THE POLITICS OF PROCUREMENT

LCdr D.W. Smith

JCSP 40

Exercise Solo Flight

Disclaimer

Opinions expressed remain those of the author and do not represent Department of National Defence or Canadian Forces policy. This paper may not be used without written permission.

© Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence, 2015, 2016.

PCEMI 40

Exercice Solo Flight

Avertissement

Les opinions exprimées n’engagent que leurs auteurs et ne reflètent aucunement des politiques du Ministère de la Défense nationale ou des Forces canadiennes. Ce papier ne peut être reproduit sans autorisation écrite.

© Sa Majesté la Reine du Chef du Canada, représentée par le ministre de la Défense nationale, 2015, 2016.
EXERCISE SOLO FLIGHT – EXERCICE SOLO FLIGHT

THE POLITICS OF PROCUREMENT

LCdr D.W. Smith

“This paper was written by a student attending the Canadian Forces College in fulfilment of one of the requirements of the Course of Studies. The paper is a scholastic document, and thus contains facts and opinions, which the author alone considered appropriate and correct for the subject. It does not necessarily reflect the policy or the opinion of any agency, including the Government of Canada and the Canadian Department of National Defence. This paper may not be released, quoted or copied, except with the express permission of the Canadian Department of National Defence.”

Word Count: 3300

“La présente étude a été rédigée par un stagiaire du Collège des Forces canadiennes pour satisfaire à l'une des exigences du cours. L'étude est un document qui se rapporte au cours et contient donc des faits et des opinions que seul l'auteur considère appropriés et convenables au sujet. Elle ne reflète pas nécessairement la politique ou l'opinion d'un organisme quelconque, y compris le gouvernement du Canada et le ministère de la Défense nationale du Canada. Il est défendu de diffuser, de citer ou de reproduire cette étude sans la permission expresse du ministère de la Défense nationale.”

Compte de mots: 3300
THE POLITICS OF PROCUREMENT

INTRODUCTION

Defence procurement projects occur over the long-term and involve billions of taxpayer dollars, meaning that defence procurement is both big business in Canada,¹ and high profile in terms of public policy and partisan politics. This paper argues that partisan politics are sufficiently powerful in procurement decisions to derail long-term process-oriented, policy-based decision making. The paper investigates this proposition through looking at government agenda setting in the context of the EH-101 and F-35 procurement projects, as well as the acquisition of the Victoria Class submarines. In pursuing its thesis, the paper poses the following research questions: how have partisan political considerations influenced military procurement decisions and what does this tell us about the role of politics in procurement decisions?

From this point, the paper proceeds as follows. After presenting conceptual issues relating to how agendas are set, evidence relating to the three procurement projects is briefly presented. The evidence is then discussed and conclusions are presented.

Conceptual Framework: Agenda Setting

In Canada, policy development and governance in general has become more overtly political and partisan.² Pal notes that governments act for various different

reasons, including political competition and patronage, and Rexe notes that partisan differentiation in electoral competition is an important element in the practice of politics. An important part of understanding the relationship between the political process and defence procurement relates to how a project gets and stays on the political agenda. An agenda is “a ranking of the relative importance of various public issues” and how those issues are defined. Additionally, how an issue is framed (or reframed) is critical to its success. Edelman argues that the language used in political contexts can create an image that can help define beliefs about the nature of a problem, and Pal argues that a succinct, plausible statement of the problem itself “embodies an easily understood solution.” This paper draws on agenda-setting theory to help understand procurement in the light of politics.

ABOUT THE THREE PROCUREMENTS

Canada’s defence procurements are, by any accounting, small. Canada represents less than 1.2% of the world’s defence expenditures, just $15 billion of $1.3 trillion in 2006. Two high-profile projects, the EH-101 helicopter and the F-35 fighter were politically derailed, and the Victoria Class submarine acquisition confirms the findings of the other projects. Assuming broad familiarity, these projects are only briefly reviewed.

---

8 Pal, Beyond Policy Analysis (1997)…, 78.

*The worst procurement in the history of Canada.*

Hon. Peter McKay, Minister of Defence on the maritime helicopter replacement project

The story of the EH-101, now some 29 years old, is well-known. The project to replace the Sea King maritime helicopter began in 1986, initiated by the Progressive Conservative (PC) government of Brian Mulroney. Before and during the 1993 election, the Liberal Party of Canada Official Opposition chose to focus on the EH-101 helicopter as an example of poor management and decision-making by the governing PC Party. After the 1993 election where the PC government was soundly defeated, the decision to cancel the EH-101 procurement was announced by the new Liberal government.

Victoria Class Submarines (early 1990s – Present)

After a brief dalliance with the idea of purchasing nuclear submarines in the late 1980s, military planners began to look in earnest for a replacement for the *Oberon* Class submarines. While initially planning to build new submarines in Canada, in 1994, the Royal Navy withdrew four *Upholder* Class submarines from service, and Canada began considering, and ultimately purchased, these existing platforms, announcing the decision in 1998. The four *Upholder* Class submarines were purchased for $750 million, and

---


reclassed as the Victoria Class submarine in Canada’s Navy. When all related costs were considered, including inflation, the total bill for the four boats came to $812 million. 15

**F-35 Fighters (1997 – Present)**

The F-35 procurement project started in 1997 and continues to the present day. The project spans three different governments – the Chrétien administration (Liberal), the Martin administration (Liberal) and the Harper administration (Conservative). 16 In 2006, the Harper administration signed on to the next phase of the project. 17 It should be noted that no commitment was made to actually purchase any fighters until the 2010 announcement that Canada would acquire 65 of the F-35 fighters. 18

**ANALYZING THE THREE PROCUREMENTS**

Deeper examination of the three projects reveals common themes associated with procurement and politics. First, the projects are used to define the position of one political party relative to another; partisan differentiation is an important consideration. Second, systematic failures in substantive elements of the procurement process are not necessarily brought forward in public debate. These themes are examined in the pages that follow.

---

18 Auditor General of Canada, …*Replacing Canada’s Fighter Jets*, 2.
Partisan Differentiation

*Jets, Jails, and Corporate Tax Cuts*\(^\text{19}\)

Michael Ignatieff, 2011, Leader of the Opposition commenting on the Conservative election platform

Partisan differentiation reflects efforts made by different political parties to position themselves uniquely on a given policy issue, and has been a factor important in securing victories in elections.\(^\text{20}\) Accordingly, it can be expected that political parties will make efforts to differentiate themselves from one another, and perhaps more so in the run-up to an election. The EH-101 and the F-35 procurement processes represent examples of partisan differentiation, demonstrated through examination of the debate occurring in the House of Commons, and in particular, Question Period.

There are few more intensely political environments than Question Period (QP). Soroka argues that QP is the most significant forum for identifying political agendas, given that it is a forum for “heated debate and controversy about the most current issues,” and is the most likely forum to influence public opinion and the media.\(^\text{21}\) Edelman reminds us that imagery is often used both to define a political problem and to suggest options for a solution,\(^\text{22}\) and that QP represents “*language* about political events rather than the events themselves.”\(^\text{23}\) The language used in QP is important to understanding how an issue is being framed politically.

---


\(^{21}\) Soroka, *Agenda-Setting…*, 69.


\(^{23}\) *Ibid.*, 142, emphasis in original.
There is compelling evidence to suggest that the decision to cancel the EH-101 procurement was based on little other than partisan politics.\textsuperscript{24} Indeed, the Liberals quite successfully differentiated themselves from the governing Progressive Conservatives on the EH-101 procurement in the lead up to the 1993 national election. This was reflected in how the issue was discussed in QP.

The EH-101 first came to the attention of the parliamentarians in 1990, when an all-party Commons committee report unanimously recommended the EH-101 as the Sea King replacement.\textsuperscript{25} However, the EH-101 only became divisive in the last months of the 34\textsuperscript{th} Parliament, during the spring preceding the October 1993 election. This suggests that the matter was raised for reasons of partisan politics more so than for more substantive policy reasons. Space considerations mean that a full analysis of the debates in QP in 1993 cannot be undertaken here. However, it is useful to examine the first and last statements made in the Commons on the subject.

The EH-101 procurement first arose in QP on 24 March 1993. Mr. Maurice Foster (Liberal – Algoma) stated that “[i]t would seem to me that if the government was taking tough decisions it would not be taking them against the unemployed. It would be taking them against a theoretical thing like the helicopter project.”\textsuperscript{26} The next day, in QP, Honorable Herb Gray (Liberal – Windsor West) asked the Finance Minister: “[d]oes the Minister of Finance agree with [the Minister of National Defence’s] choice [to choose the EH-101 over a national day care program] or will [the Minister of Finance] scale back or

cancel the helicopter program in his upcoming budget?" 27 In the last statement made in the Commons on the subject, on 30 April 1993, Honorable Alfonso Gagliano (Liberal – St. Leonard-Anjou) asked the Deputy Prime Minister “[w]hy not put the purchase of these helicopters on hold? They are ready to eliminate the universality of Medicare, but they are not willing to give up the helicopter program. It is like buying a Cadillac without having the money to put gas in it.” 28

The image created by these first and last characterizations during QP is one of a government about more about military hardware, while the Opposition Liberals have positioned themselves as being more concerned about human services such as Medicare. 28

As an example of partisan differentiation, the use of the EH-101 issue in QP helps to reify observations regarding the “ politicization of defence procurement” in Canada. 29

Soroka finds that debt and deficit issues lead the media and public opinion, 30 with the implication that framing a particular issue in the debt/deficit context will go a long way to changing how that issue is played out from the perspective of government’s agenda. With the EH-101 procurement, the Liberals successfully framed the issue as a choice to be made – in particular between helicopters and human services – in a period of fiscal difficulty.


It is tempting to interpret the debate over the EH-101 retroactively in the light of the outcome of the election. However, it must be remembered that in the months preceding the 1993 election and indeed throughout the early part of that election campaign, the extent of the disastrous outcome for the Progressive Conservative Party was unknown and, before the election itself, largely unexpected.

30 Soroka, Agenda-Setting..., 118.
Partisan differentiation matters. How procurements are framed politically is important in understanding how a project can stay on the political agenda through to completion, or how it can become derailed. Another aspect of partisan differentiation is the sometimes capricious nature of politics. Political parties are not always consistent in their policy positions, demonstrated aptly by the F-35 procurement process.

As of 2015, Canada has been involved in the F-35 program for 18 years, with the Liberal government of Jean Chrétien being the first Canadian government to sign on to the project, in 1997. The project continued to receive support through the end of the Chrétien administration and into the Martin administration, which lasted until 2006. The jet procurement project continued to be supported by the Government of Canada once the Conservative Party took office. Thus, there appeared to be consistent governing party support for Canada’s continued formal involvement in the program.

However, by 2010, the Liberals had become critical of the government’s commitment “to an unnecessary, and needlessly expensive, purchase.” Indeed, part of Liberal election campaign in 2011, characterizing the government as supporting “jets, jails and corporate tax cuts” (where the “jets” were the F-35 fighters), as opposed to the Liberal “family pack” which proposed a number of social program enhancements.

The Liberals appeared to be attempting to repeat the formula that had been successful in opposing the EH-101 helicopter purchase. The Liberals focused on the significant costs associated with the proposed fighter – it was the largest acquisition of
aircraft in Canada since the end of the Korean War$^{37}$ – during a worsening fiscal crisis,$^{38}$ and positioned the Liberal Party as being the party dedicated to social programs and family values. For various reasons not explored here, this tactic did not resonate in the same manner in 2011 as it had in 1993.

Nevertheless, it appears that the damage had been done to the F-35 project. Later in 2011, after the Conservatives had won a majority government, the government appeared to be backing away from the F-35 project, noting that the reported costs for the fighter were “not credible,” indicating government might purchase fewer jets than the 65 initially announced.$^{39}$ Government received additional political cover for the reversal of their position on the F-35 when Britain, Australia, Italy, the Netherlands and Norway began to express reservations about the project.$^{40}$

The F-35 issue is certainly complex, and analysis exists suggesting that there were substantive issues that reasonably needed to be addressed before making a multi-year, multi-billion dollar commitment.$^{41}$ Nevertheless, like the EH-101 before it, opposition parties sought to differentiate themselves on the issue of the F-35 purchase, defining the issue as being one of fiscal prudence and of choice between jets and social priorities in a period of economic hardship. What is clearer with the F-35 project is that political parties can be inconsistent in their support: the Liberals initiated Canada’s involvement in the project – and certainly there were no obligations until late in the first decade of the 21st Century. Yet, the issue of partisan differentiation, and the capricious nature of how political agendas are set and change represents a problem, perhaps intractable, for the

---

$^{37}$ Lam Cozzarin, “The Joint Strike Fighter…,” 45.
$^{38}$ Ibid., 51.
$^{40}$ Ibid.
$^{41}$ Ibid.
procurement process. That a long-term development and procurement process that seemingly enjoyed the support of the governing political parties could be overturned for partisan reasons presents, at a minimum, challenges for long-term defence planning.

Substantive Process Issues

Whether the equipment has been surface ships or submarines, helicopters or fixed-wing aircraft, or even something as ostensibly simple as trucks, procurement has remained a problem.\textsuperscript{42}

Jeffery Simpson, Globe and Mail

There is agreement among journalists, politicians and defence analysts that the procurement process for military equipment has serious problems. Recent evidence suggests that substantive problems largely relate to risk, and specifically how potential risks are identified and communicated to decision-makers.\textsuperscript{43} Despite a very clear identification of this process issue, and the fact that the problem with risk was noted by the Auditor General publicly relating to the F-35 fighter jet, the \textit{Victoria} Class submarine and the EH-101 helicopter procurement projects, as well as other projects, the issue of risk has not appeared as part of the political narrative.

The purchase of the \textit{Victoria} class submarines presents a clear example of the problems associated with risk identification and communication in the military procurement process. A report of a Standing Committee of the House of Commons concluded that the risks associated with the purchase of the \textit{Victorias} was underestimated and that the process was generally flawed – which does not suggest that Canadians got

\textsuperscript{42} Simpson, “How Broken is Military Procurement?...”

\textsuperscript{43} See: Auditor General of Canada, “...Replacing Canada’s Fighter Jets;”; Auditor General of Canada, “...Acquisition of Military Helicopters” ; and O’Brien, \textit{Procurement of Canada’s Victoria Class Submarines}....
value from the procurement, despite the low relative cost\textsuperscript{44} – a conclusion shared by the Canadian Centre for Policy Alternatives.\textsuperscript{45} Byers and Webb outline the defects of the Victoria Class submarines, including a startling statement regarding HMCS Windsor that “every system… has major problems,… including bad welds in the hull, broken torpedo tubes, a faulty rudder and tiles on the side of the sub that continually fall off.”\textsuperscript{46}

Poor risk analysis was also seen in the F-35 purchase and the maritime helicopter replacement procurement processes. The Auditor General of Canada reported that the risks inherent with the F-35 option were not fully analyzed by DND or communicated to decision-makers,\textsuperscript{47} and that DND had not calculated or communicated the complete life-cycle costs of purchasing and operating the F-35.\textsuperscript{48} Interestingly, this same criticism was raised by the Auditor General for the purchase of marine helicopters in a 2010 report in terms of the life-cycle costs,\textsuperscript{49} as well as the communication of appropriate information to decision-makers regarding Chinook helicopters for the Air Force.\textsuperscript{50} The Auditor General concludes that there were process problems relating to this lack of due diligence, leading to the possibility of poor decision-making around the F-35 project.\textsuperscript{51}

There was an absence of political leadership on the matter of substantive issues relating to the procurement process. One of the few acknowledgements by political leaders of the risk is placed in a political context. In the House of Commons, Honorable Ralph Goodale, former Liberal Finance Minister, asks the Conservative government:

\textsuperscript{44} O’Brien, *Procurement of Canada’s Victoria Class Submarines*... 41.
\textsuperscript{45} Ibid., 37-38; Michael Byers and Stewart Webb, *That Sinking Feeling: Canada’s Submarine Program Springs a Leak* (Ottawa: Canadian Centre for Policy Alternatives, 2013), 36-37, passim.
\textsuperscript{46} Byers and Webb, “Canada’s Submarine Fleet Never Worked…”
\textsuperscript{47} Auditor General of Canada, “… Replacing Canada’s Fighter Jets,” 24-26.
\textsuperscript{48} Ibid., 29-30.
\textsuperscript{49} Auditor General of Canada, “… Acquisition of Military Helicopters,” 15-16.
\textsuperscript{50} Ibid., 24.
\textsuperscript{51} Auditor General of Canada, “… Replacing Canada’s Fighter Jets,” 31.
Mr. Speaker, the full story is dribbling out about the big, risky Conservative scheme to buy stealth fighter jets with no competition, no transparency, no accountability. The Auditor General calls it high risk and today there is news about more risk, very expensive extra costs for maintenance, infrastructure and security, all in addition to the all-time record $16 billion already admitted. Where will it end? Does the government have any limit for this big, risky Conservative scheme?  

This question is not about the risk management process. The debate in Question Period is about partisan differentiation, and in the case of the F-35, the Opposition does not raise the issue of risk management as a process, nor is it linked to other Auditor General findings, such as that for the submarines or helicopters.

Mr. Goodale’s question does not address the substantive problem of identifying, communicating and managing risk that appears in more than one procurement process. The absence of such discussion is troubling. Potential larger problems associated with the risk management process in military procurement – which could affect future procurement processes – are not placed on the agenda.

**DISCUSSION AND CONCLUSION**

At the outset of this research paper, two questions were proposed. These questions have been answered throughout the paper. First, in answer to the question, ‘how have partisan political considerations influenced military procurement decisions?’ military procurement projects have been utilized by political parties to pursue objectives relating to partisan differentiation. This was particularly evident in the EH-101 helicopter project,
where the Liberal opposition effectively used the project to position itself as an alternative option to the governing Progressive Conservatives in the 1993 election.

In answer to the second question, ‘what does this tell us about the role of politics in procurement decisions?’ the paper reaches several conclusions. The first of these is that political support can sometimes be capricious; support provided by a political party for a procurement project can always be withdrawn. This can be seen best through the F-35 project, where the Liberal Party of Canada (having supported the process during both the Chrétien and Martin administrations) withdrew their support when in opposition.

A second conclusion regarding the role of politics in procurement is that the issues that drive procurement decisions are not always substantive, and long-standing processes can be derailed for reasons that are not related to strategic policy. This is seen in the efforts of political parties to redefine issues for political reasons. In two instances, the EH-101 helicopter purchase, and the F-35 process, an opposition party used language that called into question the prudence of making such large expenditures during a difficult economic time. While this tactic was only electorally successfully for the EH-101 issue, it appears that political strategy may be significantly influential in decisions regarding procurement. While the final chapter has yet to be written, it also appears that the Liberal effort may have derailed the F-35 procurement as well.

Implications of these findings are important. First, one must note that capital procurement is a reflection of government’s investment in future capabilities, and failures in that investment process are felt only years later. In this context, the failure to reinvest in defence capabilities, such as helicopters or fighter jets can be seen as a strategic

---

A second implication is that substantive issues are either downplayed or ignored altogether. The persistent finding by the Auditor General that there are critical gaps in risk analysis and poor communication of facts to decision makers is a key example of this phenomenon. While it is true that such technical findings can be too complex to communicate to construct an effective political narrative, evidence suggests that the same problem occurs again and again, whether for helicopters, submarines, or fighter jets. Long-term substantive problems in procurement may not receive the attention of decision-makers that those problems deserve, meaning that problems repeat themselves.

Military procurements take place in a political context. Political debate and partisan differentiation is about constructing narratives around issues, such as high profile military procurement projects, that are driven by the political context of the moment, by technical facts related to the specific procurement project, and sometimes – although not always – by both. The role and influence of politics is well known by senior military officials in

---

55 Ibid., 355.
56 Ibid.
57 Ibid., 357.
Canada and elsewhere. Despite this knowledge, political dynamics are hard to predict, the factors in procurement decisions are fluid and contextually driven, and substantive issues may not always be addressed. This portends that the pattern of problematic military procurement may continue into the future, with ongoing strategic implications for foreign policy that may not be known for years to come.

---

58 Stone, “Defence Procurement…,” 105-106.
BIBLIOGRAPHY


