

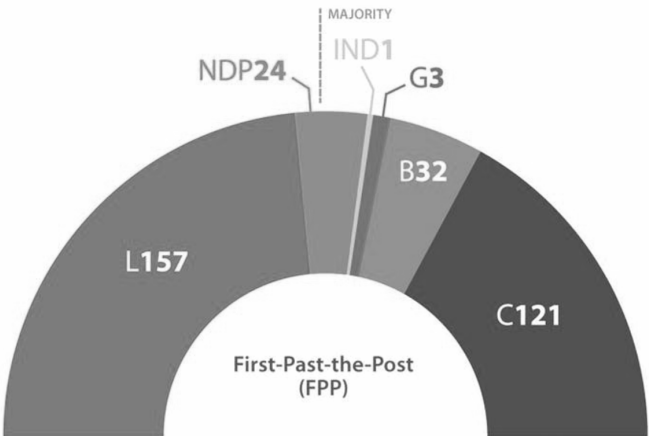


# The Brief

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## What the Canadian election results would have looked like with electoral reform

By MATTHEW HAYES



Canada's 2019 national election results.

The 2019 federal election results suggested a majority of Canadians preferred a minority government, but the one they got was different than the one they voted for.

The Liberal Party won what can be described as a “stable minority” with barely a third of the total votes while the NDP and Greens elected far fewer MPs than their share of the vote. As in past elections, our first-past-the-post electoral system distorted the electoral preferences of Canadians.

Canada pays a price for this distortion. Not only is the will of the people not reflected in our Parliament, but certain regions — such as Alberta, where 30 per cent of the population didn't vote Conservative — will not be represented in government at all. In a proportional representation (PR) electoral system, the Liberals would have won 10 seats in the three Prairie provinces, and the NDP as many as nine.

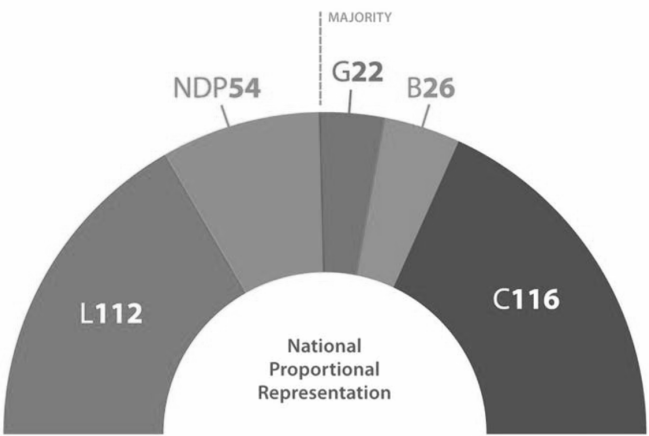
The distortions in our voting system produce apathy among some voters. No doubt, there are other reasons why people don't vote, but one is that they don't feel that their vote will make any difference. In a first-past-the-post system, if you are an NDP voter in a riding where the overall NDP vote is marginal (say, less than 10 per cent), you may feel like voting doesn't count for much.

The current electoral system also incentivizes “strategic voting,” especially on the political left, in order to prevent a Conservative Party breakthrough. This too is part of our voting system's distortions.

The voting results in 2019 using the first-past-the-post system distorted the Liberals' results over much of the country. If we calculated the vote by national voter turnout, results from the election would look very different.

Supposing a five per cent cut-off for parties to be represented in the House of Commons, the seat totals using the seat totals using the total national vote would look like something close to that found on the middle graph.

In this scenario, eight remaining seats representing just over two per cent of the population who voted for other parties would have to be apportioned to the main parties, using an



A fictional scenario of Canada's election result - with National Proportional Representation.

agreed-upon formula to make fractional numbers into whole seats. The numbers in the chart above round each party's seat total to the nearest whole seat, but that leaves several parties with over- and under-votes that are fractional and not representative.

There are several formulas for resolving this, the most widely used is the D'Hondt method.

### Regional differences

In Canada, one could reasonably object that a national proportional representation system would distort regional differences. This might dilute strong regional parties, most obviously the Bloc Québécois, but possibly also the Conservatives, whose Western power base would be diluted by weaker support elsewhere.

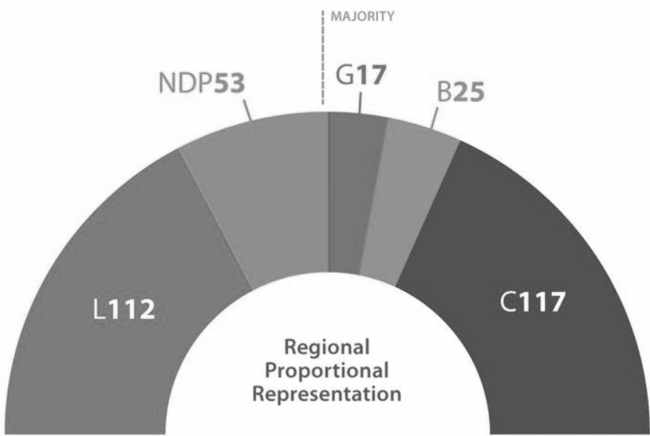
Taking the election results and breaking them down by region that would each retain the same number of regional seats chosen proportionally (Atlantic Canada 32; Quebec 78; Ontario 121; Prairies 62; BC 42; the North 3), the results would look something like that depicted on the right graph.

That would mean reapportioning about 14 other seats, five of which represent Green votes in Québec and on the Prairies, where the Greens would have failed to make the five per cent cut-off for representation (they would have made a three per cent cut off in both regions).

Lower Conservative numbers in the Prairies are made up through higher representation in the Maritimes and Québec, where the Conservative Party would draw part of its caucus, giving it a much more national base.

Prime Minister Justin Trudeau's announcement that he will govern without a coalition partner, and therefore not have to compromise with any other parties, is precisely what Canadians voted against when they elected a minority Parliament.

With a proportional representation electoral system, Parliament would require a lot more cooperation among major



A fictional scenario of Canada's election result - with Regional Proportional Representation.

parties to pass legislation and stave off confidence votes. This could also make Parliament more stable and less divisive.

### Electing MPs to reflect our values

As the outgoing prime minister, Trudeau would still have had the right to try to form a coalition government, but his options would have been more limited. The NDP would have had a much stronger voice, technically able to govern with either the Conservatives or Liberals.

A slightly different vote, however, might have produced a Parliament where more than two parties would have had to work together. It would have also limited the overall size of the Bloc Québécois without completely sidelining them or Québec representatives in any governing coalition.

Minority parliaments require the large national parties to cooperate in order to turn electoral success into parliamentary influence—a feature singularly missing from our current first-past-the-post system. Parliamentary leaders best able to be diplomatic and create relationships across party lines would be the true power brokers—not the PMO alone—of the new parliamentary system.

There are other advantages to moving to proportional representation. The use of party lists would make it easier for parties to represent women, ethnic minorities and other under-represented groups. It would also enable them to draw MPs from a deeper talent pool, more representative of a party's national support.

Rather than distorting our vote, we might be able to elect parliaments that reflect who we are.

*Matthew Hayes is the Canada Research Chair in Global and International Studies and an Associate Professor in Sociology at St. Thomas University.*

*Graphs by Rebecca Baxter and Matthew Hayes.*

*This article was first published by The Conversation.*

## The Sisson Mine shakedown: The myth of a mine to save New Brunswick

By LAWRENCE WUEST

The story of the Sisson Mine development starts dramatically. As it unfolds it includes promises of riches and jobs, demonstrations of government incompetence, lax regulatory oversight, fierce resistance by Indigenous and settler community allies and the backstory of a longstanding myth. The story ending promises to be spectacular: a possible shakedown by mining corporations for hundreds of millions of taxpayer dollars.

### In the beginning: promises, promises

The tungsten-molybdenum goliath, better known as the Sisson Brook Open-Pit Mine, burst onto the New Brunswick scene in 2008. In that year, Geodex Minerals tabled a detailed proposal for a massive open-pit mine at Sisson Brook on the headwaters of the Upper Nashwaak Watershed, 100 km northwest of Fredericton. Rights to the Sisson property were subsequently sold to Northcliff Resources in 2010.

Geodex Minerals and Northcliff Resources are exploratory mining companies. For more than 12 years, the Sisson proposal

has monopolized the energy and resources of the province of New Brunswick. Over that time, successive governments have displayed not only a lack of economic understanding, but also a lack of appreciation of the murky world of mining exploration.

From the start, it was apparent that much maneuvering had gone on behind the scenes. Geodex suddenly emerged with extensive but incomplete environmental studies. Their economic pre-feasibility study appeared to show that in light of a once-in-a-lifetime spike in metal prices, an open-pit molybdenum and tungsten mine at Sisson Brook could be marginally profitable for at least a short time.

Geodex promised that, with enough tungsten, thinly distributed in a massive deposit of Paleozoic rock, one of the largest deposits of tungsten in the world lay waiting for New Brunswickers to start digging and piling on a scale that would be visible from space. If all went smoothly, and if all the obstacles evaporated, New Brunswick could one day be a prime mover and shaker in the rare metals market for years to come. The Geodex promises included

800 jobs during two years of construction, accompanied by \$569 million in investment flowing through the New Brunswick economy. Their study also forecast 300 to 500 long-term mining jobs for 27 years as the crowning enticement for government buy-in.

However, the devil was in the details and no provincial or federal government department had either the will or expertise to critically examine the Geodex proposal. Quite the opposite: mining engineers in the province's Department of Natural Resources and Energy embraced the concept enthusiastically. The province had not had a significant successful mine startup in many years.

### The backstory: the myth of a mine that will save New Brunswick

What can explain the lack of critical analysis of the Sisson Mine proposal? The answer is in a longstanding myth that a major mine could save the New Brunswick economy. The myth

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continued on page 2



# The myth of a mine to save New Brunswick

can be traced historically to the early days of the Frank McKenna government, which governed New Brunswick from 1987 to 1997. Video essayist Charles Thériault has maintained in his documentary *Who Wrote the Roadmap to NB’s Future* that the idea of a large mine as an economic engine for central and rural New Brunswick originated with McKenna’s economic adviser Francis McGuire, who is now the president of ACOA, the federal government’s Atlantic regional development agency.

As the story goes, in the mid-1980s, lending agencies convinced McKenna and McGuire that the province should have three primary urban hubs, Fredericton, Saint John and Moncton, and the rest of the province should be more or less rural, with forestry and major mines in the central and northern highlands as the primary economic engines. While no mine ever materialized during McKenna’s tenure, McGuire’s vision was perpetuated through successive Liberal and Conservative governments leading up to the economic chaos of 2007-2008.

The perpetuation of the myth of a mine as economic saviour was facilitated by a struggling forest industry, marked by shutdown after shutdown of major pulp mills and sawmills amidst a dwindling forest base. In 2003, during hearings before the province’s Select Committee on Wood Supply, the public soundly rejected a proposal for a large-scale increase in industrialization of the province’s Crown Forest that included concomitant decreases in forest conservation areas. The province was desperate for an economic savior. Enter Geodex.

### The reality check: opposition to the Sisson Mine

Geodex and the government likely predicted an easy ride for their proposed Sisson mine through the waters of desperation of New Brunswickers, eager for a quick-fix to their economic woes. Buoyed by the Harper government’s relaxation of freshwater protections, Geodex laid out a map showing their proposed mine and a mining waste storage facility burying pristine lakes within 500 metres of the much-cherished Nashwaak River. Other more expensive but less environmentally damaging options were possible, but the company chose the cheap route, thus exposing its lack of respect for the sensibilities of the public, whose support they had taken for granted. The company also sadly neglected to appreciate the spiritual depth of Indigenous ties to the affected land, water and wildlife.

The blowback to their Sisson mine proposal was immediate and intense. Indigenous governments immediately took the offensive, accusing the New Brunswick government of violating historical rights and Peace and Friendship Treaties. They accused the provincial government of abusing lands for which joint management had been agreed without ceding away Indigenous title and ownership.

Around 2010, Wolastoqiyik grandmothers decided to protect their unceded territory in the Upper Nashwaak from the predations of the mining companies and the settler government. It took several years and continued federal and provincial government abuse of the environmental assessment process for the Grandmother movement to fully crystallize but, by 2015, Grandmothers had actively opposed shale gas exploration and were putting themselves on the line to protect the lands of the Upper Nashwaak.

Settler community organizations from up and down the Nashwaak Valley also took the offensive, documenting the government’s violation of their rights guaranteed under the Water Classification Regulation of the Clean Water Act. This regulation, and the government’s lack of enforcement of it, constitute key parts of the Sisson Mine story.

### The familiar story: lax regulatory oversight

The provincial government of 1999-2004, seeing the need to protect the relatively pristine waters of the province, had passed legislation empowering watersheds to supply the developmental

vision and protections for their waters. Millions of dollars, and hundreds of hours of volunteer labour had gone into the scientific baseline studies to implement the legislation.

However, somewhere along the line, the government perceived that empowering the citizenry on this scale was a threat to the government’s power to implement its own industrial development agenda. For more than 15 years, governmental foot dragging on implementation of the legislation has ensued. Lack of enforcement of water regulation allowed Geodex, and subsequent owner Northcliff Resources, the freedom to advance the proposal through all environmental regulatory assessments without ever having to show a true economic justification of the environmental damage their mine would cause.

During this time of lax regulatory enforcement, in 2010, large swaths of New Brunswick were opened to exploration by shale gas developers. The scale with which the government was proposing to industrialize the New Brunswick landscape, with 2.1 million hectares of land under mineral claims and oil and gas leases, dwarfed the currently developed tar sands devastation of Alberta (less than 0.5 million hectares). If reaction to the Sisson Mine was fierce, the reaction to shale gas was greater. In 2013, it brought the province to the brink of civil disturbance and questionable police reprisals. The ferocity of resistance to shale gas only heightened awareness of the need to protect water, and resistance to Sisson stiffened.

Also noteworthy, the province’s Chief Medical Officer of Health (CMOH) issued a report in 2012 on the protocols required to ensure that environmental and human health were safeguarded under industrial proposals, including developments other than shale gas. The CMOH report was considered another threat to the government’s agenda, and has since been systematically ignored.

Nashwaak settler communities took the initiative to challenge the government on Water Classification. The communities’ goal was to force the new proponent of Sisson, Northcliff Resources, to bring forth a business plan that would justify lowering the quality standards of the Nashwaak to accommodate the Sisson mine. What ensued was a circus of government double-talk about the illegality and unenforceability of the water classification legislation. All the government foot dragging was eventually challenged in 2014 by the provincial Ombud but, like the citizenry, the Ombud was ignored, and the legislation remains unenforced to this day; no proponent of the Sisson Mine has ever had to face the citizenry of the Nashwaak with a business plan that objectively documents the costs versus benefits of their proposal.

Despite this lack of regulatory enforcement coupled with a lack of economic viability, the province has approved the project’s Environmental Impact Assessment (EIA). The federal government has also given EIA approval and amended the Metal and Diamond Mine Effluent Regulation of the Fisheries Act to allow Northcliff to destroy several important fish-bearing streams in the Nashwaak watershed.

### A likely ending: the shakedown

All of this turmoil and exertion of time, money and energy has been expended for the Sisson Mine, a project whose lack of feasibility was evident from the start. Over the years, that lack of feasibility has been further evidenced by metal prices that have plummeted from their inflated values of 2007-2008, and by Geodex stock that dropped from \$0.30 at startup in 2008, to less than 1 cent a share in 2010 when Geodex sold its interest in the Sisson Mine to Northcliff Resources. Northcliff shares have similarly plummeted from \$1.10 at startup to 7 cents per share currently.

The most emphatic proof of the inevitable financial futility of Sisson is provided by the Drakelands open-pit tungsten mine at Hemerdon, Plymouth, UK. Partially owned by Sisson shareholder Todd Minerals of New Zealand and blessed with tungsten almost three times the richness of Sisson, the mine opened in 2014 and lost \$166 million in three years before closing in 2018.

At this point in time, whether or not the provincial government still believes in the feasibility and wisdom of the Sisson mine is moot. Author Joan Kuyek, one of the founders of MiningWatch Canada has documented how Hunter-Dickinson Inc.the parent company of Northcliff Resources makes a profitable business out of unprofitable mine propositions, including a history of suing governments and opposition when the company does not get its way. The New Brunswick government has committed itself so deeply to the Sisson Mine project that any change of direction on the part of the government would likely trigger a lawsuit by Northcliff Resources for damages and lost profits in the hundreds of millions of dollars. When and if this happens, the Sisson Mine will transform from a myth that will save New Brunswick into a shakedown that will cost New Brunswick taxpayers dearly.

It would appear that the province is stuck with an albatross, and Indigenous and settler “protectors” of land, water and wildlife will be forced into eternal vigilance to ensure the same kind of lack of attention that allowed Geodex to get its foot in the door does not happen again. Meanwhile, the province’s water continues to be unprotected, and mine proposals continue to skate through EIA without economic scrutiny and without due process with respect to water protection and Indigenous rights.

*Lawrence Wuest is an ecologist living in the Upper Nashwaak on unceded territory of the Wolastekwiyik, Mi’kmaq, and Peskotomuhkati.*

# New Brunswick approves J.D. Irving gypsum mine

By TRACY GLYNN



**Signs against the proposed gypsum mine are going up in and around rural Upham.** Photo by Sarah Blenis.

The people resisting a J.D. Irving-owned gypsum mine near the Hammond River in Upham are facing a new hurdle since late October, when the New Brunswick government gave conditional approval to the project. The rural residents are upset by the government’s lack of attention to how the mine could affect their well water and roads.

Hammond River Holdings Ltd. wants to extract 2.5 million tons of gypsum, an ingredient found in drywall, from an open-pit mine on Route 111 in Upham, a rural community near Saint John. The gypsum would be blasted and crushed on site then shipped for processing to Atlantic Wallboard, also owned by J.D. Irving, in Saint John.

The government’s approval comes with 29 conditions that Hammond River Holdings Ltd. must follow to operate but Upham resident Sarah Blenis says well water protection is not on the list of conditions and that leaves her and her neighbours “extremely disappointed.”

“No water management plan or groundwater survey has been presented, yet Environment Minister Jeff Carr has signed the approval. The 29 Conditions presented in the Certificate of Approval are not acceptable to the community, particularly Condition 15, which puts the onus of proof on the community, should there be any negative impacts on well quality or quantity,” says Blenis.

Besides traffic management and noise, other conditions listed in the approval document concern wetland and watercourse management.

Blenis is behind the public Facebook page, Protect Upham Mountain, and has been running a citizen water monitoring program. Her efforts to protect Upham’s water were recently recognized with an award for community leadership from the Conservation Council of New Brunswick at its 50th Anniversary Gala on Oct. 12.

The proposed mine site is at one point only 100 metres away from the edge of the Hammond River. The river is home to Atlantic salmon, brook trout, smallmouth bass, rainbow smelt, striped bass and shortnose sturgeon. The Hammond River Angling Association has expressed concerns about the impact of the mine’s runoff into streams that flow into the river.

Cheryl Johnson, a teacher and member of the group Friends of Hammond River, told the NB Media Co-op in May that the mine project will disrupt her life on the land: “I love life in the backwoods. We have a large garden where we grow much of our produce. We hunt and fish from the land.”

Johnson is particularly concerned about the impact of the project on roads she says are already dangerous.

According to mining expert Joan Kuyek, “The threat posed by the Upham Mine to the Hammond River, and to people traveling on public roads from 35 or more huge trucks daily on public roads, is much too high a price to pay for another Irving enterprise that will only bring a few jobs for 10 years.”

Kuyek, a co-founder of MiningWatch Canada, was in New Brunswick in October launching her latest book, *Unearthing Justice: How to Protect Your Community from the Mining Industry*.

Blenis told the NB Media Co-op in June that her concerns go beyond the mine proposed in her backyard. She wants to see amendments made to the provincial Mining Act so that quarries extracting any mineral are subjected to an environmental impact assessment. She also wants to see elements of the Quarry Siting Standards that protect residents on well water applied to the projects deemed to be mines.

Earlier this year, Blenis and her neighbours were dismayed to learn that their opposition to the mine had made them targets of RCMP surveillance. At Kuyek’s book launch at Mount Allison University in Sackville, two RCMP officers introduced themselves to Kuyek after the launch, leaving organizers questioning why the RCMP felt they needed to be present.

According to Lawrence Wuest, a prominent critic of the Sisson mine project near Stanley, the controversy over the Upham gypsum mine proposal is just another “example of an entrenched history of industrial capture of New Brunswick’s provincial regulators, ostensibly mandated to protect the province’s people and environment.”

Hammond Rivers Holdings Ltd. is now required to submit operating and monitoring plans before receiving final approval. No planned start date has been announced but Blenis is clear where she and her neighbours stand on the project.

“We do not approve of this project. We do not approve of these conditions and we do not approve of a Minister who is willing to sign a document without all the information being on the table,” says Blenis.

*Tracy Glynn is a doctoral researcher with the RAVEN project and has worked with communities affected by mining for two decades.*

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