

1:04 p.m.

Saturday, May 25, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Ladies and gentlemen, if we could get under way again we'll be proceeding through a fairly lengthy list of presenters this afternoon. Each presenter has been allocated 15 minutes. We have a timer which will give you an indication at the end of 10 minutes, and then we're going to really have to conclude quickly. If you presented a written brief in advance, we have had the opportunity of reviewing those. It's not necessary to read them. It's better if you touch on the highlights rather than just a simple recitation, because that would eat into your time to engage in some dialogue with the committee members. But the 15 minutes is yours.

Richard McGuire is the next presenter.

MR. MCGUIRE: I'd like to thank you for providing Albertans with the opportunity to present views on the Constitution. Some of the things I plan to say might not please the government members of this committee, so before I make myself too unpopular, I'd like to acknowledge the initiatives the government has taken toward a triple E Senate and also the Liberal opposition's support for the concept. Senate reform is not a panacea, but I see it as one of the most important measures Canada can take to address regional power imbalances in this country. The disastrous Mulroney government has underlined how desperately Canadians also need a system of checks and balances to curb the dictatorial tendencies of majority federal governments.

There is another reason for Senate reform, and it's here that I risk upsetting the government members. I believe the single greatest threat to Canada today is unchecked growth of provincial power due to the leadership vacuum in Ottawa and the power-grabbing tendencies of certain provincial politicians who put parochialism ahead of the interests of the Canadian nation as a whole. To quote briefly from Don Braid and Sydney Sharpe's excellent book *Breakup: Why the West Feels Left Out of Canada*,

The best way to spike the regional power of the premiers is to divert a large part of it into a Triple E Senate . . . Few people seem to realize that the West's Triple E crusaders are actually offering a great boost to the democratic authority of central government. But that authority would at last reflect the wishes of the whole country, not just of the two big provinces.

There is right now, as we talk about the Constitution, a war shaping up between those who want to break Canada into a string of little provincial fiefdoms loosely held together by an impotent and castrated federal government and those, like myself, who believe in a strong Canadian nation which is greater than the sum of its parts. A balkanized Canada would suit perfectly the needs of big business. They could play off province against province as each bids to attract industry by providing the poorest working conditions and the lowest environmental standards. Devolution is also promoted by those prepared to go to any length to keep Quebec in Confederation even if the fabric of Canada is destroyed in the process.

But the majority of Canadians do not want balkanization. The fact is that since the Second World War provincial governments have been growing and growing at the expense of the national government. At the end of the war nearly three-quarters of government spending was at the federal level and just over a quarter at the provincial and municipal. The balance has now tipped almost as far in the other direction, toward provincial power. A recent TROC poll found that 71 percent of Anglophone Canadians oppose decentralization and 60 percent favour

greater centralization. A *Toronto Star* poll four years earlier arrived at very similar results, with 67 percent of Anglophone Canadians favouring a strong national government over strong provincial governments. By the way, the result in the prairies, at 64 percent, was only three points below the national average. The idea that Albertans want a stronger provincial government is a self-serving myth promoted by this government. As we move into a world of free trade and global economy, the need for a strong federal government becomes even greater. We must be united to bargain effectively with the multinationals. But with devolution our most talented people would gravitate to provincial capitals, and this would strengthen Canadians' identification with the provinces at the expense of the nation.

Much of the opposition to Meech Lake was a result of this decentralized vision, and I am warning you that if you try to impose a decentralized framework on Canada in Meech Lake 2, you'll be setting in motion a chain of events that neither you nor I wish for Canada. I'm only one Canadian, but I'm not alone. If Canadians decide on a new Constitution through a truly democratic process, I will accept it even if it goes against my ideals. But if a new, balkanized structure is imposed on Canadians without a democratic process or through manipulation, I'm prepared to fight in the streets for Canada.

Just what kind of democratic process Canadians will accept is, of course, the heart of the issue. Normally, we accept the right of our elected officials to make decisions for us. There are, however, two reasons why that isn't good enough with the Constitution. Firstly, we have a federal government which has lost credibility with most Canadians. I think I speak for a majority of Canadians when I say it is the government we no longer trust to negotiate on our behalf. Secondly, a Constitution binds future governments long after the mandates of today's federal and provincial governments expire. I think Canadians increasingly are demanding that this type of major decision, which is binding on future governments, be decided by referendum and not by government alone. Canadians are fed up with elitism which suggests we don't have the knowledge or intelligence to decide things such as the Constitution. Australians have been amending their constitution by referendum for almost a century. Chile, under Augusto Pinochet, one of the most ruthless dictators in the world, put its constitution to a national plebiscite in 1980. I'm not suggesting we adopt the Chilean style of constitutional reform, but I am questioning why Canadian elites should have more to fear from the Canadian people.

So far I've managed to avoid discussing Quebec. The crux of our current impasse with Quebec is that Quebec sees itself as a nation within a Canadian economic union. Canadians outside Quebec see themselves as a nation from sea to sea. These two visions are incompatible, and any attempt by one to impose its vision on the other puts us on a collision course. I would prefer a Canada in which all provinces are equal, but if this means another 30 years of constitutional bickering or an angry, independent foreign country in our midst, maybe we need to be flexible instead. If Quebec insists on seeing Canada as a common market rather than a nation, then perhaps the nation should consist only of Canada outside Quebec and our ties with Quebec should be purely economic. Canadians outside Quebec share a strong sense of nationhood, and perhaps it is that strength we should be building on instead of forever being distracted by Quebec. Quebec is different, and maybe we need to consider a form of Quebec autonomy within Canada. But break up Canada by giving the same autonomy to other provinces over my dead body.

Having probably upset a few of you with my earlier remarks, I'd like to now offer peace and suggest a way we can work together as Canadians to find an acceptable compromise. We have several priorities. We need to find a way to extend the constitutional process beyond the duration of the Mulroney government's term in office so a new government with the confidence of Canadians can play a key role. The process must provide for the input of Canadians, and the result must be approved by Canadians. We need a cooling-off period and a healing process before we can debate the contentious issue of division of powers. As my earlier remarks suggested, we are sharply divided on this question. Any attempt to rush that issue in today's climate will spell disaster. These first priorities suggest we need to buy time, we need to find a way around Quebec's 18-month deadline, which brings me to the third priority.

We must make a gesture of goodwill toward Quebec without giving away the country. This gesture must encourage Quebec to give Canada the time and goodwill we need to arrive at a democratic solution, and Quebec must be brought back into the process. Any attempt to ram through a comprehensive new Constitution in less than a year and a half will be extremely divisive, and Canadians will not tolerate it. The kind of Constitution Canadians would want would be very different depending on whether Quebec is inside or outside Canada, but anyone who underestimates the mood of Quebec, the impatient mood, is foolish.

We are in a bind, but there is a way we can get out of it. I propose two national referendums. One, this fall, would ask Canadians to affirm that they really do want to work together to keep this country united, and it would propose a process. The second referendum would allow Canadians to approve the completed constitutional proposal. We need to determine now whether there is a will to stay together as a country. The first referendum should ask Canadians for a process of up to five years in which to negotiate all major constitutional issues concerning Canadians, including the relationship between Quebec and the rest of Canada. It should stipulate that Canadians should be involved in the process and have a final say on the outcome in a vote requiring approval in all regions. You'll notice I did not use the words "constituent assembly."

Now I'd like to make a crazy suggestion, but there's method in my madness. Like the majority of Canadians, I opposed Meech Lake and still do, but I suggest that the provisions of Meech Lake which apply directly to Quebec be enforced on a temporary basis during the negotiation period. They would expire when a more comprehensive agreement is reached or after five years if no agreement is reached. This sounds crazy, and it may appear at first glance to be reopening a can of worms, but I believe many Canadians like myself who opposed Meech Lake could live with it for five years if we believed the concerns of other regions and interests would be dealt with before anything is carved permanently in stone. Most of all, it would be a small gesture of goodwill towards Quebec, and at this time we should not underestimate the value of gestures. You'll note that this proposal gets around the most offensive parts of Meech Lake. There would be no provincial unanimity requirement since the Constitution would be amended by regional referendums. There would be public involvement. There would be certainty that other concerns would be met before Meech Lake could be carved in stone, and because only those provisions applying directly to Quebec would be in force, other provinces would not be able to opt out of future federally funded programs.

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There's a huge risk in putting this process to Canadians in a referendum this fall, but I believe the risk to unity is greater if we're browbeaten by Quebec's 18-month ultimatum and another round of Mulroney manipulation and deadlines. We need time to achieve a lasting solution, to re-establish good will, to heal the wounds before we start again, and to replace Canada's leadership with one Canadians can trust. I believe a fall referendum dealing only with our willingness to negotiate, as I have described, and not with the controversial constitutional substance would be successful even in Quebec. It would send a signal across Canada that Canadians do want a solution, and it would allow us to reaffirm our faith in this country. It would send a signal around the world that Canada is not about to break up and we are committed to solving our problems. Most importantly, it would buy us time.

MR. CHAIRMAN: Thank you very much. Questions?
Fred.

MR. BRADLEY: I have a question with regards to your position relating to centralization of responsibilities. Would you be prepared to transfer some of the current powers which provinces have in health, education, and environment if that meant we would have a lower quality of services in these areas? There are a number of areas in which Alberta has set some very high standards. Albertans expect very high quality of services, and I don't believe the federal government has the fiscal capacity to maintain the high level of services or standards Alberta currently has. So would you accept a lower quality in terms of those areas than we currently have if we were to transfer these powers to the federal government?

MR. McGUIRE: Well, you're assuming we would have a lower quality, and that's not one I necessarily accept. I think education is one of the few things - I strongly agree with the present federal government that we need national standards and a greater national role. Our education system is too fragmented. Canadians these days move from province to province, and the standards are incompatible. Environment: I think provincial governments tend to be too close to the business interests that propose environmentally damaging projects, and a federal government is more distant from them and more able to take an objective look. Health: we've seen some of the provinces wanting to put in user fees, and we're one of the few provinces that still has health premiums, and I think some of these things could be better handled at a national level.

Those are probably the three main areas I would see moving to the national level. Essentially, I would keep most of the powers as they are, except to the extent Quebec may require a certain degree of autonomy the other provinces don't have.

MR. BRADLEY: Well, I can give you some examples where currently the federal government does have sole jurisdiction, areas of perhaps education and health as it relates to our aboriginal peoples, and in terms of environmental standards in the national parks. In Banff townsites they did not meet what would have been Alberta requirements in terms of sewage treatment and other issues. The Indian reserves: did you think that the federal government having sole jurisdiction for the health and education of our native citizens has been successful and that those standards equal the levels of health and education other Albertans receive which are under the provincial area of responsibility?

MR. McGUIRE: Well, I'm not going to defend the federal government's handling of the Indian reserves. I think there are drastic changes needed in that area.

MR. CHAIRMAN: Pam Barrett, and then Jack Ady. We must move on.

MS BARRETT: Yup, really quick. You said you thought the provisions of Meech should apply to Quebec for the five-year period during which negotiations would be conducted. Would you ask that that be part of the referendum that went out this fall if the latter were to occur?

MR. McGUIRE: Yes, I would. That might be a contentious point in English Canada, but I think we have to make a major gesture to Quebec to get them back into negotiations. I don't think most of Meech Lake is too offensive. The things that were offensive, as I said, such as the unanimity requirement, the behind closed doors, are left out of what would go in place.

MS BARRETT: This is a tempting long conversation. I'll avoid the temptation. Thank you, Mr. Chairman.

MR. ADY: My question has to do with aboriginal self-government. I notice in your brief you indicate that you would put some restrictions on what you would allow to take place on an Indian reserve, yet you don't really define aboriginal self-government. Some of our other presenters put forth a scenario where the aboriginal nations would be allowed to develop whatever form of government it might be, whether it even be sovereign, totally separated from the rest of Canada, in which case we would have no control over what they did on the reserve. Whether it be environmental, armed forces, the rest of Canada would be at arm's length with no control. What do you really advocate for Indian self-government, native self-government?

MR. McGUIRE: I wouldn't go as far as you're suggesting, as far as some of those presenters have gone. I think I indicated in my brief that Indian self-government is not an issue I know a tremendous amount about, so I expressed more of a general wish that they would have a greater role in governing themselves. But I can't claim to be an expert on the details in that area.

MR. CHAIRMAN: Thank you very much, Mr. McGuire. Well, you made your point very clearly. You would like to have a strong central government with more responsibilities as long as it's not the present government in office.

MR. POCOCK: Mr. Chairman, members of the committee, the second presenter this afternoon is Christine Bremner.

MRS. BREMNER: Good afternoon, Mr. Chairman, ladies and gentlemen. I am sorry I didn't make a copy of my brief available in advance, but I have an extra copy here if you'd like it later.

MR. CHAIRMAN: Thank you. I should mention to those of you who didn't hear before that if you have an extra copy, please leave it with us. We will have it circulated not just to the members of this panel but to the other half of the panel who are now meeting in Calgary as well.

MRS. BREMNER: I'd like to talk today on multiculturalism as it affects national unity. I'd like to read my brief. It'll take about eight minutes, so I hope that's acceptable.

MR. CHAIRMAN: Surely.

MRS. BREMNER: "All human beings are born free and equal in dignity and rights," states article 1 of the Universal Declaration of Human Rights passed in 1948. In 1960 Royal Assent was given to an Act of Parliament that guaranteed rights and freedoms, life, liberty, security of person, enjoyment of property, equality before and protection of the law, freedom of religion, of speech and assembly, and of the press without discrimination by reason of race, national origin, colour, religion, or sex. A glaring exclusion in the last phrase is the omission of a reference to a mother tongue, and that was remedied in 1969 with the passing of the Official Languages Act.

With the granting of equal standing for French and English, officially speaking at least, the Canadian government began the evolution of a program of multiculturalism. Government policy at the federal and provincial levels began to encourage the formation of groups along ethnic and linguistic lines. Since religion is often indivisible from nationality, faith also played a prominent part in the formation of some cultural groups. The ostensible purpose of multiculturalism was to keep alive the traditions and languages of the countries left behind. In part multiculturalism also seemed to offset the rights granted to Quebec, rights that enabled the province to wield a power out of all proportion to its population. It was hoped that cultural groups would ease the passage of newcomers into Canadian society and promote tolerance and understanding. It was, most agreed, a good thing, and thousands of groups were formed and received government encouragement and funding. A federal ministry was created for that very purpose, and most of the provinces followed suit. Dozens of folk arts festivals were established, and in the heady days of the early '70s, multiculturalism seemed to fulfill many of its original hopes and dreams.

Now, two decades later, I contend that the policy of multiculturalism has helped to divide this country instead of reuniting it. Far from promoting equality and tolerance, it has divided Canadians along ethnic lines by placing emphasis on cultural traditions that may not be common to the majority of Canadians whatever their background. Multiculturalism emphasizes our differences, not the factors we have in common, and by institutionalizing these differences we are promoting divisions in our society that drive us further apart. We've created a generation of hyphenated Canadians. We have become English-speaking Canadians, French-speaking Canadians, Ukrainian-Canadians, Chinese-Canadians, whatever. We have institutionalized multiculturalism to such an extent that on the last sentence of this questionnaire, which asked for ethnic background, there was no block to check for Canadian. We've created two classes of citizens, those who regard themselves as ethnic Canadians and those who regard themselves simply as Canadians.

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Many of these cultural groups have become political lobby groups, and they agitate for special recognition, special funding, special rights. Far from ending discrimination, government response encourages the concept of special status. Consultation of special interest groups has become a growth industry, and that is discrimination. Several groups of ethnic origin have taken it upon themselves to lobby the government for changes in foreign policy, and I think it could be argued that they are acting as

expatriate citizens of the countries they left behind and putting the interests of Canada in a secondary role. While it's difficult indeed to totally separate oneself from a mother country – and as an immigrant I'm aware of that – Canadian citizenship demands that one place Canada ahead of any other political loyalty. Far from encouraging tolerance, multiculturalism, by dividing our society into groups based on the very things we have tried to legislate against – race, colour, national origin, or religion – is confirming our support for these very distinctions.

Think about it. A day seldom goes by without media mention of the race or ethnic background of a person involved in news stories. Why is this so? Is a person's ethnic background or religion germane to a news item concerning economics, politics, occupations, or charities? The answer is no, or it should be no. Often background is mentioned because we have established these lobby groups within our society and sanctioned them with influence and status. Proponents of multiculturalism argue that it is important to keep traditions alive and it is the duty of the government to support them. I would argue that if tradition and language are important to a group, they will keep them alive themselves. Many governments around the world have tried to repress a language and failed, and governments who have tried to impose a culture have met with equally dismal results.

Before the official policy of multiculturalism there were cultural service groups, self-founded and self-funding. Somehow they found the money to establish language schools, dance groups, newsletters, and social clubs. All were based on the support of the participants. These groups kept alive their traditions and languages out of a sense of history. They passed on to their children that which they sought to preserve while impressing upon those children, the children of my generation, the importance of becoming a part of their new society. These groups amalgamated into Canadian society while maintaining their heritage.

Thirty years ago Canadian school children learned Canadian history and geography. They learned Canadian values. Now, I grant you that those were largely of the Commonwealth, but they left school with a sense of what it meant to be a Canadian. When I attended public school, my friends came from various backgrounds. When I went to choir practice, one of my friends went to Hebrew school. When I went to the Saturday morning movie matinee, some of my friends went to Ukrainian school, and we all went to Brownies, Girl Guides, Cubs, and Scouts. But neither they nor their parents expected the public schools to provide these opportunities. They were important enough to them to provide them for themselves.

It should not be incumbent upon the Canadian taxpayer to fund cultural groups and educational programs at the expense of those programs that provide Canadian content. Yes, we are largely a nation of immigrants, but in 300 years we have created a country which is unique and envied by many other countries in the world. But if you ask a Canadian to define what being a Canadian means, while some will mention peace, order, and good government, the principles behind the BNA Act, many Canadians will define Canada in terms of what it is not – it is not the United States – or they will define Canada in terms of our social programs. We no longer have that sense of nationhood, of national objectives, of national success, obviously not national unity. We have concentrated on our factions: French against English, natives against white, regions against regions, and culture against culture. We have concentrated on what drives us apart and not what binds us together, and multiculturalism has played a significant role in this factionalization.

When I was looking at some reference books in putting this piece together, I came across a rather interesting quote, and I'd like to use it to sum up this statement:

No policy can be regarded as wise which divides the people whose efforts and resources must put it into effect. This consideration applies not only to the two main cultural groups in our country. It applies equally to sectionalism of any kind. We dare not fashion a policy which is based on the particular interests of any economic group, of any class or of any section in this country. Our history has shown this to be a consideration in our external policy of which we, more even than others, must be perpetually conscious. The role of this country in world affairs will prosper only as we maintain this principle, for a disunited Canada will be a powerless one.

These words were spoken in 1947 by Louis St. Laurent at the Gray Lecture at the University of Toronto. I think we'd do well to remember them.

MR. CHAIRMAN: Thank you very much. Questions? Comments?

Jack.

MR. ADY: Yes. I don't mean to take issue with what you said because I don't take issue with it, except a question: in the process of dismantling the structure presently in place to support multicultural groups, would you include the aboriginal people in that vacuum?

MRS. BREMNER: If you don't mind, that's a subject I'd rather not touch on, because I don't . . . Yes, it's multiculturalism, but these are – what shall we say? – aboriginal people and not immigrants. I was concentrating, rather, on the . . . I sound like I'm weaseling, but I was concentrating largely on immigrants to Canada and multicultural funding in that respect.

MR. ADY: Thank you.

MR. CHAIRMAN: John.

MR. McINNIS: Yes, Mrs. Bremner, the suggestion was that funding for ethnocultural groups and ethnocultural programs is done at the expense of Canadian content. Did I understand you correctly?

MRS. BREMNER: Yes, it is.

MR. McINNIS: To me that suggests there's a trade-off in terms of government finances. What I'd like you to expand on is whether you think it's the job of the government to promote Canadian culture, and if so, what kinds of things should governments be doing to promote Canadian content?

MRS. BREMNER: Yes, Mr. McInnis, there is only one pie, and that's the pocket of the Canadian taxpayer. It doesn't matter what level of government we're talking about; we're the ones that fund it. And yes, if you put more money into one sector, you're obviously taking it away from another sector unless you increase taxes again. Yes, I do believe it is the duty of the government to promote Canadian culture as such, whatever it may be. And culture, of course, is organic. It comes from the people. As I said, governments cannot impose a culture; they can encourage it. They can attempt to repress it. I think some of the funding that goes into multicultural programs should be concentrated in educational areas. I think it should also be concentrated in, perhaps, cultural areas as such, because we tend

to forget that when we talk about Canadian culture and mention things like symphonies and operas, all or most of that is imported too.

MR. McINNIS: So what you're thinking of is, in fact, subsidies for art, music, literature, these things we call culture? Is that what you're thinking of?

MRS. BREMNER: We do that now, yes.

MR. McINNIS: And you'd like to see more of that done.

MRS. BREMNER: Yes, I think I would like to see more.

MR. McINNIS: Thank you.

MRS. GAGNON: If I might just quickly . . .

MR. CHAIRMAN: Yes. Yolande Gagnon.

MRS. GAGNON: Thank you. Could you define for me what you think is Canadian culture?

MRS. BREMNER: I'm sorry, Madame Gagnon, I only have five minutes.

MRS. GAGNON: Well, just quickly, if you could try a little synopsis.

MRS. BREMNER: What a good question. I suppose when I'm talking about Canadian culture I'm talking about Canadian art, Canadian literature, Canadian music. But I would like to see an emphasis in the schools on Canadian history, on Canadian geography and sociology rather than concentrating on putting in, for example, one . . . I don't want to single out any particular ethnic group, but apparently in the city of Calgary there is a sufficient number of Central American and South American immigrants now that they are agitating for the establishment of a bilingual school in English and Spanish, for example. I don't think that is the responsibility of the Canadian government at any level.

MR. CHAIRMAN: Well, thank you very much for your comments, and if you leave a copy of that with us, we will make sure it is circulated.

MRS. BREMNER: Thank you very much, Mr. Chairman.

MR. CHAIRMAN: We appreciate you coming in right on time.

MR. POCOCK: I would like to invite Michael Asch to make his presentation.

1:34

DR. ASCH: Thank you for the invitation. I won't spend a lot of time reading this brief, as I submitted it before. I did make one change, so I will leave you the final version of it. I will read that change, and I will discuss a little bit, but specifically on the aboriginal issue, although there are some matters regarding the way that I would see Canada as organized that may be of interest as well at some point.

In my document I end up, as you know, with certain specific recommendations. What I added was that I wish to make it clear that the point of view and recommendations discussed here

are not intended to represent an aboriginal point of view; I make that really clear. Rather, it derives from my belief as a nonaboriginal Canadian that Canada must come forward with a constitutional proposal that accepts the fundamental truth of the inherent status of aboriginal peoples. We can then deal with where we might go from there, but I do think that's a position that we need to take.

My specific recommendations, which come at the end beginning on page 8, are, first of all, for a preamble to the Constitution. Let me just pause for a minute. I really don't think that we as Canadians have spent enough time thinking about some kind of a statement that we might make as Canadians about ourselves as part of the constitutional document. The 1867 Constitution is really devoid of any statement about who we are, and the 1982 Constitution is very, very limited about a statement as to who we are. What I've heard from presentations is that people would like to make a statement about who we are, and I think a preamble to the Constitution is the place to put it. While technical experts can deal with division of powers and how we should organize the state in an institutional way, I think if we could open up discussion as to a preamble, we might get more participation from Canadians in general about what we think of ourselves and how we think of ourselves.

So I would like, as part of this preamble, something that clearly expresses the role of aboriginal nations in the formation and continuation of Canada. At present Canada's constitutional ideology is based on an assumption that aboriginal nations are inferior, and I'm not just saying that out of whole cloth. We did have the recent Gitksan case, which was not a rogue decision. It was, in fact, a decision that in my view follows the ideology that now exists in law in Canada regarding aboriginal nations. I remind you that the Supreme Court in *R. v. Sparrow* said:

It is worth recalling that while British policy toward the native population was based on their right to occupy their traditional lands, a proposition to which the Royal Proclamation of 1763 bears witness, there was from the outset never any doubt that sovereignty and legislative power, and indeed the underlying title, to such lands vested in the Crown.

That is our constitutional ideology as far as I can see with regard to that, and I would like to see a preamble that would instruct the Supreme Court that it could not conceptualize Canada that way. You would have to conceptualize Canada as a coming together of peoples and not on the basis of a mere assertion of sovereignty by Great Britain. So I suggest here, based on a partnership between the descendants of the colonists and the descendants of the aboriginal nations, that a primary objective of Canada is to bring peoples together.

Second, a clause in the Constitution that recognizes inherent aboriginal sovereignty and self-government. At present Canada assumes that sovereignty was automatically acquired by Great Britain through settlement. As a result, Canada assumes that aboriginal self-government can only come into existence based on an amendment to the present Constitution. The thesis of settlement must be replaced by one in which Canada is seen constitutionally to be the result of the voluntary association of First Nations, which includes Metis, and Canada. A consequence is that inherent sovereignty and the right to self-government exist until a treaty of mutual partnership has been made.

Three, a clause in the Constitution that recognizes the general frame of the consociational relationship. By that, for those of you who have done any political science, I'm not using it in the sense that Lijphart uses the word consociation; I'm using it in the sense of partnership between different cultural communities, aboriginal and nonaboriginal communities. The alternative I would propose is one in which general areas of jurisdiction are

negotiated now and placed into a constitutional framework, and this framework needs to include at minimum a system to resolve potential disputes between governments. What I mean by that is not a hierarchical arrangement in which a senior level of government can automatically disallow legislation of an aboriginal government.

I won't take any more time on that. As I said, I think you've had a chance to look at it. If you have any questions, I'll try to stay on the money.

MR. CHAIRMAN: Thank you very much. Well, I'm sure there will be some questions.

John McInnis.

MR. McINNIS: Dr. Asch, the question I have is not so much about how self-government and native institutions work in native Indian communities but within urban communities, because it seems to me that we have a growing problem with aboriginal people. Where I live in west Edmonton there are a lot of them who in many ways seem to me to be worse off than some of the people who are on Indian lands. Have you given much thought to how these concepts of native justice and self-government could apply in an urban setting?

DR. ASCH: Well, actually, I have given some thought to it. Let me preface this by saying that the work that I do in general, as you may know from this document, is in the Northwest Territories. In the Northwest Territories we have a much more even distribution of population and in some areas people living side by side. There are only two reserves, and they play a very minor role. So in terms of trying to resolve this issue, the Northwest Territories has been spending a lot of time trying to figure out what to do. Because it's a new area where people are really thinking through the problems, I certainly don't want to get ahead of the process, but I think what's happening there is instructive, and I think we should keep our eyes on it.

In terms of what we do know, when we take a look at the way in which the Supreme Court has dealt with the question of the "where numbers warrant" clause of minority language education rights, I think we begin to find a formula of the kind of relationship that might work with regard to aboriginal people living off reserves: negotiated arrangements – seats on school boards, for example, with regard to classes, education rights. I would really like to see the day – and I'll be idealistic here, because I only have my 10 minutes. I'd like to see the day when we have a system in place where I would feel comfortable sending my child to a school in which he or she would learn Cree and learn something of that language at the same time that the people who were having those special programs in an urban environment would feel very comfortable with the idea of having sharing in both directions. That's the kind of situation that I'm looking for, not to ghettoization but to the security that will lead people to want to explore the other.

MR. CHAIRMAN: You mentioned your work in the Northwest Territories. I'm sure you will agree that the situation with regard to aboriginal peoples across Canada varies dramatically from province to province and in Yukon and the Northwest Territories. From an Alberta perspective we've gone through a period now where we've been dealing with Metis peoples and providing a specific land base, 1.2 million acres, on the Metis settlements and a form of self-government which they themselves have devised. When we tried to get that constitutionalized by

having an amendment to the Alberta Act, the federal government balked at that. Were you aware of that?

DR. ASCH: No, I wasn't.

MR. CHAIRMAN: They didn't want to do it for Alberta because of the implications that it might have in other provinces. We found that very frustrating because we thought we'd really reached a milestone in the development of a new form of aboriginal self-government. Alberta, with respect to Indians, is covered by treaties by and large, and there are some land claim settlements which certainly remain to be concluded, but that is not the case in British Columbia.

DR. ASCH: That's right.

MR. CHAIRMAN: So my view has always been that it's going to be extremely difficult to have a sort of pan-Canadian solution to the problem. Would you agree?

DR. ASCH: I believe it'll be hard to have a pan-Canadian solution to the problem. Okay? But what I'm advocating here is that all of the 11 governments plus the two governments of the territories agree as an undertaking with regard to where you start that you accept some of the propositions that I've put forward here. I think that would provide a basis whereby the different arrangements that might happen in different places could be more easily resolved.

1:44

MR. CHAIRMAN: Well, you know the Metis people of Alberta were included in 1982 as a defined aboriginal people: Indians, Inuit, and Metis. The federal government has not accepted that that requires them under section 91 of the Constitution to accept the same responsibility for Metis people that they accept for . . .

DR. ASCH: I'm aware of that, yes.

MR. CHAIRMAN: That is a very real dilemma for the provinces. Some provinces are saying, "Oh, yes; it is the federal government's responsibility." On the other hand, Alberta said, "Listen; we'll do it," and we have, and I think we've made some good progress there. So it's a very complex issue.

DR. ASCH: Well, I agree with the complexity. What I'm calling for is that regardless of who in the end takes jurisdiction, and I think that will be an issue with regard to the present arrangements that exist, if we start off with the proposition that we have to develop a partnership relationship with aboriginal nations – and I think with good faith we can get the 11 governments to agree on that – I think it will be easier to work through the differences. I think it's because of the way the jurisdictions are messed up now that would create the problem.

MR. CHAIRMAN: Right.
Pam Barrett.

MS BARRETT: Thanks. One simple question. My suspicion is that if you'd walked forward 20 years ago to propose this, you'd have been considered somebody who walked off another planet. I happened to notice that you are an anthropology prof. Do you happen to know what level of support these types of recommendations might enjoy, as a result of studies that you've seen or polls or anything?

DR. ASCH: Well, the polls that I've seen are encouraging in one respect: that there is a lot of support for the aboriginal issues. On the other hand, I think, as we've already heard today, there needs to be a lot of education with regard to the details of this issue. I think there's a tremendous goodwill out there, and if we can figure out the way to act on our side, I think we can get over the hump. I think we're pretty close to that point now.

MS BARRETT: One more question. Certainly last year, the year before the state and future of Canada's aboriginals was, I think, fairly prominent in the general Canadian mind. Do you know if that's still the case?

DR. ASCH: Yes. So far as I know, it is very much still the case.

MS BARRETT: Thank you.

MR. CHAIRMAN: It's a very challenging issue for Canadians, because to some degree I think the news media try and paint the picture as if it were uniform across the country. We know that the Royal Proclamation of 1763 really impacts upon central Canada. The treaties of western Canada are quite separate. British Columbia is not covered by treaties, and obviously a tremendously dynamic and emerging process in the Northwest Territories and Yukon has given a very interesting dynamic to this whole issue. But it's not the simple sort of, well, let's do right by the aboriginal people because we've done so badly by them in the past. It's not that easy to accomplish. I appreciate your thoughts.

Thank you.

DR. ASCH: Thank you.

MR. POCOCK: I'd like to invite the next presenter, a representative of the Society for the Retired and Semi-Retired, Hazel Wilson.

MISS WILSON: I welcome this opportunity to make a presentation on behalf of a large group of older people who live in the city of Edmonton. We have submitted a brief to you which I think is very clear and concise and makes our point, but I would like to reiterate that we have spent a good deal of time studying this issue. We had a citizens' forum with the Spicer commission on February 4 and decided we needed more information and subsequently had four open meetings to discuss specific issues. At one of those Mr. Stan Schumacher, who is vice-chairman of this committee, made a presentation to us. We made use of your discussion papers on the constitutional task force and used the transcripts of the round table discussions. So it was with considerable background information and much discussion that we approached the task of putting words on paper for you.

The first thing we want to say is that we consider ourselves Canadians first of all and are proud of it. We do want a strong country. We want Quebec to remain as part of Canada. However, we do believe that there cannot be two sovereign nations in one country.

Using your task force discussion paper, I would like to reiterate some of the items. The first one was a Constitution for a new Canada. We believe that the present Constitution allows for flexibility and has served the country well; therefore, it should not be drastically changed. However, if we are to survive as a nation, we must have a strong central government. This

doesn't mean that some adjustment in powers is not desirable, but it needs to be negotiated.

Federal institutions. The House of Commons: the firm and rigid notion of party discipline which dominates the House of Commons' activities is not acceptable and really must be changed. A mechanism should be put in place where an elected Member of Parliament representing a given constituency who does not conform to the wishes of the electorate could be replaced. We believe that federal elections should be held every four years and that a national referendum on vital issues could be held at the same time. The Senate: we think it's imperative that there be Senate reform. Certainly the recent patronage appointments of additional members to the Senate in order to pass the GST legislation is offensive. The members of the Senate should be elected and not appointed, as the present practice.

The First Ministers' Conference: these should take place as required but should not be entrenched in the Constitution.

Supreme Court appointments: the Charter places limitations on the powers of the executive and legislative governments. That is one of its great strengths. For this reason alone the procedure for the appointment of Supreme Court judges should be a central factor in any constitutional change. The judges should be subjected to public scrutiny before appointments are confirmed, and they should be based on merit and should represent regions.

Division of powers: there has been a growth in both levels of governments resulting in areas of duplication. This can be eliminated without constitutional change and should be done in the interest of efficiency and effectiveness.

We, too, believe that there should be a national standard of education. We think that federal and provincial governments must come to an agreement on taxation and powers that will ensure universality of social programs. We think the time may now be right when there should be a Canadian charter of social rights. We don't want to see a revision of the Constitution that would enhance an alliance between government and corporations, because this really would be at the expense of workers, natural resources, and the environment. We support a pragmatic arrangement to reconcile symmetry and asymmetry either through an opting-out procedure or an opting-in procedure. We don't support federal funding if provinces opt out of a program.

We support the Charter of Rights. We think any constitutional change made should maintain and strengthen the Charter of Rights and Freedoms. Under it all Canadians are treated equally and justly except where historic guarantees, such as the civil law, religion, and language of Quebec, already exist. If these guarantees are not sufficient for Quebec, then Quebec should separate totally from Canada. New Canadians should be informed they are expected to participate as full members of Canadian society. Multiculturalism can add to the Canadian mosaic, but as presently emphasized by government, it is divisive.

1:54

With the demographic change occurring in Canada, it would be appropriate to recognize the International Federation on Ageing's declaration on the rights and responsibilities of older Canadians.

On bilingualism: we're not a bilingual nation, but we believe that French and English languages in Canada enrich our culture. We support the principle of education in French and English at public expense for those who want it. Where population warrants, federal institutions should provide services in both languages.

On aboriginal issues: we believe land claims should be settled with no unnecessary delay. Aboriginal people should be recognized in the Constitution as the original inhabitants of this land. A form of self-government acceptable to the aboriginal people should be negotiated, and provinces should not accept the federal government's efforts to transfer its responsibilities for Indian affairs to provincial governments.

In conclusion, we wish to state again that we do not see a need for drastic change in Canada's Constitution. We believe that a strong central government is necessary if we are to remain a nation and to be able to call ourselves Canadians and to be proud of it.

MR. CHAIRMAN: Thank you very much. I want to compliment you on the background studies that you've undertaken. I'm sure that it's been an educative process for members of your organization and that you've all been enriched by that process. I appreciate your comments today.

Yes, Yolande.

MRS. GAGNON: Thank you very much. Talking about the rights of seniors and so on, do you think that should be in the Constitution as a constitutional right?

MISS WILSON: Well, there is an international rights for seniors that's just been published, and I think maybe the time has come, because of the demographic change, that it should be looked at.

MRS. GAGNON: And as a constitutional guarantee kind of thing?

MISS WILSON: Yeah. Uh huh.

MR. McINNIS: Who's the author of that declaration that you mentioned? Is that the United Nations?

MISS WILSON: It's the International Federation on Ageing Declaration of the Rights and Responsibilities of Older Persons. I can get you a copy if you like.

MR. McINNIS: Is it a private organization?

MISS WILSON: I don't think so.

MR. CHAIRMAN: It sounds like a voluntary organization of different groups of seniors, I would expect. I'm not familiar with it, so we'd like to have a copy of that. I think that would be helpful.

MISS WILSON: All right. I'll see that you get one.

MR. CHAIRMAN: Yes. Pam Barrett, and then Fred Bradley.

MS BARRETT: Yes. I'm, first of all, very impressed with the comprehensive report. I saw it earlier when it arrived, and I thought, boy, talk about quickly down to the point. You guys know what you're doing.

I want to ask you a question, though, on one subject that I'm not sure is made as clear as most of the others, and that's under social programs. It's on page 2. At the end of that, under section (b), you say that there should be a Canadian charter of social rights. Now, can you describe how you folks talked about that? Like, were you talking about spelling out certain ceilings

or floors of programs under that section, or just general statements of entitlements?

MISS WILSON: I think right now we feel that social programs in Canada are threatened, and I think that as a rich nation we should really have some social charter of rights that protects the poor and others.

MS BARRETT: Okay. A supplementary.

MISS WILSON: Here I'm not talking just about older people. I'm talking about the . . .

MS BARRETT: Yeah. I figured that out.

Okay. Here's the problem that I see then. If you say that everybody's entitled to an education, which we do say, and you can have various districts arguing about what constitutes an education, did the society members who participated in creating this document talk about the specifics of whether you want a general statement on your social charter or whether you wanted to talk specifics in terms of expectations that Canadians could rightfully expect?

MISS WILSON: At the present time, because we feel social programs are threatened, we were talking generally, but I would suggest that we are prepared to be specific when the time comes.

MS BARRETT: Thank you.

MR. CHAIRMAN: Fred Bradley.

MR. BRADLEY: Yeah. I, too, would like to compliment you on the just excellent presentation that you put forward. A great deal of thought obviously went into it. On the question of national standards of education, you don't necessarily suggest that should be a constitutional item. Are you suggesting that what we have in a number of other areas in terms of federal/provincial relationships - I can give an example: drinking water standards is something that's come in an agreement amongst the provinces and the federal government through the Council of Ministers of the Environment. Are you suggesting that perhaps we can arrive at national standards of education through a similar process, where we would have agreement amongst the provinces and the federal government and negotiate that national standard?

MISS WILSON: Yes. I think some things have to be flexible, and this would change. As standards change and needs change, I think education will change, so I would not see it being in the Constitution. I would think it could be negotiated in agreements. But people move so much, and when the children go from one school system to another, there's no real standard in terms of where they're at when they move, and they go ahead or they go back, et cetera.

MR. BRADLEY: A second question. You mentioned in your brief the concept of universality of social programs, and Ms Barrett touched on that briefly. In terms of universality of social programs, because of the high standards and quality of programs we have in Alberta today, if that meant that on a national basis we would lower the quality of programs which Albertans had if we had this concept of universality, would you be prepared to accept that?

MISS WILSON: Well, when I talk about universality, I talk more about social programs, and I would see . . . They differ, I guess, and they differ somewhat in terms of the wealth of the provinces. But I think we should have some national standards of social programs, of universality. The society strongly supports universality of programs and thinks that if we had a progressive tax system, it should be paid for in that way, that the rich would pay in that way to make it universal.

MR. BRADLEY: Even if that meant that there may be a lower quality of delivery of those programs?

MISS WILSON: Can you give me an example of what you mean?

MR. BRADLEY: Well, I can specifically look in terms of perhaps the environmental area or, more specifically, in terms of delivery of programs in federal areas of responsibility today relating to our native citizens; for example, in health and education on Indian reserves today, where the federal government has sole jurisdiction in that area. I think some would question whether the standards which are met there in terms of delivery of those services equal the standards which are delivered to other Albertans living in the rest of the province. I guess my premise is that perhaps if we're going to have this guarantee across the country, it may in fact result, in terms of Albertans, in receiving services of a lower quality than they do today.

MISS WILSON: Do we have universal environmental programs? I think we don't, do we?

MR. BRADLEY: Well, we have set national standards in environmental programs. There are national standards which some provinces accept and others don't. In a number of areas Alberta's standards are higher than the national standards.

MR. CHAIRMAN: Well, that's something you may wish to think about. I just want to move along. I have a couple of questions, just quickly, that I want to put to you. You say that you want a strong country which would include Quebec; however, there cannot be two sovereign nations in one country. We've heard requests and indeed demands for sovereign nation status for aboriginal nations. You talked about self-government. Do I take that to mean some form of self-government which falls short of sovereignty as you understand it?

MISS WILSON: I understand that the natives are not united in this. Different people say different things, but some of the people we talked to gave the idea that reserves have something comparable to municipal standards, that they work within a standard, say, of the province they're in, that they're not separate and distinct, as I see Quebec's wanting to be, where they have nothing to do with the rest of us except trade. But I would see no reason why a reserve could not have some form of status that functions within the laws of the province.

2:04

MR. CHAIRMAN: Thank you. That's very helpful. The other point you make, and I thought it was extremely important – and you're one of the few presenters so far that has raised that – is the importance of the Supreme Court of Canada in determining the decisions because of the Charter as it impacts upon Canada's future and the necessity for a public process by which they are

adjudicated. I thought that was an extremely useful point to bring forward.

Just one quick question. You say our social programs are threatened. What do you conceive to be the threat? Is it lack of funds and ability to pay?

MISS WILSON: I don't think so. It isn't lack of funds; it's setting priorities and deciding where money will be spent.

MR. CHAIRMAN: That's what we wrestle with, believe me. It's a very big problem.

Thank you very much for an extremely well presented and mature response. Thank you very kindly.

MISS WILSON: It was a group effort I think you realize.

MR. POCOCK: I'd like to invite Jim Lavers to make his presentation to the committee.

MR. LAVERS: I have some references that I'll just ask you to keep together and look at. One is a deposition I made to the Spicer commission. It should really be on top. So there's the stuff, some of which I'm referring to.

Are we actually a little ahead of schedule, Mr. Chairman?

MR. CHAIRMAN: Yes. One of the presenters has not shown up as yet, but we'd still like you to stay within your 15 minutes.

MR. LAVERS: Okay. So basically I'm looking at 20 to 25 after to be finished.

MR. CHAIRMAN: Yes, about that. Thank you.

MR. LAVERS: I want to give you just a little personal background. I taught social studies for a number of years and have a continuing interest I think in that area. I ran the first campaign in this province where a Conservative saved his deposit. That was the day before yesterday. I've been involved with federal, provincial, and municipal politics either as a campaign manager, contributor, candidate, or whatever. So obviously I'm interested in the politics of Canada at all three levels.

My deputation is not on the specifics of constitutional development. I'm sure you're going to get lots of that. I'm more interested – and I think more fundamental to the whole matter of constitutional reform is a matter of the sociology and the social-psychological model that we pick to run our country for the next hundred or thousand years. With that in mind, some of the things I have to say right at the start are very, very general, so general that in fact I suppose if this were not a general, open type of conference I would be called to order for not really looking at the Constitution. However, let me assure you that that is why I came, why I prepared.

I'm taking two almost contradictory views. One is that we have to assume a role as we have for 50 years at least as a world leader. This is not a statement that's in here but is inherent in what I say. That world leadership, however, must be of a new order. It cannot continue to be of a colonial nature. It cannot continue to be of a warlike nature. It cannot be as a sycophant: somebody else's notion of what constitutes "a new world order." So the vector that I would take in international affairs and, therefore, in foreign policy and in domestic policy is that we must as quickly as possible set a separate path. I'm thinking, I guess, of the two advocates of that, Trudeau and Diefenbaker,

both of whom had rather poor relationships with our American counterparts, and for good reason. So that's the first general statement.

The second one that relates to that – and that's in here too – is that we have to look at the world as a very small place, truly a world order, and that the ecological base for that is declining. The thesis inherent in what I say is the presumption that the ecological basis for life on this planet is declining. I did not bring those books simply to make a speech on ecology. I don't think there's any doubt but that we have to look at the ecology first. That means that we have to play a leading part in that, not a follower part. So some of the things I say, particularly in the first two pages, deal directly with that. The models are there. They work, but they're certainly not on this continent; they're certainly not in this hemisphere. They're northern European for the most part. The kinds of things that you would be arrested for in other parts of the world, including Japan, are commonplace here in terms of the kinds of ecological disaster that we're formulating. I don't want to dwell on that, but that's part and parcel, the base of it.

The second thing – these are the two quotations that you'll find on the first page, and I've dealt with the first one – is that we have to look at what we admire, and I'm going to read this quotation so that the audience knows at least that much about it. In fact I'll read both quotations. The first quotation says:

In nature no organic substance is synthesized unless there is provision for its degradation; recycling is enforced.
Recycling is enforced.

The second one says:

The Ancient Greeks admired, in their art, what they called 'the glittering play of windswift thought' . . . Pericles admired man . . . Americans admire property.

I think, therefore, we have to look very closely at whether we admire property, whether we admire 'wo/man' and, therefore, whether we admire ideas. Then that brings us to: what ideas are we interested in?

So I start out with basically the general statements which are on the second page. I start out by talking about very general ideas, what I call sweeping generalizations, and one of the things that comes out of that, other than the ecological one, is that decisions are made parochially. There's considerable evidence that 50 people make decisions, 500 people make decisions, 5,000 people make decisions, 50,000 people make decisions, and 500,000 people make decisions. But once you get beyond that, it tends to break down, so that the ideal state is somewhere below 500,000 people. Edmonton, I think, represents that quite well. Edmonton is, I think, a truly Canadian city, and therefore represents perhaps a little bit more than even our counterparts to the south.

2:14

Decision-making by small groups of people is important, so then who is in that decision-making group, who is in that role becomes extremely significant. Now, the golden triangle has 950 out of a thousand of the people who make the decisions for Canada, in that area. That's part of our problem: the centralization of authority and decision-making. Inherent in that is the notion that a decision-making group is not necessarily the political decision-making group, which is what this meeting is all about; that a good proportion of those 950 people or the thousand are not political people. That's perfectly fine, provided there is a balance. I'm suggesting throughout the whole of this thing that that balance has been upset, that there is no balance, that we've gone from democracy to corporate-driven democracy very, very quickly. The evidence of that is in the United States.

There's nothing wrong with corporations; I'm not suggesting that at all. I'm not anti any of these things. I'm just saying that if we're talking about the Constitution, we want to be perfectly sure that all of the groups are represented.

There is a model – in fact, two models – that I've presented to you. One is the notion of leadership, and this a common model. This is a management model, incidentally. If you take a little look at it – it's under subheading 3 on basically the first page of the actual material – you'll see that our friend Harper from Manitoba is down in the left-hand corner and our friend Wilson is up in the top right-hand corner. Those two represent the poles of what our problem is in terms of leadership and management function. I'm sure Mr. Harper, because he's a people person, had a lot more trouble coming to the decisions he had than Mr. Wilson, who is a productivity person, had. For Wilson the decisions would be easy: we must do this because we're looking at productivity. I'm not suggesting we don't need productivity. I'm just saying that the nature of our productivity must be examined. In the final analysis the priorities must be the social contract, with the industrial policy subservient to that.

The second one is really an interesting little book called *The Coming Depression of 1990*, and I guess the guy must have known something. It's an MIT professor named Bahtra. He has a design there which is as old as mankind, has been known for thousands of years, which suggests that basically there are four groups of people competing for authority.

How much time have I got?

MR. CHAIRMAN: Five minutes.

MR. LAVERS: Those four groups are in a constant state of flux, but the rotation always goes in a counterclockwise direction, not necessarily countervailing but counterclockwise. I would suggest to you that we are now in a real bind between the productivity people and the people people and that we're in a real bind between the intellectuals who are bankrupt and the inquisitors who have made us bankrupt. So those are sort of the deep sociological bases.

I want to then just quote one thing that I've got in large print. The notion that time and circumstances are linear rather than cyclical is suspect in the thinking of the ordinary citizen and has been with thoughtful people in all societies. Attempts to impose a political agenda with essentially linear, irreversible, irremediable vested interest components will certainly fail, as they are failing now, for the above and other reasons.

The summary then is: the test of any organizing principle is its success in rendering specifics. If you organize a state, does it in fact serve the people? It's not in its status as an abstract reality. If we want to talk about life, liberty, and the pursuit of happiness, fine. If we want to talk about peace, order, and good government, fine. But what does peace, order, and good government mean in terms of strategies? That's the point I'm making.

We are in an enormous bind with the public which is well ahead of the bureaucrat and the politicians. Every poll shows increasing undecideds: a clear indication that the existing system is not working. The malaise with the U.S. voters is equally evident, as represented by those who are not trusted. Tinkering or buying into the religion of Ottawa is not going to work.

So much for the sweeping generalizations.

The second part, part 2, which is on page 3, is the quotation from the Greeks. One of my heroes is this man Lapham who is the editor of *Harper's Magazine*. While he seems a bit cynical and perhaps just realistic, he does present an alternate view of

what the United States is and to a certain extent what we are becoming unless we do something about it. Here's his quotation from the rich man's recession in *Harper's Magazine*, April 1991, pages 12 and 13:

The government's fiscal and monetary policies appear to work against one another, and the interests of the domestic [policy] seem almost directly opposed to the interests of the international economy.

I would suggest to you that Mr. Bush and the feds in the United States and Mr. Wilson and Mr. Mulroney in Canada, and to a limited extent Mr. Crow, are simply not able to control domestic finances because they have an international concern.

I will skip the part about economics being a pseudoscience and bankers' input into things like the OAS and the World Bank, which are common knowledge, and just close with these comments.

My recommendations here are that Canada withdraw from the OAS – we should never had got in there in the first place – and we should look very closely at what the World Bank is doing; if you read page 4 of *Maclean's* magazine, they have serious concerns too. And that Canada relegislate in its new Constitution an overriding mechanism which, one, provides for dominance of fiscal policy – no more Coyne or Crow affairs – and, therefore, provides for the reality of domestic needs. Now, that goes absolutely totally contrary to internationalism. I'm not an anti-internationalist; I'm just saying that our monetary policy continues to work against our fiscal policy, and it's the fiscal policy that applies to the people. So this is a people paper, if you like.

How much time have I got? A couple of minutes?

"We are a nation of shopkeepers," and "I judge a nation as much by its plumbing as by its paintings." Those two stuck in my throat. You might be interested in knowing that that's from Dr. Owen Anderson's thesis – he read it in French and then I read it in English – vintage 1971 or '72.

When we compare these concrete, rational, pragmatic statements by de Gaulle at the end of World War II with the kind of stuff we're hearing – they're so general they can't be pinned down – then we have to look very closely at which way we're headed. De Gaulle literally built the only republic France has had since 1815, and he built it on a stable base. I'd like to suggest to you that it's based on those two statements: "We are a nation of shopkeepers," and "I judge a nation as much by its plumbing as by its paintings."

The question being: is our public policy to be totally market driven? If not, what is our game plan? If so, what will we legislate to deregulate and what impact will that have on the economic and political shape of Canada?

One minute? Or am I all finished?

MR. CHAIRMAN: No. Just take a moment or so and perhaps give us your final conclusion.

MR. LAVERS: Okay. This paper was not prepared just to be presented here. That's obvious because there's far too much material for 15 minutes.

I'll just read you two things from Louis Riel: the lawyers, and the centralists. I just couldn't resist that. The logical, natural consequences of the imposition of a centralist view of history and economics, taxation without equitable representation has, as in Russia at the moment and in western Canada a century ago, led to a counterbalancing movement at a visceral level that cannot be denied. I don't know how far we're going to go. I

don't see Regina riots like 1932, but I think we could have all sorts of problems.

The next Constitution – this is the last page, obviously – must have input mechanisms that cannot be denied or circumvented, and I refer to the monarchy madness. We had to bring in the Queen to get the GST pushed through. I think that kind of nonsense has got to stop.

Reflect the demographics, the needs, the views of all the electorate not just special interest groups, and we're going the special interest groups way. We have to counteract that.

Third, we must ensure a review of policy stemming from the Constitution and whatever replaces Parliament; in other words, realpolitik. For example, in the whole business of gun control, gun sales domestic and foreign we're speaking with a forked tongue and it's not working.

Not be so weakened and decentralized as to allow corporate access at the expense of the ordinary citizen and market driven initiatives that take precedence so many times.

I think that's sufficient.

2:24

MR. CHAIRMAN: Thank you very much. Unfortunately, we don't have much time to ask questions. Perhaps one or two quick questions, if there are. We have your written document which we find quite fascinating.

MR. McINNIS: I have a quick question regarding your opening comments about the ecological crisis and how we may be destroying or compromising the basis for our life on the planet. Would you support the idea of making a clean environment a national purpose in our Constitution, trying to guarantee in some way clear air, pure water, and clean soils for Canadians?

MR. LAVERS: Rather than giving sort of a politicized answer to that, I think we have to deal in what I call appropriate definitions: what do we mean by "sustainability"? If we deal with that, then the answer would obviously be yes. But what do we mean by sustainability, because we're tending to bandy words about, and we don't have any adequate definitions. In fact, I don't think we know, but I think we've got some pretty good ideas. For instance, that book, the atlas of management – and that was written in 1984 – is both statistically and visually correct, as far as I know. So to answer your question the answer would be yes, but we want to determine as Canadians what we mean by sustainable.

MR. CHAIRMAN: Something everyone's struggling with, I think is fair to say. One thing that you didn't read out in your brief, which I thought was interesting – it's in your brief, but you didn't read it. You said,

The logical and natural consequence of the imposition of a centralist view of history/economics, taxation without equitable representation, has (as in Russia at this moment – and in western Canada a century ago) . . .

That was under Riel.

. . . led to a counterbalancing movement at a visceral level that cannot be denied.

Could you just explain that?

MR. LAVERS: What happens is that we begin to detect that things are not going well, I guess unconsciously or through the jungle telegraph, long before it really rises into consciousness. So what we're seeing now is the end result of probably 10 to 15 years of malaise in the body politic: that's what I'm saying. The

rise from unconsciousness to conscious behaviour where people will not vote, will not tell people what they're going to do, will not become proactive, is a serious matter, and it represents an end product rather than a beginning. To counteract that it's going to require more dynamics than I see in our present politicians, to be perfectly frank.

MR. CHAIRMAN: But you're saying that this is the consequence of the imposition of a centralist view. Is that the 10 to 15 years ago centralist point of view?

MR. LAVERS: No. It's more like 110 to 115 years.

MR. CHAIRMAN: I see.

MR. LAVERS: I think Canadians, being notoriously patient people, have simply put up with it. My view is that if you read Canadian history, and I have read Canadian history and worked and taught with it for years, you will find that the centralist view prevails. But there are other views of history, and history fails us in two ways. One, it doesn't help us much; we don't learn from history. We learn from other more rational views than somebody's view of history, but because we've had a prevailing centralist view – you know, I could give you all sorts of quotations, but one will suffice. Mackenzie King says we suffer from too much geography, but that's simply Mackenzie King's view. Because he couldn't get a seat, he had to represent Prince Albert. So he represented Prince Albert, and that was a damned nuisance for him. If you talk to people in central Canada long enough, you'll find that we're kind of a damned nuisance, and it began to show in the infamous, you know, oil policies. I don't want to get into the details of that, but basically that underlies much of what we do.

Now, we cannot use that – I want to stress this – to help re-establish a new Constitution. We simply can't use that. We've got better strategies, and I'd like to think that maybe a few of them are in this. This is, in essence, a position paper.

MR. CHAIRMAN: Thank you very much.
Fred.

MR. BRADLEY: I guess I just have a very short question, and perhaps it's along the line of your presentation. Do you view the Constitution as a rule book, or is it a document which resolves the policy issues of the country?

MR. LAVERS: If it doesn't resolve the policy issues and if it doesn't have built into it mechanisms for that, the rule book doesn't work, and that's what the problem is. The rule book simply is not working.

MR. CHAIRMAN: Well, thank you very much, Mr. Lavers. Your brief is very thought provoking and stimulating.
Thank you.

MR. POCOCK: Our next presenter is Gordon Laxer.

MR. CHAIRMAN: Welcome.

MR. LAXER: Thank you, Mr. Chairman, committee members. The question facing Canada is not only whether Quebec will separate but, I think, whether there is a long-term future for an independent Canada if Quebec does separate. I think we should not be lulled to sleep by the present softening of separatist

opinion in Quebec. If we fail in this round, I think Quebec will surely separate. Many Quebecers already feel rejected when the five very modest conditions they asked for that were incorporated into Meech Lake were rejected, and I think another round which is interpreted as rejection in Quebec will lead to Quebec's separation.

Now, I've not come here to counsel pessimism or alarm but to try and inject a sense of urgency. This crisis can lead to disaster if we fail, but I think it can lead to a better Canada if, in fact, we solve some of the main problems we've been facing. Now, this cannot be just another Quebec round; I'm very much aware of that. That was a problem with the Meech Lake accord. There are a number of other problems which we must address, such as the need for the provinces with smaller populations to have greater representation in Ottawa, for Canada's first inhabitants to have recognition of aboriginal rights and adequate resources to back that up, to make the political system much more responsive to the people. These are very important issues. I want to take my few minutes, though, to address the relationship between Quebec and the rest of Canada.

The main problem that I see is that there is a different conception. Quebecers have a different conception of the country than do people in English-speaking Canada, and if there's no resolution and accommodation of these different conceptions, I think Quebec will surely separate. The differences in conceptions of the nature of Canada are these.

Most English-speaking Canadians think of Canada as one nation of 10 equal provinces, two territories, and composed of people from many ethnic backgrounds and several racial groups. The dominant sense of how Canadians relate to the country is then as individuals who are protected by the Charter of Rights. In this view equality means "same treatment." This is an individualistic and formalistic view of "nation," and this view of "nation" is synonymous with an idea of an independent state. In that way, from that view, Quebec is not a nation and neither are the native peoples nor English-speaking Canada.

Quebeckers have a very different conception of what Canada is, and they've had it since before Confederation. For most Quebecers Canada is a union or a compact or a partnership between two peoples. Now, I think, of course, we have to broaden that. I think that the native peoples have been left out of that, that idea of two peoples, and should be in. So there are three peoples. There is a reality to the Quebec conception, which the 20-year-old policy of multiculturalism tends to hide, and the reality is this. The Francophone community was started by settlers who came to Canada before the English language became established here. Francophones have been speaking French and passing it on from one generation to the next for 20 generations. That is not true of other ethnic minorities, of whom by the third generation only 3 percent speak their ancestral language. Quebecers were given a distinct status as early as 1774, when their Civil Code, for example, was recognized.

For the past 30 years the Quebec government has been asking for one consistent thing, and this is regardless of which party was in office in Quebec: recognition of Quebec as a nation in the sociological sense of having a distinct culture, a distinct history and identity, and increased powers to back that up. This request for recognition of a nation has gone under several terms: founding people, special status, distinct society. Asymmetrical federalism is now the current vogue as a way of trying to recognize Quebec as a nation without hurting the sensibilities of English-speaking Canadians.

2:34

Quebec, though, has never gotten the main thing it has been asking for in the last 30 years. Led, ironically, by Pierre Trudeau, English-speaking Canada has done everything to deny the nationality of Quebec through such things as official bilingualism and the Charter of Rights, reducing the idea of nation to language rights. Then in terms of language rights it did not inhere in communities, or it was not on a territorial basis but was in terms of individuals living anywhere in Canada.

Multiculturalism has been a positive policy affirming the cultures of the diverse groups of people in Canada. Multiculturalism was brought in in 1971, but there is no denying that one of the purposes for bringing it in was to deny the nationality of Quebec, in saying: we don't have two cultures – three cultures with native people – but we have many cultures.

These policies, led by Trudeau and affirmed since, to deny that Quebec was a distinct national community have not worked. Many people in English-speaking Canada interpreted these changes, such as bilingualism, as an imposition by Quebec upon them and as a demonstration that Quebec had too much power. Nothing could be further from the truth in terms of Quebec having more power. Quebec governments never asked for official bilingualism in the English-speaking provinces. That was done by people who opposed Quebec nationalism as a way of trying to undercut Quebecers' sense of themselves as a sociological nation and to ensure their loyalty to Canada as individuals. These policies have not worked, and they have needlessly alienated many people in English-speaking Canada.

Meanwhile, the truth is that Quebec has lost powers over the past 25 years. It lost its de facto constitutional veto in the 1982 Constitution, which it alone of all the provinces did not endorse. Quebec's powers to legislate in the area of language within its own borders were reduced by the Charter of Rights. After all, the initiative for the 1982 constitutional changes came about because Quebec voted no to the idea of separation in the 1980 referendum, yet those constitutional changes reduced Quebec's powers to confront the assimilation pressures towards the English language within Quebec. No wonder they have felt rejected by English-speaking Canada.

Quebec will be recognized as a nation or a national community by English-speaking Canada one way or other and rather soon. If we don't give them that recognition in this round of constitutional renewal, we will be forced to grant it to them in much unhappier circumstances when they separate and become recognized by the international community as a separate country. Separation of Quebec is the point at which English-speaking Canada's definition of nation and Quebec's conception of nation in the sociological sense come together. Do we have to go through Quebec separation to grant Quebec the status they have been asking for for the last 25 years? Couldn't we grant it to them beforehand, before they separate, and say: yes, you are a nation? I am convinced that if we do that, they will not separate.

How can we reconcile Quebec's and English-speaking Canada's conceptions of the nature of the country? I think we can, but only if we in English-speaking Canada are generous enough to alter our conception of Canada and say that Quebec is not a province like the others. Yes, Quebecers can relate to the country as a national collectivity while the rest of us relate to Canada as individuals. English-speaking Canada can keep its sense of fairness as equality between provinces. We can retain the desire for national standards only if we make an exception for Quebec. Let us give Quebec recognition as a distinctive nation and more powers but resist the temptation to

dismantle English-speaking Canada on the rigid principle that if Quebec gets certain powers and collective status to promote its distinctive identity, such powers must be given to all provinces. Do not dismantle Canada to accommodate Quebec. We must move away from the formulae of the past 20 years which deny the nationality of Quebec. The only way we can retain the integrity of Canada is to let Quebec be more Quebec and let English-speaking Canada be more itself too. Let us recognize the territorial and social culture reality that is Canada.

Recommendations. I've got six, and they're very short.

One, allow Quebec to have more powers than the other provinces, but retain enough federal powers over the economy and international affairs to have a viable economy and country.

Two, reduce the power of Quebec MPs in Ottawa in proportion to the increased provincial power that Quebec gets. Quebec cannot have both more powers for itself and retain the same amount of power in Ottawa. Quebec MPs should not vote on matters that pertain only to English-speaking Canada.

Three, restrict votes of confidence so that a government that had a majority in Canada but a minority of MPs outside Quebec – such as is the case in the present situation – should not fall if measures pertaining to areas applicable only outside Quebec were defeated.

Four, retain official bilingualism at the federal level so the citizens can communicate with their common government in their own language, but allow the provinces to decide language laws – for example, in education – in their own jurisdictions. This would be a move to a more territorial view of language, and it is consistent with the idea that Quebec is a nation, not French Canadians across the country.

Five, notwithstanding the move to more provincial discretion over language policy, let us in Alberta demonstrate our generosity by extending the existing services to Alberta's Francophones.

Six, resist the temptation to demand much greater powers for the provinces outside Quebec. Most Canadians and most Albertans do not want to dismantle Canada. Canada will not continue to survive if we have 10 sovereignty associations or 10 ministates.

As long as we are generous and flexible enough to allow the competing visions of Canada to coexist with each other, we can solve our long-standing constitutional frictions and get on to deal with the other pressing economic, cultural, environmental, social justice issues. If we fail because we are too rigid in our self-conceptions, we will surely lose Quebec. Let's not kid ourselves: countries do not break up painlessly and without profound effects on both splintered parts. It will not be business as usual in Canada without Quebec. Let us seize the chance and demonstrate our generosity and flexibility. We owe it to our children.

Thank you.

MR. CHAIRMAN: Thank you very much, Mr. Laxer. I know there will be a few questions. We have a few minutes left.

John McInnis.

MR. McINNIS: Thank you. I'm intrigued by this formulation of allowing Quebec more powers than other provinces but retaining enough federal powers over the economy to maintain a viable country. It seems to me reading the Allaire and Bélanger-Campeau reports that they go a good deal further than that in those recommendations. That amounts to what to me is an independent nation with an external life-support in the form of a few services provided by the central government and perhaps at a subsidized rate. I want to know if you read those

reports the same way and if you could perhaps be a little more specific in terms of what are the bottom-line powers that we need centrally to be a viable nation or viable country?

MR. LAXER: Okay. Yes, I have the same reading. I think the Allaire report is basically sovereignty association under different terminology. When the federal government only has exclusive jurisdiction over I think it's defence, the customs, and the debt, what's the point in having a country? I haven't figured out the exact division of power. I think the federal government would have to have exclusive power over external affairs. We would have to have enough powers over the economy to be able to make policies that pertain to all of Canada. I haven't figured out all the whole, exact division. I think that should be up for negotiation. Basically, we have to be able to have one country here, but I do think Quebec can have certainly more powers over social, educational, cultural kinds of questions.

2:44

MR. McINNIS: Do you regard those reports as being a negotiating position or a kind of coherent vision on the part of Quebecois?

MR. LAXER: I think the majority of people in Quebec are looking for any excuse to stay in Canada, but when I say "any excuse," what they are asking for is recognition of themselves as a people, whatever terminology you want to use to say that. I mean, the Quebec government was willing to go for what was mainly cosmetic in the Meech Lake accord, as distinct society. It didn't have a lot of teeth in it. It was English-speaking Canada's determination to say, "Look; all provinces are the same." When Quebec asked for a veto, it didn't say that all provinces should have a veto, including Prince Edward Island with 128,000 people. Quebec said, "Because we conceive that we are one of Canada's peoples, we need a veto." That is what made the straitjacket that was Meech Lake. I think that if we get rid of that formulation and say that we will recognize Quebec as a distinct group and not everybody else has to have the same, the majority of people in Quebec will go for that, but if we maintain the idea that all provinces must be treated the same, they will leave.

MR. CHAIRMAN: You've raised some very interesting points, not the least of which are your views as to how bilingualism policies originated and why. But I daresay you would not find an understanding of your view in Alberta very widely. Would you agree with me on that?

MR. LAXER: Yes, I think that's probably true. I think people outside of Quebec saw that bilingualism was imposed upon them by people from Quebec. At least, that's a very widespread view. I think it's important that people who know about these things take a leadership position and attempt to go out there and talk to people and say: "This is really what has happened. These policies to a great extent were brought in to deny the nationality of Quebec."

MR. CHAIRMAN: I've said many times to people that no government of the province of Quebec has ever demanded bilingualism in Alberta, and people have argued with me on that point. I said: "No. It was the federal government dominated by a very large Quebec contingent that brought in that policy." That is a difficult point to get across.

MR. LAXER: Well, I think it's important that you keep saying that.

MR. CHAIRMAN: I know Mrs. Gagnon wants to ask a question. I daresay it's going to be about education, section 23 of the Charter.

MRS. GAGNON: Yes, it will. I think when we talk about bilingualism, we often confuse two pieces of legislation: one is article 23 of the Charter, which was seen as the heart and soul of the Charter, the binding kind of piece of legislation at the core of keeping Canada together, and then we also have the Official Languages Act, which talks about civil servants and that kind of thing. So when you say that this was imposed by people in Ottawa as a way of - I don't know - getting votes in Quebec or binding Canada or whatever, are you talking about the Charter and article 23 or about the Official Languages Act? They're two very distinct pieces of legislation.

MR. LAXER: Well, I think I'm talking about both of them. I understand that what my recommendations would be doing would be altering section 23 of the Charter. I think bilingualism was brought in as a policy. I'm a supporter of bilingualism. I'm not an opponent of bilingualism, but I think we should move language more to a territorial basis to reflect the reality of Canada rather than to have it as individuals.

I don't think the French language and English language are in similar positions in Canada. There is no threat to the English language in Canada. I don't think there's a threat to the English language within Quebec itself either. They've got incredible institutions, three universities, and they've got rights to receive services in the English language. The French language has faced problems of survival even in Quebec itself, and certainly the Francophone population outside of Quebec has had a much greater difficulty in continuing.

What I am saying is: I think it should be the provinces that decide on language in education, so I'm talking about section 23. I would hope they would be generous. One of the main reasons I would want to change that is so Quebec, in fact, can proclaim the primacy of the French language within Quebec itself.

MR. CHAIRMAN: Just let me jump in a bit again. There are people who also believe that the section 23 inclusion was designed, in part at least, to maintain votes in English-speaking Quebec for the party that brought it in. I'd just put that out as a thought. I'm trying to avoid being terribly partisan here, even though we all are.

MR. LAXER: There is a problem. If you move to a more territorial view of language to reflect the views of the majority in Quebec and the majority outside of Quebec, there is a problem for the language minorities within those regions. What I'm saying is that there should be more of a move to provincial control over those things. I would very much campaign for generosity in both parts of Canada towards language minorities.

MR. CHAIRMAN: Thank you very much for your presentation. It's been very thought provoking. It's now time for a coffee break, I think.

MR. KLAVER: May I ask a question to the speaker?

MR. CHAIRMAN: Why don't you have a chat with him, sir. Okay?

[The committee adjourned from 2:52 p.m. to 3:07 p.m.]

MR. CHAIRMAN: Ladies and gentlemen, if you would please reconvene. We have four more presentations to receive this afternoon and just an hour in which to do that, so we're going to have to be quite succinct in our presentations.

I'd like to point out to you two things, however. If you wish to receive copies of the transcripts of these proceedings, not just these but ones which will come along over the next week, you can do so by registering and requesting that the information be provided and at no charge to you. Secondly, because there are still in Edmonton 10 or so individuals or groups that wish to make presentations, this panel has agreed that it will reconvene in Edmonton in this room on Wednesday next week at 9 o'clock. We are adding an additional half day to the hearings in Edmonton to accommodate those people who have come forward and not yet been able to be heard, either in the formal presentations or, as we did last night, in our shorter presentations. I just wanted you to have that information.

The next presenter, Mr. Allen Ronaghan.

MR. RONAGHAN: My name is Allen Ronaghan. We pronounce the "g". I'm a historian.

We may be looking at the end of Canada as we have known it. A country that was carpentered together by men more interested in railways and real estate than they were in people appears to be coming apart. Many of us have a strong sense that something bad is about to happen. We have a Constitution, we have a means of amending it, but we also have a number of intransigent provinces which seem determined to strengthen the trend toward separation. Make no mistake about it: we have been headed for a form of separation since long before the Confederation period.

English Canada has been saying no to French Canada for a long, long time, and French Canada has come to believe that we mean it. Listen to this statement of Adam Thom's on the French Canadians:

Crowded as they are on the level banks of the St. Lawrence and other navigable rivers, they could be reached in almost all their settlements by the long 48-pounder of a gunboat, wheeling on a pivot and describing successive circles of fire and blood from one end of the seignories to the other.

The writer of these words was later appointed to the commission headed by Lord Durham. He was at Durham's side when the report was drafted. He was then appointed recorder of Rupert's Land by the Hudson's Bay Company in 1839, and his attitude toward the French language and his unwillingness to use it in court caused a crisis that brought a number of Metis, including Louis Riel Sr., into prominence. From then on French was a language used by the Council of Assiniboia. As a Canadian, I'm ashamed to have to read Thom's words into the record as important to us.

There have been other voices. Listen to Thomas D'Arcy McGee in the Confederation debates, February 9, 1865, page 137:

It will be observed Governor Gordon speaks of four counties in the north of New Brunswick which still bear a marked French character. Well, gentlemen of French origin, we propose to restore these long-lost compatriots to your protection; in the Federal Union, which will recognize equally both languages, they will naturally look to you, their petitions will come to you, and their representatives will naturally be found allied with you.

But Thomas D'Arcy McGee was not in on the final drafting of the BNA Act, and the French-speaking people of New Brunswick had to wait more than a century to see their language

recognized in their own province. As a Canadian I'm ashamed – repeat, ashamed – to have to say this.

Now listen to the first sentence in Gabrielle Roy's autobiography published in 1987. Her first line:

When did it first dawn on me that I was one of those people destined to be treated as inferiors in their own country?

Gabrielle Roy is one of the most widely read Canadian writers. Her works are known the world over. She was the first woman to be admitted to the Royal Society of Canada, and I'm ashamed to have to read her statement about herself into this record. Why did her province enact repressive legislation in the 1890s that would remove language and education rights from French-speaking Canadians in Manitoba? Because people listened to extremists; that's why. They listened to such men as D'Alton McCarthy, men who came to the province preaching a doctrine of saying no to French Canada and its language. As a graduate of the University of Manitoba, I'm ashamed of this fact. Our people have kept on listening to extremists.

The government of the province of Saskatchewan, one of the first to ratify the Meech Lake accord, I note, decided to use an option the court gave them to declare English the only language in which legislation would need to be enacted. As a graduate of the University of Saskatchewan, I'm ashamed of this fact.

For me the supreme hypocrisy was demonstrated here in Alberta when on the same day that Premier Getty put forward the motion to ratify the Meech Lake accord, the committee that was asked to investigate the Piquette affair established a policy which places French in the same category as any unofficial minority language. The Speaker of the Assembly asked him to apologize for using it. As one born in Alberta and a graduate of the University of Alberta, I'm absolutely ashamed of this fact. French is an official language of Canada, and no one should have to apologize for using it anywhere in this country. To place it on the same level as any unofficial minority language is both ridiculous and dangerous, but it seems to be Alberta government policy.

This province's educational system sends young people out onto the Canadian scene who are actually, in a very real sense, one-eyed about Canadian affairs. I remember that I grew to be a young teacher without ever being taught the facts about our country. I had to be taught some of these facts by a veteran of the First War, a French Canadian in the Peace River country who had lost a leg in action in France but whose children could not be taught French at school. What could I say to this man? I could teach his children no French; they knew more than I did. So Elzéar and his wife saw to it that they learned French at home.

We may soon be faced with another deadline in constitutional affairs. A large portion of French Canada may hold a referendum on sovereignty, possibly as soon as 1992. I have no idea what the result will be, but I do know that western Canada has been saying no to French Canada for more than a century. Time after time the message has gone to Montreal and to Quebec City and to Trois-Rivières that the west doesn't want French Canada in Confederation. What message do you think Manitoba, Saskatchewan, and Alberta have been sending by the actions I've mentioned earlier? I'm sure you can guess.

I think we're passed the point where Premiers' constitutional conferences are of any use. I think there have to be some acts of love – l-o-v-e – on the part of English Canada. Let me illustrate. Ontario has within its boundaries a very large minority of French-speaking Canadians. Ontario's Legislature should immediately declare that province officially bilingual. The NDP brought it in as part of their plan. They have not

legislated it yet. Then they should follow the administrative policies that would entail. Manitoba, Saskatchewan, and Alberta are provinces with good-sized French language minorities. It's not a theory. Bilingualism in Alberta is a fact. For Canadian purposes, it's a fact. I don't know if there's anybody here from St. Paul or Bonnyville or Falher or Girouxville or those places. If there aren't, they should be here.

MRS. GAGNON: I was born in St. Paul; I ought to tell you. Yea, St. Paul.

3:17

MR. RONAGHAN: Good.

These provinces with good-sized, French language minorities should immediately announce the end of the negative, negative, negative policies they have been following as far as the use of the French language is concerned, and then they should consult with the leaders of the French language minority to see what those people really want. The provinces of Nova Scotia and Prince Edward Island, where small Acadian minorities of long standing live, should immediately do the same with those minorities. As for B.C. and Newfoundland, they could take such steps as offering scholarships for young people to travel to Laval and Trois-Pistoles to study French. The news of these events would do much to undercut the support that separatists and sovereignists now have in Quebec province. Nineteen ninety-one could be the year that Canada was reinvented; I hope so. We are one country but we speak two languages. I didn't say that's a theory. The fact is that we speak two languages. If we are going to continue to exist as an independent country on a continent like this, we have got to do all we can to strengthen it ourselves.

Thank you.

MR. CHAIRMAN: Questions or comments?

MR. BRADLEY: If no one else is going to ask a question, I will. It seems the trend of your thought runs counter to what we've been hearing from a number of others and what the Spicer commission has also been hearing in terms of language policy and the Official Languages Act and bilingualism. I appreciate the view you're expressing, but – and I'll just express a statement rather than a question – it does seem to run counter to what we've been hearing from others.

MR. RONAGHAN: I can't help it if it runs counter. I'm talking about a fact: Alberta is for Canadian purposes bilingual. Go out to St. Paul sometime. Go up to Girouxville sometime. Go to Falher. Why can't we let these people have a school system of their own? They're going to learn English anyway. For God's sake let's be reasonable about this. We haven't been reasonable, and we're not being reasonable today. I don't care if my message runs counter to a whole bunch of other presentations. I've been following this thing since I was a young man and found out that French Canada existed. Do you know that I taught school? I was trained to teach school, and I didn't know that French Canada existed until I became a teacher and went to Falher. What could I do for those people? I couldn't do anything for them. For one thing, the school system wouldn't let me, and for another thing, their children knew more French than I did.

MR. CHAIRMAN: Pam Barrett.

MS BARRETT: Thank you. Your final message to us, which you repeated throughout your presentation and included in your abstract presented a few weeks ago, says that now is time for Canadians to act in love, act out of love for one another. Do you have any specific recommendations related to the constitutional process which, I assume, you want to result in a united Canada with Quebec as part?

MR. RONAGHAN: I specified the acts of love. Every Legislature in this country could do what needs to be done right now. We have a Constitution, and we have a means of amending it. I think it's an excellent Constitution. The only thing wrong with it is that we've got intransigent provinces, practically all of them English-speaking provinces. I'd like you people to know that the English-speaking minority in Quebec has infinitely greater powers than any French language minority in the country. I'm sorry that the signing business came to such attention, but it's just a tiny thing. I think a gentleman a few minutes ago spoke of the three great universities, English-speaking universities, that Quebec province has. Look around, will you, in western Canada for something as great as that. We've been repressing these people for a hundred and some years, and we're astonished to say that there are so few of them left. We've been following the principle of assimilation and it's not fair, and I'm ashamed to say it.

MR. CHAIRMAN: Did you support Meech Lake, Mr. Ronaghan?

MR. RONAGHAN: I sure did not. I could not possibly.

MR. CHAIRMAN: Why not?

MR. RONAGHAN: I don't believe in veto power. You cannot run an organization – I don't care if you're going to hold a picnic or you're going to have a school district – if somebody can say no. There'll be an elderly aunt who is temporarily suffering from dyspepsia who won't agree. You can't run national affairs, you can't run the UN when there's veto power.

MR. CHAIRMAN: Which veto power are you referring to?

MR. RONAGHAN: Any veto power.

MR. CHAIRMAN: Well, it's in the Constitution now.

MR. RONAGHAN: I don't approve of it.

MR. CHAIRMAN: Okay. So you're suggesting that the veto powers that are now in the Constitution, which cover a number of items, be removed?

MR. RONAGHAN: I'm not in favour of veto power, period. I don't know why they were put in there.

MR. CHAIRMAN: Okay. What formula would you suggest to us for a changing Constitution?

MR. RONAGHAN: The formula we presently have.

MR. CHAIRMAN: But the formula we presently have for a number of items contains a veto power. For example, there's a veto power on any amendments to the amending formula.

MR. RONAGHAN: I don't think they can be justified. I don't think a person can approve of a veto power. But I have to say in reservation to that that the Constitution as made was made . . .

[Mr. Ronaghan's speaking time expired]

MR. RONAGHAN: Does that mean I have to quit?

MR. CHAIRMAN: You can finish your evidence.

MR. RONAGHAN: . . . with the thought that English Canada was always going to be attempting to assimilate French Canada, and we've got to get off that particular tack. We've got to take French Canada off the defensive. Please notice that I don't use the term "Quebec." There's an entity known as French Canada, which happens to include Quebec.

MR. CHAIRMAN: Thank you very much for your strongly held views and for coming forward.

MR. POCOCK: Our next presenter is Gary Browning from the Alberta Urban Municipalities Association.

MR. BROWNING: Good afternoon, Mr. Chairman. It's nice to see you again, Mr. Deputy Premier.

MR. CHAIRMAN: Welcome.

MR. BROWNING: Mr. Chairman and members of the committee, my name is Gary Browning. I have the pleasure of being the president of the Alberta Urban Municipalities Association of Alberta, and I would like the opportunity today to address you on a particular area of concern that urban municipalities in Alberta feel quite strongly about.

May I begin by first expressing the need for your committee. No other issue facing our nation is as important as the discussions and debate surrounding the topic of our Constitution. From the Constitution flows all. It is the basis and the foundation on which the governance of our nation is established. Mr. Chairman, because of the growing sense of concern within our membership about the future of Canada and our belief that the subject of constitutional reform is one of the greatest challenges we as a nation face today, the Alberta Urban Municipalities Association wishes to submit the following for discussion by your committee.

The Constitution Act of 1867 describes only two levels of government, federal and provincial. Local government with no constitutional status of its own falls primarily under the responsibility of the provinces. This distribution of power was appropriate 125 years ago when Canada's population, particularly in the west, was predominantly rural. Since that time and with the encouragement of provincial governments, local government has grown and developed to the point where it is today. Eighty-five percent of Alberta's population resides in urban municipalities. The continued complexity of urban life has placed a burden of ever-increasing demand for services directly in the laps of local government.

In a federal state, such as exists in Canada today, the distribution of powers between a central or federal authority and several regional or provincial authorities is said to be co-ordinate; that is to say, neither authority is subordinate to the other. Indeed, it is indispensable in the condition of a federal state that each co-ordinate body maintains an area of guaranteed autonomy.

Under our present system local government is subordinate to both levels. Given the fact that the majority of Canada's population lives within the authority and the responsibility of some form of local government, it seems only natural that local government should be given a defined degree of guaranteed autonomy within which their constitutional status would be co-ordinate with the other two levels of government. Given that local governments do provide or have been required to provide many services formerly under provincial and federal jurisdiction, they must likewise be constitutionally guaranteed the authority to tax, or to generate revenue, in a direct manner the users of those services.

Mr. Chairman, while these two points may seem to be a radical departure from the status quo, it must be acknowledged today that six out of 10 Canadians feel Canada is faced with a major threat to its future existence. This sense of shared concern is important, because it suggests a window of opportunity for significant change and an indication that Canadians are prepared to look at new solutions. All three levels of government – federal, provincial, and municipal – are elected bodies whose mandate is to govern, and that is bestowed upon them by the citizens of this country. As we enter a new process of nation building, it is important that local government be defined within the constitutional framework with guaranteed autonomy and that our interests be represented in some way in future constitutional discussions.

Mr. Chairman, as you well know, our partnership with the province of Alberta has been a source of mutual satisfaction and benefit to both levels, but now is the time to formally acknowledge our status to the nation as a whole.

Thank you for the opportunity to address this topic today.

3:27

MR. CHAIRMAN: Thank you very much, Mr. Browning. It may not surprise you to know that the mayor of Edmonton appeared before our committee this morning and made similar representations. There were some questions which were posed at that time, and I think perhaps members of the committee may wish to seek your views on those matters as well.

Gary Severtson.

MR. SEVERTSON: Yes. I noticed in your brief that you mentioned about 85 percent of the population lives in urban municipalities. When you say "municipalities," do you just mean urban municipalities? Or rural and counties should have . . .

MR. BROWNING: Eighty-five percent urban municipalities.

MR. SEVERTSON: No. When you're talking about being in the Constitution, do you mean just urban municipalities should be in the Constitution and not rural municipalities?

MR. BROWNING: I can only speak on behalf of the urban municipalities. I'll allow my friends on the rural side to talk for themselves – a nice political way of getting out of it, Mr. Severtson. But realistically speaking, I think our association, in that it does represent the urban municipalities in Alberta ranging from the city of Edmonton to a small municipality – if you want to treat it as small – such as St. Paul, has solely the vested interests of the urban municipalities in mind.

MR. SEVERTSON: Okay. To follow up on that, say the city of Edmonton and the town of Innisfail, which I represent, have

the same powers. Who would represent them in a constitutional debate?

MR. BROWNING: Well, currently, as far as the constitutional debate is concerned, the provincial associations across Canada that do represent the urban municipalities will be looking at a concentrated front, if you will, in regards to this particular topic. It would be no surprise that in the Federation of Canadian Municipalities convention coming up in June in Newfoundland this topic will be addressed on the national level.

MR. SEVERTSON: Just one more supplementary, if I could. Are municipal governments treated the same in all provinces, or have they different responsibilities in different provinces?

MR. BROWNING: Much different and a far-ranging difference, yes. We're not questioning that. What we are questioning is the status of municipalities – specifically urban municipalities here – the responsibility that has been given them, and the right of that responsibility to be placed within the Constitution and to be recognized as a level of government.

MS BARRETT: The first I'd heard of this concept was this morning with Mayor Reimer's presentation, and I failed to ask her a question that I hope you can answer now. It has to do with motivation, so probably I'm asking you to give me a subjective response. Do you think the primary motivation behind the AUMA desire to have municipalities recognized in the Constitution is to make sure you have either (a) co-ordination or a reduced overlap of services between the other two levels of government and municipalities or (b) a greater sense of say on constitutional, national, and provincial developments? Or (c) is it primarily an issue of funding as the feds reduce their transfer payments to the provinces and the provinces reduce what amounts to transfer payments to the municipalities, or all of the above?

MR. BROWNING: Mr. Chairman, ma'am, I would suggest to you yes, I like the last option, all of the above. And please forgive me for ever speaking on behalf of Mayor Reimer, and I won't. But specifically speaking, coming from an association point of view, what has occurred over the last few years – and I'm speaking primarily, if you will, since Alberta became a province – we have seen a constant move towards municipalities accepting either willingly or unwillingly responsibilities which they are charged for and must accept. What we are suggesting is: that flow of responsibility we cannot see to be the end. Along with the responsibility, we want the capability in order to have the resources to support that. Exactly.

MR. CHAIRMAN: Jack Ady.

MR. ADY: Thank you. In your presentation you mentioned constitutional status and the need for it for municipalities, but you don't really deal with any process to develop exactly what you mean or what you want. I know that presently municipalities are called on to make up the supplemental requisition for school tax. Are you advocating that municipalities may want to take over the whole taxation structure for education and have the right to tax the population for that? What are you really striving for? I can't get a feel for how far you want to go. I gathered from Mayor Reimer that she wasn't anticipating a full participant, as a province might be, in the Constitution. In other words, she didn't anticipate that every municipality would be at

the bargaining table in negotiating an amendment to the Constitution. I gather she had something in mind in between, something less. Can you enlarge on that? Have I made myself clear?

MR. BROWNING: Mr. Chairman, Mr. Ady, may I suggest that the bell ringing tells me my time is up, and I'll try and complete this. You've broached upon a very interesting topic and one that is fundamental to our discussions. Where the Constitution now applies responsibilities at the federal or provincial level, we would expect those responsibilities would be further subdivided so municipalities would also be responsible within the Constitution for specific responsibilities. As far as education is concerned, of course right now it is a provincial responsibility, and the funding of that obviously would be the responsibility of those individuals that have the initial responsibility.

MR. ADY: I just used it as an example.

MR. BROWNING: We won't get into that particular issue. I don't think we have time, sir. But to qualify it very quickly, if I may . . . I'm sorry, Mr. Chairman.

MR. CHAIRMAN: Actually, you have a few more minutes. You get two bells, one at the end of 10 minutes and then we set it again for five. So you have a little more time.

MR. BROWNING: I was just looking for the person with a hook, Mr. Chairman, that's all.

As far as the framework is concerned, in my presentation I spoke about bringing this forward as a discussion item. Our framework as far as how we can participate in the constitutional process itself, as far as asking for amendments, who represents whom, as far as what municipalities should or should not be responsible for within the Constitution, I think has to be derived from a broader consensus than just a particular municipal association such as ourselves. I refer again to the Federation of Canadian Municipalities where this topic has been brought up several times in the past. I would suggest to you, looking forward to next month in Newfoundland, that it will be brought up again, and I think we'll find a process in order to provide input on a national level to this particular discussion.

MR. ADY: So you would see it developing over a period of time to arrive at that position.

MR. BROWNING: Most assuredly. We, as a particular association, have a notice of motion in front of the board of directors of FCM to deal with the issue in September of this year. I have the understanding right now that it's going to be dealt with at the convention, where it should be.

MR. McINNIS: My question is about the constitutional guarantees of the authority to tax. I assume that means access to sources of taxation that currently are denied municipalities, such as income taxes, for example.

MR. BROWNING: Mr. Chairman, yes, that's correct. Currently within Alberta there's a local government finance review committee which is charged with looking at access of revenues or assessing the revenues available to all local governments. Out of that particular committee will arise recommendations, which could include accessing various taxes that are now under the jurisdiction of other levels of government. As far as something

in the future is concerned, I think we will be able to build upon some of those recommendations in regards to how they may be applied within the Constitution under the current taxing system available in Canada. So the answer to your question in short: yes, we're looking at all resources available to us.

3:37

MR. McINNIS: They wouldn't be the preference to, say, levy a municipal income tax so much as to devise a formula for sharing the proceeds of existing taxes?

MR. BROWNING: I throw out, Mr. Chairman, if I may very quickly, the current issue within Edmonton, and that is where they are looking at a tax of some form on gasoline in regards to road improvements. So yes, all available forms are being looked at at this particular time.

MR. CHAIRMAN: Okay. Thank you very much for your presentation. One thing I think we should underline is that constitutions are never fixed absolutely for all time. They must be an evolving, developing mechanism by which a country can govern itself. What you're proposing, I think, may take some time to develop fully so that municipal governments indeed can have the ability to carry out their responsibilities. It may be the next round or the round after that when the subject will really be fully dealt with, but it's important to raise it now, and I appreciate your presentation. Thank you.

MR. POCOCK: Our next presenter this afternoon is John McIsaac.

MR. McISAAC: Good afternoon. I'm attired this way because I just came from my daughter's track meet.

MR. CHAIRMAN: Not a nice day for it.

MR. McISAAC: Aw, it was awful. Red Deer . . . Oh, you're not from Red Deer; you're from Medicine Hat.

Congratulations for having this committee. Congratulations for giving Albertans the opportunity to have their say. Congratulations also for being quick off the mark. I recall that when the Meech Lake accord failed, I as a disappointed Canadian wondered, "Well, what's next?" and was overjoyed when I learned, I think maybe in August, that Alberta was going to embark on this process. And how wonderful it is that we have a full room today. I find that very encouraging. I assume that my two-page document is before you, but I do not assume you folks have had a chance to look at it very thoroughly.

In hopes of making an impact I've reduced my ideas to nine, and some are more important to me than others. To put my remarks in context, think of me as a person who thinks of himself as a mainstream Canadian. I have no political affiliations, and I come here unattached to any interest group. My remarks break down into three categories. One you could refer to as preamble or interpretive clause provisions, one relates to process, and the other relates to matters of substance. I'm also mindful of the fact that you may not hear any new ideas from me, although I think maybe I have one new idea. The reason I am here is to emphasize points that have been made by others and to give weight to their persuasiveness.

I would call number 1 a preamble or interpretive provision. I think our Constitution should have some lofty words in it. It would do us all well to remind ourselves that probably we all agree that the role to be played by our governments is to

promote the dignity and well-being of citizens. I don't think it would do any harm to have that recognized in our Constitution.

Secondly, I favour inclusion in the Constitution of our cultural diversity. We've heard a lot about this matter, but I believe it should be in the Constitution either in a preamble or as an interpretive provision. I believe it has four components: one, recognizing our first Canadians and their impact on our way of life; two, the French-Canadian population and whether we think of them as a founding culture or not; thirdly, obviously English Canada and whether or not it's considered a founding community; and fourthly, our new Canadians who are coming in significant numbers to our country and will have a significant influence on our way of life and our law.

I feel rather strongly about point 3, and we hear about it from time to time. I don't really have a feel as to what is likely to happen in our province on this issue, but I believe provinces should be committed in the Constitution to having a role to protect minority language rights, the minority language rights of the English and French linguistic minority populations in Canada. Maybe the day will come when there will be references to other linguistic minority populations, but I believe it's fundamentally important that the role of the province with respect to this issue would be in the Constitution.

Number 4: I think that in Canada we've got a good record of flexibility with respect to our governments dealing with one another, and that gives rise to two concerns or two matters for me. Firstly, let's not bind ourselves with a unanimity requirement any longer. It didn't serve us well on June 23, so I think we should consider an alternative. I think the 7, 50 formula is excellent, and I think we should consider reducing the unanimity requirement to a 7, 80 requirement - that is to say, seven provinces which represent 80 percent of the population. That would get around the Clyde Wells issue. In 4(b) I'm talking about the distribution of powers here, and I am not an Albertan who is nervous or concerned about Quebec having powers that Alberta doesn't need. As an Albertan, I don't believe the case has been made that Alberta has to have all the powers Quebec has to have. I think Quebec's needs are different from ours. The same applies for our aboriginal people.

Number 5: I make a reference to the issue of Senate reform. Of course, it goes without saying that a reformed Senate should be made up of elected members. I talk about a balanced representation of Canadians because I'm not sure if we're going to get the equal representation, but I think we're going to get one that is at least equitable, and we should be concerned with a balanced representation in the Upper House. Finally, with respect to a reformed Senate, it might be worth while specifically mandating a new, reformed House of Senate to be particularly concerned with preserving and promoting the values expressed in the Canadian Constitution. I see a House of Commons that continues to deal with our day-to-day problems, but I see a Senate which has a longer perspective and must be involved in preserving the values that are enshrined in the Constitution.

Number 6 deals with process. I am a Canadian who is very, very satisfied with the current process; that is to say, executive federalism. I think executive federalism has worked very, very well in Canada, and I do not blame the failure of Meech Lake on executive federalism. I think it's sensible to have these kinds of forums as we have today, and it's reasonable to assume that ultimately a policy will be formalized and our Premier will articulate and promote that policy when it comes to negotiations with the other first ministers. In other words, I'm not at all excited about a constituent assembly. In 6(b) I'm simply saying that an all-party committee such as we have now is perfect, it's

ideal, and it should become a fixture. We should know that when constitutional reform is upon us, we will always have an all-party committee that we can go to and be heard.

3:47

Number 7 is what I think might be a nominal provision, and it deals with the notwithstanding clause. The notwithstanding clause came in in '81-82 as part of a compromise. It hasn't harmed us the way many people thought it might; nevertheless, I think we should consider another check on its use. We presently have only the one check, which is to say that when the notwithstanding clause has been invoked, it has to be renewed every five years. That to me was a good beginning, but I believe we should consider the following requirement: when the notwithstanding clause is to be used, yes, it must come back every five years, but secondly, I think it should only be used after there have been hearings such as we're having today. In other words, when section 33 is being used, kind of regard it as a constitutional amendment thereby warranting public scrutiny.

Number 8 is borrowed from Meech Lake. I think it was a good idea to have provincial participation in the nomination of candidates for the Supreme Court.

I threw in number 9 because of the teacher in me. That is to say, I've had many, many classes where I've had to try to explain away some of the anachronistic language in the BNA Act, in particular the power of 123 years ago, the power of disallowance. So let's not overlook the fact that we could have some wholesale retooling of the BNA Act.

Thank you very much for hearing me on these nine points, and if there are any where you'd want to hear more background information or if you'd like to hear my emphasis on some of the points, I'd be glad to respond.

MR. CHAIRMAN: Yes, Fred Bradley.

MR. BRADLEY: Thank you. Obviously you've given some thought to your presentation. However, I'd like to ask you some questions about your proposed amending formula, the seven provinces representing 80 percent of the population of Canada. We've had a lot of discussion about provincial vetoes in terms of what effect that would have on the development of the Constitution. The 7, 80 formula in fact would give a veto to Ontario or Quebec. You could not get a constitutional amendment through unless both of those provinces agreed to it. If one of them denied it and there were nine other provinces that agreed to it, they would in fact have a veto, so your formula would give a veto to Quebec and Ontario. Have you thought about that in terms of those implications? Because a lot of thought went into the 7, 50 formula to ensure that no province would have a veto.

MR. McISAAC: I've worried about the Quebec veto and the Ontario veto since 1980. In my view, the people of Quebec have worked as hard as any Canadians to come up with appropriate reforms to the Constitution. I believe the province of Ontario has worked as hard as most Canadians, and I will acknowledge that Alberta has been a leader in the constitutional reform area. But I was awfully disappointed with the Premier of Newfoundland, and I was somewhat disappointed with the events in Manitoba. I was particularly disappointed with Mr. Wells, because he said in November of '90 - or was it November of '89? - that no one province should hold up . . . Well, I shouldn't say that, because that gets us to the Ontario and Quebec veto. Nevertheless, I am a Canadian who has no

hesitation at all in granting a veto to Quebec and Ontario when it comes to that one area that heretofore requires unanimity.

MR. CHAIRMAN: Okay. Thank you very much.

I have a point. You raised something that nobody else has done today, so I just want to follow up on that, and that's on the Senate. We've talked about the triple E Senate, equal, elected, and effective. Nobody's really touched very much on that third E, the "effective," but you added a dimension to that today which I thought was significant. As you may know, I chaired a task force on behalf of the Premiers of this country and went across the country to seek out views from other provinces and the federal government on Senate reform. What really became the difficult issue was the effective E. I mean, it wasn't so much the elected, and it wasn't so much the equal, but the effective E was the one which was really going to give the most difficulty. You talked about a role of the Senate in terms of promoting the Constitution and the nature of the Constitution. Could you just expand on that a little bit?

MR. McISAAC: I wish I could. The idea, those words just came to me one day. I've reflected about it a bit and didn't anticipate a question on it. The triple E idea is well promoted, but there hasn't been much said about the effectiveness side of it, so all I tried to do was think of a way where we could distinguish the role of the Senate from the role of the House of Commons. As I was preparing this document, I found myself thinking in terms of values and principles and constitutional entrenchment. I thought: well, those are pretty lofty ideas, so why not specifically make those ideas the responsibility of the Senate? By saying "the responsibility of the Senate," I think what I mean, if I were to reflect on it more, would be the idea of requiring the Senate to approve changes to the Constitution in those areas where we're talking about values and the fundamental characteristics of the country. I think the Senate should have a responsibility like that. It would be their mandate to search the country on an ongoing basis looking for the fundamental characteristics of the country - what they were, what they are, what they will be - and taking appropriate action to promote and preserve them.

MR. CHAIRMAN: If you want to give some more thought to the idea and put it in writing and send it to us, I think we'd be very appreciative.

MR. McISAAC: Thank you.

MR. CHAIRMAN: Thank you very much, Mr. McIsaac, for your thoughtful approach.

MR. POCOCK: The next presenter this afternoon is Richard Vermette, with the United Brotherhood of Carpenters and Joiners of America.

MR. CHAIRMAN: Welcome.

MR. VERMETTE: I'm Richard Vermette. I'm with the carpenters' union in Edmonton, and I also sit on the executive of the provincial Building Trades Council.

I'm glad to be here today, Mr. Chairman and committee members. I'm here more as a concerned Canadian than I am representing the organizations I belong to. My concerns are that with the . . .

MR. CHAIRMAN: Can you be heard at the back? Can you hear? I think you'd better speak into your microphone.

MR. VERMETTE: Okay. I'll speak into the mike.

MR. CHAIRMAN: Thank you.

MR. VERMETTE: It'll take me a couple of minutes to get excited, and then I'm sure everybody in the room will hear me.

I believe this is a great country. Previous generations thought it was a great enough country to fight for, and I think the least this generation can do is speak up for it. We have many problems in this country, but we also have many benefits to being Canadian. We also have many privileges. Sometimes I think we take these privileges for granted, and we think they are here forever, and I don't necessarily believe they are.

I believe in a federal government with clearly defined powers, and it seems to me that the people who are the most pro separatist and who also want more powers for the provinces represent or are from the business elite. I've talked to union leaders from carpenter and millwright locals in Montreal, and they assure me that they're not interested in separating; they assure me that their memberships aren't interested in separating. They're more interested at this present time in protecting their jobs and protecting their standard of living.

Part of what they have to protect their job losses and standard of living from is currently the free trade deal, especially the millwrights. At one time if you manufactured a piece of machinery in the United States, you shipped it to Canada, and it was installed by Canadian millwrights. Now under the free trade deal the American supplier of this material or this machinery can send American millwrights into Canada to install it.

I'm going to say a few things about the Senate. When Prime Minister Mulroney added people to the Senate, in union circles that would be called stacking the meeting. If you don't have enough votes, you phone a few people before the meeting starts and tell them to come down and vote for whatever particular problem you're trying to get past. So I don't think the Senate should ever be in a position again where somebody can add to it just to pass an unpopular law like the GST. Whether it's appointed or elected, you shouldn't be able to tamper with it.

3:57

I'd like to comment, too, a little bit about the Meech Lake accord and the debate that went along with it. I think in the end that the debate about Meech Lake became the issue rather than Meech Lake. More people knew about the debate and what Premier Wells said or what the Prime Minister said or what someone else said than they ever actually knew was in the Meech Lake accord.

In January 1990 I was fortunate enough to visit Southeast Asia. I visited several different countries. When I returned, I took an assignment for the union and attended a conference at Banff that was put on. The guest was John Crispo, a great proponent of free trade and also of some government policies. He stated that Canada had better pass the Meech Lake accord; otherwise, foreign capital would perceive us as being an unstable country and would not want to invest in Canada. I almost started laughing. I'd just returned from Indonesia, where the Taiwanese businessmen are lined up at the airport in Djakarta to get into Indonesia to invest. Indonesia has two very active separate guerilla warfares going on inside their country, and yet

the Taiwanese are investing billions of U.S. dollars in Indonesia. When you fly back into Vancouver and see this nice, clean, orderly Canadian city and think of us as being an unstable country, it's a little bit ridiculous. Now John Crispo has taken his views to the CBC.

I'm not going to comment very much on bilingualism or multiculturalism. I think most of the previous speakers have concentrated totally on that. My concerns are that if there is a new Constitution, who will write it? Will the same people who took part in the Meech Lake accord write the new Constitution? Will there be a constituent assembly? Will there be at least a constitutional conference, and who will attend this conference? Will the workers, the unions, the business, the various stakeholders in Canada be represented? I have suggestions along these lines that I think everyone in this society who's a stakeholder should be represented. That 11 mature adult males can make a decision for the whole of Canada behind closed doors should not happen, I don't think.

I believe that in Canada we're moving beyond the free trade deal with the U.S. I think we're headed for a North American free trade deal, and as a union leader I might be inclined to fight against this. I might not win. We might end up with a free trade deal which includes Canada, the United States, and Mexico. If Canada separated into three or four separate and autonomous countries, how could, say, Alberta, if we were a separate country, defend the rights and the economic interests of Alberta in a North American free trade deal when Canada has a hard time defending the rights of Canadian workers in the U.S./Canada free trade deal? It's a scary thought, to me anyway.

Our local is made up of people from many parts of the world, and they quite often come to me with suggestions on how we can work better between the government and business. They come from places like West Germany, where it's quite common for the unions and business and the government to sit down and decide how to solve a problem.

One of the problems that many of our people are becoming aware of is pensions. We have lots of people who came to Canada, worked four or five years in one industry, moved on to another part of Canada due to economic conditions, started to work in another industry, and now when they're getting to pension age, they're finding that unlike West Germany these pensions did not follow them from job to job and did not increase. At one time in our local we had a 10-year vesting period. We moved it down to five, and we moved it down to two, but there are a lot of people that fell through the cracks, who only worked here for three or four years and had to return to another part of Canada. Now, if we had pension laws that were Canada-wide, this might not have happened as easily. Because pension laws are different in each province, this made it possible.

I'm just about out of comments. As to the particulars of how you write a Constitution and the process, I think you could find a lot of lawyers and a lot of experts that can give you all kinds of advice. All I'm here today to do is to put forth that the working people should be considered when the new Constitution is written. Not always do we make ourselves and our points and our concerns known until sometimes it's too late. I also don't like to see another situation where the Meech Lake debate happens, where the debate and the fighting back and forth between the different stakeholders in Canada becomes the problem and what is in the accord or what is in the Constitution becomes second to the actual fighting.

MR. CHAIRMAN: Thank you. Well, your timing was perfect in terms of your presentation. Now you have five minutes for some questions, which we hope you'll respond to.

Yes, Jack Ady, and then Yolande and John.

MR. ADY: I was interested in your comments pertaining to investment in an unstable country. I suppose many people have spoken about the instability that might come to Canada if Quebec left as perceived by other countries, particularly those who might invest or those who are owed money by Canada. Do you perceive that this would not be a reality, that there would not be a concern if Canada were to break up? Specifically suppose that it goes as far as Quebec and even fragments further.

MR. VERMETTE: Yeah, it's a concern. I think what John Crispo meant the day he made the comments was that if we didn't pass the Meech Lake accord immediately, the immediate reaction the next day after the deadline ran out was that people were going to start pulling their funds out of Canada, and I don't think this happened. I think it would be very unstable for our economy. Financial markets don't like uncertainty, and it would be a really uncertain situation if Quebec were to pull out of Canada, but that's not what I said. What I objected to was this pressure tactic that we would be compared to somehow a Third World country if we didn't pass Meech Lake the next day. I don't think we are a Third World country, and I don't think we're really all that unstable. We can talk about our differences openly. There are parts of the world where the differences the people around this table have would be settled with gunfire, not with conversation. So I think we forget sometimes how much order and how much dialogue we really do have here.

MR. ADY: No, I wasn't trying to second-guess what Mr. Crispo was saying. I was just trying to reach through and get your impressions from your experience as to what kind of impact it would have on international money markets and investment in Canada in the event that Canada were to break up. That was really what I was trying to reach through and get.

MR. VERMETTE: I'm sure the first piece of business of the Premier of Quebec, whoever he would be at the time, would be to fly to New York and have a meeting with the chamber of commerce and reassure them that they hadn't gone crazy and that they were going to be a nice, stable, good friend to the U.S. or whoever else they owe the money to.

MR. CHAIRMAN: I think they've been doing that.
Yes, Yolande, and then John.

MRS. GAGNON: Thank you. Mr. Vermette, you asked the question: who's going to write the new Constitution? I have two questions to ask you about that. First of all, do you think we need a brand-new Constitution or just fix up the one we have and make it work better, and secondly, do you have a preference as to who should be at the table? Last night our former Lieutenant Governor talked about taking the results of this process and maybe a further process which would take place through an Assembly in the Legislature where there would be further hearings. We'd become a Committee of the Whole and that kind of thing. In any case, taking Alberta's final, consensus, arrived-at position to the negotiating table, and her preference being that the elected people would take the results and negotiate. She mentioned something about letting the elected

people govern. Or would you prefer a constituent assembly made up of maybe some elected people, some nonelected? Do you have a preference?

4:07

MR. VERMETTE: I have a preference that it would be a constituent assembly, not just made up of elected people, because I don't want to see another Meech Lake debate. As a labour negotiator, I don't like the late-night deals anyway. I don't like to write agreements on the back of cigarette packages. I'd just as soon we do them in the daytime, when typists and copying machines and fax machines and everything else are available.

MRS. GAGNON: And do you think we need a brand-new Constitution, or fix the one we've got? Do we start from scratch, or do we renew what we have?

MR. VERMETTE: Personally, I don't think we need a new Constitution, but that remains to be seen. If there are enough people in Canada that think we do, then we should get on with it. This paralysis has got to end.

MRS. GAGNON: Thank you.

MR. McINNIS: Mr. Vermette, I agree with your comment that working people are more concerned about jobs and standards of living than they are about some of these details on the Constitution. It was suggested last evening that the fact that we have 13 different labour codes in Canada for a country of 26 million people hurts workers in the sense that there's some temptation by provinces to use labour laws as a means of attracting business. I wonder if we could have your comments on how you feel about the fact that we have in effect 13 different labour codes in Canada?

MR. VERMETTE: It leaves for bewilderment by our membership. They move from one province to the other, and they can't understand why a local in Winnipeg, for instance, can do certain things and a local in Edmonton can't, or a local in Vancouver can do something else. We had a meeting this week of business agents from various parts of Canada and the U.S., and we spent more time trying to figure out what was in each other's labour codes than we did actually on our problems.

MR. McINNIS: So I take it that you'd favour a standardization however that might be achieved.

MR. VERMETTE: Preferably by a federal government.

MR. CHAIRMAN: How many labour codes are there in the States?

MR. VERMETTE: There's one in each state, but the main part of the labour code is administered by the federal government.

MR. CHAIRMAN: Yeah. It's a little different there, isn't it?

Just one question. I guess this is perhaps news reporting about your discussions with colleagues in the labour movement in Quebec not supporting this separatist talk. One of the most prominent voices for separatism has been Louis Laberge. You know, that's what I've been hearing coming from Quebec. Of course, he is I think just retired.

MR. McINNIS: He got a new job.

MR. CHAIRMAN: He got a new job. In any event, that's one of the things, I guess, in terms of your understanding of things.

MR. VERMETTE: In Quebec there are international unions, like the one I belong to, and there are Quebec-based unions, and I think Mr. Laberge comes from a Quebec-based union. I belong to an international union, the United Brotherhood of Carpenters and Joiners of America, and they would tend to take a different view, and probably their memberships would, than some of the Quebec-based unions. I think every so often in Quebec they have to vote on which one they want to belong to. They're not like some of the alternate unions of western Canada. The Quebec-based unions that represent workers are real unions with real powers and are a force to be reckoned with. It would be a balance in Quebec if the international unions decided to stick with Canada and the other ones decided to stick with more separatism.

MR. CHAIRMAN: I guess you can't believe everything you read in the newspaper. Thank you very much for joining us today and for giving us your views.

We've reached the end of the scheduled presenters. I've had a request from at least two people who want to make five-minute, quick presentations, and I think we can accommodate those folks in the time available.

Terence Harding.

MR. HARDING: Actually, I can do this in five minutes. I recognize that it is a long day. I have copies of this submission for all 15 of you, even though you're not all here.

MR. CHAIRMAN: The others are in Calgary at the moment.

MR. HARDING: I know. The B group.

MR. CHAIRMAN: Maybe the rest of us aren't all here either at this time of the day. In any event, thank you very much.

MR. HARDING: When I visit southern Alberta, I tell the people I meet that I live in Edmonton, and I make it clear that I'm proud of my city. If my city is challenged, I will rise to her defence. I will acknowledge her weaknesses, but I will trumpet her strengths. When I travel to another province, I tell the people I meet that I live in Alberta and that I am proud of my province. If my province is challenged, I will acknowledge her weaknesses, but I will trumpet her strengths. When I voyage to another country, I am not an Edmontonian and I am not an Albertan; I am first and foremost a Canadian, and I make it clear that I love my country. I will acknowledge her frailties, but I will defend her against her detractors. I will enlighten those who are ignorant of her worth, and I will challenge those who deny her strengths. I'm here today not as an Edmontonian and not as an Albertan; I'm here solely because I am a Canadian and because I love my country, all aspects of my country. I love its poorer regions and its richer regions, its north and its south, its east and its west, its French-speaking areas and its English-speaking areas. I love the people of my country whether they are brown or black or yellow or red or white. I love them whether their families arrived here yesterday or have been here for generations. I love them for one reason and one reason only: they are my fellow Canadians, and without them there would be no Canada.

Canada was not and is not the creation of cartographers. Canada is more than imaginary lines drawn on a continent in the western hemisphere. Canada is its people. But Canada can exist only if people share a common concept of nationhood. If we lose that common concept, we lose our country. I love my country, but I am struggling to be proud of it. How can I be proud of a country which is willing to entertain the idea of bidding adieu to more than 25 percent of its population? How can I be proud of a country which is willing to fete one of the chief architects of its potential demise? How can I be proud of a country which has allowed itself to reach a state where meetings like this are necessary?

Who is to speak for my country? I don't want to hear any more discussions and arguments about Quebec language laws, French schools in Alberta, official bilingualism, transfer payments, and control over immigration; I want to hear a clear and unequivocal defence of the unity of my country. I don't want to hear that Canada can survive without Quebec. That is a lie of the mind. In my heart I know that statement isn't true. When I hear it said, I feel the same way I did when I told my daughter I was leaving her with her mother but that everything would be the same for us and in some things would be better for her, that she would still have her family; it just wouldn't be in the same house. Saying those things made me feel better and helped me justify my actions, but it did not make them true. Canada cannot and will not survive without Quebec. Some type of nation will result, but it will not be the Canada that I know and love.

I want to hear elected politicians such as yourselves tell me that my country is more important to you than your particular political parties. I want your commitment that these meetings are not going to be used to further your individual agendas. I want to hear you say that maintaining our national unity is more important to you than your individual government departments. I want to hear you say that you may let a poll tell you how much work you have to do to convince the public of the worth of a united Canada but that you will not let polls determine if Canada is worth saving. I want to hear you say that the Canada I love is more important than winning an election. If you have been saying those things, you have been saying them in whispers, and when it comes to the future of Canada

Our dried voices, when
We whisper together
Are quiet and meaningless
As wind in dry grass.

I recognize that we face many challenges as a country. We have arguments to settle and obstacles to overcome. I don't know what the ultimate solution to the factionalism which besets our country is. Perhaps the solution lies in an elected Senate, a break with the monarchy, or a confederation of regions. All those things are worth debating, but not now. There is neither world enough nor time. A political argument now is just more

Shape without form, shade without colour,
Paralyzed force, gesture without motion.

We are facing a crisis, and we must act accordingly. If we continue to argue about political minutiae, we will soon find that the decision on the future of our country has already been made for us. When your house is on fire, it is no time to argue about whether the carpets need cleaning.

We must send a message to the people of Quebec, not the politicians of Quebec but the people of Quebec. We must tell them that we value them, we understand their concerns, and we want them to remain in Canada. That is what we must do over the next year. We must communicate with the Quebecois directly. Through television, through radio, through print we

must let all Quebecois know that they're welcome in all parts of Canada and that if their leaders are sending out a different message than that, then they are being misled.

The English and French blood spilled on the Plains of Abraham in 1759 should have consecrated the soil of a new country. It should have created fertile ground from which a new people would grow, people who are neither French nor English but Canadian. The political process should have been instrumental in making that happen, but politicians in this country have not helped its two founding peoples to talk to one another. They have created the two solitudes, and they have helped maintain them.

4:17

You have the chance to rectify this situation. You can help guarantee the future of this country. You can help the individual Albertan reach out to the individual Quebecois. You've tried to negotiate a future for this country and failed. Let us try to communicate a vision of the future, a vision of a united Canada. We have the ability to do that; give us the tools.

All relationships, whether political, emotional, or financial, are a constant struggle. As a result, some relationships break down; some relationships survive. But the parties in any relationship will only continue to try to solve their problems if they agree the relationship is worth maintaining. I think you believe that the relationship which is Canada is worth maintaining. I think the majority of Albertans believe that the relationship is worth maintaining. If I'm wrong about that, it's because we have not done a good job of communicating about our country as a whole. Maybe that's why there are so few young people here today. We have not even managed to instill in our children a passionate belief in their country. If we had, there would be more young voices here today demanding that we not negotiate away their heritage.

I am but one voice among other voices. You've heard voices which have said they've had enough of Quebec. They've had enough of official bilingualism. They've had enough of Ottawa. They've had enough of immigration. Though the voices may have sounded different, the message was the same: they have had enough of Canada. Make no mistake; those are the voices of doom. I've not had enough. I want to fight for my country, and I want you to help me do it, because if we don't, our country will come to an end with a referendum and a whimper.

Thank you.

MR. CHAIRMAN: John McInnis. I think we have time, a few brief moments for questions and comments.

MR. McINNIS: A strong emotional appeal. We need that, and we thank you for that. I have no difficulty in saying my country is more important than my party. I have no difficulty in saying that this process is about us listening and not about furthering an agenda. At least, I hope it is. It's certainly not about polling. We're not here to count noses.

We're looking for ideas. I wonder if you've tried to go beyond your emotion and arm us with some ideas so that we can arm, perhaps, the people who are going to end up dealing with this problem. I'm not prepared to say who that will be, whether it's the first ministers, whether it's some other group of people. I mean, I haven't had enough either. Have you got any ideas for us?

MR. HARDING: Well, I was thinking about this. Since my field is communication, I was looking at what I was saying about

individual Albertans reaching out to individual Quebecois. When I talk to Quebecois, they're often surprised when they come, particularly to western Canada, that they do not meet hostility on the street. They have been ill informed about the nature of Alberta and our response to French-speaking peoples. I wonder whether there is not some way that a process can be set in place that the mothers and fathers of children who are in immersion courses can talk to Quebecois, that the children themselves can talk to Quebecois, that Alberta francophonie get a chance to say what would happen in the case of a separation from Quebec. I would like that to be a message from the people, not from political parties or politicians, because though it may come as a surprise to you, some people suspect your motives when you send out a message. If we could set some motion in place where individual Albertans could talk and set the model for the rest of Canada, where individuals from B.C., from Manitoba, and from all the other parts of Canada could talk to individual Quebecois, either through newspapers, through programs, or whatever means at our disposal, I think they would be surprised and pleased by the message they heard and would understand what their stake is in this country.

MR. McINNIS: Would you put that as something governments should promote, or are you talking about purely on a personal level?

MR. HARDING: I think government has the ability to make that start to roll. I can think of no better use of heritage fund money than saving the heritage of this country.

MR. McINNIS: Thank you.

MR. CHAIRMAN: Well, that's an interesting challenge, but let me say this. I appreciate your views and that you have given us an emotional appeal. You've asked if we've been saying these things. I think one of the problems we all have these days – you're in communications, so you know the situation. If we've been saying them, we've been saying them in whispers. Maybe we've been shouting them, but nobody has been reporting them. I just think we've got to take a new approach to communications. These meetings are good because we have a chance to talk back and forth with each other, but between us in this room and the great body of Albertans outside this room, there's something called the news media. How they report on what takes place in this room is extremely important. The same thing, of course, applies to how we communicate between provinces as well.

MR. HARDING: I agree with you one hundred percent. Not to act as an apologist for the news media, but the more clear the message is, the more clear the direction is, the more clear the destination is, the easier it is to report. I have trouble imagining that given your public affairs budget for the government, you can't get a message out on your own if the news media itself doesn't pick that up. I think what we have lacked . . . We have minutiae; we have lots of discussions. For example, you asked about the debate on Meech Lake. I think Mr. Vermette has a good point. I understood that there was a debate, but I never really understood what was being debated. Maybe if I had understood what was being debated, I would have been able to pick a side. But like many Canadians I stood back and watched a political argument being acted out on the national stage, and in the end I did not understand what my relationship was to that debate. Now, that I don't think is a problem of news coverage;

I think that's a problem of not communicating directly with Canadians.

MR. CHAIRMAN: Okay. Well, it's an interesting challenge, because we're in the process now. This is only the second day of our hearings. We now move on to other parts of the province – two panels of elected people – to listen. You haven't been here for the whole time, but I can tell you that what we have heard in this room has ranged from western separatists on one hand to a total unitary state on the other and then a lot in between. So what we are going to be charged with doing as responsible members of government is coming forward with the position, as Albertans, that reflects what we have heard and gathered from Albertans talking to us. I think we've been trying to listen during this process rather than tell. When we have the message from Albertans, when we take it to the Legislature, when we debate it, when we have our position, then we are going to have to tell not just Albertans but the rest of Canada what we see as the future of Canada and what Alberta in that Canada should be. That's the challenge this committee has.

I certainly respect your views and your emotional and patriotic attachment to this country.

MR. HARDING: I appreciate the challenge ahead of you. All I can do is encourage you to be expeditious in the development of that message. Yes, there are many conflicting attitudes out there. I was here yesterday and heard some which I agree with and some that I disagree with. In the end, we have to settle on what our objective is. All I'm saying here is that all the deliberations, I think, have to be done – I would hope would be done – from the perspective of maintaining a united Canada and not simply just taking it apart in bits and pieces.

Thank you.

MR. CHAIRMAN: Sir, your message is loud and clear. I think we heard that. Thank you very much.

Is there a Mr. Achilles in the audience?

MR. ACHILLES: There is, but I have nothing further to add at this time. There's been some remarkably good talk here. The views have been expressed that I would have expressed to you. I don't have anything written down.

MR. CHAIRMAN: Thank you. Which ones?

MR. ACHILLES: Except to say I congratulate . . .

MR. CHAIRMAN: No, I'm not trying to put you on the spot. If you'd like to take a minute or two – you had indicated you would like to say a few words – please do so and take a few moments.

MR. ACHILLES: My wife has just been trying to dissuade me from standing up here because, obviously, I'm here without any prepared material, and I don't want to insult you by telling you that I haven't prepared properly for this.

I just want to say, since I am here, that I think the work you're doing is most important. It's essential for the future of this country. The responsibility that you have here is, I would suggest humbly, above the level of your normal responsibilities even though ye be of cabinet rank. I think it's vitally important that politicians should recognize that you're in an exceptional time, that you've got to rise above political partisanship. I was here yesterday afternoon and this afternoon. I was very

encouraged to hear this afternoon that the main thrust, it seems to me, of the statements that have been made – and they've been extremely good ones – is that we want to keep this country together and united.

4:27

The challenge with regard to Quebec is very great, but I think it is possible to rise to this challenge and to say, as my wife has been saying to me, maybe something good will come out of this bed of thorns that Canada is facing right now. I do ask you to rise above not only the partisanship aspect of your work but also above the purely provincial aspects. You are Alberta politicians, and there has been an inference at times from the political leadership here that Alberta wants greater powers for itself and that Alberta sympathizes with Quebec in this and that but let's have increased powers for all the provinces. I suggest that you've heard this afternoon a lot of people saying to you that we need a strong Canada, that provincial governments and the parts that you play as provincial politicians are very important but let us not balkanize Canada. Let us not fall into an empire of petty provinces with greater powers. Let us continue working for a greater country.

I do thank you for giving me these few moments, and I wish you very good fortune in the coming days. Listen to the messages that you're getting. I know that you are faced with the job of reconciling very many different points of view. I think ultimately you may have to face the fact that some leadership is going to be necessary. I hope that leadership will be inspired by a thought of your overriding responsibility to Canada as a whole.

Thank you very much.

MR. CHAIRMAN: Thank you. As our Premier said recently in a speech in Calgary, this is a time for average Albertans to show greatness. We'll try and do that, but so will all of you. Thank you very much.

We adjourn for the day, and we'll be back here next Wednesday morning at 9 o'clock.

[The committee adjourned at 4:31 p.m.]

