

[5] At the time of Simpson's column, the chair of the University of Calgary's Department of Political Science was Roger Gibbins. He had signed his name to the departmental letter, but about a week later he wrote a letter to Cooper, Flanagan, Knopff, and Morton to apologize. Gibbins admitted to his colleagues that the departmental letter, because it was not signed by the people named in Simpson's column, could have been read to imply their opposition to debate or their approval of teaching based on "Reform nostrums": Letter from Roger Gibbins to Barry Cooper, Tom Flanagan, Rainer Knopff, and Ted Morton, 10 February 1992, 98.027, box 7, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. It was fitting, actually, that Gibbins was chair at the time and that he apologized, because he is sometimes grouped alongside his four colleagues in political science, and David Bercuson in history, as the sixth member of the Calgary School. In researching this history, I found Gibbins to be peripheral to the extent that he should not qualify for "school membership."

historical trajectory of the group. The first school member to arrive in Calgary was Tom Flanagan, who accepted a tenure track position in the political science department in 1968.[6] He was followed by David Bercuson, who arrived as a visiting assistant professor in 1970.[7] In 1978, Rainer Knopff was recruited by department head Anthony Parel. Finally, in 1981, Barry Cooper arrived after spending a number of years at universities in central and eastern Canada, and in the same year Ted Morton, who had been teaching at Assumption College in Massachusetts, was hired in Calgary as well.[8] By the time that columnists in the national media were recognizing that something was going on in Calgary, the individual Calgary Schoolers were, if to somewhat differing degrees, seasoned academics with developed scholarly interests and publishing programmes.

The Calgary School and the Spectre of Stephen Harper

Simpson's attention to the politics of the Calgary Schoolers was agenda-setting. Since the 1990s, literature on the group has been oriented around particular political developments. The school is known for its role in the rise of the Reform Party under the leadership of Preston Manning and later the ascendance of the federal Conservative Party under the leadership of Stephen Harper, who studied

[6] Tom Flanagan, "Legends of the Calgary School: Their Guns, Their Dogs, and the Women Who Love Them," in Thomas Heilke and John von Heyking, eds., *Hunting and Weaving: Empiricism and Political Philosophy* (South Bend, IN: St. Augustine's Press, 2013), 22.
[7] David Bercuson, Curriculum Vitae, 99.037, box 18, folder 6, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[8] Flanagan, "Legends," 22-23.

economics at the University of Calgary in the 1980s and early-1990s.[9] For these reasons it is also true that the existing literature gives pride of place to the best-known Calgary Schooler, Flanagan, who was the most directly involved of the group with both the Reform and Conservative Parties. Unsurprisingly, much of the interest in the political Calgary School has come from journalists. Academic study of the Calgary School has so far been confined to the social sciences, with a handful of articles and books appearing since the late-1990s. Because the Calgary School has been approached primarily as a political formation, the existing literature betrays a certain teleology: eager to understand Harper, Prime Minister from 2006-2015, commentators have gone in search of the origins of his politics and wound up, often enough, at the Calgary School. This means that the existing literature is somewhat circumscribed.

The first scholarly recognition of the Calgary School came in a 1998 paper, just before Harper's arrival in the national political spotlight, by the American political scientist David Rovinsky.[10] Focused broadly on western Canadian influence in federal policymaking at the end of the twentieth century, Rovinksy's paper includes a section on the intellectual foundations of such influence. As he puts it, the Calgary Schoolers "delved into the philosophical origins and consequences of political liberalism in the Canadian west, and have argued for its increasing

[9] On Harper's education at Calgary, it is worth saying that his having studied in the economics department, under the supervision of Robert Mansell, should not be taken to imply that he did not have much contact with the Calgary Schoolers. On the contrary, he did.
[10] David J. Rovinsky, "The Ascendancy of the West in Canadian Policymaking," *Policy Papers on the Americas* vol. 9 no. 2 (February 1998): 1-16.

prominence in federal policymaking."[11] He discusses Bercuson and Cooper as intellectual defenders of liberal democracy and Canadian nationhood, Morton and Knopff as neoconservative legal scholars, and Flanagan as a "conservative touchstone" in western politics.[12] This account constitutes a passable summary, but little more. Rovinsky generalizes, focusing on the intellectual sources of western influence in policymaking rather than making an argument about the meaning(s) of that influence.

Since the early-2000s, interest in the Calgary School, among academics and journalists alike, has been tied almost entirely to interest in Harper. French-language works like Frédéric Boily's edited collection on Harper and the Calgary School, or Manuel Dorion-Soulié and David Sanschagrin's article on Harper and the Calgary Schoolers as neoconservatives, are notable academic works.[13] Some chapters in Boily's collection represent the first scholarly efforts to situate Calgary Schoolers meaningfully in the history of ideas, but for all its illuminations even the scholarly literature on the Calgary School remains principally concerned with better understanding Harper.[14] Countless journalistic or otherwise "popular" articles and

[11] Rovinsky, 9.
[12] Rovinsky, 9-11.
[13] Frédéric Boily, ed., *Stephen Harper: De l'École de Calgary au Parti conservateur : les nouveaux visages du conservatisme canadien* (Québec: Les Presses de l'Université Laval, 2007); Manuel Dorion-Soulié and David Sanschagrin, "Le néoconservatisme canadien: Essai de conceptualisation," *Revue Études internationales* vol. 45 no. 4 (December 2014): 531-553. Naturally, there is a great deal of Harper literature in political science and the Calgary School appears here and there in that literature. One example: Brooke Jeffrey, *Dismantling Canada: Stephen Harper's New Conservative Agenda* (Kingston & Montreal: McGill-Queen's University Press, 2015).
[14] See especially Nathalie Kermoal and Charles Bellerose, "Les influences voegelinienne et hayekienne dans les écrits de Thomas Flanagan," in Boily, *Stephen Harper*, 55-74.

essays betray similar Harper-based approaches. The best and most substantial piece in this vein is an article by Marci McDonald that appeared in *The Walrus* in the fall of 2004. Focused especially on Flanagan and entitled "The Man Behind Stephen Harper," the title is suggestive.[15] In the American periodical *n+1*, Marianne Lenabat's 2014 essay "What Happened to Canada?" cites the Calgary School as a "cabal" among the institutions that enabled Harper's rise.[16]

Appropriately enough, the best existing work on the Calgary School, or at least on the intellectual milieu of its members, was written by Donald Gutstein, who walks the line between journalism and academia.[17] In *Harperism: How Stephen Harper and His Think Tank Colleagues have Transformed Canada*, Gutstein writes the history of the Harper governments as the history of neoliberalism in Canada. He makes the case that the study of Canadian political movements is only one part of the history of Canadian neoliberalism, another crucial part being the intellectual history of right-

[15] Marci McDonald, "The Man Behind Stephen Harper," *The Walrus* (October, 2004), https://thewalrus.ca/the-man-behind-stephen-harper/. It is worth saying that McDonald is not solely focused on Flanagan; the Calgary School, broadly, and Barry Cooper especially, get a good deal of coverage in the piece. See also, for example: Paul Mitchison, "Calgary School Neo-Cons Hunt Controversy," *National Post* (July 22, 2000); John Ibbitson, "Educating Stephen," *Globe and Mail* (June 26, 2004); Peter Foster, "School for Paranoia: The Not-So-Scary School behind Stephen Harper," *National Post* (January 28, 2006). Texts accessed in 2018 at https://poli.ucalgary.ca/knopff/node/22. The Calgary School and some of its members also appear in book-length journalism. See, for example, John Ibbitson, *Stephen Harper* (Toronto: McClelland & Stewart, 2015) and Paul Wells, *The Longer I'm Prime Minister: Stephen Harper and Canada, 2006-* (Toronto: Random House Canada, 2013).

[16] Marianne Lenabat, "What Happened to Canada?," *n+1,* 10 April 2014, https://www.nplusonemag.com/online-only/online-only/what-happened-to-canada/. Among the other enablers of Harper-era conservatism, Lenabat cites the *National Post*, founded in 1998, as an outlet conceived "for the sake of giving a national media platform to neoliberalism." The *National Post* was indeed often favourable to the Calgary School, not to mention Harper. The byline of Paul Mitchison's 2000 article on the school, "Calgary Neo-Cons Hunt Controversy," was "The Bad Boys of Canadian Academia Earn Some Respect."

[17] Gutstein taught journalism and communication studies at Simon Fraser University, in addition to his work as a journalist.

wing think tanks which changed the dominant "climate of ideas" in the country.[18] The Calgary School floats in and out of the narrative, especially via its associations with the Fraser Institute. In this way, the Calgary School is not exactly central to Gutstein's book. And yet: according to Gutstein, the Calgary School "dominated the thinking of Stephen Harper."[19] Overall, Gutstein's arguments stand out for the way in which they draw evidence from beyond Canada's borders in the broader intellectual history of neoliberalism. He puts the ideological outlook of Harper and his governments in the context of this history, cites a number of important recent texts in the history of neoliberalism, and incorporates key insights from this literature. For all the steps in the right direction that Gutstein takes, though, the Calgary School remains narrowly understood. The spectre of Harper still haunts, but it does not have to. Instead, a history of the Calgary School for what it was, rather than how it related to Harper, can furnish broader understanding.[20]

Sources of Influence: The Calgary School and the Critique of the Intentional State

When school members began to arrive in Calgary it was not, of course, pre-determined that they would coalesce into any kind of grouping. It was the case,

[18] Donald Gutstein, *Harperism: How Stephen Harper and his Think Tank Colleagues have Transformed Canada* (Toronto: Lorimer, 2014), 11. Also see Gutstein, "The War on Ideas: From Hayek to Harper," in Kirsten Kozolanka. ed., *Publicity and the Canadian State: Critical Communications Perspectives* (Toronto: University of Toronto Press, 2014), 93-111.
[19] Gutstein, *Harperism*, 59.
[20] Most recently, the historian Sarah Carter and the political scientist Nathalie Kermoal have published work directly addressed to Tom Flanagan (and more specifically to a book he co-wrote, entitled *Beyond the Indian Act*), which is suggestive of the insights that are accessible beyond the spectre of Harper. See Sarah Carter and Nathalie Kermoal, "Property Rights on Reserves: 'New' Ideas from the Nineteenth Century," in Angela Cameron, Sari Graben, and Val Napoleon, eds., *Creating Indigenous Property: Power, Rights, and Relationships* (Toronto: University of Toronto Press, 2020), 163-183.

though, that their intellectual backgrounds put them in a similar orbit of ideas and outlooks, with one partial exception. Cooper and Flanagan both arrived as graduate students at Duke University in September 1965 and, as luck would have it, they shared the same office carrel in the library there.[21] They also shared a supervisor in Professor John H. Hallowell, a respected teacher with scholarly commitments to the natural law tradition whose influence could still be identified long into their respective careers. Flanagan recalls that Hallowell's courses in political philosophy convinced Cooper to begin working on political theory, leading to a dissertation on the political thought of Marxist philosopher Maurice Merleau-Ponty.[22] Flanagan, for his part, wrote a dissertation about the Austrian novelist and writer, Robert Musil.[23] This was an eclectic education, and Cooper especially maintained an eclectic set of interests throughout his academic career. But at Duke, and particularly with Hallowell, Cooper and Flanagan were trained in a way of thinking and judging that shaped their careers, most powerfully it turned out in their later receptiveness to the philosophy of Friedrich Hayek and other thinkers identified with the intellectual tradition of neoliberalism.

Something like a decade later, and on the other side of the Canadian border, Knopff and Morton trained as graduate students in the Department of Political

[21] Flanagan, "Legends of the Calgary School," 21.
[22] Barry Cooper, "Existential Phenomenology and Marxism: The Politics of Maurice Merleau-Ponty," PhD diss., (Duke University, 1969).
[23] Tom Flanagan, "Robert Musil and the Second Reality," PhD diss., (Duke University, 1970).

Economy at the University of Toronto.[24] There, they worked with the likes of Peter Russell, Allan Bloom, and Walter Berns.[25] The latter two were especially influential. Berns and Bloom were American scholars who had trained at the University of Chicago with the philosopher Leo Strauss, widely known as a paragon of the neoconservative movement.[26] Strauss was very much a philosopher, famously concerned with issues like "the quarrel between the ancients and the moderns," while Berns was concerned with somewhat more practical questions in American politics and Bloom was best known for polemical statements about higher education (to which his career is not reducible).[27] In this way, Knopff and Morton trained in what might be called an environment of "practical Straussianism" that influenced them over the course of careers devoted to the study of Canadian politics and jurisprudence. At Toronto, Knopff wrote a Quebec-focused dissertation defending liberal democracy and Morton studied the politics of sex and the family in decisions made by the Supreme Court of the United States.[28] Both were political scientists in a stricter sense than were their colleagues Cooper and Flanagan, but they were equally

[24] These were the final days of this department, shortly (1982) to be split into separate political science and economics outfits.
[25] Flanagan, "Legends of the Calgary School," 23.
[26] Straussian influence in American political life has been extended most notably thanks to the efforts of Harry Jaffa and the Claremont Institute, a California think-tank. For an admiring account, see (Jaffa student) Glenn Elmers, *The Soul of Politics: Harry V. Jaffa and the Fight for America* (New York: Encounter Books, 2021).
[27] On Strauss and his philosophy, see Steven B. Smith, ed., *The Cambridge Companion to Leo Strauss* (New York: Cambridge University Press, 2009), and especially Smith, "Introduction: Leo Strauss Today," 1-12.
[28] Rainer Knopff, "In Defense of Liberal Democracy: An Inquiry into the Philosophical Premises Underlying French-Canadian Liberalism's Battle with Theocracy and Nationalism," PhD diss., (University of Toronto, 1981); Ted Morton, "Sexual Equality and the Family in the United States Supreme Court: A Study of Judicial Policy-Making," PhD diss., (University of Toronto, 1981).

in the orbit of conservative twentieth century ideas that began to gain popularity especially over the 1970s.[29]

David Bercuson's intellectual journey to the Calgary School was a little different. As a graduate student at the University of Toronto in the late-1960s, he trained as a labour historian with Kenneth McNaught before arriving as an instructor in Calgary's history department in 1970. The associated political milieu was broadly social democratic and, indeed, having grown up in working-class Montreal, Bercuson was no trespasser in labour circles.[30] His doctoral dissertation, which eventually became a still-well-known book, offered a history of the Winnipeg General Strike.[31] Over the course of the 1970s, though, as his interest in labour history dwindled, his politics also moved in another direction, at least in some areas. If Bercuson's politics broadly headed rightward, he still retained certain "social liberal" views.[32] This kind of journey from left to right in the 1970s was far from unique to Bercuson. Similar stories dot the intellectual history of Trotskyism, and one might point as well to an historian like Eugene Genovese who followed a similar trajectory, although his

[29] The connection between neoliberals like Hayek and neoconservatives like Strauss is not emphasized in existing intellectual histories, although the historian Philip Mirowski has suggested recently that the connections "do seem substantial." See Philip Mirowski, "The Political Movement that Dared not Speak its Own Name: The Neoliberal Thought Collective Under Erasure," *Institute for New Economic Thinking*, working paper no. 23 (September 2014), 28.
[30] McNaught discusses his supervision of Bercuson in his memoirs. See Kenneth McNaught, *Conscience and History: A Memoir* (Toronto: University of Toronto Press, 1998), 159-160.
[31] Bercuson's dissertation: David Bercuson, "Labour in Winnipeg: The Great War and the General Strike," PhD diss., (University of Toronto, 1971). The dissertation-based book was published a few years later: David Bercuson, *Confrontation at Winnipeg: Labour, Industrial Relations, and the General Strike* (Montreal & London: McGill-Queen's University Press, 1974).
[32] Flanagan, "Legends," 25.

conversion moment came later, in the 1990s.[33] Even Tom Flanagan experienced a bit of a conversion in the 1970s as he became familiar with the works of Hayek, and both Knopff and Morton identified with the left as undergraduates, so Bercuson was not the only Calgary Schooler whose "mature" politics were the product of significant flux.[34] For Bercuson, anyways, it was appropriate that his intellectual biography be distinct from those of his colleagues in the political science department. For disciplinary and political reasons both, his place in the Calgary School, Flanagan has suggested, constitutes "Das Bercuson Problem."[35]

While the Calgary Schoolers arrived at Calgary having travelled down different avenues, they were all, Bercuson included, ultimately committed to a shared view of the state and its appropriate roles. In the Calgary School's particular mixture of twentieth century ideas, spanning the traditions of neoliberalism and neoconservatism both, the key ingredient was a critical view of what I call the intentional state. The intentional state is a capacious designation. State intention

[33] On Genovese, see Steven Hahn, "From Radical to Right-Wing: The Legacy of Eugene Genovese," *The New Republic*, 1 October 2012, https://newrepublic.com/article/108044/radical-right-wing-the-legacy-eugene-genovese.

[34] See Flanagan, *Harper's Team: Behind the Scenes in the Conservative Rise to Power* (Montreal & Kingston: McGill-Queen's University Press, 2007), 12. Among other activities during his first eight or nine years at the University of Calgary, Flanagan was an enthusiastic pedagogue of socialist theory. He had a substantial personal library of left-wing literature, including the collected works of Mao Zedong, although these facts should not be read too eagerly. He was left-curious, perhaps, but that is about as strong a statement as should be made. See Larry Hannant, "Learning Marxism from Tom Flanagan: Left-Wing Activism at the University of Calgary in the Late 1960s and Early 1970s," in Leon Crane Bear, Larry Hannant, and Karissa Robyn Patton, eds., *Bucking Conservatism: Alternative Stories of Alberta in the 1960s and 1970s* (Edmonton: Athabasca University Press, 2021), 192. For more on Flanagan, and on Knopff and Morton, see chapter 1.

[35] Flanagan, "Legends of the Calgary School," 24. The phrase is an allusion to "Das Adam Smith Problem," which is to do with the complicated relationship between Smith's two major works, *The Theory of Moral Sentiments* and *The Wealth of Nations*. As the first chapter shows, the problem is not so problematic as it has seemed to some.

could be identified and lamented not just in the case of state socialist regimes like the Soviet Union, which prompted early versions of this critique from the likes of Friedrich Hayek and Karl Popper, but also in mid-twentieth century welfare states including Canada.[36] The point was that any state committed to seeking particular outcomes—economic, social, or otherwise—was on an untenable path. Any effort to increase economic equality and to promote gender parity, for example, or policies of race-based affirmative action, would be anathema on this view. Instead, the state's role should generally be limited to rulemaking and enforcement.[37] The critique of the intentional state, as the first chapter of this history shows, was the shared viewpoint or intellectual foundation that made the Calgary School worthy of its name.

Spheres of Influence: The Divided Labour of the Calgary School

The intellectual history of the twentieth century, broadly but especially with regard to the history of neoliberalism, is characterized by the existence of many discrete "schools." The best known of these are the Chicago School, the Virginia School, the Austrian School, and the Freiburg School, the members of the latter being better known as the German "ordoliberals."[38] In all these cases, historians have

[36] For Hayek's version, see F.A. Hayek, *The Road to Serfdom,* fiftieth anniversary ed. (Chicago: University of Chicago Press, 1994; originally published 1944). For Popper's more substantive version of the critique, see Karl Popper, *The Open Society and Its Enemies,* one-volume ed. (Princeton, NJ: Princeton University Press, 2013; originally published 1945).
[37] Importantly, the critique of the intentional state did not imply anti-statism. Despite occasional off-handed identifications as such, the Calgary Schoolers were not strict libertarians by any stretch.
[38] More recently, the Geneva School has been added to the bunch, as it were. See Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Cambridge, MA: Harvard University Press, 2018).

been able to render accounts focused on rather specific ideas, or sets of ideas, and the ways in which various "schoolers" have refined and promoted them.

Associations between schools and ideas can be claimed quite straightforwardly. The Virginia School is associated with "public choice theory" as developed by the economist James M. Buchanan at the University of Virginia.[39] The ordoliberals are associated with economic constitutionalism.[40] Intellectual histories of the Chicago and Austrian schools tend to be less neatly contained because they cross generations over many decades, but even then some relatively tidy generalizations at the level of ideas are possible. The Austrians are identified with the "marginal revolution" in professional economics.[41] The Chicago School is the most difficult to pin down, but it is still common to encounter phrases like "Chicago economics" or "the Chicago approach," broadly denoting a methodological and ideological privileging of the putative free market.[42] Treated as a thinly political school, or a convenient and coincidental instance of fellow-travellers employed by the same institution, the Calgary School does not warrant inclusion in the bunch. As a school of thought against the intentional state, however, it does.

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[39] On the Virginia School, see S.M. Amadae, *Prisoners of Reason: Game Theory and Neoliberal Political Economy* (New York: Cambridge University Press, 2015), especially pp. 175-203; Melinda Cooper, "Infinite Regress: Virginia School Neoliberalism and the Tax Revolt," *Capitalism: A Journal of History and Economics* vol. 2 no. 1 (Winter 2021): 41-87; and Nancy MacLean, *Democracy in Chains: The Deep History of the Radical Right's Stealth Plan for America* (New York: Penguin, 2017).
[40] On the ordoliberals, see Thomas Biebricher and Frieder Vogelmann, eds., *The Birth of Austerity: German Ordoliberalism and Contemporary Neoliberalism* (London: Rowman & Littlefield, 2017).
[41] On the Austrians, see Janek Wasserman, *The Marginal Revolutionaries: How Austrian Economists Fought the War of Ideas* (New Haven, CT: Yale University Press, 2019).
[42] On the Chicago School, see Robert Van Horn, Philip Mirowski, and Thomas A. Stapleford, eds., *Building Chicago Economics: New Perspectives on the History of America's Most Powerful Economics Program* (New York: Cambridge University Press, 2011).

And yet the Calgary School was not simply one more, and a rather peripheral, twentieth century school. Indeed, thanks at once to the capacity of the critique of the intentional state and the disciplinary capacity of political science and history, the Calgary School stands out among its would-be analogues for the breadth of its influence.[43] The critique of the intentional state could be operationalized in both scholarship and polemic, first, and in each of those categories it could be applied across an array of topics and issues. Thus, the Calgary School's influence in Canada was extended thanks to an internal division of labour. Their interventions, as scholars and later as polemicists and public intellectuals, were made across a remarkably broad array of issues.

By 1981, each of the school members were full-time professors at the University of Calgary and, from there, scholarly development over the course of the 1980s provided a foundation for later ventures beyond academic discourse and into public life. Cooper's scholarship was mainly in political theory, with book publications on figures as distinct as the French philosopher Michel Foucault and the Métis writer and lawyer Alexander Kennedy Isbister.[44] More than any other figure, though, Cooper devoted his career to the study of the philosopher Eric Voegelin. For Cooper, Voegelin was both a topic of study on his own terms, approached as such in books like *The Political Theory of Eric Voegelin* and *Eric Voegelin and the Foundations of*

[43] The Calgary School was influential in Canada, but largely not beyond.
[44] See Barry Cooper, *Michel Foucault: An Introduction to the Study of his Thought*, (Toronto: University of Toronto Press, 1981), and Barry Cooper, *Alexander Kennedy Isbister: A Respectable Critic of the Honourable Company,* (Montreal & Kingston: McGill-Queen's University Press, 1988).

Modern Political Science, as well as a philosophical guide across much of Cooper's theoretical and applied-theoretical work.[45] Later on in his scholarly career, Cooper took an "empirical turn" that was associated with his interests in Canadian politics.

Flanagan's main academic interests were in the history of Métis and Indigenous peoples in Canada, particularly regarding their relations with the Canadian state and its institutions. His early career saw him work most extensively on the life of the nineteenth century Métis leader Louis Riel, but also on the late-nineteenth century history of the Canadian prairies more generally.[46] He would occasionally dabble in political theory, working on the likes of Hayek and Locke, or on game theory.[47] But indeed, Flanagan's reputation was made with both histories and policy statements on Indigenous-settler relations. His early work on Riel and the Métis was controversial, and later works like *First Nations? Second Thoughts* were even more so.[48] As a result, Flanagan has been appropriately associated with "projects aimed at assimilating Indigenous peoples since the nineteenth century."[49]

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[45] Barry Cooper, *The Political Theory of Eric Voegelin* (Lewiston, NY: Mellen, 1986); Barry Cooper*, Eric Voegelin and the Foundations of Modern Political Science* (Columbia, MO: University of Missouri Press, 1999).
[46] See, *inter alia*, Tom Flanagan, *Riel and the Rebellion: 1885 Reconsidered* (Saskatoon, SK: Western Producer Prairie Books, 1983) and Tom Flanagan, *Métis Lands in Manitoba* (Calgary, AB: University of Calgary Press, 1991).
[47] See for example Tom Flanagan, "F.A. Hayek on Property and Justice," in Anthony Parel and Tom Flanagan, eds., *Theories of Property: Aristotle to the Present: Essays* (Waterloo, ON: Wilfrid Laurier University Press, 1979), 335-357; Tom Flanagan, "Native Peoples and Lockean Philosophy: Land Claims and Self-Government," in Ethan Fishman, ed., *Public Policy and the Public Good* (New York: Greenwood Press, 1991), 97-110; Tom Flanagan, *Game Theory and Canadian Politics* (Toronto: University of Toronto Press, 1998).
[48] Tom Flanagan, *First Nations? Second Thoughts* (Montreal & Kingston: McGill-Queen's University Press, 2000).
[49] Carter and Kermoal, 164.

After abandoning his interests in labour history, or at least losing his ability to tolerate that discipline, Bercuson became a military and diplomatic historian in the 1980s. He published work on the Arab-Israeli War of 1948, Canadian foreign policy vis-à-vis Israel, and, later, a number of books on Canadian military campaigns and figures.[50] And while these studies in military history and foreign policy were his main focus, he also published a number of general Canadian histories and textbooks over his career.[51] If his Calgary School colleagues in political science were fluent in overlapping areas, especially in political philosophy, Bercuson had a near monopoly in this group on topics of war and foreign policy. Only after their many collaborations in other areas during the 1990s did Barry Cooper, to a degree, move into Bercuson's terrain of study.[52]

Knopff and Morton, finally, can be discussed together, not because their interests were identical, but because their major scholarly achievement was a collaborative one. Beginning in the 1980s, they inaugurated their efforts to study and critique the Canadian Charter of Rights and Freedoms, producing many articles and eventually two major books: *Charter Politics*, published in 1992, and *The Charter Revolution and the Court Party*, published in 2000.[53] In this way, Knopff and Morton

[50] See David Bercuson, *The Secret Army* (Toronto: Lester & Orpen Dennys, 1983); David Bercuson, *Canada and the Birth of Israel: A Study in Canadian Foreign Policy* (Toronto: University of Toronto Press, 1985); David Bercuson, *True Patriot: The Life of Brooke Claxton* (Toronto: University of Toronto Press, 1993).
[51] See, for an example, David Bercuson et al., *Twentieth Century Canada* (Toronto: McGraw-Hill Ryerson, 1983).
[52] Flanagan, "Legends," 24.
[53] Rainer Knopff and Ted Morton, *Charter Politics* (Toronto: Nelson, 1992); Ted Morton and Rainer Knopff, *The Charter Revolution and the Court Party* (Peterborough, ON: Broadview, 2000).

were the legal and constitutional experts in the Calgary School. Between the two of them, Knopff was more the political philosopher, while Morton brought a critical interest in categories like race, gender, and the family.

Collectively, then, the Calgary School could claim broad expertise. Their divided labour meant that, especially as they increasingly became public intellectuals, they could mount something more like a general onslaught than a narrow campaign directed to isolated issues. Committed as they were to the critique of the intentional state, their onslaught could push in the same direction. What contemporary onlookers perceived as issue-to-issue partisan sameness was more like a fundamental ideological agreement among an otherwise quite diverse group of scholar-polemicists. And moreover, especially as the 1990s moved along, the Calgary School's particular division of labour proved a good match for a country in flux.

Moment of Influence: Crisis and the Calgary School

The Calgary School was made in crisis. It was no coincidence that Jeffrey Simpson and others in the Canadian media began to notice the school in the early 1990s at what was arguably the peak moment in an extended history of reform and attempted reform of the Constitution, a history that among other things put the western provinces, none more so than Alberta, at considerable odds with Quebec and with the federal government in Ottawa.[54] David Rovinsky, after all, did see the

[54] The key, and most proximate, events were the Meech Lake Accord of 1987 and the Charlottetown Accord of 1992, though of course this "extended" history went further back with political agitation around the issue of the Constitution ongoing throughout the postwar period, through the milestone of the Charter of Rights and Freedoms (1982), and up to the accords.

Calgary School's emergence as being indicative of a western reaction to an ongoing constitutional crisis.[55] The volatility of the 1990s lent itself to the increasing prominence of the Calgary School.

Prominence followed from the ways in which the 1990s sparked a re-orientation of the Calgary School's intellectual energy. In brief, scholars became polemicists. Noting the constitutional crisis that played out via the Meech Lake and Charlottetown Accords, along with an economic crisis defined by high public debt and high unemployment, and a more generalized crisis of political confidence in the Progressive Conservative Party, Flanagan suggested retrospectively that in the 1990s the Calgary School became "visible" via their interventions in this triple crisis.[56] Indeed, featuring regularly as columnists in local and national newspapers, Bercuson, Cooper, and Flanagan, particularly, became well-known public intellectuals. They wrote for national audiences at the *National Post* and *The Globe & Mail*, and for local audiences at the *Calgary Herald* and the *Calgary Sun*, to name only some of the most prominent of the outlets in which they appeared as commentators. They wrote polemical books as well, including most notably Bercuson and Cooper's collaborations of the early-1990s: their pre-emptive farewell to Quebec in *Deconfederation* (1991) and their paean to fiscal conservatism in *Derailed* (1994).[57]

[55] Rovinsky, 9-11.
[56] Flanagan, "Legends," 26.
[57] David Bercuson and Barry Cooper, *Deconfederation: Canada Without Quebec* (Toronto: Key Porter, 1991); David Bercuson and Barry Cooper, *Derailed: The Betrayal of the National Dream* (Toronto: Key Porter, 1994).

Calgary Schoolers worked for think tanks, like the Fraser Institute, too.[58] In the process, they made the Calgary School recognizable.

The role of crisis in shaping ideological alliances, if not "schools" properly speaking, has been well-noted. Indeed, as Melinda Cooper has shown, crises were especially important in forging mutually beneficial relationships among neoliberals and neoconservatives, or "new social conservatives," not unlike the relationships that sustained the Calgary School and its similar ideological synthesis. In *Family Values*, Cooper shows how, "During the 1970s, American neoliberalism and the new social conservatism matured and came together in response to the same set of events and a convergent perception of crisis."[59] Liberation movements, they thought, were a threat to the traditional "Fordist family." United in this way, neoliberals and neoconservatives sought to transform the mid-century American welfare state, downloading what had been state responsibilities onto the family, and undoing the conditions that, for a moment, seemed to threaten the existing social role of the family as such.[60]

Cooper's work focuses on the particular histories of family politics in the United States, and indeed she insists on acknowledging the specificity of those histories and their role in prompting an alliance of American neoliberals and neoconservatives. Thus, the role of crisis in shaping the emergence of the Calgary

[58] Flanagan, "Legends," 27.
[59] Melinda Cooper, *Family Values: Between Neoliberalism and the New Social Conservatism* (New York: Zone Books, 2017), 20.
[60] Cooper, *Family Values*, *passim*.

School should be approached with an equal awareness of historical specificity. But at the same time, we can note the presence of rhyme: crisis conditions can encourage alliances of the politically non-identical in the service of shared principle, like the critique of the intentional state. In this way, we need not view the Calgary School, as Flanagan has suggested that some have, as "possess[ing] a coordinated group strategy for taking over Canadian politics."[61] But we might also question Flanagan's assertion that "the members of the Calgary School became active in politics in individual and sometimes contradictory ways."[62] Viewing the Calgary Schoolers in exclusively individual terms is to downplay the complementarity of their divided labours, and finding their activity contradictory is to fail to see how the shared critique of the intentional state was the dominant ideological force among the Calgary Schoolers, compelling even their un-coordinated action in much the same direction.

As the triple crisis—constitutional, economic, and political—of the 1990s unfolded, the Calgary School found itself in a favourable historical context. It was, in the first place, a coincidence that their scholarly backgrounds meant they were poised to become public commentators on Canadian current affairs. But it was no coincidence that, once the Calgary Schoolers began to speak out, they found themselves speaking in near unison. Each part of the triple crisis, that is, could be seen, correctly or not, as a crisis wrought by state intention. The constitutional

[61] Flanagan, "Legends," 27.
[62] Flanagan, "Legends," 27.

accords, motivated at most every turn by a push for particular outcomes, like the "distinct society" in Quebec, fit the bill. As did the economic problems of the time which, as Bercuson and Cooper saw them, were the result of collectivist state intention run amok.[63] The political problems of the Progressive Conservative Party, finally, were attributable to a perception of capitulation or failure to resist the normalization of state intention in the second half of the twentieth century. Thus, the Calgary Schoolers, armed with a critique of the intentional state and the scholarly credentials to extend and promote that critique, found that crises meant opportunity to become polemicists and public intellectuals. When they moved beyond academic particularism, they exposed common ground.

Direct Influence: The Practical Calgary School

Polemics went hand in hand with politics, and as the Calgary Schoolers became increasingly public figures they also ventured into Canadian political life not merely as commentators but as participants. Along these lines, Flanagan's career as a political advisor, especially to Stephen Harper, and Ted Morton's tenure as a Member of the Alberta Legislature are the standout episodes. These direct political engagements, however, were far from the only activities of the practical Calgary School, which is to say the version of the school that sought direct influence in politics and industry alike. In the latter parts of their respective careers, Calgary Schoolers sought precisely this kind of direct influence.

[63] Bercuson and Cooper, *Derailed*, 10-14.

In politics proper, Flanagan was the most eager of the practical Calgary Schoolers. After joining the Reform Party in 1990, he took a phone call from Reform leader Preston Manning in early 1991 and by May he was Reform's Director of Policy, Strategy, and Communications, a job that took up two thirds of his full-time work schedule, the other third still at the university. This began an on-again-off-again career as a political operative, culminating in his work as chief of staff and campaign manager during Harper's political ascendance in the early-2000s.[64] Flanagan was not the lone political operator among his colleagues, though. Morton became the only elected politician of the group, serving in the Alberta legislature as Progressive Conservative MLA for Foothills-Rocky View (a riding just outside Calgary) from 2004 to 2012, and running for the leadership of the Progressive Conservative Party in 2006 and 2011.[65] Bercuson, again being somewhat "problematic," was an advisor to the Alberta Liberal Party at points in the 1990s, though he also worked on behalf of the federal Progressive Conservative Party along with Cooper.[66] Knopff, finally, tended to keep a safer distance from politics as such.

In the courts, Flanagan was also especially active, providing expert testimony on such issues as Métis land claims, the *Manitoba Act*, and related areas of his scholarly expertise. Political scientist Darren O'Toole has written an article

[64] Tom Flanagan, *Waiting for the Wave: The Reform Party and Preston Manning* (Toronto: Stoddart, 1995), vii, and Tom Flanagan, "A Political Scientist in Public Affairs," in Nelson Wiseman, ed., *The Public Intellectual in Canada* (Toronto: University of Toronto Press, 2013), 136-139.
[65] Flanagan briefly summarizes Morton's political career in "Legends," 31. Arguably ignoring himself, Flanagan says, "Of our group, Ted Morton has had by far the most visible political career."
[66] See various documents, 99.037, box 39, folder 4, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

significantly addressed to Flanagan's perspective in *Manitoba Métis Federation v. Canada*, a case related to Métis land claims, which, O'Toole says, saw the judge adopt Flanagan's view in a clear instance of direct influence.[67] Flanagan wrote historical reports in other, similar cases, a number of times over his career. These included a hunting rights case decided in 1996, where Crown counsel wrote to Flanagan after an across-the-board favorable legal decision to pass along thanks and express a single regret, that the judge did not "adopt your views more completely on certain of the historical points."[68] Earlier, in the late-1980s and early-1990s, Flanagan also prepared reports for the Federal Department of Justice on questions of Aboriginal title.[69]

If Flanagan was mainly on his own in these activities, there was collaboration between the others. For example, in an early-1990s group effort, Calgary Schoolers prepared a two-part report for the Alberta Court of Appeal related to the Electoral Boundaries Commission Act, the first part a report prepared by Knopff and Morton, the second a report-in-response from Bercuson and Cooper themselves.[70] Morton was

[67] Darren O'Toole, "Métis Claims to 'Indian' Title in Manitoba, 1860-1870," *The Canadian Journal of Native Studies* vol. 28 no. 2 (2008): 241-271.
[68] Letter from Kenneth J. Tyler to Tom Flanagan, 23 August 1996, 2002.032, box 25, folder 4, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[69] Tom Flanagan, "Extinguishment of Aboriginal Title in Canada with Reference to the Lubicon Lake Case," report prepared for the Federal Department of Justice, 5 January 1989, 2002.032, box 25, folder 3, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada; Tom Flanagan and Gerhard Ens, "Métis Family Study," report prepared for the Federal Department of Justice, December 1990, 2002.032, box 25, folder 3, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[70] David Bercuson and Barry Cooper, "The Right to Vote in Alberta: Community Representation vs. Equal Rights," report prepared for the Alberta Court of Appeal, 12 April 1991, 99.037, box 29, folder 19, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

involved with a federal religious freedom case in 1993, and Cooper did some work related to a Canadian Wheat Board case in 1992, to note just a few instances.[71] The Calgary Schoolers offered their services to litigants in the courts in a kind of practical intellectual activity with plain consequences.

Finally, Calgary Schoolers advised private firms and organizations. If their legal and political activities represented intervention within particular processes (policymaking, election cycles, court cases), their consulting was a broader intervention in the world of Canadian capitalism near the end of the twentieth century and the beginning of the twenty-first. Calgary Schoolers consulted for financial and capital management firms, energy companies, media companies, and law firms. Cooper, to give a specific example, advised energy firms on the political cultures of foreign countries in which they were considering setting up operations or sending personnel.[72] Together, Cooper and Bercuson brought out a few editions of a private newsletter for a capital management firm in Calgary and for a time were business associates in this capacity as consultants.[73]

[71] See statement of F.L. Morton, 99.037, box 37, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada; Barry Cooper, "A Response to Dr. Seymour Martin Lipset, Political Culture and Community: Canadian Values and the Wheat Board," submitted to Brian H. Hay, Senior Counsel, Department of Justice—Canada, undated, 99.037, box 35, folder 7, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[72] See Barry Cooper, "Background Briefing: The Political Culture of Burma," prepared for Petro-Canada International Assistance Corporation, 11 August 1988, 98.027, box 30, folder 10, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[73] See various documents related to the newsletter, 99.037, box 44, folder 1 and 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

Being located in Calgary was particularly advantageous as far as this work was concerned, to be sure, because of the city's importance both to important industries, the oil industry most of all, and to the conservative political movement. But the practical Calgary School actively took advantage of its proximity to conservative politics and industry. The Calgary Schoolers were not innocent intellectuals on the sidelines of Canadian society. They were more intentional, in a telling irony, seeking direct influence by practical means.

Modes of Influence: Adaptivity and the Leverage of History

The Calgary Schoolers' ability to operate in these different modes was responsible for their influence in Canada. These modes, which informed and reinforced one another in both directions, represented a form of adaptivity that proved propitious for the Calgary Schoolers both in narrow professional terms and, more importantly, in terms of building an enduring influence at the level of policy and ideology. By their willingness to adapt, the Calgary Schoolers were able to exert their influence.

In which historical developments did the Calgary Schoolers find leverage? The question could be answered with a litany of particulars, and the triple crisis already discussed is important, but a broader description is most helpful: the Calgary School operated within the confines of neoliberal Canada. Neoliberal Canada is a complex compound, implying rupture and continuity all at once. Temporally, it

refers to the period since the late-1970s.[74] In terms of ideology, it implies a perpetuation of the historical liberal order in Canada but in altered form.[75] At the level of policymaking, it has been characterized by a turn to the market enabled wherever necessary by the marshalling of state capacity. All along, neoliberal Canada has been shaped by the endless task of settler-colonial management. This is the context in which the history of the Calgary School can be rendered most insightfully. The Calgary School's history helps to demonstrate how the period we now refer to as neoliberal was both made and thought from a mixed bag of ingredients. Some of the ingredients had been circulated in transnational currents, some were peculiarly Canadian. When it arrived, the neoliberal age did not extinguish pre-existing logics of history. Instead, it was made within them.[76]

It is common for neoliberalism to be identified with conservative political regimes. American President Ronald Reagan and British Prime Minister Margaret Thatcher are frequently cited as the most significant figures in the elevating of neoliberalism from status as an intellectual movement to instantiation as a

[74] Anecdotally, some Canadian historians speak, if they have not yet written, of a delay in the arrival of neoliberalism in Canada. The suggestion tends to be that neoliberal Canada only began to emerge in the late 1980s or early 1990s. I would suggest this view is wrong, too focused on politics, federal politics especially, and too quick to assume that neoliberalism required implementation by nominally right-wing governments. There is suggestion of a more structural explanation of the emergence of neoliberal Canada in Christo Aivalis, *The Constant Liberal: Pierre Trudeau, Organized Labour, and the Canadian Social Democratic Left* (Vancouver: University of British Columbia Press, 2018). Aivalis, by focusing on the inflationary crises of the 1970s and changing industrial relations into the early 1980s, has much to say about neoliberal Canada even if it is not the central topic of his book.
[75] See Ian McKay, "The Liberal Order Framework: A Prospectus for a Reconnaissance of Canadian History," *Canadian Historical Review* 81 (2000): 617-45.
[76] Here, I am amending and paraphrasing arguments made brilliantly, in a different context, by historian Amy Offner in *Sorting Out the Mixed Economy: The Rise and Fall of Welfare and Developmental States in the Americas* (Princeton, NJ: Princeton University Press, 2019). See, especially, the epilogue, pages 275-290.

philosophy of state. In some ways, this is apt. While scholars have lately shown that the developments most associated with neoliberalism — including welfare state retrenchment, financialization, and deregulation — were underway before the Reagan and Thatcher governments accelerated these trends, it is nevertheless true that the beginning of the 1980s (Thatcher was elected in 1979, Reagan in 1980) marked an important moment in the political rise of neoliberalism.[77] In Canada, though, seeking to date neoliberalism by searching for analogous governments of the right is to make a mistake. Canada did not enter the neoliberal period with the election of Brian Mulroney's Progressive Conservatives in 1984, nor did it do so much delayed in 2006 when Stephen Harper's Conservatives formed government after a long period of Liberal dominance since 1993. Instead, neoliberal Canada was structurally made from the 1970s onwards as existing political-economic settlements began to crack.[78]

But if conservatives in the United States and Britain were distinguished by the abandon with which they greeted this era in the 1980s, Canada's conservatives in the

[77] For one of the better-known accounts in which Thatcher and Reagan loom large, see Daniel Stedman Jones, *Masters of the Universe: Hayek, Friedman, and the Birth of Neoliberal Politics* (Princeton, NJ: Princeton University Press, 2012); for an excellent account of the structural conditions from which the neoliberal period was born, and some of the characteristic policy responses to those conditions, see Greta Krippner, *Capitalizing on Crisis: The Political Origins of the Rise of Finance* (Cambridge, MA: Harvard University Press, 2011).

[78] There has not yet appeared a synthetic historical account of this process in Canada, certainly not one written by a historian. A couple of recent social-scientific edited volumes warrant mention, though. There is much to be learned about neoliberal Canada in Heather Whiteside, ed., *Canadian Political Economy* (Toronto: University of Toronto Press, 2020) and in Lois Harder, Catherine Kellogg, and Steve Patten, eds., *Neoliberal Contentions: Diagnosing the Present* (Toronto: University of Toronto Press, 2023). For a very useful account of neoliberalism on the Canadian right, see Steve Patten, "The Triumph of Neoliberalism with Partisan Conservatism in Canada," in James Farney and David Rayside, eds., *Conservatism in Canada* (Toronto: University of Toronto Press, 2013), 59-76.

1980s were distinguished contrarily by their reticence. When Mulroney was elected in 1984, despite rhetoric that suggested he might govern as a keen neoliberal, his government was "slow to act on policy initiatives that appealed to those with strong neoliberal ideological orientations."[79] The Mulroney Tories linked their political fate to the "sacred trust," a commitment to the universality of existing social programs that they cautiously maintained. This Tory reluctance in the 1980s and into the 1990s had two particularly important effects: first, it split the national conservative movement, leading to a decade of flux and realignment in which the Calgary Schoolers became important figures and, second, it meant that the Liberal Party was the first to enthusiastically embrace the historical mission that the structural conditions of the neoliberal period seemed to demand. In 1985, when Tory finance minister Michael Wilson came out in favour of a programme of deficit reduction, privatization, and deregulation, Mulroney balked and doubled down on the sacred trust. In 1995, with the Liberals in power, the order of operations was reversed. After the Liberals were elected in 1993 on a platform that promised a repudiation of trends toward free trade, fiscal austerity, and welfare reform, Liberal finance minister Paul Martin instead promulgated a budget that embraced such policies, none more so than austerity. In the name of balanced budgets and debt reduction, the 1990s Liberals cut spending on healthcare, education, welfare, and social services. It was, as Steve Patten has written, "a defining moment in the process of neoliberalization."[80] The

[79] Patten, "Triumph of Neoliberalism within Partisan Conservatism," 65.
[80] Patten, "Triumph of Neoliberalism within Partisan Conservatism," 67.

first decades in the political history of neoliberal Canada were thus defined by a certain partisan confusion. Such confusion presented opportunities, and the Calgary School sought to exploit those opportunities.

Contextualizing this history of the Calgary School in neoliberal Canada is to adopt a particular conceptualization of neoliberalism. The term "neoliberalism," as historian Nicholas Mulder has helpfully summarized, has been conceived variously:

> as a package of policy prescriptions; a design philosophy for state-market relations; the spirit of leading institutions of global economic governance; a form of politics focused on private property ownership and consumption as civic participation; a form of political and social subjectivity; and a distinct epoch in the history of modern capitalism beginning in the late 1970s and early 1980s.[81]

All of these understandings have their uses. Here, though, the final conceptualization is the principal one: to refer to neoliberal Canada is to refer to a period in the Canadian history of capitalism as it began to unfold in the 1970s. At times, this history will make use of another understanding of neoliberalism that refers to a neoliberal intellectual movement, or "design philosophy for state-market relations," as Mulder puts it. That intellectual movement was an important influence on the Calgary Schoolers and this history accordingly addresses how neoliberal ideas were adopted and promoted by some members of the Calgary School. However, while I do engage significantly with the intellectual history of neoliberalism, by emphasizing the context of neoliberal Canada I seek to avoid certain tendencies in existing accounts that straddle the line between the intellectual-historical approach to

[81] Nicholas Mulder, "The Neoliberal Transition in Intellectual and Economic History," *Journal of the History of Ideas* vol. 84 no. 3 (July 2023): 559-560.

neoliberalism and the history of capitalism approach in which neoliberalism denotes an epoch.[82]

This history suggests that, while the Calgary School was not a perfect metonym for neoliberal Canada, the notoriety and influence that the school established reveals a great deal about the age and some of its characteristic dynamics. This view is notably distinct from another that would credit the Calgary School and like formations with *making* neoliberal Canada thanks to their efforts in a conclusive "war of ideas." In the intellectual history of the late-twentieth century, the war of ideas continues to be a prevalent frame. In a 1997 piece that has had a long afterlife, the scholar Susan George argued that neoliberalism represented the victory of a "Gramscian Right" in an extended war of ideas waged against an adversary, the left, that had not taken ideas seriously enough. Therefore, George concluded, it was incumbent upon opponents of neoliberalism not to cede its "intellectual hegemony" and to fight back in the war of ideas.[83] George's arguments were not made in reference to Canada, but they have been applied by others since, as when Donald Gutstein takes them up in "The War on Ideas: From Hayek to Harper."[84] The injunction that this argument makes to take ideas seriously is entirely apt. As historical explanation, however, it tends to overstate things, making the likes of the

[82] My primary influence here, as the following describes, is the historian Amy Offner, whose work is reviewed and discussed by Mulder. See Mulder, "Neoliberal Transition," 569-574 especially.
[83] Susan George, "How to Win the War of Ideas: Lessons from the Gramscian Right," *Dissent* vol. 44 no. 3 (Summer 1997): 47-53. The essay concludes: "The neoliberals' onslaught continues and their intellectual hegemony is almost complete. Those who refuse to act on the knowledge that ideas have consequences end up suffering them."
[84] Gutstein, "The War on Ideas: From Hayek to Harper," *passim*.

Calgary Schoolers into heroes (or anti-heroes) of an era, and minimizing the decisive role of structural determinants in the neoliberal turn from the 1970s.

As the historian Amy Offner has pointed out, war of ideas accounts have "tended to take the right's account of its lineage at face value" and "recapitulated the right's claim to originality, crediting it with extraordinary intellectual creativity and political autonomy."[85] The order of operations in these narratives is clean and straightforward: ideas are followed by influence which in turn is followed by application. Rejecting the war of ideas, then, means insisting on a messier view and not settling for analysis that, however clear or satisfying, ultimately distorts our sense of historical causation and the ways in which ideas work as drivers of history, or the ways in which intellectuals function as historical agents. Paraphrasing Offner, this history of the Calgary School does not simply ask where Harperism came from or some version of that question.[86] Instead, it asks how intellectual influence was made from within the structural context of neoliberal Canada, how far that influence went, and why.

This history thus avoids a mirroring of the Calgary School's self-perceptions or, at least, the perceptions of its admirers.[87] For example, in a hagiographic write-up

[85] Offner, 284.
[86] Offner writes: "Rather than ask where neoliberalism came from, this book asks how midcentury states came into being and how they came undone. That question dislodges neoliberalism as the only conceivable endpoint of twentieth-century political economy." See *Sorting Out the Mixed Economy*, 289.
[87] Flanagan, the keenest of the school members to write autobiographically about himself and the school, has been less grandiose than some observers: "as thinkers we were not the prime movers," he has written. See Flanagan, "Legends," 37. It may be worth noting, though, that this claim was made in a book chapter entitled "Legends of the Calgary School: Their Guns, Their Dogs, and the Women

celebrating the occasion of Cooper, Flanagan, Knopff, and Morton being awarded the "Tax Fighter" award of the Canadian Taxpayers Federation, Mark Milke suggests that the Calgary School was motivated, at its core, by a commitment to the Hayekian concept of "Spontaneous Order," or the preference for "organic" market orders over constructed orders built by intentional states. By their commitment to such a core idea, they became a light "in the intellectual darkness across the land."[88] Milke is not wrong about the kinds of ideas in which the Calgary School believed, but his account is otherwise too clean, to say nothing at all of its celebratory tone. The Calgary Schoolers did not wage a pure war of ideas. They intervened in particular historical episodes, making use of myriad intellectual and ideological impulses that were compatible if not identical. Rather than architects of neoliberal Canada and its Harperist form especially, they were one cadre among others. Their influence was significant, but not necessarily decisive, and not always original. Thus, the Calgary School is of some interest for the extent of its influence, yes, but of interest especially for the nature of its influence.[89]

Who Love Them." The title is written with tongue in cheek, for sure, but even so: Flanagan's modesty came with limits.

[88] Milke, "Long Reach of the Calgary School."

[89] Influence, it should be said, is a fraught category in intellectual history, thanks especially to Quentin Skinner's well-known critique of the concept. And yet, as Gary Browning notes, "The notion of influence is as unfashionable in the theory of intellectual history as it is ubiquitous in its practice." Rather, then, than recapitulating the Skinnerian critique of influence, there are two points worth making here. First, it is true as Browning says that influence is a ubiquitous category in intellectual history. Whatever the merits of Skinner's critique, influence remains a legitimate tool in the intellectual historian's toolbox. Secondly, and more importantly, the Skinnerian critique is rather more relevant to the History of Political Thought than it is to this intellectual history of the Calgary School. The sort of influence with which Skinner is primarily concerned is that which goes from thinker-to-thinker (Machiavelli to Hobbes, for example). Here, while there is some attention, especially in chapter one, to direct intellectual influence, the major concern is with the kind of influence that intellectuals can have within the societies in which they operate. I leave it to the reader to determine

This history of the Calgary School, certainly not the history of a heroic (or anti-heroic) intellectual effort that defined an era, shows instead how an ambitious group of conservative intellectuals took advantage of the era in which they found themselves. Calgary Schoolers were able to push on the edges of neoliberal Canada, often in the interests of furthering and deepening *longue durée* historical projects of liberal order and settler colonial rule in Canada. Neoliberal Canada was suitable territory for the Calgary School because global patterns of neoliberalization intersected with domestic historical currents in such a way as to present novel opportunities for actors on the intellectual right. Able to operate adaptively in multiple modes of influence, the Calgary Schoolers found leverage in their historical moment and used that leverage to their ends.

for themselves if they are satisfied by the arguments for influence here. See Gary Browning, "Agency and Influence in the History of Political Thought: The Agency of Influence and the Influence of Agency," *History of Political Thought* vol. 31 no. 2 (Summer 2010): 345. For Skinner's most significant interventions related to the methods of intellectual history, see "The Limits of Historical Explanation," *Philosophy* vol. 41 (1966): 199-215; "Meaning and Understanding in the History of Ideas," *History and Theory* vol. 8 (1969): 1-53; and "Motives, Intentions and the Interpretation of Texts," *New Literary History* vol. 3 (1972): 393-408.

Chapter I

Students: The Critique of the Intentional State and the Intellectual Heritage of the Calgary School

The Calgary Schoolers, to indulge a metaphor apt for Alberta, did not all emerge from the same intellectual pipeline. They studied at different universities, in different fields, and with different teachers. They claimed, as intellectual identification and inspiration, a diverse set of thinkers and traditions. This fact, to a degree, has troubled accounts of the Calgary School, even imperiling the notion that such a school properly existed and opening up the question that it may have been a mere creation, propagated by critics and followers alike. Was the Calgary School a neoliberal formation, as some suggest, or a neoconservative formation, as it has been more often described?[90] Was it, perhaps, a thinly political school, in the sense that its existence was owed mainly to shared policy views and party-affiliations among its members?[91] These questions have remained troublingly open.

What existing accounts have failed to capture, then, is the extent to which the Calgary Schoolers shared in a fundamental philosophical and ideological orientation

[90] In Donald Gutstein's work, neoliberalism is emphasized. See Gutstein, *Harperism*, and "The War on Ideas: From Hayek to Harper." In political science literature that addresses the Calgary School, much of which is focused on issues of foreign policy and the relations of the Harper and George W. Bush governments on such issues, neoconservatism is emphasized. See, *inter alia*, a special issue of *Études internationales*: Manuel Dorion-Soulié, guest ed., "Le tournant néoconservateur de la politique étrangère canadienne sous Stephen Harper: conceptualisation et études de cas," *Études internationals* vol. 45 no. 4 (December 2014).

[91] Such a view was implied after the appearance of Jeffrey Simpson's "Calgary mafia" column in 1992, both in the column itself and when the University of Calgary's Department of Political Science responded by assuring prospective students that they "need not fear that they will get only Reform nostrums at The University of Calgary." See introduction.

towards the state and its appropriate role. Underlying their various intellectual approaches and political sensibilities was a skeptical orientation towards what I call the intentional state. The intentional state is the state that believes it can purposely direct civil society towards acknowledged goals and outcomes. Intentional states are, of course, not identical, and so criticisms of them can vary to a degree. But the crucial argument is, in effect, that when states permit themselves the hubris to believe that they can direct civil society towards particular (and particularly ambitious) ends, disaster awaits. Thus, when Jeffrey Simpson observed that "What links the members of the 'Calgary mafia' is their fiscal conservatism, their annoyance at the West's bad treatment in Confederation, their belief that Quebec receives disproportionate attention in Ottawa and, in a few cases, their questioning of feminism, pay equity and the use made by interest groups of the Charter of Rights and Freedoms," what he failed to note was that this was no coincidence.[92] The Calgary Schoolers were not a group of right-wing academics who came together because they happened to agree on these things. Instead, they generally agreed on these things because they shared in a fundamental insight about the state.

The intentional state has been referred to variously, especially since the mid-twentieth century, by a range of thinkers.[93] Among the direct influences of the Calgary School, Hayek railed against the "constructivist" state, Voegelin criticized

[92] Simpson, "That's Not a Machine Gun."
[93] It could easily be said to go back further, too. Edmund Burke's lament of the French Revolution, for example, might be considered one of the original critiques of the intentional state. Burke, also, was cited by the Calgary Schoolers. See Edmund Burke, *Reflections on the Revolution in France* (New York: Penguin, 1982; originally published 1790).

the ideology of "gnosticism," and Leo Strauss lamented the quest to implement a "simply rational society."[94] Hayek made the best-known version of this critique in the twentieth century thanks to the popularity of his 1944 book, *The Road to Serfdom*.[95] Writing amid the horrors of the Second World War, Hayek worried that there was "more than a superficial similarity between the trend of thought in Germany during and after the last war and the present current of ideas in the democracies." Connecting the rise of socialism to the eventual rise of Nazism, and worrying that socialism had become a kind of common sense even in Britain and the United States—"If it is no longer fashionable to emphasize that 'we are all socialists now,' this is so merely because the fact is too obvious"—Hayek suggested that the democracies were perhaps fifteen to twenty-five years behind Germany on the way to tyranny.[96] With particular focus on economic planning, he sounded the alarm and warned of imminent descent into totalitarianism.[97] Instead, he insisted, it was imperative to promote the virtues of the market and attending "traditional values." Then, Hayek thought, people could live in the necessary freedom to make "their own little worlds."[98]

Beyond Hayek's critique of economic planning, there have been related critiques of utopianism, idealism, and voluntarism. Maybe the best-known among

[94] Each of these figures are discussed with more detail later in this chapter.
[95] Popular especially because in 1945 it appeared in abridged form in *Reader's Digest*. See Angus Burgin, *The Great Persuasion: Reinventing Free Markets since the Depression* (Cambridge, MA: Harvard University Press 2015; originally published 2012), 87-89.
[96] Hayek, *Road to Serfdom*, 4-7. Quotations from pages 4 and 7 respectively.
[97] Planning was discussed throughout the book, but was the principal topic of chapters four through seven.
[98] Hayek, *Road to Serfdom*, 238-239.

these, published a year after *The Road to Serfdom*, was Karl Popper's 1945 book, *The Open Society and Its Enemies*. Originally published in two volumes, the book was addressed most of all to a study of "historicism," which for Popper was a malign intellectual tradition, stretching from Plato to Marx and beyond, that engaged erroneously in "historical prophecy."[99] Popper associated historicism with utopianism and totalitarianism, arguing that attempts to take control of history were bound to be anathematic to the open society that he valued. At the helm of state power, historicists were inclined, Popper thought, to a particular kind of "social engineering," a term of which the Calgary Schoolers themselves would make frequent use. Popper was permissive of some social engineering, so long as it was "piecemeal" rather than utopian. The key distinction between the two was that piecemeal engineering was negative, undertaken against "suffering and injustice and war" rather than in positive search "for the establishment of some ideal" on which people were unlikely to agree.[100]

Unlike Hayek, Popper was not claimed as a lodestar by the Calgary Schoolers even if traces of his influence might be found in Calgary School critiques of social engineering.[101] Still, his version of the critique of the intentional state is instructive with regard to the Calgary School not just for the purposes of contextualization but because of its broad negativity. That is, like Popper, the Calgary Schoolers took their

[99] Popper, *Open Society and its Enemies*, *passim*. While prophecy of this kind is discussed throughout the two volumes of the book, it is worth noting that the second volume, which focuses especially on Marx, is entitled "The High Tide of Prophecy."
[100] Popper, *Open Society and its Enemies*, 147-149.
[101] See, for example, the discussion of Morton and Knopff's *Charter Revolution* in chapter 3.

view principally, if not wholly, in terms of critique. To describe their outlook as a critique of the intentional state is to consciously avoid an alternative, positive framing, that might invoke a defense of "liberal neutrality" or a related cognate.[102] While the following will show that the Calgary Schoolers could indeed operate as "defenders," they were clearest about what they opposed and about who their enemies were. It was apt for Simpson to notice that the Calgary School seemed to share enemies, including feminists, Quebec nationalists, and "special interest groups." Simpson might have added Marxists, and leftists of any stripe, to the list. Ultimately, while they came to their positions in distinct ways, the Calgary School held together because its members shared a critique of the intentional state and, accordingly, they shared enemies, too.

Austria via North Carolina: Barry Cooper, Tom Flanagan, and the Influence of John Hallowell

Arguably the first moment in the history of the Calgary School, of course only recognizable with hindsight, was the near simultaneous arrival of Barry Cooper and Tom Flanagan at Duke University in September 1965.[103] Prior to their arrival for graduate studies in the political science department they had not known one another. Cooper was a fourth generation Albertan who had done his undergraduate studies at the University of British Columbia while Flanagan was an American, born in Illinois,

[102] There is an extensive literature, stretching back for something like two centuries, on liberal neutrality. Perhaps one reason why the Calgary Schoolers did not fashion themselves principally as defenders of such neutrality is because, by the time they were active scholars, liberal neutrality had become associated with liberals far to their left, John Rawls most notably. For an account of liberal neutrality in the wake of Rawlsianism, see Will Kymlicka, "Liberal Individualism and Liberal Neutrality," *Ethics* vol. 99 no. 4 (July 1989): 883-905.
[103] Flanagan, "Legends," 21.

who had arrived at Duke from the University of Notre Dame in Indiana. As it happened, they were assigned to share a library carrel at Duke, and they quickly became friendly.[104]

Cooper and Flanagan arrived at Duke with quite different academic intentions. Cooper was interested in the study of Canadian politics, which was a popular topic at Duke then and for decades after thanks to the Commonwealth Studies Center, established in 1955, and later the Canadian Studies Center, which was up and running from 1974.[105] Flanagan was there to study political theory. However, owing primarily to the influence of Professor John H. Hallowell, both ultimately devoted the majority of their study at Duke to topics in political theory. Hallowell supervised the studies of each. Cooper left Duke with a dissertation on the Marxism of Maurice Merleau-Ponty while Flanagan's was written on the political-philosophical aspects of the work of Austrian novelist Robert Musil.[106]

The influence of Hallowell on both Cooper and Flanagan was profound, and visible across their respective careers. Hallowell was not particularly well-known as a scholar or an intellectual, at least among the broader public, but his students have

[104] Flanagan, "Legends," 21. Their carrell sharing is confirmed by Cooper in a letter to "JB," 24 October 1983, 98.027, box 10, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. "We were at Dook together, sharing a carrell in fact," wrote Cooper.
[105] For a brief write-up on Canadian studies at Duke, see Colin Coates, "'If Stephen Harper doesn't support Canadian studies, why should we?," *Active History*, 4 June 2015, https://activehistory.ca/2015/06/if-stephen-harper-doesnt-support-canadian-studies-why-should-we/
[106] See Barry Cooper, "Existential Phenomenology and Marxism," and Tom Flanagan, "Robert Musil and the Second Reality."

testified to his great skill as a teacher.[107] Indeed, in remarks given at a celebration of Hallowell's retirement during the 1983 meeting of the American Political Science Association in Chicago, Cooper described the exceptional experience he had of Hallowell's lectures and seminars. "There can be few curriculum cycles that provide a more complete introduction to the topics and the enduring questions of political philosophy," Cooper wrote. Describing the difference between a scholar and a teacher by noting that a teacher's audience is smaller and more privileged than a scholar's, Cooper celebrated the privilege of being a Hallowell pupil: "What we knew from the start, from the briefest exposure to his personality, was that we were in the presence of an extraordinarily effective teacher."[108]

Hallowell's pedagogical influence had very little do, in Cooper's telling, with his views on given issues. He was apparently loathe to impose his views or to teach in strict accordance with any grand ideological or intellectual framework.[109] And yet, Hallowell's influence on Cooper and Flanagan can hardly be read strictly in terms of a comprehensive but open ended teacherly contribution to their individual development. In fact, Hallowell's intellectual commitments, even if they were never imposed heavy handedly, look in retrospect to have been particularly compatible

[107] At least one history of American conservatism in the 20th century paints Hallowell as a titanic intellectual figure. However, the notion is plainly hagiographic (claimed by one of Hallowell's mentees, Ethan Fishman) and the paucity of reference to Hallowell elsewhere in the historiography is telling. See Kenneth L. Deutsch and Ethan Fishman, eds, *The Dilemmas of American Conservatism* (Lexington, KY: The University of Kentucky Press, 2010). The introduction by Deutsch and Fishman (1-8), and Fishman's chapter, "The Classical Realism of John Hallowell," (9-28) are the most relevant.
[108] Both quotations from "JHH Talk" by Barry Cooper, 3 September 1983, 98.027, box 3, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[109] "JHH Talk" by Barry Cooper, 3 September 1983, 98.027, box 3, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

with the ideas and philosophies of which Cooper and Flanagan would become advocates and acolytes. More specifically, Cooper and Flanagan's eventual identification with the Austrian thinkers Eric Voegelin and Friedrich Hayek, Cooper more closely aligned with the former and Flanagan with the latter, becomes increasingly legible when read through the lens of Hallowell's influence.

Hallowell's scholarship—he published most actively over the decade from 1945 to 1955—was compelled by the same historical events that had motivated the efforts of Voegelin and Hayek, not to mention countless other mid-century intellectuals.[110] Namely, and briefly, these events were the political and economic crises of the interwar period and the violent authoritarian political regimes to which those events gave rise. Hallowell saw clearly, as others did, that liberalism was under grave threat. As the guiding ideology of Western European political economies (and their settler-colonial successor states in North America), liberalism strained to remain relevant amid an increasingly widespread perception that it was to blame, at least partially, for the crises of the day and thus was unable to manage those crises. As Hallowell put the matter with regard to Germany, "the rapidity and completeness with which liberal institutions were destroyed suggested that the spirit in which these

[110] Perhaps the most-famous example is that of the economist John Maynard Keynes. Keynes's sense of the threat posed by the crises of the interwar period is conveyed with stirring emphasis by Geoff Mann. See *In the Long Run We Are All Dead: Keynesianism, Political Economy, and Revolution* (London: Verso, 2019). The reactions of Hayek and his fellow neoliberals are described in Burgin, *passim*.

institutions were originally conceived had reached a heretofore unsuspected stage of inner degeneracy."[111]

In the 1930s, neoliberals began to search in earnest for answers to the most pressing questions about the decline of liberal ideology. Hallowell followed along in the 1940s. His first book, completed during the Second World War, published in 1946, and descriptively entitled *The Decline of Liberalism as an Ideology*, took a self-critical approach to accounting for the "decadence" of liberal thought and practice. He submitted that ideological decline was not the result of outside forces (like the Nazis) growing in popularity but rather of an ideology that could no longer convince people of its own applicability. The gap between liberal ideals and practical, institutional reality had grown too large for liberalism to endure and resist the threats it faced.[112]

Distinguishing himself from the most famous neoliberal figures of the period, Hallowell explicitly circumscribed his analysis. He was not, as many were, interested in sketching the outlines of a "new" liberalism or an ideological update that would bring liberal ideology up to speed.[113] Instead, his focus was on a clarified articulation of liberal principles or what he called "integral liberalism." The point was not renewal but rediscovery. He admitted, to be sure, his expectation that his study

[111] John H. Hallowell, *The Decline of Liberalism as an Ideology: With Particular Reference to German Politico-Legal Thought* (London: Routledge, 2007, first published in 1946), ix.
[112] Hallowell, *Decline*, x.
[113] Angus Burgin describes twentieth century market advocacy, associated most closely with neoliberals, thusly: "They sought to construct a new philosophy of the free market and remained resolutely convinced of the capacity of their abstract discussions—over time and with the aid of external events—to transform the practice of popular politics." See Burgin, *Great Persuasion*, 5.

would have certain implied uses for concerned liberals. "I do not feel that my study is unrelated to practical political developments," he wrote, acknowledging "a mutual dependence and a reciprocal influence between ideas and institutions, between theory and practice, between ideologies and practical politics."[114] Here, perhaps, was his trademark pedagogical even-handedness on display in a scholarly context. For Hallowell, political and ideological ambition were best left to others. It is telling, then, that his pupils Cooper and Flanagan did not go on to identify as Hallowellians, even as they insisted on his influence.

If Hallowell was thus not quite a neoliberal, even as he charted a similar intellectual trajectory and acknowledged many of the same political problems that neoliberals identified, what was he exactly? He was a liberal, obviously, but he also identified more specifically with the "Hebraic-Greek-Christian tradition." In T*he Moral Foundation of Democracy*, he described this tradition as the carrier of a particular philosophy of history and human nature:

> [The Hebraic-Greek-Christian tradition] teaches us that reality is not something that men make but something to which they must conform. Man is not his own maker but a being created in the image and likeness of God. His nature is not something he makes, or something that is shaped by social conditions, but something he is given… History, therefore, is not as Marx declared it to be, "the activity of man pursuing his own aims" but rather a dialogue between God and man, with God taking the initiative and man either fleeing or responding to His call. The essential meaning of history is the restoration of personality through redemption from evil.[115]

[114] Hallowell, *Decline*, x.
[115] John H. Hallowell, *The Moral Foundation of Democracy* (Indianapolis, Indiana: Amagi, 2007, originally published in 1954), 90.

From that grand view, further tenets followed: human nature is alterable, but only within the bounds of the laws that govern its existence; humankind is endowed with the faculties of rationality; and human beings have free will. "The ultimate reality behind nature and history is a creative, rational, moral, loving Will," Hallowell wrote, insisting that submission to that governing will was the task of individuals and the test of societies.[116]

Hallowell's Hebraic-Greek-Christian tradition was thus conceived as a tradition of natural law. His normative instincts were drawn explicitly from his sense of the "law of nature" from which universal principles of individual and social conduct could be drawn.[117] In this way, it could be argued that Hallowell made himself a bit of a relic, writing in the middle of the twentieth century. Thinking within the confines of an ancient, if enduring, tradition and writing with such religiosity surely left him out-of-step with the times. However, if Hallowell's writing was ostensibly incongruous, beneath the surface his thought was very much compatible with the burgeoning neoliberal intellectual movement apparently just outside of his view.[118] If his students were looking for a more appealing philosophical language in which core Hallowellian principles could be retained, they would be in luck.

[116] Hallowell, *Moral Foundation*, 90-93. Quotation on page 93.
[117] Hallowell, *Moral Foundation*, 23.
[118] In *The Moral Foundation of Democracy*, Hallowell's references suggest hardly any interest in, or even any knowledge of, neoliberal thought or the figures that were developing it at the time.

While they were at Duke, Cooper and Flanagan may not have been actively looking for such a language. Indeed, neither has described their own intellectual and ideological journeys as featuring an active effort to be Hallowellians by another name. Further, their youthful politics were in flux, not yet settled into the positions from which they would operate, decades later, as public intellectuals in Canada. Flanagan has written that he "thought of himself as a conservative, liberal, and social democrat at different times in [his] twenties and early thirties."[119] During the early-1970s, shortly after accepting his job at the University of Calgary, Flanagan was enthusiastically interested in the literature of the left, co-teaching a course on Marxism and maintaining a personal library with hundreds of books related to left political theory and the like.[120] Cooper, of course, devoted his graduate study to Merleau-Ponty and continental European Marxism, topics which Hallowell only seemed to tolerate.[121] Without suggesting that they were ever properly committed progressives or socialists, it also must be said that they were not always identified with the broad liberal tradition or, more specifically, the rightward political edge of that tradition.

[119] Tom Flanagan, *Harper's Team,*12.
[120] Larry Hannant, "Learning Marxism from Tom Flanagan," 190.
[121] Cooper's speech at Hallowell's retirement dinner described the following: "I listened to Professor Hallowell's lectures for a year and then I switched fields and asked him to supervise my thesis. He agreed, and asked me what I proposed to write about. I named a French Marxist whose work I had read in a sociology course. Professor Hallowell frowned, sighed inwardly, and asked me one question: 'is he dead?' I assured him he was. 'You see,' he said, 'if a man isn't dead he still may have something to say.'" See "JHH Talk" by Barry Cooper, 3 September 1983, 98.027, box 3, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

For Flanagan, a late-1970s encounter with the writings of Friedrich Hayek was decisive.[122] In 1977, when Flanagan first read Hayek's *The Constitution of Liberty* ("the most accessible of his many works") and began reading the three volumes of *Law, Legislation and Liberty* ("the true synthesis of his thought") he became a committed Hayekian.[123] Hayek's project, ongoing from the 1930s as he moved away from technical economics, was to "address questions related to social-scientific methodology, political philosophy, and the law, and to relate his conclusions in these fields to his economic views."[124] In this endeavour, he was convinced from the 1940s onwards that the elaboration of a social philosophy based on market economics and a particular theory of knowledge could foment broad and substantive ideological change. For certain, Hayek displayed a political and intellectual ambition that a scholar like Hallowell did not share.

And yet, Hayek's core insights and preferences about the world, contained most neatly in his notion of "spontaneous order," were compatible with the natural

[122] The following section on Flanagan's Hayekianism is the first of three sections in this dissertation where I recapitulate and reproduce arguments and expositions that I have made in Mack Penner, "Settler-Neoliberalism: Tom Flanagan and Friedrich Hayek on the Prairies," *Canadian Historical Review* vol. 104 no. 3 (September 2023): 343-366.
[123] Flanagan, *Harper's Team*, 12. The quotations here are from a letter from Tom Flanagan to Shawn Howard, 4 March 1997, 2002.032, box 23, folder 1, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada. Howard had requested reading suggestions. In addition to Hayek, Flanagan recommended Milton Friedman's *Capitalism and Freedom*, Russel Kirk's *The Conservative Mind*, and a couple of books by Thomas Sowell.
[124] Burgin, *Great Persuasion*, 51. Indeed, when Hayek won the Bank of Sweden Award in Economic Sciences in Honor of Alfred Nobel (colloquially known as the Nobel Prize in Economics) in 1974, "almost no one in the American [economics] profession considered Hayek qualified as an economist." See Philip Mirowksi, "The Neoliberal Ersatz Nobel Prize," in Dieter Plehwe, Quinn Slobodian, and Philip Mirowski, eds., *Nine Lives of Neoliberalism* (London: Verso, 2020), 243.

law propositions of Hallowell.[125] Flanagan, then, believed that "Hayek was fundamentally right about his central concept of spontaneous order."[126] In *Law, Legislation and Liberty*, Hayek distinguished between spontaneous order and organization to articulate his preference for a "grown" order over a "made" one.[127] For Hayek, a made order was designed in order to serve a purpose and was thus inherently limited insofar as it was confined to a level of complexity that could be observed and apprehended by its maker(s). A spontaneous order, in contrast, was not limited by the perceptive or imaginative capacities of its maker(s), and thus could be more complex than an organization and could not be understood to serve any specific or delimited purpose. Spontaneous orders could be complex to an unlimited degree and, crucially, would thus tend to "[comprise] more particular facts than any brain could ascertain or manipulate."[128] Epistemological barriers meant that spontaneous orders could not be maintained in accordance with any plan, and could be perpetuated only by individual acts which tended to reproduce the existing system.[129]

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[125] Erik Angner has argued explicitly that Hayek was a natural law philosopher. See *Hayek and Natural Law* (London: Routledge, 2007).
[126] Flanagan, *Harper's Team*, 12.
[127] "Order," here, means "a state of affairs in which a multiplicity of elements of various kinds are so related to each other that we may learn from our acquaintance with some spatial or temporal part of the whole to form correct expectations concerning the rest, or at least expectations which have a good chance of proving correct." "System," "structure," and "pattern" are all, for Hayek, appropriate synonyms. See F.A. Hayek, *Law, Legislation and Liberty: A New Statement of the Liberal Principles of Justice and Political Economy* (London: Routledge, 1982, originally published in three volumes, 1973, 1976, 1979), 35-36.
[128] Hayek, *Law, Legislation and Liberty*, 38.
[129] Hayek, *Law, Legislation and Liberty*, 39.

The echoes of Hallowell's thinking are audible enough here, and they become even more clear in view of the preferences that Hayek derived from his advocacy for spontaneous order. Hallowell had written that natural law, "though requiring positive laws to meet changing circumstances, provides universally applicable principles in terms of which we can guide our individual and social life toward the perfection of that which is distinctively human."[130] In other words, governance should be restricted as much as possible to the promulgation of rules, or "positive laws," that serve guiding principles. Hayek thought similarly, and indeed Flanagan took from Hayek precisely such a philosophy about rules and the ends they should serve.

Shortly after his first encounter with Hayek, Flanagan published an essay that sought to both articulate the meaning of spontaneous order, and then, more importantly, to extract views of property and justice from this concept. The essay stands as the most direct articulation of Flanagan's Hayekianism. On the question of private property, Flanagan's analysis began with an acknowledgement that Hayek had "never written a lengthy disquisition on property, perhaps because it is conceptually subordinate to spontaneous order and can be readily related to it."[131] Similarly, on the question of justice, Flanagan began by pointing out that Hayek "nowhere offers a capsule definition of justice."[132] What Flanagan sought to accomplish was the elaboration of a Hayekian defense of private property that might

[130] Hallowell, *The Moral Foundation of Democracy*, 25-26.
[131] Flanagan, "F.A. Hayek on Property and Justice,"340.
[132] Flanagan, "F.A. Hayek on Property and Justice," 344.

emerge from a commitment to valuing spontaneity over organization, as well as an exegesis on Hayekian justice as a distinctive, if not novel, mode of understanding.

Taking spontaneous order to imply the existence of a private sphere in which individuals were free from outside coercion, Flanagan argued, with evidence from *The Constitution of Liberty*, that property for Hayek was necessary in order to establish a delimiting line at the edge of privacy.[133] Property functioned as one of Hayek's abstract rules that would serve to create a certain degree of societal regularity. Flanagan did note that common property could conceivably perform a similar function, but it would do so by limiting the potential scope for private initiative in society and inhibiting the kinds of innovative experimentation that were possible in a system organized by private property.[134] Here, without saying it explicitly, Flanagan hinted at the Hayekian view that the ideal type of individual in society was the entrepreneur.[135]

The defense of private property derived from a commitment to spontaneous order, for Flanagan, was grounded in history. "The primary argument for private property is not the logical proof that it is indispensable to spontaneous order," he argued, "but the historical experience that property develops *pari passu* with the

[133] Flanagan quotes from Hayek as follows: "We are rarely in a position to carry out a coherent plan of action unless we are certain of our exclusive control of some material objects; and where we do not control them, it is necessary that we know who does if we are to collaborate with others. The recognition of property is clearly the first step in the delimitation of the private sphere which protects us against coercion…" See F.A. Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), 140.
[134] Flanagan, "F.A. Hayek on Property and Justice," 341.
[135] Andrew Gamble, *Hayek: The Iron Cage of Liberty* (Boulder, CO: Westview Press, 1996), 72.

advance of civilization."[136] This, quite crucially, distinguished the Hayekian view from a Lockean one because, as Flanagan noted, it offered an alternative in which property was an "evolving institution" that was not reducible to a mere philosophical argument.[137] The evolutionary nature of property meant that it was adaptable and could adjust to novel historical developments. Flanagan mentioned radio, television, and telecommunications, as well as the emergence of insurance, pension schemes, and condominiums as examples of historical developments that property, as an abstract principle dictating certain rights regarding the use of things like these, could adapt to as necessary. Throughout the process of property's evolution and the implementation of small changes, "the criterion and justification [was] the utility of rules, as evaluated by experience in the great laboratory of spontaneous order."[138]

In determining the rules that ought to attend to private property in society, Flanagan was careful to clarify that, from the Hayekian vantage, human actors were not free to implement just any institutions of property according to mere whim. Because Hayek saw the rules governing spontaneous order as interconnected, it was essential that property rules not be adjusted without giving proper consideration to the possible effects of alteration. For Flanagan, the most that could be actively done was to strive for an understanding of the "immanent principles of spontaneous order"

[136] Flanagan, "F.A. Hayek on Property and Justice," 341.
[137] Locke, one of the most important natural law philosophers, was known for his labour theory of property, or labour mixing principle, which had it that property could be rightfully acquired via an act of original appropriation by improvement, so long as the appropriative act left "enough and as good" for others.
[138] Flanagan, "F.A. Hayek on Property and Justice," 342.

and therefrom to enact limited changes designed to assist in maximizing the functioning of society. Citing Hayek's 1967 essay on "The Corporation in a Democratic Society," Flanagan pointed to policies designed to increase shareholder control within firms as the sort of reforms that could be justified as limited changes to existing order.[139] Reforms, for Flanagan, were acceptable so long as they were undertaken in a modest spirit of improvement rather than a vain belief that society could be accommodated to any human goal.[140]

Just as Flanagan's Hayekian view of property was based on the principles of spontaneous order, so too was his view of justice. For Flanagan, like for Hayek, justice was to be understood as a property of intention, and so while actions or even rules could be categorized as just or unjust, it was anathema to subject outcomes to moral or ethical judgement. Therefore, because spontaneous orders did not emerge from conscious design, the outcomes that obtained in such orders were not intentional and not to be judged according to any principles of justice. Flanagan also expressed this idea in an alternate way by pointing out that whereas justice was an abstract concept, social outcomes were material realities. Lacking complete knowledge of society, which is always the case in a spontaneous order, there could be no way of arranging these realities to achieve a particular outcome. Again, the most

[139] Flanagan, "F.A. Hayek on Property and Justice," 342-343. For the mentioned essay, see F.A. Hayek, "The Corporation in a Democratic Society," in *Studies in Philosophy, Politics, and Economics* (London: Routledge, 1967), 300-312.
[140] Flanagan, "F.A. Hayek on Property and Justice," 343. There were echoes of Karl Popper's preference for piecemeal engineering here.

that could be done was to enact rules that would *tend* to produce positive results when broadly applied.[141]

For Flanagan, commitments to social justice, or broader ideological commitments to socialism, were representative of what Hayek identified as the error of "constructivism." In a 1984 essay elaborating on this concept, Flanagan described constructivism as "the intellectual error of interpreting order as if it were organization" and "assuming that self-generating structures must be deliberately made and controlled by man."[142] Constructivist thinking was thus fallacious because it embraced an idea that spontaneously evolved order was synoptically knowable and therefore could be engineered towards producing certain results. For Flanagan, it was essential that this form of thinking be identified and criticized.

Hayek was famous for his argument in *The Road to Serfdom* that state planning, pushed to its logical endpoint, necessarily implied the eventuation of totalitarian society. But Flanagan stressed in his essay just how widely applicable this sort of criticism could be. He argued that positivism, Marxian socialism, utopian socialism, and even reformist liberalism were all constructivist ideologies predicated on the false idea that order could be treated and managed like organization. His critique of the "typical 'liberal'" is perhaps most illuminating, as it demonstrates the potential reach

[141] Flanagan, "F.A. Hayek on Property and Justice," 344-346.
[142] Tom Flanagan, "Hayek's Concept of Constructivism," in J.M. Porter, ed., *Sophia and Praxis: The Boundaries of Politics* (Chatham, NJ: Chatham House, 1984), 113.

of the anti-constructivist argument (and displays another debt to Hallowell).[143] Flanagan believed that contemporary liberals were interventionists who viewed the state as an instrument for the correction of "'market failures.'" The idea that markets could fail was nonsensical to a Hayekian like Flanagan because he regarded the market as an institution, existing within a spontaneous order, "whose rules of conduct must be followed because of their general benefit, even if in particular cases the outcome is not one we like."[144] Any attempt to intervene in the market, because it could not possibly be made with a view to all the unique knowledge existing within it, was thus bound to have unintended negative consequences.[145]

Overall, what Flanagan got from Hayek was an "anti-constructivist" or anti-intentional outlook, from which he derived views of property, markets, and justice all grounded in a fundamental belief that society constituted a spontaneous order. Importantly, the defense of spontaneous order pushed Flanagan to an ideological and intellectual position which was historically grounded. His view of property is key on this point. Recall that property rights were valuable to Flanagan not because of some *a priori* commitment to a labour-mixing principle like that which Locke so influentially expounded, but because of the historical observation that property emerged spontaneously alongside civilizational progress.[146] This point is important,

[143] Flanagan's placing of "liberal" in scare quotes indicates his belief that, certainly by the 1980s, the colloquial meanings of liberalism had become separated from their traditional valence, or what Hallowell called "integral liberalism."
[144] Flanagan, "Hayek's Concept of Constructivism," 116.
[145] Flanagan, "Hayek's Concept of Constructivism," 116.
[146] Flanagan, "F.A. Hayek on Property and Justice," 341.

because it can help to explain Flanagan's academic output in the 1980s and early 1990s. His views of property and justice pushed him towards history, as his scholarly efforts after the encounter with Hayek suggest. Most of Flanagan's published work after becoming a self-identified Hayekian dealt with the life of Louis Riel, the North-West Rebellion, and the question of Métis land rights.

Cooper was also an admirer of Hayek — he wrote that he "loved the references to Hayek" in one of Flanagan's books — but his central influence and preoccupation was the philosopher Eric Voegelin.[147] Flanagan, too, was influenced by Voegelin, even at one point describing his broad philosophical outlook as a "unique synthesis" of Hayek and Voegelin.[148] However, if in Flanagan's case Hayek was the dominant figure in the synthesis, the opposite was true for Cooper who became one of the world's most prolific Voegelinians. In work spanning the historical, the exegetical, and the applied study of Voegelin, Cooper developed a broad philosophical outlook that would inform his public intellectual career. Again, this interest can be read through the influence of Hallowell, in whose seminars and lectures both Cooper and Flanagan were "schooled" in Voegelin's work, and in whose estimation Voegelin was worthy of direct comparison to the likes of Plato.[149]

Unlike Flanagan, Cooper remained for most of his scholarly career focused on matters more closely related to political theory. And given the range of Cooper's

[147] Letter from Barry Cooper to Tom Flanagan, 25 July 1991, 98.027, Box 6, Folder 6, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[148] Flanagan, "Legends," 23.
[149] Flanagan, "Legends," 23; Ellis Sandoz, *The Voegelinian Revolution: Biographical Introduction*, 2nd ed. (London: Transaction Publishers, 2000, originally published 1981), 7.

engagements, especially with the work and career of Voegelin, it is somewhat challenging to tease apart Cooper's scholarly efforts from his more ideological statements. Moreover, Voegelin himself was much more of a "pure" theorist than was Hayek, and so Cooper's Voegelinian politics were less obvious in any case than were Flanagan's Hayekian politics. It is helpful to establish in the first place, then, that Cooper's interest in Voegelin proceeded from admiration. Indeed in 1985, after Hallowell had written Cooper on the occasion of Voegelin's death, Cooper replied by firstly noting that, "Now the greatest of the three great political scientists of this century has died."[150] For Cooper, Voegelin was a titan.

Like Hallowell and Hayek, Voegelin's intellectual efforts were directed to the political problems of the twentieth century, especially as they were manifest from the interwar period through mid-century. In an early publication on Voegelin, Cooper quoted him accordingly: "The motivations of my work are simple, they arise from the political situation. Anyone who has lived in the twentieth century, as I did, with a wake consciousness since the end of the First World War, finds himself hemmed in, if not oppressed, from all sides by a flood of ideological language."[151] Where Hallowell had taken that flood as impetus to reconstruct a more meaningful "integral liberalism," and Hayek to forge a new liberalism, Voegelin addressed himself to a similar project of re-articulation. In his efforts, Voegelin's language and method were

[150] Letter from Barry Cooper to John Hallowell, 24 April 1985, 98.027, Box 3, Folder 8, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. Filling out the top three were Leo Strauss and Hannah Arendt.
[151] Quoted in Barry Cooper, "A Fragment from Eric Voegelin's *History of Western Political Thought," The Political Science Reviewer* 7 (Fall 1977): 23.

more like Hallowell's than Hayek's, grounded in classical philosophy and spiritual language, although it is important to note that Voegelin was a friend of Hayek's, and other neoliberal intellectuals like Fritz Machlup and Gottfried von Haberler, all of whom had trained in economics seminars with Ludwig von Mises.[152] In any case, for Cooper, Voegelin was a source of ideological motivation in the sense that Voegelin's ideas can be shown to have informed Cooper's engagements with the practical issues that defined Canadian politics and society in the late-twentieth century.

Voegelin was best known, especially to English readers, for his four-volume opus, *Order and History*, published over eighteen years from 1956 to 1974 with a seventeen year gap between the appearance of the third and fourth volumes, and also for his 1952 book *The New Science of Politics*. In general, though, he is not as well-known as some of his similarly esteemed contemporaries. In the estimation of Ellis Sandoz, Voegelin is "not nearly so famous as, say, Herbert Marcuse or Angela Davis, nor even so well known as those with whom he is most frequently compared: Spengler, Toynbee, Sorokin, or perhaps Collingwood."[153] Voegelin's relative obscurity is thus something of an issue in the study of his thought, as admiring political scientists like Sandoz and Cooper insist on the quality and significance of Voegelinian insight. The chasm between the work and the insight, for Sandoz, is explained as a function of its significance: a "Copernican revolution is present in

[152] Sandoz, *Revolution*, 35.
[153] Sandoz, *Revolution*, 10. Sandoz and Cooper maintained a relationship over their careers, both of which were heavily devoted to the study of Voegelin.

Voegelin's work," so knowing the work is only possible from within the terms of its own expression.[154]

To the extent that Voegelin is remembered as an important political philosopher of the twentieth century, he is known in particular for a phrase he introduced in *The New Science of Politics*, the most widely read of his works.[155] In an analysis of "gnosticism," which Cooper described as "the characteristically modern disturbances of spiritual order," Voegelin criticized attempts to "immanentize the eschaton."[156] The point can be and has been exegeted in faithful Voegelinian terms, but it can also be described more straightforwardly. The idea for Voegelin was that gnosticism, which was "the essence of modernity," was based on a fallacious notion that heaven could be made on earth.[157] In Voegelin's language, "The spiritual strength of the soul which in Christianity was devoted to the sanctification of life could now be diverted into the more appealing, more tangible, and, above all, so much easier creation of the terrestrial paradise."[158]

This critique was targeted mostly but not solely at the political left. Marxism, and associated revolutionary movements, were a primary target for Voegelin, as were

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[154] Sandoz, *Revolution*, 10-11. Other Voegelin scholars make similar points, if in less dramatic terms. Charles R. Embry and Glenn Hughes, for example, suggest that "[Voegelin's] mature philosophical writings, besides being challenging in their depth and complexity, are also unconventional, not fitting into any of the contemporary philosophical 'schools.'" See Embry and Hughes, *The Eric Voegelin Reader* (Columbia, MO: University of Missouri Press, 2017), ix. The colloquial way to make this point would be to say that Voegelin's prose was very dense.

[155] Sandoz, *Revolution*, 91.

[156] The phrase now has its own Wikipedia entry: https://en.wikipedia.org/wiki/Immanentize_the_eschaton

[157] Sandoz, *Revolution*, 109.

[158] Eric Voegelin, *The New Science of Politics: An Introduction* (Chicago and London: University of Chicago Press, 1987; originally published 1952), 129. Quoted in Sandoz, *Revolution*, 109.

myriad utopianisms of different sorts. Even liberalism, "understood as the immanent salvation of man and society," was to be criticized as a gnostic ideology.[159] Writing from his vantage in the middle of the twentieth century, gnosticisms of the right were of course impossible to ignore, and for Voegelin the two most concrete expressions of modern gnosticism were Nazism on the right and Soviet Communism on the left. Gnosticism implied the eventuation of totalitarian regimes.[160]

While the language is different, this aspect of the Voegelinian critique of gnosticism was at least functionally analogous to Hayek's arguments in *The Road to Serfdom*.[161] Indeed, it was no coincidence that Voegelin and Hayek had a critique of totalitarianism in common. Just as Hayek's views proceeded from an historical epistemology grounded in the belief that historical evolution was the great test of social arrangements, and thus that spontaneously evolved social orders were preferable to engineered ones, Voegelin's critique was likewise grounded in a philosophy of history. In another of Voegelin's limitedly famous and characteristically arcane phrases, he says that "the order of history emerges from the history of order."[162] On its own the phrase does not necessarily imply a normative defense of something like spontaneous order — in isolation it is only a descriptive claim — but indeed it suggests an outlook much like the Hayekian one. Gnostic endeavours to make order violated the Voegelinian philosophy of history and its

[159] Sandoz, *Revolution*, 110.
[160] Sandoz, *Revolution*, 108-111.
[161] It is very difficult to imagine that Voegelin's *New Science of Politics* could have been abridged and serialized in *Reader's Digest*, as was *The Road to Serfdom*.
[162] Eric Voegelin, *Israel and Revelation* (Baton Rouge: Louisiana State University Press, 1956), ix.

normative counsel, which was popularized by the conservative American intellectual William F. Buckley as an instruction: "Don't immanentize the eschaton!"[163]

Cooper encountered Voegelin not just as a novel thinker but as a kind of ticket to self-realization: "Those who make the effort to study Voegelin's work…gain the impression not so much of encountering a new political philosophy as of recognizing what they have been waiting for. This has certainly been my experience."[164] Exactly what Cooper had been looking for is less clear, especially as concerns his ideological or political uptake of Voegelinian principle. Indeed, the language in which Cooper worked as a political philosopher was starkly differentiated from the language in which, especially from the 1990s, he engaged publicly as a political intellectual. This fact can be read as a function of Voegelinian commitment. Cooper was more inclined to invoke Voegelin, that is, on methodological points, as in the preface to his 1991 book, *Eric Voegelin and the Foundation of Modern Political Science*. In that preface, Cooper declares commitment to a Voegelinian scholarship in which he "worked through the materials and tried to allow patterns of meaning to emerge."[165] Cooper, like Voegelin himself, was not so inclined to attach a colloquial political label to these commitments.

Hallowell's influence on Cooper may have played a role on this point, too. In a review essay published in the early 1980s, for example, Hallowell noted the

[163] For a brief discussion of Buckley's use of the phrase and its popularization, see Nicholas Buccola, *The Fire is Upon Us: James Baldwin, William F. Buckley Jr., and the Debate Over Race in America* (Princeton, NJ: Princeton University Press, 2019), 444 n24.
[164] Cooper, *The Political Theory of Eric Voegelin*, x.
[165] Cooper, *Eric Voegelin and the Foundations of Modern Political Science*, xii.

relatively frequent invocation of Voegelin by conservatives as a phenomenon lacking textual basis. Hallowell quoted Voegelin at length:

> Once an argument has been classified as "positional," it is regarded as having been demolished, since the "position" attributed to it is always selected with pejorative intent. The choice of the position selected is an expression of the personal antipathies of the individual critic, and the same argument can therefore be attributed to any one of a variety of "positions," according to what comes most readily to the critic's hand. The wealth of variations afforded by such tactics is well exemplified by the variety of classifications to which I have myself been subjected. On my religious "position," I have been classified as a Protestant, a Catholic, as anti-Semitic and as a typical Jew; politically, as a Liberal, a Fascist, a National Socialist, and a Conservative; and on my theoretical position as a Platonist, a New-Augustinian, a Thomist, a disciple of Hegel, an existentialist, a historical relativist, and an empirical skeptic; in recent years the suspicion has frequently been voiced that I am a Christian. All these classifications have been made by university professors and people with academic degrees. They give ample food for thought regarding the state of our universities.[166]

For Hallowell, on the contrary, Voegelin "defie[d] any kind of classification." Cooper, at least in his scholarly and exegetical work on Voegelin, adhered to his teacher's conclusion.

To substantiate the claim that Cooper's politics were of a Voegelinian kind, then, requires more than simple evidence. Whereas Flanagan can be cited in open declaration of his political Hayekianism and applying that outlook in a number of different contexts, Cooper's Voegelinian politics have to be described and shown a little differently. The crucial point on this matter is that, legitimate as it may be to insist on the error of classifying Voegelin in political terms, his political philosophy is

[166] Eric Voegelin, "John Stuart Mill: On Readiness to Rational Discussion" in Albert Hunold, ed., *Freedom and Serfdom: An Anthology of Western Thought* (Dordrecht, Holland: Reidel, 1961), 280. Quoted in John H. Hallowell, review of *The Philosophy of Order: Essays on History, Consciousness and Politics* by Peter J. Opitz and Gregor Sebba and *Eric Voegelin: Philosopher of History* by Eugene Webb, *History and Theory* vol. 21 no. 3 (Oct., 1982): 429.

compatible, in large part if not entirely, with the more explicitly political derivations that Flanagan took from Hayek. In both cases, training with Hallowell led to an identification with philosophical outlooks that were critical of human, or state-led, attempts to plan, engineer, make, or force certain outcomes. This was always an openly political commitment for Flanagan who, as a Hayekian, was following someone who sought actively and explicitly to realize political goals consistent with neoliberal ideas. For Cooper, there was not such an explicit connection between philosophical outlook and political action. However, this difference need not, indeed should not, be read as politically significant. The politically active Hayekian and the politically active Voegelinian may have had disparate dispositional attitudes to politics, but the former's defence of spontaneous order and the latter's critical account of gnosticism could clearly be operationalized toward shared ends as critique of the intentional state.

History as Politics: David Bercuson's Historiographical Path to the Calgary School

David Bercuson's fit within the confines of the Calgary School was always imperfect. Flanagan, indeed, has written of Bercuson's disciplinary, political, and associational differences with other members of the school.[167] As an historian, and in particular as a labour historian in the early part of his career, Bercuson came out of an entirely different intellectual tradition than did his compatriots in political science

[167] Flanagan, "Legends," 24.

and related fields. For these reasons, tracing his path to the Calgary School is less an exercise in establishing connections between education and worldview, or in establishing precedent for later positions, but more of an exercise in tracing a gradual but definitive intellectual and ideological shift. From left-liberal and social democratic milieus, Bercuson moved, beginning in the 1970s, towards what would become a kind of neoconservatism with unique Bercusonian characteristics. At many points, this outlook overlapped with the views and interests of his Calgary School colleagues. At some others, not so much. As a result, both as an academic and as a politically active public intellectual, Bercuson was in Flanagan's words "not a member of the Calgary School *comme les autres*."[168] And yet, for all this emphasis on Bercuson's distinctiveness, he ultimately shared in the critique of the intentional state that undergirded the broad outlook of the Calgary School.

After growing up in working-class Montreal, in the late-1960s Bercuson studied Canadian labour history under the supervision of Kenneth McNaught at the University of Toronto.[169] As described by the historians Michael Bliss and J.L. Granatstein, McNaught "was an old social democrat" firmly identified with the Co-operative Commonwealth Federation (CCF), which broadly speaking was known for a politics of economic planning that has been described interchangeably as social democratic or democratic socialist.[170] McNaught's politics could match his academic

[168] Flanagan, "Legends," 25.
[169] Bercuson earned a Masters degree from the University of Toronto in 1967 and was award his PhD four years later in 1971.
[170] Michael Bliss and J.L. Granatstein, "Foreword," in Kenneth McNaught, *Conscience and History: A Memoir* (Toronto: University of Toronto Press, 1999), vii.

interests: he was perhaps best-known for his biography of J.S. Woodsworth, who was the first leader of the CCF.[171] Politics and interests like these were not uncommon in Canadian labour history, and thus it could be said further that as a graduate student Bercuson worked with a social democratic advisor in what was a generally social democratic milieu. For his part, Bercuson's doctoral thesis, which would become a well-known book, was written on the Winnipeg General Strike of 1919. In other words, during the late-1960s, while he stood out to McNaught for his mercurial passion and excellent seminar work, Bercuson would seem to have fit in with the social democratic crowd of his field.[172]

In 1974, by which time Bercuson had joined the faculty in Calgary and was working with McNaught on a teaching book about the Winnipeg General Strike, he was losing interest in labour history.[173] Flanagan added that the loss of interest was a function of Bercuson's growing disenchantment with "the Marxist political correctness prevailing in Canadian labour history."[174] In any case, it was evidently during the 1970s that Bercuson's politics, and academic interests, began to change in the ways that would eventually earn him recognition as a Calgary Schooler. On account of the gentle pace of this shift — McNaught notes that "David slowly drifted

[171] See Kenneth McNaught, *A Prophet in Politics: A Biography of J.S. Woodsworth* (Toronto: University of Toronto Press, 1959).
[172] Kenneth McNaught, *Conscience and History: A Memoir* (Toronto: University of Toronto Press, 1999), 159. McNaught also tells the story of Bercuson's oral examinations before which, after having taken sedatives in order to sleep the night before, Bercuson took counteracting stimulants, with the result that he became "pretty well incoherent" by the time of the exam. The committee, apparently, knew that Bercuson was entirely capable and prepared, so they cut the exam short.
[173] McNaught, *Conscience and History*, 160.
[174] Flanagan, "Legends," 24.

rightward" — it is somewhat difficult to chart.[175] Certainly, he does not seem to have had a single revelatory moment of the kind that Flanagan had when he encountered Hayek, although he does date his firm turn away from labour history to 1978, when he began to study the connections between Canada and post-1948 Israel.[176] Still, as his political transformation seems to have corresponded with a shift in academic interests, from labour history to politics, diplomacy, and military history, the development of Bercuson's academic work suggests the character of his rightward politicization.

The path from social democracy to neoconservatism was well-trodden by the 1970s when Bercuson began his journey along it. The historian of neoconservatism Justin Vaïsse has traced the origins of the neoconservative intellectual movement to the New Deal era in the United States, a period that might be seen as featuring the social democratization of liberalism, when "liberals began asserting that state intervention was necessary to keep the economy and society running smoothly."[177] For three decades, into the 1960s, this liberalism arguably dominated American politics. However, with the 1960s came a further intensification of this "leftward trend in American liberalism."[178] From the New Left to the Civil Rights Movement to the 1960s counterculture, some New Deal liberals saw an unjustifiable kind of socio-political ambition. Leftists of the baby boom generation, in this view, had failed

[175] McNaught, *Conscience and History*, 160.
[176] Bercuson, *Canada and the Birth of Israel*, vii.
[177] Justin Vaïsse, *Neoconservatism: The Biography of a Movement*, trans. Arthur Goldhammer (Cambridge, MA: The Belknap Press of Harvard University Press, 2010), 6.
[178] Vaïsse, *Neoconservatism,* 7.

to learn the lessons of the interwar period. Convinced that "the intellectual and political ambition to transform society had been discredited both by the failure of fascism in its various forms and by the repudiation of the Soviet form of Marxism-Leninism," a group of American liberals, social democrats, and even Trotskyists inaugurated the neoconservative movement in opposition to what they saw as leftist excess.[179] These first neoconservatives were committed to the view that the state was not up to the task of remaking society, and that to ask the state to do so was to err seriously.

In this way, the neoconservative movement began as a reaction against domestic political developments (in the United States). However, as the movement grew, its interests increasingly consolidated in the realm of foreign policy, to the point that the focus on foreign policy eventually became "all but exclusive."[180] At first, this shift in emphasis took place in the context of the Cold War, defined by a certain military equality between the United States and the Soviet Union (and the various proxies and allies of each). The idea, in brief, was that neoconservative domestic commitments vis-à-vis the state and its capacities required, as a sort of precondition, the containment of the Soviet influence abroad. As such, neoconservative foreign policy thinking grew first out of a critique of détente with the Soviet Union and the associated development of ideas regarding military strategy.[181] In the early 1990s, after the Soviet Union collapsed, calculations along these lines

[179] Vaïsse, *Neoconservatism,* 52.
[180] Vaïsse, *Neoconservatism,* 96.
[181] Vaïsse, *Neoconservatism,* 10.

became more straightforward and a generation of neoconservatives associated with the 2003 American invasion of Iraq emerged out of the abandonment of "the cautious approach to foreign policy that had been necessary in a hostile world."[182]

Bercuson's intellectual development charts each of these trajectories. That is, beginning in the 1970s, he retreated from both the ideological commitments and the topical interests of the labour-historical milieu in which he had trained. By the middle of the 1980s, he had all but abandoned labour history for new interests in military history and foreign affairs. A flurry of publications between 1983 and 1986 included books on the Arab-Israeli War and Canadian foreign policy vis-à-vis Israel, as well as co-authored books on Canadian university culture and the Mulroney Conservatives.[183] These works made Bercuson's transformation more or less obvious even if his politics retained a certain idiosyncratic quality over the duration of his career. The following chapter will treat Bercuson's 1980s and these works in some detail. Here, instead, it is worth dwelling on Bercuson's early career as a labour historian. When viewed with a retrospective interest in substantiating Bercuson's ideological and intellectual journey from left to right, the seeds of his eventual transformation can be found in his early career labour history.

In *Confrontation at Winnipeg*, his first book, published in 1974, Bercuson approached the history of the Winnipeg General Strike in terms of its attendant

[182] Vaïsse, *Neoconservatism,* 10-13. Quotation on pp.12.
[183] See Bercuson, *The Secret Army*; David Bercuson, Robert Bothwell, and J.L. Granatstein, *The Great Brain Robbery: Canada's Universities on the Road to Ruin* (Toronto: McLelland & Stewart, 1984); Bercuson, *Canada and the Birth of Israel*; David Bercuson, J.L. Granatstein, and W.R. Young, *Sacred Trust?: Brian Mulroney and the Conservative Party in Power* (Toronto: Doubleday, 1986).

industrial structure and its occurrence just after the conclusion of the First World War. Of course, the book was addressed to a pre-existing historiography of the strike, some of which emphasized the existence of a revolutionary situation in 1919. In Russia and parts of Europe, revolution was a building reality in this time period, and given the scale of the labour action in Winnipeg—"one of the most complete withdrawals of labour power ever to occur in North America," in Bercuson's words—it made sense to see revolution there, too.[184] But Bercuson rejected the idea entirely: "The Winnipeg general strike was not a revolution and was not planned to be one."[185] In that way, for Bercuson, the strike foundered on a paradox. While it was a radical action, its participants were not radical enough to manage the state of affairs that they had created as a result of their radicalism. "By carrying on in the manner that they did, labour appeared to be assuming governmental authority and was not equipped or prepared to cope with the political or military implications of this new situation," Bercuson argued.[186]

The reference to military implications was particularly telling. Bercuson was not just interested in the context of the First World War. He was, at least as significantly, interested in the balance of military power between labour and capital in the city. Indeed, *Confrontation at Winnipeg* can be read as a declensionist narrative of the strike, ebbing and flowing with the vicissitudes of military power: from "radical triumph" after key strikes in 1918 during which "militancy had paid off," to

[184] Bercuson, *Confrontation*, 176.
[185] Bercuson, *Confrontation*, 179.
[186] Bercuson, *Confrontation*, 179.

ultimate defeat in 1919 after the arrests of the most radical strike leaders and the buildup of militia forces that definitively regained control of the city.[187] The strike ended, for Bercuson, when the "Mounties, military, and specials were masters of the streets."[188]

In this emphasis on the importance of military considerations and their conditioning of the balance of industrial power, Bercuson was cutting against the burgeoning interest among labour historians in questions of culture. The "Marxist political correctness" that, in Flanagan's recollection, influenced Bercuson's drift away from labour history could also be described as a reaction against this culturalist turn in what was then called "the new labour history." In a critique of this new history, published in 1981, Bercuson was skeptical about the explanatory capacity of cultural evidence. Reference to common working-class cultures, and their centrality to class struggle, was based on a stretching of hit-and-miss evidence. "Historians must prove," Bercuson argued, "that Canadian workers, men and women, skilled and unskilled, were bound by a common culture that was primarily the product of their class experience before they can use culture to explain anything."[189] Thinking that such proof was not on offer from new labour historians in Canada, Bercuson ultimately concluded that "ideological proclivity taints the work of all."[190]

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[187] See "The Triumph of Radicalism," chapter 5 in Bercuson, *Confrontation*, 58-77. Quote on pp. 77.
[188] Bercuson, *Confrontation*, 174. "Specials" were special constables who were hired to work as patrollers, often in civilian clothing, with weapons like baseball bats and wooden clubs.
[189] David Bercuson, "Through the Looking Glass of Culture: An Essay on the New Labour History and Working-Class Culture in Recent Canadian Historical Writing," *Labour / Le Travail* 7 (Spring 1981): 108.
[190] Bercuson, "Through the Looking Glass," 111.

Here, Bercuson begged the question: what was the ideological proclivity that tainted his own turn away from labour history? Around the time that Bercuson was developing his critique of the new labour history in Canada, he was also engaged in discussions with his publisher, hoping to arrange for the publication of a revised and updated edition of *Confrontation at Winnipeg*. As of 1986, 12 years after it had first appeared, the book was still the most recent full-length study of the strike. Pitching to the director of McGill-Queen's University Press, perhaps with some embellishment given his concerted turn away from labour history in intervening years, Bercuson suggested that a new version of the book could include a new introduction and conclusion, along with some revisions, together incorporating "observations that have come from an additional decade of scholarship."[191] In fact, the updated book, which appeared in 1990, was more about settling old scores, or squaring Bercuson's new viewpoints with his old interests. There were no revisions, only a new preface and a new conclusion.[192]

The 1990 revised edition of *Confrontation* was, in effect, Bercuson's final publication as a labour historian.[193] Perhaps he knew it would be, as the additional material was invective, an indictment of the direction in which labour-historical

[191] Letter from David Bercuson to Philip Cercone, 18 June 1986, 99.037, box 18, folder 6, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[192] No scouring comparison of the texts is necessary for this claim. In the preface to the revised edition, Bercuson is plain: "The first twelve chapters of the original book have retained [sic] unchanged." See David Bercuson, *Confrontation at Winnipeg: Labour, Industrial Relations, and the General Strike*, revised ed. (Montreal & Kingston: McGill-Queen's University Press, 1990), xii.
[193] In 2020, Bercuson published a short book chapter on the role of veterans in the Winnipeg General Strike. See David Bercuson, "The Winnipeg General Strike of 1919: The Role of Veterans," in Tim Cook and J.L. Granatstein, eds., *Canada 1919: A Nation Shaped by War* (Vancouver: UBC Press, 2020), 148-161.

scholarship had gone from the early-1970s. In the preface, only about a page long, Bercuson looked back and situated the book's initial appearance in a "golden age" during which "non-Marxist 'labour' historians such as Irving M. Abella, A. Ross McCormack, Robert Babcock, and I began to add a social-history dimension to Canada's then endless horizon of traditional political history."[194] As with any golden age, though, this one was doomed, its eclipse evident in the reaction of prominent Marxists to the book. Bryan Palmer, a well-known Canadian Marxist historian, was "typical" in his dismissal of *Confrontation* as unoriginal.[195] Bercuson's prefatory invocation of Palmer and Marxists more generally was prelude to a longer conclusion in the new book. After opening the conclusion with a summary of intervening work on the strike that had, however mistaken it may have been in its interpretations, added new dimensions to the body of historical scholarship, Bercuson reserved the very final pages of the book for his enduring gripes with the Marxists.[196] Here, in the guise of methodological preference, his developed ideological predilections were on clear display.

From the Marxist reactions to *Confrontation*, Bercuson distilled three key points of critique: the book ignored the structural condition of capitalism, it was too

[194] Bercuson, *Confrontation*, revised ed., xi. Babcock, interestingly, studied at Duke.
[195] Bercuson, *Confrontation*, revised ed., xi.
[196] These gripes weren't entirely absent in the first section, either. Describing a Winnipeg-focused passage in historian Linda Kealey's 1989 work on the role of women in the broader Canadian labour revolt of 1919, Bercuson writes: "Kealey's aim is not so much to write about women, but about women-as-part-of-the-proletariat in a further effort to counter non-Marxist historians who have claimed that western labour was especially radical and, therefore, more prone to revolt. Thus her failure to add anything to the work on women qua women already done by Horodyski [author of a 1986 article on women in the Winnipeg General Strike]." See Bercuson, *Confrontation*, revised ed., 200.

certain in its description of the strike as a defeat, and it was too narrow in the way that it contextualized the strike as a local/regional uprising rather as one instance in a broader national labour revolt.[197] Each point of critique, in Bercuson's eyes, was a result of Marxists bending evidence to suit a theory, and he was hardly able to countenance the idea that Marxist theory was, at some level, historically serious. Thus, after successive invocations and dismissals of ideas about the structural relation of workers and employers, for example, Bercuson landed on insults. Greg Kealey, a leading new labour historian and proponent of the Canadian labour revolt idea, was for Bercuson merely "pamphleteering," "rallying the revolutionary troops," and was "certainly not advancing scholarship."[198] Another historian, Nolan Reilly, was "the worst example" of this style of historiographical malpractice, guilty of attempting to "shoe-horn" the events of 1919 into a "revolutionary mold" by summarizing an apparent consensus among historians who gave papers at a symposium on the strike held at the University of Winnipeg in 1983.[199]

In this way, Bercuson saw Marxists not even as mistaken-yet-honest theory-driven historians, but as simple ideologues. Since, in Bercuson's view, their evidence could not sustain their interpretations, they had to be conjuring stories for ideological reasons:

> The fairy tale goes something like this: evil, corrupt, and decadent employers undermined the independence, self-respect, and economic well-being of an otherwise vigorous and energetic working class until the workers revolted in self-righteous fury. They fought a clean fight against a secret conspiracy of

[197] Bercuson, *Confrontation*, revised ed., 200.
[198] Bercuson, *Confrontation*, revised ed., 202.
[199] Bercuson, *Confrontation*, revised ed., 201-203.

> business and government, but they were defeated by trickery, chicanery, and, ultimately, brute force. But the defeat was only momentary because their cause was too righteous to be truly defeated. In the end, phoenix-like, they rose again, in other forms (i.e., industrial unionism, the CCF), and triumphed.[200]

Such a view of the strike was risible, primarily for its over-eagerness to assign meaning. For Bercuson, meaning was not the proper realm of the historian. "To seek hidden inner meanings to this event," he wrote, "rather than to study it for what it was, is to impart to it more than anyone has a right to do."[201] Instead, the strike was just a strike. It was, to be sure, a strike of great scale and magnitude, but it did not reverberate. It occurred for contingent reasons and produced unique effects. Certainly, it had a great importance for those who participated in it, but otherwise the strike had no grand historical significance and no profound historical or theoretical meaning.[202]

One approach to Bercuson's historical worldview might emphasize his empiricism, or his commitment to reading evidence without additional interpretive tools. Such a view is not uncommon among historians. Indeed, for its supposed relation to the virtue of objectivity, empiricism has arguably been the dominant methodological approach to history since the nineteenth century.[203] For all the empiricist rejection of theoretical imposition, though, empiricists like Bercuson still

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[200] Bercuson, *Confrontation*, revised ed., 204.
[201] Bercuson, *Confrontation*, revised ed., 205.
[202] Bercuson, *Confrontation*, revised ed., 205.
[203] See, inter alia, Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (New York: Cambridge University Press, 1988). Novick relates the story of David Abraham, Marxist historian and author of *The Collapse of the Weimar Republic*, who in the 1980s encountered the ire of "hyper-empiricists" who attacked his work for some of the same reasons that Bercuson attacked the new labour historians. See *That Noble Dream*, 612-621.

have a theory, or a non-theory, of history. In short, Bercuson defended a view of what might be called spontaneous history, to harken back to Flanagan and Hayek. As his work as a disgruntled labour historian suggests, Bercuson thought it an egregious sin to "make" meaning out of historical events. Of course, any given development might mean something to the people directly affected by it, and there would often be evidence with which historians could reconstruct that isolated meaning, but reading connections, patterns, and structures into history, especially if those things were associated with ideological or theoretical agendas, was a hubristic overstep.

As historiography, this outlook can seem ordinary and, plausibly, politically neutral. But, at the risk of an historiographical trespass that would trouble Bercusonian sensibilities, it should be noted how short a journey it would be to operationalize Bercuson's opposition to the making of meaning in history as an anti-constructivist politics in the vein of Flanagan or Cooper. Without precisely equating Bercuson's politics to the politics of his colleagues, or chalking his politics up to conventional neoconservatism (his views on issues like abortion or same-sex marriage would make him a very strange fit indeed among social conservatives in the North American neoconservative camp, even as his interests in foreign policy would

have made him at home there), it can still be said that his view of history implied his political compatibility with the other members of the Calgary School.[204]

Where Flanagan and Cooper had internalized a critique of the intentional state via Hayek and Voegelin, with help from Hallowell, Bercuson developed a similar distaste for ideologized construction via historiographical conflict. And indeed, in his critique of the new labour historians and their Marxist approach, Bercuson could hardly conceal his attendant disdain for the radical political views of some strikers in 1919 Winnipeg. In referring to the "socialist bleatings" of strikers, Bercuson made clear that his own politics were not absent from his historical interpretations.[205] In this way, his opposition to Marxist historiography as a methodology was also opposition to associated politics, the same kinds of politics that Hayek would deem constructivist and Voegelin would find gnostic. It was no coincidence that Bercuson's "long and successful" collaboration with Cooper, in which they together became prominent public intellectual voices on the most pressing matters of national politics in the 1990s, began concurrently with the firing of Bercuson's parting shots to labour history.[206]

[204] Flanagan notes Bercuson's support for abortion and same-sex marriage as points of divergence with other Calgary Schoolers. See Flanagan, "Legends," 25. Neoconservatives in general have seen both abortion and same-sex marriage as threats to the family. See Cooper, *Family Values*.
[205] Bercuson, *Confrontation*, revised ed., 204. For all his prioritizing of evidence, Bercuson was by no means engaged in an effort to write history free of value judgement.
[206] Quotation from Flanagan, "Legends," 24.

Second Generation: Rainer Knopff, Ted Morton, and the University of Toronto

Rainer Knopff and Ted Morton undertook their graduate study as political scientists in the mid-1970s, about a decade behind their future colleagues Bercuson, Cooper, and Flanagan. Like Bercuson, they trained at the University of Toronto, but in what was then called the Department of Political Economy.[207] Knopff was there by 1973, Morton by 1975; both finished in 1981.[208] Unlike Bercuson, whose intellectual and ideological development was a matter of drifting away from early career milieus, their teachers and influences suggested their developed intellectual outlook in ways resembling the experiences of Cooper and Flanagan. Like Cooper and Flanagan, Knopff and Morton shared a supervisor, in their case Peter H. Russell, a distinguished political scientist well-known for his constitutional scholarship and for work on democracy and nationalism in Canada. As importantly, both of them also studied with Walter Berns and Allan Bloom, who were exiles-in-residence at Toronto during the 1970s after leaving posts at Cornell University in protest over the administration's handling of armed student protestors in 1969.[209] Together, these influences directed Knopff and Morton towards the developed intellectual and

[207] Knopff and Morton were among the final cohorts of student to train in the department before it was split into separate departments of political science and economics in 1982.
[208] These dates come from the dissertations of each. See Knopff, "In Defense of Liberal Democracy," front matter, and Morton, "Sexual Equality and the Family in the United States Supreme Court," back matter. Morton, without having completed his dissertation, was teaching at Assumption College in Massachusetts as of 1978. Knopff was recruited to teach in Calgary as of 1978. Knopff's dissertation was copyrighted in 1980, degree granted in 1981, suggesting that he probably beat Morton to the finish line by a smidge.
[209] For a comprehensive account of the crisis at Cornell, see Donald Alexander Downs, *Cornell '69: Liberalism and the Crisis of the American University* (Ithaca and London: Cornell University Press, 1999).

ideological outlooks that would sustain their later careers and their collaborations as scholars of politics and law.

As undergraduates, Knopff at McMaster University in Hamilton and Morton at Colorado College in Colorado Springs, neither were conservatives.[210] On the contrary, both Knopff and Morton spent the first years of the 1970s thinking of themselves as residents of the political left. During undergraduate studies, Knopff was influenced by "some charismatic leftists" in the sociology department and even campaigned for Stephen Lewis's Ontario New Democratic Party in the provincial election of 1971. At the same time, he was planning studies towards a masters degree, still at McMaster, with an expectation of writing a Marxist critique of Aristotle's view of property.[211] Morton, similarly, was a campus leftist of a sort in the late-1960s and early-1970s. His biography at the Canadian Justice Review Board notes that he was an active opponent of the American war in Vietnam and co-founder of a chapter of the National Association for the Advancement of Coloured People at Colorado College.[212] Describing this period to a reporter during his run for leadership of the Alberta Progressive Conservative Party in 2011, Morton claimed to have been "a stereotypical sixties student. Had long hair, beads, smoked pot, anti-war

[210] Morton, like Flanagan, was born in the United States. He was born in Pasadena, California and grew up in Wyoming, becoming a Canadian citizen in 1993.
[211] Rainer Knopff, "How Love and Plato Transformed My Life," *C2C Journal*, 1 March 2015, https://c2cjournal.ca/2015/03/how-love-and-plato-transformed-my-life/
[212] The Canadian Justice Review Board, "About Us: Ted Morton," https://canadianjusticereviewboard.ca/about-us/f.-l.-(ted)-morton

– all that stuff."[213] In each case, then, graduate studies at Toronto prompted profound changes in outlook.

For Knopff, political and intellectual transformation began as he was planning his masters degree under the supervision of Howard Brotz in McMaster's sociology department. Knopff thought Brotz difficult to judge politically, finding that he was "always adopting the perspective of whichever thinker he happened to be teaching."[214] As it happened, Knopff did not make it far into his graduate study with Brotz, quitting the program in December 1971 so that he could travel to Spain, following a girlfriend whom he would later marry. Before he left for Spain, though, Brotz counselled that he should read Allan Bloom's translation of Plato's *Republic*, which also included an interpretive essay by Bloom that Brotz particularly commended. Knopff found a copy in the university bookstore as he was headed home after this meeting with Brotz, and when he opened the book a month or so later in Cullera, his retreat from youthful leftism was under way. Reading Bloom's Plato was epiphanic. "The sneering marginal notes near the beginning of my now dog-eared *Republic* show how little I thought of it initially," Knopff has written, "But such notes petered out as, thinking back on Brotz's courses, I found dots starting to connect."[215]

[213] Josh Wingrove, "Ted Morton: Alberta's charisma-challenged firebrand takes his shot," *The Globe and Mail*, 5 August 2011, https://www.theglobeandmail.com/news/politics/ted-morton-albertas-charisma-challenged-firebrand-takes-his-shot/article589611/.
[214] Knopff, "Love and Plato."
[215] Knopff, "Love and Plato."

Knopff read *Republic* as a critique of communism. His "youthful Marxist heart leapt when Socrates and his interlocutors concluded that a kind of communism was necessary to perfect justice," but as the book's dialogue developed, revealing the steps necessary to achieve such justice, Knopff was alarmed. He was disturbed not least by the apparent necessity of family abolition and by the dialogue's suggestion that support for communism could only be built by lies, even if they were noble ones, and by purges of the non-supportive:

> Purges and family destruction! Were these abhorrent features of modern communism the logical flip side of its idealism – *my* idealism? As I would later read in one of Strauss' books, "the *Republic* conveys the broadest and deepest analysis of political idealism ever made." Perhaps, I thought, some moderation – some realism – was in order.[216]

Thus shaken out of his certainty in prior ideological commitments, Knopff made this experience into the motivating force behind his eventual decision to go to Toronto, where Bloom was teaching, and where he would continue his transformation.

Morton has narrated his early-1970s rejection of left politics in somewhat less intellectualized terms, although his rightward turn also began while travelling abroad after his undergraduate studies. After graduating from Colorado College in 1971, Morton and his then-girlfriend, whom he would also later marry, went travelling for 18 months, splitting time between Europe and a kibbutz in Israel.[217] Communal living did not impress him. "So we tried that for 10 months," Morton told a reporter decades later, "and that cured me of socialism. Ten per cent of the people did 90 per

[216] Knopff, "Love and Plato."
[217] The Canadian Justice Review Board, "About Us: Ted Morton."

cent of the work. There's lots of free riders."[218] Re-telling this story in the context of a political campaign, Morton's colloquial language is understandable. However plain and un-intellectual the narrative is in this form, Morton's move away from the left was connected to his academic pursuits. He began graduate studies at Toronto, first towards a masters degree, shortly after returning from his travels.

As political scientists training amid their rightward politicizations, Knopff and Morton found themselves in an auspicious environment at Toronto in the early 1970s. In Bloom and Walter Berns, they were working with political philosophers who were literally fleeing the late-1960s left politics that Knopff and Morton were fleeing intellectually. Before their tumultuous appointments at Cornell, Bloom and Berns had studied at the University of Chicago with Leo Strauss, one of the twentieth century's most famous philosophers and, in many accounts, an intellectual lodestar for what would become the neoconservative tradition.[219] Strauss's legacy is painfully ambiguous, largely because he tended to work as an historian of political thought, excavating past traditions, rather than a political philosopher explicitly expounding his own views.[220] On the other hand, the legacy of Straussianism, or of Strauss's

[218] Wingrove, "Ted Morton."
[219] See, among many examples, Anne Norton, *Leo Strauss and the Politics of American Empire* (New Haven and London: Yale University Press, 2004). Wendy Brown has commented instructively on the place of Strauss in American neoconservatism. See Wendy Brown, "American Nightmare: Neoconservatism, Neoliberalism, and De-Democratization," *Political Theory* vol. 34 no. 6 (2006): 700-701. Justin Vaïsse is a notable critic of the idea that Strauss's ideas were central for neoconservatives. See Vaïsse, *Neoconservatism*, 271-273. Finally, Philip Mirowski has suggested that Strauss has had an important influence on the neoliberal intellectual movement. See Mirowksi, "The Political Movement that Dared not Speak its own Name," 28-31. Howard Brotz, notably, also trained with Strauss.
[220] Steven B. Smith, "Introduction: Leo Strauss Today," in Steven B. Smith, ed., *The Cambridge Companion to Leo Strauss* (New York: Cambridge University Press, 2009), 1-6.

followers and their influence, is seen rather less ambiguously.[221] Straussians have been firmly on the right, unafraid of operationalizing their philosophy as "a distinctly and distinctively conservative politics," in Anne Norton's description.[222] In the more specific and notably controversial framing of Shadia B. Drury, who for a time was a colleague of the Calgary Schoolers, the political upshot of Strauss's ideas was to use "religion, morality, and family values as useful political tools by which to placate and manipulate the masses," and to oppose freedom and democracy in favour of elite governance.[223]

For assessing the intellectual heritage of Knopff and Morton, the broad questions of political Straussianism are less important than questions about the specific influence of Bloom and Berns.[224] To be sure, both were plainly Straussian, in the sense that they had trained in that way of thinking, but as teachers at Toronto their influence should be distinguished from political Straussianism. Knopff and Morton encountered Bloom and Berns as teachers who encouraged them, in the first instance, to bring political-philosophical ideas to their studies of practical politics.[225]

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[221] Providing a sense of how the Straussian label could be seen as troubling, Barry Cooper regarded Strauss as one of the twentieth century's three finest political philosophers but could not stand to be associated with Straussians. In a 1988 letter to John Hallowell, Cooper wrote, "I have often had to say (at conferences etc.) that I am a great admirer of Strauss but am in no way a Straussian." Letter from Barry Cooper to John Hallowell, 16 August 1988, 98.027, box 5, folder 5, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[222] Norton, 2.
[223] Shadia B. Drury, *The Political Ideas of Leo Strauss*, updated ed. (New York: Palgrave Macmillan, 2005), ix.
[224] Indeed, despite some Harper-era characterizations of the Calgary School as a broadly Straussian formation, Flanagan has insisted that none of the Calgary Schoolers were themselves Straussians. See Flanagan, "Legends," 24. Flanagan was responding in particular to characterizations of Lawrence Martin in *Harperland: The Politics of Control* (Toronto: Viking, 2010).
[225] Knopff, "Love and Plato."

More particularly, Bloom and Berns came from a Straussian tradition that placed immense value on the "great books" and the reliable wisdom they contained. For Strauss, that is, there was a distinction to be made between genuine wisdom and prevailing wisdom. Modern philosophical thought, in this view, suffered from the loss of "all simply authoritative traditions" incurred in the search "of a simply rational society."[226] In order to resist the encroachment of modern thought and to think from a sound philosophical basis, Straussian education emphasized a backward-looking attention to ideas that "encourage distinctions and analyses that challenge the contemporary environment."[227]

Writing in this vein, Bloom would eventually become famous for his critique of the modern American university, published in *The Closing of the American Mind* (1987). Among other things, *Closing* was a statement of Bloom's teaching philosophy, or his attitude toward the pursuit of knowledge. It proceeded by making a distinction between two kinds of intellectual openness in battle with each other. On the one hand, Bloom recognized that a relativistic openness was ascendant in the twentieth century. This "openness of indifference" foreclosed the possibility of acquiring knowledge by subordinating it to the virtue of tolerance, Bloom lamented, while recommending an alternative openness: that which "invites us to the quest for

[226] Leo Strauss, "What is Liberal Education?," in *Liberalism: Ancient and Modern* as quoted by Timothy Fuller in "The Complementarity of Political Philosophy and Liberal Education in the Thought of Leo Strauss," in Smith, ed., *The Cambridge Companion to Leo Strauss*, 261.
[227] Fuller, 260.

knowledge and certitude."[228] Like his teacher, Strauss, Bloom looked backward in order to find the openness he was looking for. To search for knowledge, Bloom and his ilk believed that it was necessary to engage with others involved in the same pursuit. Thus, Bloom had little time for "Charles Beard's Marxism," "Carl Becker's historicism," "Liberalism without natural rights, the kind that we knew from John Stuart Mill and John Dewey," or, in vogue at the time, John Rawls's theory of justice.[229] Instead, to give some primary examples, he looked to the wisdom of the American Founding Fathers, Socratic philosophers, and Alexis de Tocqueville. These, for Bloom, were proper philosophers, and his hope was for the revival of philosophy in the proper sense: as the pursuit of knowledge, grounded in the belief that right and wrong, or truth and error, should and could be identified.[230]

Berns was a good example of what this Straussian commitment looked like when applied to matters of practical politics. Berns worked on American politics, especially the Constitution, patriotism, and Abraham Lincoln. In a remembrance of Berns written after he died in 2015, Knopff recounted Berns's late-career work on patriotism as an exemplar of this philosophical pursuit of knowledge, or of the application of philosophy to practical political matters. For Knopff, Berns's *Making*

[228] Allan Bloom, *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today's Students* (New York: Simon and Schuster, 1987), 41.
[229] Bloom, *Closing*, 29-30.
[230] Bloom wrote in *Closing* that "the fact that there have been different opinions about good and bad in different times and places in no way proves that none is true or superior to others. To say that it does so prove is as absurd as to say that the diversity of points of view expressed in a college bull session proves there is no truth. On the face of it, the difference of opinion would seem to raise the question as to which is true or right rather than to banish it. The natural reaction is to try to resolve the difference, to examine the claims and reasons for each opinion." See Bloom, *Closing*, 39.

Patriots was an investigation of how to live with and defend the universalism of the American Declaration of Independence and the truths it enshrined in American life.[231] In the 1970s, during the time he was teaching at Toronto, Berns was engaged in much the same sort of scholarship, publishing in 1976 and 1979 respectively a book-length philosophical critique of the First Amendment and a defence of the death penalty. In each, the form of argument was plainly Straussian: the trouble with the first amendment was grounding it in bedrock principles of justice and virtue; the virtue of the death penalty was its capacity to deliver justice—a "terrible punishment" for "terrible crimes and terrible criminals."[232] This was the natural form of Straussian political science: critique and defense were the attendant modes of a philosophical outlook grounded in a belief in the existence of wise or true principles.

Russell's influence on both Knopff and Morton tends to be implicitly underplayed in existing accounts of their careers, even autobiographical accounts. In a brief write-up of his early career intellectual formation, Knopff gave the most attention to Bloom, noting only that Russell "ended up directing my Canadian-politics dissertation."[233] Similarly, in his dissertation acknowledgements, Knopff had Berns and Bloom alongside Howard Brotz in the first paragraph as teachers to whom his debt "far transcends the bounds of this study." Russell, in the second paragraph,

[231] Rainer Knopff, "Walter Berns (1919-2015) and Harry Jaffa (1918-2015): A Canadian's Appreciation," https://rainerknopff.com/2015/12/walter-berns-1919-2015-and-harry-jaffa-1918-2015-a-canadians-appreciation/.
[232] Walter Berns, *The First Amendment and the Future of American Democracy* (New York: Basic Books, 1976); Walter Berns, *For Capital Punishment: Crime and the Morality of the Death Penalty* (New York: Basic Books, 1979), 9.
[233] Knopff, "Love and Plato."

is thanked in more muted terms for his "felicitous blend of generous encouragement and exacting but benevolent criticism."[234] A handful of journalistic editorials, eager to pronounce a Straussian agenda active in Canadian politics, render Knopff and Morton as protégés of Berns and Bloom while making no mention whatever of Russell.[235]

This is an understandable but strange way of describing Knopff and Morton's experience at Toronto. It is understandable because it is much simpler to identify Knopff, Morton, and the Calgary School with the politics of Berns and Bloom. Neoconservatism is an umbrella under which Knopff and Morton, as political and public intellectuals later in their careers, fit easily with Berns and Bloom. Russell's political commitments are more difficult to pin down in the first instance, but also out of step with Calgary School politics in some cases, including on questions of colonialism and settler-Indigenous relations.[236] Still, the downplaying of Russell's influence is strange not least because, unlike Berns and Bloom, Russell was an active collaborator with Knopff and Morton in their major scholarly accomplishment: a critique of the Charter of Rights and Freedoms. The three combined, in fact, on an effort to publish edited versions of the very first Supreme Court decisions in the Charter era and, about five years later, on a refence text called *Federalism and the*

[234] Knopff, "In Defense of Liberal Democracy," iii.
[235] See, for example, Donald Gutstein, "Harper, Bush Share Roots in Controversial Philosophy," *The Tyee*, 29 November 2005, https://thetyee.ca/Mediacheck/2005/11/29/HarperBush/print.html.
[236] Of Russell, Joseph F. Fletcher has claimed straightforwardly that "He has consistently stood at the side of Aboriginal peoples in their struggle for recognition." See Fletcher, "General Introduction," in *Ideas in Action: Essays on Politics and Law in Honour of Peter H. Russell* (Toronto: University of Toronto Press, 1999), 5.

Charter that was published in the years leading up to Knopff and Morton's major work, *Charter Politics*.[237] Surely, then, Russell's role in their development warrants mention, first, but also some explication.

Russell shared in the belief of Bloom and Berns that politics should be studied from a philosophical vantage point. This, in Knopff's recollection, was the basis of the comparative constitutionalism course that Russell co-taught with Berns.[238] But Russell's philosophy was not identical to that of his colleagues-in-exile. Indeed, Russell was a kind of anti-Straussian, in the sense that while Berns and Bloom studied very intentionally with Strauss, internalizing and using that specific kind of teaching and thinking, Russell could be said to have hardly trained at all.[239] He had an undergraduate degree in philosophy and history from the University of Toronto, after which he spent a year in Oxford as a Rhodes Scholar, before returning to Canada to work in business. After a year at the Aluminum Company of Canada, he took a job as lecturer at Toronto, an appointment which led to a long and well-recognized career as an academic political scientist despite his having no more than an undergraduate degree.[240] In this way, Russell is somewhat more difficult to assess as an influence on Knopff and Morton.

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[237] See Peter H. Russell, Rainer Knopff, and Ted Morton, *Federalism and the Charter: Leading Constitutional Decisions* (Ottawa: Carleton University Press, 1989). In the preface, Russell describes the beginning of the collaboration in 1984 with the edited Supreme Court decisions.
[238] Knopff, "Love and Plato."
[239] At least not in the "proper" sense, although to be sure Russell was not entirely unique in this way. For example, C.B. Macpherson had a UK education up to the masters level when he began teaching at the University of Toronto in the 1930s, and did not receive a doctoral degree until he had been teaching at Toronto for decades.
[240] Fletcher, "General Introduction," 3-4.

Beyond a certain commitment to thinking philosophically, it could be added that Russell was eager to think philosophically about pressing contemporary concerns. In a festschrift dedicated to him, Russell is described like this:

> Peter Russell has stood at the crossroads of Canadian intellectual life during perhaps its most vigorous period. And through his professional work he has responded to some of the most basic challenges of law and politics in modem democratic states. His influence on government and students of government spans an astonishing range of issues, including constitutional renewal, the aspirations of Aboriginal peoples, security-intelligence operations, the role of courts, and the relations between legislature and judiciary. But perhaps most important, his career offers a model of the truly engaged scholar, forging optimal links between ideas and action.[241]

This commitment to public relevance is the most striking resemblance between Russell and his students Knopff and Morton. If, ideologically, they more resemble the definitively conservative Berns and Bloom, their political influence and relevance in late-twentieth century Canada was in part a function of a Russellian commitment to engaged scholarship. It was certainly no coincidence that one of the most thoroughgoing critical studies of the Charter of Rights and Freedoms would come from students of Russell.

In sum, Toronto was a place where Knopff and Morton were schooled in the Straussian philosophic modes of defense and critique, and where they were encouraged to view scholarship as a publicly relevant pursuit. Their dissertations show how they internalized this training. Knopff's dissertation was entitled "In Defense of Liberal Democracy," and it investigated the threats posed to democracy in Canada by theocracy and nationalism, mainly in Quebec. It proceeded by

[241] Fletcher, "General Introduction," 4.

identifying an ongoing attack on liberal democracy, engaged in by "avowed enemies" and "putative friends" alike, in which liberalism was accused of both neglecting public values in favour of their privatization and of failing to make representative democracy live up, as closely as possible, to a more participatory ideal.[242] These critiques, Knopff thought, were reasonable: "It is simply undeniable that liberal democracy is an uninspiring and prosaic way of life and government."[243] In this way, Knopff was not so much concerned to outright defend contemporary liberal democracy, but to call for its reinvigoration. And in a fashion plainly consistent with his Straussian training, reinvigoration was to be sought in the tradition. Defending liberal democracy meant defending its architects and their ideas.

For the purposes of his dissertation, Knopff was not mainly engaged with the true classics of political thought, though he was by no means ignorant or dismissive of those classic contributions. Instead of exegesis of the likes of Hobbes or Locke, then, Knopff was interested in a nearer group of political architects, the "practical political men who, in Quebec, did battle with the alternative."[244] But the assumption here was not that ideas and politics were counterposed categories. Knopff insisted on the philosophical content of political discourse, even declaring that "practical politics is primarily the struggle of ideas."[245] In this way, he attempted to rescue or defend the liberal democratic tradition by revisiting a period in the nineteenth and early-

[242] Knopff, "In Defense of Liberal Democracy," 7.
[243] Knopff, "In Defense of Liberal Democracy," 8.
[244] Knopff, "In Defense of Liberal Democracy," 9.
[245] He hastened to add: "…albeit almost always non-philosophic ideas." Knopff, "In Defense of Liberal Democracy," 9.

twentieth centuries during which its establishment was uncertain, its problems pressing, and its principles avowed rather than assumed.

For Knopff, the idea was to make the problems of liberal democracy transhistorical, or to show that "the problems which liberal democracy was founded to solve are perennial problems for mankind."[246] This, in other words, was a search for wisdom, an investigation based on the belief that some baseline truth could be identified and argued from. It is not surprising, then, that Knopff made a key distinction between two kinds of liberalism distinguished by their views of human nature, the ultimate transhistorical category. In Knopff's assessment, idealists abandoned the concept of human nature, while the ancients and classical liberals alike insisted on some kind of human nature grounded in selfishness and associated objective interests.[247]

Knopff came down firmly on the side of the ancients, or the realists, as he also called them. This, from someone schooled in Straussianism and its relentless critique of relativism, embodied by the likes of Berns and Bloom, was not surprising. A grounding idea of human nature was deemed necessary, in the first instance, because without it there could be no reason to prefer one regime to another. Liberal democracy was not perfect, Knopff argued, but it was to be defended insofar as it represented an attempt to "answer the central political question of what is the best

[246] Knopff, "In Defense of Liberal Democracy," 10.
[247] Knopff, "In Defense of Liberal Democracy," 10-22.

way and hence the proper regime."[248] In other words, liberal democracy's imperfection was the reason to defend it against the idealist challenges that mistakenly suggested that the perfect political regime was possible.

While Knopff's dissertation was written as a defense, Morton's was written primarily as critique.[249] In US-centric work that nevertheless foreshadowed his later studies of the Charter, Morton's dissertation, entitled "Sexual Equality and the Family in the United States Supreme Court," and suggestively subtitled "A Study of Judicial Policy-Making," criticized a series of Supreme Court decisions that followed the 1971 *Reed v. Reed* case.[250] It made two major arguments, "one legal, the other substantive."[251] In the former case, Morton argued that in cases bearing on questions of sexual equality the court lacked a consistent set of interpretive principles. In the latter, he argued that the court had been unable to account for the role played by the family in questions of sexual equality.[252] Running through the various sections of the dissertation, then, is an idea that in the wake of the women's movement and its demands for sexual equality the Supreme Court undermined its own legitimacy by engaging in judicial policy-making. Whereas the court's proper role in Morton's view was to balance competing demands of "equality and liberty, consent and rights," it had slid, during the years of the Warren Court (1953-1969) and then further after

[248] Knopff, "In Defense of Liberal Democracy," 432.
[249] Morton's dissertation also makes some positive suggestions implied by his critique.
[250] The case was to do with sex discrimination in the administration of estates.
[251] Morton, "Sexual Equality and the Family in the United States Supreme Court," abstract.
[252] Morton, "Sexual Equality and the Family in the United States Supreme Court," abstract.

Reed, towards a kind of *ad hoc* activism.[253] To the extent that the court had adopted "this activist, broad constructionist approach to civil liberties," it had imperiled its legitimacy and politicized its role.[254]

Morton's dissertation was addressed to contemporary American concerns: namely, the rise of the women's liberation in the 1960s and 1970s and the related legacy of the American Civil Rights Movement. In the conclusion, he admitted that attitudes about judicial politics would tend to be shaped by individual views of those movements: "one who believes that sex discrimination is analogous to, and thus as totally unjustified as, racial discrimination" was likely to favour post-*Reed* court "activism," while if someone rejected the race-sex analogy and insisted on an objective biological distinction between men and women that structured distinct family roles and contributed importantly to self-government, they might be less inclined to celebrate post-*Reed* decisions.[255] Morton was of the latter view: "Almost everyone has heralded the virtues of sexual equality," he wrote. "Very few have

[253] A recent book opens with helpful summary of the Warren Court's legacy: "Before Warren joined the Court, school districts in seventeen American states required black schoolchildren to go to different schools from white children. In twenty-seven states, it was illegal for a black person to marry a white person. Every state in the nation violated the principle of 'one person, one vote,' many of them grotesquely so. Government officials could sue their critics for ruinous damages for incorrect statements, even if the critics acted in good faith. Members of the Communist Party and other dissenters could be criminally prosecuted for their speech. Married couples could be denied access to contraception. Public school teachers led their classes in overtly religious prayers. Police officers could interrogate suspects without telling them their rights. People were convicted of crimes on the basis of evidence that police had seized illegally. And criminal defendants who could not afford a lawyer had no right to a public defender. The Warren Court changed all of that." See Geoffrey R. Stone and David A. Strauss, *Democracy and Equality: The Enduring Constitutional Vision of the Warren Court* (New York: Oxford University Press, 2020), 1-2.

[254] Morton, "Sexual Equality and the Family in the United States Supreme Court," 223.

[255] Morton, "Sexual Equality and the Family in the United States Supreme Court," 272.

sought out its difficulties."[256] While emphasizing the moderation of his views—"My own evaluation of the Court's post-*Reed* decisions is mixed"—Morton was clear that he opposed any concessions by the Court to liberation movements. He criticized the Court for indulging "the politics of 'moral imperatives' as carried on by the American feminist movement," and lamented an attendant kind of judicial overreach that was "neither healthy for American society nor ultimately for the Court itself."[257]

Showing the influence of his teachers, Morton preferred that the Court be steadfast in its application of "neutral principles." He was especially concerned by the transfer of judicial rhetoric about race to discrimination to matters of sex discrimination, arguing that there was "no parallel pattern of systemic and widespread disenfranchisement such as existed with respect to Black Americans."[258] As solution, then, Morton proffered what he termed "sex-neutral, role specific" designations that would, most importantly, recognize the social importance of the family.[259] The idea was to supplant sex-specific assumptions about family roles, like the role of the father and the role of the mother, and instead emphasize the roles of wage-earning and homemaking without respect to gender or sex. "Such an approach

[256] Morton, "Sexual Equality and the Family in the United States Supreme Court," 273.
[257] Morton, "Sexual Equality and the Family in the United States Supreme Court," 275.
[258] Morton, "Sexual Equality and the Family in the United States Supreme Court," 275-276.
[259] Insisting on the social importance of the family, of course, has been a classic point of neoconservative emphasis. Melinda Cooper argues that neoconservatism's emergence as a mature political philosophy was a result of the failure of Richard Nixon's family wage policy. See Cooper, *Family Values*, 48.

would encourage the elimination of sex-based classifications without discouraging legal support for the family and its constituent functions," he wrote.[260]

Among the Calgary Schoolers, while Knopff and Morton were a second generation in the sense that they were in professional terms about a decade behind Bercuson, Cooper, and Flanagan, they had settled into their ideological outlooks more quickly than their colleagues. In each of Morton and Knopff's dissertations there is evidence that by the time they concluded their studies at Toronto and arrived in Calgary, they had refined and adopted their own critiques of the intentional state. In judicial politics, Morton saw such state intention, and wrote in accordingly critical ways about how he saw the U.S. Supreme Court posing intentionally in alliance with the feminist movement and its version of equality. Knopff was on the same wavelength, defending liberal democracy as a kind of non-partisan (read: non-intentional) system of politics that needed to be maintained as such. Ruling "in the interest of each in the security of his rights, rather than ruling on behalf of a particular manner of exercising those rights," was for Knopff the value of representative liberal government. "Such limited government" was necessary to avoid the infection of partisanship which "always points the way to civil war."[261]

While Knopff and Morton's influences were not the same ones that led their peers to similar positions, the distinct lineages of this critique among the Calgary Schoolers should not obscure fundamental agreement. The Calgary School did not

[260] Morton, "Sexual Equality and the Family in the United States Supreme Court," 280.
[261] Knopff, "In Defense of Liberal Democracy," 428.

cohere to the point that it became visible just because of a string of convenient or coincidental political alliances, nor thanks to identical commitments to a particular intellectual tradition. Instead, in their various ways, the Calgary Schoolers inherited, adopted, or incorporated a critical attitude towards the intentional state. Crucially, this was not an anti-state critique. Never fundamentally libertarian, even if they would sometimes claim to be so, the Calgary Schoolers were convinced of the state's necessity in upholding institutions like property rights, for example. When the Calgary Schoolers built their academic careers during the 1980s, then, they were in the process elaborating their critique of the intentional state, and arguing for alternatives, across a range of areas and issues. That divided labour ultimately helped to create the impression that, come the early 1990s, something was well and truly up in Calgary.

Chapter II

Scholars: Expertise, Authority, and the Divided Labour of the Emergent Calgary School

Come the 1980s, the critique of the intentional state was developed and established among the Calgary Schoolers, with Bercuson perhaps still *en route* and disentangling himself from labour history. But the Calgary School did not yet exist. Underlying conceptual and ideological unity did not, for the time being, imply the kind of cohesion and consolidation that would warrant describing Bercuson, Cooper, Flanagan, Knopff, and Morton as a proper school. Over the course of the ensuing decade plus, though, the forthcoming Calgary School did begin to coalesce. By the early-1990s, the Calgary School was recognizable. It was no coincidence that Jeffrey Simpson announced the arrival of the "Calgary mafia" in 1992.

In part, coalescence was a social process. In the 1980s, the Calgary Schoolers became friends. Of course, Cooper and Flanagan had been friendly since the mid-1960s, and Knopff and Morton had been so since the mid-1970s, in both cases because of closely shared experiences in graduate school. These two separate friendships merged, Flanagan wrote, as "Barry, Rainer, Ted, and I quickly became good friends," finding that they had a "great deal in common, even apart from academic life." These were not just circumstantial friendships, that is, but more genuine ones that importantly developed away from the University of Calgary, both in the nearby Rocky Mountains and on the prairie south of Calgary where "hiking, skiing, fishing and hunting" were shared pursuits in a notably masculine social

culture that would echo in an emphasis on "macho" themes especially in some Calgary School polemics.[262] The exact compositions of the parties engaged in these outings were varied. Cooper, Knopff, and Morton seem to have been the keenest hunters of the bunch, being especially fond of shared trips during autumn hunting season, described by Cooper as the "fall harvest of critters."[263] The group of Cooper, Flanagan, and Bercuson went on annual fishing trips.[264] Naturally, some intra-Calgary School relationships were closer than others. In any case, the Calgary School was a school of friends, and friendships developed in the 1980s were of consequence for later collaborations.[265]

Important as these friendships were, friendships do not a school make. Increasingly close personal relationships developed alongside scholarly careers, and in the emergence of the Calgary School those careers were crucial. In his own write-up of the history of the Calgary School, Flanagan has emphasized that, at least through the 1970s and 1980s, the scholarly activities of the nascent group were of little public significance. "Our writings did not initially attract much media attention," he wrote, "but we were working on politically charged topics that would

[262] Flanagan, "Legends," 23.
[263] Morton and Cooper co-published a book documenting their hunting trips from 1985-2018. See Barry Cooper and Ted Morton, *Suddenly There! Thirty Years of Killing Time Around Southern Alberta*, 2nd ed., (self-published, 2018). The phrase "fall harvest of critters" is from a letter from Barry Cooper to Tom Darby, 20 October 1993, 98.027, box 8, folder 1, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[264] Flanagan, "Legends," 24-25.
[265] See John von Heyking, review of *Suddenly There! Thirty Years of Killing Time Around Southern Alberta, 1985-2018*, *VoegelinView*, 3 April 2019, https://voegelinview.com/suddenly-there-thirty-years-of-killing-time-around-southern-alberta-1985-2018/.

eventually have an impact on public opinion."[266] Indeed, up to the end of the 1980s, the Calgary Schoolers laboured in something like ordinary academic obscurity, certainly known commodities in their fields but otherwise not much on the radar of the Canadian public. Equally important in Flanagan's observation was the fact of the Calgary School's charged scholarship, which eventually meant that the Calgary Schoolers could not stay out of public view, whether they would have wanted to or not.

And yet, these "days of obscurity" were of no small moment. By virtue of establishing credentials and reputations in these years, the individual members of the Calgary School built the foundations of their later, more public careers. Moreover, the specific features of the burgeoning group's scholarly output were consequential. The Calgary School's particular division of scholarly labour, unintentional as it was, positioned the group to intervene in the public affairs of the 1990s. As Flanagan wrote in explanation of the lack of publicity that they garnered in the 1980s, "the time wasn't right."[267] But the times changed, and as the 1990s unfurled, Canada was embroiled in crises and debates that seemed tailormade for thrusting the Calgary School from relative scholarly isolation to public notoriety. Understanding the public phase of the Calgary School's history, that is, first requires an understanding of these scholarly pre-histories and also a sense of how the scholarly output of the Calgary Schoolers changed with the times. The consolidation of the Calgary School as such

[266] Flanagan, "Legends," 25.
[267] Flanagan, "Legends," 25.

was an extended process taking place from the late-1970s through the early-mid-1990s and visible in the collective scholarship that its not-yet-members produced.

Calgary School scholarship was directed, in more and less obvious ways, to the critique of the intentional state. Turning away from labour history, Bercuson's historical work began to take up military and diplomatic issues that pushed him towards general comment on where Canadian society had lately gone, and lately gone wrong. Flanagan studied the history of the Métis, Louis Riel, and broader histories of settler-Indigenous relations, increasingly doing so to render judgment and critique of contemporary arrangements. Cooper learned to "weave" his skills as a political theorist with his situated position as a prairie partisan, going through both a kind of empirical turn and a related scholarly Canadianization. Knopff and Morton, finally, launched a study of the Canadian Charter of Rights and Freedoms and its political consequences. In each case, scholarly choices and conclusions were shaped by an inclination to point out state intention and then criticize it, in the process demonstrating the capacity of such a view. This gave the group's division of labour its consequence: by expanding the same critical posture across such various realms, the Calgary School gained notoriety and coherence. As the school turned to face the public more directly from the beginning of the 1990s, these facts became key features of its collective influence.

Making a Generalist: Power and Politics in David Bercuson's Scholarship

The first member of the Calgary School to establish a notable scholarly reputation was David Bercuson, thanks primarily to his early and provocative work

on the Winnipeg General Strike of 1919.[268] The interpretive moves that Bercuson made in *Confrontation at Winnipeg*, instructive with hindsight in beginning to trace his rightward ideological shift over the 1970s and 1980s, also made him controversial in the small community of Canadian historians, and the smaller community of Canadian labour historians, at the time. In a review published by the *Canadian Historical Review,* for example, the University of Manitoba historian J.E. Rea surmised that "There is every likelihood that this new book on the Winnipeg General Strike will receive what are politely called mixed reviews."[269] Rea was not wrong, and mixed reviews can indeed be a ticket to scholarly notability.

The mixed reviews that Bercuson received as a labour historian—in Rea's review alone his work on the strike was called "measured," "annoying," "perceptive," and "provocative"—are less important for simply establishing his reputation than for tracing his ideological development *against* Canadian labour history and for showing how it brought him into the ideological fold of the Calgary School.[270] In other words, it is true and important that scholarly conflict in the field of labour history brought Bercuson ideologically into the realm of the other Calgary Schoolers, but the topical content of his changing scholarly interests was also

[268] Bercuson had a sense that the publication of his thesis in book form would be significant on this point. Explaining a decision about the publication of the thesis to his advisor, Kenneth McNaught, Bercuson wrote in 1971 that "the thesis is much more scholarly [than a short work co-written with McNaught] and at this point in my career I must have something that will boost my reputation among my peers." See letter from David Bercuson to Kenneth McNaught, 21 October 1971, B97-0031, box 2, folder 6, Kenneth W. McNaught fonds, University of Toronto Archives, Toronto. Ontario, Canada.
[269] J.E. Rea, review of *Confontation at Winnipeg: Labour, Industrial Relations, and the General Strike*, by David Bercuson, *Canadian Historical Review* vol. 57 no. 1 (March 1976): 63.
[270] Rea, review of *Confontation*, 64.

important. Had the ideological features of his scholarly development not come with an attending shift in topical interest, it would have remained simply true of Bercuson, as far as the Calgary School was concerned, that "He is a historian, not a political scientist, and he teaches in a different department."[271] While of course nobody was guarding the door, Bercuson's entrance into the Calgary School required not just ideological proximity but also shared interests and complementary expertise. It was consequential, then, that by turning away from labour history Bercuson became something of a generalist, pre-occupied with war, politics, and diplomacy, traditional topics that lent themselves to broad national narratives and opened the door to collaboration with likeminded political scientists.

Up to the end of the 1970s, Bercuson was entirely a labour historian. He had not yet, at the close of the decade, published any academic work on a non-labour topic, save for a couple of edited volumes that covered some more general ground in Canadian history.[272] However, Bercuson had by the fall of 1978 begun a non-labour

[271] Flanagan, "Legends," 24.

[272] Bercuson's introduction to *Canada and the Burden of Unity*, notably, made the regionalist interpretive tendencies of *Confrontation at Winnipeg* into a general stance: "Canada is a country of regions," he claimed in opening. "If Canadians were to finally accept regionalism as a fact of their national lives and use it as a foundation for the development of truly national policies and attitudes, it could well prove to be a blessing." See David Bercuson, "Canada's Burden of Unity: An Introduction," in David Bercuson, ed., *Canada and the Burden of Unity* (Toronto: Macmillan, 1977), 1, 3. In addition to *Confrontation*, Bercuson's book-length contributions to labour history in the 1970s included a co-authored book with Kenneth McNaught, *The Winnipeg Strike: 1919* (Toronto: Longman, 1974) and a sole-authored work on the history of the One Big Union: David Bercuson, *Fools and Wise Men: The Rise and Fall of the One Big Union* (Toronto: McGraw-Hill Ryerson, 1978). Other contributions in the decade included: David Bercuson, "The Winnipeg General Strike, Collective Bargaining and the One Big Union Issue," *Canadian Historical Review* vol. 51, no. 2 (March 1970): 164-176; David Bercuson, "Organized Labour and the Imperial Munitions Board," *Relations Industrielles/Industrial Relations* vol. 28., no. 3 (July 1973): 602-616; David Bercuson, "Labour Radicalism and the Western Industrial Frontier: 1896-1919," *Canadian Historical Review* vol. 58, no. 2 (June 1977): 154-175; David Bercuson, "The One Big Union in Washington State," *Pacific Northwest Quarterly* vol. 69 no. 3 (July 1978): 127-

research project on the role that Canada and Canadians had played in the creation of the state of Israel.[273] That project led directly to a couple of books in the 1980s, but more importantly it led in some way to the generalization of Bercuson's historical interests. In 1980, he was an academic labour historian. A decade or so later, he was a Canadian historian with traditional interests (war, politics) and a notable proclivity for public-intellectualism.

The first direct product of Bercuson's turn away from labour-historical research was a book, and a handful of related articles, on Canada and Israel: in *The Secret Army* (1983), Bercuson wrote up the history of the diasporic Jews, Canadians included, who, he argued, made possible the Israeli victory in the Arab-Israeli War of 1948.[274] Rather than summary, what warrants mention about this book is that, whereas Bercuson the labour historian tended to be critical of his subjects—*Confrontation* and later works were adamant that the strikers of 1919 were just not up to the historical moment—Bercuson the military historian was more inclined to be celebratory.[275] The conclusory arguments of *The Secret Army* indeed represented an

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134; and David Bercuson, "Tragedy at Bellevue: Anatomy of a Mine Disaster," *Labour/Le Travailleur* vol. 3 (1978): 221-231.

[273] Bercuson, *Canada and the Birth of Israel*, vii.

[274] Bercuson, *The Secret Army*. Among the handful of articles, see David Bercuson, "Canada and Jerusalem: An Historical Overview," *Middle East Review* vol. 13, no. 3-4 (Spring 1981): 48-52 and David Bercuson "The Zionist Lobby and Canada's Palestine Policy: 1941-1948," in *The Domestic Battleground: Canada and the Arab-Israeli Conflict* edited by David Taras and David H. Goldberg (Montreal & Kingston: McGill-Queen's University Press, 1989; originally published 1987), 17-36.

[275] In this way, Bercuson participated in a broad historiographical upheaval as history and politics collided in the 1980s and 1990s, especially on matters of military remembrance. An illustrative instance in the United States had to do with the Smithsonian Museum's display of the *Enola Gay*, the plane that dropped the atomic bomb on the city of Hiroshima, Japan in April 1945. The *Enola Gay* controversy, and the related questions of whether history ought to be celebratory or critical/analytical, were taken up in Edward T. Linenthal and Tom Engelhardt, eds., *History Wars: The Enola Gay and Other Battles for the American Past* (New York: Macmillan, 1996).

exact inversion of those in *Confrontation*. In *Confrontation*, a litany of failures. In *The Secret Army*, a litany of significant contributions made by the "secret army" of volunteers, including their aid in establishing air superiority, their strategic assistance, their military skill and training, and the simple fact of their committed allyship.[276] "Although the foreign volunteers who fought in the Israeli War of Independence remain forgotten heroes," Bercuson concluded, "they themselves have not forgotten and their brief moment of glory will remain with them always."[277]

Of course, in the isolated comparison this could be chalked up to perspective: Bercuson studied a strike that failed to achieve its aims and a war that, from the Israeli perspective, was a victory. But the isolated comparison suggests a pattern: for the rest of his career, Bercuson approached military history to celebrate heroes, to acknowledge under-acknowledged sacrifices, and to account for achievement. To be sure, he remained committed to scholarly practice, as even in a commissioned book on the experiences of the Calgary Highlanders during WWII he professed his intention to "make it an academically sound study."[278] But Bercuson was always open about his reverence and awe for war and those who serve in battle, often in ways that would put in question his ability to ever approach military subjects in the

[276] Bercuson, *Secret Army*, 225-233, especially 229-233. It is also worth noting that Bercuson's *Fools and Wise Men: The Rise and Fall of the One Big Union* (Toronto: McGraw-Hill Ryerson, 1978) was much like *Confrontation* in its accounting for failure owed to a surplus of foolishness and a deficit of wisdom.
[277] Bercuson, *Secret Army*, 233.
[278] Letter from David Bercuson to Lieutenant Colonel Jack A. English, 9 June 1992, 99.037, box 5, folder 3, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada; it is worth noting a particularly non-academic feature of the arrangement here: the Highlanders paid Bercuson $21,400 in 1993, more than 20% of their budget for that year. Calgary Highlanders Regimental Funds Foundation Budget, 1993, 99.037, box 5, folder 5, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

critical way that he approached labour subjects. War, for Bercuson, involved "the seeing and hearing of sights and sounds that no one else will see or experience." War also involved "the experience of comradely love so strong as to cause men to sacrifice their lives without a moment's hesitation to save their fellows." And war was, importantly, "unlike anything else" such that "those who have never experienced it can never know its terrors, its tribulations, its wearing impact on the human soul, its debilitation of the human spirit."[279] War is the exceptional human activity, for Bercuson, and if we cannot know it, the least we can do is revere it.

Accordingly, laudatory remembrance and acknowledgement were central features of Bercuson's military histories, privately commissioned or not. In *True Patriot* (1993), an academic biography of Brooke Claxton, who served in the First World War and had a distinguished public career afterwards, Bercuson was inspired by a desire to rescue a "forgotten" military man who had "fallen into a crack in history."[280] In *Maple Leaf Against the Axis* (1995), he wrote to "honour those Canadians in the armed forces of Canada and its allies who served their country and the cause of human decency in the years between 1939 and 1945."[281] In *Blood on the*

[279] David Bercuson, *Significant Incident: Canada's Army, the Airborne, and the Murder in Somalia* (Toronto: McLelland and Stewart, 1996), 28-29. In reflecting on parts of the same passage from which I have quoted here, Ian McKay and Jamie Swift suggest that "David Bercuson is hardly alone, although he may be extreme, in his almost orgasmic descriptions of the 'sensual experience' of war." See Ian McKay and Jamie Swift, *The Vimy Trap: Or, How We Learned to Stop Worrying and Love the Great War* (Toronto: Between the Lines, 2016), e-book, chapter 9.
[280] Bercuson, *True Patriot,* 3-4.
[281] David Bercuson, *Maple Leaf Against the Axis: Canada's Second World War* (Toronto: Stoddart, 1995), xiii.

Hills (1999), he similarly sought to reconstruct the experiences of Canadian soldiers in what he called "the forgotten war" in early-1950s Korea.[282]

Honour and remembrance, virtuous as we may find them in certain military-historical contexts, are also categories fraught with meaning, or categories out of which much meaning can be made. It is impossible to ignore that, after walking out the door of labour history while lambasting his colleagues for making meaning out of history, Bercuson was becoming, if he was not already, a military historian for whom meaning was the order of the day. Somehow, that is, the Winnipeg General Strike in Bercuson's view as of 1990 was just a strike, a basically unimportant failure of exceedingly minimal importance to anyone who did not experience it directly. But the Korean War, which in Bercuson's own view was all-but-forgotten in Canada, and which has of course never been formally resolved, at the same time "set the pattern for virtually all the other wars in the second half of the twentieth century" and showed that "the process of serving the cause of international peace and security began in the bloody hills of Korea so long ago."[283]

The point of this demonstration is not to render Bercuson a hypocrite. Instead, insisting that Bercuson's historical work was always inflected with meaning, despite his professed disregard for such, helps to highlight the significance of his switch to military history and associated fields. As a labour historian, Bercuson's

[282] David Bercuson, *Blood on the Hills: The Canadian Army in the Korean War* (Toronto: University of Toronto Press, 1999), *passim*, but see especially "Introduction: The Forgotten War," 3-11.
[283] Bercuson, *Blood on the Hills*, xiii-xiv.

politics were manifest in negative terms; he stood against the tendencies of his discipline. As a military historian, far less concerned with judgement of his colleagues, his politics were displayed in more positive terms and shown to feature a kind of Canadian nationalism, and indeed a conservative kind of Canadian nationalism. Bercuson's positive politics were thus revealed by his becoming more of a historical generalist.

To bring out further the politics of Bercuson's scholarship, especially the conservative element in his nationalism, it is worth highlighting that by no stretch was he always complimentary about military subjects. In 1996, he published *Significant Incident*, an account of the so-called "Somalia Affair," in which a Somali teenager named Shidane Arone was brutally tortured and killed by Canadian servicemen during the night of 16 March 1993. Bercuson's account of the affair itself is clear and searing; his treatment of the people involved is scathing.[284] But *Significant Incident* was a historical study, its principal topic not a 1993 scandal but the longer-term making of that scandal. The premise of the book was that something had gone wrong in the Canadian Army. And Bercuson's accounting for what had gone wrong illustrated perfectly how his scholarly development as a military historian made him, at the same time, a generalist. Military-historical questions required broad, socio-historical answers.

[284] Bercuson, *Significant Incident,* 1-14.

In *Significant Incident*, among Bercuson's arguments was a key one suggesting that, from the 1960s especially, "soldierly virtues" had not been sustained as the army changed with the society around it.[285] The "Old" Army "passed away," in Bercuson's phrasing, thanks to "postwar prosperity, immigration, education, upward mobility, [and] the feminist revolution," which collectively led to the Charter of Rights and Freedoms, the Canadian welfare state, and like structural changes.[286] On their own, these were not necessarily negative developments, either in general or in terms of their effect on the armed forces. But because Bercuson saw all these changes as the clear products of an intentional state run amok, they were lamentable, or least lamentably imposed. "Armies are the products of the societies that sustain them and to a certain extent reflect the socio-economic changes in those societies," Bercuson wrote. But in Canada, "the changes that took place in the Canadian Forces were also due to the deliberate action of government," specifically "[Lester] Pearson, Pierre Trudeau, and a generation of bureaucrats."[287] The deleterious effects of these changes in the army were, in significant part, to blame for the crisis that erupted so despicably in 1993: "armed forces are intended first and foremost to fight wars, not to lead the way to social change."[288]

The past, in this way, became a comparison point against which to indict the present. Bercuson the labour historian, to reiterate, was committed to a kind of

[285] Bercuson, *Significant Incident*, 41-42.
[286] Bercuson, *Significant Incident*, 66-68.
[287] Bercuson, *Significant Incident*, 68.
[288] Bercuson, *Significant Incident*, 69.

rigorous empiricism, an insistence on history-as-evidence, and a reluctance to impute contemporary meaning to historical events. By the middle of the 1990s, Bercuson the military historian was making current events into fodder for very-broad accounts laden with meaning. How to explain a crisis in the 1990s Canadian military? For Bercuson, the answer lay in a critique of Canadian society writ large as it developed from the 1960s. He would often hedge, to be sure, as when answering his own rhetorical questions in *Significant Incident*:

> What, then, is the central challenge to the Canadian army today? Is it the struggle to maintain a military ethos as opposed to a civilian way of thinking? Is it a contest of the art of leadership versus the science of management? Is it a *kulturkampf* of old values against new ones, or of a pre-Charter society against a post-Charter, pluralist, rights-driven nation? It is, in fact, all of these and none of them at the same time.[289]

Hedged or not, though, it would require quite a generous reader not to interpret the Bercuson of *Significant Incident* as saying simply that something was wrong in the military because something was wrong in Canada.

Along these lines, while in a more scholarly mode, Bercuson tried to have his conservative critique and eat it, too. In so doing, he could tie himself up into some elaborate argumentative knots. Indeed, the very final paragraph of *Significant Incident* is a testament to the apparent Bercusonian contradiction of being at once "a strong economic and foreign policy conservative" while also a "social liberal."[290] "Armies can and must reflect the changes that take place in the larger society around them," Bercuson declared in opening the paragraph in question. But armies, and their needs,

[289] Bercuson, *Significant Incident*, 114.
[290] Flanagan, "Legends," 25.

were fundamentally unchanging: "the nature of war hasn't changed much since the first dawn." So, for Bercuson, it was imperative to restore an army grounded fundamentally in war and combat readiness. "Only then will the army of Vimy Ridge, the Scheldt Estuary, and Kap'yong be redeemed."[291] Tellingly, he made no further comment on just how this was to be done while reflecting the ways in which Canadian society had changed since the 1950s. Somehow, the army had to remain the same just as it had to change.[292]

By generalizing his scholarly interests and more clearly displaying his politics even in scholarly contexts, Bercuson made himself eligible for the kinds of collaboration that ultimately made him a Calgary Schooler. Such collaboration began within the discipline of history. Published in 1984 and co-authored with historians Jack Granatstein and Robert Bothwell, *The Great Brain Robbery: Canada's Universities on the Road to Ruin* offered a similarly declensionist narrative to the one that Bercuson would later proffer in *Significant Incident*, albeit in a very different context. Canada's universities, the assessment went, were in dire straits principally on account of problems accumulating more rapidly since the 1960s when universities became "open to almost anyone" and "the quality and value of the education being offered declined drastically."[293] The Vice President Academic at the University of Calgary published a refutation of the book's multiple "glaring errors" in *University Affairs*, but Bercuson

[291] Bercuson, *Significant Incident*, 242.
[292] A similarly critical account of Bercuson's work in *Significant Incident* can be found in Ian McKay and Jamie Swift, *Warrior Nation: Rebranding Canada in an Age of Anxiety* (Toronto: Between the Lines, 2012), 202-206.
[293] Bercuson, Bothwell, and Granatstein, *Great Brain Robbery*, 7-8.

and his fellow conservative historians stuck to their guns, updating and re-publishing the book again in 1997 as *Petrified Campus*.[294]

More consequentially, in early 1990, suspecting that they'd share similar views, Bercuson approached Cooper and proposed what would eventually become an extended and fruitful collaboration central to the history of the Calgary School. The two did not know one another well at first, but Bercuson's hunch proved correct. They wrote two major polemical books together, *Deconfederation* and *Derailed*, and they also worked together on expert reports in legal cases and countless co-authored newspaper columns.[295] They even became business associates.[296] The details of those collaborations will feature in subsequent chapters. Here, the crucial thing to note is that Bercuson's scholarly trajectory positioned him for such collaboration in the first place. In a sense, by proposing to work with Cooper, Bercuson had announced his candidacy for the Calgary School. His scholarly development into the 1990s amounted to an effective campaign for such a position.

Settler-Neoliberalism: Tom Flanagan's Hayekian History[297]

Tom Flanagan's approach to scholarship in political science was decidedly historical. This fact was a function of his Hayekian philosophy, discussed in the

[294] Peter J. Krueger, "Calgary refutes 'glaring errors' of *Robbery*," *University Affairs* (December 1984): 13; David Bercuson, Robert Bothwell, and J.L. Granatstein, *Petrified Campus: The Crisis in Canada's Universities* (Toronto: Random House, 1997).
[295] Flanagan, "Legends," 24.
[296] Draft report, page 2, 99.037, box 34, folder 4, Dr. D.J. Bercuson Fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[297] This is the second of three sections in this dissertation that features re-capitulation and reproduction of arguments and expositions I have made in "Settler-Neoliberalism."

previous chapter, which made political and moral judgement into matters of history. From the earliest stages of his career, Flanagan was interested in the history of Métis and Indigenous peoples in Canada, particularly regarding their relations with the Canadian state and its various institutions. His early career saw him work most extensively on the life of the nineteenth century Métis leader Louis Riel, but also on the later-nineteenth-century history of the Canadian prairies more generally. This period is now associated with the most vigorous and, for Indigenous peoples, destructive phases of settler-colonial nation building in Canada.[298] In Flanagan's academic publications, there runs an argumentative thread that largely justifies the Canadian settler-colonial project while reserving most of its critique for Indigenous peoples who encountered that project in one way or another, or for state policies that did not appear compatible with the goal of a consolidated Canadian settler colony. These judgements were often explicitly and almost always identifiably Hayekian, and it is in this sense that Flanagan ought to be seen as a figure in the intellectual history of neoliberalism distinguished by the extent to which he made neoliberal ideas grounds for studying and ultimately defending settler colonialism, at least in the specific of instance of Canada, to which his attentions were devoted. This is the sense in which Flanagan can be called a "settler-neoliberal."

Flanagan's interest in Riel predated his encounter with Hayek in 1979. During the 1970s, Flanagan published 12 articles and chapters on Riel, two edited texts on

[298] On the destructive aspects of the nineteenth century Canadian state and its relations with Indigenous peoples see, among other works, James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and Loss of Indigenous Life* (Regina, SK: University of Regina Press, 2013), especially 99-186.

Riel's poetry and his diaries, and finally a book on Riel's religious beliefs which was informed by Flanagan's interest in millenarianism.[299] Before Flanagan became an announced Hayekian, his scholarship was, to put in one way, ordinary. For example, his work on Riel's religion reads like conventional scholarship where a certain consensus view is established and refuted or modified by evidence and explanation. Where previous scholars thought about Riel's religion only as a component of his psychology, or his "insanity," Flanagan thought it necessary to situate Riel more carefully in an historical period of crisis and to interpret his religion as a particular kind of millenarian response to that crisis.[300] In *Louis 'David' Riel: 'Prophet of the New World,'* this kind of scholarly insight was enough for Flanagan. In his later publications, not so much. After Hayek, that is, both moral and practical judgment became more significant aspects of Flanagan's work.[301]

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[299] Tom Flanagan, ed., *The Diaries of Louis Riel* (Toronto: Hurtig, 1976); Tom Flanagan, *Louis 'David' Riel: 'Prophet of the New World'* (Toronto: University of Toronto Press, 1979); Tom Flanagan, "Louis Riel's Religious Beliefs: A Letter to Bishop Tache," *Saskatchewan History*, 27 (Winter 1974): 15-28; Tom Flanagan, "A New View of Louis Riel," in Richard Allen, ed., *Religion and Society in the Prairie West* (Regina: Canadian Plains Studies III, 1974), 35-52; Tom Flanagan, "Louis 'David' Riel: Prophet, Priest-King, Infallible Pontiff," *Journal of Canadian Studies*, 9 (August 1974): 15-26; Tom Flanagan, "The Mission of Louis Riel," *Alberta Historical Review*, 23 (Winter 1975): 1-12; Tom Flanagan, "Louis Riel as a Latin Poet," *Humanities Association Review*, 26 (Winter 1975): 33-45; Tom Flanagan, "The Religion of Louis Riel," *Quarterly of Canadian Studies for the Secondary School*, 4 no.1 (1975): 3-14; Tom Flanagan, "The Riel 'Lunacy Commission': The Report of Dr. Valade," *Revue de l'Universite d'Ottawa*, 46 (Jan-Mar 1976): 108-127; Tom Flanagan, "Political Theory of the Red River Resistance: The Declaration of December 8, 1869," *Canadian Journal of Political Science*, 11 (March 1978): 153-164; Tom Flanagan, "Louis Riel: A Case Study in Involuntary Psychiatric Confinement," *Canadian Psychiatric Association Journal*, 23 (1978): 463-488; Tom Flanagan, "Louis Riel's Name 'David,'" and "The Political Thought of Louis Riel" in A.S. Lussier, ed., *Riel and the Métis* (Winnipeg: Manitoba Métis Federation Press, 1979), 48-65 and 131-160 respectively.

[300] Flanagan, *Louis 'David' Riel*, *passim*, or in summary on pp. 186.

[301] Here, it is worth noting that while the nature of practical and economic judgement in the intellectual history of neoliberalism has been long and well established, the importance of moral judgement for neoliberal intellectuals has been a more recent focus for scholars. For two examples of this recent work on neoliberal and especially Hayekian morality, see Wendy Brown, *In the Ruins of Neoliberalism: The Rise of Antidemocratic Politics in the West* (New York: Columbia University Press,

Controversy was a corollary of Flanagan's more eager judgement from the late-1970s onwards. In the early-1980s, his work on Louis Riel and the Métis, especially *Riel and the Rebellion* and a policy article entitled "The Case Against Métis Aboriginal Rights," came under sustained criticism from various quarters, including Métis groups, one of which called for Flanagan's firing, and from journalists and academics that took umbrage with the interpretive judgments that Flanagan made.[302] Criticism brought publicity. On 29 November 1983, as controversy over *Riel and the Rebellion* was brewing, Flanagan wrote to the president of the University of Calgary, Norman Wagner, defending his scholarship and requesting public support from the university.[303] A week later, all the full professors in the Department of Political Science, including Barry Cooper, wrote to Wagner doing the same.[304] In their view,

2019) and Jessica Whyte, *Morals of the Market: Human Rights and the Rise of Neoliberalism* (New York: Verso, 2019).

[302] See Tom Flanagan, "The Case Against Métis Aboriginal Rights," *Canadian Public Policy* vol. 9 no. 3 (1983): 314-325. In "Métis Land Claims at St. Laurent: Old Arguments and New Evidence," which was a 1987 follow-up article published four years after *Riel and the Rebellion*, Flanagan summarized: "*Riel and the Rebellion: 1885 Reconsidered* occasioned a minor flurry of controversy, including demands by the Métis Association of Alberta, that the author be fired from the University of Calgary. Several reviewers made rather extreme statements about the book. 'For pure nastiness and vengefulness,' wrote Murray Dobbin, 'it is unmatched in recent literature. It is not simply flawed, but fundamentally flawed.' Ron Bourgeault, calling it 'a condemnation of a people and their struggle for democracy and national rights,' compared the author's view to Jim Keegstra's Holocaust denial. Dennis Duffy, on the other hand, called *Riel and the Rebellion* 'a superb and timely work.' Most reviewers fell between these extremes, seeing some useful new information in the book but finding themselves unable to agree with all the author's interpretations and conclusions." See Flanagan, "Métis Land Claims at St. Laurent: Old Arguments and New Evidence," *Prairie Forum* vol. 12 no. 2 (September 1987): 245.

[303] Letter from Tom Flanagan to Norman Wagner, 29 November 1983, 2002.032, Box 15, Folder 1, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[304] Flanagan and his colleagues were reacting primarily to public controversy. The letter from the full professors of political science opened with mention of reporting in the *Calgary Herald*. There was also an academic component of the controversy, though. In response to a critical review of *Riel and the Rebellion* that appeared in the journal *History and Social Science Teacher*, Flanagan wrote a brief yet grandiose riposte entitled "The Ethics of Book Reviewing." See "The Ethics of Book Reviewing," undated, 2002.032, Box 15, Folder 1, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

the reason for the minor uproar was "not the violation of truth, but the unpopularity of the conclusions."[305] Indeed, the animus generated by Flanagan's work was a function of his willingness to judge.

Published in 1983, *Riel and the Rebellion* was an account of the central issues surrounding the 1885 resistance of the Métis against the Canadian government.[306] The text dealt especially with questions of land rights and the nature of Métis complaints against the government, as well as the government response. Additionally, Flanagan gave considerable attention to the principal factors motivating Riel at the time, and the fairness of the trial he received after his surrender. These were the issues that Flanagan deemed most significant for his ultimate purpose with the book, which was not simply to write an historical account but to render judgements, about Riel in particular. Flanagan wanted to answer "the old questions" that would not "go away," like "whether the Rebellion was indeed justified and Riel was thus a martyr, or whether it was a needless act of violence and Riel got what he deserved, a traitor's death."[307] Along these lines, the book proceeded

[305] Letter from Full Professors of Political Science to Norman Wagner, 6 December 1983, 98.027, Box 3, Folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[306] I am using "resistance" here, rather than rebellion, in keeping with the most current thinking and writing about Riel and the Métis. As historian M. Max Hamon points out, making this distinction serves to "emphasize the fact that Riel's actions in the Northwest were marshalled against an invading foreign power that failed to establish a legitimate claim to the territory in the Northwest." Still, Hamon carefully notes, "resistance" has its own problems with regard to the fact that it does not necessarily imply, as it should, a struggle *for* recognition. See M. Max Hamon, *The Audacity of His Enterprise: Louis Riel and the Métis Nation that Canada Never Was, 1840-1875* (Montreal & Kingston: McGill-Queen's University Press, 2019), ix-x.
[307] Flanagan, *Riel and the Rebellion*, 12.

issue by issue toward the final chapter, which took up the question of whether there was any argument for posthumously pardoning Riel.

On the question of a posthumous pardon and the general assignment of blame to the relevant actors in the resistance, Flanagan's Hayekian perspective was on full display. He acknowledged that the government did deserve some criticism. In particular, he found that much trouble could have been avoided if, as the Métis had wanted, land surveying had been carried out more proactively and more systematically in the St. Laurent colony. He also insisted that the government had erred when it delayed in providing a land grant to the mixed-ancestry peoples in the Northwest, whom Flanagan referred to as "half-breeds."[308] But crucially, for Flanagan, these "were mistakes in judgement, not part of a calculated campaign to destroy the Métis or deprive them of their rights."[309] Thinking with the help of Hayek, because Flanagan could not identify intention on the part of the government, he could not bring himself to level any moral criticism. He found that the government had acted sufficiently in its role, which for him was simply to uphold abstract principles and to correct mistakes, in a reasonable period of time, after they were made. Within a spontaneous order, outcomes were not subject to moral rebuke.

Riel, as an individual acting intentionally in pursuit of certain outcomes, was subject to moral judgement. Flanagan conceded that Riel was committed to the

[308] Flanagan did so knowing that the term had become offensive, but finding it historically appropriate. See Flanagan, *Riel and the Rebellion*, ix.
[309] Flanagan, *Riel and the Rebellion*, 146.

betterment of his people, but found in the particular context of the 1885 resistance that he acted selfishly and with little concern for the land-based issues that had prompted the St. Laurent Métis to seek his aid in the first place. Suggesting that Riel "might be accused of using his followers as pawns in his own game," and that he was at times more interested in personal financial gain than in any broader mission, Flanagan ultimately declared that he would prefer that no posthumous pardon be given to Riel.[310] Flanagan's work in *Riel and the Rebellion* demonstrates what Hayekian justice looked like in practice. The system that engendered the problems encountered by the Métis could be absolved of responsibility so long as Flanagan was able to find that it operated without specific intention and without seeking specific outcomes. Judgement of discrete individuals was another matter altogether.

Flanagan kept up this kind of historical work. *Métis Lands in Manitoba*, published in 1991, was an historical account of the *Manitoba Act*'s implementation intended to tell a "factual story" that Flanagan did not think had yet been told.[311] It is possible to identify its Hayekian edge via brief review of Flanagan's analysis of fraud in land and scrip markets following the application of section 32 of the act. After the Métis were "showered with more land and scrip than they could possibly use," there emerged sizeable markets for these to be bought and sold. "Some made better bargains than others, as happens in all markets," Flanagan wrote, but he found no reason to conclude that a significant number of fraudulent transactions had taken

[310] Flanagan, *Riel and the Rebellion*, 146-150.
[311] Flanagan, *Métis Lands in Manitoba*, 10.

place. He conceded that some scrips may have been stolen, some Métis were prosecuted for making multiple sales, and there were occasional cases of procedural irregularity in courts, but these instances did not amount, for Flanagan, to any kind of "massive theft or dishonesty."[312]

Responding to claims that these markets became sites of widespread fraud, Flanagan advanced a sort of double rebuttal which sought to both empirically and philosophically refute such accusations. The philosophical argument was fully Hayekian.[313] Flanagan posited that "the charges of massive fraud result from the intellectual error of animism or anthropomorphism, that is, the attribution of personal consciousness and intention to impersonal processes." Market orders, like the one in which the Manitoba Métis found themselves, "[arose] from human interaction but [were] not under the purposive control of any individual."[314] For Flanagan, claims of extensive fraud in land and scrip markets were based on a flawed mode of thinking that impelled people to look for nefarious intention in contexts where there was none. And crucially, such endeavours to identify systemic or macro-level intent had the effect of encouraging ignorance about intentional activity "where it really existed," among individual Métis engaged in market transactions.[315] Again, in Flanagan's view, the spontaneous order could not bear the burden of responsibility for problems that were the result of intentional action.

[312] Flanagan, *Métis Lands in Manitoba*, 230.
[313] Without actually mentioning Hayek in the text, Flanagan included an endnote directing readers to all three volumes of *Law, Legislation and Liberty*.
[314] Flanagan, *Métis Lands in Manitoba*, 231.
[315] Flanagan, *Métis Lands in Manitoba*, 232.

By this stage, Flanagan's mature scholarly practice, and his reputation, were firmly established. And thanks in no small part to his growing scholarly notoriety it was right around this point in the 1990s when Flanagan ceased to be a dedicated scholar. As of 1 May 1991 he was hired as Director of Policy, Strategy, and Communications for the Reform Party, a position that officially speaking took up two thirds of his time.[316] This move made sense, not least because very often, for Flanagan, historical questions were a means to ends in the realm of contemporary policymaking. Along these lines, while Flanagan's scholarly activities certainly dwindled during the 1990s, they never ended entirely. Rather, for a time, Flanagan's scholarship became less historical. After publishing a book-length account of his time with the Reform Party, in 1998 he published a notable book on game theory and its applicability in Canadian politics.[317] In retrospect, this can look like a re-direction of his scholarly attention, but the re-direction was topical rather than fundamental. He has described *Game Theory and Canadian Politics* as an exercise in "modelling the behavior of human beings in a spontaneous order," or in other words as a continuation of his Hayekian scholarship.[318] Indeed, scholars like S.M. Amadae have shown that game-theoretical modelling became a central feature of neoliberal political thought at the end of the 20th century, as the "neoliberal subject invented by

[316] Flanagan, *Waiting for the Wave*, vii.
[317] For the Reform Party account, see Flanagan, *Waiting for the Wave*.
[318] See Flanagan, *Game Theory and Canadian Politics*. Quotation is from an email from Tom Flanagan to Mack Penner, 7 December 2023. Permission to cite given.

game theory" came to "animate contemporary markets and politics."[319] *Game Theory and Canadian Politics*, for Flanagan, was more of the same.

Most of all in his historical work published over the final decades of the twentieth century, especially the work on Riel and the Métis, we can see the two edges of Flanagan's style of Hayekian critique, one reserved for individuals, the other for state institutions. Individuals, Riel being the featured one, were subject to judgement and rebuke to the extent that Flanagan saw them exercising conscious agency, aiming for particular outcomes.[320] Individuals were critiqued for subverting the rules established as a framework for spontaneous market order, at least in cases where Flanagan judged the rules to be acceptable ones. The state, on the other hand, comes in for criticism in cases where it appears to be overstepping, crossing the boundary between rule-maker and active-intervener. This outlook was not necessarily coherent and Flanagan's abilities to detect intention and spontaneity are questionable.[321] Scanning the history of colonization and settlement in the Canadian west and not finding an actively intentional state was surely an exercise in ignorance. But coherent or not, Flanagan's implementation of a critique of the intentional state in the context of settler-indigenous relations and their history importantly

[319] Amadae, *Prisoners of Reason*, xvii.
[320] Perhaps they would be just as subject to praise if Flanagan were to judge their desired outcomes positively.
[321] See Penner, "Settler-Neoliberalism," 363-366.

"Canadianized" his neoliberalism and made him a settler-neoliberal scholar *par excellence*.[322]

In a letter written to Flanagan after the publication of *Métis Lands in Manitoba*, Barry Cooper opined that "What will doubtless pique your misguided adversaries on the question of land claims for the metis [sic] is your presumption to instruct them on the virtues of the free market." Cooper also "loved the references to Hayek," thought the book was a "real model of forensic scholarship," and considered that they would "have to have a conference on the topic some day."[323] A friend of Flanagan's for decades, Cooper was now also a scholarly admirer, openly in agreement with Flanagan, clear-eyed about the underlying principles on which their agreement was based, and open to following such agreement into shared ventures. So admiring was Cooper, in fact, that he nominated Flanagan to the Royal Society of Canada just a few years later in 1995, saying that "I have known Flanagan for many years and have the highest regard for his scholarship, which is why I am taking the trouble to nominate him."[324] Along with the friendships and collaborations that sustained it, the Calgary School continued to coalesce.

[322] While I believe I am the first to use the compound term "settler-neoliberalism," there has been interesting work on neoliberalism in settler-colonial contexts. For a recent example, see Jeremy Walker, "Freedom to Burn: Mining Propaganda, Fossil Capital, and the Australian Neoliberals," in Quinn Slobodian and Dieter Plehwe, eds., *Market Civilizations: Neoliberals East and South* (New York: Zone Books, 2022), 189-219.
[323] Letter from Barry Cooper to Tom Flanagan, 25 July 1991, 98.027, Box 6, Folder 6, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[324] Letter from Barry Cooper to Donald Swainson, 3 October 1995, 98.122, box 2, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

Weaving in the West: The Dual Authority of Barry Cooper's Scholarship

In a 1978 essay on the Canadian philosopher George Grant, Barry Cooper commended Grant for his common sense. "We are so little used to commonsensical discussion in philosophy that when it intrudes upon our consciousness we consider it illegitimate," Cooper averred.[325] Against others who would refuse to take Grant's common sense seriously, Cooper insisted that Grant understood the political function of philosophy, and sought accordingly to address his writing to a "general public" of "fellow citizens concerned about right and wrong in the world."[326] Cooper admired Grant for his ability to philosophize in context, or to undertake philosophy as a means of talking about the world, or about Canada, as he and his fellow citizens confronted it. In retrospect, Cooper's essay is telling. While it took time, Cooper's scholarly career eventually developed in such a way that he became known as a philosopher willing and eager to follow the model that Grant provided.

Unlike both Bercuson and Flanagan, Cooper's journey to the University of Calgary was taken in roundabout fashion. Whereas Flanagan had come straight from Duke to Calgary, Cooper had brief stints at Bishop's University and McGill University before spending almost a decade at York University only to finally take a job at Calgary in 1981. In 1980, when Cooper was considering the job, Flanagan wrote him, "So you might go to Calgary. I'm not surprised, since I know that you

[325] Barry Cooper, "*A Imperio usque ad Imperium*: The Politics of George Grant," in Larry Schmidt, ed., *George Grant in Process: Essays and Conversations* (Toronto: Anansi, 1978), 22.
[326] Cooper, "*Imperio*," 23.

would like to get back out west and also would like to get out of Toronto. But I really wonder how well you will like the place." On the other side of the ledger, Flanagan allowed that "we both know that there are good people in Calgary — people who would be good to work with and there are the mountains + skiing etc."[327] In any case, Cooper's proper job offer came on 4 February 1981, and he took it, at the time already a well-established scholar of political philosophy.[328]

For all the talk of Bercuson's apparently awkward fit in the milieu of the Calgary School, if judging on the basis of scholarship, Cooper's eventual status as a Calgary Schooler may have been the most unlikely trajectory in the bunch. The issue, here, was not departmental or disciplinary. Instead, for a time Cooper stood out among the Calgary Schoolers as, in some sense, the least practical and the least Canadian scholar. He was nearly two decades into his career as a political philosopher before he began to demonstrate any kind of sustained interest in publishing on Canadian matters, an interest that was entirely sporadic until at least the publication of *Alexander Kennedy Isbister* in 1988.[329] As of about 1980, Cooper has summed up his career, saying simply, "I thought I had an adequate contextual understanding of post-war French political thinking and how it related to the traumatic political events that country has endured."[330] Even into the 1990s, Cooper

[327] Letter from Tom Flanagan to Barry Cooper, 20 October 1980, 98.027, box 2, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[328] Letter from H.K. Betz to Barry Cooper, 4 February 1981, 98.027, box 2, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[329] This is not to say that Cooper was uninterested in Canadian politics. Indeed, he was. But for the most part, until the 1990s, his scholarly output barely suggested as much.
[330] Barry Cooper, "Weaving a Work," in Ronald Beiner and Wayne Norman, eds., *Canadian Political Philosophy: Contemporary Reflections* (Oxford and New York: Oxford University Press, 2001), 378.

remained mainly a scholar of political philosophy, especially continental European political philosophy. In addition to French thinkers like Maurice Merleau-Ponty, Raymond Aron, and Michel Foucault, Cooper worked on a number of other European philosophers and theorists including Hegel, Alexander Kojève, Leo Strauss, Hannah Arendt, and, of course, Voegelin.[331] At all turns, Cooper's work on these figures was characterized by a studied scholarly tone and a commitment to exegetical and argumentative precision.

Still, while his publications strongly tended to the European, Cooper was interested all along in Canada. Again, before he began working on political theory at Duke with John Hallowell he had intended to study Canadian politics, which he had done already as an undergraduate. His early professorial years saw him retain these Canadian interests. In 1973, he was the organizer of a conference dedicated to Canadian political thought. Inspired by Voegelin, he also took on some major research surveying certain publications in which Canadian political thinking could be found and studied. These publications included many disciplinary academic outlets, including flagship Canadian journals in history, economics, political science, and literature. He also taught a course on Canadian political thought.[332] As the 1980s wore on, he did begin to publish on Canadian thinkers and issues, the principal

[331] In addition to many articles, Cooper published books including: Barry Cooper, *Merleau-Ponty and Marxism: From Terror to Reform* (Toronto: University of Toronto Press, 1979); Barry Cooper, *Michel Foucault*; Barry Cooper, *The End of History: An Essay on Modern Hegelianism* (Toronto: University of Toronto Press, 1984); Barry Cooper, *The Political Theory of Eric Voegelin*; Barry Cooper, *Action into Nature: An Essay on the Meaning of Technology* (Notre Dame, IN: Notre Dame University Press, 1991).
[332] Cooper, "Weaving a Work," 375-380.

developments here being continued work on George Grant and a few essays on the place of the west in Canadian politics.[333]

This all being the case, the most important question about Cooper's political-philosophical scholarship, as others have pointed out, is how his scholarly work in political philosophy related to his interests in the more practical matters of Canadian politics. As a metaphor for the relation between his work as a political philosopher and a "situated philosopher," meaning in this case a western Canadian (with associated partisan political interests), Cooper suggested the metaphors of "weaving" and "braiding."[334] The point is straightforward. Cooper has written that "my work has combined analysis of the major questions in the history of political thought, especially classical philosophy, with the immediate questions of the day."[335] This, for certain, is true. But the statement communicates rather little about the nature of the weaving that Cooper undertook, instead merely noting the fact of the weaving in the first place. To understand the ways in which Cooper's scholarly career influenced his

[333] See, for example, Barry Cooper, "George Grant, Political Philosopher," *The Political Science Reviewer* vol. 18 (1988): 1-33; Barry Cooper, "George Grant and the Revival of Political Philosophy," in Peter Emberley, ed., *By Loving Our Own: George Grant and the Legacy of Lament for a Nation* (Ottawa: Carleton University Press, 1990), 97-121; Barry Cooper, "Western Political Consciousness," in Stephen Brooks, ed., *Political Thought in Canada* (Toronto: Clark Irwin, 1984), 213-238; Barry Cooper, "The West: A Political Minority," in Neil Nevitte and Allan Kornberg, eds., *Minorities and the Canadian State* (Toronto: Mosaic, 1985), 203-220.

[334] The phrase "situated philosopher" comes from the introduction to Cooper's 2013 festschrift. See Thomas Heilke and John von Heyking, "Introduction," in Thomas Heilke and John von Heyking, eds., *Hunting and Weaving: Empiricism and Political Philosophy* (South Bend, IN: St. Augustine's Press, 2013), 2. Heilke and von Heyking also discuss the metaphors, which Cooper introduced himself in "Weaving a Work."

[335] Cooper, "Weaving a Work," 383.

public intellectual work and his status in the Calgary School, his acts of weaving need to be more closely examined.

Ultimately, the key fact about Cooper's efforts as a weaver is that they allowed him to establish a kind of dual authority, on the basis of which he made a scholarly reputation and became a noted western Canadian public intellectual beginning in the 1990s. Cooper's dual authority consisted of the fact that, on the one hand, he was a serious political philosopher, comfortable even in the most esoteric corners of that discipline. On the other hand, he was just a good old Alberta boy from the small town of Nanton, with organic connections to the west and thus a claim to authentically represent the political ambitions associated with his regional identity.[336]

Cooper's early career work on continental European theory was typically that and not much more. It is not exactly as if Cooper's books on political philosophy were totally uninterested in questions of practical implication and consequence, but to the extent that they were concerned with such matters, those matters were more universal than Canadian. His lengthy 1984 "essay" entitled *The End of History*—in fact a book of more than 380 pages—exemplifies the point.[337] Cooper's principal task in *The End of History* was to argue that Alexander Kojève's interpretation of Hegel, as found in Kojève's *Introduction à la lecture de Hegel,* was "coherent and

[336] For a brief biographical summary see Cooper, "Weaving a Work," 374-376.
[337] Here, Cooper was participating in an extended and ongoing debate about Hegel, Hegel's politics (was he a conservative? A revolutionary?), and especially the meaning of the phrase, "the end of history." This debate famously erupted in the early 1990s when the American political scientist Francis Fukuyama published *The End of History and the Last Man* (New York: Free Press, 1992).

comprehensive."[338] This was a mainly textual exercise, in which Cooper operated by putting Kojève in discussion with Hegel's original texts. In the first place, Cooper announced, "only the briefest hint may be given to indicate that the enterprise is not utterly futile."[339] While flirting with futility, then, Cooper did eventually get around to a concluding chapter that concerned itself with "Consequences."[340]

Those consequences were not deduced in any reference to specifically Canadian matters. Instead, Cooper made extended commentary on the great problems of the twentieth century, especially as they appeared towards the end of the Cold War. Here, Cooper established that the "universal and homogenous state," an idea made famous in Canada previously by Grant, was defined by three key features:[341] it was ostensibly non-discriminatory, or meritocratic, in the sense that categories like race and religion did not play an official public role; it was a kind of police state, rather than a war-making state, thanks in part to the waning of the public role of nationalism; and finally it was a state that oversaw a technological society, in the sense that both production and consumption were seen "to result from the wilful imposition of rational form on otherwise formless natural and human being."[342]

What, then, were the universal and homogenous states? Again, this was a Cold War analysis; Cooper was concerned with the Soviet Union on the one hand

[338] Cooper, *The End of History*, 4.
[339] Cooper, *The End of History*, 4.
[340] "Consequences" was the title of the chapter.
[341] The phrase itself is Kojève's, and it implies, basically, a regime in which technical mastery (as against chance, or capitulation to chance) is sought over human affairs.
[342] Cooper, *The End of History*, 289-290.

and, on the other, what he called the "Western *imperium*."[343] As a result, Cooper went on to think through myriad problems associated with global-historical developments of the twentieth century: imperialism, multinational capitalism, totalitarianism as emblematized by the Soviet GULAG, and technology.[344] His conclusions are not of particular importance here, other than to make the point that they read nothing like the conclusions of the western Canadian weaver. Cooper the continental philosopher, at least in the early part of his career, tended to stick to the typically universal or global categories of his source material.

Cooper's practice of weaving, once it developed, developed because of an empirical turn in his scholarship. Such a turn began with Cooper in the early 1990s, a development that may well have been a function of his collaboration with Bercuson, as their most famous polemical collaborations, *Deconfederation* and *Derailed*, made practical arguments that were based in some part on Cooper's pre-existing philosophical fluency. Those works will be discussed in the following chapter, but here it is worth mentioning that Cooper and Bercuson collaborated not just as polemicists but as scholars. Cooper, author of work on the topics of "Nihilism and Modernity," "Voegelin's Concept of Historiogenesis," and "What is Post-Modernity?" became also the co-author of works on the drawing of electoral boundaries in Alberta and on the Canadian constitution.[345]

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[343] Cooper, *The End of History*, 290.
[344] Cooper, *The End of History*, 290-327.
[345] Barry Cooper, "Nihilism and Modernity," *Canadian Journal of Political and Social Theory* vol. 2 no. 2 (1978): 97-103; Barry Cooper, "Voegelin's Concept of Historiogenesis," *Historical Reflections/Reflexions Historiques* vol. 4 no. 2 (1978): 232-251; Barry Cooper, "What is Post-Modernity?," *Canadian Journal of*

How, exactly, did the empirical turn in Cooper's career turn him into a weaver? In some cases, this could be straightforward. One of the examples that Cooper raises in his own account of his career is his work on television and television news in the 1990s.[346] Cooper's interest in the issue was up and running in the late-1980s when, for example, he proposed a co-directed project on North American media coverage of the Middle East in addition to developing solo projects on Canadian news coverage of western Canada and Alberta, among other undertakings.[347] These efforts culminated in Cooper's study of the television news at the Canadian Broadcasting Corporation (CBC), published as *Sins of Omission* in 1994.[348] This was an exercise in weaving, influenced at once, in Cooper's telling, by Grant and Kojève, Arendt and Voegelin.[349] Before the reader encountered epigraphs from John Irving and Hegel, they encountered a dedication "to the taxpayers of

Political and Social Theory vol. 9 no. 2 (1985): 44-63; Barry Cooper and David Bercuson, "Electoral Boundaries: An Obstacle to Democracy in Alberta," in John C. Courtney, Peter MacKinnon, and David E. Smith, eds., *Drawing Boundaries: Legislatures, Courts, and Electoral Values* (Saskatoon, SK: Fifth House, 1992), 110-127; Barry Cooper and David Bercuson, "From Constitutional Monarchy to Quasi-Republic: The Evolution of Liberal Democracy in Canada," in Janet Ajzenstat, ed., *Canadian Constitutionalism: 1791-1991* (Ottawa: Canadian Study of Parliament Group, 1993), 17-27.

[346] Cooper, "Weaving a Work," 381.

[347] Barry Cooper and Yusuf Umar, "A Proposal to Report on North American Media Coverage of the Middle East," undated, 98.027, box 28, folder 8, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada; Barry Cooper, description of project for the Wild Rose Foundation on "The Image of Alberta as reflected by National Network Television News and Public Affairs," undated, 98.027, box 29, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada; Barry Cooper, "CBC National TV News Coverage of the West," paper presented to the annual meeting of the Canadian Communications Association, Victoria, BC, June 1990, 98.027, box 28, folder 8, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. For a comprehensive sense of Cooper's efforts in these areas researchers can consult boxes 28 and 29 in 98.027, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[348] Barry Cooper, *Sins of Omission: Shaping the News at CBC TV* (Toronto: University of Toronto Press, 1994).

[349] Cooper, "Weaving a Work," 381. The reader of *Sins of Omission* may have been forgiven for failing to notice these influences, as none earn an index entry, though plenty of other thinkers do.

Canada, who, for several years, have involuntarily paid for public broadcasting in this country and who know, very clearly, the value they have received."[350] Cooper was here a self-conscious weaver, aware of the dual authority he was potentially granted as a fluent political philosopher who was also one grumpy Canadian taxpayer among others.

Cooper's analysis of CBC news in *Sins of Omission* did not cover Canadian news. Rather, it covered news about the rest of the world as it was reported in Canada. *Sins of Omission* was written up in three sections, one on the Soviet Union, one on Soviet-American relations as viewed through the summit meetings of Ronald Reagan and Mikhail Gorbachev, and one on Africa (dubiously entitled "Into the Dark on Africa"). In each case, the CBC was found guilty of a sin of omission: too little acknowledgement of the fundamental differences between liberal-democratic and communist regimes; a tendency to omit mention of Gorbachev's shortcomings while emphasizing Reagan's; and too frequent admonition of the tyranny of apartheid South Africa compared with too little admonition of other African tyrannies.[351] The result, for Cooper, was that the news was bent around a kind of modern self-conception related to ideas about progress. Retrospectively, Cooper

[350] Cooper, *Sins of Omission*, front matter.
[351] Cooper, *Sins of Omission*, *passim*. Given the 1994 publication date for *Sins of Omission*, it is worth mentioning that Cooper's discussions of South Africa do not come across as being particularly clear-eyed or insistent on the obvious moral hideousness of apartheid. Indeed, it would hardly be a stretch to read Cooper, his tongue in his cheek when he invokes "the cause of all evil in southern Africa, the government of South Africa and its doctrine of apartheid," as implying that apartheid was only wrong because it happened to be imposed tyrannically. Indeed, Cooper was even critical of CBC for failing to note evidence of the "amelioration of the tyranny of apartheid" or of "any mitigation of racism," and he suggested that compassion for Nelson Mandela was "not well-founded." See *Sins of Omission*, 217, 219, 223.

summed the argument up in continental-philosophical terms by saying that the news "reinforced a particular 'post-historical' view of reality."[352] In the text itself, citing his own arguments in his 1991 book *Action into Nature*, Cooper made the point by saying that the news consistently served the "doctrine of progress."[353] This doctrine involved the idea that modern human history is propelled along by "endless but practical self-criticism," with the result that, by definition, everything new is necessarily better, or more modern, than the less-criticized thing that came before it.[354] The news coverage funded by the Canadian state, that is, suffered from a kind of intentional ideological warping.

In a decidedly evolutionary process, Cooper's practice of weaving developed as his scholarly career took him from certain obscure corners of political philosophy towards a more situated interest in the use of political philosophy as a kind of authority for comment on current affairs. In his early career, Cooper appeared hardly concerned with weaving at all, even as he was able to recognize the virtues of such a mode in someone like Grant. His philosophical work was very focused. Over time, as he became more interested in studying and commenting on issues that were closer to home, he began to develop the tools of the weaver. The process functioned to create Cooper's dual authority as a capable political philosopher on the one hand and, on the other, a credible Albertan in both a scholarly and identitarian respect. This dual authority would become the foundation of Cooper's public intellectual career, but it

[352] Cooper, "Weaving a Work," 381.
[353] Cooper, *Sins of Omission*, 221. See Cooper, *Action into Nature.*
[354] Cooper, *Sins of Omission*, 221.

also importantly positioned him to become a member of the Calgary School. Without taking the empirical turn toward the study of Canada, Cooper would have been weaving with only one thread. But in the mode of a "unique combination of scholar and political commentator," as he was introduced in the gushing preface to *The Klein Achievement*, published in 1996, Cooper was Calgary School material.[355]

Wrong Rights: Rainer Knopff, Ted Morton, and the Critique of the Canadian Charter of Rights and Freedoms

More than any of their Calgary School colleagues, Rainer Knopff and Ted Morton established their scholarly reputations through one academic project in particular: a critique of the Canadian Charter of Rights and Freedoms and its influence in Canada.[356] After making their way to Calgary from the University of Toronto, Knopff in 1978, and Morton in 1981, they had within about a decade inaugurated and to a degree fulfilled a collaborative effort to study and criticize the Charter, in the process bringing to bear their shared critiques of the intentional state. In their co-authored *Charter Politics*, published in 1992, they set out their view that "the Canadian Charter of Rights and Freedoms is as much a political as a legal document."[357] The book was greeted as a major achievement. Even if it was not their

[355] Barry Cooper, *The Klein Achievement* (Toronto: University of Toronto Press, 1996), 7. Authorship of the preface is not clearly indicated.
[356] The Charter, mostly, came into effect on 17 April 1982, when Knopff and Morton were both still junior scholars.
[357] Rainer Knopff and Ted Morton, *Charter Politics*, 1.

only scholarly project, Knopff and Morton indeed became best-known for their study of the Charter and its consequences, which in their view were dubious.

Knopff and Morton came by their interest in the Charter, and Canadian constitutionalism more generally, quite naturally. Even if Allan Bloom and Walter Berns were the greater sources of influence, with Peter Russell in Toronto they had undertaken their graduate studies with one of Canada's preeminent constitutional scholars. And indeed, as noted briefly already, they collaborated with Russell as early career political scientists. *Federalism and the Charter*, which was the fifth edition of a text on *Leading Constitutional Decisions* that Russell had been editing and re-publishing since the early 1970s, was compiled by their combined efforts. Although, as editorial work, this was not the kind of collaboration that required absolute agreement. In the book's preface, Russell described the collaboration straightforwardly: "I was anxious to have [Knopff and Morton's] collaboration in this volume not only to have the benefit of their insights in editing and discussing the cases but also to have some assurance that the collection will be carried on by two younger scholars active in the field of political science."[358] Indeed the collection was carried on, but otherwise the work of Knopff and Morton would go in a direction that would, at least to a degree, trouble their shared supervisor.

Even before the Charter came into effect, the veritable constitutional crisis that led to its implementation engaged the scholarly attentions of Knopff

[358] Peter H. Russell, Rainer Knopff, and Ted Morton, *Federalism and the Charter*, 2.

especially.[359] Before the end of the 1970s, for example, Knopff had published a short article sketching the contours of the Canada's constitutional crisis, after the question of Quebec's place within the federal system had become increasingly urgent during the 1970s. There, Knopff was even-handed, mainly thinking through the principles via which a new constitutional order could or could not be justified.[360] This pre-Charter work on and interest in constitutional matters helps to explain the fact that, when the Charter became reality, Knopff and Morton alike were poised to become active voices in a wave of Charter scholarship.

Knopff and Morton's analyses of the Charter and its consequences (or its "impact," to invoke Morton's typical phrasing) took up the issue of the courts, and especially the question of whether the Charter so empowered them that it could be said to contribute to a kind of "judicial supremacy." As early as 1983, Knopff published a commentary on an article by political scientist Jennifer Smith, in which he established his view of the key issues raised by the Charter. "The modern debate is not about the importance of rights, but about which institution, the legislature or the courts, is best equipped to have the *final* say in interpreting and applying them; in a word, the conflicting claims of parliamentary and judicial supremacy constitute the core of this debate."[361] Indeed, this question about which institutions would be most

[359] Appropriately enough: Knopff's dissertation, discussed in chapter I, was not unrelated to these issues.
[360] Rainer Knopff, "Nationalism, Liberalism, and Federalism: Elements of Canada's Constitutional Crisis," *Dalhousie Review* vol. 59 no. 4 (1980): 651-658.
[361] Rainer Knopff, "Federalism, the Charter, and the Court: Comment on Jennifer Smith's 'The Origins of Judicial Review in Canada,'" *Canadian Journal of Political Science* vol. 16 no. 3, (September 1983): 586.

empowered by the Charter was the central one moving forward for Knopff and Morton. And if Knopff first recognized the centrality of the question, it was Morton who was seemingly most eager to begin outlining an answer.

In a 1985 article on the effects of the Charter in matters of public administration, co-authored with political scientist Leslie A. Pal, Morton's view was made plain: "the principal impact of the Charter of Rights and Freedoms is not the creation of new rights, but rather a new way of making decisions about rights in which judges will play a central and authoritative role." Central, authoritative, and indeed definitive, because the Charter's "practical effect is to create a second tier of policy review, in which all legislative and administrative decisions are subject to review by judges, to ensure conformity with the Charter."[362] Morton and Pal ran a comparison of two documents, a policy memo and a law review article, both emergent from a 1978 Supreme Court decision. The first point was that the Charter was likely to create conflict between administrative and judicial priorities. The public administrator simply had to discriminate, to prioritize some groups over others, to distribute resources accordingly, and to weigh the voice of the legislature. The justice system, on the other hand, had to operate in accordance with the Charter, especially the equality rights outlined in Section 15, rather than with the relevant statute in a given case. But the conflict itself was not simply notable, it was consequential. Doubtful that the judicial method was appropriate for deciding questions related to

[362] Ted Morton and Leslie A. Pal, "The Impact of the Charter of Rights on Public Administration," *Canadian Public Administration* vol. 28 no. 2 (June 1985): 222.

the design of social programs, especially because judges might not be able to assess the redounding effects of their decisions, Morton and Pal concluded that the conflict was a threat to democratic principles.[363]

If, in 1985, Morton was worried about the possibility of increasing the power of the judiciary in Canada, two years later he was willing to declare that such judicialization was underway and actively influencing Canadian politics. In a 1987 article, Morton wrote that "The impact of the Charter on judicial behaviour has been dramatic. Both in their words and in their deeds, Canadian judges have begun to carve out a bold new constitutional jurisprudence."[364] Too bold, in fact, for Morton's comfort. In the earliest years after the Charter was made part of Canada's constitutional order, Morton saw judges running amok, willing and eager to "read" the Charter however they liked. Supreme Court justices had become "activists."[365] Morton made the point with reference to public policy (especially criminal law, where the Charter had led to "many instances of evidence being excluded from trial, re-trials, dropping of charges, and a large number of acquittals"), the empowerment of "interest groups," the centralization of the federal system, and in the exercise of executive authority.[366] All of this was concerning for Morton, but not absolutely concerning. The article concluded with reflections on both the positive and negative aspects of the Charter's implementation. Morton remained open to a future in which

[363] Morton and Pal, "Impact," 242-243.
[364] Ted Morton, "The Political Impact of the Canadian Charter of Rights and Freedoms," *Canadian Journal of Political Science* vol. 20 no. 1 (March 1987): 34.
[365] Morton, "Political Impact," 35-36.
[366] Morton, "Political Impact," 37-51. Quotation from page 37.

a "legislative-judicial partnership" subject to democratic approval might materialize.[367] This critique of the Charter thus emerged in the form of cautious concern rather than outright lament.

Evidently, Knopff and Morton were not the only future Calgary Schoolers who were concerned about developments in Canada's rights culture. In 1990, as Calgary School collaborations beyond Knopff and Morton's were beginning to take off, Knopff collaborated with Flanagan on a book called *Human Rights & Social Technology: The New War on Discrimination*. The book clearly demonstrated the points of convergent agreement among first- and second-generation Calgary Schoolers. Flanagan's name did not appear on the cover of the book, but in the front matter authorship was attributed to Knopff "with" Flanagan.[368] In the preface, Knopff clarified this question, indicating in the process just how powerfully the coalescence of the Calgary School was taking place as the 1980s gave way to the 1990s. "I owe the greatest debt to Thomas Flanagan," Knopff wrote, "who first encouraged me to undertake the project and whose own work in the area has influenced my thinking." Flanagan "played no direct role in drafting the book," but Knopff reproduced parts of two of Flanagan's previously published essays in the text. Knopff also thanked Cooper and Morton, noting that the "days we shared afield hunting grouse or pheasants were often also spent in pursuit of intellectual game. The fruits of those

[367] Morton, "Political Impact," 55.
[368] Rainer Knopff, *Human Rights & Social Technology: The New War on Discrimination* (Ottawa: Carleton University Press, 1990), front matter.

expeditions did not always end up on the dinner table; some of them found their way into these pages."[369]

Human Rights & Social Technology was important for the ways in which it moved beyond Knopff and Morton's building concerns about the judicialization of politics and began to trace, in a more comprehensive way, the actual contours of those emergent politics. In other words, it began to suggest something additional about the particular reasons why Knopff and Morton were so worried about judicialization. Knopff argued that the "new war on discrimination" was an exercise in "social technology," meaning effectively that rights, especially in Canada, had become a device for the seeking of particular outcomes rather than a way to protect "mere formal equality of opportunity for individuals." The grounds for claims of discrimination had proliferated hugely, in Knopff's view, and yet the actual basis for those claims had been badly eroded.[370] In taking advantage of this new rights regime, certain "minority" groups gained increasing influence for themselves and also augmented the political power of those, like judges, who interpreted their claims of discrimination in social-technological ways.[371]

Conceptually, the book was influenced by Hayek, presumably thanks in no small part to Flanagan's input. Indeed, Knopff deployed Hayek in ways precisely

[369] Knopff, *Human Rights & Social Technology*, 12.
[370] Knopff, *Human Rights & Social Technology*, 10-11.
[371] Knopff frequently put "minority" in quotation marks in order to indicate that the term had taken on a meaning where it referred capaciously to "oppressed" groups, including women, who were a "numerical majority." Knopff, *Human Rights & Social Technology*, 71.

matched to Flanagan's interpretation, even down to the language. For Knopff, as for Flanagan, Hayek was a guide to the errors of "constructivism:"

> [Constructivism] is the view that society can be reconstructed in light of such intellectually derived criteria as "equality of result" or "individual treatment," using the coercive power of the state if necessary. Constructivists are confident that such transformatory projects can succeed because they attribute man's unpleasant characteristics to the effects of a "system" that is within man's power to alter and control.[372]

On this account, constructivism was fallacious because it rested on an assumption that society as it exists was deliberately created and thus could be deliberately re-created.

Constructivist accounts of discrimination, then, erred because they identified intentional discrimination where there was none and in so doing tended to "personify 'society.'"[373] Here, Knopff joined Flanagan as a defender of spontaneous order. Knopff argued that "the concept of systemic discrimination is the first step in the shift of anti-discrimination policy away from a concern with undesirable human action towards an exclusive focus on undesirable consequences."[374] Making the point in the language of a defense of liberal democracy, ongoing since his graduate studies at Toronto, Knopff argued that ultimately the idea of rights in late-twentieth century Canada and elsewhere sacrificed "liberal to guardian democracy."[375]

[372] Knopff, *Human Rights & Social Technology*, 20.
[373] Knopff, *Human Rights & Social Technology*, 20.
[374] Knopff, *Human Rights & Social Technology*, 29.
[375] Knopff, *Human Rights & Social Technology*, 31.

By the time that *Human Rights & Social Technology* appeared, Knopff and Morton's study and critique of rights and the political culture of the Charter was well-established. What remained was to make a single, comprehensive statement. In 1992 Knopff and Morton published *Charter Politics*, giving their perspective just such a statement. While it was a co-authored work, the "division of labour" leaned heavily towards Knopff, who "conceived and designed the book, wrote Chapters One, Three through Nine, and Eleven." Morton, for his part, "contributed Chapter Ten, and co-authored Chapters Two, Twelve, and Thirteen."[376] The argument advanced, now, was that the Charter had not only opened the door to a more judicial or legalized form of politics, but that such legalization had indeed taken place. In "Charterland," which was a neologism courtesy of Russell, "law and politics are virtually indistinguishable."[377] Knopff and Morton were not suggesting that law and politics had become intertwined for the first time in Canada, far from it. Instead, if there was alarm to be raised, it was alarm over novelty and degree. The Charter had legalized politics to an unprecedented extent: "In a myriad of ways, the Charter of Rights and Freedoms has truly transformed the Canadian political landscape since its enactment in 1982."[378]

If Knopff and Morton here made their critical argument about the Charter more fully and more emphatically than they had done in various publications over

[376] Knopff and Morton, *Charter Politics*, x. The book featured thirteen chapters in total.
[377] Knopff and Morton, *Charter Politics*, 1. For the relevant work by Russell, see Peter H. Russell, "The First Three Years in Charterland," *Canadian Public Administration* vol. 28 no. 3 (September 1985): 367-396.
[378] Knopff and Morton, *Charter Politics*, 1.

the course of the 1980s, they remained committed to a kind of careful scholarship. *Charter Politics*, running to more than 400 pages including notes, proceeded via thorough exegesis. Two chapters introducing the Charter and its practical implementation were followed by a section of some 200 pages in which Knopff (this was his work per the declared division of labour) systematically described the "dimensions" of Charter politics.[379] Knopff's efforts here were painstaking. Drawing at once on jurisprudential history, debates in legal theory, and his training in political philosophy, Knopff surely did justice to all the ways in which the Charter had introduced its own kind of politics in Canadian life. In the book's final section, expansive exegesis gave way to close inspection and case study, with focused chapters on particular Charter-political episodes or issues, including abortion (which was a notable preoccupation of Morton's), voting rights for prisoners, and representative government.[380] Rather than ending with a final chapter that would lay their cards on the table, the book concluded with a "note," authored by Morton, wondering about how the apparent centralization or nationalization of Canada under the auspices of the Charter looked in practice.[381]

Even if in between the lines it was rather clear that Knopff and Morton were major Charter skeptics, they retained a plausible deniability and could hardly be

[379] Knopff and Morton, *Charter Politics*, 63-257.
[380] Knopff and Morton, *Charter Politics,* 261-373. In the same year that *Charter Politics* appeared, 1992, Morton also published a book on abortion and the courts in Canada. See Ted Morton, *Morgentaler v. Borowski: Abortion, the Charter, and the Courts* (Toronto: McClelland and Stewart, 1992), also published as *Pro-Choice vs. Pro-Life: Abortion and the Courts in Canada* (Norman, OK and London: University of Oklahoma Press, 1992).
[381] Knopff and Morton, *Charter Politics*, 374-384.

faulted for overstepping scholarly bounds. Declaring that the Charter had judicialized politics and politicized the judiciary was not to say that such developments were lamentable or illegitimate. "Politicians with robes on can be defended as part of a system of explicitly *political* checks and balances, pitting different kinds of policy-makers against each other in a kind of moderating institutional tug of war," they argued.[382] The goodness or badness of policymaking judges was simply a question of available alternatives and best practices for addressing existing needs. So, even if they were worried about increasing the political power of the judiciary, especially if the judicial say was to be the final say, Knopff and Morton were unwilling to reject a political role for the judiciary absolutely.[383] As a result of their even-handedness, Knopff and Morton were praised, not least by Russell. Lending a laudatory "blurb" to his former students and recent collaborators, Russell was emphatic: "*Charter Politics* is easily the most penetrating and balanced analysis of the Charter's impact on our political system."[384]

By the time of their next major co-publication on the Charter, *Charter Revolution*, published in 2000, Russell's view of his former students' efforts was considerably less rosy. In a letter to Knopff and Morton indicating his thoughts about *Charter Revolution*, which will be discussed in the following chapter, Russell lamented the obvious politicization of Knopff and Morton's critique. In particular, he found

[382] Knopff and Morton, *Charter Politics*, 7. Emphasis in the original.
[383] Knopff and Morton, *Charter Politics*, 232-233.
[384] The blurb appears on the back cover of the edition cited here, the paperback published by Nelson in 1992.

that they had become much less balanced, subordinating the scholarly posture of *Charter Politics* to a mode of polemical and political agitation. Russell suggested that many would see the book as "the manifesto of the 'anti-court' party, closely aligned with the *National Post* and the Reform Party."[385] He did not think they had written the book for those political reasons, and hoped that in the future they would find different modes in which to state their positions. Russell, here, was perceptive, but his hopes were only that.

Beginning in the early-1990s, each of the Calgary Schoolers increasingly blurred the lines between scholarship and politics (or polemics). In many ways, they had met their moment. Over the course of their scholarly careers to that point, they had collectively established expertise and authority across a wide range of publicly and politically relevant subjects, whether they had taken an interest in those subjects for such reasons or not. Their divided labours positioned them to have wide influence, and also positioned them to recognize one another as possible collaborators. The scholarly development of Bercuson, Flanagan, Cooper, Knopff, and Morton contributed to the emergence of the Calgary School firstly in the sense that it established the authority on which they could be greeted as expert commentators on public affairs and secondly in the sense that their individual development as scholars happened to lay the groundwork for collaboration, which of course was a key function of the school's coalescence and coherence. At this stage,

[385] Letter from Peter H. Russell to Rainer Knopff and Ted Morton, 23 May 2000, B2017-0006, box 33, file 14, Peter H. Russell fonds, University of Toronto Archives, Toronto, Ontario, Canada.

the Calgary School was a group of scholars and friends sharing both an intellectual-ideological orientation to the world and interests that were either common or complementary. A school had emerged, and the timing was excellent.

Chapter III

Polemicists: Crisis and the Making of the Calgary School

When Jeffrey Simpson pointed his finger at the Calgary "mafia" in January 1992, he suggested that its members were linked by common positions on important questions of the day. That they were, and as the preceding chapters have shown, such agreement on issues was a function of more fundamental linkages. By the early 1990s, the Calgary Schoolers were collaborators and friends, brought together intellectually most of all by their shared suspicion of the intentional state. In that sense, the emergence of the Calgary School was a process taking place over decades previous. However, the fact that the Calgary School was noticed because of apparent partisan agreement on various issues is important, too, because it suggests how historical circumstances provided an opportunity. If, until the early 1990s, the school was an emergent one, during the 1990s the school was made. The time was right, and the facts of the school's shared ideological perspective, its division of scholarly labour, and the collective's burgeoning inclination toward collaboration, all began to have their consequence.

One of the only absolute claims in Flanagan's history of the Calgary School is his declaration about what motivated its members in this period. "The Calgary School started to make a more visible impact on Canadian politics in the 1990s," Flanagan wrote, and "they were all motivated by what Preston Manning used to call

the 'triple crisis' that Canada went through in the late 1980s and early 1990s."[386] Each Calgary Schooler, that is, entered the proverbial fray of the 1990s in order to address the constitutional, economic, and political crises in which they believed Canada to be entangled. In fact, of course, these crises were inescapably related, though heuristic separation is useful and, perhaps, necessary. In any case, the triple crisis inspired the Calgary School to move into the public fray. Scholars became polemicists.

By a constitutional crisis, Flanagan referred to the melee around negotiations related to both the Meech Lake Accord of 1987 and, later, the Charlottetown Accord of 1992. When it came to the constitutional crisis, the entire Calgary School became significantly involved in the public debate. Bercuson and Cooper especially, but Knopff and Morton, too, were critical commentators throughout the 1990s. The key publications by Knopff and Morton, and by Flanagan, were not published until 2000, however. Suggesting increasing coalescence around this time, the Calgary School addressed the constitutional crisis via two collaborative and extended polemics (while Flanagan worked on his own). Knopff and Morton, the best-positioned of the Calgary Schoolers to address the constitutional crisis on account of their training and their scholarly careers, indeed politicized and polemicized their critique of the Charter and its politics. Ostensibly less-expert authorities, Bercuson and Cooper nonetheless took an interest of their own in constitutional matters and likely became even better known on this front than their younger counterparts. If Knopff and

[386] Flanagan, "Legends," 26.

Morton were concerned most of all by the Charter, Bercuson and Cooper set their sights on Quebec. Flanagan addressed the ways in which constitutional and juridical developments were shaping settler-Indigenous relations.

Among the elements of the triple crisis, the constitutional was the most clearly defined. Attending political and economic crises were somewhat more capacious. The economic crisis, as Flanagan has described it, was characterized by "the accumulation of public debt due to uncontrolled federal deficit spending, accompanied by persistently high unemployment."[387] The former feature of the crisis was seen to be by far the most pressing; the Calgary School produced no important insights related to the economics of employment. On matters of public spending and revenue, however, the Calgary School was highly visible. Indeed, the fiscal politics of the Calgary School, without being particularly unique or at all original, were a perfect match for the 1990s when, emanating most of all from the United States, fiscal restraint became a kind of orthodoxy.[388] The Calgary School pushed and shaped the fiscal conservative position in Canada.

The political crisis, finally, was described by Flanagan with reference to a "loss of confidence in elected politicians, the disintegration of the Progressive Conservative Party of Canada, and the rise of new federal political parties," among

[387] Flanagan, "Legends," 26.
[388] Consider, for example, "Rubinomics," named for Robert Rubin, treasury secretary (1995-1999) in the Democratic administration of Bill Clinton, who is seen to have set the economic policymaking agenda for the United States in the 1990s. A doctrine of fiscal restraint, Rubinomics "emerged from a critique of federal budget deficits," as Jonathan Levy has straightforwardly put it. See Levy, *Ages of American Capitalism: A History of the United States* (New York: Random House, 2021), 654.

which he especially noted Reform and the Bloc Québécois.[389] The emphasis on party politics is apt, for if there was any particular development in Canadian political life with which the Calgary School was associated, it is the shake-up of the national conservative parties from the late-1980s through to the early-2000s. During that period, the rise of the Reform Party led to a schism, with Reform on one side and the Progressive Conservatives on the other. Finally, after much ado, the merger of Reform's successor party, the Canadian Alliance, with the Progressive Conservatives created the contemporary Conservative Party of Canada in 2003. The new Conservatives took power in 2006 and held it until 2015 under the leadership of Stephen Harper. Calgary School polemics formed an important background to these developments, and thanks largely to Flanagan the Calgary School was directly involved in these politics, as the following chapter will discuss. While the existing party landscape was fracturing along ideological and even emotional fault lines, the role of the Calgary School was to step into those fault lines and to contribute to the making of a new conservative landscape.

Ultimately, the Calgary School's polemical turn was based on a double recognition. First, the Calgary Schoolers recognized that they were well-positioned to move (further) into the muck and mire of the public discourse with scholarly authority adding weight to their commentaries. The triple crisis was a moment of opportunity. Second, they recognized that the polemical was the appropriate mode in which to make the most of this opportunity. Scholarship was no longer the principal

[389] Flanagan, "Legends," 26-27.

order of the day, and they were perfectly willing to switch modes accordingly. In making the mode switch, the Calgary School met its historical moment and made use of the leverage that moment offered.[390]

The Calgary School and the Constitutional Crisis

In the late-1980s and early-1990s, the constitutional crisis in Canada was acute, but not new. Indeed, none other than Peter Russell, in work inspired by a quip of Walter Berns, has used the term "constitutional odyssey" to describe the never-ending debate about Canada's Constitution, a debate in nearly continuous process since the eighteenth century.[391] For Russell, the key issue is the fact of constitutional legitimacy being derived from the popular consent of sovereign people, all the while it is unclear if Canadians are, ever have been, or ever could be such a sovereign people.[392] This conundrum is about as tricky as it sounds, with the result being that the constitutional history of the country has been exceedingly turbulent.

A contemporary phase in the turbulence was inaugurated in 1964 when federal justice minster Guy Favreau, along with his ten provincial counterparts,

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[390] It is here worth emphasizing the important distinction between meeting a historical moment and making one. The argument from the outset here has been that the Calgary School did the former, not the latter.

[391] Peter H. Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign People?*, 3rd ed., (Toronto: University of Toronto Press, 2004), ix. Russell wrote: "The underlying idea of this book was born twenty years ago when I was teaching a university course on the American and Canadian constitutions. I covered the Canadian material while a colleague, Walter Berns, presented the American side. We attended classes together, each listening to and commenting on the other's account of his country's constitutional experience. One day after I had been going on for some time about Canada's constitutional debate, Walter turned to me and said 'Peter, you Canadians have not yet constituted yourselves a people.' I have been brooding about Berns's remark ever since."

[392] Russell, *Odyssey*, 6.

developed a new formula for amending the constitution. "The Constitution was coming home," in Russell's words, but the homecoming was badly delayed after Quebec dropped its support for what was called the Fulton-Favreau formula.[393] Patriation did not come for eighteen more years. In those ensuing eighteen years, Canada played three rounds of its "mega-constitutional game" before the Constitution was patriated in 1982. But patriation by no means marked the end of the odyssey. "Round three was over, but a Canadian social contract had not been accomplished," in Russell's account, and it had arguably become "more difficult than ever for Canadians to constitute themselves a sovereign people."[394]

Another round of the constitutional crisis came not long after patriation. From the mid-1980s through the mid-1990s, the constitutional accords of Meech Lake and Charlottetown defined nearly a decade of yet more wrangling over the Constitution. In the process the Calgary School found its way into the public debate. With Meech Lake discussions, the central issues at stake were the status of Quebec and the rights of Indigenous peoples to self-government.[395] Later, with the Charlottetown Accord, those key issues remained, as Canadian constitutional politicking continued to take place as if on a treadmill, with immense effort leading to little or no forward progress.[396] After 1995, when a referendum on Quebec

[393] Russell, *Odyssey*, 72.
[394] Russell, *Odyssey*, 126.
[395] For Russell's account of Meech Lake see chapter 9 in *Odyssey*, "Round Four: Meech Lake," 127-153.
[396] For Russell's account of Charlottetown, see chapter 11 in *Odyssey*, "The Canada Round II: The Sovereign People Say No," 190-227.

secession was narrowly defeated in that province, things seemed to quiet down as Canada saw a "return to constitutional normalcy."[397] During all of these developments, though, so much was on the table. Indeed, the relentlessly finicky nature of the constitutional debates and the national crisis they fomented was a function of the fact that, in some sense, the country was at stake.

The Calgary School's first big splash in the waters of the constitutional crisis was made by Bercuson and Cooper with the publication, in 1991, of *Deconfederation: Canada Without Quebec.* The book was an end-to-end polemic which, in published form, was arguably toned down compared with what Bercuson and Cooper had initially proposed, at least at the level of the title. *Deconfederation* was pitched as *We'll Take Newfoundland: Why Quebec and Canada Must Go Their Separate Ways!* The exclamation point was theirs. In any case, the idea was clear. The book was to be a "short polemic, written for a general audience," making the case that the separation of Canada and Quebec was necessary and that, for a Canada without Quebec, it would be a good thing. Bercuson and Cooper wanted to show that "a post-Quebec Canada would be a genuine federal country, fully viable, politically integrated, democratic and economically prosperous."[398] At least for Bercuson, perhaps reflecting Cooper's influence, the argument was newly direct. As late as February 1990, Bercuson had published a column about Meech Lake in the *Calgary Herald* in

[397] Russell, *Odyssey*, 228.
[398] David Bercuson and Barry Cooper, book proposal for *We'll Take Newfoundland: Why Quebec and Canada Must Go Their Separate Ways!*, 98.027, box 18, folder 7, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

which he suggested that Canada was at a constitutional "crossroads" but gave only the subtlest hints as to what route he thought should be taken from those crossroads.[399] *Deconfederation* was anything but subtle.

In the book, Cooper and Bercuson announced themselves as collaborators from very different backgrounds. Cooper, establishing his dual authority, was a "fourth-generation Albertan" and a political philosopher concerned especially with the fate of liberal democracy.[400] "Bercuson was born and raised in Anglophone Montreal," and apparently not interested in establishing scholarly bona fides, though the back cover made sure to note that he was "one of Canada's leading historians."[401] Each came to the conclusion that Quebec had to go, but via opposite trajectories. Cooper was a westerner who had spent time in Quebec and Ontario, whereas Bercuson had "trekked west" in 1970. Come 1991, both "were prepared to advocate the total separation of Quebec from Canada." They pre-empted certain criticisms—"we will be attacked in many quarters as 'red-necked' Albertans trying to wipe

[399] David Bercuson, "Meech Lake aimed to end activism," *Calgary Herald*, 10 February 1990. Copy accessed in 99.037, box 40, folder 9, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. To be sure, only a month later, Bercuson used the same column space to presage he and Cooper's advocacy for a national "divorce" in *Deconfederation* by describing a "loveless marriage" between Canada and Quebec. See David Bercuson, "Quebec, Canada in loveless marriage," *Calgary Herald*, 14 March 1990. Copy accessed in 99.037, box 40, folder 9, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[400] A review of the book by Jack McLeod, a political scientist from the University of Toronto, mistakenly identified Cooper as a "transplanted anglophone Quebecer." Cooper wrote to McLeod to protest "an insult to [sic] abrupt to ignore." In an apparent mix of jest and genuine outrage, Cooper said further that "If I could find a second, he would call upon you on the morrow, and we would meet upon the field of honour, say just to the west of Hart House." Cooper continued by clarifying, finally: "Bercuson, of course, had the misfortune of being born and raised in Montreal, but he has redeemed himself by moving." Letter from Barry Cooper to Jack McLeod, 21 January 1992, 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[401] The preface makes no mention of the fact that Bercuson was a historian.

French off our cereal boxes"—and declared their regret over the failure of Confederation. Regrettably or not, as they concluded their opening salvo, relations of French and English Canadians were a dance with the devil for which the music had to end: "Someone must shoot the piano player. If our readers choose to shoot us in return, so be it."[402]

Bercuson and Cooper began *Deconfederation* by establishing a clash of incompatible principles. As believers in liberal democracy, they found themselves at odds with a Quebec nationalism that was, in their eyes, neither liberal nor democratic. Instead, Quebec nationalism ran along ethnic and cultural lines and in so doing it actively threatened liberal democracy in Canada. For Bercuson and Cooper, liberal democratic values consisted principally of personal freedoms, limited government, legal equality, and the consent of the governed. Quebec nationalism, on the other hand, was defined by demands for ethnic self-determination, linguistic identification, an emphasis on French colonial heritage, and an "uneasy coexistence of individual and collective aspirations."[403] Given this clash of principles, it was no wonder that efforts at the constitutional accommodation of Quebec had repeatedly failed, and failed spectacularly in the most proximate case of the "Meech Lake fiasco."[404] Ultimately, the argument of *Deconfederation* boiled down to this: Quebec nationalism imperiled Canadian liberal democracy; Quebec nationalism would

[402] Bercuson and Cooper, *Deconfederation*, viii-ix.
[403] Bercuson and Cooper, *Deconfederation*, 4-9. Quotation on page 9.
[404] Bercuson and Cooper, *Deconfederation*, 11.

always exist so long as Quebec was part of Canada; thus, Quebec and Canada must separate.[405]

The argument was straightforward, but apparently finding the polemical mode rather permissive Bercuson and Cooper proceeded through a general airing of grievances about the state Canada was in as of the early 1990s, including a historical account of the "two Canadas," French and English, a close look at Meech lake debacle, a description of what separation would look like, and a final chapter imagining what Canada might be like if Quebec were no longer a part of it. In the first instance, among other things, Bercuson and Cooper lamented developments from the Oka Crisis—"the Mohawks went on the warpath in defence of some contested real estate and in protest against police attempts to curb their illegal activities along the Canada-U.S. border"—to the rise of "perverse Keynesianism" as the orthodox mode of fiscal policymaking.[406] The point was that the constitutional crisis was not, and could not be, contained. Instead, repeated attempts to solve Canada's constitutional problems hindered the country's ability to effectively manage many other problems. "Vicious circle or prisoner's dilemma, we are in a splendid mess," they declared.[407]

[405] Bercuson and Cooper, *Deconfederation*, 16.
[406] On the Oka Crisis, see Isabelle St. Amand, *Stories of Oka: Land, Film, and Literature* (Winnipeg: University of Manitoba Press, 2018). First quotation in Bercuson and Cooper, *Deconfederation*, 21. Discussion of Keynesianism in Bercuson and Cooper, *Deconfederation*, 39-43, the phrase "perverse Keynesianism" is on page 42.
[407] Bercuson and Cooper, *Deconfederation*, 66.

The splendid mess was long in the making. They began their account of the two Canadas with the initial European efforts at settling North America before bringing it up to Quebec's Quiet Revolution and beyond, ultimately to Meech Lake.[408] When it came to Meech Lake, the real purpose of the preceding historical account in the book came into view as Bercuson and Cooper denounced the accord, which would have "created two classes of Canadians" on behalf of a series of historical fictions:[409]

> (1) the Mowat-Mercier fantasy that Canada was created by the provinces; (2) Henri Bourassa's fiction that Canada was a compact of two founding language groups; (3) Maurice Duplessis's corollary that Ottawa and Quebec were co-equal, each the government of one of Canada's major linguistic groups; and (4) the demand made by former Quebec premiers Jean Lesage (1960-66) and Daniel Johnson (1966-68) that Quebec had (or ought to have) a legal and constitutional special status in Confederation.[410]

Thus the Meech Lake Accord, which "would have been the penultimate blow to Canada as a nation," was not just misguided but also flimsy, even false.[411]

With Meech Lake, "Canada as we know it had started to come to an end," but of course it had not finished coming to an end because the accord was never to be fully ratified.[412] So, with the country having avoided its demise, Bercuson and Cooper concluded the book by imagining a different conclusion to Canada "as we know it."

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[408] On the Quiet Revolution, see among many studies Michael Gauvreau, *The Catholic Origins of Quebec's Quiet Revolution, 1931-1970* (Montreal & Kingston: McGill-Queen's University Press, 2008).
[409] Bercuson and Cooper, *Deconfederation*, 100.
[410] Bercuson and Cooper, *Deconfederation*, 101. Honoré Mercier was the Premier of Quebec from 1887-1891, and Oliver Mowat was Premier of Ontario from 1872-1896. Henri Bourassa was active in Quebec provincial politics and in Canadian national politics for an extended period from the 1890s into the twentieth century. Maurice Duplessis was the (infamously authoritarian) Premier of Quebec from 1936-1939 and again from 1944-1959.
[411] Bercuson and Cooper, *Deconfederation*, 100.
[412] Bercuson and Cooper, *Deconfederation*, 130.

Here, they chose the metaphor of a divorce. "We want a successful divorce, a quiet but final separation with no strings attached and all the loose ends tied up," they wrote, claiming that a quick and easy separation was much preferable to some bleak alternatives that included "armed conflict."[413] The order of operations was potentially quite simple. The National Assembly in Quebec would announce its sovereign authority as the government of a new state of Quebec, Canada would recognize this move, and any remaining issues would be sorted out in a third step, negotiations.[414] If all went according to Bercuson and Cooper's imaginings, Quebec would have been "a small country and not a large province," and Canada without Quebec would have had a "magnificent opportunity" to reform its own political system.[415] This, evidently, involved a softening of Bercuson's forecast for Quebec; earlier in March 1991 he had announced that "the untold truth is that secession for Quebec is a steerage class ticket on the SS Titanic."[416]

The idea of Canada without Quebec was also a magnificent opportunity for Bercuson and Cooper to impose their preferences on such a hypothetical scenario, which is precisely what they did in the final chapter of *Deconfederation*. Here, an effort was made to avoid the appearance of mere wishful thinking. "There are plenty of

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[413] Bercuson and Cooper, *Deconfederation*, 135.
[414] Bercuson and Cooper, *Deconfederation*, 144. Bercuson and Cooper surely minimized this "third step," which would have been massively contested. In their rendering, it was presented as obvious that a separate Quebec's boundaries would have had to be reduced to what they were in the era of colonial New France. See *Deconfederation*, 147-157.
[415] Bercuson and Cooper, *Deconfederation*, 157, 159.
[416] David Bercuson, "Secession sure disaster for Quebec," *Calgary Herald*, 24 March 1991. Copy accessed in 99.037, box 40, folder 9, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

policy options that we would advocate," they noted, options including the end of equalization payments, the reduction of the purview of the central bank, and limiting the acceptable uses of a general sales tax.[417] But these options were not dwelled upon. Instead, Bercuson and Cooper returned to where they started in the book, with a discussion of principles. The key principles in post-divorce Canada would be for Canadians, finally, to declare as a sovereign people the indissolubility of their union, to constitutionally enshrine the free market, and, finally, two related points: an insistence on the bedrock importance of individual rights and, on the other hand, the anathema of collective ones.[418] With the exception of Indigenous peoples, for whom they "would, in fact, advocate working towards local self-government," all collective rights would have to go, meaning an end to official bilingualism, of course, an end to official multiculturalism, and an end to state-funded religious education.[419] After divorce, they hoped in sum, Canada might have a much easier time functioning as an un-intentional state.

In this way, it was quite appropriate that *Deconfederation* was arguably the first publication to put the Calgary School on the map which, indeed, it did. As Bercuson and Cooper anticipated—"if our readers choose to shoot us…so be it"—the book was greeted as the blatant polemic that it was. Cooper himself kept a log of reviews, including brief notes on each review, which ran to a total of 67. Typically, outlets of

[417] Bercuson and Cooper, *Deconfederation*, 163.
[418] They also went on at length about the virtues of Senate reform, in a somewhat strange and extended passage that would not have been out of place in a Reform Party mailer from around the same time.
[419] Bercuson and Cooper, *Deconfederation*, 163-170.

the right were favourable in their takes on the book, other outlets much less so. In the *Alberta Report*, unsurprisingly, Cooper clocked a "reliable summary" and also an analysis of the "vituperative" criticism that the book received. In the *Calgary Sun*, much the same, there was a defence of the book that proceeded by way of "criticizing the stupid reviews." In his notes on the critical reviews, Cooper tended to single out phrases. In the *Montreal Gazette*, he noted, *Deconfederation* was described as an "irresponsible monstrosity." In the *Toronto Star*, Cooper noticed that the reviewer thought that their "naivete is positively breathtaking."[420] Academic reviews were scathing, too. In the *Journal of Canadian Studies* Cooper and Bercuson were accused of "historical revisionism on a grand scale" and in *Publius* a reviewer found that, "These arguments are so weak that one cannot help but wonder if the authors themselves take them seriously."[421]

So, while there were, of course, positive reviews, the general tenor was exceedingly critical, especially in the better-known national outlets. In *Maclean's*, for example, the columnist Allan Fotheringham offered a relentless pan. "We can take most anything but this," he wrote of the book, lamenting that Bercuson and Cooper were academics peddling politics. "Gag us with a spoon," he asked on behalf of the country, "A national spoon." In *Deconfederation*, going on, Fotheringham detected

[420] Log of reviews of *Deconfederation,* 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[421] Josée Legault, "Why Blame Quebec?," review of Bercuson and Cooper, *Deconfederation*, *Journal of Canadian Studies* vol. 26 no. 3 (Fall 1991): 169; Richard Myers, review of Bercuson and Cooper, *Deconfederation*, *Publius* vol. 22 no. 2 (Spring 1992): 145. Copies of each review appear in 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

"two misguided souls in search of the spotlight," "boy professors" prone to "lego-set reasoning," and "beer-parlor logic dressed up in academic robes." Signing off, he rued, "We feel sorry not just for Canada, but for academe."[422] And if Fotheringham's pan was uniquely flamboyant, it was otherwise hardly alone, as the book was elsewhere dubbed "half-baked" and "mean-spirited."[423] Being about as negative as Fotheringham, but in a far-bleaker tone, Jacques Renaud concluded in the *Montreal Gazette*, as Cooper had taken partial note, that *Deconfederation* was an "apartheid-inspired book" and "a recipe for resentment, maybe civil war or exported retaliatory terrorism, to be added to a growing collection of similar irresponsible monstrosities."[424]

Cooper admitted in a letter to a fellow political scientist at York University that the "entire experience" of the book's reception was "quite bizarre," which it surely was for two authors not yet all that accustomed to being in the public eye or the public ire.[425] But bizarre or not, the furor over *Deconfederation* was indicative of things having gone about according to plan, in two important ways. First, to the extent that the reception took special note of Bercuson and Cooper's politics, it took

[422] Allan Fotheringham, "At least Presto! has an excuse," *Maclean's Magazine* vol. 104 no. 32 (12 August 1991): 44.
[423] Norman Webster, "Long way to go: Mean-spirited book lacks a vision of Canada," *Montreal Gazette*, 12 August 1991; John Dafoe, "Bon-voyage to a half-baked blueprint for Deconfederation," *The Globe and Mail*, 17 August 1991. Copies of each review appear in 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[424] Jacques Renaud, "Sombre joke: Vision of Canada looks like apartheid," *Montreal Gazette*, 10 August 1991. Copy of review appears in 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[425] Letter from Barry Cooper to Paul Roazen, 21 January 1992, 98.027, box 19, folder 3, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

note of what was precisely the point of the exercise. Indeed, in a talk about the book after its publication, Bercuson made clear that the dual purpose of the book was to "alert people to what the crisis is all about (as we see it)," and to "nail our own political colours to the mast, or to the church door if you prefer." Moreover, Bercuson was entirely open that the book was "not a reflective, carefully researched, academic tome."[426] In that sense, while at times it would have been impossible not to regret the often vociferous critical opposition to their work, that opposition was only ever misguided on narrower points of analysis, if it was misguided at all. The book was approached over and again as the manifesto that it was.

Second, *Deconfederation*'s reception suggested just how ripe the times were, or just how useful the national climate of the early 1990s was, for thrusting these heretofore academic figures into the public spotlight. By 1991, the constitutional crisis had been simmering for nigh three decades, boiling since Meech Lake, and the issue of Quebec's status in Confederation somehow continued to seem intractable. In suggesting that, rather than carefully untying so many constitutional knots, the rope simply be set ablaze, Bercuson and Cooper could hardly have expected anything but a wide and noisy reception, even if they found the experience bizarre. In fact, Bercuson's contemporary, historian Michael Bliss, announced in July 1991 that Bercuson and Cooper were part of a "Canadian separatist movement," furnishing

[426] "Deconfederation: Canada Without Quebec," talk by David Bercuson, undated, 99.037, box 18, folder 6, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

some of that movement's "intellectual credentials."[427] Only gently threatening overstatement, it could be said that the constitutional crisis, and their entry into it, transformed Bercuson and Cooper overnight from accomplished academics to movement men. The polemical mode made it possible.

Evidently undaunted, Bercuson and Cooper extended their efforts as the constitutional crisis continued to unfurl. Throughout 1992, Bercuson hammered away at the point that any special status for Quebec would "mark the end of Canada as we know it" and that Meech Lake had not produced any salutary effects. When the Charlottetown Accord entered the picture in the summer and fall of 1992, Bercuson dutifully sounded the alarm, and he continued to publish columns lamenting the constitutional state of Canada into 1993.[428] In 1994, Bercuson and Cooper began to co-publish a column in the *Calgary Sun* called "The Write Stuff." There, amidst articles on a range of topics from gun control—"guns don't kill people; people kill people"—to Marxism—"Lefty intellectualoids have nowhere to hide"—they kept their eyes on Quebec and the Constitution.[429]

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[427] Michael Bliss, "Divide and Rue," *Report on Business Magazine* (July 1991): 37. Copy in 98.027, box 19, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. Bliss and Bercuson were in graduate school with one another at the University of Toronto in the 1960s. See E.A. Heaman, "Introduction: Michael Bliss and the Delicate Balance of Individual and Society," in E.A. Heaman, Alison Li, and Shelley McKellar, eds., *Essays in Honour of Michael Bliss: Figuring the Social* (Toronto: University of Toronto Press, 2008), 17.

[428] For copies of Bercuson's *Calgary Herald* columns in the early-1990s, see 99.037, box 40, folders 9 and 10, as well as box 41, folders 1-4, in Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. The quotation here about the "end of Canada as we know it" is from David Bercuson, "Salad bar federalism just won't work," *Calgary Herald*, 23 January 1992. Copy accessed in 99.037, box 41, folder 1.

[429] Draft copies of these columns can be accessed in 99.037, box 41, folders 7 and 8, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotations here are from these draft columns.

In 1995 as Quebecers voted, for the second time, on a referendum that, had it passed, could have seen the province declare its sovereignty and a national status of its own, Bercuson and Cooper were sure to be eager commenters. In March 1995, they suggested that "misguided moral outrage is surely the last refuge of a Quebec nationalist." In October, the month of the referendum, they ratcheted up their rhetoric, lambasting "the fraud [Quebec Premier Jacques] Parizeau is trying to perpetrate with his weasel question." The day after the referendum narrowly failed, fearing another round of constitutional tumult, they averred, using a metaphor of Quebec-as-dog-trainer, that thanks to a "good sharp correction on our choke chain" Quebec had once again positioned itself "at the top of the national agenda." Perhaps they overidentified their own polemical agenda with the national one. In any case, they wrote in November 1995, when the next constitutional round "really gets going, the baloney will be sliced as thick as it was during Meech, Charlottetown, and the latest Quebec Neverendum."[430] It is somewhat difficult not to imagine Bercuson and Cooper, having made their public names on this issue, salivating at the prospect. The polemical collaboration of Bercuson and Cooper, inaugurated by the constitutional crisis as it unfolded from the late-1980s into the mid-1990s, launched them both into positions of public influence.

During the 1980s, it would have seemed unlikely that among the future Calgary Schoolers it would be Bercuson and Cooper who would rise in notoriety on

[430] All quotations are from draft columns in 99.037, box 41, folders 7 and 8, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

account of their constitutional critique. In a very real sense, Bercuson and Cooper were mere dilettantes in an arena where their junior colleagues, Knopff and Morton, were established experts. But while the early-1990s saw Bercuson and Cooper appear in the national spotlight after the 1991 publication of *Deconfederation*, Knopff and Morton published *Charter Politics* in 1992, still very much, as the previous chapter showed, a text in the scholarly mode, even if there was plenty of space for reading between the lines. Knopff and Morton were not content to leave their critique where it was in 1992, however. And indeed the direction in which they would ultimately go suggests that during the 1990s influence did not just flow outward from the Calgary School but back and forth between the Calgary Schoolers themselves.

If Bercuson and Cooper took the polemical turn by dropping pre-established scholarly interests in order to comment on matters of more immediate relevance, Knopff and Morton took the turn via a polemicization of their scholarship. Thus, while Knopff and Morton were not uninterested in Quebec—readers of *The Globe and Mail* in 1996 could have found Morton insisting that in Canada, "Of course, the separatists are the real enemy"; Morton also filled in eagerly for an ill Cooper in a public debate about Quebec with the philosopher Charles Taylor; and Knopff had been interested in Quebec since graduate school—it was not Quebec but the Charter, Knopff and Morton's longstanding constitutional bugaboo, that would provide the principal fodder for their move into the polemical mode.[431]

[431] Ted Morton, "Jean Chrétien is playing constitutional 'chicken,'" *The Globe and Mail*, 6 February 1996, A21; Transcript of debate between Charles Taylor and Ted Morton, 23 January 1996, 98.122,

Eight years after the appearance of *Charter Politics*, the 2000 publication of *The Charter Revolution and the Court Party* would finally bring Knopff and Morton's Charter critique into the explicit, political open. Tellingly, on this occasion there was no cover blurb from their supervisor and collaborator Peter Russell, who had so praised their scholarly acuity and balance in *Charter Politics*. For all of Russell's involvement and influence on Knopff and Morton's Charter scholarship as it developed, the book was dedicated instead to Walter Berns.[432] Indeed, the book's preface took care to name and thank a small handful of colleagues and a larger handful of graduate students, while making no mention of Russell whatever.[433] *Charter Revolution*, which saw Morton take first-author status, was half the length of *Charter Politics* and perhaps twice as argumentatively emphatic.[434]

Charter Revolution, on one hand, made an overarching argument still very similar to the one that Knopff and Morton had been making for a long time. The word "revolution" was the main addition, though it did not necessarily do much to modify previous phrasing about the transformational effect of the Charter. The foundational argument about the judicialization of politics remained, but now Knopff and Morton were insistent that there was blame to be distributed. The Charter revolution had been *made*. "Judges themselves are the most prominent

box 6, folder 1, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada; on Knopff's graduate school studies of Quebec, see chapter 1.

[432] Morton and Knopff, *Charter Revolution*, front matter.

[433] Russell is indeed cited in the book. The point here is not to hint at a falling out but to highlight the ways in which Knopff and Morton's critique of the Charter developed.

[434] "In the course of describing and analyzing them, we have made no attempt to hide our opposition to both the Charter Revolution and the Court Party." See Morton and Knopff, *Charter Revolution*, 149.

leaders of the Charter revolution," they declared, "but judges did not—could not—make the Charter revolution alone." Instead, a coalition of interest groups, all committed to the enhancement of judicial authority, co-conspired to extend the political power of the Charter and its interpreters. Morton and Knopff called this coalition the "Court Party."[435] The point was clearly made.

Knopff and Morton rendered a hierarchy in their accounting of the Charter revolution. The Charter itself, of course, was a necessary component of these developments, but "judicial interpreters" were even more important, and more important than the interpreters was the key engine of the Charter revolution, the Court Party.[436] As partisans of the Charter revolution, the constitutive groups of the Court Party—"national unity advocates, civil libertarians, equality-seekers, social engineers, and postmaterialists"—were responsible for providing "the political buoyancy that gave life and energy to the Charter, lifting it out of the statute books and making it a new force in Canadian politics."[437] Why did they provide this energy? For Knopff and Morton, the Court Party was self-interested, inclined to the enhancement of its own power and the achievement of its own, often narrow, ends. Their account of "social engineers," for example, renders such engineers as the enablers of a vanguard judiciary, compared explicitly with Lenin's proletarian vanguard, side-stepping democratic procedure in the hopes of re-making society in

[435] Morton and Knopff, *Charter Revolution*, 9.
[436] Morton and Knopff, *Charter Revolution*, 21.
[437] Morton and Knopff, *Charter Revolution*, 59.

their vision.[438] For Knopff and Morton, the rise of the Court Party represented the ascendance of "a new and powerful knowledge class…with an ambitious agenda for social reform."[439] The Court Party empowered an intentional state and enabled those who would use such a state to pursue their own interests.

Knopff and Morton opposed the Charter revolution principally because they found it profoundly undemocratic, not just in the sense that it could be anti-majoritarian but, less obviously and more importantly, in that it contributed to an erosion of democratic "habits and temperament." Putting the point in positive terms, they were blunt: "The kind of courtroom politics promoted by the Court Party, in short, is authoritarian, not just in process, but more dangerously, in spirit."[440] As a result, Knopff and Morton worried over the ability of Canadians to continue living together as a "single" and "sovereign" people. The Charter had not so much led to the acknowledgement and protection of fundamental rights but instead to a culture of rights claiming that was "driven by the need to infuse a policy claim with higher, indeed ultimate, moral status."[441] Rights "inflation" was a corollary. Admitting they had chosen a trivial example, they built the point in part by citing a case in which "the Charter allowed an environmental activist to claim a fundamental right to grow weeds" in violation of existing bylaws.[442] The example was trivial but instructive, because it showed how rights claims enabled by the Charter could interfere with

[438] Morton and Knopff, *Charter Revolution*, 74-77.
[439] Morton and Knopff, *Charter Revolution*, 86.
[440] Morton and Knopff, *Charter Revolution,* 149.
[441] Morton and Knopff, *Charter Revolution*, 155.
[442] Morton and Knopff, *Charter Revolution,* 156.

legislative policy-making, and do so permanently. "Victory in a courtroom rights battle carries the implication of permanence," they noted.[443] So the Charter revolution enacted a clash of "majoritarian compromise policies with the intensely held policy preferences of minorities" and, to the chagrin of Knopff and Morton, the minority side was winning.[444]

In their critique of the Charter, Knopff and Morton had been following through, with immense thoroughness, on a prediction that Russell had made as early as 1982 that the Charter would "judicialize politics" in Canada.[445] And yet, even if their major scholarly achievement had served in some measure to prove Russell correct, Russell himself was troubled by the place to which they had taken their programme with *Charter Revolution*. In a letter that he wrote to Knopff and Morton from Sydney, on 23 May 2000, Russell worried that they had overstated their case. Moreover, he found that their tone was "so angry, so thoroughly pissed off," that the qualities of democratic debate to which they were ostensibly so committed had not been "always emulated by yourselves."

Intermittently hedging politely and being entirely blunt, Russell proceeded to a near-comprehensive critique of *Charter Revolution*. Russell thought that Knopff and Morton had been unfair to federal lawyers, "snide" in their presentation of those

[443] Morton and Knopff, *Charter Revolution*, 160.
[444] Morton and Knopff, *Charter Revolution*, 166.
[445] See Peter H. Russell, "The Effect of a Charter of Rights on the Policy-Making Role of Canadian Courts," *Canadian Public Administration* vol. 25 no. 1 (1982): 1-33. Quotation of the actual phrase—"judicialize politics —is here taken from Peter H. Russell, "The Political Purposes of the Canadian Charter of Rights and Freedoms," *The Canadian Bar Review* vol. 61 no. 1 (March, 1983), 51.

lawyers' approach. He also found them far too negative, which is to say too shy about indicating what would have been their own positive proposal for a method of Charter interpretation. Unclear on how Knopff and Morton viewed Section 15 of the Charter—the section on equality rights—Russell thought they came across as "smart-assed." On more fundamental matters of philosophy, Russell was puzzled, too. "Some of it made sense—but sometimes you left me cold," he wrote. Russell was especially troubled by Knopff and Morton's take on "social engineers" and their "worship of the competitive market as the main alternative to 'social engineering.'" Russell wondered why he, as someone who "wanted more old-fashioned equality than our North American society is now providing," had to be lumped in with "some rather vicious and foolish social engineers." Pretty well across the board, Russell was put off.[446]

Was all this just a matter of political difference? Signing off, Russell suggested that many would see the book as "the manifesto of the 'anti-court' party, closely aligned with the *National Post* and the Reform Party."[447] He did not think they had written the book for those political reasons, and he hoped that in the future they would be able to state their positions more positively. Russell's thinking here was probably wishful. The lack of introductory acknowledgement for Russell on the part of Knopff and Morton in this case, no matter how considered it was, surely indicated

[446] Letter from Peter H. Russell to Rainer Knopff and Ted Morton, 23 May 2000, B2017-0006, box 33, file 14, Peter H. Russell fonds, University of Toronto Archives, Toronto, Ontario, Canada.
[447] Letter from Peter H. Russell to Rainer Knopff and Ted Morton, 23 May 2000, B2017-0006, box 33, file 14, Peter H. Russell fonds, University of Toronto Archives, Toronto, Ontario, Canada.

that they had tired of mere scholarship and had taken their project around the polemical turn. Where Bercuson and Cooper had entered the fray on Quebec to put their political views on full display, Knopff and Morton had now used their critique of the Charter to do the same.

While *Charter Revolution* was thus in some ways a very similar exercise to the one in which Bercuson and Cooper had engaged, its public reception was neither quite so widespread nor quite so heated. If *Deconfederation* was the collaboration of an expert in continental European theory and a historian of labour and war, coming together to draft a polemic on an only loosely related issue, *Charter Revolution* was written by subject experts and it was recognized as such, being reviewed less publicly and more academically, even though it had clearly crossed the boundary between scholarship and polemic. It was also, of course, a less urgent publication, in the sense that it did not necessarily have to do with a looming, transformational event. Knopff and Morton had their influence, to be sure, but they never rivalled the public notoriety that Bercuson and Cooper had acquired previously. According to one observer, however, they did play "leading roles in diversifying the discipline of judicial politics."[448]

In the principally academic response to Knopff and Morton's plainly polemical work, one extended debate stands out and helps to clarify what exactly was

[448] Charlie Buck, "Canadian conservatism's judicial revolution is only gaining strength," *The Hub*, 30 April 2024, https://thehub.ca/2024-04-30/charlie-buck-conservatisms-judicial-revolution-is-only-growing-stronger/

at stake in the polemicization of the Charter critique. In a lengthy critique of *Charter Revolution*, political scientist Miriam Smith argued that "Morton and Knopff's examination of the courts and the Charter is mired in a series of fundamental problems."[449] The first of these problems, for Smith, was that the book was grounded in moral categories, or assessments of "good and bad" based on political preference. This was exactly right. It was what Russell himself had worried over in his private letter to Knopff and Morton. Smith took the case further, arguing that:

> By ignoring structured social relations, Morton and Knopff manage to make feminists and other representatives of traditionally disadvantaged groups in Canadian society look as if they are tremendously powerful because of their court victories. In ignoring the imbalance of social, economic and political power between men and women, whites and non-whites, Aboriginal peoples and Euro-Canadians, heterosexuals and homosexuals in our society, they create a ''world turned upside down,'' in the words of the British historian Christopher Hill, in which the last become first and the first are last.[450]

Here, Smith crystallized the point of *Charter Revolution* without, perhaps, naming it. The point was to take the critique of the intentional state to which Knopff and Morton, along with their Calgary School fellows, were committed, and to deploy it against the Charter and the revolution it had supposedly inaugurated. Smith's suggestion, that perhaps Knopff and Morton could have paid more attention to empirical realities of Canadian society, would have been anathema to them because intentionally attempting to address such realities was precisely the mistake that, in their view, the Court Party and its enablers routinely made. In a reply to Smith,

[449] Miriam Smith, "Ghosts of the Judicial Committee of the Privy Council: Group Politics and Charter Litigation in Canadian Political Science," *Canadian Journal of Political Science* vol. 35 no. 1 (March 2002): 8.
[450] Smith, "Ghosts," 13-14.

notably shy about owning the ideological agenda of *Charter Revolution*, Knopff and Morton accused her of having straw-manned their arguments.[451] Following up, Smith further accused them of practicing "partisanship as political science."[452]

With *Charter Revolution* Knopff and Morton wanted to have their polemic and eat it, too. On the one hand, as Russell and Smith alike recognized, they had abandoned their earlier efforts to maintain plausible deniability with regard to their ideological judgements about "Charterland." And yet, they also wanted to continue to claim scholarly authority and a certain related objectivity. In this way, they differed from their older colleagues, Bercuson and Cooper, who had taken the polemical plunge with utter abandon. But the apparent differences in the Calgary School's two major interventions in the constitutional crisis, *Deconfederation* and *Charter Revolution*, actually show how the move from the scholarly to the polemical mode could be made in different ways according to context and desired outcome.

Like *Charter Revolution*, Flanagan's *First Nations? Second Thoughts* represented a polemicization of prior scholarship when it was published in 2000.[453] The instigating events here were the constitutional accords and the questions of Indigenous self-government that they posed (although Flanagan would take his critique beyond

[451] Rainer Knopff and Ted Morton, "Ghosts and Straw Men: A Comment on Miriam Smith's 'Ghosts of the Judicial Committee of the Privy Council,'" *Canadian Journal of Political Science* vol. 35 no. 2 (March 2002): 31-42.
[452] Miriam Smith, "Partisanship as Political Science: A Reply to Rainer Knopff and F.L. Morton," *Canadian Journal of Political Science* vol. 35 no. 2 (March 2002): 43-48.
[453] The following section on Flanagan's *First Nations? Second Thoughts* is the third and final section of this dissertation that features recapitulation and reproduction of arguments and expositions that I have made previously in "Settler-Neoliberalism."

strictly constitutional matters), along with a related series of high-profile court cases regarding Indigenous land claims in British Columbia. Gitxsan and Wet'suwet'en peoples had claimed an area of almost 60,000 square kilometres in the northwestern part of the province, claims which were in the courts for more than a decade before *Delgamuukw v British Columbia* was decided by the Supreme Court in 1997. *Delgamuukw* affirmed ancestral rights of Aboriginal title and rejected provincial authority to extinguish that title. The purpose of the negotiations in the case, as Flanagan quoted from the opinion of Chief Justice Antonio Lamer, was "the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown." Flanagan called the *Delgamuukw* decision "perhaps the most favourable ever rendered to Indian litigants."[454] In this maelstrom of events, academics on the right, Flanagan among and probably predominant among them, were active critics.[455]

When it was published in 2000, *First Nations? Second Thoughts* brought Flanagan's interests in Canadian politics together with his interests in the history of Indigenous peoples, marking a definitive statement of his settler-neoliberalism. Written most directly in response to the Report of the Royal Commission on

[454] Flanagan, *First Nations? Second Thoughts*, 63.
[455] For some related critiques, see, *inter alia*: Roger Gibbins, "Citizenship, Political and Intergovernmental Problems with Indian Self-Government" in Rick Ponting, ed., *Arduous Journey: Canadian Indians and Decolonization* (Toronto: McClelland and Stewart, 1986); Thomas J. Courchene, "How about giving natives a province of their own?," *The Globe and Mail*, 18 October 1990, A25; Menno Boldt, *Surviving as Indians: The Challenge of Self-Government* (Toronto: University of Toronto Press, 1993); Melvin Smith, *Our Home or Native Land?: What Governments' Aboriginal Policy is Doing to Canada* (Victoria: Crown Western, 1995); Helmar Drost, Brian Lee Crowley, and Richard Schwindt, *Market Solutions for Native Poverty: Social Policy for the Third Solitude* (Toronto: C.D. Howe Institute, 1995). Crowley's entry in the preceding is particularly noteworthy here for its resonances with Flanagan's work. In a discussion of property and governance it cites both Hayek and another Flanagan favourite, John Locke. It also cites John Hallowell, Flanagan's supervisor at Duke.

Aboriginal Peoples (RCAP) of 1996, which Flanagan took to be emblematic of a regrettable "aboriginal orthodoxy" in Canada, the book constituted a synthetic treatment of key issues in Indigenous-settler relations and general attitudes towards those relations, including history, sovereignty, nationhood, treaties, governance, and property. The topical expansiveness of the book reflected Flanagan's perceptions of the far-reaching effects of the so-called orthodoxy, which for him constituted a broad consensus synthesizing ideas from "historical revisionism, critical legal studies, and the aboriginal political activism of the last thirty years."[456] He specifically identified eight key points of the orthodoxy, and his objections. To the idea that Indigenous peoples possessed certain rights on account of their status as first inhabitants of the land, Flangan objected and argued that European settlers were just a later immigrant wave and that "to differentiate the rights of earlier and later immigrants is a form of racism." To the idea that settlers and Indigenous peoples were cultural equals, he objected that Europeans were "several thousand years more advanced." To the idea that Indigenous peoples could successfully self-govern, he insisted that "in practice, aboriginal government produces wasteful, destructive, familistic factionalism."[457] Most of all with the assistance of Hayek, Flanagan sought to show the error of contemporary thinking about Indigenous peoples and their relations to Canadian institutions.

[456] Flanagan, *First Nations? Second Thoughts*, 4.
[457] Flanagan, *First Nations? Second Thoughts*, 6-7. I have here mentioned 3 of Flanagan's 8 orthodox tenets in order to "make the point." For the full list, see *First Nations? Second Thoughts*, 6-8.

Flanagan's Hayekian perspective was announced at the outset.[458] Indeed, the first chapter of *First Nations? Second Thoughts* contains what might be the most straightforward articulation of Flanagan's intellectual and philosophical outlook. In four extended bullet points and a brief reflection, Flanagan explained his core belief that society constitutes a spontaneous order along with key attendant points: the rule-making role of government, the importance of free association, the supremacy of representative governance, the unmatched efficacy of markets, and the fact of observable social progress over time: "threads of progress are visible in the fabric of civilization," he claimed.[459] In partial humility, he referred to these as beliefs which, however carefully they might have been weighed against evidence, were nevertheless open for debate. Such debate, Flanagan noted, would not cause him to change his views, but in the spirit of Hayekian epistemology he took care to note that it was at least "conceivable" that he was wrong, owing to the fallibility of individual minds. But even then, invoking John Stuart Mill, Flanagan insisted on the importance of mistaken viewpoints, which he did not believe his own were, only that they could possibly be.[460] This sort of Hayekian humility was, indeed, partial.[461]

Flanagan argued that private property and market economics had to become fully operational in the lives of Indigenous peoples in order for them to "escape from

[458] Flanagan, *First Nations? Second Thoughts*, 8.
[459] Flanagan, *First Nations? Second Thoughts*, 9.
[460] Flanagan, *First Nations? Second Thoughts*, 18-19.
[461] The final chapter of the second and third editions of the book corrects or addresses some claims in the first edition that turned out to be mistaken or flawed, but these concessions were not on the level of belief, only fact. In other words, Flanagan's general outlook would seem to have survived a few mistaken claims which those beliefs derived. See Flanagan, *First Nations? Second Thoughts*, 3rd ed., 199-234.

the social pathologies in which they are mired to become prosperous, self-supporting citizens."[462] In other words, supposedly spontaneous institutions needed to be freed from the malign influence of constructivist ones in the form of government, treaties, misguided legislation, and the like. His chapter on property began with an overview of the history of property in Indigenous societies, the upshot of which was that Indigenous property regimes prior to colonization were varied and limited. They were varied, first, because Indigenous social organization and living patterns were themselves varied according, especially, to geography. Thus, we get different notions of property among the "hunters of the plains," who were distinct from "the hunters of the forests," "the horticulturalists of the Great Lakes and St. Lawrence Valley," and "the fishers of the pacific coast." Property regimes were limited, then, in the relative sense that they applied to societies in which agricultural development, most crucially, was not far enough along for "a full-fledged system of private property in land" to be present.[463]

From this point, Flanagan went about a critical summary of land policy in Canada before and after Confederation, beginning with the Royal Proclamation of 7 October 1763, which became the foundation for governance of North American lands surrendered to the British after the Seven Years' War, and up to the *Delgamuukw* case in 1997. *Delgamuukw*, and especially the disquisition written on behalf of the majority by Chief Justice Lamer, epitomized for Flanagan the problems

[462] Flanagan, *First Nations? Second Thoughts*, 15.
[463] Flanagan, *First Nations? Second Thoughts*, 110-113. The quotation in this sentence is on page 110.

with Canadian law and policy regarding Aboriginal title and rights. Rights, in the sense that Flanagan saw them operating in the "Lamer Doctrine," were limited because they did not necessarily imply ownership—Indigenous peoples might have certain rights in certain lands without owning those lands. Aboriginal title, distinctly, did imply a kind of ownership and thus was a kind of property right, but not the right kind of property right, in Flanagan's view. Being communal, partially alienable, use-limited, and government-infringeable in some cases, Aboriginal title was seen by Flanagan to be sufficiently distinct from individual property rights as to impede the ability of Indigenous peoples to flourish in capitalist Canada.[464] In short, as shown by *Delgamuukw*, for Indigenous peoples in Canada, "The treaties and the Indian Act have conspired to imprison them within a regime of collective rights that fit badly with the needs of a market economy."[465]

How so? While discussions of markets and their virtues are to be found scattered throughout *First Nations? Second Thoughts*, a chapter called "Making a Living" offers the most useful evidence for identifying Flanagan's view regarding markets and the ways in which Canadian policy limited the ability of Indigenous peoples to succeed within them. In typical fashion, much of this chapter was also historical. There was discussion of late-nineteenth and early-twentieth century economic development, including the slow take-up of agriculture in prairie Indigenous communities, followed by a summary of welfare policy, the problems of

[464] Flanagan, *First Nations? Second Thoughts*, 114-126.
[465] Flanagan, *First Nations? Second Thoughts*, 126.

the "welfare trap," and finally an extended analysis of two reports, *A Survey of the Contemporary Indians of Canada*, presented in 1966, and the RCAP report which came three decades subsequently.[466] Not without commending some aspects of it first, Flanagan judged ultimately that implementing the economic vision contained in the RCAP report would be unwise. In explaining that judgment he made a case against constructivist meddling in the ability of Indigenous peoples to participate in market exchange.

Flanagan's key gripes with the report were to do with its treatment of land and resources, its theory of wealth, its inability to account for pre-existing distributional inequities, and its notion of property rights.[467] Without getting into the details of each of these, Flanagan's general view can be rendered as a sort of quasi-populist appeal to the general benefit of markets and the general harm of concerted government intervention in those markets. "The RCAP proposes to bring about prosperity by transferring wealth, buttressed by a wide range of government programs and services, to areas where this wealth would not flow under conventional economic incentives,"

[466] This discussion, it should be said, reads in some measure like common right-wing polemic against welfarism. Flanagan writes that "Anyone who receives money without working faces the equivalent of a high marginal tax rate for giving up welfare and trying to earn a living in the labour market" and notes that the issue "is aggravated for on-reserve Indians" who "face a set of perverse incentives unique in Canadian society." See *First Nations? Second Thoughts*, 164. It is also worth saying that seemingly crass policy polemic was a feature of much neoliberal writing in the twentieth century, including writing from Hayek himself. For all the (important and interesting) intellectual-historical emphasis on Hayek's epistemology, say, there is also plenty of plain polemic throughout Hayek's oeuvre.

[467] Flanagan's elaborations here go on at length and include, interestingly, a comparison of Canadian policy with similar policies in other settler colonies, Australia and New Zealand. There too Flanagan saw in increasingly active governments vis-à-vis indigenous peoples evidence of market disfigurement that did not benefit most Indigenous people.

he concluded.[468] And these moves would produce negative outcomes not in the sense that they would harm all Indigenous peoples, but that they would accrue unequally to a narrow Indigenous elite positioned advantageously vis-à-vis Aboriginal enterprises and the people in control of them. This "crony capitalism" meant that "the emergence of a well-to-do entrepreneurial and professional minorities has been accompanied by increasing unemployment and welfare dependency of the majority."[469] In other words, policy motivated by the "aboriginal orthodoxy" represented an overstepping of the rule-making role of government and led to undesirable outcomes that would not have been furnished by market operations left alone.[470]

Flanagan's book made waves inside and outside of academia. Journalist Marci McDonald, writing about Flanagan in 2004, noted the book's dismissal of First Nations as mere "first immigrants" and described its arguments, fairly, as assimilationist. *First Nations? Second Thoughts* "sent tempers off the charts," McDonald claimed, and due to Flanagan's close relationship to future Prime Minister Harper at the time of the book's appearance (a relationship discussed later on in this chapter and in chapter four), "Aboriginal leaders were apoplectic at the thought that Flanagan might have a say in their fate." Phil Fontaine, the National

[468] Flanagan, *First Nations? Second Thoughts*, 171.
[469] Flanagan, *First Nations? Second Thoughts*, 175. This comment could indeed be read to imply a certain naivete about the outcomes that tend to be produced by rather freer markets of the kind for which Flanagan advocated.
[470] For a critique of Flanagan's reasoning here, see my "Setter-Neoliberalism," especially pages 363-366.

Chief of the Assembly of First Nations, led a group that demanded to know if the views Flanagan espoused in the book were also the views of Harper.[471] Fontaine also published an editorial in the *National Post* that described the book as "a rehashing of tired, old, unworkable, discriminatory ideas that have been dismissed by First Nations, discredited by the courts and the Constitution, thoroughly repudiated by the Royal Commission on Aboriginal Peoples and rejected by all indigenous international bodies."[472] In the *Calgary Herald*, the book was reviewed as "ivory-tower scholarship at its worst," internally coherent but otherwise out of step with reality, although in the same publication Flanagan acolyte and future Premier of Alberta, Danielle Smith, had written a celebratory article.[473]

In academia, *First Nations? Second Thoughts* was similarly polarizing. The Canadian Political Science Association (CPSA) awarded the book its Donald Smiley Prize, an annual award for the best book in Canadian political science, suggesting significant approval among Flanagan's political science colleagues. This was no straightforward commendation, though, as prize jury-member Gurston Dacks, who worked on similar topics to Flanagan, resigned his jury position in protest at the

[471] McDonald, "The Man Behind Stephen Harper." In the second edition of the book, Flanagan partially walked back his "first immigrants" idea by noting in an additional concluding chapter that the "Clovis model" from which his thinking derived had come under increased pressure from researchers and scholars. Incredibly, in the midst of this partial concession, Flanagan still referred to Indigenous peoples in North America as "earliest settlers." See Tom Flanagan, *First Nations? Second Thoughts*, 2nd ed. (Montreal & Kingston: McGill-Queen's University Press, 2008, originally published 2000), 200. On Flanagan's political relationship with Harper, especially over its most intense period from the mid-1990s to mid-2000s, see Flanagan, "Political Scientist in Public Affairs," 136-141.
[472] Phil Fontaine, "Second thoughts on Flanagan's solution," *National Post*, 20 April 2000, A19.
[473] J.R. Miller, "Ivory tower view is flawed," *Calgary Herald*, 29 June 2000, ES8. Danielle Smith, "Natives ultimate losers as reserves become ghettoes," *Calgary Herald*, 1 May 2000, A16.

decision. Reporting on this professional dust up, McDonald suggested that Flanagan's prize had riven the discipline, quoting the University of Regina political scientist Joyce Green who said that Flanagan's Smiley Prize "implicated us all in rewarding something that many of us felt was deeply wrong."[474] Today, the CPSA maintains a webpage with a list of all the Smiley Prize recipients, including an excerpt from the jury report for each. It may be only a coincidence, although it is suggestive nevertheless, that the excerpts are provided all the way back to the 2001 prize that Flanagan won, where they abruptly stop.[475]

In *Deconfederation*, Bercuson and Cooper leveraged expertise in distant scholarly areas to lend credibility to a project that they freely and eagerly admitted was polemical through and through. By doing so, they made public names for themselves and for the Calgary School. Their book was greeted across the country for exactly what it was, and it ensured that the view from Calgary would be an integral part of the national discourse on what to do about Quebec and the constitution in the 1990s. With *Charter Revolution*, in 2000, Knopff and Morton made a more subtle entry into the same polemical game. Thanks to their subtlety, they made less public noise. However, in exchange for more minimal public exposure, they gained a more enduring kind of influence. *Charter Revolution* was still being cited, more than twenty years later, as a foundational publication in a movement to rethink Canada's judicial

[474] McDonald, "The Man Behind Stephen Harper."
[475] Canadian Political Science Association webpage for the Donald Smiley Prize, https://cpsa-acsp.ca/prizes-donald-smiley-prize/.

politics.[476] Flanagan's polemicized scholarship in *First Nations? Second Thoughts* landed somewhere in between, provoking outcry especially because of the political connections of its author, without quite generating the level of controversy that Bercuson and Cooper encountered. As far as Canada's constitutional crisis goes, the Calgary School's influence was felt both acutely and chronically. If Bercuson and Cooper thrust the school rapidly into the public eye, Knopff, Morton, and Flanagan contributed to an effort to keep it there.

The Calgary School and the Economic Crisis

Flanagan's account of the economic crisis that motivated the Calgary School in the 1990s indicated debt and deficits, along with high unemployment, as defining problems. To be sure, the Calgary School's interest in this crisis was related to its particular perception of these problems, but Flanagan's suggestion that there was an economic crisis in Canada during the 1990s is uncontroversial. Indeed, in what the political economists Stephen McBride and Heather Whiteside have termed the "second crisis of neoliberalism in Canada," the first having come in the 1980s, crisis arrived in 1990 and receded only gradually as the decade wore on.[477] From 1991-1994, Canadian unemployment was stuck in double digits, and over the entire decade the unemployment average was 9.5 percent, making the 1990s the worst decade in Canadian employment figures since the 1930s. The debt was also a serious problem,

[476] Buck, "Canadian conservatism's judicial revolution is only gaining strength."
[477] Stephen McBride and Heather Whiteside, *Private Affluence, Public Austerity: Economic Crisis and Democratic Malaise in Canada* (Halifax & Winnipeg: Fernwood Publishing, 2011), 86.

in large part because debt service became so expensive in a context of high interest rates set by the Bank of Canada.[478] McBride and Whiteside also emphasize that this crisis became an opportunity to "intensify the battle against Keynesianism's institutional legacy," including the Canadian welfare state, a process in which the Calgary School participated.[479]

But while the Calgary School did play a role in shifting economic orthodoxies in Canada, its role was more facilitative than innovative. McBride and Whiteside describe the response to the economic crisis as having been based on a neoliberal mode of policymaking in which there were emphases on fiscal austerity, including regressive taxation, de-(and sometimes re-)regulation, and a kind of general economic liberalization embodied perhaps most of all by the signing of free-trade deals like the North American Free Trade Agreement (NAFTA).[480] And while the Canadian implementation of these kinds of policies had its own particular dynamics, none of this was remotely unique to Canada. The neoliberal turn, as Moishe Postone writes, was a global phenomenon in which particulars may have been up for grabs but the general trajectory was structurally determined.[481] In that sense, the Calgary School did not and could not pave the way for such a policy regime. Instead, the

[478] McBride and Whiteside, 86-87. In 1990, the prime interest rate was more than 14 percent, though it dropped from there, spending most of the 1990s between 6 and 9 percent.
[479] McBride and Whiteside, 89. McBride and Whiteside also mention how Canada's constitutional crisis played a role in these developments. On the relationship between crisis and the undoing of postwar economic arrangements, see for a stand-out example Krippner, *Capitalizing on Crisis.*
[480] McBride and Whiteside, 89.
[481] See Moishe Postone, "Theorizing the Contemporary World: Robert Brenner, Giovanni Arrighi, David Harvey," in Robert Albritton, Bob Jessop, and Richard Westra, eds., *Political Economy and Global Capitalism: The 21st Century, Present, and Future* (New York: Anthem Press, 2010), 7-24.

Calgary School made its mark by, on the one hand, criticizing what it saw as the errors of Canada's economic past and its 1990s-present. Then, when they saw governments moving in a preferable direction, as they did in Alberta most of all, they became cheerleaders.

In their 1994 follow-up-of-sorts to *Deconfederation*, a similar polemic called *Derailed: The Betrayal of the National Dream*, Bercuson and Cooper opened with a description of the economic crisis as they saw it. When the federal finance minister announced a deficit of $39.7 billion in February 1994, "he thought he had accomplished something great," Bercuson and Cooper surmised, clearly implying that they thought otherwise. In Alberta, by contrast, the provincial government was slashing debt by slashing services, which went to show that while "debt dominates the Canadian political agenda," there was little agreement about how the debt should be dealt with. The same week that the finance minister seemed to brag about a deficit of almost $40 billion, national unemployment was running beyond eleven percent, the worst rate among like nations, and they lamented that the federal budget would hardly improve that state of affairs.[482] Continuing by bemoaning revenues lost to illegal economies—they singled out cigarette smuggling in Mohawk communities, communities that they were seemingly incapable of describing without utter sarcasm and condescension—and by noting the inferior economic prospects of Canadians compared to Americans, they asked: "What in the world has happened to

[482] Bercuson and Cooper, *Derailed*, 1-2.

Canada?"[483] In a book-length paean for fiscal conservatism, laced as necessary with commentary on politics and society, Bercuson and Cooper answered their own question by singling out a deleterious spirit of collectivism and its handmaiden, a runaway intentional state.

The narrative of national decline in *Derailed* began at the peak reached in 1945, down from which the country had steadily descended in the decades since. "Our theme, broadly stated, is that the character of Canadian political and, indeed, economic and social life has changed for the worse since the end of World War Two," they summarized. Although they thought the claim was completely obvious—"There may be persons abroad for whom this proposition is not self-evidently true"—they wrote the book to try to prove it anyway. To make their case, they established an ideological clash, this time between the "liberal or libertarian" view and the "collectivist or communitarian" one. The former ideology, they believed, was responsible for good things in Canadian history, not just in the sense of material prosperity but also in terms of a positive Canadian identity. The latter "promised us happiness and especially security but has provided neither and has landed us in our current mess."[484] Because it established this clash so clearly, *Derailed* stands as one of the clearest articulations of Calgary School ideology and the critique of the intentional state in its mid-1990s form.

[483] Bercuson and Cooper, *Derailed*, 4-5. "Maybe the next job-creating, self-respect-engendering activity we'll see on those reserves will be cocaine processing," they sneered in reference to the Mohawk.
[484] Bercuson and Cooper, *Derailed*, 9-13.

Bercuson and Cooper's liberalism was rendered explicitly as a conservative kind of liberalism, invoking Edmund Burke. "That a conservative may be a liberal is no paradox when the thing to be conserved is liberty," they wrote, while claiming the usual tenets of the liberal tradition, including rights of due process of law, assembly, and, "perhaps most fundamental of all, to acquire, use, and dispose of one's property." The state was to be treated skeptically, because of its ability to constrain or interfere with the exercise of individual choice. And the state was to be held in check by laws—"liberalism embodies its anti-statist sentiments in the doctrine of the rule of law"—which, because they limit state power, are equally accessible, and are based on natural (rather than state-created) rights, act as a kind of limiting force.[485] While stating their openness to the idea that governments can do certain things effectively, Bercuson and Cooper adopted a conservative-liberal position, to refer to the non-paradox they invoked, that abjured state intention.[486]

In their elaboration of the collectivist bogey, Bercuson and Cooper worried about an over-confidence in and over-reliance upon state capacity. "Collectivism disputes each of the positions and arguments of liberalism," subordinating liberal virtues to the demands of justice, which included security most of all. By seeking justice, collectivist states acted intentionally in pursuit of particular results, usually results of equality. "Parity is sometimes seen as a collective or group right to equal

[485] The insistence on natural rights here of course reflected aspects of Cooper's training, as discussed in chapter I, but in context it would also be difficult not to read this point as being addressed to the Charter, reflecting the influence of Knopff and Morton.
[486] Bercuson and Cooper, *Derailed*, 11-12.

outcomes, and is justified as a manner of administrative convenience," as they put it. Freedom, in the collectivist view, was a positive kind of freedom, implying not just the absence of constraint but the presence of certain conditions, which were often decided upon *a priori*.[487] Across the board, they surmised, "the great instrument for attaining collectivist goals is, of course, the state."[488]

Assessing from the mid-1990s, Bercuson and Cooper were adamant that, in Canada, collectivist state power had been far too long incumbent, with consequences visible across a number of areas of state responsibility and activity. Among these areas, the most significant was public spending, where increased expenditure was tied to increased taxes and increased debt, with "prima facie evidence of losses of freedom" being the outcome of these increases.[489] Bercuson and Cooper lamented that Canadians were surrendering control of about half their income to the government and judged that the uses to which government put those funds showed the trend towards collectivism. By 1988, they claimed, welfare payments had become the main component of state spending, all while spending in areas like education lagged. As spending increased, so did indebtedness, to the point that, between covering welfare payments and its debt servicing obligations, the Canadian

[487] They did not here refer to Isaiah Berlin's famous distinction between negative and positive freedoms, thought they could have done. On that distinction, see Isaiah Berlin, "Two Concepts of Liberty," in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 118-172.
[488] Bercuson and Cooper, *Derailed*, 12-14.
[489] Bercuson and Cooper, *Derailed*, 15-17. Making less of "prima facie" evidence than assumption and argument, Bercuson and Cooper here leaned on an old axiom: "The argument is simple and has remained more or less unchanged for the past two centuries: those in power use that power to extend the reach of government so as to ensure that the things people ought to do for themselves are done for them by officials, who are put in place by politicians and paid by taxpayers." See *Derailed*, 17.

government was stuck in a cycle of its own making, at all turns demonstrating for Bercuson and Cooper that "when the government acts on society or intervenes in any way, it induces suffering." From the rise of Keynesian economics as policymaking orthodoxy to the ongoing constitutional turmoil, they thought the point was being openly demonstrated. Ultimately, Bercuson and Cooper were sure that Canada had suffered as its governments had adopted "impossible collectivist goals."[490]

The historical premise of *Derailed* was that the Canadian state had not always been in thrall to the appeal of collectivism, but that it had become so after 1945. The second chapter of *Derailed*—"What Good Government Meant"—began at Confederation and set about establishing how national founders, John A. Macdonald most of all, had established the precedent for a limited form of governance by prioritizing economic development. And while this mode faced challenges, by and large, during the first 80 years after Confederation, "prime ministers and their governments steered clear of any effort to tell Canadians who and what they were, or ought to be," content to serve the ends of "peace, order, and good government."[491] Things began to change after 1945, and then more so in 1957 with the election of (Progressive Conservative) Prime Minister John Diefenbaker. Diefenbaker's government represented an historical turning point because, "For the first time since Confederation, Canada had a prime minister whose chief objective was social justice

[490] Bercuson and Cooper, *Derailed*, 17-41. Quotations from pages 22 and 40.
[491] Bercuson and Cooper, *Derailed*, 42-76. Quotation on page 75.

and whose major aim was to mould a Canadian national character in his own image."[492]

If Diefenbaker inaugurated an era of "bad government," in Canada, Pierre Trudeau, who became prime minister in 1968 and held onto the job with only a brief interruption until 1984, epitomized the era. Then, when the Trudeau years ended with the election of a Progressive Conservative government helmed by Brian Mulroney, any hopes for a return to the good old days of good government proved wishful. Bercuson and Cooper's chapter on the Trudeau years—"Towards the Higher Mendacity"—made Trudeau into the intentional state actor *par excellence*. Their problem with Trudeau, most of all, was his self-conception as a politician of ideas, committed to an "immoderate politics" of ideal realization. Comparing Trudeau with Lenin, Bercuson and Cooper excoriated his governance for its collectivist intentionality.[493] On Mulroney—"The Last Orgy of Public Virtue" was the chapter title here—they were not quite so ruthless, allowing at least that Mulroney had been better than his predecessor on the economy. Mulroney had slowed the growth of the debt and had overseen some positive economic developments, as with the signing of NAFTA. However, since Mulroney had overseen both the Meech Lake and Charlottetown Accords, the authors of *Deconfederation* could hardly have been expected to be anything but eviscerating, which they were. In the final analysis, Mulroney's "deplorable record on the

[492] Bercuson and Cooper, *Derailed*, 77-112. Quotation on page 77.
[493] Bercuson and Cooper, *Derailed*, 113-153. The phrase "immoderate politics" is from page 114.

constitution," which they saw as related to his intensification of Diefenbaker's intentional mode, "more than offset his genuine but modest achievement on the economy."[494]

Thus, the country had reached a state of crisis in the 1990s, and here it remained for Bercuson and Cooper to suggest what to do about it. While their assessment about what was to be done was well-dressed, rehearsing points drawn from Canadian historians Donald Creighton and W.L. Morton, invoking the Canadian cultural critic Northrop Frye, and finally leaning extensively on the writings of Alexis de Tocqueville, they presented what was ultimately a rather ordinary policy polemic directed against "an out-of-control public debt driven by an absurd welfare state." They cheered the demise of the welfare state, advocating for the end of unemployment insurance and regional equalization payments, for the privatization of healthcare and education, including by attacking—"yes, attacking"—teachers' unions. The argument here was straightforward: "With welfare policies cut, our deficits will be eliminated; with privatization, assets can be applied against the debt." Indeed, by taking this path, Canada might even have had the good fortune to become a tax haven for international capital.[495]

These absolute polemical conclusions can be usefully compared with the strained effort made by Bercuson to allow for contradictory imperatives when in a scholarly mode, as in *Significant Incident*, discussed in the previous chapter. That

[494] Bercuson and Cooper, *Derailed*, 154-189. Quotation on page 189.
[495] Bercuson and Cooper, *Derailed*, 190-213. Quotations, respectively, are from pages 208 and 211.

strain disappeared when Bercuson operated in a polemical mode. Reading *Significant Incident*, that is, it was necessary to squint in order to see that, for all his efforts to allow for two things to be true at once, Bercuson's foremost commitments were conservative ones, no matter how he tried to maintain credibility as a "social liberal," which he even did in the press after the publication of *Derailed*.[496] But as a polemicist and Cooper-collaborator, Bercuson was much more straightforwardly conservative, willing to allow his foremost commitments to be his foremost commitments. In *Derailed*, the chronological narrative of *Significant Incident* was mirrored almost exactly, while qualification was abandoned. The premise of *Derailed*, published two years before *Significant Incident*, was that Canada had gone off the proverbial rails since 1945. While *Significant Incident* made the case somewhat less openly, come the mid-1990s any of Bercuson's efforts at scholarly even-handedness had to ring hollow. He belonged, no doubt, in the Calgary School, and indeed between *Deconfederation* and *Derailed* he and Cooper had done the most of all to thrust the School into view.

While *Derailed* certainly kept the Calgary School in the limelight, its reception was not as widespread or nearly so derisive as that of its predecessor text. Of course, the demand of *Deconfederation* was radical, while the demand of *Derailed* was, if vehemently made, still rather ordinary. Bercuson and Cooper did not invent the fiscal conservatism they espoused, nor did they do much to adjust its main talking points.

[496] Ken McGoogan, "Derailed provokes but jumps its own tracks at times," *Calgary Herald*, 14 October 1994, H3. This article featured an interview with Bercuson and Cooper, including some back-and-forth sparring between them on the Liberal Party's recent history in government and on the issue of a voucher system for schools.

Thus a review in *The Globe and Mail*, while assessing the book as a rant, "part history, part hysteria," seemed almost bored in its critique of *Derailed*'s one-track polemical perspective.[497] In the *Montreal Gazette*, where the idea that *Deconfederation* could help spark civil war had been entertained, with a headline suggesting that Cooper and Bercuson had offered a sketch for apartheid, *Derailed* was seen in far more tepid terms as the simple work of two professors advocating for an end to the welfare state.[498] Here, the reaction to *Derailed* was more broadly instructive than the reaction to *Deconfederation*, the extent of which had so much to do with a particularly charged national moment. With *Derailed*, the national moment still surely charged but not quite so much, Bercuson and Cooper did not ruffle so many feathers as they wrote into a context where fiscal conservatism already had a place. Indeed, as the history of the 1990s in Anglo-American economies is now being written up, emphasis on the bi-partisan commitment to fiscal restraint is a common feature.[499] In this way, *Derailed* should be seen as an attempt to promote an economic logic that was already taking hold both in and around Canada.

[497] Andrew Cohen, "Rant misses Canada's silver lining," *The Globe and Mail*, 5 November 1994, C18.
[498] "Professors advocate end to welfare state," *Montreal Gazette*, 14 November 1994, A7. Author not indicated by name.
[499] Bi-partisan indeed. The federal budget prepared by Liberal Finance Minister Paul Martin in 1995, for example, has been described by Steve Patten as "arguably the most economically conservative budget of the postwar era. That budget championed the idea of attacking the federal deficit through structural changes in the operation of government and implementing major cuts to federal transfers to fund health, postsecondary education, and social services." See Steve Patten, "The Evolution of the Canadian Party System: From Brokerage to Marketing-Oriented Politics" in Alain-G. Gagnon and A. Brian Tanguay, eds., *Canadian Parties in Transition*, 4th ed., (Toronto: University of Toronto Press, 2016), 16.

This being so, it makes sense that the other major effort on the part of the Calgary School to speak to Canada's 1990s economic crisis was Barry Cooper's work in the latter half of the decade to celebrate the Alberta government of Ralph Klein, the Progressive Conservative premier who was elected in 1992, serving until 2006.[500] Interestingly, in the early part of Klein's time in office, Cooper and a number of his departmental colleagues in Calgary, including Morton, had signed a letter to indicate "concern about the planned cutbacks in [Klein's] government's education and health care budgets."[501] Cooper, evidently, was not concerned for long. In *The Klein Achievement* (1996), Cooper authored an "unapologetic" book of praise for Klein's programme of fiscal austerity.[502] Here, indeed, Cooper conceded that the rollback of welfare states inherited by the 1990s from the decades after World War Two was a very broad development across the industrialized world. Klein's programme, if it was unique, was unique in certain particulars rather than a total outlier.[503] What Klein did, in brief, was to attack the debt and the practice of deficit budgeting in Alberta almost exclusively by making budget cuts, rather than by raising taxes. Klein invoked the mantra of "fiscal responsibility." Cooper celebrated these developments.[504]

[500] Klein was also a former Mayor of Calgary.
[501] Letter from Donald Barry et al to Ralph Klein, 5 November 1993, 98.027, box 8, folder 1, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[502] Cooper, *Klein Achievement*, 7. The quoted term "unapologetic" comes from the book's preface, for which no author is indicated.
[503] There was even precedent in Canada, the British Columbia government of Social Credit Premier Bill Bennett, for example, having overseen a programme of widespread cuts in the 1980s. See Robert McDonald, "Restraining the Welfare State," *BC Studies* no. 200 (Winter 2018/2019): 77-80.
[504] Cooper, *Klein Achievement*, 9-10.

The Klein Achievement saw Cooper increasingly press his Albertan situatedness, opening as it did with his declaration that, "I love Alberta, both at its most typical and at its best, as it is under Premier Klein." What made the Klein government so impressive to Cooper was that its economic policies doubled as political successes. Klein's economic agenda—"to balance the budget, thereby eliminating the annual deficit, and then to run an annual budgetary surplus to reduce the accumulated provincial debt"—was thus only one part of his appeal for Cooper, connected to but not identical with Klein's general political project. The empirical fact of Klein's economic policies went along with a moral and political lesson that "one can succeed in office by appealing to the pride, the virtue and the self-respect of citizens rather than to their grievances, their envy or a rich heritage of sanctimonious complacency." Here, recognizably flexing polemical muscles strengthened in the effort of *Derailed*, Cooper averred that "Alberta at its best can be a model for Canada at its best."[505]

Because he thought of the Klein achievement in these dualistic terms, Cooper's book naturally set about to make both points at once, documenting the austerity measures of the Klein government on the one hand—Cooper would frame things differently as "fiscal prudence and less government," with cuts to inessential services and substitution of private provision where appropriate—and demonstrating

[505] Cooper, *Klein Achievement*, 9-14. Quotations from pages 9, 10, and 14 respectively.

the virtue of those measures on the other.[506] The middle of the book was devoted to the former task, while bookending chapters made the latter case. The first chapter established the by-now, perhaps, classic Calgarian critique of the intentional state, doing so by indicating the perils of intentional economic planning, "whether in the form of full-blown Keynesian experiments or in more modest efforts."[507] This became the vantage for the book's empirical chapters, tracing in turn the fiscal state of Alberta as Klein inherited it, then his political career, his policies, and the reaction to those policies.[508] Just as he and Bercuson had done in their prior collaborative polemics, Cooper reserved the final chapter, if not for the question of what was to be done, then for the question of what was to be learned.

Cooper wanted to make the Klein achievement an "export commodity." There, he emphasized that political conflict in Alberta was somehow pure, more pure than elsewhere, because in the absence of entrenched ethnic politics (Quebec), universalist pretensions (Ontario), or folkish entitlement (the Maritimes), Albertans were uniquely able to engage in a politics based around the "real issues."[509] In this way, Cooper thought Alberta something of a political laboratory, likely to produce replicable experimental results. So yes, Cooper thought, Klein-style policies should be considered elsewhere. Consolidation of hospital and school boards, privatization,

[506] Upon invocation of "virtue," Cooper cited the first chapter of *Derailed*, in which he and Bercuson had established their liberal notion of virtue as against the collectivist view. Quotation from Cooper, *Klein Achievement*, 22.
[507] Cooper, *Klein Achievement*, 28.
[508] Cooper, *Klein Achievement*, 29-91.
[509] Indeed, this analysis leaned heavily on stereotypes, and with Alberta, too. Alberta's political culture was for Cooper forged out of "the pioneer mythology within which political struggles take place in this province…" See Cooper, *Klein Achievement*, 93.

or partial privatization, of healthcare and post-secondary education, and treating ministries like businesses might all be easily exportable policy proposals. But more importantly, Cooper argued that the Klein lesson was about the politics of persuasion. He praised Klein for telling Albertans that he'd slash the deficit by enacting cuts, and then doing just that, a directness that for Cooper was indicative of virtue. That is, Klein was something like an antidote for the cultural decline that Cooper and Bercuson had lamented in *Deconfederation* and *Derailed*. "It seems to me that at the center of the achievements of the Klein government is an appeal to pride, to self-respect, and so to virtue," he concluded. Here was the flipside of Bercuson and Cooper's mode of polemical complaint, a laudatory polemic in which Alberta stood as an emblem of what the Canadian economy and Canada, more broadly, could be.[510] In that way, *The Klein Achievement* was very much a follow-up to *Derailed*.[511]

Polemic though it was, *The Klein Achievement* was nevertheless a pamphlet-style book published by a university press. Thus, it was not the most famous of the Calgary School's comments about Klein. Instead, in what can be seen as sort of final polemical intervention in the economic crisis that took hold in the 1990s, Flanagan, Knopff, and Morton, alongside a few others including Stephen Harper, published the so-called "firewall letter" to Klein in the *National Post* on 26 January 2001.[512] In

[510] Cooper, *Klein Achievement*, 92-101. Quotation from page 101.
[511] *Klein Achievement* got a sequel of its own when, along with co-author Mebs Kanji, Cooper published *Governing in Post-Deficit Times: Alberta in the Klein Years* (Toronto: University of Toronto Centre for Public Management, 2000).
[512] The letter was dated 24 January, published 26 January. The "firewall 6," as they were sometimes known, consisted of Flanagan, Knopff, Morton, and Harper, plus Andrew Crooks, who was chairman of the Canadian Taxpayers Federation, and Ken Boessenkool, a conservative policy advisor.

Flanagan's telling, the idea to publish the letter was Harper's, while Flanagan coordinated the actual drafting of the text.[513] The premise of the firewall letter was that, while Klein had done much to address the economic crisis that Canada, and Alberta by extension, had faced in the 1990s, there was more to be done. Especially worried over the re-election of Jean Chrétien's Liberals in November 2000, and the threat of another economic decline, "perhaps even recession," they wrote publicly to Klein to explain how they thought Alberta should move ahead.[514] Flanagan has written of the letter that it showed "the mind of the Calgary School when speaking freely outside the constraints of political organizations," or those, it could be added, of scholarship.[515]

The firewall letter is also sometimes called the "Alberta Agenda" letter because that is precisely the agenda that the letter purported to describe. Suggesting that Klein's Alberta was facing "a series of attacks" from the federal government, the letter advised that Klein take measures to extend and intensify his ongoing and Calgary School approved programme. Acknowledging Klein's reforms in the 1990s, including "balancing the budget, paying down the provincial debt, privatizing government services, getting Albertans off welfare and into jobs, introducing a single-rate tax, pulling government out of the business of subsidizing business, and many other beneficial changes," they nevertheless found that there was more to be done. Especially concerned by the annual outflow of nearly $8 billion from Alberta to other

[513] Flanagan, "Legends," 33.
[514] "An open letter to Ralph Klein," *National Post*, 26 January 2001, A14.
[515] Flanagan, "Legends," 33.

jurisdictions as transfers, they advocated that the province take steps to increase its ability to act in its own interest. These steps included establishing provincial control of pensions, of the personal income tax, of the police, and of healthcare.[516] The idea was that if Klein had shown the way out the economic crisis originating in the 1990s, and per Cooper the lessons were there to be learned, Alberta should not allow the fruits of its economic prudence to be lost to the subsidization of economic recklessness elsewhere.

Reflecting the growing influence of the Calgary School, growth that surely came thanks in part to increasing proximity with political figures like Harper, the firewall letter made significant waves. Indeed, the idea of an Albertan firewall stuck, and for years after the publication of the letter there was a will-he-or-won't-he discussion in the media about Klein and a possible firewall. At first, Klein was dismissive. Indeed, in the immediate aftermath of the letter's publication, the *Edmonton Journal* reported that, with "an indignant tone worthy of Captain Canada, Premier Ralph Klein has slammed a proposal to build a 'firewall' of policy changes around the province to stave off federal intrusion, dismissing it as defeatist."[517] The firewall letter was rather easily construed as near-separatist, and thus extreme, so Klein's reaction made sense. The idea stayed in play, though, and in 2003 Klein found himself again trying to keep a safe distance from the firewall idea before a partial capitulation in November, forming a committee "to investigate taking over

[516] "An open letter to Ralph Klein."
[517] Ashley Geddes, "Klein rejects 'firewall' as defence against Ottawa," *Edmonton Journal*, 8 February 2001, A3.

certain federal services," which was predictably described by the media as a "firewall committee."[518] The idea proved quite unpopular with his caucus, and from that point the "f-word" moved toward the political fringe.[519]

The firewall letter is fittingly described as the Calgary School's final major intervention in the extended 1990s economic crisis, and its fallout into the subsequent decade, not just because it shows growing influence but because it shows how that influence was built on itself, as it were. Here, again, Bercuson and especially Cooper did the early heavy lifting. Having established their notoriety previously in the constitutional crisis with *Deconfederation*, they doubled down on the polemical mode with *Derailed*, making the case for economic restraint as the way out of what they saw as Canada's long and steady national decline since the Second World War. When Cooper saw Klein acting accordingly, he rushed to notice and applaud. The firewall letter, which curiously was signed by all the Calgary Schoolers except for Bercuson and Cooper, sought to press the matter. In between were plenty of columns and editorials making the case in brief. The economic crisis was thus an opportunity that the Calgary Schoolers eagerly took as "market-oriented" and fiscally conservative polemicists who thought the intentional state had no business in economic affairs and were committed to publicizing the point.[520]

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[518] Graham Thomson, "Klein trips into 'firewall' proposal," *Edmonton Journal*, 17 April 2003, A18; Tom Barrett, "Klein strikes 'firewall' committee," *Edmonton Journal*, 15 November 2003, A1.
[519] Graham Thomson, "No fuel behind firewall discussions," *Edmonton Journal*, 17 November 2003, A14.
[520] Flanagan, "Legends," 33.

The Calgary School and the Political Crisis

Political crisis, the final aspect of the triple crisis that Flanagan highlighted via Preston Manning, was intimately related to the constitutional and economic turmoil that animated the Calgary School. The extended period of realignment in Canada's conservative political sphere, from the 1980s through to the early-2000s, did not happen in a vacuum. Instead, it was propelled along by the ideological and policymaking shifts that those crises precipitated. In that way, Calgary School interventions in public debate about the constitution and the economy were part and parcel of the dramatic changes that happened in conservative party politics. But the Calgary School also directed its attention to the political crisis on its own terms by making polemical comment on the state of Canada's political parties, especially its conservative ones. Of course, the Calgary Schoolers also became directly involved with parties as advisors and operatives, as the following chapter will discuss at length. That direct, behind-the-scenes involvement was very often preceded by or undertaken alongside public and polemical agitation.

On the right, surely the most acute moment of the political crisis came with the federal election of 1993. There, the Progressive Conservatives, who had been in power since 1984, saw their numbers in parliament not just reduced but obliterated. In a flash, the party went from the helm of government to rump status, with just two seats in the House of Commons.[521] A key causal development was the rise of the

[521] James Farney and David Rayside, "Introduction: The Meanings of Conservatism," in Farney and Rayside, eds., *Conservatism in Canada*, 11.

Reform Party to the right of the Tories, which effectively split Canada's conservatives. Reform, for its part, won 52 seats in 1993, while in the process all but ensuring that "neither Canadian party of the right could realistically challenge the federal Liberals." From the vantage of the right, this was plainly suboptimal, and so over the following decade the conservative schism was gradually closed. In 2000, Reform became the Canadian Alliance, and in 2003 a "united right" re-emerged after the Alliance and the federal Progressive Conservatives merged to become the contemporary Conservative Party of Canada under the leadership of Stephen Harper.[522] The fingerprints of the Calgary School were all over this process.

The Mulroney Progressive Conservatives had, naturally enough, captured the interest of the Calgary School before the election of 1993 and even before the Meech Lake accord of 1987. For example, in 1986, Bercuson had collaborated with fellow historians Jack Granatstein and W.R. Young to publish *Sacred Trust*, which assessed Mulroney's performance between September 1984 and April 1986. The assessment was not particularly rosy. Indeed, less than two years into Mulroney's premiership, Bercuson and company were already predicting, incorrectly as it turned out, a one-term government, and explaining the fact, partly, in the simplest terms: "the government, for the most part, has done a bad job of governing." Mulroney, as leader, was presented as a nervous polls-watcher, not sufficiently confident to take advantage of his substantial parliamentary majority.[523] Moreover, he operated in a

[522] James Farney, "Canadian Populism in the Era of the United Right," in Farney and Rayside, eds., *Conservatism in Canada*, 44-45. Harper did have to win a leadership election in order to become leader.
[523] Bercuson, Granatstein, and Young, *Sacred Trust*, 295-300. Quotation on page 296.

context where Progressive Conservatives were increasingly split on policy, fiscal policy most of all. Mulroney's "sacred trust" was a commitment to the maintenance of the welfare state, a move to reassure voters who feared that he would slash and cut in the name of fiscal prudence. When Finance Minister Michael Wilson appeared to move against the indexing of old age pensions in May 1985, Mulroney's dedication to the "sacred trust" was put into serious question, along with his ability to govern in a context where conservative policy positions seemed to be in flux.[524] While *in media res* Bercuson and his co-authors could scarcely have been able to discern this at the time, what they were observing was an early development in the conservative crack-up, as existing commitments began to strain under the weight of shifting political and economic circumstances.

Into this emergent vacuum stepped the Reform Party. Founded in 1987, already in the 1988 federal election the party managed, while failing to win a seat, a significant fifteen percent share of the popular vote in Alberta and seven percent in British Columbia. Well-established in the west right from the beginning, Reform began to expand in the early-1990s, actually polling ahead of the Progressive Conservatives by 1991. Again, by the election of 1993 Reform had become the conservative voice in parliament. However, as Trevor Harrison has pointed out, the political consequence of Reform's rise cannot be reduced to numbers. As he puts it, "By 1993 the Reform party had already had a major influence on Canadian politics,

[524] Bercuson, Granatstein, and Young, *Sacred Trust*, 93-120.

altering the terms of discourse and shifting the ideological terrain on which Canada's political battles are fought." Harrison notes immigration policy and multiculturalism, austerity, rights, and welfare politics, along with the public rejection of the constitutional accords, as the key areas in which the rise of Reform was most consequential.[525] Of course, given the preceding, the rise of the Calgary School could be described almost identically. In this way, the Calgary School and the Reform Party should be seen as co-constitutive, if not co-equal, features of the same moment of influence.

When operating in the polemical mode, rather than as advisors and operatives for particular parties, the Calgary Schoolers often insisted on their partisan independence. Indeed, they sometimes overstated that independence, as when Cooper wrote to former Progressive Conservative Prime Minister Joe Clark in 1991 indicating that he had "never been interested in the Reform Party" which, if it was true, was so only in the strict sense that he was not interested in joining the party. Otherwise, he was most interested.[526] Bercuson, of course, publicly protested Jeffrey Simpson's 1992 implication that all of the Calgary mafioso were Reformers, as he

[525] Trevor Harrison, *Of Passionate Intensity: Right-Wing Populism and the Reform Party of Canada* (Toronto: University of Toronto Press, 1995), ix-xi. See also Steve Patten, "Rise of Reform: A Political Economy of Neo-Liberal Populism in the 1990s," PhD diss. (York University, 1997).
[526] The underlining of "never" is in the original. See letter from Barry Cooper to Joe Clark, 30 May 1991, 98.027, box 7, folder 1, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. As to Cooper's interest in Reform, of note is that at around the same time he made this declaration to Clark he had undertaken work, perhaps on behalf of the Progressive Conservatives, though the archival files are not completely clear, analyzing the coverage of the Reform Party in Canadian media. See Barry Cooper, "Sample Analysis: National TV News Coverage of the Reform Party of Canada," 98.027, box 29, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. In the same file, Cooper has an agenda for a "Luncheon for the Curious" that was "designed to introduce the Reform Party of Canada, its members, policies and practices."

also did privately, at one point writing to Progressive Conservative MP Lee Richardson urging him to "just remember, Jeffrey Simpson is full of shit!"[527] In any case, when Calgary Schoolers refused to identify themselves in terms of party allegiance it enabled them to maintain an above-the-fray intellectual posture even as they had maintained considerable interest in the tectonic shifts occurring in Canadian conservatism. As a result, their commentary on party politics was typically less concerned with beating the drum than with public provision of implied normative counsel in the forms of praise and criticism as the case required. It usually was easy to tell where their partisan interests lay.

In 1993, with Reform on the ascent in the lead up to the October federal election, Bercuson and Cooper published a column in *The Globe and Mail* which, effectively, made the case that Reform viewed the state of Canadian politics much like they did. Asking why voters, especially in the western provinces, seemed to be increasingly attracted to Reform, Bercuson and Cooper suggested that those voters had seen in Reform a rejection of all that had gone wrong with the country of late. The "Pearson/Trudeau/Mulroney" view of Canada, they suggested, was being rejected by voters just as Bercuson and Cooper had rejected it themselves. "From 1982, with the adoption of the Charter, to 1992, with the rejection of the Charlottetown accord, westerners have fought the Pearson/Trudeau/Mulroney vision," they wrote, because they recognized that vision as the cause of the national

[527] Letter from David Bercuson to Lee Richardson, 3 February 1992, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

decline about which Bercuson and Cooper had made so much fuss.[528] So, as of 1993, the position of Bercuson and Cooper on Reform was that it opposed exactly the developments that they opposed, and was appealing to voters accordingly. Here, they could claim all the partisan independence they liked, but it was plain to see that they registered a political opportunity for their view of Canada. After the election, when Bercuson published a column in the *Toronto Star* insisting that Reform had arrived with every likelihood of staying, any attempt to deny at least a grudging approval of the fact would have been strange.[529]

Assessing the situation similarly in 1995, not long after he had ceased to be in the Reform Party's employ, Flanagan averred that Reform's fate in Canadian politics would depend on the unfolding of events for the remainder of the decade. For Flanagan, crisis was the key. Amid crisis conditions, he thought, it was possible that Reform would ascend to the heights of political power, with Preston Manning at the helm of a "large, broadly based, and essentially non-ideological party-movement." Alternatively, he imagined, Reform could insist on its ideological nature, becoming not the center of conservative political power but a major source of ideas, helping to set the policymaking agenda for the Canadian right. Or, finally, he thought it possible for events to conspire to end Reform's moment of opportunity and cause the party to split up. In any of these cases Flanagan thought crisis, or lack thereof, would be the

[528] David Bercuson and Barry Cooper, "Why voters are rallying around Reform," *The Globe and Mail*, 14 October 1993, A29. At the time of this column's appearance, *Deconfederation* had been published, while *Derailed* was to appear in the following year.
[529] David Bercuson, "Reform in for long haul in the West," *Toronto Star*, 30 October 1993, B4.

determinant factor.[530] From the middle of the 1990s, then, while Bercuson and Cooper saw in Reform an opportunity for their own view of the country, Flanagan understood that, in effect, the shape of conservative politics altogether was up for grabs.

The Calgary School paid close attention to the election of 1997, the first contested by a version of the Reform Party that already had a significant legislative foothold, and also the first contested by the almost-defunct version of the Progressive Conservatives, now led by Jean Charest. In the leadup to the June election, Bercuson and Cooper argued that Charest's party had little or no hope of reinvigoration, mostly because of the Reform Party. Charest's "brand of me-too Toryism is a pale reflection of the brass-knuckles conservatism of Reform," they wrote.[531] So even as Bercuson and Cooper noted problems that Reform was managing during the election of 1997 (including a partial revolt in the city of Calgary where Stephen Harper and Jim Silye, both Reform MPs at the time, exited politics), they still saw little hope for the Progressive Conservatives who, if they were not outflanked by Reform, could expect to be outflanked by the Liberals who, especially under the influence of finance

[530] Flanagan, *Waiting for the Wave*, 4.
[531] David Bercuson and Barry Cooper, "Me-tooism won't help the Tories," *The Globe and Mail*, 5 April 1997, D2.

minister Paul Martin, had bought fully in to the 1990s vogue of fiscal conservatism.[532] There, of course, Bercuson and Cooper were rather approving.[533]

Accordingly, just days before the election, Bercuson and Cooper took to *The Globe and Mail* to announce, if not their absolutely preferred outcome, then their preferred realistic outcome: a Liberal majority and Reform Opposition. They were willing to tolerate a Liberal majority for two main reasons. Firstly, while they had no affection for Liberal leader Chrétien, they were quite approving of Paul Martin's fiscal policies, even explicitly posing those policies against the Tories, saying, "Sorry, Jean [Charest]. Your party talked the talk, but the Liberals walked the walk." Secondly, they feared another Quebec referendum and in the event that one did occur they were insistent on the need for a maximally unified federal government, something that only the Liberals could provide. A Reform Opposition, in turn, would for Bercuson and Cooper ensure proper parliamentary representation for the voice of the west, and also provide a further bulwark against Quebec.[534]

In the event, the Calgary Schoolers got what they wanted. The Liberals lost seats but easily held on to a large majority, while modest Reform gains indeed landed the party in Official Opposition status. Charest's Progressive Conservatives, for their part, gained eighteen seats, going from just two to a more respectable twenty, which

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[532] Harper and Silye were the biggest names among a larger exodus. See Norm Ovenden, "Departures leave Reform reeling," *Ottawa Citizen*, 9 November 1996, A4. On Martin's fiscal agenda, again, Steve Patten describes the budget of 1995 as "arguably the most economically conservative budget of the postwar era." See Patten, "The Evolution of the Canadian Party System,"16.
[533] Bercuson and Cooper, "Me-tooism won't help the Tories."
[534] David Bercuson and Barry Cooper, "Ideal choices for government and Opposition," *The Globe and Mail*, 31 May 1997, D2.

hardly did much to alleviate tensions on the still divided Canadian right.[535] Without losing a step, Bercuson and Cooper pivoted back to a more critical stance vis-à-vis the Liberals, and a more laudatory one vis-à-vis Reform, sounding familiar notes in the process. By July 1997, they were criticizing the Chrétien Liberals for failing to see the wisdom, or the "realism," that animated Reform politics. In this presentation, Reform was admirably realistic about many of the issues that Bercuson and Cooper had explored in *Deconfederation* and *Derailed*: the myriad offences of the Trudeau years, especially as the west was concerned, and the failure of Mulroney to undo those mistakes, a failure emblematized by the constitutional accords.[536] Not in so many words, Bercuson and Cooper seemed to associate their view of Canada very closely with the Reform Party's view.

At a more practical level, though, the election of 1997, and the intra-conservative political tension that it showed to be still very much alive, made it clear that the turmoil on the Canadian right required some form of resolution. Indeed, to many this had been apparent already. In May 1996 the Canadian-American conservative columnist David Frum and Calgary School protégé Ezra Levant had convened, at the Westin Hotel in Calgary, a conference of about 100 pundits, writers, and activists to discuss the possibility that Reform and the Progressive Conservatives

[535] Elections Canada, "Thirty-sixth General Election 1997: Official Voting Results: Synopsis," https://www.elections.ca/content.aspx?section=res&document=index&dir=rep/off/dec3097&lang=e.
[536] David Bercuson and Barry Cooper, "Reform brings notes of realism to the House," *The Globe and Mail*, 7 June 1997, D2.

might settle their differences cooperatively and move forward as a united front.[537] They called it the "Winds of Change" conference. The Calgary School was represented by Bercuson, Cooper, and Flanagan. Anachronistically, it could be said that the conference's draft manifesto read as if artificial intelligence software had been asked to write a three paragraph call-to-action on the basis of Calgary School publications. Describing Canada in Bercusonian-Cooperian terms—"Crushed under debt and taxes, demoralized by perverse social policies, its very existence in question"—the manifesto demanded a united right to un-make what it saw as Canada's intentional state, which took "convictions as superstitions to be remodelled by Ottawa social engineers."[538]

The efforts of the "Winds of Change" conference were "doomed," as Flanagan put it, because the federal Progressive Conservatives had boycotted the meeting.[539] Nevertheless, 1997 had shown to conservatives that something had to change. In October, a few months after the election, Flanagan argued in a column that one change option was for Reform to enter into provincial politics, which would have the effect of subordinating Manning's method, usually described as "populism," to his ideology. "Crossing this Rubicon will be a huge step for Reform," Flanagan wrote, "signalling the final transition from a temporary populist movement guided by

[537] For a discussion of the conference see Flanagan, *Harper's Team,* 16. Frum, notably, went on to become (in)famous as a speechwriter for American President George W. Bush. Levant went on to found the far-right magazine *The Western Standard* and the far-right online outlet *Rebel Media*.
[538] Winds of Change conference agenda, draft manifesto, and list of participants in 98.122, box 3, folder 2, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[539] Flanagan, *Harper's Team*, 16.

a single, indispensable leader to a mature political party capable of reconciling disparate forces across the country."[540] Reconciliation of that sort was increasingly the order of the day, and naturally enough a party merger was considered to be one route towards such a goal, even as efforts toward that end were thwarted.

Within the Calgary School, there was some disagreement about the prospects for reconciliation on the right. In April 1998, Bercuson and Cooper described relations between the Reform and Progressive Conservative parties as a "blood feud," implying that the principal barrier to a "united right" was not ideology but emotion and identity. "The Conservatives and the Reformers are not going to get together," they insisted, "Not now, probably not ever." Even if uniting the right was a good idea, and they at least allowed that it was, they were clear in their opinion that ideas were not typically all that significant in Canadian politics. "Far more important," they declared, was "the boundless depth of contempt, mistrust, anger, and disgust that large numbers of card-carrying members of the two federal parties have for each other."[541] In retrospect, this utter pessimism can seem puzzling. In any case, they were not at all hopeful for a settling of differences.

The more openly partisan and somewhat more sanguine Flanagan turned out to be also the more clear-eyed of the Calgary Schoolers on this matter. To be sure, if more optimistic than Bercuson and Cooper, Flanagan remained aware of the

[540] Tom Flanagan, "Reform at the Rubicon," *The Globe and Mail*, 9 October 1997, A19.
[541] David Bercuson and Barry Cooper, "The blood feud between Tories and Reformers," *The Globe and Mail*, 4 April 1998, D2.

challenges at play. Following up on the "Winds of Change" conference in 1996, Flanagan and Harper launched an extended analysis of the prospects for unity. First, assessing that the conference "had no impact whatsoever" on the prospects for reconciliation between Tories and Reformers, they published a relatively brief piece shortly before the election of 1997 in which they argued that the disarray among conservatives meant that the governing Liberals helmed something of a "benign dictatorship," or a "one-party-plus system," where across "a hundred years since 1896, Liberal government has been the rule, their opposition habitually weak, and alternative governments short-lived."[542] A more united and organized Canadian conservatism, that is, could challenge the established pattern.

So, the challenge was significant, but after the election of 1997, Flanagan and Harper continued to ponder alternative trajectories for Canadian conservatives. They conceded, as Bercuson and Cooper had emphasized, that relations between Reform and the Progressive Conservatives were bitter, and they agreed equally that a merger was, for the time, very unlikely, but they did not otherwise resign themselves to the status quo. Instead, they argued that the most desirable path forward would be "a working alliance of separate regional parties, rather than a unitary national party."[543] Such an alliance would be a step in the direction of mending intra-conservative

[542] Stephen Harper and Tom Flanagan, "Our Benign Dictatorship," *Next City* (January 1997), 35-40 and 54-57. Accessed at https://www.scribd.com/doc/51938443/Stephen-Harper-and-Tom-Flanagan-Our-Benign-Dictatorship-Next-City-Winter-1996-97

[543] Tom Flanagan and Stephen Harper, "Conservative Politics in Canada: Past, Present, and Future," in William D. Gairdner, ed., *After Liberalism: Essays in Search of Freedom, Virtue, and Order* (Toronto: Stoddart, 1998), 168.

relationships. On the one hand, Tories would have to allow that Reformers were fellow travellers rather than extremists. On the other, Reform would need to acknowledge that the Tories were genuine conservatives rather than flakey compromisers. Additionally, the "Quebec question" would need to be sorted out once and for all. These were large hurdles to clear, certainly, but Flanagan and Harper were plainly eager to see progress. In the imperfect meantime, they comforted themselves with the reminder that "conservatives are not *supposed* to chase after perfect solutions."[544] Perfection, of course, involved anathematic planning and intention.

As it happened, Preston Manning was reconsidering things alongside Flanagan and Harper. In May 1998, Manning came out with a plan to upend the existing structure of the Reform Party and assembled a committee comprised in roughly equal halves of Reformers and of representatives from other conservative parties to consider the idea. These efforts led to the convening of a "United Alternative" assembly in February 1999, where delegates voted to establish an entirely new party and, perhaps most importantly, to have a leadership race that might elect a new leader for the new party.[545] Flanagan, whose relationship with Manning over the years had been close but somewhat rocky, immediately took to public boosting of the idea, including in his new role as a monthly columnist for *The*

[544] Flanagan and Harper, "Conservative Politics in Canada," 190-191.
[545] Tom Flanagan, "From Reform to the Canadian Alliance," in Hugh G. Thorburn and Alan Whitehorn, eds., *Party Politics in Canada*, 8th ed. (Toronto: Prentice Hall, 2001), 289.

Globe and Mail.[546] Manning, Flanagan argued, "will never be the prime minister," and so it was time for him to step aside for someone like Harper, or Stockwell Day, who could plausibly lead a party to victory in a federal election. Once Manning had stepped down, Flanagan suggested in friendly parting, they could indulge their shared pastime of fishing, "maybe even together."[547]

In January 2000, finally, a second United Alternative assembly voted to form a new party that would be called the Canadian Reform Conservative Alliance. This did not officially spell the end of Reform, because two thirds of Reform Party members still needed to approve an amalgamation, but they did exactly that by a 92 percent majority in March. Next, the new party elected Stockwell Day, not Preston Manning, as its first leader, confirming that the Alliance would indeed be something other than a re-branded Reform. The Progressive Conservatives, for their part, were not enthused, and early relations between the parties were rocky.[548] If there was now a party called Alliance, there was still not a genuine alliance among Canadian conservatives. Taking the new party as something of a threat, even, the Progressive Conservative leader Joe Clark challenged Alliance leader Day to run directly against him in the riding of Calgary Centre during the election of 2000. Journalist Lysiane

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[546] See Tom Flanagan, *Persona Non Grata: The Death of Free Speech in the Internet Age* (Toronto: McClelland & Stewart, 2014), 25. Of his column in the *Globe*, Flanagan wrote that "it was a great opportunity to apply my Hayekian version of conservatism/classical liberalism to the issues of the day, to broaden my reputation as a commentator on all sorts of things." *Persona Non Grata*, it warrants mentioning, was Flanagan's book-length response to a scandal that erupted in 2013 when he made comments at the University of Lethbridge about the appropriate punishments for child pornography. See James Wood, "Strategist apologizes for child porn comments," *National Post*, 1 March 2013, A1 and A6.

[547] Tom Flanagan, "Re-founding the Reform Party," *The Globe and Mail*, 22 April 1999, A15.

[548] Flanagan, "From Reform to the Canadian Alliance," 289-290.

Gagnon suggested at the time that Clark staying on as leader of the Tories was exactly what the Alliance wanted, as it would contribute to the continued marginalization of Clark's party.[549] Probably, that was true, as the 2000 election saw the Progressive Conservative's already-meagre seat total further reduced, while the Alliance saw modest gains and succeeded Reform as Official Opposition.[550]

Shortly after the 2000 election in November, though, something of a mutiny against Day's leadership began to emerge and, from this point, the Calgary School jumped unambiguously into the unity camp. Both Bercuson and Cooper, who in the late-1990s had insisted on the near-impossibility of a merger between Reform and the Tories, were now advocating that the Alliance join forces with those same Tories. For Bercuson, internal strife in the Alliance threatened the ability of the party to operate effectively, and while the federal Tories were still little more than a shell of their former selves, the fact that they had strong provincial parties meant they had a sturdier foundation than Day's Alliance, which could disappear in a flash if the mutiny got far enough along. A merger could be of historic consequence, marking the point at which "the Liberals' extended run in power began to end."[551] For Cooper, who was a friend and admirer of Tory leader Joe Clark, by summer 2002 it was "surely time for the Tories to abandon their impossible dream and seek

[549] Lysiane Gagnon, "The Alliance's secret weapon: Joe Clark," *The Globe and Mail*, 24 July 2000, A13.
[550] Elections Canada, "Thirty-seventh General Election 2000: Official Voting Results: Synopsis," https://www.elections.ca/content.aspx?section=res&document=index&dir=rep/off/37g&lang=e
[551] See comments of David Bercuson in Andrew Duffy, "Analysts ask if party is Day-proof," *The Ottawa Citizen*, 26 April 2001, A7.

accommodation with the Alliance."[552] For Flangan, finally, it was time to get back into politics proper which, as the following chapter will discuss, he eagerly did. From November 2001, Flanagan worked alongside Stephen Harper, first to make him Alliance leader as of 2002.[553]

With Harper at the helm of the Alliance, merger momentum increased, and in 2003 Harper and the new Tory leader, Peter MacKay, at last negotiated a merger of the Alliance with the Progressive Conservatives, effectively stitching Canadian conservatism back together again after a decade in the wilderness.[554] Bercuson and Cooper published a column in the *Calgary Herald* that looked forward and backward at once. The Progressive Conservative Party, they were sure to emphasize, had been a party of great historical significance, it was the party of John A. Macdonald after all, but it was also a victim of historical circumstance. The same period of turmoil that launched Bercuson, Cooper, and the rest of the Calgary School in their careers as polemicists and commentators had, for the Tories, been an existential crisis. Indeed, for Bercuson and Cooper the constitutional crisis that began with the fiasco of Meech Lake "was as momentous in its impact on federal politics as were the Great Depression and the two world wars." Failing to meet the crisis, the Progressive Conservatives had suffered a near-death blow in 1993, even if the lights did not immediately go out. Now, they announced with a twinge of hopeful regret, "The

[552] Barry Cooper, "Clark kept Tories afloat, but to swim they need the Alliance," *The Ottawa Citizen*, 8 August 2002, A16.
[553] See Flanagan, *Harper's Team*.
[554] Farney, 44-45.

greatest contribution this historic organization can do for the country today is to pass the torch to the new Conservative Party of Canada."[555]

Their regret, such as it was, could only have been a function of sentimentality. Together, and alongside their Calgary School colleagues, Bercuson and Cooper had done much not just to shape the terrain of the crisis discourse in Canada over the 1990s but to insist on the culpability of the Mulroney-era Tories in making and deepening that crisis. The rise of Reform, about which they occasionally tried to be standoffish, was tied to the spread of a view of Canadian history and politics that very much mirrored their own. The crisis that made the Calgary School was the same crisis that unmade the Progressive Conservatives.

The appearance of the new Conservative Party of Canada, the leader of which, Harper, was being directly advised by Flanagan, is thus a fitting endpoint for this account of crisis and the making of the Calgary School. Once they took the polemical turn in the early-1990s, the Calgary Schoolers established a kind of symbiotic relationship between national crises and their own influence. Prior scholarly development lent them credibility as experts, while polemical fluency courted controversy and notoriety. If, in the earliest part of the 1990s, they were relative unknowns outside of their scholarly fields, by the early part of the 2000s they were national fixtures. With book-length interventions, including explosive manifestos like *Deconfederation* and *Derailed*, as well as highly politicized scholarship

[555] David Bercuson and Barry Cooper, "Dead party walking: PC's days are done," *Calgary Herald*, 22 October 2003, A13.

as in *Charter Revolution*, they established influence both immediate and more enduring. They also took up evermore column space in national and local newspapers alike, ensuring that the view from "The West," as Bercuson and Cooper's column in *The Globe and Mail* was called, became a regular feature of national debate. Finally, they attached themselves in so many ways to both governments, as with Klein, and movements, as with Reform, which lent their polemics a practical edge. The Calgary School was made in crisis.

Chapter IV

Mandarins: Courts, Industry, Politics and the Practical Calgary School

In his retrospection on the role that the Calgary School played in Canadian public life, and in conservative politics especially, Flanagan has been keen to downplay the role of ideas in the public influence of the group, and to associate ideas generally not with the right but with the left. "The rationalism of the modern left leads leftist observers to overstate the significance of abstract ideas," he wrote. For the members of the Calgary School, then, Flangan thought that influence came for other reasons related to all the ways in which "Calgary is the spiritual centre of the conservative movement in Canada."[556] Downplaying the role of intellectuals, Flanagan instead gave credit to politicians and businesspeople and to those, especially in Alberta and even Calgary specifically, who joined with their movements. "As researchers and writers," Flanagan wrote, "the members of the Calgary School have supported these movements, written about them, and helped to explain them to the public. But as thinkers we were not the prime movers."[557]

There is important truth in this framing. Of course, it is true that ideas exist in an interrelation with material dynamics and become influential, or not, in large part because of the nature of that interrelation. Flanagan allows for this, but what Flanagan gets wrong about the Calgary School—because he is so keen to pose its members as innocent intellectuals, above the fray, acting merely as guides—is that

[556] Flanagan, "Legends," 36.
[557] Flanagan, "Legends," 37.

the interrelation of ideas and material things is not always the product of simple chance. Ideas can be operationalized directly by intellectuals who seek actively to make their ideas materially consequential. Indeed, Flanagan admits that the "members of the Calgary School, as individuals, have associated themselves with [conservative] movements, sometimes studying and writing about them, sometimes offering help as consultants, sometimes actually entering their employment."[558] Especially as expert witnesses in court cases, political advisors, consultants to firms of various sorts, and even as an elected politician, in the case of Morton, the Calgary Schoolers were far from "innocent" intellectuals. Rather, they formed a cadre of the practical right. They were in fact volitionally imbricated within the processes that, to hear Flanagan tell it, they were only perched above and alongside.

Flanagan wanted to suggest that the Calgary School was a grouping of what Antonio Gramsci would call "traditional intellectuals." Such intellectuals are able to ally themselves with emergent formations according to circumstances. Traditional intellectuals are then contrasted with another type, organic intellectuals, which are typically described as intellectuals that emerge directly out of their particular class position and thus are materially linked to a given social constellation.[559] However, as the cultural historian Michael Denning has pointed out, this definition of an organic intellectual is based on a slight mistranslation. In Gramsci's Italian, "organization"

[558] Flanagan, "Legends," 36-37.
[559] See, for what is perhaps the most helpful explainer of these terms in Gramsci's fragmented work, David Forgacs, ed., *The Gramsci Reader: Selected Writings, 1916-1935* (New York: New York University Press, 2000), especially the glossary.

and "organism," and thus "organic," are much more closely related than they are in English. As a result, "organic intellectual" is mis-translated to refer to a sort of "roots intellectual," where it ought to refer to what we would call an organizer. In this sense, an organic intellectual is anyone thinking about and contributing to the organizational form of political movements.[560] The association of the Calgary School with the conservative movement and its associated class formations represents organic intellectual activity in this clarified, organizational sense. Describing the activities of the practical Calgary School in this way helpfully shows how its members, while they did not create the conditions of possibility for the Reform movement, say, or later for Harperism, did contribute organically in this sense to the Canadian right's activity within those conditions of possibility.

With gusto from the early-1990s, and thus alongside their polemical turn, the Calgary Schoolers took a practical turn, becoming mandarins of a sort by lending their services to the courts, working for politicians and political parties, advising private capital, and finally by entering politics directly. This chapter considers these developments up to about 2005, though they continued afterwards.[561] In the courts, all Calgary Schoolers got involved to one degree or another. In political advisory work, Flanagan led the way as the first and indeed the only member of the Calgary School to make politics a major part of his day-to-day work, though each of the

[560] See Michael Denning, "Conjuncture: Politics as Organizing," interview by Jordan T. Camp, *Trinity Social Justice Institute*, 31 March 2022, video, https://www.youtube.com/watch?v=1zJw_f6GcHQ.
[561] The chronological decision here follows from the intention, established in the introduction, to write a history of the Calgary School "for what it was" beyond the spectre of Stephen Harper and political developments from the mid-2000s onwards. Harper became prime minister in 2006.

others were also keen to lend their services to political parties from time to time. As far as private advisory work went, Bercuson and Cooper were the key players, and just as they were collaborative polemicists, they were collaborative consultants. In politics proper, again, Morton stood alone, being the only member of the Calgary School to hold public office. In all these ways, the Calgary Schoolers showed themselves to be much more than detached intellectuals. They actively sought influence through practical means.

The Calgary School in the Courts

While each member of the Calgary School offered expertise to the courts at times during their careers, the keenest and most successful among them was Flanagan, who as a historically inclined political scientist had a scholarly background that made him well-suited to advise courts on matters related to Métis land claims, for example, or related questions of Aboriginal title, or on the interpretation of historical legislation like the *Manitoba Act*. As the political scientist Darren O'Toole notes in an article on one of the first cases for which Flanagan served as a witness, in almost all cases having to do with the rights of Indigenous peoples and communities, the Crown has leaned heavily on expert testimony like Flanagan's. Such testimony accrues legitimacy on the basis of its academic standing and, on the other hand, further academic standing is conferred on expert witnesses by the "specific symbolic

capital of the juridical field."[562] In other words, testimony for the courts was at once a way to have influence and to gain influence. No wonder, then, that Flanagan and his colleagues found the role of expert witness to be another enticing mode of influence.

The case that O'Toole writes about with regard to Flanagan's testimony was a major land claims dispute between the Canadian government and the Manitoba Métis Federation (MMF) called *MMF v. Canada.* Flanagan was hired by the Crown as historical consultant in 1986 on account of the scholarly work he had published previously on Louis Riel and the Métis.[563] Notably, the Department of Justice funded Flanagan's research on this case for a period of a year, a year that Flanagan has described as "one of the most interesting experiences of [his] life." The case was not decided at trial until much later, in 2007, at which time Flanagan spent three weeks on the witness stand.[564] If the research presented one of the most interesting experiences of Flanagan's life, cross-examination by the lawyer Jim Aldridge was one of the "most challenging."[565] In any event, Flanagan's perspective proved crucial, at least until 2013 when the Supreme Court of Canada became the first court to rule in the MMF's favour on the matter.[566] In O'Toole's analysis of the 2007 decision,

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[562] O'Toole, "Métis Claims," 243. In 2010, O'Toole published a follow up article. See Darren O'Toole, "Thomas Flanagan on the Stand: Revisiting Métis Land Claims and the *List of Rights* in Manitoba," *International Journal of Canadian Studies* no. 41 (2010): 137-177.
[563] See chapter II for discussion of that scholarly work. The 1986 hiring date is from Flanagan, *Métis Lands*, vii, where Flanagan also explains how *Métis Lands* was a byproduct of the research that he undertook for the *MMF* case.
[564] Flanagan, "Political Scientist in Public Affairs," 131. Quotation in previous sentence from same page.
[565] Flanagan, "Political Scientist in Public Affairs," 134.
[566] *Manitoba Métis Federation v. Canada,* 2007 MBQB 293, accessed at *Westlaw Canada*; *Manitoba Métis Federation v. Canada,* 2013 SCC 14, accessed at *Westlaw Canada*.

"the trial judge largely adopted Flanagan's historical interpretation as his own in drawing conclusions of fact," and in Flanagan's own telling the evidence that he brought to the case "caused the Métis claims to be rejected."[567] Moreover, the nature of Flanagan's testimony in the case suggested what would become his typical posture as an expert witness, effectively saying to Métis litigants that history had not afforded them with grounds for the claims they believed it had.

The *MMF* case had to do with the implementation of sections 31 and 32 of the *Mantioba Act* of 1870, which had made promises to distribute land to subsequent generations of Métis in Manitoba. During the 1960s, the MMF had investigated these promised distributions and found that something like 11,500 acres had never been distributed at all, and they took the matter to the courts in 1981.[568] Naturally, the details of the case were complex and it is not possible to consider them here. What is important to note is that, while Flanagan leaned heavily on the language of historical objectivity in the case he made for the court, in fact his conclusions were debatable and very closely related to his controversial scholarship in defence of spontaneous order and Canadian settler colonialism. As O'Toole puts it, where Flanagan claimed to represent history "as it really was," in fact he concerned himself with "history as it should not have happened."[569] Thus for O'Toole, while "the plain historical fact is that the federal Parliament recognized the Indian title of the

[567] O'Toole, "Métis Claims," 241; Flanagan, "Legends," 26.
[568] O'Toole, "Métis Claims," 242-244.
[569] See O'Toole, "Métis Claims," 261-262, where these phrases are invoked with reference to the most famous advocate of historical objectivity, the nineteenth century German historian Leopold von Ranke.

Manitoba Métis in s. 31 of the *Manitoba Act*, *1870*," for Flanagan the recognition of such title was "a historical mistake" and was thus effectively invalid.[570] Here, the historical judgement that Flanagan developed in the scholarly mode was operationalized in a legal setting where it had direct, material implications, however delayed. For O'Toole, Flanagan's influence on the first trial judge was "unmistakable."[571]

Flanagan contributed similar advice on a number of cases in the 1990s.[572] In his historical report on behalf of the Crown for *R v. Blais* in 1995, while the case was in Manitoba provincial court, he covered much the same ground but with more focus on hunting rights than land rights. The defendant in the case was a Métis hunter accused of hunting deer out of season. Flanagan argued that history showed the Métis were very willing to advance an agenda through political processes, and thus since they did not appear to him to have done so with regard to hunting rights, "Aboriginal hunting rights were not on their agenda."[573] The expert witness for the accused in the case, Dr. Frederick John Shore, provided a different view, suggesting that if the Métis had not made specific political claims to hunting rights that was because hunting for them was akin to breathing, and therefore the idea of having to claim such rights would have been anathema. In the decision, the judge put the

[570] O'Toole, "Métis Claims," 262. The phrase "a historical mistake" is in Flanagan, "The Case Against," 314 and is quoted in O'Toole, "Métis Claims," 262.
[571] O'Toole, "Métis Claims," 244.
[572] He also prepared reports for the federal Department of Justice.
[573] Tom Flanagan, Historical Report in Connection with *R v. Blais*, 2002.032, box 25, folder 4, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

opposing views of Flanagan and Shore into an extended dialogue, before ultimately siding with Flanagan's view of the relevant history without completely endorsing it. The accused were convicted of the charges against them.[574]

Writing to Flanagan after the 1996 decision in *R v. Blais*, Crown Counsel Kenneth J. Tyler was thrilled that the judge had decided in their favour on every significant issue in the case. His "one regret" was that the judge's adoption of Flanagan's view of the relevant history was not entirely comprehensive. Tyler thought the judge had probably hedged a bit to accentuate the appearance of an even-handed judgement. In any case, Tyler was emphatic that "the most significant finding in the judgement, with the most far-reaching consequences, in my view, is Judge Swail's conclusion that the Aboriginal rights of the Accused had been extinguished." This was especially important, Tyler thought, because if it was upheld it would factor into nearly all related cases moving forward. Noting that the court had not explicitly invoked Flanagan's evidence on this point, Tyler was "absolutely convinced that it was a major factor in getting the Judge to treat the whole issue of extinguishment seriously."[575] In other words, the Crown Counsel in *R v Blais* was all but certain that Flanagan had set the foundation for any and all future judgements on cases related to Métis rights claims. A year later in May 1996, apparently still eager to extend and cement his influence on these issues, Flanagan made a very similar

[574] *R v. Blais*, 1996 MBPC 626, accessed at *Westlaw Canada*. The case was appealed all the way to the Supreme Court, but the original judgement was affirmed at each step. See case history at *Westlaw Canada*.
[575] Letter from Kenneth J. Tyler to Tom Flanagan, 23 August 1996, 2002.032, box 25, folder 4, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

case two more times in connection with *R v. Braconnier and Vermeylen* and *R v. Marcel Proulx Jr*. [576]

Notably, while Flanagan's language in a report like the one for *R v. Blais* featured all the trappings of apparent objectivity, his historical judgement, the same judgement with which he had indicted Louis Riel, was never far from the surface. Again, as per usual, the question of intention was key, and Flanagan proved willing to answer the questions of intention in a way that suited the interests of the settler-colonial project in some way. Flanagan had condemned Riel because of the extent to which he was acting intentionally in pursuit of certain outcomes.[577] Now, in assessing contemporary questions of Métis rights, Flanagan used such intention as a threshold. Since Flanagan saw the Métis to be willing to make intentional political claims, if there was an issue, like hunting or fishing rights, where such claims did not seem to have been made, Flanagan would find no basis for subsequent claims and deny their legitimacy accordingly. "That Métis hunting rights cannot be found in the documentation suggests, therefore, that they were not on people's minds at the time," as he wrote in the report for *R v. Blais*.[578] Effectively, Flanagan made the Métis into "intentionalists" and judged their claims along those lines. As an expert witness, he very much influenced the courts on supra-factual matters of interpretation, and if

[576] Tom Flanagan, Historical Report in Connection with *R v. Braconnier and Vermeylen*, 2002.032, box 25, folder 3, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada; Tom Flanagan, Historical Report in Connection with *R v. Marcel Proulx Jr* , 2002.032, box 26, folder 4, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[577] See chapter II.
[578] Flanagan, Historical Report in Connection with *R v. Blais*, 3.

Tyler was right about the foundational nature of Flanagan's influence, then this was of no minor significance.

Flanagan continued to be sought out as an expert witness on cases into the 2000s, at least until he became very closely associated with Stephen Harper, at which time it would seem that the invitations stopped coming.[579] Along with *MMF* and *Blais*, he has singled out *Buffalo v. Canada*, decided in 2001, and *Benoit v. Canada*, decided in 2003, as the most important cases in which he testified as an expert.[580] Again, his expertise pointed in the same direction. In *Benoit* he denied that Treaty 8, which covers a huge expanse of land across what is now British Columbia, Alberta, Saskatchewan, and the Northwest Territories, had promised immunity from taxation. In *Buffalo*, a case about which he wrote that "It was almost as if the bands had bundled together every grievance accumulated since 1876," he testified more broadly about the historical context for Treaty 6, which spans what is now central Alberta and Saskatchewan.[581] In *Benoit*, the Crown initially lost the case before winning in the Federal Court of Appeal. In *Buffalo*, the Crown succeeded on the points where Flanagan's testimony was germane. "The courts," Flanagan wrote,

[579] "I'm not entirely sure of the reasons" why the invitations stopped, Flanagan has written, but "I suspect it's because several years of managing campaigns for the man who is now prime minister [Harper] has made me seem too partisan, and therefore vulnerable to charges of bias during cross-examination." Flanagan, "Political Scientist in Public Affairs," 133.
[580] *Buffalo v. Canada*, 2001 FCA 282, accessed at *Westlaw Canada*; *Benoit v. Canada*, 2003 FCA 236, accessed at *Westlaw Canada*.
[581] 1876 was the year in which Treaty 6 was signed.

"eventually got the history right in all these cases."[582] Of course, what constitutes the "right" history is always a matter of dispute.

A somewhat scattered and fragmentary archival record makes it difficult to be absolutely confident, but it would seem likely that Flanagan was the most influential Calgary Schooler in the courts.[583] He was not at all the only one, though, as each of the others contributed their expertise to the courts in various ways. And if Flanagan the expert witness operated on his own, or with a colleague, Gerhard Ens, who was a history professor at Brandon University and the University of Alberta, the other Calgary Schoolers were willing to collaborate among themselves.[584] For example, all four of the others, Bercuson, Cooper, Knopff, and Morton, contributed a report on *The Electoral Boundaries Commission Act* of 1990 for the Alberta Court of Appeal.[585] Here, the Calgary Schoolers proceeded by two collaborations, with Knopff and Morton providing the first part of the report and Bercuson and Cooper providing the second. Bercuson and Cooper actually disagreed with their junior colleagues in the

[582] Flanagan, "Political Scientist in Public Affairs," 134.
[583] It can be said with confidence that Flanagan's work for the courts was more influential than that of his colleagues Bercuson and Cooper. But in the absence of archival collections for Knopff and Morton direct comparison between them and Flanagan is more difficult. My "professional hunch" is that Flanagan's nearest "rival" for legal influence was Knopff. Additionally, with Knopff and Morton in particular, it warrants mention that over and above their direct influence in the courts they had significant indirect influence through their numerous publications on the Charter. If one searches around for their names in legal databases, as I did while researching this chapter, one finds many citations of their publications in cases where they did not otherwise seem to be involved.
[584] With Ens, for example, Flanagan prepared a report for the Department of Justice in December 1990. See Flanagan and Ens, "Métis Family Study: A Report Prepared for the Department of Justice," December 1990, 2002.032, box 25, folder 3, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada. Flanagan and Ens also collaborated more publicly, as in Flanagan and Ens, "Métis Land Grants in Manitoba: A Statistical Study," *Histoire Sociale/Social History* vol. 27 no. 53 (June 1994): 65-87.
[585] The relevant issue, as the name of the act suggested, was how to design electoral constituencies in the province.

report, arguing that the 1990 act was unacceptable, where Knopff and Morton thought it was, basically, fine. The disagreement was interesting, but by no means stunning, boiling down in effect to differing views on the permissibility of deviations from the principle of "one person, one vote," with the older Calgary Schoolers being less willing than their junior colleagues to tolerate such deviations. The tolerance of Knopff and Morton would seem to have followed from their skepticism regarding Section 15, the equality rights section, in the Charter.[586] Most of all, what the report shows is an extension of the Calgary Schoolers's willingness to collaborate with each other and also a shared interest in practical influence.

Collaboration was not the typical form of work on behalf of the courts, though, and each of Bercuson, Cooper, Knopff, and Morton did this kind of work individually, sometimes on the same cases. They were typically not as "successful" as Flanagan had repeatedly been. Bercuson served as expert witness a number of times in the 1990s, including in the cases *Reform Party of Canada v. Canada*, *Canada v. Sommerville*, and *Archibald v. Canada*. In *Reform Party of Canada v. Canada*, which was decided in 1992, Bercuson appeared on behalf of the government, and he had a limited effect on the judge's reasoning, which ultimately led to a decision in favour of Reform. Reform had argued that sections of the *Canada Elections Act* were invalid because they interfered with political advertising. The judge noted Bercuson's

[586] David Bercuson and Barry Cooper, "The Right to Vote in Alberta: Community Representation vs. Equal Rights," 12 April 1999, 99.037, box 29, folder 19, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Comments on the position taken by Knopff and Morton come from the summary of that position that comprised the first part of Bercuson and Cooper's report. Knopff and Morton's actual report was not available to me in the archive.

testimony just once, and explicitly subordinated his expertise to that of the experts brought by Reform.[587] Decided in 1996, *Canada v. Sommerville* also concerned political advertising and the *Canada Elections Act*, Bercuson also testified for the government, and again the decision went against the government. Bercuson's testimony was mentioned but never dwelled upon by the judge.[588] In *Archibald v. Canada*, finally, Bercuson was witness for the plaintiffs, not the government. "Switching sides" did not affect the outcome, however, as in this case the judge ruled against the plaintiffs, who had been seeking to have certain parts of the *Canadian Wheat Board Act* declared unconstitutional.[589] The judge was not amenable. Bercuson's testimony was raised in the judgement just once, on a point of undisputed fact.[590]

On the "successful" side of the ledger, Bercuson, Cooper, and Morton each contributed to *Grant v. Canada*, a case decided in 1994 in which the plaintiff argued that the Royal Canadian Mounted Police's exemption policy on the wearing of turbans violated freedom of religion by effectively discriminating against other religions. On behalf of the government in this case, all three provided rebuttal

[587] *Reform Party of Canada v. Canada*, 1992 ABCQB 195, accessed at *Westlaw Canada*. The judge's "subordination" went as follows: "Dr. Bercuson has enviable credentials as a distinguished historian and research scholar in political social history and its impact on broadcasting and was qualified as an expert witness in this area. However, he conceded during cross-examination that he was not an expert in Dr. Fletcher's area of expertise with respect to media and elections nor in Dr. Stanbury's area of expertise in relation to the financing of federal parties and candidates in Canada and the regulation thereof. He indicated in his evidence that he has not devoted much research time to political advertising in the broadcast media. Wherever the evidence and opinions of the expert witnesses for the Plaintiffs in these specific areas of expertise and those of the witness for the Defendant conflict, I prefer and accept the evidence and opinions of the expert witnesses called by the Plaintiffs."
[588] *Canada v. Sommerville*, 1996 ABCA 503, accessed at *Westlaw Canada*.
[589] The Canadian Wheat Board was a state monopoly/monopsony established in 1935 under which the board was the sole buyer and seller of wheat and barley on the prairies. The monopsony was ended in 2012 during a majority term of Stephen Harper's Conservative government.
[590] *Archibald v. Canada*, 1997 FCTD 553, accessed at *Westlaw Canada*.

evidence in the form of commentary on reports by experts for the plaintiffs, disputing their conclusions.[591] Morton made a brief statement for the court, while Bercuson prepared a lengthy report "On the history of the relationship between religion and the state in Canada."[592] For Bercuson, whose name was misspelled as "Bercusson" in the actual decision, Canada did not have an established tradition of a clean separation between church and state, and thus conflicts between the interests of state and religion were "to be solved in practical ways on a case by case basis."[593] Morton and Cooper agreed, with Cooper suggesting that the principal factor in case-by-case decisions should be the preservation of civil peace. Seeing little or no threat to such peace from the turban exemption policy, the judge was inclined to agree.[594]

Grant would seem to have been one of Morton's only times working as a witness for the courts, which makes sense given that not long afterwards he had begun a career in politics. Cooper, for his part, contributed separately from Bercuson to both *Sommerville* and *Archibald*, but apparently little else.[595] For *Archibald* (the Wheat Board case), working like Bercuson on behalf of the plaintiffs, Cooper prepared lengthy comments on a report that the other side had commissioned from Dr. Seymour Martin Lipset, a well-known American sociologist. Cooper's extended commentary suggests, perhaps, that work for the courts was not his forte. Over 33

[591] *Grant v. Canada*, 1994 FCTD 1424, accessed at *Westlaw Canada*.
[592] Morton's statement can be accessed in 99.037, box 37, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[593] David Bercuson, "On the history of the relationship between religion and the state in Canada," 99.037, box 37, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotation from page 3.
[594] *Grant v. Canada*.
[595] See *Canada v. Sommerville* and *Archibald v. Canada.*

pages Cooper wrote in his typical scholarly style, critiquing Lipset on points both philosophical and empirical. Whereas Flanagan, to invoke a comparison, wrote for the courts in a very direct argumentative fashion, Cooper seemed to permit himself both the sprawl and the style of political theory. Indeed, he concluded his comments with a statement that plainly had something to do with his politics:

> With respect to the Canadian Wheat Board and the political culture of the prairies, it is not a difficult matter to understand how some residents of that region might look upon the Wheat Board as yet another means by which those who see themselves as guardians of the imaginative Canada and its myths, assert administrative control over those barbarians beyond the garrison living at the ends of the earth.[596]

Rousing language, to be sure, but perhaps not the kind of thing that was of much judicial use. Cooper was not mentioned in the decision.[597]

Knopff, finally, served as expert witness in the early-1990s on *Belczowski v. R* and *Epilepsy Canada v. Alberta*. In *Belczowski*, decided in 1991, the plaintiff argued that parts of the *Canada Elections Act* were in violation of sections 3 and 15 of the Charter. Knopff, clearly, was an appropriate expert to consult. On behalf of the government, Knopff gave testimony on the issue of whether constitutional democracies required citizens to voluntarily abide by existing laws. He considered "the views of a variety of political and legal philosophers from the 17th to the 20th century in support" and "demonstrated how this notion of the prerequisite of a democratic state has been variously based on natural rights, social contract, liberal philosophy, and utilitarian

[596] Barry Cooper, "A Response to Dr. Seymour Martin Lipset, Political Culture and Community: Canadian Values and the Wheat Board," 99.037, box 35, folder 7, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotation from page 33.
[597] *Archibald v. Canada*.

theories." The judge did not find Knopff's testimony especially important—"His able description of the ruminations of philosophers from Immanuel Kant to George Grant gives me very little clue as to the specific purpose of the Parliament of Canada in adopting para. 51(*e*) of the *Canada Elections Act"*—and decided the case in favour of the plaintiff.[598] In *Epilepsy Canada*, another Charter case, the judge noted that Knopff "gave the Court the benefit of his comparative research of various legal decisions and legislation" but did not otherwise cite his testimony on the way to deciding against the plaintiff.[599] The initial decision was reversed the following year, however.[600]

In sum, the record of the Calgary School in the courts was mixed. Courtrooms are, after all, fraught contexts where expert testimony may or may not influence proceedings depending on multiple variables. Especially since the Calgary Schoolers testified so frequently on historical matters, it is worth noting that it has long been an open question "whether courtroom proceedings provide a receptive climate for the development of a mutual understanding between historical and legal practitioners."[601] In the absence of mutual understanding, expert testimony of the kind the Calgary Schoolers gave could serve myriad functions to differing degrees.[602] In any event, Flanagan was indubitably an expert witness of great consequence in several cases.

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[598] *Belczowski v. R*, 1991 FCTD 2, accessed at *Westlaw Canada*.
[599] *Epilepsy Canada v. Alberta*, 1993 ABCQB 51, accessed at *Westlaw Canada*.
[600] See *Epilepsy Canada v. Alberta,* 1994 ABCA 246, accessed at *Westlaw Canada*.
[601] Quotation from John G. Reid's contribution to John G. Reid, William C. Wicken, Stephen E. Patterson, and D.G. Bell, "History, Native Issues, and the Courts: A Forum," *Acadiensis* vol. 28 no. 1 (Fall 1998): 4.
[602] With historical testimony, one of the key issues has been to do with the perception that historians deal only in facts rather than interpretations. Notably, one can see how such misapprehension might be consequential with a witness like Flanagan who, even if he genuinely understood himself to be a servant of the facts, was always doing some interpreting (as we all are). See Reid et al., 4-7.

The reports he prepared and the testimony he gave in cases related to Métis land claims, as well as hunting and fishing rights, were consequential in those cases. The others did not attain the same degree of influence in the courts, but to downplay their relative legal influence is only to establish a scale of assessment. While less influential than Flanagan, Bercuson, Cooper, Knopff, and Morton nonetheless demonstrated a shared interest in the kind of practical influence that was available, at least potentially, in the courts. At times they accessed that influence, at others it seemed to elude them.

The Calgary School of Private Consultants

If serving as expert witnesses was a way to provide public advice and to seek public influence, and to do so in a particularly structured or circumscribed way, then advising private firms was a complementary mode of practical influence where the advice given was more free-form and provided outside of public view. In this vein, Bercuson and Cooper were indubitably the most active Calgary Schoolers, the only ones for whom there is considerable archival evidence of this kind of activity. The scope of their private advisory work was quite broad as they consulted for financial and capital management firms, energy companies, media companies, and lawyers. Much of this work involved an extension of Bercuson and Cooper's collaborative efforts, but they worked individually, too. Being in Calgary was, to be sure, an important element of this private advisory activity, given the nodal position of the

city within the broader system of Canadian capitalism.[603] Nowhere else, in other words, could Cooper have offered his services to a dozen energy companies within walking distance.[604] In any case, as private consultants, the Calgary Schoolers further sought practical influence.

Starting at the end of the 1980s, while Cooper's scholarly interests were becoming more empirical, he quickly recognized that his work could be of potential use to private firms. He spent 18 and 19 August 1988, for example, sending letters to energy companies with offices in Calgary, offering his and his sometime collaborator Yusuf Umar's consulting services.[605] Cooper began each letter noting that, "Recently Dr. Yusuf Umar and I have been asked by Alberta Oil Companies doing business abroad to provide them with confidential briefings on the political culture of countries to which personnel were being sent," before going on to express a willingness to do more of the same. The list of companies to which Cooper offered this advice included, at least, Amoco Canada, Commercial Oil & Gas Company,

[603] Calgary is the corporate centre of Alberta's oil and gas industry. Calgary's Energy Show boasts straightforwardly that "Calgary is the epicenter of the energy industry in Canada with head offices of every major company in the upstream, midstream and downstream sectors located in the city," https://www.globalenergyshow.com/travel/about-calgary/#:~:text=Calgary%20is%20the%20epicenter%20of,sectors%20located%20in%20the%20city.

[604] It is beyond the scope of this dissertation, but still notable, that Cooper went on to be a good friend of the fossil fuel industry with later-career activities as a climate change skeptic. The defining moment here came in 2008 when *The Globe & Mail* reported that Cooper used his own control of research funds to direct money to the so-called Friends of Science and their efforts at discrediting the overwhelming scientific consensus on the reality of human-caused climate change. See Elizabeth Church, "Use of research funds raising questions," *The Globe & Mail*, 19 April 2008, https://www.theglobeandmail.com/news/national/use-of-research-funds-raising-questions/article671229/.

[605] Umar received his PhD in political science from the University of Calgary in the same year, 1988. It is not clear if Cooper was his supervisor. Umar worked for a few years at Mount Royal University before dying from an illness at the young age of 43 in 1991.

Conoco, Cooperative Energy Development Corporation, Crozet Oil & Gas, Czar Resources, Dekalb Petroleum, First Calgary Petroleum, Harvard International Resources, Denison Mines, Huber J.M. Corporation, and Koch Exploration.[606] It would seem that his services were acquired less often than he might have liked, but he did indeed do some of this work. Before the end of 1988, Cooper, without Umar, prepared a report on the political culture of Formosa (Taiwan), for which the commissioning company was not indicated, and one on the political culture of Burma (Myanmar) for the Petro-Canada International Assistance Corporation.[607]

As the 1990s arrived, Cooper narrowed the kinds of consulting services that he offered, to focus in particular on media coverage. He and Umar began to seek consulting work on the North American television coverage of the Middle East.[608] For the Canada West Foundation, an ostensibly non-partisan think-tank that nevertheless became rather closely associated with the Reform Party, Cooper drafted a report on media coverage of a referendum that was held in conjunction with the 1991 British Columbia provincial election.[609] In 1992, Bercuson joined Cooper to

[606] Letters from Barry Cooper to various oil and gas executives in Calgary, 18-19 August 1988, 98.027, box 30, folder 9, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[607] Barry Cooper, "Background Briefing: The Political Culture of Burma," report prepared for Petro-Canada International Assistance Corporation, August 1988, and Barry Cooper, "Notes for a Briefing on the Political Culture of Formosa," October 1988, in 98.027, box 30, folders 10 and 11 respectively, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[608] Barry Cooper and Yusuf Umar, "A Proposal to Report on North American Media Coverage of the Middle East," 1990, 98.027, box 28, folder 8, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[609] Barry Cooper, "Media Coverage of the Referendum Question in B.C.," report prepared for the Canada West Foundation, December 1991, 98.027, box 30, folder 7, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. The referendum was related to recall and initiative. One of the issues on which the Canada West Foundation became associated with Reform was the call for a triple-e senate. See Michael Burton and Steve Patten, "A Time for Boldness?: Exploring the Space for Senate Reform," *Constitutional Forum* vol. 24 no. 2 (June 2015), 1. It is also

prepare a report on state regulation of political broadcasting in Canada for Brian Burrows at the Edmonton law firm McLennan Ross. The immediate issue was Recommendation 1.6.16 of the Royal Commission on Electoral Reform and Party Financing. The idea behind the recommendation was to make access to political advertising more equitable. This, surely, was a little intentional for Bercuson and Cooper, and they advised McLennan Ross that 1.6.16 was out of step with existing electoral norms.[610]

Cooper and Bercuson's collaboration as private consultants took its fullest form in a newsletter that they began in August 1994, which they called *Signs & Signals*. They conceived it as a monthly publication addressed principally to the financial industry in Calgary. Early plans were ambitious. It was to be "a confidential, up-to-date newsletter for decision makers, especially in a variety of businesses, to aid them in making decisions re: investments, contracts, long-term planning, etc. within Canada," featuring news and opinion from each of the four western provinces, a guest editorial, and feature-length articles from Bercuson and Cooper themselves. They also envisioned hosting twice-annual seminars. The perspective was to be "small 'c' conservative with a particular concern for western interests." As for the topics that they imagined covering, there were no surprises: the

notable that from 1999 to 2012, the foundation was helmed by the Calgary-School-adjacent Roger Gibbins.

[610] Barry Cooper and David Bercuson, "The Regulation and Control of Political Broadcasting in Canada: A Half Century Tradition of Equitability in the Allocation of Broadcast Time," a report prepared for Brian H. Burrows, QC, McLennan Ross, Edmonton, 1 June 1992, 98.027, box 28, folder 6, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

federal welfare state and the debt, NAFTA, Quebec, Klein's fiscal policies, and "other crises, as yet unimagined."[611] In other words, this newsletter would be an exercise in making sure that private capital had regular and convenient access to the Bercuson-Cooper perspective on all of their major interests.

As it developed, the newsletter was not quite so ambitious as they had originally imagined. While they pitched a twelve-page newsletter, actual editions were more like four pages in length. Instead of a monthly frequency, newsletters appeared more like quarterly. They never managed to establish correspondents across the western provinces, and Bercuson and Cooper themselves took responsibility for each newsletter in full.[612] An annual operating budget of $100,000, initially proposed, was surely never established, or actually needed, given the more limited form that the newsletter actually took. They were, however, able to secure private funding (to an ambiguous extent). A memorandum of agreement between them and Catalyst Capital Consultants established an arrangement whereby Bercuson and Cooper would take full responsibility for the content of the newsletter while Catalyst would assume the costs, which were not quantified, and the work of production, distribution, and financing.[613] Any profits were to be shared between Bercuson,

[611] David Bercuson and Barry Cooper, Preliminary Newsletter Proposal, not dated, 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[612] They may have seen this coming. The proposal in Bercuson's papers has handwritten notes on it, one of which says, "Possibly too long if difficult to sustain 12 pages down the road." See Bercuson and Cooper, Preliminary Newspaper Proposal.
[613] It is not exactly clear where this arrangement wound up. Eventually, the newsletters appeared with no mention of Catalyst and instead a note that "This newsletter has been commissioned by the Investment Advisor Team of Scott Brassard, David Foraie, and Marguerite Paulsen and is written exclusively for their clients," in addition to back-page legalese mentioning Nesbitt Burns. The

Cooper, and Catalyst, 50/50 up to $100,000 and favoring Bercuson and Cooper beyond that.[614]

Signs & Signals tended to read much like Bercuson and Cooper's polemics, but with additional comments directed to the particular concerns of money managers. In the issue of June 1995, for example, most of the content was related to Quebec Premier Jacques Parizeau and the issue of a referendum on independence. Alongside the usual analysis of Quebec, there were notes about how "Parizeau's drive for independence is admittedly not being taken as seriously by overseas investors and bond-rating services as it was last fall."[615] About a year later, in June 1996, Bercuson and Cooper surveyed the status of the Chrétien Liberals in government, another of their usual points of interest, and advised on the implications for business. Assessing a high likelihood of the Liberals remaining in government through the remaining years of the century, they forecast accordingly that there would be little change in economic policy, continued Canadian dollar volatility, and continued federal debt problems. The newsletter ended with some advice, counselling that "Investors Should: Diversify internationally; Hold some U.S. bonds; Focus equity investments on export oriented companies like Northern Telecommunications and companies

relationship between Catalyst and these individuals or Nesbitt Burns is unclear. See 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[614] Memorandum of Agreement between David Bercuson and Barry Cooper and Catalyst Capital Consultants, 11 August 1994, 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[615] *Signs & Signals: The Bercuson-Cooper Newsletter*, Issue I, June 1995, 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. The quotation here is from the first page. While this issue was presented as the first issue, Bercuson and Cooper did indeed prepare earlier editions; these archival papers contain another "Issue I" dated to August 1994.

whose products are priced in U.S. dollars —like oil and gas producers; Be prepared to buy good Canadian stocks and bonds in period of 'political volatility.'"[616] In this way *Signs & Signals* did about what Bercuson and Cooper intended, synthesizing their perspective and getting it into view of private capital, with some tag-along financial advice.

Bercuson, perhaps, particularly enjoyed this work. In the mid-1990s, he ramped up his own private advising activities beyond the newsletter with Cooper. This work sometimes took the form of speaking engagements in which he summarized his already established views on a topic, as in 1994 when he travelled to Whistler to give a paid talk to Montreal Trust summarizing the arguments of the forthcoming *Derailed*, or when he spoke to the Canadian Club in 1995 explaining why he still thought that Quebec and Canada should separate.[617] Other times, he seemed to have tailored speeches more closely to the interests of the audience, while still sticking as closely as possible to favoured themes. In a keynote speech to an audience of community planners given in Red Deer in 1995, Bercuson made the usual case that 1945 marked "the birth of the Canadian welfare state and a shift away form individualism and toward collectivism as the central theme of Canadian life,"

[616] *Signs & Signals: The Bercuson-Cooper Newsletter*, Issue VI, July 1996, 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotation from page 4.
[617] David Bercuson, "Montreal Trust Talk: What's Wrong with Canada?," 9 June 1994, 99.037, box 27, folder 9, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Bercuson stipulated that the talk be paid to the tune of "$1000.00 plus GST, plus travel and accommodation expenses." See letter from David Bercuson to Mark Ferguson, 11 January 1994, 99.037, box 27, folder 9, Dr. D.J. Bercuson fonds. For the Canadian Club speech, see David Bercuson, "Getting on with it: Why Quebec and Canada must part," 20 April 1995, 99.037, box 28, folder 2, Dr. D.J. Bercuson fonds. Quotations from pages 2-3 and 15-17.

and tried to show that, come the 1990s, Klein's Alberta had a kind of historical mission to undo that collectivist past. Bercuson delivered an ode to profit-making and the market: "Making a profit on a service, any service not essential to life and limb, is not only not immoral, it is the highest form of morality because it passes the economies of the marketplace through to the citizenry." What did that mean for the assembled planners? "You will have to get closer to your customers and in future, your customers are going to be the voters and citizens who live and work in the communities you help plan, not the governments that run those communities."[618] Get ready, Bercuson advised eagerly, for a glorious wave of privatization.

Bercuson's private advisory *modus operandi* was to offer a precis of his general perspective on twentieth century Canadian history then pivot to the present and suggest implications. In October 1995, for an audience of people involved with public policy, he discussed the postwar "dream," now coming to an end, "of managed economies, of Keynesian economics, of government-guaranteed full employment, of social welfare from the cradle to the grave, of government subsidies handed out like candy on Halloween to businesses that ought not to have gone begging." Suggesting that public policy was, as of the mid-1990s, "on the cusp of revolutionary change," he advised the public policy crowd just as he had the planners, that government

[618] David Bercuson, "Through a Glass Darkly: Planning in the New Alberta," a speech presented to The Community Planning Association of Alberta and the Alberta Association of Canadian Institute of Planners 1995 Joint Conference, 10 May 1995, 99.037, box 28, folder 3, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

prerogatives were about to be transferred *en masse* to the private sector.[619] Before a summit held in Canmore in 1996, he gave a somewhat more hedged and topically broad speech to a business audience, but if there was any issue that could get Bercuson out of his normal routine it was the military, his actual area of expertise. He gave a studied speech on the history of civilian military control to a military audience in 1997.[620]

More than any of the other Calgary Schoolers, Bercuson and Cooper demonstrated a sustained interest, on their own and as collaborators, in bringing their perspectives to particular groups and firms. Sometimes, this work consisted effectively of condensing their polemical commentary, in *Deconfederation* and *Derailed* most of all, and bringing it to audiences in such abbreviated form, as with Bercuson's speaking engagements. Sometimes, as with Cooper's aggressive soliciting of energy companies, consultatory work was sought and undertaken more as the offering of services for hire. *Signs & Signals*, their most consciously and rigorously undertaken project as consultants, was a targeted attempt to connect themselves to the financial services sector. In all these ways, Bercuson and Cooper searched for and sometimes gained a practical influence upon, and an association with, amenable private

[619] David Bercuson, "The Way Ahead: The Public Policy Environment over the Short Term," speech presented to The Conference Board of Canada, Western Compensation and Human Resources Conference, 31 October 1995, 99.037, box 28, folder 5, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotations from pages 1-2.
[620] See David Bercuson, "The Canadian Political Scene: Trends, Portents, and Financial Implications," a speech presented to Economic Summit '96, 28 September 1996, 99.037, box 28, folder 14, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada and, in folder 17, David Bercuson, "Why Canadian Governments have been Obsessed with Civilian Control of the Military," a paper presented to the Democratic Civil-Military Relations Program, 12 February 1997.

interests. In other words, they actively fashioned themselves as organic intellectuals with attending class connections.

The Calgary School of Political Advisors

When Tom Flanagan took a call from Preston Manning in early 1991 and accepted a job as the Reform Party's director of Policy, Strategy, and Communications, a position he started on 1 May of that year, he made political advising a proper job. Subsequently, just like he was the most influential of the Calgary School expert witnesses, he also became the most influential of the Calgary School political advisors. But again, he was not at all alone, as each of the Calgary Schoolers engaged in political advisory work of some kind. Most of that work was done for the Reform Party, indeed, but Bercuson and Cooper also worked for the federal Tories, while Bercuson even did some advisory work for the Alberta Liberal Party. In any case, during the 1990s and into the 2000s the Calgary School sought direct influence in politics.

Flanagan joined the Reform Party in 1990 after reading the party's "Blue Book," a pamphlet outlining the party's stance across a range of policy issues; a graduate student in Calgary had given him a copy.[621] He was attracted to Reform's positions on "balanced budgets, lower taxes, deregulation, privatization, and many other economic topics." Less enthused by its positions on political reform, where the

[621] Flanagan, "Political Scientist in Public Affairs," 136-137. Incidentally, as Flanagan points out, the pamphlet was also written in large measure by Stephen Harper, who was also a University of Calgary graduate student at the time.

party was very enthusiastic about an elected, equal and effective, or "triple-e," senate, Flanagan nonetheless found the overall package appealing enough. Having joined the party, he has claimed that he still did not consider himself to be a politically active person at this point. That changed when Manning called the following year.[622]

From May 1991 to December 1992, as his position's title suggested, Flanagan was in charge of policy, strategy, and communications for Reform (finding the job title a little pretentious, he had it changed to "Director of Research" after about a year).[623] Describing the experience, Flanagan said that he "got a crash course in political parties" and "made some contributions to Reform's development" but otherwise "flamed out badly." The problem, he suggested, was his misapprehension about the relative importance of pragmatism and purity in policy matters. He wanted policy development to be a matter of writing into policy the principles that he had adopted from the likes of Hayek, an approach that did not mesh with Manning's brand of populism. Where Manning saw himself as "deriving his positions inductively from 'the common sense of the common people,'" Flanagan "was a Hayekian, deriving positions deductively from what I took to be the timeless truths of

[622] Flanagan, "Political Scientist in Public Affairs," 137. Here, while I am citing Flanagan's account in "Political Scientist in Public Affairs," which is probably the most neatly contained published summary of Flanagan's career as a "political hack" (his term), the timeline I am suggesting differs from the one in the source. "Political Scientist in Public Affairs," for unknown reasons, features chronological errors that are obvious even without cross-referencing. For example, it suggests that Manning called and offered Flanagan a job in "winter 1991" and then, in the immediately following paragraph, that Flanagan worked for Reform "from May 1990 through December 1992." The accurate timeline, implied here, is the one presented in Flanagan, *Waiting for the Wave*, vii-ix.
[623] Flanagan, *Waiting for the Wave*, vii.

libertarian philosophy."[624] The attendant tensions between Manning and Flanagan continued to mount, and in December 1992 Flanagan resigned, although he stayed on as a policy advisor until July 1993 when he was fired following a disagreement with Manning over his choice of campaign manager in the 1993 federal election and a declaration, from Flanagan, that he "would not refrain from public criticism."[625] In this way, Flanagan's stint in politics with Reform was relatively short lived. Early optimism and ambition gave way to increasing frustration and stress. It did not take long for Flanagan to turn from an eager policy developer to something of a full-time crisis manager.

Within just two months of taking up his position, Flanagan prepared lengthy policy papers on parliamentary reform and "fiscal responsibility," both reflecting his efforts to apply principled thinking to policy problems. In the former paper, following an introductory summary on the theory of democracy that clearly suggested his interest in principles, given the references to Aristotle, James and John Stuart Mill, Tocqueville, Madison, and Adam Smith, Flanagan criticized Canadian democracy and its anti-majoritarian tendencies. "Canadian democracy…pays lip service to the

[624] Flanagan, "Political Scientist in Public Affairs," 137. All quotations from same page. Flanagan sometimes identified, a little reductively if not misleadingly, as a libertarian. Here, for example, he implies an identity between libertarianism and Hayekianism, which is not quite accurate. For a demonstration of how the likes of Hayek thought in non-libertarian ways about the state, see, *inter alia*, Slobodian, *Globalists*.

[625] Flanagan, *Waiting for the Wave*, viii. The two never completely fell out. Indeed Flanagan, along with Bercuson and Cooper, as well as Roger Gibbins, their Department of Political Science colleague who is sometimes considered a Calgary Schooler himself, and Robert Mansell, the economist who supervised Stephen Harper's graduate studies, nominated Manning for an honorary degree in April 2001. See letter from Brenda J. Tweedie to Tom Flanagan, 30 April 2001, 2002.032, box 49, folder 5, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

principle of majority rule, but in fact it systematically frustrates the desires of the majority," he wrote. As a result, he suggested, "Special interests are appeased while the general interest is systematically ignored." Reform, he thought, had correctly diagnosed this issue, but he believed that there was room for improvement in its policy approach on key issues of reforming the House of Commons and the Senate alike, and of introducing direct democracy.[626]

In his commentary on these issues, Flanagan wound up frequently in some of the contradictions that are characteristic of Hayekian or neoliberal thinking about democracy. As scholars like Wendy Brown, a political theorist, and Quinn Slobodian, a historian, have lately shown, neoliberalism is defined by an anti-democratic orientation, although it is equally true that neoliberalism was born as a reaction against the rise of authoritarianism in the interwar period.[627] Flanagan's thinking reflected these tensions. While trying to undo the association of conservatives with a fear of democracy—"Suspicion of democracy was originally a hallmark of conservative thinkers," but "fear of majority rule has become a liberal issue"—he nonetheless revealed himself to be, still, quite skeptical indeed and troubled both by the "tyranny of the majority" and of "log-rolling coalitions between

[626] Tom Flanagan, "Reform of Canada's Parliamentary Institutions," paper prepared for the Reform Party of Canada, June 1991, 2002.032, box 35, folder 6, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada. This document has numbered pages and the quotations are from page 6.
[627] See Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (New York: Zone Books, 2015) and Slobodian, *Globalists*. Slobodian's work on market proponents and anti-democracy is extended in *Crack-Up Capitalism: Market Radicals and the Dream of a World Without Democracy* (New York: Metropolitan, 2023).

minority interests."[628] So, in Canada, where Flanagan thought that party discipline had concentrated too much power in the hands of governing parties (Liberals, mainly), there was a needle to be threaded. Especially with the introduction of more opportunities for direct, or plebiscitary, democracy and an elected senate, Flanagan sought an approach for Reform that would reduce the power of "popular majorities as well as unholy alliances of special interests," in part by redistributing power to other minority interests, including the provincial interests of Alberta.[629] Sought, but perhaps never found: Flanagan's fifty-page paper raised countless issues and challenges but scarcely indicated anything that might be called an actionable policy agenda beyond the one that Reform had already established. In any case, the elected senate and direct democracy were hallmarks of Reform's pitch to voters in this period.[630]

It was more straightforward for Flanagan to write Hayekian prescriptions for fiscal policy. The extent of the federal debt in the 1990s was as concerning for Flanagan as it was for his Calgary School colleagues. Assessing the causes of the debt, he noted international developments, including the demise of the gold standard and the oil shocks of the 1970s, before moving on to make an argument about the

[628] Flanagan, "Reform of Canada's Parliamentary Institutions," 3, 47.
[629] Flanagan, "Reform of Canada's Parliamentary Institutions," 10-16, 47. The National Energy Policy of the Pierre Trudeau Liberals, hated in Alberta, was for Flanagan an example of the type of policy that a triple-e senate might have resisted. See Flanagan, "Reform of Canada's Parliamentary Institutions," 28.
[630] See, for one example among many, the 1991 Reform Party Blue Book, 2001.066, series 6, sub-series 1, box 50, Reform Party of Canada fonds, University of Calgary Archives, Calgary, Alberta, Canada. These records were very recently un-restricted when accessed, and not fully or finally arranged, thus a folder number is not available.

particulars of the Canadian debt that amounted to typical Calgary School lamentation of a runaway intentional state. Especially in the 1970s, while Pierre Trudeau was prime minister, Flanagan thought Canadian policy had succumbed to what Hayek called "the mirage of social justice," or the idea that society could be designed and controlled for the ends of social justice.[631] In trying to make Canadian society more just, Flanagan thought, Trudeau had ballooned the welfare state with federal grants to special interest groups and other acts of fiscal irresponsibility. The Mulroney conservatives had been better, but still too committed to "sacred trust" spending.[632] He suggested that Reform adopt a ten-point program to regain fiscal control. After declaring a "fiscal state of emergency," Reform would cut pay, pensions, and perquisites for politicians, impose a modest but universal cut to every department of government while eliminating some ministries altogether, give the provinces more control over social programs, coordinate fiscal and monetary policy, pass a law requiring the budget to always be balanced, and then the pay-off: implementation of a tax cut immediately after balancing the budget.[633]

In these first months, Flanagan's eagerness to bring his philosophical outlook to politics was evident, but the job quickly became too much. On 8 December 1991, Flanagan wrote to Preston Manning and his "right hand man," Cliff Fryers, to say

[631] Tom Flanagan, "Towards Fiscal Responsibility: Thoughts on the Reform Party's Position," July 1991, 2002.032, box 35, folder 6, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada. This document has numbered pages and this passage is written on the basis of pages 16-19. "The mirage of social justice" is invoked on page 19. *The Mirage of Social Justice* was the title of the second volume of Hayek's *Law, Legislation, and Liberty*.
[632] Flanagan, "Towards Fiscal Responsibility," 25-36.
[633] Flanagan, "Towards Fiscal Responsibility," 39-45.

that the job was too stressful and that he would have to resign his position at the end of twelve months, hopefully staying on in a reduced role. Flanagan admitted that his inability to let go of the work had led to "chronic sleep problems and a deteriorating sense of personal well being."[634] No doubt the work was exceedingly stressful, in part because Flanagan's position—policy, strategy, and communications—was so expansive. He might have liked to write endless policy papers, but he was preoccupied constantly with crisis management as when, a month after he indicated that he would resign, the party initiated an investigation of the membership after reports, which were true, that several of the Reform rank-and-file were neo-Nazis or otherwise affiliated with white supremacist organizations.[635] Flanagan attributed such infiltration to problems with the structure of the party: as a mass party, Reform was made vulnerable by the fact that anyone could join; as a party committed to populist rhetoric, it gave rise "to a cult of local autonomy" that empowered local constituency associations; and as a centralized party, the national office was liable to being caught off guard by local developments that it could not effectively monitor.[636] This was not,

[634] Letter from Tom Flanagan to Preston Manning and Cliff Fryers, 8 December 1991, 2002.032, box 35, folder 6, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[635] These events were part of what became known as the "Heritage Front Affair." In 1994, as the Security Intelligence Review Committee was preparing a report to the Solicitor General of Canada on the affair, it was approached by Reform and asked to expand its investigation. Reform wanted an examination of accusations that the white-supremacist Heritage Front had sought to infiltrate Reform ranks in the early-1990s as the party was expanding into Ontario. Being committed to a study that probed "down to the smallest detail and including everything even remotely relevant to the case," the committee obliged. In the eventual report, submitted on 9 December 1994, the committee outlined two apparently contradictory plots. Some Heritage Fronters were encouraged to join Reform in order to push the party further towards their racist ideals. Others, however, were encouraged to join as a means of discrediting Reform in advance of the 1993 federal election. See Security Intelligence Review Committee, "The Heritage Front Affair," a report to the Solicitor General of Canada, 9 December 1994, https://www.publicsafety.gc.ca/lbrr/archives/jl%2086.s4%20s43%201994-eng.pdf.
[636] Flanagan, *Waiting for the Wave*, 92-93.

then, a conducive environment for stress-free policy development, and thus while Flanagan did contribute to policy, his energies were stretched too thin and he left Reform's employ as a result.

When Flanagan returned to politics in 2001 as "Stephen Harper's chief organizer," a useful catchall term for the various campaign management functions that he filled for Harper until stepping away in the spring of 2005, he found the environment significantly more hospitable, and he has recollected those experiences more fondly. "I had the privilege of helping to reinvent the forces of conservatism," he wrote.[637] His role in that reinvention had nothing to do with policy, however. Instead, he was focused on "the more mundane side of politics"—money, people, and venues—while Harper insisted upon and maintained complete control on matters of policy. Importantly, even if Flanagan had played a role with policy, it would have been more to do with reinforcement of existing themes than the invention of new ones. As his 1990s collaborations with Harper and the later firewall letter suggest, the two were in significant agreement on policy matters. Perhaps because he trusted Harper's policy thinking, Flanagan was able to relax in a way that he could not with Reform, now becoming "quite agnostic about questions of public policy" and "willing to let Harper and his policy advisors debate the merits of various policies while I was focused on winning the next election."[638] Here, Flanagan recognized his ability to contribute to Canadian conservatism as an organizer.

[637] Flanagan, *Harper's Team*, 4.
[638] Flanagan, "Political Scientist in Public Affairs," 139-140.

In the absence of an account of all the roles that Flanagan played in his time with Harper—managing his campaign in the Canadian Alliance leadership race in 2001 and serving as chief of staff afterwards while he was Leader of the Opposition, managing his leadership campaign in the new Conservative Party after the Tories and the Alliance merged, managing the losing Conservative campaign in the 2004 federal election, and working "in the war room as senior communications adviser" for the 2006 election that made Harper prime minister[639]—the important thing to note about Flanagan's work in these years is the broad organizational perspective that he brought to the table. If during his first go around with Reform he found himself in conflict with Manning, with Harper he insisted from the first on Harper's centrality and devoted himself (and the party's "team") to making Harper appear to the public in the best possible light. To do this, Flanagan devoted himself to the management of the behind-the-scenes people that comprised Harper's various campaigns. His task, as he saw it, was to "find people who have some understanding of the task, bring them together for discussion, let them bounce ideas off each other, and steer the discussion toward consensus." After consensus, he tried to "make sure that people do what they say they will—on time and within budget." In sum, for Flanagan, campaign management was "an exercise in team-building."[640]

In this sense, if Flanagan was the "man behind Stephen Harper," as journalist Marci McDonald described him in 2004, he was the campaign man rather than the

[639] Flanagan, "Political Scientist in Public Affairs," 138-139.
[640] Flanagan, *Harper's Team*, 5-6.

policy man.[641] Of course, this is not to say that Flanagan's views had nothing to do with Harper's policies. Again, they had a longstanding relationship, they had collaborated to a significant extent in years prior, and they shared a policy perspective accordingly. Sometimes, Flanagan disagreed with policies enacted by Harper's Conservatives, but he was supportive at least equally as often. "I didn't get a whole loaf by helping the Conservatives win, but I certainly got half a loaf," as he wrote after leaving politics. The key was not the size of the policy "loaf" but the fact that he helped the Conservatives win.[642] Flanagan was an organizer rather than an oracular intellect as far as Harper's campaigns were concerned. He sought practical influence not by imposing policy choices on a political party but by organizing on behalf of that party, which he judged in the first place to be close enough on policy.

The activities of the other Calgary Schoolers in the realm of political advising were undertaken with less fanfare than those of Flanagan, but were significant nevertheless. Bercuson and Cooper, in yet another collaborative effort, were founding partners of a political consulting company called the Charter Group.[643] The exact end-to-end history of the Charter Group is murky, but it is clear that the entity was up-and-running by the early-1990s and that Bercuson and Cooper often worked

[641] McDonald, "The Man Behind Stephen Harper."
[642] Flanagan, "Political Scientist in Public Affairs," 140.
[643] See the bottom left corner of the first page of the first issue of *Signs & Signals* in 99.037, box 44, folder 1, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. It is not clear if the Charter Group existed already, for example, in 1987 when Bercuson was the Alberta representative on the National Coordinating Committee of the Coyne Group, named for Deborah Coyne, which was "a network across Canada of Canadians committed to improving the Meech Lake Accord." Coyne Group Statement of Aims and National Coordinating Committee Directory, 16 June 1987, 99.037, box 47, folder 5, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

closely together in political advisory work. Their most noteworthy efforts in the early 1990s involved traversing the simultaneous rise of the Reform Party and demise of the Progressive Conservatives. Bercuson, on his own, also worked as an advisor to the Alberta Liberal Party, but whatever party they were advising they tended to focus on their favoured themes, the Quebec issue perhaps most of all.[644]

While it has already been shown that Bercuson and Cooper eventually came, consciously or not, to see the rise of the Reform as a development related to the rise of a view of Canada much like their own, they were for a time at least ambivalent about Reform, and they did advisory work for the Progressive Conservatives in order to suggest strategies for weathering the Reform storm. Cooper had been in correspondence with Joe Clark about the Reform Party since the late-1980s. In 1989, for example, he suggested to Clark that the Tories could keep Reform at bay with a strategy based on demonstrating to voters that Reform was a "waste of time" because only the Tories, still in government at this point, could actually deliver the goods. "But that means that there must be evidence of successful delivery," Cooper emphasized.[645] Clark was impressed, evidently, and he wrote back to Cooper to seek further guidance, especially related to Alberta.[646] Beyond Clark, the two main

[644] Bercuson advised not only the Alberta Liberals but, for at least one short period, the federal Liberals as well. The Minister of Defence, Doug Young, appointed four historians, Bercuson, Jack Granatstein, Desmond Morton, and Albert Legault, to advise him on military reform in early 1997. For materials related to Bercuson's work with Liberals, see 99.037, box 38, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[645] Letter from Barry Cooper to Joe Clark, 16 January 1989, 98.027, box 28, folder 5, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. Emphasis in the original.
[646] Letter from Joe Clark to Barry Cooper, 23 January 1989, 98.027, box 28, folder 5, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

recipients of Bercuson and Cooper's advice were two Tory MPs in Calgary, Lee Richardson, who was in touch with Bercuson, and Ken Hughes, who was in touch with Cooper.[647]

In reference to Preston Manning, Bercuson and Cooper called this work their "Presto Project." Their pitch was that Reform posed a serious threat to the very survival of the Progressive Conservatives, in southern Alberta and elsewhere. This, they judged, was not a good thing.[648] Why? In short, apparently neither Bercuson nor Cooper had quite yet taken their "market turn" the entire way around, and were still not convinced that markets were superior to governments in every way. The Tories had long "stood for a unique blend of fiscal conservatism, market economics, free enterprise, and social responsibility through government action," they argued. The Reform Party, instead, "reject[ed] the notion that government has any significant role to play in caring for the sick, the poor, the unemployed," because it "believe[d] that voluntarism, community responsibility, and private initiative can solve society greatest socio-economic problems." Because of Reform's "dangerously simplistic" approach, the Tories had to survive.[649]

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[647] Letter from David Bercuson to Lee Richardson, 3 February 1992, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada; Letter from Barry Cooper to Ken Hughes, 14 January 1993, 98.027, box 28, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[648] "Outline: Presto Project," undated, and letter from David Bercuson to Lee Richardson, 3 February 1992, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.

[649] David Bercuson and Barry Cooper, Presto Project paper, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotations from page 5.

The key issue, perhaps unsurprisingly, on which Bercuson and Cooper focused was what the Tories should do in the aftermath of a secession referendum in Quebec. This was also a central issue in Bercuson's early-1990s stint as an advisor to the Alberta Liberals.[650] Of course, they were attentive to each of three possible outcomes in such a referendum, a clear vote to leave or stay, and the possibility of an ambiguous or mixed result. But their advice to Tory MPs was concerned most of all with what to do in the event of a "yes" vote on Quebec secession. This, surely, made sense given their well-established position that Quebec ought to leave. In the event of Quebec secession, Tory MPs, especially those in Alberta like Richardson and Hughes, would confront a radically altered political playing field. The Alberta caucus, third largest in size behind the Ontario and Quebec caucuses, would immediately become the second largest, with increased party power accordingly. That would be an opportunity to seize eagerly because, "While resolute action by the Alberta caucus is necessary for the party and the nation, it is also the only way to increase the chances of Tory victories in Alberta ridings against the [Reform Party] in the next federal election."[651]

Bercuson and Cooper described their strategy for resolute action as one of "disconnection." By this, they meant that Alberta MPs should prepare to create a

[650] See, for example, advisory paper in 99.037, box 38, folder 8, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[651] David Bercuson and Barry Cooper, Presto Project paper, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. The paper can also be accessed in 98.027, box 28, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotation from page 13. The looming federal election in this case was the election of 1993.

kind of local party identity, separating themselves from both Quebec and Mulroney. This would allow the local party the space to address Reform criticisms of the Progressive Conservatives while also allowing for its own criticism of Reform on social and economic questions. To do this, they proposed a ten-step disconnection process, starting with a closed meeting of Alberta MPs screened in advance on their willingness to move in this direction, followed by a series of political maneuvers that would position the caucus to navigate the inevitable turmoil that would erupt in the event of Quebec secession. This, they thought, "was the only way to maintain some semblance of constituency organization and keep at least some executive members true to the Party."[652] In this way, extending their polemical project through practical channels, Bercuson and Cooper sought to guide what was their preferred political party through their preferred outcome of a Canada without Quebec.

Of course, Bercuson and Cooper's imagined trajectory for Canada without Quebec never materialized, and possibly for related reasons their interest in political consulting seemed to wane as the 1990s wore on and they made a kind of peace with the Reform Party. Indeed, by the middle of the 1990s the entire Calgary School viewed the Reform Party more or less favourably, and thus where this section began with an account of Calgary School advising for the Reform Party, it can fittingly end with one, too. Knopff and Morton were also associated with the Charter Group, naturally enough, and a good example of the Calgary School having a policy

[652] David Bercuson and Barry Cooper, Presto Project paper, 99.037, box 38, folder 2, Dr. D.J. Bercuson fonds, University of Calgary Archives, Calgary, Alberta, Canada. Quotation from page 17.

influence in a political party is in the way that Reform adopted something closely resembling their critique of the Charter.[653] Morton, at least, joined Reform in 1993. Whether Knopff ever joined is not clear, but both were regular presences, along with Flanagan, Cooper, and Harper, at monthly meetings with Preston Manning in Calgary during the early-1990s. At those meetings, Morton has described contributing, in particular, his perspective on parliamentary reform and the Charter. After joining Reform, Morton immediately became involved, hosting a "meet and greet" coffee meeting for Stephen Harper as he was running for Reform in the 1993 election.[654]

Neither Morton nor Knopff was an official member of the Reform Party's task force on the Charter, but otherwise their influence is all over the party's final report of 1996, suggesting that those early-decade meetings had discernible policy consequences. The report opened with a description of the Charter's provenance and the bubbling controversy surrounding it, especially within Reform where the membership was quite critical of the Charter's role in Canadian life. Knopff and Morton, along with Christopher Manfredi, a political scientist and fellow traveller of

[653] Substantiating the nature of that association is somewhat challenging given the lack of archival collections for Knopff and Morton. In a 1993 letter to Calgary Tory MP Ken Hughes, Cooper seems to identify Knopff and Morton closely with the Charter Group in the phrase, "Morton and Knopff and the Charter Group as a whole…" Letter from Barry Cooper to Ken Hughes, 14 January 1993, 98.027, box 28, folder 4, Dr. F.B. Cooper fonds, University of Calgary Archives, Calgary, Alberta, Canada.
[654] Ted Morton, *Strong and Free: My Journey in Alberta Politics* (Calgary: University of Calgary Press, 2024), 12. Morton, notably, did work as director of research for the Canadian Alliance over a period of 6 months in 2001. See Morton, *Strong and Free*, 20. That experience, though, is very little discussed in his memoir and is not, for now, recoverable in the archive as far as I know it.

the Calgary Schoolers, were cited as the key academic voices in Charter critique.[655] The Charter concerns identified by Reform rhymed closely with those emphasized by Knopff and Morton. For example, one of Reform's foremost Charter qualms was that it was being interpreted as "permitting, or even mandating equality of outcome," rather than mere "equality of opportunity." Echoing Knopff and Morton, Reform announced its skepticism of Section 15. The task force also worried over the lack of explicit Charter protection for property rights, wondering openly whether that was the case because of Trudeau and "leaders on the 'political left' who did not want to see the institutions of capitalism or of individual autonomy gain constitutional protection, which could then limit socialism and central government power."[656] For Reform, as for Knopff and Morton, the Charter was a tool of the intentional state.

Accordingly, the Reform task force made a series of policy recommendations, 15 in total, for amending the Charter. Among those recommendations were that the first part of Section 15 be re-written to clarify that it only protected equality of opportunity, and that the second part of Section 15 be repealed entirely, since it permitted a form of affirmative action that was "intolerable in a society where all citizens are equal under the law." They also wanted to write property rights firmly

[655] See, *inter alia*, Christopher Manfredi, *Judicial Power and the Charter: Canada and the Paradox of Liberal Constitutionalism* (Toronto: McLelland & Stewart, 1993).
[656] Final Report of the Reform Party of Canada's Charter of Rights and Freedoms Task Force, 1 April 1996, 2001.066, series 6, sub-series 1, box 49, Reform Party of Canada fonds, University of Calgary Archives, Calgary, Alberta, Canada. These records were very recently un-restricted when accessed, and not fully or finally arranged, thus a folder number is not available. Quotations here are from pages 5 and 6.

into the Charter.[657] Even if the exact transmission mechanism of Knopff and Morton's influence here is unclear, Reform's approach to the Charter was plainly congruent with Knopff and Morton's critique. No wonder, then, that Morton was shortly to become a Reform politician, formalizing his influence in the party.

As political advisors, the Calgary Schoolers tried to anchor their views in the institutions of conservative Canadian politics. The rise of the Reform Party was the principal galvanizing factor, even if for a time it pushed different Calgary School members in different advisory directions, with Flanagan jumping into Reform's employ, while Bercuson and Cooper went to work thinking about how the embattled Tories could survive Reform's rise. Over the course of the ensuing decade, as the landscape of Canadian conservatism sorted itself out, the political identifications of the Calgary School came together simultaneously with those of the broader conservative movement in Canada, making Harper's rise, and Flanagan's work on its behalf, an apt terminus for this aspect of the school's history. The practical influence that the schoolers tried to gain, and frequently succeeded in gaining, spanned across policy, strategy, and organization. In a period of great flux, such influence could go a long way.

[657] Final Report of the Reform Party of Canada's Charter of Rights and Freedoms Task Force. Quotation from page 20. For this discussion, the relevant recommendation numbers in the report are 10, 11, and 14.

The Calgary School's Politician

Ted Morton became a politician in 1998. The Alberta government held rare Senate elections that year after having been pressured to do so by Reform MPs in Alberta who were, of course, enthusiastic about an elected Senate as part of their campaign for that institution's reform. Reformers were also enthusiastic about Morton, and they asked him to run for the party's nomination. He was not immediately sure if it was a good idea, but the encouragement of others, including both Flanagan and Knopff, convinced him to do it. Even if he were to win, there would not be a vacant spot in the Senate for at least three more years, and so this would be a gradual entry into politics. Morton launched his campaign at the Highlander Hotel in Calgary on 27 May.[658]

Morton's campaign was very closely connected to the positions that he, and his Calgary School colleagues, had established as scholars and public intellectuals:

> My campaign brochures and speeches were an abbreviated version of what I had been writing about for the previous decade: balanced budgets and debt reduction; curbing judicial activism; pro-family public policies; gun laws that target criminals, not law-abiding citizens; effective law enforcement; conservation of natural resources and wildlife; and improved protection of property rights.[659]

Indeed, this list from Morton's memoir is a verbatim reproduction of the "priority issues" indicated in his campaign materials.[660] His opponents in the race, as he was

[658] Morton, *Strong and Free*, 13-14.
[659] Morton, *Strong and Free*, 15.
[660] Ted Morton for Senate campaign materials, 2002.032, box 41, folder 6, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

aware, largely agreed with him on these issues. He distinguished his campaign by emphasizing "national unity," by which he referred to his eagerness to avoid another "neverendum" and to "fight attempts to put Quebec first and the West second," and the Supreme Court, by which he referred to his desire to "return the Court to its proper role of interpreting laws rather than making laws."[661] In other words, this was very much a Calgary School campaign, distinguished by its attention to core Calgary School concerns.[662] It was fitting that after he won the Reform nomination Morton wrote to Flanagan with thanks and an affirmation: "You will see that I have not wavered from our shared principles. And I promise you that I never will!" The letter to Flanagan was a political form letter with a brief hand-written note at the end, but the mention of shared principles happened to be quite appropriate.[663] Morton was a Calgary School politician.

When Morton won the Reform Party race on 12 September 1998, he did so in the midst of a political firestorm. At the end of August, Jean Forest, a sitting Alberta Senator, resigned, thus opening up a seat and seemingly transforming the election to be "Senator-in-waiting" instead into an election to become a Senator. The Alberta government of Ralph Klein was immediately at loggerheads with the federal Liberal government, with Klein demanding that the looming election be honoured, and that

[661] These phrases are quoted in Morton, *Strong and Free*, 15-16. As above, they can also be found in his campaign materials preserved in the archive.
[662] Of course, this might also indicate the salience of those issues in the conservative movement generally, indicating Calgary School influence.
[663] Letter from Ted Morton to Tom and Marianne Flanagan, 17 September 1998, 2002.032, box 41, folder 6, Dr. T.E. Flanagan fonds, University of Calgary Archives, Calgary, Alberta, Canada.

no appointment be imposed by the prime minister. But Jean Chrétien did make an appointment, scoffing at the Alberta elections and announcing that Doug Roche would replace Forest in the upper house.[664] Klein denounced the appointment vociferously, and the Alberta press, especially the more conservative *Calgary* and *Edmonton Sun*s, lambasted Chrétien.[665] But the appointment had been made, and that was that. Morton and fellow Reform candidate Bert Brown easily won the most votes in the provincial Senate election. The other major parties boycotted the vote entirely, not fielding candidates, and the independent candidates in the race were the same people that finished behind Morton and Brown in the Reform contest. As of 19 October 1998, Morton was a pseudo "Senator-in-waiting."[666]

As it happened, Morton would never be seated in the upper house, but this initial foray was significant for the facts that it deepened his political involvement and, to the extent that he enjoyed the process, contributed to his remaining in politics over subsequent years. He was now closely involved with the Reform Party, with an invitation to all caucus meetings. In the transitional period in which Reform became the Alliance, he served for a brief stint as director of research and policy, formalizing the policy influence that had already been established in other ways.[667] Morton

[664] Roche had a long and distinguished career in Canadian public life. For a brief biography, see The Simons Foundation website, https://www.thesimonsfoundation.ca/peace-leaders/hon-douglas-roche-oc.
[665] Morton describes a "Protest Coupon" campaign orchestrated by the *Suns* in each of Alberta's major cities, and quotes from a *Calgary Sun* article, headlined "SLAP IN THE FACE," which read, "In one swift stroke, Prime Minister Chrétien has revealed the depths of his disdain for the ideas, contributions, and aspirations of Albertans." See Morton, *Strong and Free*, 19.
[666] Morton, *Strong and Free*, 17-19.
[667] Morton, *Strong and Free*, 19-21. As indicated in a previous note, this experience as director of research is scarcely discussed in Morton's autobiography, *Strong and Free*, and not possible to

supported Stockwell Day when he ran to lead the new Canadian Alliance, and served as the organizer responsible for memberships in southern Alberta. After Day won, Morton took on some difficult tasks as a conciliator in the party, which was being strained by divided loyalties between Day and Manning. Morton also became a political ambassador for the "Alberta Agenda" that he had endorsed as a signatory on the firewall letter. On behalf of the Alberta Residents League, a pro-Alberta Agenda advocacy group, he travelled across Alberta in 2003 to promote the agenda at town hall meetings. He formed his own political advocacy organization, the Alberta Civil Society Association, and used it to spread his critical positions on Supreme Court Charter decisions related to prisoner voting and same-sex marriage.[668] Finally, Morton spent time on a number of specific issues, notably the repeal of Bill C-68, by which the federal Liberals had established a long-gun registry in Canada.[669]

Morton has written that this series of political experiences between 1998 and 2003 led him to "take the last step" and finally run for an elected office that he could actually take.[670] On 1 February 2003, Morton announced to a gathering of people with whom he had worked in politics over the previous five years his intention to run for the leadership of the Alberta Progressive Conservative Party after Klein retired. First, he needed to be nominated by the Progressive Conservatives in a constituency.

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reconstruct on the basis of archival materials that were available to me in the process of researching this dissertation.

[668] The Alberta Civil Society Association, Morton said, sold more than $18,000 bumper stickers that read: "DEFEND THE WEST: NO Wheat Board; NO Gun Registry; NO Kyoto." See Morton, *Strong and Free*, 28-29.

[669] Morton, *Strong and Free*, 21-32.

[670] Morton, *Strong and Free*, 31.

But while his own constituency's sitting MLA was expected to leave politics, that MLA, an ally of Klein, who for his part was annoyed by the firewall letter and the idea of an Alberta agenda, was not interested in working amicably with Morton. Happily for Morton, though, a re-drawn electoral map had created a new riding just west of Calgary. That riding, Foothills-Rocky View, was very conservative, and if Morton could be nominated there he would win easily. The key factor working against him was that he did not live there, so he needed some kind of local ally to vouch for him. In Harvey Buckley, who was a rancher in the area, he found just such an ally. After an all-out campaign against three other candidates, all of whom were local, Morton eked out a victory with Buckley's help. He was the Progressive Conservative candidate for Foothills-Rocky View and whenever the 2004 election came, he was going to be elected as MLA. Indeed, Morton did become MLA, elected on 22 November 2004. He was the first and the only member of the Calgary School to hold political office.[671]

The most pressing issue in the Alberta Progressive Conservative caucus after the 2004 election was what to do about the Alberta *Marriage Amendment Act*.[672] The week before caucus was to meet, the Supreme Court had affirmed the authority of the federal government to re-define marriage to include same-sex partners. This immediately made the issue of Alberta's *Marriage Amendment Act* a great concern for the caucus. The Alberta bill was passed in 2000 after the 1999 decision in *M. v. H.*

[671] Morton, *Strong and Free*, 31-40.
[672] Also known as Bill 202.

declared it unconstitutional for same-sex partners to be refused recognition as common law spouses. It had been a "defence of traditional marriage," in Morton's words.[673] It permitted common law status for same-sex couples, but also made explicit that only heterosexual unions could be recognized as marriages. Alberta had invoked the notwithstanding clause in Section 33 of the Charter to protect against challenges to the legislation, but such invocations only lasted five years, at which point they had to be renewed. In December 2004, the five-year period on the *Marriage Amendment Act* was three months away, and caucus's first concern was what to do about this matter.[674]

To invoke an overly colloquial metaphor and justify it for its aptness, this was like red meat for Morton, the Charter scholar and established critic of the kinds of "social engineers" who would, in his view, wrongly impose marriage equality from on high.[675] In a breach of etiquette and decorum that he only realized after the fact, Morton, a complete novice just arrived on the backbench, stood and spoke vehemently against the party's policy memo that had been read aloud in the room. The policy memo had indicated "three different ways to surrender," he declared,

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[673] Morton, *Strong and Free*, 42; *M. v. H.*, 1999 2 SCR 3.
[674] Morton, *Strong and Free*, 41-42.
[675] Apt, because Morton was very enthusiastic about red meat. *Strong and Free* describes a fundraising lunch that he held in September 2004 at the Palliser hotel in Calgary where, much to his chagrin, chicken was served: "The next thing I knew there was a steaming hot roasted chicken in front of me. 'Chicken!' I shrieked. 'We can't serve chicken! My people eat beef! I'll never get elected to anything if we serve chicken!' Startled, Catherine [Scheers, the event organizer] conferred with the hotel representative and then explained that on such short notice, serving beef would raise the per plate cost by 75 cents. I lost it again. 'I don't care if it costs three times that, we have to have beef!' And have beef we did: flank steak, so chewy you could have played hand-ball with it. But nobody (except my wife) cared. And it didn't cost a penny more! Thank you, Palliser!" See Morton, *Strong and Free*, 37.

causing the meeting to descend into chaos.[676] Explaining the issue to the assembled press outside the meeting afterwards, Morton gave what was, in effect, a brief summary of the Charter critique that he and Knopff had advanced over the previous two decades, using it to justify his view that marriage had to be defended as an exclusive right of heterosexual couples, and that Alberta ought to renew its invocation of the notwithstanding clause accordingly.[677] The first event of Morton's legislative career was like a culmination of his entire career from graduate school onwards.

Morton's outspokenness put him at odds with Klein and many others in caucus, but Klein had already announced that he would step down before the next election, and in some ways Morton, intending all along to become Klein's successor, was carving out political space for himself. Accordingly, although Morton and the rest of the Calgary School were impressed by Klein's fiscal policy in the 1990s, he made further space by becoming a Klein critic on public spending.[678] To this day, perhaps the most enduring memory that Albertans have of Klein's years in office is related to a stunt he pulled in 2005 with the distribution of what came to be known as "Ralph Bucks." Ostensibly conceived as a reward for Alberta's fiscal rectitude across the Klein years, Ralph Bucks, properly known as the Prosperity Bonus, were $400 cheques mailed out to every Albertan.[679] For Morton, this move was symptomatic of

[676] Morton, *Strong and Free*, 43.
[677] Morton, *Strong and Free*, 43-44.
[678] See chapter 3.
[679] Yes, every Albertan. A family of four with two children in it would get $1600. Jared J. Wesley discusses the Prosperity Bonus Program in chapter 3 of *Code Politics: Campaigns and Cultures on the*

the party's "loss of focus and Klein's own shrinking, short-term horizons." While he largely acquiesced to the "spending spree" at the end of Klein's time in office, Morton identified fiscal conservatism, that enduring Calgary School position, as a key part of his posturing to eventually run for party leadership after Klein's departure.[680] Morton would go on to run (unsuccessfully) for the leadership of the Alberta Progressive Conservatives in 2006 and again in 2011.

Leading up to his first leadership run, in his maiden speech before the legislature on 9 March 2005, Morton attempted to associate himself with past premiers, Klein included, who collectively had made Alberta "strong and free," presumably referring most of all to strong economic standing and to the freedom to resist the federal government. Perhaps this posturing did its political job for Morton, but in terms of the history of the Calgary School, his remarks were telling and instructive. "Our Alberta strong and free did not happen by accident; it happened on purpose," he announced. "It happened because of the wise and deliberate choices made by the statesmen who have served as premier of the province."[681]

Here, Morton betrayed the selectivity of the critique of the intentional state that animated the Calgary School. They were always eager to point out the errors of state activity as social engineering, the kind of state activity undertaken in the service of moral goals like equality in terms of race, or class, or gender. What the Calgary

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Canadian Prairies (Vancouver: University of British Columbia Press, 2011). For Wesley, Ralph Bucks "demonstrated Klein's willingness to return money to taxpayers, rather than spending it on their behalf." Wesley, *Code Politics*, 106.

[680] Morton, *Strong and Free*, 45-48.

[681] Morton, *Strong and Free*, 49.

Schoolers scarcely acknowledged, except in unwitting instances like this, was that the implementation of the kinds of policies that they favoured was equally an intentional process, and equally a process that required state action. Indeed, given the significant extent to which they themselves sought practical influence as experts, consultants, advisors, and, in Morton's case, as a politician, they understood this without acknowledging it. The influence of the Calgary School's critique of the intentional state, that is, was a function of the intentional promotion of that critique and the policies, parties, and positions that it implied.

Conclusion

The Making and Meaning of Influence in Neoliberal Canada

In asking how intellectual influence was made from within the structural context of neoliberal Canada, how far that influence went, and why, this history has proceeded from an important presupposition. The presupposition has been that the Calgary School operated within the confines of an era that it did not make. This history has not been a historical origin story of the neoliberal period in Canada. The proper origins of that period lay elsewhere, in structural political-economic developments that took hold not just in Canada but in much of the world during the late-twentieth century.[682] Canada would have had its neoliberal period whether the Calgary School ever existed or not, and the historian looking to uncover the origins of that period would be best advised to look elsewhere, to what might be described broadly as the "war of position between labour and capital," mediated by the state, as it proceeded in Canada from the 1970s.[683]

The Calgary Schoolers did not make the neoliberal era in Canada, but operated effectively within it and took advantage of the opportunities it provided. In the process, they played an important role in shaping the politics of the era. Thus, one effective way to trace the influence of the Calgary School is to consider how Canada's institutional conservative movement changed in the years between Jeffrey

[682] In Canada, this history is yet to be comprehensively written up. Greta Krippner's *Capitalizing on Crisis*, published in 2011, continues to stand as one of the best accounts of this structural political-economic history in the United States.
[683] Bryan Evans, "The Politics of Public Administration: Constructing the Neoliberal State," in Heather Whiteside, ed., *Canadian Political Economy* (Toronto: University of Toronto Press, 2020), 124.

Simpson's 1992 recognition of the Calgary "mafia" and rise of Stephen Harper and his new Conservative Party in the first years of the twenty-first century. As of 1992, while the Reform Party was on the rise and the federal Tories looked increasingly to be in some trouble, those Tories were still the party of government and still seen as the primary institutional home for conservatives in Canada. All that changed in 1993, when the Progressive Conservatives were decimated in the federal election and Reform assumed its spot in the lead of Canadian conservatism, a spot that it occupied for the remainder of the decade, albeit without ever figuring out a way to grow to the point that it could meaningfully challenge the Liberals and form a government. Only after a few years of institutional rigamarole in the early-2000s did the conservative movement come back together again and once more become capable of governing in Canada.[684]

Naturally, in such a process institutional shuffling went together with changes in ideological outlook and policy preference. Indeed, surely part of the Progressive Conservative's failure to survive this period was tied to an inability to fully admit to itself what the neoliberal era required of a conservative party. In the 1960s and 1970s, as Steve Patten has recounted, the party stood for "a blend of progressive red toryism and market-oriented liberalism" and "did not pose a fundamental challenge to the policies of welfare capitalism." There was a more fundamentally market-oriented movement on the right wing of the party in emergence during the 1970s and early-1980s, and when Brian Mulroney was elected in 1984 many hoped that he would

[684] See Patten, "The Triumph of Neoliberalism with Partisan Conservatism in Canada."

embrace the market and fashion himself as a Canadian version of American President Ronald Reagan or British Prime Minister Margaret Thatcher, but he did not, at least not to the extent he might have. As discussed in chapter three, after Mulroney's finance minister Michael Wilson suggested that he might deliver a blow to social programs in order to reduce the deficit, outcry followed, and Mulroney reacted by insisting on his commitment to the "sacred trust." The neoliberal era was underway, but Mulroney could not recognize as much, and the conservative movement strained as a result of that non-recognition, leading directly to the emergence of Reform.[685]

With Reform on the scene, Canadian conservatism was headed inevitably for a realignment of some kind. What would be the direction of travel? Sensing an opportunity to have a say on the matter, the Calgary Schoolers became involved in institutional conservatism and in the process helped to bury the kind of red toryism to which Mulroney had fatefully clung. Flanagan was the first to recognize where his ideological commitments pointed, and thus he was the first member of the Calgary School to join Reform, also going to work in an important advisory position in the party. Bercuson and Cooper, still somewhat attached to the Tories and in general a little allergic to identification with political parties, resisted for a period before ultimately coming around on Reform and embracing market conservatism wholeheartedly. Knopff and Morton hopped on the Reform bus not long after

[685] Patten, "Triumph of Neoliberalism within Partisan Conservatism," 62-66. Quotation from pages 62-63.

Flanagan. Certainly, from the middle of the 1990s, the Calgary School had established its allegiances and assembled on the right-hand side of the conservative scale.

The pressure that the Calgary School could put on its side on that scale was a function of the developments described in the preceding chapters. First, as chapter four showed, the Calgary Schoolers were not "innocent intellectuals." Instead, they actively sought to build their influence in political movements as well as in private industries and courtrooms. Practical influence was an important aspect of the school's general influence because it was an opportunity not just to promote policy preferences or political strategies but also to establish relationships with people and institutions alike. As a result of their practical efforts, the Calgary Schoolers established both primary influence, emanating from themselves, and secondary influence, as when others adopted Calgary School positions and further developed, promoted, or even implemented them.[686] Indeed, it is worth noting that even in the weeks during which this history was being finished, the Alberta government of Danielle Smith was passing legislation closely connected with Calgary School positions.[687]

[686] Among those carrying on the legacy of the Calgary School in the decades after 2005, in addition to Harper, have been the Alberta politician Danielle Smith and the far-right media figure Ezra Levant. See Flanagan, "Legends," 38.
[687] On the connection between the Alberta government's Bill 18, passed in 2024, and the Calgary School, see Mack Penner, "On Bill 18: Danielle Smith, the Calgary School, and the Politics of Academic Freedom," *Active History*, 3 May 2024, https://activehistory.ca/blog/2024/05/03/on-bill-18-danielle-smith-the-calgary-school-and-the-politics-of-academic-freedom/.

The practical politicization of the Calgary School was related to an attending polemical turn, as chapter three covered. Indeed, the Calgary School's polemical turn was the most consequential fact of the group's collective history, especially because of its timing. The 1990s, in Canada, began as a decade of crisis, or a triple crisis, as Preston Manning had it. That crisis period was the key contextual factor in the realignment of conservative politics, but before that realignment the triple crisis also provided the fodder for the Calgary Schoolers to move firmly into public view. As it happened, each of Bercuson, Cooper, Flanagan, Knopff, and Morton was poised to become a public voice, and they seized the opportunity eagerly. Collectively, the polemical output of the Calgary School amounted to a comprehensive reaction to Canada's triple crisis. And since the fault lines of the crisis—constitutional, economic, and political—were precisely the fault lines of conservative realignment, this was of no small moment. In their willingness to become regular public commentators, the Calgary Schoolers declared their positions on the key constitutional, economic, and political questions of the day. These positions then became like pressure points from which they could further their influence along practical and institutional channels.

The relative legitimacy that was accorded to Calgary School polemic was a function of scholarly reputation and credible claims to expertise, discussed in chapter two. In the 1970s and 1980s, before the Calgary School had become a recognizable formation, its members were accomplished scholars, sometimes combative and prone to scholarly controversy, but otherwise ordinary practitioners of political science and,

for Bercuson, history. Their scholarly interests were developed and pursued independently, at least for the most part. They would not have known that their collective scholarly labours would position them perfectly to become public voices in a moment of crisis, but in many ways that is precisely what happened. Even in areas where prior scholarly work would not seem to have been closely related to later polemical output, as when Bercuson, the labour-turned-military historian, and Cooper, the political theorist, became loud public voices on the constitutional crisis and fiscal policy, general scholarly authority was still invoked. The fact that such disparately trained scholars as Bercuson and Cooper came together in an extended collaboration was then indicative of another important aspect of the emergent Calgary School's history, which was the development of friendships.

The Calgary Schoolers were not just friends with claims to expertise on the central matters of public debate in Canada from the early-1990s. Ultimately, the coherence of the group was tied to fundamental ideological agreement. The critique of the intentional state, as this history has described the Calgary School's outlook, was like the group's root system, or its foundation. To the extent that Calgary School cohesion has been attributed to mere partisan agreement, this root system has remained underground, mostly out of view, perhaps breaching the surface curiously here and there. As chapter one argued, each of the Calgary Schoolers adopted and internalized the critique of the intentional state. At Duke in the 1960s, both Cooper and Flanagan trained in close proximity to that critique, and at Toronto in the 1970s Knopff and Morton did the same. Bercuson took a more winding road to the critique

of the intentional state, but his journey out of labour history put him eventually on the same page as his political science colleagues. Sharing in this critique, the Calgary Schoolers made the same ideological friends and the same enemies, too.

The Calgary School made its mark thanks to the ability and the willingness of its members to operate in various modes of influence. As scholars, they established their authority. As polemicists, they established both their notoriety and their politics. As "mandarins," finally, they established the authority of their politics, to put it one way, while doing much further service to their notoriety as well. These modes of influence were effective because of the leverage that they offered the Calgary Schoolers. Indeed, it is useful to imagine a mode of influence like a lever positioned against a fulcrum point. In the 1990s and into the 2000s, the lever operators in the Calgary School were presented with a number of useful fulcrum points and they eagerly recognized those points as opportunities. In the process, while they did not make the neoliberal era in Canada, they helped to force a recognition among conservatives that such an era had arrived and that it was time, accordingly, to take advantage.

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