Neoliberalism, Authoritarian-Populism, and the "Photo-Op Democracy" of the Publicity State: Changes to Legislative and Parliamentary Norms by the Harper Government

HONOR BRABAZON *University of Toronto*
KIRSTEN KOZOLANKA *Carleton University*

In the lead-up to the 2015 federal election, several reports and retrospective assessments aimed to evaluate the impact of the government of former Prime Minister Stephen Harper on Canadian democracy (Barlow, 2015; Harris, 2015; Voices/Voix, 2015). These reports meticulously documented and analyzed efforts by the Harper government to curtail specific aspects of the democratic process and public debate that characterized the rich civil society Canada had developed over the previous 75 years (Barlow, 2015: 4). While these reports clearly illustrate the neoliberal underpinnings of the Harper government's changes to the public sphere, this article uses examples of his government's changes to informal legislative and parliamentary norms to illustrate that Harper's impact on democracy is in fact more complex and extensive than previously thought. The examples in this article demonstrate that the "silencing many voices" (Voices/Voix, 2015) that is documented in these reports is usefully seen in conjunction with simultaneous efforts by the Harper government to amplify its own "voice," replacing opportunities for multidirectional public debate with opportunities to unidirectionally convey the government's own message. This illustrates what could be called a "photo-op" approach to democracy through which the Harper government upheld or ignored democratic

Honor Brabazon, Centre for Criminology and Sociolegal Studies, University of Toronto, 14 Queen's Park Crescent West, Toronto, Ontario, M5S 3K9, email: h.brabazon@utoronto.ca
Kirsten Kozolanka, School of Journalism and Communication, 4207 Richcraft Hall, Carleton University, 1125 Colonel By Drive, Ottawa, Ontario, K1S 5B6, email: kirsten.kozolanka@carleton.ca

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conventions as politically opportune, interweaving the particular democratic ideals commonly attributed to neoliberalism with those of the more authoritarian-populist conception of the "publicity state" (Kozolanka, 2014a).

The New Right governments that have held power in the UK, North America, Australia, New Zealand, and beyond for much of the past 35 years are known to espouse a neoliberal market ideology that is commonly associated with privatization and public service cutbacks. Yet what is meant by "neoliberalism" is often misunderstood, and in practice—as this article demonstrates—neoliberal ideas often have been combined with social conservatism and authoritarian populism, despite apparent contradictions between these approaches (Apple, 2000: 59; Brown, 2006).

Like neoliberal policy in general, the neoliberal model of democracy is based upon the marginal early to mid-twentieth-century ideas of F.A. Hayek, German "ordoliberal" social-market economists, and American academics of the "Chicago School" (Hayek, 1960; Mirowski, 2013). These early ideas, which aimed to devise a theoretical model of freedom as limited to self-interested individual decision making, began to be converted into political policy decades later by politicians such as Margaret Thatcher and Ronald Reagan.

While there has been considerable variation in how neoliberal ideas have been applied, most analysis of neoliberalism in practice focuses on market-oriented economic policies. However, a guiding principle of neoliberal thought, which shapes economic and social policy alike, is that citizens should interact as formal equals, without regard for substantive inequalities, and in the pursuit of individual, rather than social, goals. This contrasts with the preceding welfare state model, through which governments created institutional mechanisms for facilitating an expansive democracy, including mechanisms designed to encourage the participation of traditionally disadvantaged groups in the public sphere or to foster the debate of minority viewpoints in the pursuit of broader social projects of egalitarianism and justice. Instead, such mechanisms are regarded by neoliberal politicians as state interference in the free decision making of ostensibly equal citizens in their own individual interests (Brabazon, 2017; CIVICUS, 2013, in Voices/Voix, 2015; Hutt, 1930; Mirowski, 2013; Simons, 1944). Democracy in neoliberal thought is largely limited to elections and is modelled on the idea of individual consumer choice between candidates as products, rather than on participant engagement in meaningful collective dialogue, while traditionally disadvantaged groups are relegated to special interests that are in competition with other "stakeholders" (Apple, 2000: 60; Aucoin and Turnbull, 2008; Brabazon, 2017a; Brown, 2006; Isin, 1998).

Neoliberalism and neoconservatism are explored widely in political theory and policy literature (Brown, 2006), including in relation to the

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Abstract. Several recent reports seek to evaluate the impact of former Prime Minister Stephen Harper on Canadian democracy by documenting his government's efforts to curtail established democratic processes and mechanisms for public debate. However, this article uses examples of the Harper government's changes to legislative and parliamentary norms to demonstrate that this government's efforts to curtail multi-directional public debate were importantly accompanied by efforts to amplify unidirectional communication of the government's partisan messages. The paper finds that this corresponding emphasis on communication exemplified a "photo-op" approach to democracy, which highlights points of compatibility between the seemingly contradictory authoritarian-populist "publicity state" and neoliberal democratic ideals. This research demonstrates the necessity of attention to government communication in analysis of the Harper government's impact on the Canadian public sphere. It also illustrates the pragmatic rather than doctrinaire nature of New Right politics in Canada and the affinity between neoliberal and authoritarian-populist approaches to governance.

Résumé. Plusieurs rapports récents s'attachent à évaluer l'incidence qu'a eue l'ancien premier ministre Stephen Harper sur la démocratie canadienne en documentant les efforts de son gouvernement pour limiter les processus et les mécanismes démocratiques établis ouverts au débat public. Toutefois, cet article cite des exemples de modifications apportées par le gouvernement Harper à des normes législatives et parlementaires pour démontrer que les efforts déployés pour retreindre un débat public multidirectionnel se sont manifestement accompagnés d'efforts visant à amplifier la communication unidirectionnelle des messages partisans du gouvernement. L'article constate que l'accent correspondant mis sur la communication a exemplifié une approche de type « photo-op » de la démocratie qui fait ressortir des points de compatibilité entre, d'une part, le populisme autoritaire de l'État-publicité et, d'autre part, les idéaux démocratiques néolibéraux apparemment contradictoires. Cette recherche démontre la nécessité de l'attention portée à la communication gouvernementale dans l'analyse de l'incidence du gouvernement Harper dans la sphère publique canadienne. Il illustre également la nature pragmatique plutôt que doctrinaire de la politique de la Nouvelle droite au Canada et l'affinité entre les approches néolibérale et populiste autoritaire de la gouvernance.

Harper government (Snow and Moffit, 2012), but the authoritarian-populist component of new right governance has received less attention. It comprises a keen focus on maintaining political power and often includes a robust communication program that combines populist packaging of partisan polemic with a strategy for continually disseminating it. This strategy has been referred to as the "publicity state" (Kozolanka, 2014a), a term which denotes a government's focus on the use of extensive communication strategies to persuade citizens to accept measures that are not necessarily in their best interests but are in the partisan interest of the political party in power. The strategy began under Margaret Thatcher and is now a common feature of right-wing governments, marking quantitative and qualitative shifts in established government communication practice. Quantitatively, it involves "a permanent campaign" of government communication to implement measures that require "permanent persuasion to maintain popular support" (19). Qualitatively, as opposed to the previous

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factual service- or policy-oriented approach, government communication in the publicity state mirrors that of a business's public relations apparatus whose bottom line is selling its product to the point where "consumer," or voter, choice is increasingly limited.

Thus, on the surface, the publicity state appears to contrast with neoliberal ideas about democracy, in which democracy is limited but fundamentally oriented toward facilitating the autonomous decisions of formally equal individuals, free from what is understood to be the interference of the state or the interests of other individuals (Brown, 2006; Mirowski, 2013). Instead, the publicity state represents a seemingly contradictory approach to democracy that is rooted in an authoritarian-populist brand of state control.

Recent reports clearly illustrate the neoliberal underpinnings of the Harper government's changes to the public sphere (Barlow, 2015; Harris, 2015; Voices/Voix, 2015). Canadian civil society had been characterized by (at times imperfect) efforts to create a strong "enabling environment" for broad-based democratic debate, in which "the government actively supports, promotes and celebrates the inclusion of diverse voices in public debate and discussion" (Thorburn, 2001: 389; Voices/Voix, 2015: 13). While such measures were arguably instituted merely as symbolic responses to collective public demands and the reports and recommendations of these civil society groups were often ignored by governments, the work of these groups enriched public debate, and even their symbolic inclusion was important politically.

First coming to power in 2006, Harper is seen to have contributed to the dismantling of this model in favour of a neoliberal model of democracy. This is observed, for instance, in his government's defunding of numerous women's, anti-poverty, international co-operation, immigrant and refugee, human rights and First Nations civil society organizations, which had the effect of decreasing opportunities for public debate (Barlow, 2015: 5; Blanchfield, 2015; Voices/Voix, 2015). A 2015 report on the Harper government by the coalition Voices/Voix documents "hundreds of cases in which individuals, organizations and institutions have been intimidated, defunded, shut down or vilified by the federal government" following Harper's election (Voices/Voix, 2015). Research shows increasingly that progressive organizations were targeted specifically (Eliadis, 2015). Even supporters of this defunding recognized that defunding organizations that critiqued the government's policies "stifled" dissent (see, for instance, Coyne, 2012).

To justify these actions, the government branded these progressive civil society organizations as "propagandists, radicals, or threats to national security" (Eliadis, 2015), reframing them not as contributors to the common good but as special interests unjustly demanding more than an equal say. These changes were also justified using rhetoric about fiscal responsibility;

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however, the Harper government's lavish spending on F-35 fighter jets and prisons with no prisoners suggests that these changes were motivated by shifting fiscal priorities, not fiscal thrift, priorities reflecting a vision of democracy in which public participation and inclusion are neither necessary nor desirable, even at a symbolic level.

While analysis of the *communication* strategies of the Harper and other new right governments in Canada abounds in Canadian communication studies (see, for example, Cairns and Ferguson, 2011; Daigneault et al., 2013; Koerber, 2014; Wheeldon and McBrien, 2014), the centrality of communication to Harper's politics, and indeed to neoliberal governance more generally, has been slower to materialize (Flanagan, 2012; Gunster and Saurette, 2014, are exceptions). Yet, as the examples of changes to informal legislative and parliamentary norms in this article suggest, a particular approach to communication was central to the Harper government's treatment of democracy.

The purpose of this article is to explore this government's coupled approach to democratic debate and partisan communication and the implications of this approach for understanding both Harper's legacy and the nature of neoliberalism in Canada. The article does not contend that the Harper Conservatives merely portrayed their governance as neoliberal while it was actually authoritarian-populist. Nor is this an argument that the Harper government was simply more transparent about the same strategies and tactics deployed by previous governments. There is no doubt that previous governments also communicated partisan messages to the public, half-heartedly supported symbolic gestures toward broad democratic participation and even initiated some of the shifts documented in this article. However, this article demonstrates that the Harper government did not feel politically beholden even to the symbolic commitment to broad public participation and debate that constrained previous neoliberal governments. It combined restrictions to democratic participation with partisan communication to an unprecedented degree and in unprecedented arenas, and it prioritized partisan communication in a way that bespoke a different conception of the state and of democracy than that of previous neoliberal federal governments.

The close marriage of this government's neoliberal vision of democracy and its authoritarian-populist approach to communication that is illustrated in this article adds important nuance to current critiques of the Harper government which consider that government's impact on Canadian democracy separately from its communication strategies. However, the article does not merely synthesize existing examples of the Harper government's impacts on democracy alongside its communication strategies; it contends that these changes to legislative and parliamentary norms illustrate the adeptness with which this government combined approaches to democracy

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associated with apparently contradictory ideological projects to its advantage.

As such, the article makes a theoretical contribution that underscores the pragmatic rather than doctrinaire nature of neoliberal politics and the compatibility of neoliberalism and authoritarian-populism. This contribution is timely as authoritarian-populist leaders gain popularity in Western countries. The extent to which their authoritarian-populist approaches supersede, contradict or augment the dominant neoliberal ideology is now a subject of considerable interest to scholars of political science (Albo and Fanelli, 2014; Bruff, 2016; Fraser, 2017; Gessen, 2016; McNally, 2011; Tansel, 2017). However, initial analysis of "authoritarian-neoliberalism" tends to centre on state repression and discipline and has not yet explored the centrality of the publicity state or the specific ways that these new right approaches interact in practice.

To illustrate the reach of this dual approach to neoliberal democracy and authoritarian-populist communication, five examples of the government's changes to informal legislative and parliamentary norms have been selected, representing various jurisdictional arenas, policy areas and levels of decision making. The examples also highlight how the informality of the norms that have been changed itself shields these changes from the due process and debate mandated for more formal legal changes; the government did not use its communications apparatus to "sell" these changes to the public so much as it implemented them discreetly with minimal public debate. The five examples are the circumvention of the Parliamentary Press Gallery; the introduction of political titles for legislation; the reduction of legislative debate; the curtailment of access to information procedures; and the increasingly political control of the public service. While each of these cases furthered a limited, neoliberal approach to democracy by restricting the public's ability to engage in meaningful and informed dialogue and debate, this article crucially demonstrates that each example also expanded the government's ability to promote partisan messaging.

Parliamentary Press Gallery

The Harper government's first key public clash was with the Canadian Parliamentary Press Gallery (PPG). The PPG is an association of journalists who cover the events of Parliament, which has existed since Confederation and currently comprises about 350 members. The PPG traditionally used the National Press Theatre across the street from Parliament Hill for formal media conferences with prime ministers, politicians and other civil society groups. It was long established both as an arms-length conduit to the public for prime ministerial messages and the promotion of government

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initiatives and as an accountability mechanism through which journalists could ask difficult questions of the prime minister in the public interest and receive a response. To be sure, this relationship involved a degree of self-interested collusion between journalists and government to the extent that it both provided journalists with sources for their story (see Herman and Chomsky, 1988) and allowed the government to maintain an appearance of accountability; however, had the relationship solely served this purpose, journalists of the PPG would not have asked difficult questions of the government or any questions at all.

Very early in his mandate, Harper curtailed his availability to the PPG. Traditionally, press conferences on the Hill were chaired by a member of the PPG executive who would call on journalists who wished to ask questions. After Harper was elected, reporters were required to sign up in advance with a representative of the Prime Minister's Office (PMO) if they wished to ask a question. This allowed the PMO to choose which reporters would be called on, leading to criticism that reporters with a record of conveying the government's messages positively were favoured (Akin, 2007; Basen, 2006; Canadian Association of Journalists, 2010; Ditchburn, 2014b; Doyle, 2007; Whittington, 2015).

When reporters protested, Harper began using non-parliamentary venues for media conferences rather than the National Press Theatre, appearing in the National Press Theatre only seven times from 2006 to 2009 and not at all thereafter (Ditchburn, 2014b: 107). This allowed the PMO to select a backdrop for media conferences that communicated its chosen message and to chair media conferences the way it wanted to.

Few media conferences were even held in Ottawa while Harper was prime minister. Previously, members of the PPG often travelled with the prime minister within Canada in order that reporters with the background and context to ask the PM difficult questions and hold him or her to account would be present at events outside Ottawa. However, after Harper's election, the PPG was no longer informed of the prime minister's destinations early enough to be dispatched to cover those events. The small number of press conferences that did occur in Ottawa under Harper were held when foreign heads of state visited. However, on these occasions, all Canadian journalists present were asked to share only two questions for the prime minister among them (Ditchburn, 2014b: 108; Whittington, 2015).

Instead of media conferences, frequent photo opportunities were created in Ottawa for the prime minister. However, while the established norm in Canada and the US is for reporters to shout out questions during politicians' public appearances, at photo opportunities on the Hill, reporters were now not permitted to ask questions, while some photo opportunities were restricted from press gallery reporters and camera technicians altogether. At times, the PMO also distributed its own photos and footage of

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the prime minister, which were consistent with the Conservatives' messaging, thus eliminating the possibility for photographers to take photos that could present the PM in a strategically inopportune light (CAJ, 2010; Canadian Press, 2013; Ditchburn, 2014b:108, 111).

Media access to the Conservative caucus was also limited. Members of the press gallery traditionally could question politicians following regularly scheduled events, including caucus meetings, cabinet meetings, and question period. The journalists of the PPG would ask questions of the politicians as they exited these meetings, question them in scrums, and arrange interviews with cabinet ministers. Under the Harper government, however, the schedule of cabinet meetings was no longer made public, and reporters were no longer allowed to congregate near the rooms where the Conservative caucus or the cabinet met. Few Conservatives engaged in scrums or answered questions as they left the House after question period. There were numerous reports of the prime minister and cabinet ministers regularly arriving and leaving through alternate doors to avoid being approached by the media and of reporters having difficulty arranging even customary meetings with cabinet ministers (Canadian Press, 2013; Ditchburn, 2014b: 107–10, 130).

The circumvention of the PPG was highly criticized within and beyond the media for its abrogation of media norms around partisanship and accessibility (Basen, 2006; Doyle, 2007; Wiseman, 2007: 37). Journalists felt so strongly that they initially attempted to boycott some of the government's events and its opportunities for selective access to the prime minister. However, this attempt failed as media owners preferred that their journalists got stories than were empty handed when their competitors, who had accepted the new rules and been chosen by the government for one-on-one interviews, got the story instead (Ditchburn, 2017). In this sense, media owners could be seen to have "colluded" with the Harper government by accepting this normative shift. The Harper government was no doubt aware that concentrated media ownership and the rise of social media, which enabled elected officials to communicate directly with the public, had weakened the bargaining position of the PPG.

The Harper government's treatment of the PPG is in part consistent with the neoliberal view that journalists are "elite" members of the fourth estate, and cutting out the journalist through direct communication between parliamentarians and the public would make public debate more efficient and democratic. This approach can also be seen in US President Donald Trump's denigration of the media and use of Twitter to communicate directly with Americans. The Harper government did not value journalists as informed intermediaries who could frame and contextualize the information the public received from its government nor did it see the PPG as a crucial body in the Canadian democratic process, which could elicit answers and demand accountability from the government in the

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public interest. In contrast with lingering liberal notions that shaped previous neoliberal policy making, this approach to the media is actually more consistent with elements of neoliberal thought which propose that the self-interested decision making that is crucial for democracy is optimized not when individuals determine their self-interest through sharing of information and opinion but when they do so without such "interference" from others (Brown, 2015: 159): that is, when they acknowledge their inevitable ignorance and instead base their decisions on their uninformed and unadulterated perceptions, letting the market determine what is best (Foucault, 2008: 279–80; Hayek, 1960: 110, 378; Mirowski, 2013).

However, rather than just an interfering intermediary, the Harper government also treated journalists' open access to government officials as a risk situation in which unanticipated questions might dislodge its desired communications message. This consideration is less oriented toward bolstering the neoliberal ideal of uninhibited individual choice than it is about furthering the controlled messaging of the publicity state. This shift in the treatment of the PPG not only reduced opportunities for informed public debate, but it also allowed the government to communicate in its own way the heavy legislative agenda it laid out, which it would have known would be difficult to sell to Canadians directly as the PPG might report it (Kozolanka, 2009).[1] The role of prime ministerial media conferences increasingly shifted from a venue for public accountability to a promotional communication opportunity for the government.

Legislation Titles

In addition to the circumvention of the PPG, political titling of legislation was introduced by the Harper government, which also both restricted public debate and conveyed partisan messaging. Previously, a bill would be entitled something generic and bureaucratic like *Criminal Code Amendment Act (1969)*, and it would be subsequently revised many times under that simple title. In contrast, provocative, polemical bill titles such as the *Standing up for Victims of White Collar Crime Act* (passed in 2011) allowed the government to present the public with its preferred summary of the bill in the form of a political message that would be conveyed whenever the bill was mentioned.

Moreover, this title would frame the ensuing public debate on the bill by highlighting certain elements of the bill and downplaying others. In this case, for example, the bill's title would make it difficult to avoid discussing victims of crime prominently in subsequent media coverage. Opponents of the major policy shift put forth in the bill (Doob, 2014; Martin, 1998) would be placed on the defensive and would have to affirm their concern for crime victims and assess the bill's proposed benefits for victims, even if they also

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criticized other aspects of the bill. This framing through bill titles can be seen as a communication strategy to focus the ensuing public debate about the bill on a single partisan message.

Other examples of legislation titles that can be seen as partisan policy statements include the *Cracking Down on Crooked Immigration Consultants Act*, *Serious Time for the Most Serious Crime Act*, *Protecting Taxpayers and Revoking Pensions of Convicted Politicians Act* and *Life Means Life Act*. This use of legislation titles is not unique to the Harper government but became increasingly prevalent when that government was in power. This practice is common in the United States (Jones and Shaheen, 2013; Lederman, 2010), and it was introduced previously in Ontario by Mike Harris's Conservative government and continued by subsequent Ontario Liberal governments (Ontario, 2016).

Legislative Debate

The government also restricted the debate of proposed legislation by changing legislative and parliamentary norms in ways that both restrict debate and expand partisan communication. The government's use of omnibus bills is a prominent example. As Louis Massicotte (2013:13) explains, historically omnibus bills were a rare legislative practice. Their content ranged from "the most innocuous to the most controversial," but normally they were used only to make small changes to bring existing laws in line with new legislation.

Beginning in the 1990s, Liberal governments began to use omnibus bills specifically for implementing new laws, but the bills were still not extensive. Without making any formal procedural changes, the Harper government used omnibus bills both more frequently and to pass substantive legislation. Between May 2012 and April 2015 alone, the government enacted 10 such bills, totaling 2,399 pages and amending hundreds of acts (Aiello, 2015: 1, 7). To put this in perspective, parliamentary expert C.E.S. Franks points out that, in the early years of the Chrétien government, the average length of such bills was 12 pages. In the late Chrétien era, during the Martin government, and in the early Harper years (until 2008), they averaged 139 pages. By 2010, omnibus bills averaged 550 pages, with the 2010 omnibus budget bill alone containing 889 pages (2010: 1).

When substantive policy changes are introduced in this manner, the usual level of public scrutiny and parliamentary discussion is impossible (Ivison in Voices/Voix, 2015). Moreover, there is less opportunity for the political opposition to mobilize around controversial issues the bills contain (Kozolanka, 2007a: 89). Journalists reporting on these bills have publicly admitted to not having read them, while in 2015 when the widely controversial Bill C-51 (the *Anti-Terrorism Act*) was passed,

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opposition members of Parliament complained that they did not "have a clue" what was in the vast bill (Aiello, 2015: 1, 7).

Compounding the difficulty of scrutinizing the content of such large bills, successive Liberal and Conservative governments have reduced parliamentary sitting days from about 175 in 1991 to only 136 in 2010 and 132 in 2014 (Massicotte, 2013:16; Debates (Hansard), 2016). The Harper government also reduced the time available to parliamentary committees to examine and hear expert and public opinion on the bills. For example, the Liberals' *Anti-Terrorism Act* (C-36) of 2001 was debated for almost 23 hours in the House of Commons, was the subject of 18 parliamentary committee meetings, and was discussed for almost 48 hours at those meetings. The Conservatives' *Anti-Terrorism Act* (C-51) of 2015 was debated in the House of Commons almost the same number of hours, but it was the subject of only 10 committee meetings and spent less than 17 hours in committee—and this was only after opposition protest to the initial six meetings proposed (Hansard, 2015).

This difference in the time allocated for discussion is significant because the parliamentary system in Canada historically has relied upon debate in the House of Commons and parliamentary committees and upon public discussion to ensure that the bills passed into law had—at least to some extent—withstood certain processes of debate and reason and considered minority viewpoints (BCCLA, 2015; Voices/Voix, 2015). The neoliberal understanding of democracy does not include this kind of collective discussion or special consideration of minority views, instead prioritizing the equally weighted self-interested decisions of each citizen through their vote. Without changing any laws or parliamentary rules, the Harper government's use of omnibus bills altered the legislative and democratic process in Canada in favour of this more limited neoliberal model.

Importantly, however, the resulting lack of in-depth scrutiny also has allowed omnibus bills to function as a communication strategy. For instance, the omnibus crime bill *Safe Streets and Community Act* was tabled in the months before the 2011 election that resulted in a Conservative majority mandate. The bill faced deep criticism because buried in its 110 pages was a fundamental shift in the federal government's approach to crime (Brennan, 2012; CCLA, 2010: 1; Cook and Roesch, 2012; Doob, 2014; Statistics Canada, 2011; Varma and Marinos, 2013).

The bill was never fully debated or passed before Parliament dissolved ahead of the 2011 federal election. What the bill did do, however, was allow the government to use Parliament to signal and communicate its campaign message of a strong (110 page-long) commitment to solving its perceived crime problem, which was a key campaign issue credited with winning the Conservatives their majority mandate. In contrast with the "good news" budgets often used to advance a pre-writ election strategy, this

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move was part of a continuous American-style pre-election campaign, which analysts have termed "the permanent campaign" (Flanagan, 2012).

The Harper government thus not only altered parliamentary and legislative norms around omnibus bills in a manner that curtailed public debate by overwhelming the media, the opposition, and citizen groups, it also used omnibus bills as a communication opportunity to convey partisan messages, including elements of its campaign platform.

Private members' bills were employed in a similar fashion under the Harper government. Typically, these bills allow government MPs to put forward an issue specific to their constituents, while more substantive private members' bills come from opposition MPs who cannot introduce major policy but wish to signal what they might do in government (Jeffrey, 2015: 133; Franks in Cheadle, 2013). Private members' bills are not subject to the normal legal scrutiny afforded to government legislation (Cheadle, 2013; Ditchburn, 2014a; Jeffrey, 2015: 134). Moreover, while the number of hours that private members' bills will be debated in the House of Commons is prescribed, their debate itself is far more restricted, and they generally do not receive as thorough a treatment at committee. Under the Harper government, an unprecedented number of private members' bills were brought forth by government MPs, and these often represented controversial substantive issues. The passing of such bills was then used as publicity for the Conservatives' base (Casey, in Cheadle, 2013). Like omnibus bills, this practice shifted established norms governing lawmaking in Canada in a manner that both restricted debate and publicized the Conservatives' partisan messages.

Access to Information

Established norms around the procedures for public access to government information were also changed in a manner that both circumscribes public debate and reinforces partisan messages. Access to information has been considered a staple of democratic communication and citizenship in modern democracies, allowing citizens access to information they may require to understand and critique the actions of their government. Historically, Canada has been in the forefront of affirming the rights of citizens to government information through the *Access to Information Act* (1982). However, official recommendations to improve the act were never implemented (Douglas, 2006: 3), and Liberal and Conservative governments found ways to restrict transparency (Roberts, 2005: 5). For instance, in the mid-1990s, the Liberal government initiated a centralized vetting and monitoring process for certain access requests (Rubin, 1996: 4), while the Liberals' *Anti-Terrorism Act* curtailed Canadians' access to information in the name of security following September 11, 2001.[2]

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Following Harper's election in 2006, the administration of freedom of information requests was curtailed more systematically, leading to what the Information Commissioner has identified as unnecessary delays, censorship and political interference in the access process (CAJ, 2010; Information Commissioner, 2013). Again, the process was altered, largely without formally changing any laws but by changing the norms of the freedom of information application process. Not only has this restricted the possibility of informed public debate generally, but access to information that may not be in the government's partisan interest to share was particularly monitored and restricted.

For instance, the government established a segregated database and server that exempted certain ministerial documents from freedom of information requests (Naumetz, 2006: A1; Rubin and Kozolanka, 2014). Government departments began co-ordinating access requests centrally and profiling frequent requesters—especially when the information requested was of a politically sensitive nature to the government (Rubin, 2006: 7). Significant delays also occurred when information was requested by a member of the media or political opposition (Roberts, 2005: 15). In fact, by June 2014, the Information Commissioner reportedly received a one-third increase in complaints that access to information requests had been blocked or delayed by the government, and cases of political interference with access requests in ministers' offices had been brought before a parliamentary committee (Beeby, 2010: A1; Coyne, 2014). Moreover, journalists requesting government documents and factual responses about government activities, who previously had received such information promptly from the ministers' communications offices, now reported receiving phone calls from the political offices of the minister asking why they sought that information and whether they planned to write about it (Bureau, 2016).

Furthermore, members of the PPG traditionally had been able to book meetings with cabinet ministers and senior civil servants, as those who drafted public policy were seen as best able to explain and contextualize the policy for the public. Instead, after Harper's election, in many federal departments, reporters had difficulty accessing anyone other than departmental media officers who the reporters claimed provided only loosely related pre-vetted talking points by email and were unable to answer substantive questions that previously would have been addressed in an interview with a cabinet minister or senior civil servant (Ditchburn, 2014b: 119).

In general, the government's increased monitoring, vetting and delaying of public access to information involved shifting norms around access requests and around political involvement in administrative processes rather than actually changing the law. This is significant because these shifts altered opportunities for democratic participation and government accountability in Canada, reconceptualizing the relationship between government and citizens without any formal public debate. Moreover, once again,

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there is a communication advantage to the government: by increasingly restricting the public's access to information, the government's own communications messages become more difficult to challenge and can become increasingly dominant.

Access to information is of course not the only safeguard against absolute power, but access to government information is essential for allowing the public to monitor and criticize government policy. Citizens' access to the activities of their government is a fundamental principle of even very basic conceptions of liberal democracy. It could be assumed that, even for neoliberal policy makers, who did not espouse the notion of a public good that could be served by this kind of public debate (Hayek, 1944), access to government information still could be valuable to satisfy the neoliberal preoccupation with stakeholder accountability or to facilitate the free and self-interested individual decision making that is central to neoliberal thought. However, while celebration of information sharing and the individual acquisition of knowledge have characterized much of the neoliberal period, knowledge sharing and informed and reasoned information processing are devalued in neoliberal thought (see Hayek, 1960: 29, 110, 377). Self-interested decision making is considered more efficient and democratic when it is informed by individuals' unadulterated, uninformed perceptions, which are then aggregated and processed by the unbiased market (Mirowski, 2013: 78–83). In this sense, restrictions to access to information advance both the partisan messaging of the authoritarian-populist publicity state and this neoliberal notion of free decision making.

Public Service

This final section outlines several ways in which the Harper government changed established legislative and parliamentary norms overseeing the relationship between the government and the public service in a manner that decreases public debate and bolsters the government's partisan communication. According to Donald Savoie, the separation of the legislative and executive branches of government that is a cornerstone of liberal democracies is governed informally in the Westminster system. In the late 1980s and 1990s, the traditional line between the two branches began to blur in Canada and elsewhere as politicians "sought … to strengthen their own hand in shaping government policy and decisions" over that of the bureaucracy (2003:12).

The Harper government extended and intensified the expanding influence of politicians and political staff on public administration. Traditionally, the PMO, which is a political office, and the Privy Council Office (PCO), which is the non-partisan directorate for the administration of the public service, have had an arm's length relationship based on the

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separation of powers. The Harper government built up the size and extent of the PMO while also exerting more control over the PCO, and in several instances was criticized for using the PCO for partisan communication (Kozolanka, 2014b: 55). For example, between 2009 and 2011, the PCO received a $7.2 million increase in operational funding and added 20 new staff to manage the government's extensive and long-running advertising campaign for its Economic Action Plan. The campaign was seen by critics as a pre-election campaign that over time became the key emblem of the Harper government's branding, using public money to promote government activities on key election issues rather than merely providing accurate and objective information about government programs (Ditchburn, 2014b: 121; Kozolanka, 2012a, 2014b).

Similarly, Pierre Poilièvre, Harper's Minister of Employment and Social Development and Minister for Democratic Reform was criticized for using the resources of the traditionally neutral public service for partisan activity when he paid public employees overtime on a weekend to script and arrange the production of a partisan television advertisement that featured the minister promoting the new universal child care benefit (Chase, 2015). Again, this was criticized for violating Canada's norms regarding the separation of legislative and executive powers by publicly financing what could be considered partisan promotional material.

A further example is the government's restrictions on the public involvement of government scientists. Canadian government scientists had a long-accepted right to speak publicly about their research, and citizens likewise had the right to get information from publicly employed experts. Scientists thus traditionally have had direct access to the media and have responded directly to public requests for information, and their input in public debate has been highly valued. At the beginning of its mandate in 2006, however, the Harper government issued a new directive requiring public requests for information from a scientist to go through the communications directorate of the government department in which that scientist worked. Likewise, scientists were required to seek permission to speak to the public and media, and they were permitted to answer only questions pre-submitted and pre-vetted by the communications directorate (Akin, 2016a; Canada, 2006; Manasan, 2015; PIPSC, 2016). Permissions to speak sometimes took weeks or months and were often granted too late for a journalist's deadline or for the information to be otherwise useful (Akin, 2016b). This not only restricted the public's access to the research and opinions of the scientists in the public service but, in their absence, also meant that the government's own communications messages would not be subjected to as rigorous a public debate and discussion.

Other public employees were also restricted from speaking to the media, including regulators, auditors and policy experts. Restrictions on media contact with government employees began to increase in the

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mid-1990s but expanded dramatically following the election of the Harper government (CAJ, 2010; Ditchburn, 2014b: 114). The extreme centralization in the PCO of government communication for the executive branch has been criticized for signifying the influence of political actors and political imperatives on the output of public servants (Ditchburn, 2014b: 119). These examples illustrate a willingness to shift established legislative and parliamentary norms surrounding the separation of powers, challenging the relationship between government and the public service in ways that reduce public debate and bolster partisan political messages.

Conclusion: Communication, Public Debate and the Complexity of Harper's Democracy

The examples outlined in this article further illustrate the shift of Canadian democracy under the Harper government toward a minimalist neoliberal model centred on the free decision making of ostensibly equal citizens in their individual interests through their electoral vote. However, the article notes that each of these examples of the government's curtailment of two-way or multi-directional communication between government and citizens also simultaneously strengthened one-way communication of partisan messaging from government to citizens.

The close relationship of the seemingly contradictory neoliberal and authoritarian-populist approaches espoused by new right governments, such as Harper's, recalls Wendy Brown's contention that authoritarianism and neoconservatism are in fact both enabled by neoliberal rationality (Brown, 2006: 702). By envisioning political participation as limited to voting and akin to consumer choice, and by reducing social life to the self-interested choices of individuals, neoliberalism eschews the idea of political participation as independently valuable and is not concerned with democratic principles of sharing power and governance (703): neoliberalism devalues the democratic processes and institutions that authoritarian measures then replace.

More specifically, the examples in this article demonstrate a departure from the classical-liberal inflection of the so-called "progressive" (Fraser, 2017) or "Third Way" neoliberalism (Mirowski, 2013: 80) that previously characterized Canadian federal politics, which publicly celebrated information sharing and knowledge acquisition and depended for its legitimacy upon demonstrating at least symbolic support for broad public debate. Instead, the article documents a move toward an interpretation of free, self-interested individual choice that is truer to that envisioned by Hayek and other neoliberal thinkers and is more compatible with the authoritarian-populist publicity state. In this interpretation, an individual best determines their self-interest not by gathering, processing and debating

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information and opinion but in isolation, without the influence of journalistic analysis, expert opinion and government or other information (Hayek, 1960: 29, 110, 377). This interpretation of neoliberal choice opens space for the partisan messaging of the publicity state to be seen not necessarily as the undue and biased influence of the state on individual decision making, but potentially as merely a self-interested advertisement for a partisan product.

The examples outlined in this article signify a new vision of the state as "openly partial, maneuvering, and political" (Brown, 2006: 701), and advance a different relationship between Canadian citizens and the state. While it has been observed that, in neoliberal approaches to democracy, citizens interact with government primarily as *consumers of products and services* (Apple, 2000: 60; Brabazon, 2017a; Isin, 1998:174), these examples demonstrate strongly that, under the Harper government, Canadians also interacted with their government as *consumers of messages*.

In doing so, the article demonstrates how the seemingly contradictory neoliberal notion of free decision making and the promotion of the government's partisan agenda that is central to the authoritarian-populist publicity state can be compatible and even mutually supportive. This is not to suggest a complete or automatic break with the past or that the Harper government ushered in an era of wholesale authoritarianism. Rather, the replacement of multi-directional public debate by unidirectional partisan messaging that is illustrated in this article demonstrates the creative combination of various elements of neoliberalism, neoconservatism and authoritarian populism by new right governments, as strategically convenient for their political purposes (Apple, 2000: 72; Snow and Moffitt, 2012).

This is not to suggest a new politicization of legislative and parliamentary norms or of government communication. Moreover, this is not an argument about a government's openness to public debate in ideal terms. That is, many governments have communicated partisan messages to the public, and many have paid lip service to the ideal of broad democratic participation while quietly hoping to restrict it because the political gains of maintaining that commitment outweighed the political advantages of restricting it. The argument here is not that the Harper government was simply more transparent about strategies and tactics that had been deployed already by previous governments; rather, it is that the Harper government gave unprecedented primacy to the strategic imperatives of the publicity state over the legislative and parliamentary norms described. A symbolic commitment to broad public participation and debate was not considered by this government to be politically necessary in these instances, and in fact it was considered to be obstructive of a particular conception of neoliberal democracy that suited the strategic communication imperatives of the publicity state.

Brown describes neoliberal governance as a business approach to governing, one in which democratic principles and the rule of law are neither

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guides nor serious constraints but rather tools or obstacles, a phenomenon Foucault formulated concisely as the "'tacticalization' of law" (Brown, 2006: 695). The examples in this article suggest the additional possibility of a "tacticalized" or what we would call a "photo-op" approach to democracy, in which democratic norms and conventions are upheld or ignored as is useful in the moment for partisan messaging. The Harper government used the public service to its partisan advantage when convenient (for example, Poilièvre on the Economic Action Plan) and restricted it (for example, government scientists) or excluded it (for example, freedom of information procedures or the Parliamentary Press Gallery) when it was not. The laws regulating democratic process were similarly praised when conducive to the government's policy and public relations agenda (for example, its tough-on-crime rhetoric), while formal law and legislative and parliamentary norms were unceremoniously and often discreetly discarded when inconvenient to the dissemination of the government's publicity message: in this photo-op approach to democracy, democracy is praised or restricted depending upon what is needed for the photo-op at hand. "Photo-op democracy" refers not to a type of photo-op but to an approach to democracy.

This photo-op approach to democracy differs from incidental or isolated partisan overstepping. The range of changes to norms and conventions explored in this article suggests the depth and breadth of this approach. These instances occurred without public debate through concerted shifts in the government's approach (for example, the PCO or the Parliamentary Press Gallery), through communications trouble-shooting of contentious issues (for example, government scientists), and through what appears to be purely individual or party utility (for example, Poilièvre or the Economic Action Plan). This speaks not just to an official approach of the Harper government in certain types of situation or policy area, but rather to a more thorough commitment to partisan messages over democratic norms and over multidirectional engagement with citizens, which is manifested at multiple levels of decision making and in multiple forums.

This is of course one set of examples, but one that draws together previous academic and journalistic research documenting various aspects of these trends. Over time, continuities and discontinuities of the subsequent Trudeau Liberal government will become apparent, as well as the extent to which provincial governments follow the Harper Conservatives' lead (see Hébert, 2013). To date, in some areas, such as bill titles and use of the PPG, previous norms have been restored by the Trudeau Liberals. In other areas, such as access to information, change has been promised but has been slow to materialize or still falls short of international standards (Bureau, 2016; Democracy Watch, 2016; Legault, 2016; Rubin, 2017). In still other areas, the Harper government's changes have been upheld or extended. For instance, current Liberal cabinet ministers as well as the Professional Institution of the Public Service in Canada have both indicated

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that the Liberals have not reversed the Harper government's restrictions on government scientists (Akin, 2016b; Canada, 2016e).

Preliminary observations of the Trudeau government's approach to government communication suggest that it is concerned with creating the appearance of a more open government and more participatory democracy. For instance, the Trudeau government seems to be deploying a kind of hyper-consultation, increasing the volume of public consultation,[3] although it remains to be seen whether this consultation results in genuine dialogue and compromise or is itself a version of photo-op democracy. Likewise, Trudeau has extended considerably, rather than decreased, the number of prime ministerial photo ops (Smith, 2016), while adding his own type of government communication, the "selfie," now being taken by many citizens—especially young Canadians—with the prime minister. Much like other forms of government social media, the selfie circumvents the role of journalists and journalistic photographers while also communicating the Trudeau "brand"—an image that is already criticized for being at odds with, and even detracting attention from, his government's continuation of neoliberal policy making (Di Fiore, 2016).

In Parliament, the Trudeau Liberals have already demonstrated a willingness to continue altering established norms when it suits them by invoking time allocation to restrict debate in the House when convenient and by producing an omnibus budget bill (Wherry, 2016). In 2016 they put on notice procedural Motion 6, which would have allowed the governing party greater control over the terms of debate in the House (Payton, 2016), and in 2017 they released a discussion paper outlining restrictions to debate in the House and parliamentary committees (Canada, 2017). These observations to date suggest that the Trudeau Liberals may not be quick to re-embrace the public sphere that the Harper Conservatives constrained or to renounce the expansive partisan communication that they introduced.[4]

This article has illustrated that Harper's impact on Canadian democracy is more complex than only reducing opportunities for public deliberation and curtailing Canada's robust civil society, as other researchers have documented. Instead, it puts forth that the Canadian public sphere was not necessarily reduced under Prime Minister Harper so much as reframed from a space of multi-directional exchange of ideas toward one of unidirectional partisan communication, and that this signifies an important point of overlap between neoliberal and authoritarian-populist governance.

Notes

1 This is an example of what Kozolanka has called the oxymoronic "communication by stealth," circumventing established journalist norms and using the legislative sphere *as* communication in itself.

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2 A further example is the Liberal government's efforts to conceal partisan and politicized government communication that was only later revealed in the Gomery Report on Canada's sponsorship scandal. See Canada, 2005; Kozolanka, 2007b.
3 For instance Canada, 2016b ("Consulting with Canadians"); Canada, 2016c ("Defence Policy Review"); Canada, 2016a ("Canada's international assistance"); Canada, 2016e ("Strengthening Canadian content").
4 Future research should also explore the contours of US President Donald Trump's particular combination of neoliberalism and authoritarian-populism, and the role of photo-op democracy therein.

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