

## Legislative Assembly of Alberta

Title: **Monday, September 21, 1992**

**8:00 p.m.**

Date: 92/09/21

[Mr. Speaker in the Chair]

MR. SPEAKER: Be seated, please.

Before we call the business of the House, I'd like to make some introductions to you all, please. As you know, the Alberta legislative intern program started in the fall of 1974. The purpose of the program is to provide university graduates with an opportunity to experience firsthand the functioning of Alberta's parliament and at the same time to provide members with competent assistance in research and in work for your constituents. Seated in the Speaker's gallery this evening are this year's legislative interns, and as I call their names, I hope they would rise, please: Jessica Benjamin, Maureen Geres, Jacqueline Green, and Suresh Mustapha. I'd like them all to remain standing. Would the members please grant them the usual welcome to the House.

Thank you.

head:

### Government Motions

#### Constitutional Referendum

28. Moved by Mr. Getty:

Be it resolved that the Legislative Assembly of Alberta approves the text of the question to be asked of Albertans on the referendum, under the Referendum Act, Canada, which reads: "Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?"

[Adjourned debate September 21: Mr. Horsman]

MR. HORSMAN: Mr. Speaker, before commencing my remarks on the motion this evening, I think it might be appropriate if I introduce to you and to members of the Assembly a special person in the gallery who has been with our government since the outset of the creation of the Department of Federal and Intergovernmental Affairs, who now serves as my deputy minister, and who has been extremely instrumental in all that has occurred in the last several years and months, in particular towards achieving this goal. I would like to introduce my deputy April 2008 Oryssia Lennie, and ask her to stand and be recognized by the Assembly. I think it worthy of note that Oryssia's father served in this Assembly for a number of years as the Member for Willingdon-Two Hills and has of course since passed away, but I think his daughter is serving his province in an exemplary manner still.

I'd also like to introduce two of the agents general of the province of Alberta who are now in the province: Gordon Young from our Hong Kong office and David Manning, our acting agent general in the United States. I ask that they also stand and be recognized.

Mr. Speaker, in following up on this afternoon's debate, I must say that I found it refreshing and indeed rewarding to me as a member of this Assembly to hear our Premier, the Leader of the Opposition, and the leader of the Liberal Party all take exactly the same position today. I think unanimity in our approach as we debate this matter in our Assembly, as so ably expressed by the party leaders, is an example of how Albertans really feel about this country of ours, this Canada.

If I could just briefly touch on a couple of comments made by the Leader of the Opposition first, one of the things he mentioned is something that is near and dear to my heart and has been since

I became a member of this Assembly. That gave me an opportunity to express what I've believed all my life: that eventually Canada will emerge from not being 10 provinces but indeed being more as the territories make their way to full provincial status. It is indeed, in my view, very appropriate that the impediment which the territories observed towards their ability to emerge towards provincial status has been removed in this constitutional round. So I put it this way to my colleagues at the table over the last several months: how can Alberta, or Saskatchewan for that matter, having emerged from being part of the North-West Territories, now say to those other people who live in the territories, "Ah, it was all right for us to have been created by a single act of Parliament, but now we are going to say to you: ah, you can't do it without our consent." So personally and after long years of meeting my colleagues in both Yukon and the Northwest Territories, I welcome this very important change, and I'm very pleased indeed that the Leader of the Opposition pointed that out today.

In addition, he said: let's get it done. As the Premier said, as the leader of the Liberal Party said: let's get it done. Now, of course, there will be those who say, "Well, this will not end forever constitutional change," and it won't. It cannot. In any country which is growing and vibrant and healthy and active, it must at all times review its Constitution, but at certain stages in the life of any country there must come a time when there is a casting off, if you will, of the old and putting on of the new, and this is such a time in the history of Canada.

I also want to thank the hon. leader of the Liberal Party for his kind comments about the role that I played in this whole endeavour. I want to thank him now and the Leader of the Opposition for having met with me and shared with me their views as we went through the process so that I was aware of not just the views of my colleagues in our government caucus but indeed the views of the other caucuses in this Assembly, particularly as we approached the very last, very difficult stage of negotiation. I welcomed the comments made earlier today by the leaders of the parties in this Assembly.

I'm going to give a brief review, if I may, of the process in which we have been involved since March 12 of this year. I won't go into all the details because I don't have 36 full days in which to explain it all to you, but that is indeed what it took. [interjections] My colleagues, you needn't groan at the prospect of me perhaps even taking 36 minutes, because that would go beyond my time limit. The fact of the matter is that it took 36 full days of meetings, and that did not include the travel and the preparation and the meetings and the telephone conferences and the consultations that were involved in this whole process.

I want to refer particularly, if I may, to my meetings and consultations outside the formal presentations, the face-to-face meetings that took place with a group that I have grown very fond of, and they're the group called the Equal Group. I want to tell you a little bit about them. First of all, they represented every political party. It involved Saskatchewan, Newfoundland, and Manitoba, and for a period of time, until they slipped away and then came back again, Nova Scotia. They had the three major political parties in this country at the provincial level working together in a close and harmonious way that was refreshing and, indeed, to me as a Canadian, exciting. I say exciting because so many of us are caught up in the partisan play that takes place in the nature of our parliamentary system that we sometimes lose sight of the fact that we still have the same common goal despite our political differences, and that is to serve the people who have elected us and to serve the people of our provinces and to serve the people of Canada.

This Equal Group was an interesting one because we knew this: under the amending formula it takes seven provinces with 50 percent of the population to amend the Constitution of Canada, and it would have done that with respect to Senate reform. If one of those four had slipped away, we would have been talking tonight, I believe, about a very, very different constitutional accord. The fact that these dedicated colleagues of mine from other provinces and the Premiers of those provinces in the subsequent discussions that took place involving first ministers were prepared to stay together to seek the same principle of equality of the provinces brings us to a completely different conclusion than we might otherwise have seen.

### 8:10

I want to pay particular tribute, if I can, by mentioning the names of my colleagues, from west to east: the Hon. Bob Mitchell, the Attorney General of Saskatchewan; the Hon. Jim McCrae, the Attorney General of Manitoba; and the Hon. Ed Roberts, the Attorney General of Newfoundland. Now, I should tell you this, and I'll make a public confession: during the course of this whole event, Mr. Roberts had to seek a seat in the by-election in Newfoundland because he was appointed Attorney General without having a seat in the House and was required, of course, to do that thing, go through a by-election and get into the House so he could in fact be a fully participating member. In one of our key meetings – it was on June 9 – he came into the room and said: we're staying together as long as each and every member in this room puts on a Liberal button that says vote for Ed Roberts. Well, I did it. May God forgive me, but I did it. It was the first time and I hope the last time I ever do it, but nonetheless I did it. You see what you will do for the unity of your country. That for me was a very substantial concession.

Having told you this, it's obvious, I think, that in the course of this whole event it wasn't all confrontation and going at each other hard and fast. During the course of this event and as others were drawn in eventually to supporting the final package, there was a good deal of good humour. There was a good deal of friendship and bonding as Canadians that took place, and I think that's extremely significant to note.

MR. WICKMAN: How did you bond with Bob Rae?

MR. HORSMAN: The question was asked by the Member for Edmonton-Whitemud: how did I bond with Bob Rae? With difficulty. But one has to recognize that he came to the table, as did Robert Bourassa eventually, committed to Canada, and that's how the bonding took place. It took place because we believed, all of us, that this country is greater than the sum of its parts. We are important as provinces, but Canada itself as a concept is remarkable and unique in the world. To have lost it would have been a tragedy, and it will be a tragedy if that event occurs at some time down the road.

We were not only concerned, however, with the triple E Senate question, as the Premier well knows, Mr. Speaker. We were concerned with the whole package. I want to pay particular tribute, if I may, since I led the delegation for a good number of those days before the Premier was called on to the scene, to two of my colleagues in this Assembly who helped us in the process: the Hon. Dennis Anderson, who in his own time, in his own day, between 1983 and '85 chaired the first Select Special Committee on Senate Reform and who joined with us in this process on occasion to work through the process and to work on behalf of Alberta in seeing that we would ultimately achieve the goal that he and his colleagues and Albertans had told him they wanted to

see by way of parliamentary reform, by Senate reform. So thank you to my colleague, now the Minister of Consumer and Corporate Affairs. To my colleague the Minister of Municipal Affairs responsible for natives, the Hon. Dick Fowler, I can assure all members of the Assembly that in his forthright and direct and open way he made Albertans' views known clearly on the issue of aboriginal rights. While the aboriginal groups did not always see eye to eye with him, they respected him because he was honest with them. I want to tell you, therefore, that it wasn't just myself or the Premier. We had a team working together to achieve the goal that we ultimately have achieved.

As I said this afternoon in the extemporaneous remarks which I had to offer respecting the role that our Premier played in his term of office as Premier of Alberta, I want tonight just to add something to that by saying this: his role in the course of the negotiations, which I was able to observe firsthand, made it clear to me, as I hope it is clear to everyone in this Assembly, that our Premier is a man of whom we can all be tremendously proud because of his dedication to this country of ours. The role that he played and the respect that he has obtained from his colleague fellow first ministers, the leaders of the aboriginal groups and the territorial groups have made him, in my view, worthy of the term the modern Father of Confederation.

Now, I just want to go back a little bit over the history. In November of this year it will be 10 years since I was asked to assume the responsibility of Minister of Federal and Intergovernmental Affairs for this government. In 1981 then Premier Lougheed asked me to join the Alberta delegation at the patriation discussions, which ultimately led to patriation in 1982. After that patriation, later that year, I was sworn in to my current portfolio. During that time we've seen the select committee on Senate reform, which I have already referred to, under the chairmanship of my colleague the Member for Calgary-Currie. We've seen the report which came before this Assembly in 1985 recommending the creation of a parliamentary form of a triple E Senate.

I just want to tell you right now, in case any of you have forgotten, that that recommendation was voted on unanimously and supported in this Assembly before that national political party called the Reform Party was even thought of. Quite frankly, I don't object at all to them assuming and taking on what our Assembly has already agreed to, but I was shocked the other night to hear a national reporter say this: ah, the idea of a triple E Senate originated with that political party. It did not. It came about as a result of the deliberations of Albertans in conjunction with our select committee and was passed first anywhere in Canada right here in this Chamber. That's the fact.

Mind you, you can't always believe everything you hear on the radio or see on television or even read in the newspaper. I just want to refer you to a newspaper report briefly. Mr. Speaker, I will quote very briefly from this. I know the strictures against doing so at length. The other day I spoke to the Rotary Club in Calgary on the subject of the Constitution, and in the *Medicine Hat News* they put a picture of me speaking. Well, imagine that. Imagine. This is what they said; two things I want to quote to you. Horsman "trotted out the old bogeyman of the national energy program." Well, it's a bogeyman perhaps to some members of this Assembly, but it's no bogeyman to the thousands of Albertans whose lives were ruined by that program. One thing I must tell you. As we went across this province and heard from Albertans, over and over again they said: give us a Senate which could prevent another national energy program. And we have.

Well, leaving that aside just for a moment, for the edification that not all news reporting is accurate, they went on to say this: "The crowd gave Horsman one ovation during the speech and at

least two members of the audience fell asleep.” Actually, the misprint says: two members of the audience “feel” asleep. Well, I hope nobody feels asleep for the next few moments that I have before I conclude my remarks.

**8:20**

Let's face it; we originated this idea of a triple E Senate here in this Assembly. We passed it in a motion. Then I recall very well the hon. Member for Westlock-Sturgeon, after the 1986 general election, moving a motion to have us reconfirm our support for that motion, and we did that with a slight amendment. Again it was unanimously passed in this Assembly.

In 1986 the Edmonton declaration. In 1988 to '90, during that time when we were supposed to have been, under Meech Lake, involved in a series of constitutional conferences on Senate reform, I led the Senate Reform Task Force, including several members of this Assembly, across this country to promote and sell the notion of Senate reform to the other provinces, and believe me, many of the other provinces had never even heard of the idea, never even considered it before we took the message to their doorsteps, because we were armed with a report from our Assembly and, we believed, the support of Albertans. Colleagues who were with me on that will recall how little known the concept was as we went across this country.

Well, after the failure of Meech Lake, 1990 in the fall, the Premier asked me to chair a task force, 10 members of the Assembly. We produced this document: *Alberta in a New Canada*. We circulated that widely throughout Alberta. Tens of thousands of copies went out. Thousands of the last page questionnaire were returned to us for analysis, and on the basis of this document we again formed a select special committee, an all-party committee, which went across this province.

I will not repeat what I had to say on April 27 in this House about the role played by all members of this Assembly in the preparation of this next report, *Alberta in a New Canada: Visions of Unity*. This is in my view one of the most thorough and thoughtful documents regarding national unity ever prepared by any government. It was prepared with the unanimous support of the members of this House who served on that select committee.

When I went into the negotiations on March 12 and thereafter, this was always at my side and in my head, because I believed that it accurately reflected the views of Albertans about the type of Canada we wanted to see. In the end those principles, I believe, are represented in this final document from Charlottetown dated August 28 of this year. The Premier knew what was in this report. I knew what was in this report. My officials knew what was in this report. My colleagues who assisted me knew what was in this report. We went there to act on behalf of Albertans to obtain the principles in this report, and we did.

We now have a new document, very small, very inexpensive, and, I understand, the subject of much concern today about the photographs which appear inside. Well, I'd gladly exchange my photograph inside for that of anybody else in this Assembly. The fact of the matter is that this is a summary document of what occurred in this larger document. This is going to go into every household in Alberta. It will be a document which is nonpartisan and which is fair, an accurate reflection of what we have heard in the months past as reflected in this consensus document.

Now, that of course is a very simple document and just reflects the principles that have been dealt with. What next then? Let me tell you this: we are insistent as a government, as are my colleagues from every other province with whom I've had conversation, that the full legal text must be made available to all Canadians who want to see it before the vote on October 26. Not

everyone will read that, and those who do read it will not necessarily all understand it, but the fact of the matter is that it must be produced. Our Premier was insistent upon that, as were his other colleagues, and the Prime Minister gave a firm commitment that that would be accomplished before the vote takes place. So any of the mythology one may hear that it will not be produced, I assure you, must be put to rest this evening.

Well, I just have to say one other thing about those who are opposing this unity package. I do not and will not call them enemies of Canada, except those who by intent are trying to lead Quebec out of this Confederation. And they are; make no mistake about it. I'm sure my colleagues who heard the leader of the Parti Québécois before our select committee know that he is intent upon destroying Canada as we know it, and we cannot and we shall not let him and his friends and associates win. If anyone else thinks, however, as the Leader of the Opposition and the leader of the Liberal Party put it today, that by opposing this deal it will all go away or can be put on the shelf for five years, who are they kidding? Who are they kidding? I'm not calling them enemies of Canada, but they are sadly mistaken and those who follow them will be sadly misled.

Such nonsense as was stated by some political scientist saying: I wouldn't be surprised to see a leadership candidate campaign in opposition to the deal. Well, he better wait a long time, because our caucus and our cabinet and our party are united behind the position our Premier has taken, and I'm delighted that he's been joined in that quest for national unity today in this Assembly by the leaders of the other parties in this House.

Well, I haven't gone through this whole process, Mr. Speaker, struggled through those hours on airplanes, in hotel rooms, meeting rooms, to come back to Alberta and lie down and take it from those who would say no. I'm going to say yes. I'm going to campaign for a yes vote on October 26, because I believe in Canada. It is one of the most remarkable nations in the world ever created by free will and common goals. It is my country, and I stand to defend it against all comers.

MR. McINNIS: Mr. Speaker, it's an honour for me to rise in this debate and to take my place in support of this resolution alongside the leaders of the three parties in the Legislature and the Deputy Premier, who himself has shown his leadership abilities throughout this whole process. I'm not necessarily encouraging another candidate here; I'm merely remarking upon the remarkable role that he played in various aspects of this particular process.

I do so with a great deal of joy, actually. I'm not one of those who is going to try to play both sides of this issue. I'm not going to stand here and say that I'll hold my nose and vote for this or somehow try to curry favour with both sides in the debate. I think it is time to take a stand. I think the resolution before us allows every Canadian that opportunity and particularly allows people in Alberta to have the opportunity to express their view of it. No basic law can hope to govern a people for a very long period of time without the consent of the governed, and I think for that reason it's appropriate that our leaders have decided to give this opportunity to all Canadians.

**8:30**

I know that this particular agreement – and I think it's appropriate even though it's sometimes called the Charlottetown accord that the word “agreement” is used in the wording of the question. I looked earlier today at the definition of the word “agreement.” It refers to mutual understanding, to a covenant or a treaty, to the holding of similar opinions, and to a state of being harmonious: all things that we hope to achieve through this process. We

recognize that it's a process. An agreement is more than a document that serves as the basis of lawsuits, which is really what happens to agreements when they obtain the force of law, whereas we have what I think is a state of mind which works toward a solution, toward the holding of similar opinions, and toward a state of being harmonious within our country.

There are many, many people in our society who have gone the extra mile to achieve this particular agreement. I think we should mention the negotiators who spent the 36 days in the room and all of the many days of travel and background that led up to that, to the members of the Legislature committees, not just this Legislature but all across the country, to the many political activists who through their political parties had influence on the positions that were taken, and to ordinary citizens who attended at public hearings and in the constitutional conferences that were held across the country. All of them are part and parcel and I think find in many ways that their views are contained in one element or another of this particular agreement. I've said before that I have a willingness to go the extra mile for this process, and I think many in Canada share that. I don't know if I would go so far as to wear a Liberal button. I'm not aware that that needs to be a part of the process, but to each their own, I guess.

The extra mile has been traveled, and I think that's the most striking and significant fact that this agreement has to offer over any other position that will be taken in the referendum campaign. It represents a significant consensus among 13 governments, which are elected by people, and four aboriginal organizations. I think the word "miracle" was used to describe the fact that we have 13 elected governments and four aboriginal organizations that agree, but we do.

I'm supporting this agreement because it does respond to the legitimate aspirations of Quebec within our society. It recognizes their unique linguistic and cultural place within the Canadian federation, and that's important. It's important that we no longer pretend that we can overlook that fact in our Constitution and in the constitutional arrangements.

I support the agreement because in substance it meets the long-standing demands of my party, the New Democratic Party, to protect and enhance the rights and traditions of Canada's aboriginal peoples. This achievement cannot be overstated as well. Those who think that we can afford to ignore those issues much longer are clearly out of touch with the reality of Canadian society and the reality of particularly where younger people in the aboriginal community, people with education, ambition, and desire, are at. We are, I think, at the very end of our ability to make them participating partners in our society, and now is the time to deal with those particular issues.

I support the agreement because the elected Senate represents an important element of the reform of Parliament, which has been called for by our party and which is supported by New Democrats from one end of this country to the other. I support it because in addition to that, in addition to creating a Senate which represents each of the provinces equally, it also reforms the House of Commons to include the principle of representation by population, and that's a principle of equality among people which has been recognized in Canada's Charter for some period of time but has not yet found its full fruition in the way our representation is drawn. We have this problem in the province of Alberta of not recognizing that people are fundamentally equal when it comes to their ability to decide who will be the government of the day. That's a problem in the province of Alberta; it's a problem which is addressed in this accord in respect of representation in the House of Commons.

I endorse the agreement because it contains the substance of our party's recommendation for a social charter which recognizes the importance of safeguarding Canada's health care, educational, social, and collective bargaining systems, and in protecting the environment and working towards the goal of full employment. All of these things are now, or will be if this agreement is approved, a part of the Constitution of our country. These are major, substantive achievements of which I think every Canadian can be proud, but it also speaks to our future, to the future of this country, the things that were referred to in closing by the Minister of Federal and Intergovernmental Affairs. It commits our country to ensuring that there will be future social programs if we have the political will to do them.

I believe our national leader, Audrey McLaughlin, made that point very well in the House of Commons when this matter was debated recently. There is nothing in this constitutional agreement which prevents the bringing into force of new social programs, new national shared-cost programs, and new social values. All that is needed is the political will to do so. It also enables provincial governments that are so motivated to support the concept of gender parity as well as fair representation for aboriginal peoples and ethnocultural communities in the new elected Senate. So there are many, many things to be proud of in the agreement and many great things that we can achieve by passing it.

Why then are so many people determined that they're going to be opposed to it? Why are so many people skeptical? Why are they fearful that passing this agreement will cause some harm? I think the problem is that we're undergoing in our society a crisis of democratic leadership. It's a practical reality that a country the size of Canada has to be governed through representative democracy; it is simply not possible for us to have a country where everybody has to agree and where everybody participates. The struggle I think will be in the next five weeks to convince Canadians and Albertans that our democratic leaders have honourably and honestly addressed all of the outstanding issues related to our constitutional development. That won't be an easy argument to make, but I think we have to make it. I think we have to say that the spirit of democratic leadership has been at work in our country in the very best tradition of representative democracy, and those representatives have come together, and they have answered all of the questions in front of them.

It has been said that public life is a two-edged sword. I think one of the speakers earlier today talked about life in a fishbowl as being a part of public life. Well, I think it's very, very important that we convince Canadians that what we have in this agreement is our democratic leaders doing exactly what we elected them to do. That is to say, to take the serious issues of the day and to resolve them in a way that is acceptable in the broad sense to all regions, all major interests and nationalities, ethnic groups within the country, that it contributes to our mutual understanding of one another in the country, that it contributes to a state of harmony within our country.

The Rt. Hon. Joe Clark spoke at the University of Alberta on the weekend, and he made what I thought was a telling point. He said that seeking perfection stands in the way of the good, and I think there's a lot of wisdom in what Mr. Clark was saying because perfection in the eyes of many people is what they personally believe is the right thing to do on any given issue. If you use that as a standard, obviously that negates any notion of democratic leadership, any notion of mutual understanding, any notion of what it takes to be in our country together.

8:40

I believe it's important that the yes side in the debate not issue idle threats or ultimatums. I don't think we can tell people that they're bad people for disagreeing with it. I don't think we can tell them that they have to do anything, because my experience is that as soon as you tell anybody they have to do something, they're going to tell you the opposite. If people vote yes in this referendum campaign, I think we can say one thing for sure: that our democratic leaders will then have a mandate to conclude matters related to the Constitution in accord with the agreement. That really is all that the question which is right now before the House and soon to be before all of Canada asks: are you prepared to grant to our democratic leaders a mandate to pursue agreement along these lines? If you vote yes, you can be reasonably certain that the leaders will get together and they will work towards concluding the agreement along those lines.

If you vote no, then I think the matter is much less clear. No one can say with great certainty what the consequence of a no vote might be. There are those who say, "Well, we'll still have our country back the way we had it." I think that all of the leaders referred, at least in passing, to that argument and to the fact that Canada has changed, is constantly changing. I think we have to realize that this is not the first time around in respect of a lot of these issues. The aboriginal issues were subject to negotiations for the past 10 years without any success, and now finally there's an agreement. I don't think there is such a thing as going back to 10 years ago. I don't think there's any such thing as life goes on with the rejection of the best efforts of 13 elected governments and the four aboriginal groups. In fact, I think there is a political dodge involved in the notion that a no vote means the issue goes away for a five-year period of time, and I think in the time that comes what needs to be done is to have people face consequences of choices.

In a lot of ways in our society that's what we ask of people: that they be aware of the consequences of their actions and that they themselves face those consequences. I believe that the risk factor that's inherent in a no vote cannot be good for our country today. It cannot possibly be good for our economy. Our economy is obviously not in the best shape already. There are many Albertans presently who never expected to be out of work who are now hustling to try to find work. Some of those statistics were talked about earlier today in question period. We have urgent questions related to future economic policy, to environmental policy. I think the risk that's involved to our economy and the risk that's involved to our future as a nation have to be weighed very heavily by those who are contemplating the idea of a no vote, not because they don't have a choice – they clearly do – but because it's important that they face up to the consequences of their actions. The consequence is quite purely and simply that this important agreement which deals with the aspirations of Quebec, with the aboriginal people, and the important need to reform our national institutions will disappear. If that agreement disappears, then I submit that with it disappears the mutual understanding that goes with it and the state of harmony that goes with it as well.

For that reason, I support passage of the resolution and the referendum question.

MR. SPEAKER: Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. In rising to speak on this, I too want to congratulate the Premier. I must confess that as a worried supporter I've watched him on his national scene for some time as he zigged and zagged. I wondered sometimes

whether he was going to come out ahead of the wolves down there, but apparently he has, and to that extent I congratulate him.

I also congratulate the Deputy Premier. It's the second time in his life he's shown such good judgment when he talked about the triple E and the work he did down there. The first time was when he picked a Bow Island girl to get married.

I know there's a lot of people who want to speak so I won't take much time going over the general praises and won't get into an argument of who originated the triple E or what's going on. As the House well knows, I've been closely connected with the Senate debate for some time, and I was very interested to see us come through with a form of triple E. It may not be what we wanted in the beginning, but in all these things when you make constitutions, you do not reach consensus; you reach an accommodation. This is something I argue when I talk to people who say they're voting no: it's not an agreement in the general sense of the word, it's not consensus in the general sense of the word; it's an accommodation that you reach with a number of people with very, very strong viewpoints of what they think is best for Canada.

I want to take a minute just to cover two areas which are my critique areas, the rural area and native affairs. I'm sure they will be covered more thoroughly in the future. I was particularly pleased to see the self-government portion of the Constitution approved, because the hon. Member for Cardston had given a speech on self-government for the natives earlier this year, which I was very afraid was the provincial position. It was a good old-fashioned Tory speech that you could have fashioned about 1910. So it was very interesting to see that the party indeed wasn't listening to that portion for their advice anyhow. The Alberta Liberal Party in fact has expressed support for some years for the concept of aboriginal self-government but has stressed that such government must take place within the framework of Canadian federalism.

I'm a little concerned that some of the fine print here mentioned a third order of government. I must confess I don't quite follow what's going on there, but I do like the portion where it says that in spite of the fact that it's an inherent right of self-government, it will have to conform to the Charter of Rights. Certainly having a group of people within Canada that were not conforming to the Charter of Rights would have been very difficult indeed.

I'm intrigued by section 20 of the agreement which mentions that the elders may make presentations to the Supreme Court of Canada when they consider the justice area over the next five to 10 years, the different self-government problems that may come up. I think that is a good and imaginative step, and I would salute probably the Member for St. Albert for having some input into this. I think it's a good idea indeed and one that I hadn't seen before, Mr. Speaker. I think it's one I could praise.

The recognition of Metis settlement lands and the fact that this will be adopted by other provinces I think is a tribute to the Premier, who has worked long and hard on the Metis settlement, and maybe even a tribute, Mr. Speaker, to the previous Social Credit government, which started the idea of a land claim Metis settlement back in the late '30s, early '40s. So here again I think they were on firm and good ground for moving in the right direction.

I am a little concerned – and I'd be interested to hear what the hon. minister in charge of native affairs might say – on just how we're going to find the financial resources to promote equal opportunity and economic social and cultural development in the inherent right to self-government. The inherent right to self-government can become a very hollow privilege and a very poor victory indeed, I might say a Pyrrhic victory, if there is not some way of reaching the financial wherewithal for them to accomplish

self-government. As we all know, self-government is closely tied to your ability to pay your own bills. There's something to the old adage that he who pays the piper calls the tune, and if indeed native self-government is to mean something, they're going to have to be able to pay their own pipers. Somehow or other that has been glossed over, Mr. Speaker.

**8:50**

I also was pleased to see an idea approved that's kicked around the Liberal caucus and Liberal Party for some years, the aboriginal people having their own representatives in the Senate and their own Members of Parliament, as versus the last report. Which leads, Mr. Speaker, to the fact that I would hope that when the House next meets they would elevate the Bill that's on the Order Paper in my name for three aboriginal representatives in Alberta – one from each of treaty areas 6, 7, and 8 – maybe to be pulled up to the top, over onto the government Order Paper, thereby accomplishing a first, I believe, historically, where an opposition member would have one of their private Bills pulled onto the government Order Paper. If it's good enough to elect Senators from the aboriginal people and it's good enough that they should have Members of Parliament, surely it's good enough that they should have some MLAs designated from the aboriginal community too. As I mentioned, that's already on the Order Paper, and by moving it around maybe the Premier or Deputy Premier would be able to gain as much fame for himself as they did with another idea presented some years ago when I mentioned we could elect our own Senator. So here's another one I can give the government that they can run with.

The entrenchment of future First Ministers' Conferences on aboriginal rights is essential because so many matters with respect to native self-government must be clarified, and I just touched on them now. We are concerned that it may be four years until the initial conference is convened, Mr. Speaker. It looks like 1996. I hope that this is not the case, because issues of concern to aboriginal people must not be neglected.

Before I leave the native area – and I hope that I will have some answers or clarifications on that – I will sum up that portion of my speech with congratulations to the government, the Premier, and the Deputy Premier for negotiating as good a cause as they have for native peoples. I hope that in the years to come – I should say probably only the months to come, Mr. Speaker, because that's all they'll have – that the new leadership will continue the same type of progressive thinking on the native sector.

With respect to the rural area, that is a little hard to grasp or wrap my mind and my thinking around. For instance, the accord is supposedly going to help the rural people have more input into national government, but I'm concerned here that the provincial government will arrange the order of electing a Senator. As most people have already heard, the accord leaves the election or appointment of Senators to the province, and this province is already committed to the election of Senators, but the rural areas will be shortchanged if it is a first past the post general election, all go into one pot, much as the party's leadership is now being decided, because when the two big cities of Edmonton and Calgary have over 50 percent of the vote, that almost ensures that you have Senators from downtown Calgary and downtown Edmonton for years and years and years.

If we found it so necessary to fight for an equal Senate – in other words, balancing geography off against the population – why not take the principle back into the province of Alberta and maybe divide it up into six geographical areas regardless of population and elect Senators in that area, thereby guaranteeing

that the rural voice of the west will not be drowned in the Senate. I think it's very important when we consider in the months ahead how to put the Senate election together, that we do it by area or geography – we may do proportional representation within the area – that we do it in areas other than have a gigantic pot in which the urban vote of Calgary and Edmonton blows all the rest out of the water.

I am a little bit concerned with the future of supply management and how we stand in GATT when I think that our agriculture minister has been very ineffective at being able to do much about it on the international and national scenes. Somehow or another I feel that supply management and GATT or the right of the government of Canada and the government of the provinces to preserve those areas or to operate in those areas within Canada has been left out. There is an impression to me . . . And there again I will stand and maybe be corrected, Mr. Speaker, if some of the rural members – and I notice on the Order Paper that they will be speaking on it – can assure me that what we will have if we go ahead with this Constitution is not dog eat dog, province against province in agricultural trade.

I notice the statement that an independent dispute resolution agency will be created to implement the principles and commitment of the economic union. That is progressive thinking, and I commend the Premier for it. That is something I've thought for some years, that if Canada had a GATT-type organization within Canada that could call to task the different provinces if they start cutting each other's throats in trade, would be a step in the right direction. Possibly that may be enough to put away my concerns about the rural sector.

Finally, Mr. Speaker, I would reiterate again that my support is for the yes side in this. I think it is important that this country put this behind them, that we get on to job creation, on to education, on to really making it possible for Canadians to be competitive in the world markets out there. I've been in international business most of my life, and the world doesn't wait for anyone. You have to be there, you have to be ready to take advantage of it, and the natural resource that we have to develop in the future is not so much what lies beneath the ground but what lies on top of the ground, what lies between our ears. If society and our province grasp that idea and go ahead with that idea that that's something we have to do, we have to settle this Constitution matter, get it over with so we can concentrate on that, then truly, as I think Laurier once said, the 20th century will belong to Canada. The 21st century may belong to Alberta.

Thank you.

MR. SPEAKER: The Minister of Municipal Affairs.

MR. FOWLER: Thank you, Mr. Speaker. In addressing this extremely important matter, likely the most important we have faced in this Legislature for decades, I want to express my appreciation firstly to our Premier for placing me in a position which resulted in my participation in this consultation process that went on for so many months and the opportunity to work with the hon. Deputy Premier and to see the dedication that went on from that office and from that man: the late-night phone calls, the constant consultation and conferences with our Premier back home here, the returning home, and the consultations that continued with the Premier, keeping us on our direction of reaching a consensus with the rest of Canada while not giving in on the triple E Senate.

**9:00**

It goes without saying, Mr. Speaker, that my support will be for a yes vote in this country for the Constitution that has been

developed. However, this evening it is my intention to only address the matter of aboriginal issues which I participated in through 23 days of consultation in Canada.

Let me say, firstly, that it was thousands of years ago that the first aboriginal people landed on this land, and when the aboriginal people speak of time immemorial, it is in all probability because there is no tracing the accurate date when they did arrive. However, there is no question that it was many, many thousands of years ago. It may be perceived that when arriving on this land and for thousands of years after that, they were an aimless, wandering group of savages with no direction and no social structure. Nothing could be further from the truth. There is an honourable past of our aboriginal people. Certainly it included tribal warfare, and certainly it included matters of society that we may not understand today, but at this very moment, as I talk, Mr. Speaker, there are 44 wars going on in this world, 44 wars of which I know not any of our aboriginal people in Canada are involved in. It was 500 years ago that the first whites, or Europeans, settled in this country, just 500 years ago. The history of the aboriginal people is at least 20 times that of the first Europeans.

History indicates and it is well known that the aboriginal people had a philosophy that may be different than ours. It was one based on their land – their love for their land, their commitment to their land, and their belief in the land – and also a commitment to their community and to their families. Certainly their laws were verbal and passed on verbally and orally. There is no question about that, but for those of us who may ask or argue that only written history is the correct history, let me quote, if I may have the privilege this evening, from a famous Canadian, George Stanley, a historian who stated:

I am not prepared to argue whether written or oral history, law or tradition, is the more reliable. Certainly, men's memories are frequently faulty; but documents may be incomplete or ambiguous, or, at the worst, forgeries or outright lies. Who, then, has the whole truth and nothing but the truth? The Indian with his memory, or the white man with his documents? Perhaps both are struggling in the darkness of the past. Whence cometh the light.

Mr. Speaker, I suggest that the oral history as passed down by the elders and the grandfathers of our aboriginal people can in fact be just as true as it is today. As one elder stated:

One does not reach this age merely to think of the past, but to have hope and aspirations for the future, and to do something so history and a way of life may continue for the purpose it was intended.

The first law that we are aware of as settlers of this country, recent settlers in the last 500 years, was an unwritten law developed in 1450 by the people of the aboriginal groups, and it was called the great law of peace of the people of the longhouse. It was in fact 117 articles long. It was passed orally, and it wasn't until 1880 that it in fact was written. So there is a long aboriginal history which has been passed on from mouth to mouth, from parent to child, and from grandfather on.

We did arrive as European settlers in the 1500s in the trail of the free trade of the furriers and the aboriginals that traded with them throughout all of the land. It was in 1763 that the British Parliament made a royal proclamation which recognized the ongoing commitment of the royal government at that time to continue into treaties and negotiation with the aboriginal people, and the Royal Proclamation of 1763 made an ongoing commitment of the governments of this land to deal fairly and honestly and in a more forthright way with the aboriginal peoples. It was in 1990, when dealing with treaty interpretation which had been developed after 1763 and interpreting one of the treaties in a specific case, that the Supreme Court of Canada stated in one of its decisions:

We can conclude from the historical documents that both Great Britain and France felt that the Indian nations had sufficient independence and played a large enough role in North America for it to be good policy to maintain relations with them very close to those maintained between sovereign nations.

It is based on that treaty, it is based on thousands of years of history, Mr. Speaker, that the native people have said that they wish in fact to get back and retain and exercise again that inherent right of self-government that they felt they had never lost in the first place. Certainly they have lost a great deal of control through treaties which developed into the Indian Act, which developed into paternalism by the federal and all governments, which in fact robbed the aboriginal people of this country of the right and authority and duty to in fact look after themselves and their own affairs.

Now, let me address those clauses in the specific agreement or accord that was reached within Canada. In fact, 10 jurisdictions, being nine provinces and the federal government, four aboriginal groups, being the Assembly of First Nations representing on-reserve Indians, the Metis council of Canada representing the Metis of Canada, the Inuit Tapirisat of Canada representing all of the northeast sector of this great country of ours, and also the national Native Council representing all off-reserve Indians, reached agreement through much honest participation and honest hard work over many, many weeks.

Firstly, the inherent right to safeguard and develop their languages, cultures, economies, identities, institutions, and traditions and to develop and maintain and strengthen their relationship with their lands, waters, and environment so as to determine and control their development as peoples according to their own values and priorities and ensure the integrity of their societies. That may have a tendency in some respects, Mr. Speaker, to cause fear in some people that they may in fact be receiving areas of lawmaking which Canada may not be ready to live with in the long run, that there may not be any parameters in that respect. Such is not the case. Firstly, any native group of the four I spoke of or any of the nations, of which there may be 50 in this province if you go by the treaties and the nations with the bands that have in fact registered as part of the treaties – there's a five-year delay in the justiciability of any clauses that are in fact being negotiated. No native group can approach our courts in Canada for any interpretation or assistance in bringing about an agreement until five years have passed, and those are five years of negotiations which are expected by all parties.

It is also most important to note – because it is felt in Canada and all of us have read here in Alberta of certain concerns that our native bands have in Alberta with respect to this inherent right. I said at the conferences on a number of occasions and I brought to the attention of the other parties, the other delegates that were there, that our native Indians in Alberta on the reserves, as represented by our chiefs, had exercised some concern about this inherent right, that something was being laid on our Alberta natives that they did not want. Let me hasten to add, Mr. Speaker, and advise this Assembly that no government of a provincial nature or the federal government can instigate or ask for or start proceedings to negotiate an agreement. They must be instigated at the request of an aboriginal government, be it a band or be it an off-treaty group, and if it is not in fact instigated by the aboriginal group, negotiations cannot take place and will not take place.

#### 9:10

There were discussions about the right or the ability to exercise the lawmaking power outside of the Charter of Rights. All of the jurisdictions at the negotiations felt strongly that any powers

exercised by the native people, the aboriginal people of Canada, any one of the four, that any of the laws developed must be subject to the Charter of Rights. They would also receive the right to exercise their jurisdiction subject to the notwithstanding clause the same as the other two orders of government have, the provincial and federal ones.

The new Constitution will provide no new land rights to our aboriginal people. At the same time, it will take none away from them. What they have at this very moment, they will continue to have. Those rights are established and frozen in the Constitution, and we will continue the negotiations. Through the direction of the Premier of this province, Mr. Speaker, we have a record over the past seven or eight years of successful land negotiations and land entitlements under treaties 6, 7, and 8 which in fact cannot be met anywhere in Canada. There is a commitment to negotiate on the part of the provincial and federal governments. Once requested to do so by an aboriginal group, there's a constitutional commitment for us to continue that negotiation. Up until the time an agreement is reached, the aboriginals will continue to be subject to all the laws of every province that they live in and of this great country of ours, Canada, and no agreement can be reached, firstly, that would breach the peace, order, and good government legislation of either the province or the federal government. Those are agreements that have been reached through negotiations, and this was agreed to by the aboriginal groups at the time.

It has been suggested that the treaties be interpreted – and this will be also in the Constitution – in a just, broad, and liberal manner, taking into account the spirit and intent of the treaties and the context in which the specific treaties were negotiated. Mr. Speaker, this was not some dream clause that was in fact developed in the back rooms of the Pearson Building or any of the other buildings we worked in during this Vancouver to Saint John, New Brunswick, process. Those are the words of the Supreme Court of Canada again in interpreting the treaties that they've had before them. We're only putting into the Constitution that interpretation or the method of interpretation that we've already been directed to do by our Supreme Court of Canada.

There's a concern, and it has been raised by the hon. Member for Westlock-Sturgeon: where is the money going to come from? There will be a commitment again, Mr. Speaker, to negotiate during the course of the self-government agreements process. We will discuss the requirement and the ability of the province to supply funds to let them reach that goal of self-government. It is not a commitment to a certain amount of funds; it's not a commitment to do certain things. I want to suggest, though, very strongly that that is not something new to the province of Alberta. We've been negotiating agreements with our aboriginal people in Alberta for literally decades, and every part of those agreements has a financial component. It is not expected we will be in the position of financing something because of this Constitution that we could not otherwise have afforded as a province.

As I indicated, Mr. Speaker, all of our natives may not in fact agree to this, but I believe that at this time it is in all probability due to the possibility at least of not fully understanding that which has been agreed to. I have heard complaints from our aboriginal people that they have not had a process properly in place that kept them fully informed as to what was going on. I and my department, that of Municipal Affairs responsible for native affairs, will be doing my level best in the ensuing two months to ensure that there is that understanding there.

Section 91(24) satisfies a great desire of our Metis people of Canada. The correction there will be that it will include all aboriginal people. Up to this time the Metis people of Alberta have felt that they weren't really included under section 91(24) of

the Constitution, which gives the federal government exclusive legislative rights with respect to Indians and lands reserved for Indians and now all aboriginals. The Metis people are a very important part of this province. Their importance, of course, has been well shown for many, many years – in fact for decades – but none more so, Mr. Speaker, than in 1987 when our Premier returned from Ottawa from the collapsed discussions on aboriginal affairs and stated when he arrived back in Alberta that Alberta will look after its own Metis people. From that statement, from that generosity of our Premier, from that understanding of our Premier, from the compassion of our Premier for a people not as fortunate as so many others in this province, the legislation was developed for the Metis implementation Act, the legislation which has and will lead to the complete self-sufficiency of the Metis people of this province over its development period of seven-plus years. There is no other province in Canada – none – that has recognized the land rights of the Metis people of their province. At this time we are the first, we are the foremost, and we are the only province that has done so.

Also to be recognized are the nonstatus Indians, those thousands of native people that no longer live on reserve but live off reserves. Here is where we are going to have to become innovative, and here is where we are going to have to be taking brave steps into the future. Here is where we are going to have to have faith that we have the innovative ability, that we have the imagination to develop types of government with off-reserve Indians. Again, Mr. Speaker, we in Alberta – and only in Alberta in this country – have developed that example for the rest of Canada in the Metis framework agreement, which is that agreement with off-settlement Metis in this province for ongoing government in their area; not total government necessarily but certainly a very broad agreement which allows them to start taking very great responsibility for themselves.

In closing, Mr. Speaker, I would like to say that an old Saulteaux grandfather, a storyteller and an elder, Alexander Wolfe said:

One does not reach this age merely to think of the past, but to have hope and aspirations for the future, and to do something so history and a way of life may continue for the purpose it was intended.

In supporting this legislation to the very best of my ability over the next two months, I'm also reminded of another elder who stated in his own Saulteaux language, "Mawesha Anishnawbak Keyutotunmok," which means in our language: "In times past the Indian people listened." I am convinced and strongly recommend that all Canadians and our governments should and will listen to our aboriginal brothers and sisters at this time.

Thank you.

MR. SPEAKER: Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. It's really an honour and a privilege for me to be able to participate tonight in what I believe is an historic debate regarding the future of our country. I'm very conscious of what I believe is an historic dimension of the debate that we're going to be engaged in in this province, in this country over the next five weeks.

It may not seem to us in this Assembly tonight that in fact there is a debate, given the comments that have been made this afternoon and this evening by members of all of the political parties in this Assembly, but I think we would make a fatal mistake if we did not take very, very seriously the kinds of opposition and concern that there is in our country to the accord that has been reached and the importance of the referendum our country is engaged in. I think I'm not alone with the other members of this



Assembly in being very conscious that we are just at the beginning of enjoining in a debate that will consume us, consume our nation, and determine our future as a people for decades to come.

9:20

For me, Mr. Speaker, then, I guess the overriding principle in terms of looking at the accord that has been reached by our political leaders in Charlottetown – indeed in looking at the Constitution itself – is that fundamentally we have to know how to live with each other in this country. In order to do that, the basic fundamental law of our country, our Constitution, has to reflect the realities of who we are as a country and reflect the realities that we share as a people. We live in this northern half of a continent with a French-speaking majority in Quebec, and they share it with us as a minority island in a largely English-speaking sea. We must find arrangements that will work for us, for them, for the future, for our children, and for our grandchildren.

We also have to find accommodation with the aboriginal people of our country. The last 200 years there has been a painful, divisive relationship in our country between the majority and those of aboriginal origins. They have been relations of power and powerlessness, relations of cultural arrogance, and relations of oppression, although ironically had it not been for the aboriginal people in the very earliest days in the beginning of Canada, we would never have become a nation. As well, two Riel rebellions and the fight of the Metis people for a homeland in western Canada was seminal for the expansion of Canada and the development of the west. Indeed, the long-standing alienation that western Canada has felt for many years had its roots in those two insurrections.

Mr. Speaker, these are only a few examples, but it seems to me that the accord reached by our leaders in Charlottetown reflects an historic accommodation amongst the peoples that have formed this country over the decades and generations. I believe that it creates a basis for a long-standing relationship between Canada and its first peoples and between English-speaking Canada and French-speaking Canada, because I believe that fundamentally at the basis of this accord is the recognition that we have to live together, and in order to do so, we must live with mutual respect for each other's needs and each other's situation.

The idea that the Constitution of Canada should formally recognize the Metis Nation made me feel that Louis Riel was in that meeting room in Charlottetown with those leaders in August. It's interesting the ironic ways in which history has a way of dealing with a nation's rebels. Indeed, Mr. Speaker, the accord is a vindication of another great Manitoba native leader, and that is Elijah Harper, whose position in the Manitoba Legislature some years ago in 1990 led to the demise of the Meech Lake accord and the failure of that Legislature to adopt the Meech Lake accord.

Mr. Speaker, I believe that our Premiers and leaders meeting together over the last several months have recognized that there are certain fundamental requirements that are necessary as a basis for our Constitution if we are going to live together as a people under one roof. I would say to the members of this Assembly and to all Albertans that our leaders I believe have gone a long way in being able to achieve such a consensus.

[Mr. Deputy Speaker in the Chair]

Is this accord a miracle document? Well, no, it's not, Mr. Speaker. Maybe the fact that we have the document is a miracle, yes. But is the document a miracle? No, I don't believe it is. Ultimately our differences can only be resolved if there is the

political will to resolve them. Putting things on a piece of paper simply isn't going to be the equivalent of a magic wand that's going to make things all right in the end. What is important about the accord that has been reached is that it is an expression of the political will to resolve these historical differences that have separated us in the past. This accord has taken the step of recognizing the reality of our country and its peoples. That for me is the fundamental principle behind why I believe we ought to support this accord.

Now, for those who would suggest that the way out of our differences and our way into the future is to turn their backs on this accord, I can only say that they hold out a dangerous hope. There are some who would say that this is an imperfect document, Mr. Speaker: "It gives too much to this group; it doesn't give enough to this other group. It ignores my needs; it attends to somebody else's. It's this; it's that. It's too much of something; it's too little of something else." Well, I guess there are many reasons to not be in support of this accord. For those who raise those concerns, I do not question their commitment to Canada, I don't question their loyalty to Canada, I don't question their sincerity or their intentions, nor do I question the validity of some of their criticisms, because quite frankly I think some of those criticisms are quite valid. I do know this: it is a consensus document. It required compromise. It required people giving up on some things in order to achieve agreement on some others. It means that not everybody got everything they wanted. In fact, if anybody had gotten everything they wanted, I doubt that there would be any chance of this accord succeeding.

What I do know, Mr. Speaker, is that Canada's political establishment has been preoccupied for nearly a generation with these questions of what should be our country's basic law and basic political relationships. This establishment tried the Trudeau option surrounding the repatriation of Canada's Constitution in the early 1980s, and one has to acknowledge that its success was less than complete. The province of Quebec with its 7 million people did not sign the Constitution. Well, in order to get their agreement, this establishment then tried the Mulroney option, and it, too, had less than complete success, as we know all too well. As part of the Meech Lake accord too many people felt left out and alienated by the process of agreeing to that accord, and people also, I think quite legitimately, felt that the rigidity of the resulting constitutional amending process would be a fatal flaw for Canada's future.

At each point, Mr. Speaker, we have learned from the failures of each preceding step and have gone back to try it again. So is this accord that we've finally come up with in the last few weeks the perfect result? By no means, Mr. Speaker, is it a perfect result, but I do believe that it is a workable accord, and I do believe that it takes into account the major shortcomings from the previous efforts.

9:30

Having said that, having acknowledged that it's not perfect, I must say that I greatly fear that we may not have another opportunity to try it again. I know that we all had fears about what was going to happen as a result of the failure of the Meech Lake accord, and I also know that we're still here. We're still talking. We have another agreement by our Premiers and political leaders. I do know that some people in our country are saying: "Well, you heard all the doom and gloom that was said would occur to Canada if we failed to ratify the Meech Lake accord. You see, we're still talking. We still have agreement. Therefore, if it happened before, it can happen again. Saying no to Meech Lake didn't seem to hurt, so saying no to this accord won't hurt either."

Well, I want to say, Mr. Speaker, that I'm not sure we have recovered fully from the failure of the Meech Lake accord. The separatist forces in Quebec received a deathbed resuscitation with the failure of Meech to the point that they now endanger the success of this accord. How much more of a boost would separatist forces get from a rejection once again by the rest of Canada for the Charlottetown agreement? That's why I believe it's dangerous to hope that another try will succeed where three tries have failed. If we couldn't do it when we had three chances to get it right, on what basis would we be able to convince people and convince Canadians that a fourth try would work? I mean, after all, if we don't know now what the differences are, what the problems are that need resolution in our Constitution, we never will. I believe that a vote which says no on October 26 really does mean no and that we will not get another chance.

I would only say to Albertans and Canadians at this time in our country's history that if you want to say yes to Canada, then say yes to Canada. Some seem to imply that saying no in fact means yes or no means maybe. I think it's dangerous to hope that another try at achieving another consensus and another accord will succeed. If you want to say yes to Canada, then say yes to Canada. This is the first referendum that we've had in Canada in almost 50 years, and I understand that it's only the third one we've had in the history of our nation. It is unlikely that we will ever have another chance to say yes to Canada. Let's not turn our backs on the one opportunity any of us are ever likely to have.

My overriding concern is this. Regardless of the outcome on October 26, on October 27 and after we are still going to have to live with each other. Whether you vote yes or whether you vote no, we will still have Quebec as a neighbour. Quebec will still have Ontario, the west, Alberta, and Atlantic Canada as neighbours. We will still have our aboriginal people and the majority of Canadians having to find an accommodation with one another. In my view, Mr. Speaker, saying yes to one another is what will make us better neighbours, better friends, and better citizens.

Mr. Speaker, we've going to also have to be very careful about how we conduct this debate. We cannot be afraid to talk frankly about the serious consequences that will follow from the decision that we make, whether that decision be yes or whether that decision be no. We have to be careful about the language we use with one another, because regardless of the outcome, we will all have to live with the consequences of what we say to one another as well as the decision that we make.

Also, Mr. Speaker, I don't want to presume that just because I say to people that they should vote yes, they will, and I don't want to presume that just because the Assembly as a whole unanimously says yes, the people of Alberta will. The popularity, for example, of our Prime Minister is so low. I know that there are many people who've spoken to me since this accord was reached who feel that they want to vote against it simply because the Prime Minister is in favour of it. Given that the popularity of politicians generally speaking is low – and I include all of us collectively in that – people don't trust what we say. That goes for me, and it goes for every one of us in this Assembly. So the idea that there's a broad consensus in this Assembly that crosses party lines probably means very little to many Albertans.

Mr. Speaker, I don't want to presume anything here, but for me I think there are some rules that need to be followed in the upcoming referendum campaign. I think we need to talk about why I support the accord, not why you should support the accord. I think we have to talk about what this means to us as individuals and let others make up their minds for themselves. We have to emphasize the positive in this agreement, not the negative, because there is a lot that is very positive in this accord.

We can't personalize the debate. This issue, Mr. Speaker, is a country, and the country is bigger and more important than any one of us. I couldn't agree more strongly with the Deputy Premier. We need to put information in the hands of every Canadian in order to make an informed decision. There's a lot of confusion out there about what is and what isn't in the accord. People have to know what it is that they're voting on. We have to listen first, and that's more important than what we say. We must listen to what people are saying to us about the future of the country and why they might in fact be voting no, and then be able to respond to the arguments of those who would oppose this deal. I just want to emphasize that this is something that every Canadian is going to make up their mind about. For those of us in the political arena, it's incumbent upon us to speak about what's important to us in this accord and why we support it, but let's not presume that just because we are elected, people are going to take what we say at face value.

Mr. Speaker, our Premier and the Premiers of all our provinces, I believe, have risked a great deal personally in order to reach this accord. Many of them have had to give on crucial issues that are important to them and their province in order to achieve agreement for the country as a whole. If they're prepared to risk something personally for the country, then I believe every one of us in this Assembly should also be prepared to risk something for the country as well in terms of being prepared to speak up for what we believe in regardless of how that might be received by people in our community.

Mr. Speaker, I'm going to confess that at times, like the Premier, I had despair that we would ever make it, that we would ever be able to reach an agreement and accord between what appeared to be diametrically opposed positions, mutually exclusive positions. So I felt relief when I heard from news reports that an agreement had been reached by all our Premiers, territorial leaders, and aboriginal leaders in Charlottetown. I also have to say that my relief turned to a pleasant feeling of surprise when I read what was in the text. I think this is not just an adequate accord that sort of patches over some difficulties or patches over some differences. Quite the contrary. I believe this is an accord that's good for Canada. It has so many positive initiatives in it.

I would like at this point to publicly commend the Premier and the Deputy Premier and all those in the Alberta delegation for the work that they put into this accord and for reaching agreement with the other leaders in our country. I would like to particularly acknowledge that the changes that have been made to the Senate are significant, far reaching, and profound. The idea that in an open, democratic country we should have an anachronism where such a critical institution at the centre of public life in our nation should be made up of appointed people: that is an anachronism that's way, far, long out of date. We now have an elected, democratic, accountable body that I believe is effective at the central federal government of our country, and I think that our government and our Premier need to be commended for the forces and powers that I'm sure would have resisted that change.

**9:40**

I'd also like to say particularly to Mr. Bourassa, who's facing a great deal of political criticism in his own province – in fact, if I read it correctly, a fire storm of criticism in his own province – for reaching this historic accord with the rest of Canada, that I'm sure and I know that he did that honourably. The agreement he reached was an honourable one that I believe protects the vital interests of Quebec now and into the future without compromising our future as a country or the ability of the federal government to lead our nation as a whole, nor does it take away anything from

the people of Alberta. So I would just simply say that I think we've seen a considerable example of statesmanship from all of our Premiers of all of our provinces, and I believe the fact that they recognize the serious crisis that Canada faces is what prompted them to reach this agreement.

I'd like to make one last point here this evening, Mr. Speaker. Political stability is what leads to economic growth in this country. I've heard it said by the leader of the Reform Party that we should set this accord aside for five years so that our political leaders can focus on the economic difficulties facing Canada. Well, I don't underestimate the serious economic problems facing Canada. They need the undivided attention of our political, business, and labour leaders, but it is my opinion that the best and quickest means to address these problems is to approve this accord, not to reject it.

We only want to look at what has happened in Europe in the last week, at the prospects of instability over the future of European unity and what that did to the money markets in Europe. That is what is in store for Canada in the months ahead. In fact, I understand from news reports today that the Canadian dollar is under pressure because of the political instability that this referendum is creating for our country as a whole. In order to attack and tackle our serious economic problems, we have to achieve political stability and get these political issues that divide us out of the way so they're no longer a negative, no longer a question mark for the future. I believe the accord will do just that.

Saying the same thing in a positive way, Mr. Speaker: if Canada can create a country out of diverse peoples, what a model that would be for the rest of the world, a world that at the moment is deeply divided in many countries on the basis of ethnic, language, and cultural differences. If we can achieve in this country a consensus and reconciliation between different peoples for the future, what an example that would be for the rest of Canada and what that would say for our economic future to those who would like to invest here and participate in our economic prospects as well as our political ones.

Ultimately, we are engaged in nothing more than an act of faith, Mr. Speaker. The Premiers in Charlottetown, those of us in this Assembly, people in every city, every town, every village, hamlet, or farm in this country on October 26, regardless of their vote, will be engaged in nothing less than an act of faith. We do not know what the future may hold for our country, but I do believe that those who have pressed for changes in our Constitution did so in good faith. If we act with the belief that people have come to the constitutional table in order to make a good country and a strong country for the future, then, Mr. Speaker, saying yes simply says yes to each other. We say yes to ourselves; we say yes to people in every other corner of Canada. On the basis of that act of faith, a basis of goodwill will lay the foundation for us to move forward to successfully meet any challenge the world may throw at Canada in the future.

**MR. DEPUTY SPEAKER:** The hon. Member for Calgary-McKnight.

**MRS. GAGNON:** Thank you, Mr. Speaker. As a mother, a grandmother, and a Francophone Albertan and Canadian, the issue of the renewal of Canada's Constitution is very close to my mind and to my heart. I am very thankful to our Premier, the Deputy Premier, and his staff, who stayed with it through to the end, through a long, hot summer – I'm sure they have not yet had holidays – in order to achieve the consensus which has been achieved, in order to achieve the model for co-operation which we have in the Charlottetown agreement. I'm also very grateful to

all Albertans who care: Albertans who got involved, who daily discussed the issue of their Constitution. It wasn't so long ago that not many people knew all that much about the Canadian Constitution, nor did they care. One thing this exercise has certainly done is to raise the awareness and the knowledge of all Albertans and Canadians about the very structure of this country.

I would like to briefly dwell on the similarities between the Alberta select special committee on the Constitution, on that report, and on the Charlottetown agreement. When we began the Alberta committee's work, I'm sure we doubted whether we would achieve consensus and unanimity. After many, many hours of listening to Albertans, of letting go of some of our own thinking, our own convictions, because we were convinced by what Albertans had to say, we did achieve consensus and we did, all of us, support the report. The beauty of that report is that it was structured in such a way as to make this possible. The structure, as you will recall, was as follows: issues which had to be resolved now, issues which could wait until another round, issues best addressed outside of the Constitution, and the amending process.

Now, those issues which were priority and had to be addressed I now find are the very issues which are addressed in the Charlottetown agreement. Those issues were a national identity clause, Senate reform, recognition of Quebec's distinct society, self-government for aboriginal peoples, a new distribution of powers – a very delicate issue; however, one where balance is needed and where we found that provinces need more jurisdiction but not so much that the national character of our country would be eroded – and the Supreme Court. These issues are in the Charlottetown agreement. There is much more in that agreement, including the commitment to the social fabric and the social programs in this country, and there are many additional details. But it is my conviction that many of the values and principles in that report, which was supported by all members of this Legislature, are found in the Charlottetown agreement. It is, I think, remarkable that such progress has been made and that recent events indicate that our dream of a strong, united Canada can be achieved.

**9:50**

As we all know, constitutional issues have been part of our history, and successive generations of Canadians have had to renew the political covenants that bind us together. The Quebec Act of 1774, the Act of Union of 1840, Confederation in 1867, and the Constitution of 1982 are milestones on this long journey of shared experience of nationhood. It has been a long and tortuous path, especially since the collapse of Meech Lake, and the constitutional agenda has broadened from the goal of bringing Quebec back into the federation with honour and enthusiasm to the Canada round, which we are living now and which will end with our national referendum. If the referendum passes, it will bring substantive and profound changes to our society by reaching out to previously alienated Canadians, such as aboriginal peoples, and regions, such as the west and the north.

I want to go on record as supporting the yes side. We must take the leap of faith. We must not be afraid of uncertainty. If we fall apart, it will be because of a failure of the spirit. It will be because of an unwillingness to accept human limitation and imperfection. I believe that a yes vote is a vote for realism, for workable, possible solutions. A country is a living and evolving entity, as was said earlier today. The old solutions don't work anymore. I believe that here we have a model for a modern and prosperous Canada, the Canada of the future. I truly believe that Canada needs the Charlottetown accord, Albertans need the Charlottetown accord.

I would like to end these brief remarks by sharing my vision of Canada, a Canada which is united not by sameness and conformity but by the shared values of peace, justice, tolerance, and respect for diversity. I'm very proud to have been on the committee, proud to be here today to take part in this debate, and proud to be a Canadian at this time. I support the motion without qualification. This country, according to the United Nations, is the best country in the world in which to live. Why would we risk jeopardizing this in any way? I will urge my constituents, whom I know are meeting tonight with our MP in one of our communities – I couldn't be there – to support the yes side in the referendum.

Thank you.

MR. ANDERSON: Mr. Speaker, there's often some peril to speaking this late in an evening after members have sat through a long day. I was reminded of it just a moment ago when the Minister of Culture and Multiculturalism looked at me and said, "Are you speaking next?" I said yes. He got up, turned around, and walked out, but I'm pleased to see he's returned. I know that there has to be a quorum, so the only possibility is sleep for those who remain in the Legislature.

Mr. Speaker, when we speak of this Canada of ours in the context of this debate, we often ask: what is Canada? What is the definition of Canada? One definition I've found is that Canada is a triumph over common sense, over geography, and over economics. There is a thread of truth to that particular statement. Our country is the largest single nation in the world. It is comprised of mountains, lakes, and streams, of islands. It has the bulk of its population in one central spot and the governing power of the nation in one central spot, and thousands of miles away there are people who are a part of the nation. It is true that in recent years there have been people of this nation who have said that the rules that govern the nation don't reflect the needs of all Canadians. The native people of this country have been arguing that for many years, and of late most Canadians have become aware of the plight of those people. People in Quebec have long said that the rules need to change to deal with their particular needs in the nation. The Atlantic provinces have talked of a need to underline in the Constitution their particular requirements for transfer payments. In western Canada, yes, we have talked for many years about the requirement to show in our national institution that each province is an equal partner in this Confederation.

There have been strains and stresses on a country that we all share but where we have had concern about the rules, the glue – those binds which will keep us together yet allow each part of our nation, each person in it to fulfill their maximum potential and to deal with the issues that relate directly to them. In this particular accord I believe we've answered many of the questions that have been raised in those recent years. There are, as other members have indicated, a new set of guidelines for our aboriginal people to live within. There is a new definition for the people of Quebec and a mechanism through which they can deal with their concerns of culture and language. There is in this constitutional package awareness of the needs of Atlantic Canada and a strengthening of those clauses of our Constitution which make them part of our nation. Yes, Mr. Speaker, there is significant, substantial Senate reform which changes the very nature of how our country operates and will forever give this western part of the nation a significant say in the federal decision-making process.

Mr. Speaker, I couldn't better say how important the Senate is than the Member for Calgary-Mountain View just suggested when he said the changes to the Senate are "significant, far reaching, and profound." They are that. They represent the most significant

changes that have taken place in the history of this entire nation. Those signatures on the agreement in Charlottetown are every bit as important to the history of the nation, let alone the future of this country, as were the signatures in Charlottetown in 1867 and the agreement to bring the country together. We have today made an agreement, this day debate that agreement, and I hope on October 26 we'll verify the coming together there has been for the future. I don't know that that could have taken place without those dedicated individuals who signed that in Charlottetown.

Mr. Speaker, when the singer and poet Leonard Cohen was asked "What is your goal in life; why do you write poetry and write songs?" he said that the goal is to break down the walls. I believe that in this agreement significant of those walls that come up between provinces, come up between parts of our population – Francophone, native, western, Atlantic – have been destroyed. We have to go further and make sure that on October 26 we make paths through those walls that we can at least move between as we together face the future of the nation.

I'm not going to go into the detail of why I believe the Senate to be the most important part of this package. I do very much appreciate the kind words that the Minister of Federal and Intergovernmental Affairs, the hon. Deputy Premier, said about the committee that I chaired in 1983. If we on that committee supplied some of the impetus in some small way for the conclusions that were reached, I am even more grateful for the opportunity to have served in the capacity that I did and to have been involved in this process really since it started, in this modern time, in the 1980 period.

10:00

I might say, Mr. Speaker, that I believe I'm the only one in the Assembly who has been on all of the constitutional committees the Assembly has ever had, to have been part of the one that debated the 1982 agreement – an agreement which I now wonder if it was the best that we could have done at that point in time but which nonetheless provided the necessity for the signing of this agreement, for which I believe we will be forever grateful should it pass and should Alberta live in the new era with the recognition of where we stand in this nation. I chaired the committee from '83 to '85 and then had the pleasure of sitting with the hon. Deputy Premier as he chaired the committee that went all around this province for yet another time, asking Albertans what they thought.

[Mr. Speaker in the Chair]

It's tempting tonight to tell stories of those years of constitutional discussions and of the ministers' meetings that I went to with the now Provincial Treasurer in 1982, '81, the ministers' meetings that I was pleased to participate in with the Deputy Premier during this round, and of the many Canadians and Albertans who got to be friends during those years. Mr. Speaker, since I see you've now resumed the Chair, I would particularly identify you as a member of the committee from '83 to '85. I still quite vividly recall the designing of this report's cover and its name, which came from you during that committee's deliberations, as well as many other sound and good ideas that went into the making of the report itself.

It is a historic time. It is a time when each of us must say to the other: now we are Canadians together, and now we have a package, which others have identified is not perfect, is not the one that any one of us would have written, but surely is the best possible document that could have been arrived at by all of those individuals that make up this nation and all of the diverse dimensions that we all represent.

There are many people who would deserve thanks, and I believe it's thanks that we must give for the agreement. There certainly are the officials of the Department of Federal and Intergovernmental Affairs, whom I've very much enjoyed working with. We have a high quality of public servant that surpasses those qualities that people usually attribute to public servants. They're dedicated, they're knowledgeable, and they are Canadians who have given a great deal. I also would like to personally thank those who have served our special select committees through the years, including the Clerk Assistant of the Assembly, who served with me on the Senate committee and helped us a great deal. There are many others, Albertans and Canadians, who made contributions and submissions to our committees in this Assembly and to the process nationally as it proceeded through its various conferences and through its numerous committees, providing the most in-depth public involvement that's ever taken place in the nation.

I must personally add to the thanks of many my thanks to the Minister of Federal and Intergovernmental Affairs, who has, as others have indicated, shown extraordinary leadership in a very difficult set of circumstances. I had the rare opportunity to be there firsthand on a few occasions and have an inkling of the difficulties faced, the challenges that were there, and the dedication that it took to overcome those. I have to doubly say that for the Premier of our province. I will now admit to the Assembly that in all honesty when I presented our report in 1985 to this Assembly, I was far from sure that I would ever see a national agreement concluded while I sat in this Assembly, perhaps while I lived in this province, that would be so closely akin to that which we require. There were days when I said that if we could achieve an elected and an equal Senate, that would be as close as we could come. Because power would accrue to legitimately elected people, it would become an effective Senate over time. Today I can look at the document that was signed and legitimately, honestly say that it is truly an elected, equal, and effective Senate with powers that are so significant that they will change forever the way the nation operates. The Premier should know that history, I have no doubt, will show him to be a man who has changed not just our province but our nation. In this province, in this nation I don't know of any more significant change, and I think it unlikely that I will see a more significant change in my lifetime.

Mr. Speaker, I would conclude with just another glimpse at history. The triple E Senate concept is one that other countries have adopted in various forms and which we've learned from in developing our own concept. In fact, history showed different portions of it in ancient Rome and in other spots, and we would be thankful for that. It has also been a concept brought to light here in our nation of late but which has underlaid the discussions since the beginning of Confederation. In 1864 they started to discuss the possibility, but it was pushed aside in favour of a regional equal Senate concept. The elected was pushed aside in order to deal with political realities of the time. Just to show that it has always been on the minds of Canadians, and in the spirit of nonpartisanship that this debate has taken place, I would quote a Prime Minister of Canada, Sir Wilfrid Laurier, who in 1908 said:

What I would insist on, is that each province should be represented by an equal number of Senators, that each province should stand in the Senate on the same footing, and that each province whether it be big or small should have a voice in the legislation, not according to the numerical strengths of its population, but according to its provincial entity.

Mr. Speaker, if Canadians pass this on October 26, we've fulfilled the vision of many in the country, including a 1908 view of the then Prime Minister of Canada, Mr. Laurier.

I will vote yes. I know that all members of the Assembly will. It's now our job to convince the rest of our citizens to do the same.

MR. SPEAKER: Edmonton-Avonmore.

MS M. LAING: Thank you, Mr. Speaker. It is indeed a privilege, as others in this Assembly have said today, to speak in this historic debate, a debate about the framing of our Constitution and the creation of a new Senate, and we have to commend those who worked so diligently to bring to us this accord or this agreement. As someone said, it is a miracle that it came here, although it may not in itself be a miracle.

I would like to bring to this Assembly the many concerns that have been raised by men and women in this country about this agreement. I believe that these concerns must be addressed in the debate, but I think that these concerns and this agreement provide for possibilities that did not exist in the past. I would address specifically the concerns of women and those who support women and their equal place in society.

Women are not a special interest group, Mr. Speaker. They are 52 percent of the Canadian population. They do not speak with one voice any more than do Canadian men. Canadian women do not act of one will, nor should they. This does not mean that because these concerns are not shared by all, they are not legitimate concerns to be taken seriously and addressed, nor should it be assumed that these concerns are not shared by some, if not many, men. Therefore, I speak to the issues and concerns raised in regard to this agreement that is the subject matter of this motion, concerns shared by significant numbers of Canadian men and women across Canada in regard to issues that have particular relevance for women but in reality which touch the lives of all Canadians.

10:10

Mr. Speaker, most analysts agree that the accord offers no significant gains for women, and in that I would concur. Many of us would applaud the spirit and intent of the Canada clause and the inclusion of the social and economic union. That these sections are not justiciable is cause for concern, as is the lack of action initiatives. One can question why there is a commitment to affirmative action for socially disadvantaged individuals and groups under the aboriginal section of the agreement, yet no such commitment is in the first two sections of the agreement. We must honour the spirit and the intent and the commitment given in these sections and believe, I think, and have faith in those that have made those commitments that the commitment is not simply rhetoric and words but will be acted out.

Although Canadians through various public consultation processes called for a strong central government and strong universal social programs, we have seen a devolution of powers. Even as the referendum question was being debated in the Senate, the House of Commons dismantled the social program that has existed for nearly 50 years – that is, the family allowance program – and this at a time when one in six Canadian children live in poverty. The implementation of the child tax credit program that will replace the family allowance will punish the children of parents on social assistance and unemployment insurance. What this teaches us is that social programs are more a matter of political will than of a constitutional accord.

Canadian women are concerned about the failure to truly safeguard the social safety net through provision of national standards. Therefore, Canadians must put more effort into ensuring that provincial politicians and governments implement

social programs that safeguard the well-being of children, women, the disadvantaged, and the disabled. Women are concerned about a patchwork of social, education, employment, and training programs because women as a result of their lower economic status are more vulnerable and needing of the social safety net and are often forced because of their economic dependence on men to accompany their husbands to other parts of Canada. Thus standards are important to women because they often do not have a choice as to what part of Canada they live in. However, at the present time we do recognize that we do have something of a patchwork of social programs. What we had hoped for coming out of this agreement was something better, so we must conclude that the struggle for a social safety net that includes all Canadians continues. We have benefited from strong national organizations like NAC. They have co-ordinated our efforts at a national level. Our efforts for a social safety net will now have to be more like that of the women of Quebec. That is, they have focused their attention and effort on the provincial and local politicians even as national organizations continued to assist them.

Although native women were excluded from the process, an exclusion that contravenes the Charter, this accord reaffirms gender equality for aboriginal women, and I applaud that. I will listen with great interest to the response of aboriginal men and women in this Assembly to the accord.

Mr. Speaker, I would now like to turn my attention to the provisions for the Senate. That the proposed Senate is a profound improvement goes without saying. However, we had an historical opportunity to create a Senate that addresses the possibilities and potentialities of the future. My concern, especially as it relates to the tax policy on natural resources, is that it has focused backward to correct the mistakes of the past. It is too late to do that. I believe the concerns of the future will be more about human resources, about children and families, and I would like to have had a Senate commitment to protect the well-being of all Canadian children. That would have been a powerful statement to me that the Senate was concerned for our future.

I would ask that this government will at this time take an opportunity provided by this agreement to create gender equality in the Senate, Mr. Speaker. It is provided for in clause 7 of the agreement. Even as this agreement acknowledges the difficulties of the past in regard to the tax on natural resources, let us look to the past and present failure to include women as full and equal partners in the political process. When the Canadian Senate was constituted in 1867 and when Alberta joined Confederation as a province in 1905, women did not have the right to vote for representatives to this House, nor did they have the right to sit as members of the Senate. The prejudice, barriers, and practices of those times past still serve to deny women equal participation in electoral politics. It is a time to create a Senate which incorporates as a fundamental principle gender equality so that never again will women's voice be absent from the national political debate and the national decision-making process.

Mr. Speaker, many concerns about such a Senate have been raised. I take these concerns very seriously, but I believe they must not deter us from our commitment to gender equality. I have heard it said that it is not democratic to designate the Senate as being equitable in terms of gender. But let us look at democracy. Democracy was founded in the practice of each person speaking for himself, and I use the word "himself" advisedly. In a larger society we came to the practice of choosing representatives to speak on the basis of one person, one vote. In this agreement there is recognition that people from different regions have different experiences, different perspectives, and different needs. What are just and equitable laws and policies and programs may

be viewed differently from these different perspectives. Thus this accord addresses the need to take seriously regional differences by creating a Senate in which there are equal provincial quotas; that is, six Senators from each province. In this last half of the 20th century we have come to understand that overall men and women have very different experiences and very different perspectives about what goes on in our society.

I would like to file for the interest of members of this Assembly a small article called "The Women's Country." It outlines part of that difference. Before women entered into politics, the issues that arise out of women's different experiences were not of concern for political debate: the issues of battering, rape, sexual assault, incest, equal pay for work of equal value, equal pay for equal work even, child care, shelters. These kinds of issues, however, affected 50 percent of our population, and somehow we must give legitimacy and voice to the different experiences of men and women.

**10:20**

Thus we need a commitment to gender equality, however that is to be achieved. I think probably the best way is through proportional representation, possibly through dual ridings. I'm sure, however, if there is a political commitment to gender equality in this new elected Senate, then it will be achieved, a way will be found. Our society can no longer afford to ignore the experience, expertise, skills, and potential of 52 percent of our population, and it is in everyone's interests that women do contribute.

Mr. Speaker, those of us who call for gender equality seek partnership, a sharing of the power to define problems and to find solutions, a sharing of power between men and women. We believe that through this sharing of power there will emerge an enhanced understanding of all the issues that face our country: the economy, the deficit, social programs, international relations, war and peace, and trade. All of the problems that face human beings need to be addressed in the most broad and enhanced way, and we believe that women can contribute to that broader understanding.

I have heard it asked, "Why limit women to 50 percent of the seats?" In the context of only 14 percent of elected members of this Assembly being women, I am tempted to say, "Do not worry your pretty little head about such a thing." I know this question is a serious one, but I have to ask: what is being said? Is the questioner really articulating a fear that women simply want to replace or displace men in the circles of power? And let us not mistake that what we are talking about here is power. Is the questioner really suggesting that the present composition of this House indicates that men are six times more capable than women of being here, or that there are six times more men than women that are competent enough to sit in this House? I don't think that's what they mean, but perhaps.

Those of us who call for gender equality, men and women, believe that men and women are qualified in equal numbers although in different ways to sit in this House or in the Senate, and we believe we must eliminate the discriminatory practices that serve to limit women's participation in provincial and federal electoral policies.

Finally, I am asked: did I not make it on my own merit and my own competency, and if I did, why can't other women? Well, Mr. Speaker, I made it because women of my great-grandmothers' and my grandmothers' generation took themselves to the streets, chained themselves to the steps of the Houses of Parliament, were jailed, force-fed. They put their very being and their lives at risk so that women would have the vote. I am one of the first generation of women born with the vote. Women of my grandmothers' and my mother's generation went to the Privy Council

in Great Britain so that women would be recognized as persons and, therefore, take their place in the Senate. In this instance, too, I am of the first generation of women in this country born as persons. There are many other examples where I am the first-generation person, or where my daughter is of the first generation of women born with the right for reproductive choice. Women of my mother's and my generation achieved access for women to traditionally male bastions of power and influence: the faculties of medicine, of law, of science, of engineering, the boardrooms of corporations and the banks and the businesses. Women still face barriers, discrimination, prejudice, threats to their safety and well-being that limit their aspiration and their contribution, and we see constant documentation of that.

Mr. Speaker, no amount of competency or merit would have brought me to this place without the courage and the years of struggle of those women who came before me and stand beside me in the struggle. In addition, I belong to a party committed to promoting gender equity, and the constituency association that chose me for their candidate consistently sought out women candidates. My presence here is due to the hard work of women who came before me and the commitment of men and women in my party to overcoming the barriers to women's equal participation in electoral politics. I do not for one minute think that I am here as a person that stands above other women. There are hundreds and thousands of women in this province that are as competent and capable as the members of this Assembly of taking their place in this Assembly.

Mr. Speaker, we have an historic opportunity to recreate Canada. Let us use it to create a Canada with institutions that reflect a social reality very different from the one that gave rise to the Constitution and Senate of 1867, a renewed Canada that will bring into the circles of power those excluded 125 years ago: our aboriginal people, our women. Let us fully embrace the distinctiveness of Quebec and the unique contribution of our many ethnic minorities. Our Canada is a unique experiment in history, an act of faith, a country that can now fully embrace its history, the contribution of aboriginal peoples, of French-speaking peoples, English-speaking peoples, and of peoples of many nations, of many cultural and linguistic groups, a country where we balance the needs and interests of this great diversity through common values and commitments.

There is much more that I could have hoped for from this agreement, but this is an ongoing process of creating and recreating a nation. This is but one step, but one moment in our history. Let us commit ourselves to that process that is Canada by voting yes to continue this experiment in history.

MR. SPEAKER: Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. I'm very pleased to participate in this most extraordinary debate, and I'm particularly grateful to be here in this House at a time in our nation's history that is so remarkable, to have a chance to be a part of this very exciting development that we have waited for.

I want to express, as so many others have, my gratitude to the Premier, the Deputy Premier, the Minister of Municipal Affairs, and the Minister of Consumer and Corporate Affairs for the important roles they have played in the whole process. Mr. Speaker, I'm grateful to the Premier for his explanation of his understanding of the Senate's effectiveness and how he believes it will operate to benefit all Canadians. I'm also grateful for the Deputy Premier's anecdotal comments about some of the experiences that they went through and that he in fact wore a Liberal button. I assure him that he won't be contaminated by that, and

perhaps that's a microcosm or a small illustration of the kind of reaching out that occurred in this whole difficult, protracted, and sometimes forced process of constitutional reform.

10:30

Mr. Speaker, I believe very strongly that it is now my responsibility to ensure that those Albertans within my reach have all of the information that I possibly can provide them to help them make an informed decision. I don't think it's our role to threaten or demand. I think it's our role to make sure that they have the facts in front of them, that they have an understanding of the consequences in the most objective way that I can possibly provide it, and I'm committed to doing that. I'm glad that the Deputy Premier has circulated today another document that I think will be useful in that regard.

I'm also struck, Mr. Speaker, by the similarities in this document to the Alberta document, *Visions of Unity*, with the kind of phased proposal that was worked out. I think this accord mirrors the Alberta proposal in so many ways, and to me it is the essence of what Albertans are thinking: the importance of the emerging principles of distinct society, aboriginal self-government, Senate reform, and so on. I see this as a dynamic constitutional amendment, providing change in a dynamic nation, not in any way static, and I see the whole process as one that finally has soared above partisan differences, putting loyalty to the nation and to our province first and finally above the cultural and linguistic and geographic differences that have plagued our country for generations, for decades.

I have wondered, Mr. Speaker, with all of this good feeling, this bonhomie, if we have seen an end to eastern arrogance and dominance or western arrogance and backlash. Is that over? Perhaps not, but perhaps some real steps have been taken towards a collective identity, to reduce the gulf between east and west, between French and English, between aboriginal and immigrant by this process of listening, of sensitizing ourselves, and of beginning to care more for one another.

Mr. Speaker, I want to make a few comments about the most recently introduced idea; that is, gender equity in the Senate. In 1982 our Canadian Constitution and Charter of Rights and Freedoms provided for equal rights for women. Of course, we need more women in government; there's no question in my mind about that. I think it's a question of fairness and justice. I believe that women have made a great difference in government, that we bring a different perspective and different style to our decision-making. I also believe that women are just as competent and just as well motivated and just as intelligent as men are, and the numbers don't match up at this present time. Barriers still exist. Barriers are acculturation, attitude, money, but these can and must be addressed. I believe that what we need here is political will, not legislation.

Mr. Speaker, I have asked myself if this accord improves the status of women, and if the answer is no, should we vote against it? Well, I don't believe it significantly improves the status of women, but I also don't believe that is sufficient reason to vote against it. I think gender equality in the Senate would simply be a matter of symbolism and not of practicality in the sense of our understanding of democracy. I think the problem that I see in it is that the final deal has left open the possibility for every province to reserve half of the Senate seats for women. If I understand it right, our Premier and Deputy Premier have indicated that Alberta has no intention of doing that, and I agree with them. I do not believe that that's a practical solution.

I am pleased, Mr. Speaker, to see the issue being addressed, and I think we have to thank NAC and the many women's

organizations that argued forcefully and tirelessly for gender equality at the six national conferences on the Constitution last winter. The underrepresentation of women is a glaring weakness in all of our government Legislatures. Thirty-seven women in the House of Commons: that's 13 percent. Sixteen women out of the 104 appointed Senate seats: that's 15 percent. I see it being discussed and debated and addressed as one that deals with the rights of women, and I prefer to think of it more as the rights of Canadians. If women are not appropriately represented and part of the decision-making process, it deprives all Canadians of balanced representation.

I do, Mr. Speaker, object to the notion of legislating gender equality. I think gender legislated quotas run counter to my understanding of democracy. It is said that three of our Senate seats should be set aside to guarantee women an equal voice in the upper Chamber. I'm not sure how one would propose to do that. If you had 20 candidates and you said, "Well, the first three men and the first women," I'm not sure how fair that would be. Of course, you could say that you only vote for women or for men in separate votes. I don't think that would be fair either. I would certainly not feel comfortable running and competing only with women, and I don't think that's an appropriate methodology. So I haven't heard how it is intended that one would provide for an electoral method that would be fair and understandable.

It's said that the historic distribution of power and money has raised too many barriers to expect women to achieve proportional equality without quotas, but I think that's a worn-out argument. It may have been applicable 20 years ago, but I don't believe it is anymore. I think we've made some gains politically. I've managed for 18 years, Mr. Speaker, to hold my own in the so-called political man's world and get elected every time. [interjection] No, I don't believe that anybody can, but I believe that people with merit who persevere and who have support from others, both men and women, can in fact be elected. My own party, the Liberal Party, goes to great lengths to attract and nominate women candidates. Our membership raises money and campaigns continuously for all our candidates, not just men, but that's our party. Perhaps things aren't the same in every party, and I don't expect that they are.

Mr. Speaker, I think a legislated quota would ignore many women who have already been elected to political office who've managed to work with the system and have convinced voters that they were the best person for the job. It would ignore them, and I frankly don't feel comfortable with that. I believe that when political parties give women the same chances and opportunities as male candidates, equality can be achieved.

Mr. Speaker, I've said that the Charter of Rights and Freedoms clearly states and protects the notion of gender equality. We have

the right of court action if equality rights are ever called into question. The goals of gender equality in the Senate I think are laudable, but they can also be achieved without legislation. I believe, too, that quotas have a very limiting effect that would have the effect of reversing the objective that we strive for of good representation of women.

Mr. Speaker, a sunset clause has been suggested to me. I don't perceive that as being a workable technique to put into legislation, to put into a constitutional agreement at this point in time. An alternative is perhaps proportional representation where we can ensure all visible minorities are represented, each party charged with the responsibility of presenting a slate of candidates that represents minorities, and the voter would then rank their choices on the ballot. Women and other groups fare far better using that kind of a system without having to stack it.

Mr. Speaker, I don't want to see this accord defeated or threatened or jeopardized by this action. I think that there are many other means to right the imbalance of men and women in our Legislatures and in government. To be sure, Alberta has a rich heritage of courageous women, but I do not believe that the Nellie McClungs and the Emily Murphys would have agreed with this either.

**10:40**

Mr. Speaker, I think now is the time to provide the yes vote. I think now is the time to make the change. I think we have seen a kind of miracle of collaboration here among very disparate groups with different ideas. I happen to believe that a nation is a growing and living and breathing organism, and I don't think you can say no to this country at this point in time. I don't think you stand still; you can't stand still. Either you're moving ahead or you must be slipping back, and we can't take that chance. I submit that it's time to put an end to the constitutional angst that we've been experiencing, to vote yes for this accord, to get on with it, and to commit ourselves, each one of us, to making it work.

MS BETKOWSKI: Mr. Speaker, I beg leave to adjourn debate.

MR. SPEAKER: Having heard the motion, those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. The motion carries.

[At 10:42 p.m. the Assembly adjourned to Tuesday at 2:30 p.m.]